

THE WHITE HOUSE

WASHINGTON

March 22, 1999

MEMORANDUM FOR: CHARLES RUFF, COUNSEL TO THE PRESIDENT
MARIA ECHAVESTE, DEPUTY CHIEF OF STAFF

FROM: *EC* EDDIE CORREIA, SPECIAL COUNSEL FOR CIVIL RIGHTS

RE: STATUS REPORT ON CIVIL RIGHTS INITIATIVES

You asked for a status report on the civil rights initiatives identified by the Civil Rights Coordinating Council. This memo addresses three of these initiatives -- eliminating hate crimes, closing the wage gap, and increasing diversity in the workforce.

Hate Crimes

The Hate Crimes Prevention Act of 1999 has been introduced in both the House and Senate. Kennedy and Specter are the leaders in the Senate. Conyers, Morella and Forbes will be leaders in the House. There were 106 original cosponsors in the House, up from about 30 last Congress. Several Members participated in the introduction event, including Kennedy, Specter, Leahy, Conyers, Gephardt, Smith of Oregon and others. White House and DOJ staff have been very involved in drafting the bill and organizing support for it.

We have a number of challenges, including increasing support by state and local law enforcement and addressing federalism and First Amendment concerns. Unfortunately, the ACLU has written a highly critical letter. We meet with ACLU representatives on March 23 to try to resolve their concerns. There will be some type of White House event in early April, probably a radio address for broadcast on April 3. OPL has been helpful in planning the event and in reaching out to possible supporters, including the religious community.

We might want to extend this effort to include harassment, in addition to violent hate crimes. OCR has published a well-received guide on harassment in schools, and I will include them in any expanded effort in this area.

Wage Gap

Both the Equal Pay Act and Title VII can be used to challenge pay discrimination by employers. However, these cases, which usually focus on differences in pay for specific individuals, are difficult to prove. A broader policy concern is that employers may adopt policies (perhaps some of them unconsciously) that result in unfair wage differences between men and women or between minorities and non-minorities. There is now no regular collection of wage

data by any federal agency. Consequently, we do not have an adequate basis for monitoring wage patterns by individual employers or by industry as a whole. At the very least, such data could be useful in conducting research. Depending on how it is provided and the limitations placed on it, it could be used for enforcement efforts as well.

Most of the effort within the White House regarding wage gap issues has been coordinated by DPC. One question has been whether to support comparable worth legislation, sponsored by Senator Harkin. DPC and most of the agencies involved in the review oppose the Harkin bill. DPC and the agencies are continuing to discuss alternative legislation, sponsored by Senator Daschle, which would require additional data collection. There appears to be a consensus that industry-wide data collection should be mandated by legislation rather than by administrative action, for example, an EEOC regulation. However, there is no consensus, at least yet, about what data collection requirements the Administration would support in the Daschle bill.

A remaining issue is whether we should require additional data from government contractors. OFCCP in DOL has recommended a revision of its current data collection requirements. The revised form would reduce the burden on contractors in some ways, but for the first time it would also require contractors to provide wage data by race and gender. The proposal is now pending in DOL where there is concern about the opposition such a requirement would generate. I believe that the OFCCP proposal is worth discussing within the White House. A summary of the proposal is attached. If you wish to pursue this matter, I would suggest a discussion on the issues involved in implementing this proposal with interested persons within the White House, Shirley Wilcher, Kitty Higgins, and possibly the Secretary.

Diversity in the Workforce

We are proceeding in three areas: 1) increasing diversity in the science, technology and engineering (ST&E) workforce; 2) increasing opportunities for disabled Americans; and 3) eliminating job barriers stemming from discrimination based on sexual orientation. Our first efforts have focused on the ST&E workforce.

The working group has identified a number of possible administration actions: 1) reaching out to high-tech firms; 2) improving recruiting efforts by federal agencies; 3) holding an EEOC Commission meeting to highlight the lack of minorities and women in some job categories; and 4) calling attention to an upcoming report by the Office of Science and Technology on the lack of diversity in the ST&E workforce. All of these steps have promise and can be done in the near term, without the need for legislation or additional funding. In my view, the most important and effective effort we can make involves reaching out to high-tech firms to call on them to make substantial efforts to increase the number of minorities and women who pursue ST&E careers.

Meeting with High-Tech Firms

The working group's tentative recommendation is for the President or the Vice-President to meet with industry leaders in about two months with the expectation that he could announce a number of commitments by industry. These commitments could include: 1) setting aside funds for scholarships; 2) forming partnerships with HBCU's, Hispanic Serving Institutions, inner-city schools, state and local governments, or others; 3) developing corporate internship programs; and 4) establishing a permanent industry-funded organization to promote these kinds of opportunities in the future. (There is now an effective industry-funded organization to promote minority engineers, but we envision a parallel organization with a broader focus.)

A number of high-tech firms make substantial contributions to achieve these goals now, such as AT&T, United Technologies. Other very successful firms do little. Our plan is to identify a small group of industry leaders who are sympathetic with our efforts and to seek their advice in reaching out to other firms. We would then meet with a larger group of firms with the hope that we could obtain some commitments about their expanded efforts. We envision presentations by agencies that have particular opportunities for linkages, such as the Gear Up program. In addition, we can arrange presentations by outside groups such as HBCU's. I would appreciate your thoughts as to whether and how these meetings should proceed.

I realize that we cannot make an advance commitment to an event with the President. However, after some initial conversations with private firms, we will be in a better position to judge the feasibility of significant industry commitments. At that point, it would be very useful to determine if such an event can occur.

cc: Peter Rundlet
✓ Irene Bueno
Clara Shin

60-2 Affirmative Action Program Summary

The regulations pertain to federal contractor obligations under Executive Order 11246. Current OFCCP regulations at 41 CFR § 60-2.14 require that federal contractors summarize and update their affirmative action program annually. This helps contractors conduct self-audits, that prevent discrimination.

Section 60-2.14 further provides that the program summary shall be prepared in a format prescribed by the Director (Deputy Assistant Secretary), and submitted to OFCCP each year on the anniversary of the AAP. Although the AAP summary has been included in the Part 60-2 regulations since 1979, it has yet to be implemented through the establishment of a prescribed format.

The 60-2 proposal would implement the AAP Summary requirement. Proposed § 60-2.31 would require that contractors prepare and annually submit to OFCCP an AAP Summary for each of their establishments. The AAP Summary would contain information about the hiring and advancement of minorities and women, and the contractor's affirmative action performance as of the end of each calendar year. The AAP Summary requirement would apply to every contractor that is required by § 60-2.1 to develop an AAP.

Proposed paragraph (b) describes the contents of the AAP Summary. The proposed AAP Summary consists of the following parts: Part A — Establishment Identification and Background Data; Part B — Personnel Activity Summary; Part C — Goal Summary by Job Groups within EEO-1 categories; Part D — Salary Data Summary, and Part E — Certification. The proposed regulation would require contractors to prepare their AAP Summaries in accordance with the format specified in proposed Appendix A.

Thus, except as provided in proposed paragraph (c), a contractor would be required to annually report in the AAP Summary: demographic data on the incumbents and

individuals who were hired, terminated, or promoted during the preceding calendar year in each EEO-1 category; the number of job groups in each EEO-1 category for which placement goals were established during the preceding calendar year; and data concerning the median salaries or wages paid to minorities and women under its compensation system during the preceding calendar year. Proposed paragraph (c) provides that when a contractor becomes subject to the requirements of the Executive Order after June 1, information about personnel activity and the number of job groups with goals need not be provided for the initial calendar year.

Proposed paragraph (d) establishes the submission deadline for the AAP Summary no later than March 15 of the succeeding year. Paragraph (d) also would encourage contractors to submit their AAP Summaries in electronic format. Submission in electronic format should result in savings for many contractors. It also will greatly expedite OFCCP's receipt and analysis of submitted data.

A recurring concern of contractors is that information submitted to OFCCP may be disclosed to competitors or the public under the Freedom of Information Act (FOIA). Proposed paragraph (e) states that OFCCP will treat information contained in the AAP Summary as confidential to the maximum extent the information is exempt from public disclosure under FOIA. OFCCP explains in proposed paragraph (e) that it considers contractor data to be confidential such that disclosure would subject the contractor to commercial harm, and indicates that its practice is not to release data where the contractor still is in business.

The AAP Summary would be phased in gradually to allow contractors that are smaller employers, those with fewer than 150 employees, more time to comply. A gradual phase-in would also allow OFCCP more time to provide any needed technical assistance. During the first year the regulation is effective, the requirement to file an annual AAP Summary would apply only to contractors with 150 or more employees. Beginning the second year after the effective date of the regulations all contractors would be required to file an annual AAP Summary.

OFCCP believes that implementation and enforcement of the AAP Summary requirement will benefit contractors, women and minorities, and the agency. The data reported in the AAP Summary would enable OFCCP to perform a basic audit of each contractor's compliance each year. Historically, only 3 to 4 percent of the covered contractor establishments are identified for compliance evaluation or complaint investigation each year. In addition, the data reported in the AAP Summary would enable OFCCP to develop more refined methods of selecting contractor establishments for compliance evaluations, thus enhancing the agency's ability to target its enforcement resources on those establishments most likely to be out of compliance. Finally, an AAP Summary requirement would engender heightened contractor awareness of each establishment's equal employment opportunity performance, including with regard to pay disparities. OFCCP expects that the heightened awareness of performance, along with increased compliance presence, will improve the level of compliance.

The AAP Summary should require no additional recordkeeping on the part of a contractor. Current regulations already require a contractor to keep the information needed to complete the AAP Summary. To complete the AAP Summary, a contractor would use information taken from the AAP, from employment records required to be preserved according to § 60-1.12(a), or from documentation of selection procedures required under § 60-3.4 and § 60-3.15. For example, the information a contractor would submit in Part B is required in current § 60-1.12(a), § 60-2.12(m), § 60-3.4, and § 60-3.15. Current § 60-2.12 requires a contractor to set goals; goal information would be included in Part C. Under § 60-1.12(a), a contractor is required to keep records concerning pay and compensation. This information would be used to complete AAP Summary Part D, Salary Data Summary.



Irene Bueno
03/24/99 11:56:37 AM

Record Type: Record

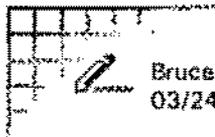
To: Bruce N. Reed/OPD/EOP
cc: See the distribution list at the bottom of this message
bcc: Irene Bueno/OPD/EOP
Subject: Re: Civil Rights Coordinating Council Subgroups Reports

I appreciate the reminder that the Civil Rights Coordinating Council (CRCC) subgroups is focused on enforcement activities and not on policy issues and will make the appropriate changes to the reports. I just received copies of the reports from other subgroups written by Counsel's office staff and these reports do raise some policy issues. Based on these reports, I think there is some confusion by the subgroup leaders what they should be doing since they include policy issues. I will make copies for you, Elena and other DPC staff (Paul, Tom, Tanya, and Jon). *- See attachments*

Speaking as a DPC staffer (not as the lead of these subgroups), I think that there are some policy issues that we should explore in the areas of worker exploitation and language rights. As a DPC staff person, I would like to begin a process to explore policies in these areas. I may work with the some subgroup members but I will be very clear that I am exploring these policy issues as a DPC staff and not the lead of the CRCC subgroup.

Please let me know if you have any questions or concerns. Thanks.

Bruce N. Reed



Bruce N. Reed
03/24/99 10:26:37 AM

Record Type: Record

To: Irene Bueno/OPD/EOP
cc: Elena Kagan/OPD/EOP, Paul J. Weinstein Jr./OPD/EOP
Subject: Re: Civil Rights Coordinating Council Subgroups Reports

Those reports seem fine, but these subgroups are supposed to focus on enforcement activities, not developing legislative proposals or communications strategies. We need to protect the policy councils' prerogative to develop policy, and remind everybody involved that the Coordinating Council is not a policy council.

Message Copied To: _____

Elena Kagan/OPD/EOP
Paul, J. Weinstein Jr./OPD/EOP
Thomas L. Freedman/OPD/EOP
Tanya E. Martin/OPD/EOP
Jonathan H. Schnur/OPD/EOP
Laura Emmett/WHO/EOP

ADMINISTRATION PRIORITIES

doing them by week

Near-Term Projects

Issue Area	Proposed Agency Partners	White House
Worker Exploitation	EEOC, HHS, HUD, Justice, Labor, State	Irene Bueno*
Community Reinvestment Act, Commercial Lending, and Residential Lending	ERB , HUD, Justice, Treasury, ?	Peter Rundlet* Paul Weinstein NEC
EEO Backlog	EEOC, Transportation	Irene Bueno*

*log B
log C*

PW

Broad-Range Priorities

Issue Area	Proposed Agency Partners	White House Lead
Race Conscious Admissions	Education, HHS, Justice	Peter Rundlet*
K-12 Achievement Disparity	Education, HUD, Justice	Peter Rundlet* Tanya Martin
Language Rights	Education, EEOC, HHS, Justice, Labor	Irene Bueno*
Hate Crimes	Education, Justice, Treasury	Eddie Correia* Tom Freedman Richard Socarides
Wage Gap	EEOC, Justice, Labor	Eddie Correia* Tom Freedman
Diverse and Skilled Workforce	Education, Labor, Transportation	Eddie Correia*
Authoritative Data Collection	?	Peter Rundlet*

TM

TF

TF

* Lead

** Overall Coordination: Clara Shin

Due March 28

health

Clara Shin

WHITE HOUSE STAFFING MEMORANDUM

Civil Rights

Date: 8/24

ACTION / CONCURRENCE / COMMENT DUE BY: 8/28

Subject: Civil Rights Enforcement Policy - Decision Memo

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McCURRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
PODESTA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	REED 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ECHAVESTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RUFF	<input type="checkbox"/>	<input type="checkbox"/>
LEW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
BEGALA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BERGER	<input type="checkbox"/>	<input type="checkbox"/>	SPERLING	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BLUMENTHAL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STERN	<input type="checkbox"/>	<input type="checkbox"/>
IBARRA	<input type="checkbox"/>	<input type="checkbox"/>	STRETT	<input type="checkbox"/>	<input type="checkbox"/>
KLAIN	<input type="checkbox"/>	<input type="checkbox"/>	VERVEER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LANE	<input type="checkbox"/>	<input type="checkbox"/>	WALDMAN	<input type="checkbox"/>	<input type="checkbox"/>
LEWIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YELLEN	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	<u>Kagan</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MARSHALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Cohen</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Mathews</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McGINTY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please advise.

RESPONSE:

THE WHITE HOUSE
WASHINGTON

September 23, 1998

MEMORANDUM FOR THE PRESIDENT

FROM:  CHARLES F.C. RUFF, COUNSEL TO THE PRESIDENT
EDWARD CORREIA, SPECIAL COUNSEL FOR CIVIL RIGHTS

SUBJECT: Civil Rights Enforcement

This memorandum emerges from discussions with Chris Edley and Maria Echaveste and seeks your guidance regarding civil rights enforcement policy in five areas -- higher education admissions, high stakes testing at the elementary and secondary level, school integration, business opportunities, and coordination of civil rights enforcement. It is intended to supplement Chris's broader memo of September 9, 1998, outlining the book on race policy, by suggesting an agenda of shorter-term civil rights objectives that are consistent with the longer-range policy goals reflected in the Advisory Board's recommendations and in the book. The initiatives described in this memo can be implemented (or be well on the way to implementation) during the next eighteen months. They will help shape agency priorities and demonstrate the Administration's commitment both to thoughtful policy development and to action.

Over the past three years, federal agencies, with the guidance of the Justice Department, have taken several steps to carry out your commitment to "mend, but not end" affirmative action. Most recently, for example, the administration instituted major reforms of federal procurement policies to target assistance to firms in industries that still show the effects of discrimination. Although critics of affirmative action continue to call on you to abandon support for any race-conscious policies, Congress itself has rejected efforts to eliminate affirmative action on three occasions during 1998. Carefully designed affirmative action programs are necessary and continue to receive wide public support.

We believe that our new procurement policies will survive constitutional attack, but it is possible that the courts will find them inadequate. There is also uncertainty whether race-conscious programs intended to achieve diversity, such as higher education admissions standards, will be upheld. At this point, California has been the only state to place a sweeping ban on affirmative action, but other states may follow suit. We can also assume affirmative

action will continue to be attacked by some in Congress. Finally, even supporters of affirmative action recognize that it is a temporary approach to equality. Our ultimate goal should be to ensure that all groups have an equal opportunity to succeed without the need for any affirmative action policies.

Under no circumstances do we envision the Administration's abandoning support for affirmative action. Instead, we believe that the Administration should continue to pursue a two-track strategy to achieve diversity and racial equality -- first, supporting traditional affirmative action policies and revising them where necessary; and second, devising race-neutral strategies that can also advance the goal of equality and sustain it on a permanent basis. There is no inconsistency in pursuing both tracks at the same time, but choices will need to be made regarding the emphasis to be placed on each approach.

The uncertain legal and political climate might suggest that we devote more effort to developing race-neutral solutions. We can be certain that these approaches will survive legal challenges, and they are more likely to attract bipartisan support. On the other hand, race-neutral approaches are inherently less targeted. For example, benefits that are made available based on income primarily benefit whites simply because there are more poor white families than poor minority families. Moreover, increasing our emphasis on race-neutral approaches can send the wrong message to disadvantaged minority groups who may believe that strengthening these efforts invariably means signaling a retreat from affirmative action. Each of the enforcement strategies discussed below should be evaluated in the context of these competing concerns.

I. HIGHER EDUCATION OPPORTUNITIES

One of the most important steps we can take toward racial equality is to increase the number of minority young people who complete some form of higher education. There are pressing needs in many areas. First, there is a large gap between white Americans and minorities completing college. For example, 29% of whites aged 25 to 29 have a college degree compared to 14% of African-Americans. A recent report shows that college enrollment rates for African-Americans in southern states is declining and that their likelihood of graduation is far below that of whites. Second, the California experience shows that there may be a drastic decline in minorities who attend top-ranking universities as well as professional schools if affirmative action in admissions is ended. Third, an extremely small number of minorities are pursuing careers in science. African-Americans, Hispanics and American Indians constitute 28.5% of the college-age population, but less than 6% of the engineering workforce and, in 1996, they comprised less than 10% of the bachelors degrees in engineering and less than 3% of the doctorates. While there has been an increase in the percentage of science and engineering degrees going to American Indians, African-Americans, and Hispanics since 1989, a recent study reported a 20% decline in African-American and Hispanic enrollment in first year graduate programs in science and engineering.

A. The College Admissions Process

As you know, the constitutional basis for taking race into account in admissions stems from the Supreme Court's 1973 Bakke decision. We intend to defend Bakke, but the reality is that Bakke may not survive, or, if it does, there may be severe limitations placed on how affirmative action to increase diversity can be implemented. Our goal, then, is to explore alternative means for ensuring diversity in our universities.

Standardized tests play a crucial, often determinative, role in the admissions decisions of almost all universities with competitive admissions standards. Minorities, particularly African-Americans and Hispanics, perform significantly less well on these tests than whites and Asian-Americans. As a consequence, the reliance placed on these tests has a disproportionately negative effect impact on these and other minority groups. There is general agreement between the enforcement and policy staffs that universities should place more emphasis on factors other than standardized tests and high school grades. Such an approach would require universities to commit more resources to the admissions process, but it could result in more diverse student bodies without sacrificing the academic success of admitted students.

1. An Enforcement Strategy

One means of achieving diversity is by enforcing federal regulations under Title VI of the 1964 Civil Rights Act. These regulations bar recipients of federal funds from pursuing policies if they have a racially discriminatory effect and either 1) the policies are unnecessary to achieve the institution's legitimate goals; or 2) there is a less discriminatory alternative that is equally effective to achieve these goals. The Department of Education could take the position that universities that rely too heavily on standardized tests violate these requirements. For example, the SAT is generally viewed as a good predictor of first year grades in college; however, even the Educational Testing Service, which developed the test, cautions that it can be overemphasized. Moreover, the experience of universities that have committed more resources to individualized review of applications suggests that greater reliance on non-quantitative characteristics can result in a more diverse enrollment without sacrificing academic success. In light of this experience, it could be argued that Title VI requires a more individualized review of applications and, correspondingly, less reliance on quantitative measures.

There are disadvantages to the litigation approach, however. While there is some case law supporting such a legal theory, the courts have not provided clear guidance in this area, and there are significant risks that they would reject the theory. Moreover, the empirical data regarding the relevance of standardized tests do not point in a clear direction. While the current admissions system can be improved, there is a great deal of uncertainty as to precisely how to do it. We are confident in saying that universities should rely on several factors, rather than one, and that individual evaluations should play an important role; however, it is difficult to strike the appropriate balance between use of quantitative measures, such as test scores and grades, and non-quantitative factors, such as a record of community service and leadership. Thus, courts may conclude that the role of the tests is an education policy issue to be decided by university administrators, rather than a matter of civil rights law to be decided by courts.

2. A Policy Development Strategy

A second option is for the Administration, while being prepared to take enforcement action in egregious cases, to urge changes in the admissions process as a matter of sound education policy and work with the higher education community to identify and implement the types of admissions procedures that will help to ensure greater diversity while preserving standards of academic performance. For example, Secretary Riley and other administration spokespersons could advocate de-emphasizing standardized tests and focusing more on personal characteristics as predictors of academic performance. Rather than challenge particular admissions procedures in court, the administration could work with the higher

education community to develop a consensus about reform of the admissions process. We can contribute to the debate by analyzing the latest and most reliable research demonstrating the limitations of conventional admissions criteria.

Such an approach can only be effective if leaders in higher education work with us to develop and communicate the appropriate message about admissions. White House staff has already worked with some of these leaders to promote the importance of diversity in general, and they can also form the core of an effort to develop alternative admissions procedures. On a narrower front, the Attorney General has expressed a strong interest in the issue of law school admissions, and we have discussed with her a project to work with law school deans to expand the admissions process.

Emphasize enforcement strategy _____ or policy strategy _____

Other: _____

B. Improving Test Scores and Encouraging Careers in Science

While we believe that the role of standardized tests in the admissions process should be rethought, a more fundamental problem is that minority students are often poorly prepared for such tests. Thus, a parallel approach is to ensure that minority students can successfully compete under prevailing admissions standards. Improving academic achievement of all students is a long-term effort, which warrants federal intervention at the earliest stages. Administration efforts such as reducing class size and increasing the quality of teachers are central to this long-term strategy; however, we believe it is also important to identify effective intervention points to improve results in the short term, e.g., 3 to 5 years. Concerns about fairness and social cohesiveness require that we take actions that have a more immediate impact on the nation's teenagers, in addition to our longer-range efforts to improve the education of elementary and preschool children.

Low test scores explain almost the entire racial disparity in college admissions. Once earnings are adjusted for test scores, the earnings disparity between white and black applicants also drops dramatically.¹ Thus, equalizing test scores could substantially increase racial equality.

¹ Jenks and Phillips, America's Next Achievement Test. The American Prospect, Sept.-Oct. 1998. In 1994, the earnings of all black employed men ages 31 to 36 were 67.5% of the comparable white group. However, if the two groups are adjusted for test scores, earnings of this group of black men were 96% of the comparable white group.

If current test score patterns continue, and affirmative action is eliminated or drastically restricted across the country, the effect on minority college enrollment could be serious enough to be socially divisive. There are, therefore, powerful reasons for addressing the problem of low test scores along with any effort to modify the admissions process.

At the high school stage, we believe one promising approach is to strengthen precollege preparation for inner city students. This approach could include providing funds for: 1) advanced science and math courses in inner city schools; 2) college credit courses to be offered during the summer; and 3) courses that would boost academic performance and improve performance on standardized tests. Research shows that test preparation courses often increase performance, and that such courses are largely taken by middle class, white students. On the other hand, there are sufficient doubts about the benefits of short-term test preparation courses that it may not be effective to subsidize them. Instead, it may be more appropriate to provide funding for more extended courses that include substantial academic content, but that can also boost test performance.

Improving the academic performance of minority undergraduate students can expand minority enrollment in professional and graduate schools. We believe a promising approach is to design programs for this group that will increase their graduation rate, increase interest in graduate school, particularly science programs, and improve grades and scores on standardized tests. Federal efforts can include expanding financial support for: 1) improving math and science programs at minority-serving institutions; 2) short-term courses that will boost performance on standardized tests; 3) tutors and counselors for students who are facing academic problems; and 4) science-related internships and research assistant positions. We understand the Department of Education will include some proposals in these areas in their budget submissions. At this point, we seek your guidance as to the general direction and priorities for these efforts.

Finally, another approach is to call on private industry to fund scholarships for minority students in order to pursue science careers. Because of the extremely low numbers of minorities in science careers now, and because we are facing an overall shortage in scientists and engineers, private industry has a stake in increasing minority enrollment in graduate programs in science. The private sector is already making scattered efforts in this area now, but we believe there is a good possibility that a coalition of the nation's largest corporations would set aside substantial funds if you called on them to do so. If you believe it worthwhile, we would be prepared to reach out to some of the leaders in the field of science education to discuss how to accomplish this.

Develop program to improve test scores: Approve _____ Disapprove _____

Develop program for minorities in science careers: Approve ___ Disapprove ___

Other _____

II. HIGH STAKES TESTING

High stakes testing is a critical issue in current civil rights enforcement. The Office of Civil Rights in the Department of Education (OCR) is conducting a number of investigations of states and school districts that rely on standardized tests for such important decisions as selecting students for academically accelerated programs and granting high school diplomas. For example, North Carolina requires high school seniors to pass a standardized test to graduate. As in the case of the SAT and LSAT, reliance on test scores has a significantly disproportionate effect on African-Americans and Hispanics. In 1998, the state reported that 93.3% of white students passed the test, but only 82.4% of black students passed. The disparity in some school districts was much more dramatic. In the most extreme case, 84.1% of white students passed, compared to 30% of black students. As you know, the civil rights community has expressed strong concerns about the use of high stakes tests. The question is whether and how we should attempt to influence the use of such tests.

A. An Enforcement Strategy

One option is to challenge the use of these tests under the Title VI regulations described above. The Department of Education's draft guidelines state that a test that has a disparate impact must be "valid and reliable for the purpose for which it is being used and [must be] the least discriminatory alternative that can serve the institution's educational purpose." Although the use of tests at the elementary and secondary level will raise many of the same questions raised by college admissions standards, there are significant differences in analysis. For example, because the alternative of a more individualized approach to measuring ability is probably less feasible where the goal is a widespread assessment of a minimum level of competence, states might argue that tests represent the only practical approach to identifying students who have achieved a minimum level of academic performance. Standardized tests also have the advantage of providing a way to compare the performance of school districts themselves. The administration itself has argued for standardized tests on these grounds.

For these reasons, we can expect that the states will often be able to meet their burden of proving that standardized tests are necessary to achieve a legitimate goal. As in the case of college admissions, the most disputed issue in a Title VI case is likely to be the existence of an equally effective, less discriminatory alternative. OCR argues that, in certain cases, it could establish in litigation that there are better ways to measure ability that have less discriminatory impact. There are, however, disagreements among experts about the predictive value of even the most respected tests, and a court might defer to a school district's decision to use a particular test as the best way to accomplish its educational objectives.

B. A Policy Development Strategy

As in the case of higher education admissions, the alternative is to emphasize the development of reliable tests as a matter of sound education policy. We would still continue to enforce Title VI in clear-cut cases, and, in fact, Secretary Riley has assured the civil rights community that we will do so. For example, OCR has challenged school districts that relied exclusively on IQ tests to place students in a gifted and talented program in elementary grades. In those cases, even those who designed the test were prepared to testify that the test should not be used for that purpose. In close cases, however, we would forego legal challenges in favor of working with educators to develop sound testing techniques that have less discriminatory impact. This approach would also be consistent with upcoming ED efforts to discourage social promotions. Both approaches are aimed at persuading school districts to adopt appropriate methods to evaluate student performance.

Emphasize enforcement strategy _____ or policy strategy _____

Other: _____

III. SCHOOL INTEGRATION

One of the most discouraging aspects of race relations in America is the stubborn persistence of segregation in schools and residential areas. Recent data show that public schools are actually becoming more segregated. This segregation is driven by residential patterns, both within and among school districts. In 1995, about 56% of the enrollment in central city districts throughout the country was composed of African-American and Hispanic students. Nine of the ten largest districts had more than 75% minority enrollment. In contrast, 22.3% of the students in suburban schools and 19.3% of the students in rural schools were African-American or Hispanic. Students in many schools are often racially isolated. One third of African-American and Hispanic students attend schools with more than 90% minority enrollment.

Below, we discuss three possible approaches to achieving a higher degree of integration: pursuing litigation, promoting housing integration, and expanding magnet schools. These strategies are not mutually exclusive, and we seek your guidance as to the priority to be placed on each.

A. School Desegregation Litigation

Historically, DOJ has initiated or participated in most major school desegregation cases throughout the country. While there have been many successes, particularly in the south, there is no doubt that efforts to integrate large city school districts have been undercut by the movement of white families to the suburbs. In addition, the Supreme Court has limited court-ordered desegregation by prohibiting remedies that include the suburbs unless the constitutional violation has extended beyond a single school district. In practice, this has meant that almost all school desegregation decrees have involved only individual school districts.

Today, there are essentially no new school desegregation cases to bring. Instead, the enforcement questions concern the position DOJ should take in regard to efforts to modify or vacate decrees that have been in existence for many years. Many school districts, particularly in the south, are content to leave a desegregation plan in place as long as there is general public acceptance. Other districts have asked the court to vacate their decrees, encouraged by the fact that the Supreme Court has adopted a more permissive standard for doing so. Increasingly, courts themselves are raising the issue of vacating these decrees. In general, DOJ has taken a strong stand against vacating desegregation decrees so long as there are additional significant steps that can be taken to break down vestiges of discrimination. When there are no realistic possibilities for such steps, DOJ has joined with the parties in a motion to vacate a decree. In the absence of other guidance, DOJ intends to continue this approach. The reality, however, is that litigation is unlikely to achieve significant new gains in integration.

B. The Role of HUD

HUD administers a variety of programs that can assist minority families to purchase or rent low-cost housing. In many cases, HUD has considerable discretion as to where and how to target this assistance. Another approach to breaking down school segregation is to target housing subsidies in metropolitan areas where there is an opportunity to promote substantial school desegregation. To some extent this can be done with existing regulations and appropriation levels. A more significant effort would require additional funds.

Recently, for example, DOJ was involved in settlement discussions regarding a long-standing desegregation decree applicable to Indianapolis and the surrounding suburbs. Indianapolis presented an unusual example where the desegregation plan required bussing students to and from the suburbs. DOJ, along with the city and private parties, agreed to a settlement that will end bussing in seventeen years. The settlement also included a modest provision to increase housing integration. Under the terms of the settlement, the city established a center to assist low-income residents of Indianapolis in locating and financing housing in the suburbs, but the city was not required to help fund the center or any associated services. Although our role in this litigation is essentially at an end, HUD could provide financial assistance to increase the number of low-income families in the suburbs. This in turn could promote school desegregation, perhaps as effectively as judicially-ordered desegregation.

Approve: _____ Disapprove _____ Other _____

MARIA: Tracking Resources

C. Inter-district Magnet Schools

The Department of Education now administers a modest (about \$100 million) grant program for magnet schools that are formed for the purpose of increasing school integration. About 65 districts will receive grants this year. The Department of Education recently announced that magnet schools that use race as a factor in their admissions policies must satisfy strict scrutiny to comply with constitutional standards. After some initial concern about whether the districts could comply with that standard, virtually all districts were able to comply with modest adjustments in their admissions policies.

Magnet schools contribute to school integration, but their effect is limited. They usually enroll students from a single district that is already dominated by students of one race. In fact, the effect of magnet schools is often to create an integrated magnet school at the expense of increasing segregation at the "feeder" schools from which students come. Although the current statutory authorization allows for grants to magnet schools that serve more than one district, only

three grants were given to such schools because of the limited funding for the program. One option is to seek expanded funding for magnet schools and to earmark some of the funds for schools drawing students from more than one district. This would represent a voluntary, inter-district alternative to rarely obtained inter-district desegregation orders.

Approve _____ Disapprove _____ Other _____

IV. EXPANDING BUSINESS OPPORTUNITIES

Since the Nixon Administration, both Republican and Democratic administrations have pursued efforts to expand opportunities for minority-owned businesses. This business-oriented strategy is the natural counterpart to an educational strategy. We have recently initiated several reforms of federal procurement programs that are designed to expand these opportunities. There are strong arguments that additional reforms, outlined below, are needed.

A. Current Programs

Several federal programs are intended to increase opportunities for minority-owned businesses. The largest and most significant of these is the SBA's 8(a) program, which provides a sheltered environment for newly developing firms to enable them to obtain the experience and record necessary to compete in an open marketplace. Federal agencies work through the SBA to arrange for contracts with qualified firms on a non-competitive, or at least limited-competition, basis. The 8(a) program arranges for over \$6 billion in federal procurement contracts for SDB'S. This represents the lion's share of all federal procurement dollars going to these firms. Our recent procurement reforms implemented a separate price credit program that provides a boost to minority-owned firms in industries that reflect the ongoing effects of discrimination. The Department of Transportation's DBE program requires grantees to set goals for minority contracting. Finally, the new HUBzones program provides for preferences in federal procurement for all small firms located in inner cities. HUBzones, which was a Republican initiative pushed by Senator Bond, largely superseded the Empowerment Zone initiative, which was intended to accomplish similar objectives.

B. Applying Benchmarking to SBA's 8(a) Program

In order to identify industries that reflect the ongoing effects of discrimination, Commerce has developed "benchmarks," which are a measure of the value of contracts that would be expected to be awarded to SDB's in the absence of discrimination. While these benchmarking standards will not apply directly to 8(a), we stated that we would apply similar principles to the 8(a) program. DOJ believes we must do so or face the prospect that a court will find 8(a) unconstitutional.

DOJ recommends that we apply benchmarking principles to 8(a) by limiting contracts in certain industries and by limiting the firms that can participate in the program. In particular, DOJ recommends that, in industries where the gap between SDB's and other firms appears to have been closed, SBA should begin to limit all large contracts as well as contracts to firms that have

participated in the 8(a) program for a longer period. Although these steps may be met with political opposition, particularly by firms who face the prospect of a loss of contracts, the alternative is that the entire program may be struck down.

C. Further 8(a) Reforms

Applying benchmarking principles to 8(a) will go some way to reform the program, but additional reforms are needed. Critics have pointed to a number of weaknesses in 8(a):

(1) Wealthy individuals still participate since the cap on assets is up to \$750,000 and equity in a business, as well as home equity, is not counted against this ceiling;

(2) Many firms participate that would be successful without the program; a 1994 survey showed that many companies in the program were stronger economically than average companies in the same industry;

(3) A large portion of 8(a) contracts goes to a relatively small number of firms; for example, about 25 % of 8(a) contract dollars in FY 94 went to 1% of firms; at the same time, 53% of the firms during FY 92-94 received no contracts;

(4) The program does not significantly expand minority hiring and economic development in the inner city; few 8(a) firms are actually located in inner cities; and

(5) The program does not provide significant business development assistance; the current funding for technical assistance is \$2.5 million, only enough to provide advanced management courses for a limited number of executives; meanwhile, about half of the firms in the program are not awarded any federal contracts.

We recommend that the administration propose reforms in the 8(a) program to address these shortcomings. Some of these can be done administratively; others require statutory changes. In particular, we recommend that a working group be created to develop specific proposals to: 1) lower the cap on the wealth of participating firm owners; 2) lower the cap on the amount of contract dollars any 8(a) firm can receive; and 3) reduce the size of participating firms. These limitations on 8(a) should be balanced with a significant expansion of SBA's technical assistance program and with certain more permissive financing requirements, e.g., easing the bonding requirement. These reforms will be met with strong opposition by some members of the minority business community, but there is a good argument that 8(a) benefits a relatively small

number of firms now, while doing little for overall equality. A restructured 8(a) program can extend assistance to more firms in a more effective way.

Approve _____ Disapprove _____ Other _____

D. Broader Procurement Reforms

In addition to these reforms, we believe that the administration should pursue the second track of strengthening race-neutral efforts to expand minority business opportunities. As in the case of education, one strategy is to target assistance to inner-city areas. This strategy reaches a disproportionate number of minority-owned firms while increasing minority employment in economically depressed areas. This is the approach of Empowerment Zones (an administration initiative) and HUBzones (a Republican initiative). The Empowerment Contracting initiative provided a preference in federal procurement for firms in Empowerment Zones, but this program was never implemented because of the enactment of HUBzones.

The Empowerment Zones and HUBzones programs provide structures upon which additional efforts can be built. One possibility is to expand technical and mentoring assistance to firms in HUBzones. Many HUBzone firms are already eligible for the SBA's technical assistance program, but funding is so limited that the SBA has restricted all technical assistance to 8(a) participants. A second possibility is to reinstitute a provision that was originally included in the Empowerment Zone proposal by providing a preference in federal procurement for large firms that operate in severely distressed inner city areas. In order to ensure that this preference is most effective, it can be limited to large firms that hire substantial numbers of inner-city residents.

Expand technical and mentoring assistance: Approve _____ Disapprove _____ Other _____

Preference in federal procurement: Approve _____ Disapprove _____ Other _____

V. COORDINATION OF CIVIL RIGHTS ENFORCEMENT

We believe that a civil rights coordinating council, composed of the heads of the major civil rights agencies, should meet periodically to coordinate enforcement and to report to you and other administration officials about their efforts. The council would be chaired by the Assistant Attorney General for the Civil Rights Division and would plan meetings and briefings with the aid of the Counsel's Office. White House staff or other administration officials would attend as appropriate.

The council is needed for several reasons. First, because civil rights enforcement plays a crucial role in achieving the administration's fundamental goal of economic and social equality, there is a particular need for the enforcement agencies to inform the White House of their priorities and policies. Second, civil rights enforcement decisions often relate closely to general administration policy. For example, the approaches to higher education admissions and testing discussed earlier in this memo necessarily raise important questions about education policy. Finally, civil rights enforcement responsibilities are shared by several agencies, including the Civil Rights Division in DOJ, the EEOC, the Office of Civil Rights in ED, and the Office of Civil Rights in HHS. Ensuring that these agencies coordinate their activities will promote consistency and more effective enforcement.

Approve _____ Disapprove _____ Other _____

THE WHITE HOUSE

WASHINGTON

March 4, 1997

LEADERSHIP CONFERENCE ON CIVIL RIGHTS MEETING

DATE: Friday, March 7, 1997
LOCATION: VP Ceremonial Office
TIME: 4:30 - 5:30 pm
FROM: Richard Hayes

*Bruce -
Have you seen this?
First, take a look at the
agenda. Does it strike you as odd?
Second, take a look at the
briefing materials. Some were pre-
pared by Diana
and Steve in response to a request
from OPL. • OPL
omitted all references
that made it clear that
the materials were from this
office. At the very least, our
response to this should be to call
Maria and tell her that when
next she wants help from our
staff
in the
primary
briefing
materials she
should
check in with me as first.*

I. PURPOSE

Your second meeting with the Executive Committee of the Leadership Conference on Civil Rights (LCCR) will offer you an opportunity to follow-up issues raised by the group in January and to continue a dialogue on other key policy issues. The meeting's second purpose is to introduce the President's new team at the Office of Public Liaison, who will be responsible for working with LCCR to carry out their agenda.

II. BACKGROUND

Elena

The Leadership Conference on Civil Rights is a "loosely" organized coalition of over 180 national organizations committed to the advancement of civil rights laws and policies. Founded in 1950 by A. Philip Randolph, Roy Wilkinon, and Arnold Aronson, LCCR represents minorities, women, labor, persons with disabilities, gays and lesbians, older Americans, and major religious organizations. Dr. Dorothy Height, President of the National Council of Negro Women, is LCCR's Chairperson and Wade Henderson, former Director of the Washington Office of the NAACP, is the Executive Director.

LCCR is the legislative arm of the civil rights movement, and should not be confused with the Black Leadership Forum (BLF), which consists of the leaders of the oldest and most influential civil rights and service organizations addressing the needs of the African-American community. The Honorable Joseph Lowery, President of the Southern Christian Leadership Conference, is BLF's Chairperson and Dr. Yvonne Scruggs, is the Executive Director. Membership of the two organizations overlaps to a small degree, but they are two separate and distinct groups.

You last met with LCCR on January 6, 1997, when they briefly presented their policy agenda for the 105th Congress, asked about the status of appointments in the second Clinton Administration, and presented you with a draft of their recently completed report on the rise of hate crime violence in the United States. You consented to holding this second meeting to further discuss their policy concerns. You also promised to follow-up on several issues they raised at the first meeting: (1) Employment Non-Discrimination Act; (2) INS disability and naturalization regulations; (3) White House conference on hate crimes and discrimination; and (4) second term appointments.

III. PARTICIPANTS

Event participants (Bios are included in Tab C)

Barbara Arnwine. Executive Director, Lawyers Committee for Civil Rights Under Law
Arnold Aronson. Chairprson, Leadership Conference Education Fund
Elizabeth Birch. Executive Director, Human Rights Campaign
Becky Caine. President. League of Women Voters
Marty Corry, Federal Affairs Director, American Association of Retired Persons
Justin Dart, Chairman. President's Committee on Employment of People with Disabilities
Joe L. Ervin. Senior Policy Analyst, National Council of Senior Citizens
Matthew Finucane. President, Asian Pacific American Labor Alliance
Marcia Greenberger. President, National Women's Law Center
Penda Hair. Washington Regional Director, NAACP Legal Defense and Education Fund
Dorothy I. Height. Chairperson. Leadership Conference on Civil Rights
Wade Henderson. Executive Director, Leadership Conference on Civil Rights
Rebecca Issacs. Public Policy Analyst, People for the American Way
Elaine Jones. President. NAACP Legal Defense and Education Fund
Charles Kamasaki, Sr. Vice President, National Council of La Raza
Karen McGill Lawson. Executive Director, Leadership Conference on Education Fund
Judith Lichtman. President. Women's Legal Defense Fund
Harold A. McDougall. Washington Bureau Director, NAACP
Gerald McEntee. President. American Federation of State, County and Municipal
Employees
Laura Murphy. Washington Office Director, ACLU
Karen Narasaki. Executive Director, National Asian Pacific American Legal Consortium
Mark Pelavin. Associate Director, Religious Action Center, Union of American Hebrew
Congregations
Eula Tate. Legislative Representative, International Union, United Automobile Workers
Georgina Verdugo. Washigton Office Regional Counsel, Mexican American Legal
Defense and Education Fund
Patricia Wright. Government Relations Director, Disability Rights Education and
Defense Fund
Raul Yzaguirre. President. National Council of La Raza
Nancy Zirkin. Government Relations Director. American Association of University
Women

IV. PRESS PLAN

Closed Press. Beverly Barnes will provide any additional information.

V. SEQUENCE OF EVENTS

- o You welcome participants, introduce new OPL team, and ask everyone else to introduce themselves.
- o Wade Henderson makes brief remarks regarding the purpose of today's meeting.
- o You make remarks, and report on the status of several issues: Alexis Herman and Frederico Pena nominations, balanced budget amendment, Employment and Non-discrimination Act, FY '98 civil rights enforcement budget, FDR memorial, affirmative action and personnel.
- o LCCR makes brief remarks about balancing the budget and the poor.
- o You ask Ken Apfel to respond.
- o LCCR makes brief remarks about welfare reform.
- o You ask Ken Apfel to respond.
- o LCCR makes brief remarks about immigration
- o You ask Steve Warnath to respond.
- o LCCR makes brief remarks about a White House Conferenc on Hate Crimes and Discrimination.
- o You ask Maria Echaveste to respond.
- o You close meeting, again thanking them for their support, and encouraging them to stay in close contact with Maria and her staff.

VI. REMARKS

Talking Points attached (Tab A)

VI. ATTACHMENTS

Additional background material (Tab B)

TAB A
ERSKINE BOWLES TALKING POINTS

1. INTRODUCTIONS
2. ALEXIS HERMAN AND FEDERICO PENA NOMINATIONS
3. BALANCED BUDGET AMENDMENT
4. EMPLOYMENT AND NON-DISCRIMINATION ACT
5. CIVIL RIGHTS ENFORCMENT BUDGET FOR FY'98
6. AFFIRMATIVE ACTION
7. FDR MEMORIAL
8. PERSONNEL
9. IMPACT OF BALANCED BUDGET ON THE POOR
10. WELFARE REFORM
11. IMMIGRATION
12. WHITE HOUSE CONFERENCE ON HATE CRIMES AND DISCRIMINATION

Tab A

ERSKINE BOWLES TALKING POINTS

1. INTRODUCTIONS

- ✓ I want to thank everyone for coming today.
- ✓ I have been looking forward to this meeting so that we could continue with the dialogue that we started when we met in January and began discussing some of your policy priorities and concerns, such as the status of appointments. I also promised to follow-up of on several issues, which I would like to briefly update you on this afternoon.
- ✓ Before doing that, I think we should go around the table and introduce ourselves. I am Erskine Bowles, Chief of Staff at the White House and with me today are a number of the senior White House staff, who will introduce themselves. I would like to begin by introducing the President's new team at the Office of Public Liaison who will carry on the work so ably done by Alexis Herman, who will soon be our next Secretary of Labor.
- ✓ Maria Echaveste, who I am sure many of you know, is already in place as Assistant to the President and new Director for Public Liaison. Ms. Echaveste joins the White House from the Department of Labor, where she was Wage and Hour Administrator. Before joining the Labor Department, Ms. Echaveste was Deputy Director of Personnel during the Clinton transition. Before that she worked as a lawyer.
- ✓ Also in place at OPL is another well-known supporter, Ben Johnson, whom we have promoted to the position of Deputy Assistant to the President and Deputy Director for Public Liaison. Mr. Johnson has been Special Assistant to the President and Associate Director in the Office of Public Liaison. Mr. Johnson served on the staff of the Mayor of the District of Columbia before joining the White House. He also served the District of Columbia government as Administrator of the Housing and Environmental Administration and as Administrator of the Business Regulation Foundation.
- ✓ Maria's other Deputy is also an old friend, Doris Matsui, who held the same position when Alexis was here.
- ✓ I also want to introduce Richard Socarides, who many of you already know. Richard has rejoined the White House staff as Special Assistant to the President and Senior Advisor for Public Liaison. He will work on gay and lesbian issues, among others. Richard is an attorney, had previously worked for Senator Harkin and was our White House Liaison at the Labor Department.

- ✓ The President and I both have a great deal of confidence in this new team and I encourage you to work closely with them in the future as they serve as the eyes and ears of the President. My door is always open to you, as are the members of my immediate staff, but I encourage you to call upon Maria and her team when you have issues of concern. I don't think you will be disappointed.

[Continue with introductions and make opening remarks.]

2. **ALEXIS HERMAN AND FEDERICO PENA NOMINATIONS**

- ✓ Before we start, I really want to thank all of you for the support you so generously provided on behalf of the President's nominee to be the next Secretary of Labor, Alexis Herman, and the next Secretary of Energy, Federico Pena.
- ✓ The White House has been working tirelessly for these nominees, and our effort -- along with your support -- is beginning to pay off. As you know, Senator Jeffords has set a hearing date of March 18 for Alexis and Mr. Pena's nomination was voted out of subcommittee yesterday and we expect it to be taken up by the full Senate in the near future. Both of these candidates are superb choices and I look forward to working with them as a member of the President's Cabinet.
- ✓ While I fully expect that we will be victorious, we are not completely out of the woods yet. As such, I ask you to continue your efforts. I certainly am.

3. **BALANCED BUDGET AMENDMENT**

- ✓ The President is very pleased that the Senate defeated the Balanced Budget Amendment earlier this week.
- ✓ The amendment could have caused or worsened recessions. It would have permitted a minority of legislators to hold the America's creditworthiness hostage, involved judges in spending and tax policy, and threatened Social Security and other benefits. The Balanced Budget Amendment was bad public policy, and Congress was right to defeat it.
- ✓ Now it's time to move onto the hard work of balancing the budget. The President wants to build on the spirit of bipartisanship we saw in Congress last year by reaching agreement on a balanced budget plan this year.
- ✓ He submitted a balanced budget plan to Congress last month, one that reaches balance in five years, while protecting investments in education and other critical

areas and giving working Americans targeted tax relief.

- ✓ I know you have some concerns about the impact of a balanced budget on the poor and we talk more about that in a minute. However, I want to assure you that that is not what the President intends or has proposed.

4. EMPLOYMENT AND NON-DISCRIMINATION ACT

- ✓ We at the White House appreciated the discussion at our last session about the Employment Non-Discrimination Act (ENDA).
- ✓ As you all know, both the President and Vice-President feel strongly about this legislation and personally talked to individual Senators last year leading-up to the historic 49 to 50 Senate vote.
- ✓ And I want to take this opportunity to thank LCCR for the leadership it has shown here. This is not easy stuff for a good number of people who would consider themselves quite fair minded. We believe, as you do, that the struggle for equal rights for gay and lesbian Americans is important. This effort is part of the last frontier of the civil rights movement and we applaud you for your leadership.
- ✓ Richard Socradies will be heading up our effort to put us over the top on this important effort. Last year he and George had the lead on our ENDA effort.
- ✓ I know he is already working with a number of you in putting the finishing touches on our initial plan around the ENDA roll-out, probably in April when I understand the legislation will be introduced in both houses of Congress.

5. CIVIL RIGHTS ENFORCEMENT BUDGET FOR FY'98

- ✓ At January's meeting, we were not able to tell you how much of an increase the President was proposing for civil rights enforcement in his FY '98 budget, but we can happily do so today.
- ✓ Relative to FY '97 enacted, the President's FY '98 budget proposes a \$49 million, or 9 percent increase in budget authority for the major civil rights offices. Significant increases are proposed for nearly every agency. Among the highlights:
 - 26% increase for the U.S. Commission on Civil Rights (to \$11 million), including funding for a two-year national fact finding project on the extent and economic consequences of various forms of discrimination.

- 30% increase for fair housing activities at HUD (to \$39 million.)
- 16% increase for the Department of Labor's OFFCP (to \$69 million.)
- 11% increase for the Department of Education's Office of Civil Rights (to \$61 million.)
- 154% increase for SBA's 8(a) and minority small business programs (to \$17 million), reflecting primarily the increased workload for SBA in overseeing minority contracting in a post Adarand environment.

6. AFFIRMATIVE ACTION

- ✓ I wanted to say a few words about affirmative action, but not get into the substance of the issue today. Sylvia Mathews, on my staff, is heading up a White House workgroup that includes among others, Richard Hayes in the Office of Public Liaison, to implement the Justice Department's proposal to "mend, but not end affirmative action programs." As part of this effort, we have been working with Wade, Hill staff, and various outside interest groups to devise a proposal that is workable but that also comports with the Supreme Court's Adarand decision.
- ✓ You will be hearing more about this effort as we move forward with implementing this proposal and also such efforts as President Clinton executive Order launching an Empowerment Contracting program. This program will offer incentives for government contracting awards to businesses located in distressed communities or that hire residents living there
- ✓ We will also be working hard to reauthorize the Intermodal Surface Transportation Efficiency Act (ISTEA), and SBA 8(a) program, which expire this year. Both programs represent a major source of funds for women and minority-owned business engaged in government contracting.
- ✓ The main point I want to leave you with is that President Clinton remains committed to affirmative action and will work with you to protect these programs in the Congress and defend them before the courts.

7. FDR MEMORIAL

- ✓ I also want to say a few words about the FDR Memorial controversy that members of the disability community and others have raised.

- ✓ Last May, the President spoke out publicly on this subject, saying that he hoped the Memorial would show the American people, "that this great, great President was great with his disability."
- ✓ The FDR Memorial Commission has taken some steps to highlight FDR's disability in the Memorial including; displaying a replica of FDR's wheelchair, displaying two photographs of FDR in his wheelchair in the entry building, and including discussion of FDR's disability in the National Park Service handout literature.
- ✓ But the President is aware of the continued concern both within the disability community and beyond that the Memorial fails to depict FDR in his wheelchair. We look forward to working with you to find a solution to this issue.

8. PERSONNEL

- ✓ We are still plugging away on identifying people to join a second Clinton Administration. While we have not made as much progress as we would like, the President and I remain committed to having both the White House and the Cabinet look like America.
- ✓ I know that you have expressed an interest in several positions, and I don't want to get specific today with respect to where we are on filling those jobs, but your recommendations are important to me and the President and will be taken seriously as we move forward.

[Note: They are particularly concerned about three positions at this time: (1) Susan Daniels, who is disabled, for the Deputy Commissioner of SSA job -- Peg Clark in Presidential Personnel has interviewed her; (2) Bill Lee for Deval Patrick's old job -- he is the consensus candidate for the civil rights community; and (3) Eric Holder for Deputy Attorney General.]

9. IMPACT OF BALANCED BUDGET ON THE POOR

- ✓ Ask Ken Apfel to respond.

10. WELFARE REFORM

- ✓ Ask Ken Apfel to respond.

11. IMMIGRATION

- ✓ Ask Steve Warnath to respond.

12. **WHITE HOUSE CONFERENCE ON HATE CRIMES AND DISCRIMINATION**

✓ Ask Maria to respond

Tab B:

BACKGROUND MATERIALS

1. **BALANCED BUDGET AMENDMENT CONSTITUTIONAL AMENDMENT**
2. **EMPLOYMENT NON-DISCRIMINATION ACT**
3. **CIVIL RIGHTS ENFORCEMENT BUDGET**
4. **FDR MEMORIAL**
5. **PROTECTING VULNERABLE AMERICANS WITHIN A BALANCED BUDGET**
6. **IMPLEMENTING WELFARE REFORM -- HELPING STATES MOVE PEOPLE FROM WELFARE TO WORK**
7. **IMMIGRATION**
8. **RECOMMENDATIONS: HATE CRIMES IN AMERICA**

Tab B:

BACKGROUND MATERIALS

**I. BALANCED BUDGET AMENDMENT CONSTITUTIONAL AMENDMENT
THE PRESIDENT ALREADY HAS A DETAILED PLAN TO BALANCE THE
BUDGET IN 5 YEARS.**

Protect and Strengthen Medicare & Medicaid. Extend the life of the Medicare Trust Fund well into the next century. Protect the fundamental guarantee of health benefits for the disabled, nursing home residents, & strengthen health coverage for children.

- ✓ Invest in Education --our nation's number 1 priority for preparing for the next century.
- ✓ Strengthen environmental protections.
- ✓ Build on the Vice-President's efforts to make our government work better and cost less.
- ✓ Provide middle-class tax relief to pay for education, health care, to help raise a child and buy and sell a home.

BUILD ON PRESIDENT CLINTON'S RECORD ON DEFICIT REDUCTION.

- ✓ We have cut the deficit by 63% after it had quadrupled during the previous 12 years.
- ✓ We now have a smaller deficit as a share of GDP than any other major country in the world.
- ✓ FY98 budget builds on this progress and reaches balance by 2002 while investing in the future.

TAX CUTS FOR FAMILIES WHEN THEY NEED IT MOST.

The President's budget provides about \$100 billion of tax cuts over the next five years to help families raise their children (\$500 per child), Send them to college (\$1,500 HOPE Scholarship and \$10,000 tuition tax deduction), and Save for the future (penalty-free withdrawals from IRAs for education and first homes; tax-free savings for education through combined use of the tuition tax deduction and education IRA). It would also help families buy and sell their homes by the exclusion of \$500,000 of capital gains on the sale of the home. Move from welfare to work with tax incentives to businesses, by

allowing employers a 50% credit on the first \$10,000 of annual wages that they pay to long-term welfare recipients; and give tax incentives to boost investment in distressed areas and promote hiring of the economically disadvantaged.

PRESIDENT CLINTON HAS ALREADY CUT THE DEFICIT DRAMATICALLY

- ✓ **President Clinton Has More Than Cut The Deficit in Half.** When President Clinton took office, the deficit was a record \$290 billion. Last year, the deficit was \$107 billion - a 63% reduction in the four years the President has been in office.
- ✓ **The Deficit *Exploded* Between 1981 and 1986 under a Republican-Controlled White House and Senate.** The dramatic increase in the deficit occurred under a Republican-controlled White House and Senate -- the deficit nearly *tripled* in just three years, from \$74 billion in FY1980 to \$208 billion in FY1983.

According to Robert Bork, "The results of such an amendment would be hundreds, if not thousands, of lawsuits around the country..." [Senate Judiciary Committee Report accompanying S.J. Res. 1985.]

2. EMPLOYMENT NON-DISCRIMINATION ACT

- ✓ The Employment Non-Discrimination Act ("ENDA") would outlaw discrimination against gays and lesbians in the workplace.
- ✓ The President endorsed this legislation on October 19, 1995 in a letter to its chief Senate sponsor, Senator Kennedy and thereafter the Administration worked aggressively for its passage. It failed in a straight up or down vote in the Senate by one vote (50-49) on September 10, 1996. The Senate vote was historic; it was the first time a piece of free-standing civil rights legislation covering gay and lesbian Americans was brought to the floor of either chamber and the closeness of the vote was a result of personal appeals by both the President and the Vice-President to individual Senators.
- ✓ No member of the Senate who voted for ENDA and stood for re-election in 1996 was defeated. The House did not take action on ENDA in the 104th Congress and its prospects in that body during the 105th Congress are not as bright as in the Senate.
- ✓ The Administration's strong support for this legislation had the effect of blunting criticism from gay and lesbian supporters of the President's signature of the anti-gay marriage bill on September 20, 1996 (the marriage bill was passed in the Senate on the same day as the ENDA vote).
- ✓ During the campaign, on September 23, 1996, the President stated in a videotaped address: "I support the Employment Non-Discrimination Act -- we came very close to passing it in the Senate this year -- and I have asked Congress to do everything it can to pass it early next year." In his September 20, 1996 statement accompanying his signing of the marriage bill, the President called upon the next session of Congress to pass ENDA "expeditiously."

3. CIVIL RIGHTS ENFORCEMENT BUDGET

FY 1998 Funding for Civil Rights Agencies				
Budget Authority				
(dollars in millions)				
Agency	1996 Enacted	1997 Enacted	1998 Request	% Chg 1997-1998
U.S. Commission on Civil Rights	8.8	8.7	11.0	2
Equal Employment Opportunity Commission	233.0	240.0	246.0	
Department of Housing and Urban Development, Fair Housing	30.0	30.0	39.0	3
Department of Justice, Civil Rights Division	62.6	62.4	65.5	
Department of Labor, Office of Federal Contractor Compliance	56.2	59.0	68.7	1
Department of Education, Office for Civil Rights	55.0	55.0	61.2	1
Department of Health and Human Services, Office of Civil Rights	19.7	19.5	20.5	
Department of Transportation, Office of Civil Rights	5.6	5.6	5.6	
Civil Rights Enforcement Agencies	470.9	480.2	517.5	
Department of Commerce, Minority Business Development	32.0	28.0	27.8	-
Small Business Administration, 8(a) and 7(j) Programs	6.2	6.5	16.5	15
Department of Labor, Women's Bureau	7.7	7.7	7.6	-
Department of Labor, Directorate of Civil Rights	4.5	4.5	4.5	-
Department of Transportation, Minority Business Resource Center	2.9	2.9	2.9	0
Department of Justice, Community Relations Service	8.6	5.3	7.5	4
Civil Rights Non-Enforcement Agencies	61.9	54.9	66.8	22
Total Civil Rights Funding	532.80	535.1	584.3	9

Note: table does not include \$4.5 million in funding for the surveys of minority and women-owned business enterprises (SMOBE/SWOBE). These surveys will provide the data needed to defend the Administration's affirmative action procurement policy in a post-Adarand environment.

4. FDR MEMORIAL

- ✓ A decision memo is pending on whether the President should speak out on the FDR Memorial controversy and recommend to the FDR Commission that another statute be commissioned depicting FDR in his wheelchair.
- ✓ The President serves as Honorary Chair of the FDR Memorial Commission, which was authorized by Congress in 1955 to oversee the design of the FDR Memorial. During the past two years, the Commission has been criticized because the design does not depict FDR as a man with a disability. The Commission, chaired by Sen. Inouye (D-HI), has invited the President to speak at the FDR Memorial dedication on May 2, 1997. The disability community, which is dismayed that the statutes at the Memorial fail to depict FDR in his wheelchair, is planning a protest at the ceremony.
- ✓ The Roosevelt grandchildren are split on the subject. Curtis Roosevelt, in a letter to the Commission said, "Let me say quite emphatically that FDR would have been very disturbed. He was a very private person..." But Anne Roosevelt, on behalf of herself and seven other grandchildren wrote, "Were he alive today we are convinced that he would wish to have the people of this country and the world understand his disability. He would be comfortable, possibly eager, in light of current increased understanding of disability issues, to share awareness ... While we wish no delay in the construction of the proposed memorial we urge adequate inclusion of all facets of the man as he was, not as some think he ought to have been."
- ✓ Senator Inouye, a disabled veteran from WWII, member of the Commission for the past 25 years, and current Chair of the Commission, has strongly opposed including a sculpture of FDR in a wheelchair. He stated, "I for one would not want to redo history. FDR was Commander-in-Chief of the greatest fighting force in the world and he wanted to be viewed as a strong leader. I would hate to see the man exploited after he was dead." But national opinion leaders, including President Bush, President Ford, Doris Kearns Goodwin, Hugh Sidey, George Will, and Maureen Dowd have voiced strong support for including FDR's disability in the Memorial. A Harris poll indicates that 73% of Americans said the Memorial should include "visible recognition of FDR's disability."
- ✓ In response to a weekly report from Interior on February 21 alerting him to the controversy, the President wrote, "They should have one in a wheelchair. Should I speak out on it." During the spring of 1996, in response to a memo from Carol Rasco on the subject, the President stated, "I agree...FDR was for continuous forward movement. In today's world, I think he would insist on being shown in his wheelchair." In May 1996, the President spoke out publicly on this issue in a speech to the President's Committee on Employment For People With Disabilities by stating, "I hope with Christopher Reeve, that as the Roosevelt Memorial becomes a reality, with your efforts to remove the stigma of disability, they'll find a way to make sure that the American people know that this great

great President was great with his disability."

- ✓ The decision memo recommends that the President participates in the Memorial Dedication Ceremony on May 2, but calls upon the FDR Commission to design and incorporate into the Memorial a fourth statute of FDR in his wheelchair by a specific date.

5. PROTECTING VULNERABLE AMERICANS WITHIN A BALANCED BUDGET

From providing a second-chance to out-of-school youth in the inner cities, to providing Medicaid benefits to disabled immigrant children, to helping children without families find a loving adoptive home — the President's 1998 budget includes proposals to assist those Americans who may need the most help, but are often overlooked.

- ✓ **Welfare Reform.** As the President promised when he signed the welfare reform bill into law, the 1998 budget proposes to moderate overly harsh provisions that are not true welfare reform. Within a balanced budget, the President proposes investments of \$18 billion through FY2002 to moderate the impact of the harsh provisions.

The new welfare law makes deep cuts in Food Stamps that disproportionately affect those with high housing costs — especially families with children. As the cost of living increases, these families' real benefits will erode — forcing them to choose between paying the rent and eating. To help families with high housing costs, the President proposes to consider the full amount of their housing costs and to restore the link between benefits and rising living costs for all recipients.

The new welfare law also denies fundamental safety net programs to legal immigrants — even though they are in the United States legally and are making every effort to become productive members of society. It makes short-sighted cuts barring immigrant children and immigrants who become disabled from cash and medical assistance. The 1998 budget proposes to revise the law so that legal immigrant children and legal immigrants who become disabled after entering the country are eligible for SSI and Medicaid benefits.

The 1998 budget also proposes to restore Food Stamps for those who actively seek work, but cannot find a job and for whom the State does not provide a work or training opportunity.

- ✓ **Adoption Initiative.** The Administration proposes a new initiative to move children more rapidly from foster care to safe, permanent homes. We want to double, by the year 2002, the number of children adopted or permanently placed annually. We propose making incentive payments to States that increase adoptions from the foster care system. The budget also includes \$21 million to reduce barriers that delay permanent placement of children and provide technical assistance and disseminate information to States.
- ✓ **Youth Opportunity Areas.** Recognizing the special problems of out-of-school youth, especially those in inner-city neighborhoods where jobless rates can exceed 50 percent, the 1998 budget proposes \$250 million for competitive grants to selected high-poverty rural and urban areas to raise overall youth employment levels.

Provide America's Children with a Healthy and Safe Head Start.

A healthy, caring family environment is the best preparation for a child's successful future in school and in life. Programs such as WIC and Head Start help make a good beginning possible for millions of children.

- ✓ **Head Start.** The 1998 budget continues the President's commitment to expand Head Start so that it can serve one million low-income children by 2002. Head Start approaches child development comprehensively by focusing on children's learning skills, health, nutrition, and social competency. To bolster family literacy, Head Start helps low-income parents be their children's first teachers by including them as much as possible in their children's learning.
- ✓ **WIC.** The 1998 budget fulfills the President's commitment to achieving full participation in the WIC program by providing nutrition packages and health and nutrition services to 7.5 million women, infants, and children by the end of 1998.
- ✓ **After-School Program.** Kids need access to after-school activities that keep them off the streets and out of trouble. This initiative spends \$50 million to keep public schools open during non-school hours to give students access to after-school tutoring, and other educational and recreational activities in a crime-free environment within their own communities.
- ✓ **Children's Health.** The 1998 budget takes three critical steps that begin to address the problem of the more than 10 million children who lack health insurance coverage:
 - We provide \$750 million a year in grants to States to encourage innovative partnerships to insure children who are not covered by Medicaid or employer-sponsored benefits.
 - We provide funds to match more aggressive efforts by the States to locate and cover approximately three million children who are eligible for health insurance coverage through Medicaid, but who are not participating in the program.
 - We propose that *all* children who are eligible for Medicaid receive a full 12 months of eligibility so they do not lose coverage from month to month as their parents' income fluctuates.

Opening the Doors to Opportunity through Education and Training

Within a balanced budget plan, the 1998 budget affirms the President's longstanding commitment to education and training by increasing the resources available for these programs by 10 percent over 1997-- an investment of \$51 billion. The President's goals address education needs from preschool through adult career training.

- ✓ **College Aid.** The President wants to open the doors to college for every American by helping low and middle-income families pay for post-secondary education and training. The HOPE Scholarship proposal makes financing two years of college universal through a \$1,500 HOPE Scholarship tax credit. New tax deductions would be available for up to \$10,000 in higher education costs. The Pell Grant maximum award would be raised to \$3,000 (the largest increase in 20 years) and make more Americans eligible, reaching more than four million people in 1998. Student loan fees would be cut up to 50 percent. The budget increases the College Work-Study program, making further progress toward the President's goal of creating one million work-study slots by 2000.
- ✓ **America Reads.** America Reads is a national initiative to help ensure that every child can read independently and well by the end of third grade. College presidents are already committing a number of their work-study students to the tutoring component of America Reads. The 1998 budget funds both the Education Department and the Corporation for National and Community Service in a five-year \$2.75 billion investment to mobilize and train more than a million tutors. The Parents as First Teachers part of the initiative will support community efforts to help parents read to and with their children.
- ✓ **Safe and drug-free schools.** Students need safe and disciplined learning environments to succeed in school. Unfortunately, violence in our communities disproportionately affects young people, and too many are under the false impression that drug use is not dangerous. The 1998 budget increases the Safe and Drug-Free Schools and Communities program by \$64 million -- to \$620 million -- to help nearly all the Nation's schools inoculate our children against drug abuse and violence through classroom instruction, teacher training, and security measures. This expanded effort will build on our growing knowledge base of effective drug and violence prevention programs to ensure that schools use programs that work best.
- ✓ **School Construction.** Schools need to be safe and conducive to education. They also need to accommodate computers and other new technology. This Presidential initiative will provide \$5 billion to leverage new construction or renovation projects.

6. IMPLEMENTING WELFARE REFORM -- HELPING STATES MOVE PEOPLE FROM WELFARE TO WORK.

We need to demand responsibility from all while providing opportunity to all to make welfare reform implementation a success. The President's goal is to ensure that all welfare recipients -- not just the job-ready -- have the opportunity to go to work.

- ✓ To achieve this goal, the President has introduced a number of new proposals to complement state welfare reform efforts and create incentives to move long-term welfare recipients into lasting private sector jobs, all within the context of a balanced budget:
- ✓ **Welfare-to-Work Jobs Challenge Fund.** This three-year, \$3 billion initiative will provide flexible resources to help States and cities move one million of the hardest-to-employ welfare recipients into lasting jobs by the year 2000.
- ✓ **Work Opportunity Tax Credit.** To complement the Jobs Challenge with an incentive to employers to hire long-term welfare recipients, the 1998 budget also proposes a major enhancement of the Work Opportunity Tax Credit for three years for this group.
- ✓ **Bridges-to-Work.** To help make welfare reform work, the 1998 budget proposes to expand programs to help thousands of urban welfare recipients get to the suburban jobs that will help get them off public assistance. Bridges-to-Work is the Administration's innovative new program to link low-income people in central cities to job opportunities in surrounding suburban communities by providing job placement counseling, transportation, and supportive services such as child care and counseling.

To complement this proposal, HUD will provide "regional opportunity counseling" to expand the range of neighborhood and housing choices open to those who hold housing vouchers and are anxious to locate closer to jobs. In addition to targeted assistance like Bridges-to-Work, the Department of Transportation will try to help expand the reach of transit providers to serve individuals making the transition from welfare to work. That proposal, and the efforts of the Federal Transit Administration, will concentrate on local decision-making and flexibility.

- ✓ **Funding for 380,000 New Food Stamp Work Slots.** Food Stamps should be available to those who want to work, but cannot find a job. That means giving people real options, not just cutting them off the rolls. The Administration proposes new funding for States to support an additional 380,000 work opportunities for able-bodied, childless Food Stamp recipients from 1998 through 2002, and adds tough new sanctions for those who do not play by the rules. The 1998 budget also proposes to restore Food Stamps for those who actively seek work, but cannot find a job and for whom the State does not provide a work or training opportunity.

- ✓ **Adult Education.** To help meet the demand for literacy training stimulated by the welfare and immigration reforms, the 1998 budget provides \$394 million, an increase of more than 50 percent since 1996, to provide basic skill, high school equivalency, and English classes to disadvantaged adults.

7. IMMIGRATION

I. Naturalization

✓ Growing Delays in Processing Applications

Processing time for naturalization applications are back up to over a year in some places after being reduced to six months. These delays obviously have added significance because of the benefits restrictions on legal immigrants.

Possible Responses:

- 1) In the face of Republican attacks on the entire citizenship program, those attending your meeting are looking for the President to respond with statements reaffirming the right of eligible individuals to naturalize in a reasonable time.
- 2) Congress recently approved reprogramming of funding to maintain INS' current citizenship staffing level. This funding was necessary for INS to maintain its ability to process citizenship applicants as expeditiously as possible.
- 3) Finally, we are reviewing other possible initiatives to try to assist individuals, particularly those such as refugees who may have more difficulty acquiring the language and other skills necessary to become eligible for citizenship, to get help with these skills. For example, this might include working with private companies to encourage them to set up English-As-A-Second-Language courses in their workplace.

✓ INS Disability & Naturalization Regulations

This issue also will have significant welfare reform implications. INS will issue regulations very soon that implement the law permitting waivers of certain citizenship tests for some disabled individuals. The INS also will provide guidance to its field offices on their legal responsibility to provide reasonable accommodations for an individual's disability during the naturalization process. These regulations are much-anticipated and the source of some frustration for the immigration and disability groups which want them released -- The groups may wonder why the regulations were recently pulled back (answer: to ensure that the accompanying INS guidelines better reflected our responsibility to accommodate disabilities).

While the regulations are the product of broad consultation and commenting and they contain many positive elements, they still will preclude some severely disabled from becoming citizens and this will disappoint those attending this meeting. The Justice Department concluded that Congress provided authority to waive the citizenship tests but did not waive the requirement that an individual be able to have an understanding of the nature of the oath.

- ✓ DOJ (in conjunction with other agencies) is reviewing whether to recommend that we propose or support legislation that would permit waiving the oath requirement for the most severely disabled or allowing a guardian or proxy to assent to the oath on behalf of individuals who are too severely disabled to understand the oath.

Our response may include:

- 1) We want to work together to push hard to get our welfare legislative proposal enacted which would help some of those who will not be able to retain their benefits because of their inability to understand the oath.
- 2) The INS will provide a full briefing on the regulations to all interested parties when they are issued. And the Administration will monitor how these regulations are implemented to make appropriate adjustments to the guidelines as necessary to ensure that they are implemented with sensitivity and compassion.

II. Civil Rights and Immigration-Related Concerns

✓ Discrimination

The groups have deep concerns about the heightened risk of discrimination to legal workers who "look or sound foreign"-- citizens and legal immigrants alike -- due to implementation of the immigration bill and our worksite enforcement initiatives (both employer sanctions and sweatshop enforcement). Past government studies indicate that the risk is real.

In addition, the concern may be expressed that our record in appointments suggests a lack of appreciation to this risk. An example that the groups have used is that the Administration has not named anyone for the position of Special Counsel for Immigration-Related Unfair Employment Practices at DOJ for a couple of years. This office investigates and prosecutes employers charged with national origin and citizenship status discrimination and violations of the antidiscrimination provision of the Immigration and Nationality Act, issues central to the concerns of representatives of the Latino and Asian American communities. (Someone may now have been selected for this position). Delay in filling any of the other key civil rights positions exacerbates the concern. The perception also may be expressed that a low representation of minorities other than African Americans in top Administration positions reinforces the view that the Administration does not recognize the different forms of discrimination faced by those who "look or sound foreign" in the United States.

Possible responses:

- 1) The Administration shares the concern for the need to design its enforcement efforts (including the work authorization pilots required in five states by the legislation) fully committed to protecting legal workers against discrimination.

2) To this end, the DPC has been leading an interagency antidiscrimination working group that has been consulting with a Leadership Conference Task Force on this issue. The interagency group recently released guidance to federal contracting agencies about their responsibilities against discrimination (signed by Deval Patrick, Gil Cassellas, and Shirley Wilcher) as they comply with the law that prohibits hiring illegal workers.

3) This group also has completed drafting an interagency informational card that is user-friendly for workers to inform them of protections against discrimination in the work authorization pilots and where they can call in the federal government for assistance.

4) The DPC has been working with INS and DOL to reconcile their sometimes conflicting operational missions in joint sweatshop enforcement actions in order to identify illegal workers while protecting the rights of legal workers.

5) More broadly, the DPC began reviewing issues of hate crimes, violence, and harassment with Administration civil rights officials. (We should look for additional opportunities to use the bully pulpit by including this topic in appropriate speeches of the President and Attorney General.)

✓ Opportunity

Latino communities are among the poorest in the country. The concern may be expressed that Latinos are not being particularly well served by programs designed to help expand opportunity, such as Head Start or job training, in which Latinos participate in a disproportionately small number. Someone at the meeting may indicate the view that the Administration's policies are not doing enough to reverse this situation.

Some participants in the meeting will be looking for the Administration to pledge to take the lead to address this issue to achieve better participation levels in these programs.

III. Detention and Deportation Issues

✓ The immigration bill strengthens the ability of the federal government to detain and remove deportable aliens from this country. The groups have concerns about fairness -- particularly cases of hardship on families, many with citizen children -- and the potential for abuse.

Possible response:

1) This is an area where there will be some difficult outcomes under the present law. But we are committed to implementing the law with fairness and sensitivity. We want to get the groups' ideas on how to achieve this by continuing our dialogue about this issue.

2) The DPC has been working with the Justice Department and the American Bar Association to see if we can develop a meaningful program to encourage lawyers to volunteer to represent immigrants. The Attorney General and Deputy Attorney General

have indicated their absolute commitment to this project. It is hoped that this will help ensure that each immigrant's rights are fully and fairly protected in asylum/detention/removal cases (and benefits cases). You may want to commit to having the President or Vice President participate in rolling this out at either the Summit on community service or as a separate event.

IV. Welfare Reform "Fixes" to Legal Immigrant Restrictions

Finally, just an observation: At least some meeting participants are likely to urge the Administration to stick to its guns with its legislative fix proposal. In the past they have expressed opposition to compromises involving approaches such as block grants or two year delays in implementation.

8. **RECOMMENDATIONS: HATE CRIMES IN AMERICA**

Foreword

For almost half a century, the Leadership Conference on Civil Rights, and for more than a quarter century, the Leadership Conference Education Fund, have championed the idea that Americans of every heritage can live together, with equal rights and mutual respect.

Americans are proud that we are people of different backgrounds, faiths, viewpoints, and personal characteristics. But we are also one people, bound together not by bloodlines but by our respect for human rights and the Constitution.

Our diversity gives us variety and vitality. Our common commitment - to equal justice and equal opportunity for all - gives our nation unity and purpose.

In this report, a coalition representing a cross-section of Americans - working together under the auspices of the Leadership Conference Education Fund and the Leadership Conference on Civil Rights - address and assess the problem of what has come to be called "hate crimes."

Hate crimes are acts of violence directed against people because of their racial, religious, ethnic, gender or sexual identity. They are also acts of violence against the American ideal: that we can make one nation out of many different people.

That simple but powerful idea is what makes our nation different from others where people persecute each other because of how they look, how they speak, or how they worship God. In our own time, in troubled places such as the former Yugoslavia, the Middle East, Northern Ireland, Rwanda, and Burundi, we are witnessing once again the age-old tragedy of people committing horrific acts of violence against each other because they refuse to look beyond their differences to respect each other's inherent human dignity.

We are releasing this report in the hope that our own country will overcome the problem of hate crimes and become what we were always intended to be. Let us be the United States of America - and, in the words that school children repeat each day, "One nation, under God, indivisible, with liberty and justice for all."

Arnold Aronson, President, LCEF

Dorothy I. Height, Chairperson, LCCR

Recommendations

While much is being done to promote respect for diversity and to combat crimes based on bias, much more is needed. Federal, state, and local governments, educational, religious, community, and business organizations, and individual citizens all should assume even more responsibility to make sure that no individuals in our country are injured because of who they are.

Here are some recommendations for action by every sector of society:

1) **Exercise national leadership:** National leaders from every sector of society – including government, business, labor, religion, and education – should use their prestige and influence to encourage efforts to promote tolerance and harmony and to combat bigotry. Although much progress toward reducing hate-crime violence and discrimination in American life has been achieved over the past 30 years, steps must be taken now to avoid losing ground. *We strongly urge President Clinton to convene a White House conference in 1997 to focus on more effective ways of fighting ongoing discrimination, bigotry and intolerance, and to identify ways that all persons in this country, both citizens and immigrants, can live and work together in greater harmony.*

2) **Enforce existing laws:** The nation must reprioritize the enforcement of federal and state civil rights laws. The recent revelations about pervasive discrimination and personal abuse against African-Americans at Texaco are another reminder that bias and bigotry are still part of American life. The fact that a tape leaked by a disgruntled former executive confirms earlier allegations by black employees is one more indication, if any were needed, that claims of discrimination should be thoroughly investigated, not casually dismissed.

Unfortunately, discrimination in employment, housing, and even public accommodations is still prevalent, as evidenced by similar incidents at companies ranging from the national restaurant chain, Denny's, to real estate agencies throughout the country. In August 1996, the Wal-Mart Stores Inc. settled a law-suit filed by eleven Hispanic men, all U.S. citizens, who were forced by Wal-Mart store personnel to leave a Wal-Mart store in Amory, Mississippi, and informed that it was the store's policy not to serve Mexicans.

Existing civil rights laws against all forms of discrimination are an important part of America's effort against bigotry, bias and hate crimes. These laws should be aggressively enforced. Moreover, significant increases in funding for all federal civil rights enforcement agencies is essential and should be included in the FY'98 budget. Offices such as the Department of Justice Civil Rights Division, the EEOC, the Department of Education's Office

of Civil Rights, the Department of Labor's Office of Federal Contract Compliance, the Department of Housing and Urban Development's Fair Housing Enforcement Office, the Department of Agriculture's Office of Civil Rights are illustrative of those offices that need increased funding to address both the short and long-term problems associated with discrimination and with hate crime violence in the United States.

3) **Renew America's commitment to vigorously combat hate crimes:** Congress should renew the Hate Crime Statistics Act (HCSA) without a sunset provision, and expand its coverage to include gender. This will make an important statement that America will not tolerate hate crimes. It will also provide a continued mandate for law enforcement agencies at every level of government and communities and citizens all across the country to continue monitoring, preventing, prosecuting, and, in every way, combating hate crimes. In giving the HCSA a permanent mandate, Congress should provide more funding for training assistance and implementation. This will help all 16,000 law enforcement agencies throughout the nation participate in reporting hate crimes.

a) **Reauthorize U.S. Commission on Civil Rights:** Congress should reauthorize the United States Commission on Civil Rights. The Commission identifies, analyzes, and reports on the major civil and human rights problems confronting the nation; including the persistence of bigotry and discrimination, tensions among different groups, and hate crimes motivated by bigotry and influence.

Since 1990, the Commission has been especially effective, holding hearings on racial and ethnic tensions in major metropolitan areas and in the Mississippi-Delta region. It has also been vigilant in response to the church fires. In fact, the recent findings of the Commission have sparked a renewed discussion about the persistence of racism in American society.

b) **Restore funding for Community Relations Service:** Congress should also restore funding for the Community Relations Service (CRS) of the Department of Justice, whose budget has been cut in half after some members of Congress sought to eliminate it entirely. CRS works to resolve group conflicts and racial tensions in communities across the country. It offers mediation and technical assistance to communities trying to address hate motivated incidents. It is an invaluable resource that must be preserved and strengthened.

c) **Improve data collection:** For the HCSA, the U.S. Commission on Civil Rights, the Community Relations Service and other efforts against discrimination and intolerance to succeed, the nation needs accurate and

up-to-date demographic information about the racial, ethnic, and religious composition of the population. The need for federal data is essential to effective enforcement of civil rights laws. That is why it is so important that Congress allow the Census Bureau to take all available steps to reduce the persistent, disproportionate undercount of racial minorities and the poor in the 2000 census. With guidance from state and local officials and business and community leaders, the bureau has developed a plan to make sure that every person is counted, including those who historically have been hardest to reach. Congress should approve, not impede this plan, including census efforts at "sampling" residents in low-income communities.

4) **Expand coverage of federal criminal civil rights statutes:** Federal criminal civil rights statutes should also be expanded to remove the requirement that victims be engaged in a federally protected activity at the time of the crime. Coverage of the law should be expanded to include gender, sexual orientation and immigration status. Law enforcement agencies should also consider identifying specific ethnic groups, such as Arab-Americans, who have been targets of hate violence. The coverage of state laws should also be expanded along these lines. Unless all hate-motivated incidents are identified, monitored, and documented, the full extent of the severity and prevalence of this violence cannot be adequately addressed.

Tougher hate crime laws should be enacted at both the state and local levels, including "penalty-enhancement" provisions that impose harsher punishments for criminal acts motivated by bigotry. While bigotry cannot be outlawed, if it leads to criminal conduct, that conduct can and should be punished. Hate crime statutes demonstrate an important community commitment to confront crimes prompted by prejudice. Police departments should be required to enforce these laws, and prosecutors should utilize them when appropriate.

5) **Create hate crime units:** Local police departments should create hate crime units, with specially trained officers and outreach efforts to minority communities. These units are indispensable for preventing, investigating, and prosecuting hate crimes, for convincing potential offenders and potential victims alike that communities are committed to combating hate crimes. There should also be victim assistance programs for those who suffer from hate crimes.

6) **Encourage communities to participate:** Congress and the Administration should encourage local law enforcement agencies to participate in the HCSA data collection effort. They can require that Department of Justice technical assistance grants be dependent on participation in the HCSA data collection effort. And they can also make such participation a requirement for receiving funds from the Justice Department's Community Oriented Policing Services (COPS). Additional federal

funding should be included to cover the costs of local law enforcement participation.

Linking community policing to the effort against bias-related crimes can be especially effective. Hate violence can be addressed effectively through a combination of presence, prevention, and outreach to the community that is the hallmark of community policing. Congress and the Administration should see that new officers hired and trained under the COPS initiative begin to receive training in how to identify, report, and respond to hate violence.

Communities should also encourage efforts by businesses, labor unions, civic groups and concerned citizens. The response by communities, companies, civic organizations, and ordinary citizens to the arsons of African-American churches is a model for how America should answer hate crimes. Schools, businesses, congregations, and communities all across America should initiate or intensify efforts to promote respect for diversity and to discourage acts of intolerance. The projects described in this report, as well as other efforts by the NAACP, National Council of La Raza, the Anti-Defamation League, and National Urban League, among others, are all models for what can and must be done.

7) **Debate the issues with reason, not rancor:** In a democracy, there should be free and open debate about public issues. Political questions about immigration, abortion, affirmative action, and gay rights among others can and should be debated. But Americans of all backgrounds and viewpoints should find ways to debate these issues without demonizing one another. Public debate should be an appeal to reason, not an incitement to violence.

8) **Prepare the next generation of Americans for a diverse society:** The disturbingly large number of young people who commit hate crimes underscores the need for educational programs on the importance of civic responsibility, cultural diversity, and a respect of cultural differences in the United States. As the Citizens' Commission on Civil Rights has urged, the federal government should promote democracy-building and citizenship initiatives - efforts such as teaching about the Bill of Rights and the parts that many different groups have played in our national history. The Department of Education should make information available about successful prejudice-reduction and hate crime prevention programs and resources. Local communities and school systems should offer programs on prejudice awareness, religious tolerance, conflict resolution, and multicultural education.

9) **Use the Internet to Educate:** Like many persons in our society, we are increasingly concerned about the use of the Internet to promote doctrines espousing hatred and violence. We also appreciate, however, the importance of the First Amendment to our Constitution in protecting the

speech of all in our pluralistic society. In that regard, the Internet is a marketplace of ideas and information – the public forum of the future. Moreover, the Internet has a growing utilization among young people, and therefore, must be considered in any serious public education campaign to address the problem of hate-related violence in America.

Recognizing the limitations of what government can or should do in addressing the problem of hate speech on the Internet, the Leadership Conference on Civil Rights and the Leadership Conference Education Fund have proposed direct action. We will construct an Internet web-site devoted to civil rights and a greater understanding of the importance of civil rights laws in building the "more perfect Union" which is our national promise. The LCCR/LCEF plan to develop what may be called "the definitive civil rights web-site," means that in addition to its own content, the new web-page will connect to the existing web-sites of LCCR members, thereby expanding its reach considerably.

10) Comply with International Law: Racism in America, and hate crimes as tangible evidence of racism, has attracted the attention of the international community. In 1994, the United Nations Special Rapporteur on Contemporary forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance came on mission to the United States and last year filed an extensive report citing a "pattern of increased racist violence" in the U.S. The report concludes that "racism and racial discrimination persist in American society," despite the fact that "knowledge of the extent of racist violence in the United States continues to suffer from the lack of a uniform and accurate source of information."

In its periodic reports to the U.N. treaty monitoring bodies, the government should fully detail the extent of the hate crime problem in America – not just cite to laws on the books that criminalize hate crimes – and outline steps it is taking to eliminate the causes of hate crimes through increased enforcement, expansion of existing law, and educational programs. The U.S. should file its delinquent report on compliance with the Convention on the Elimination of All Forms of Racial Discrimination and should actively seek the participation of civil rights groups in the U.S. in the preparation of this report.

These recommendations themselves are intended as a starting-point for a national discussion on how Americans can not only prevent hate crimes but promote positive relationships among people of every heritage. In this effort, the sponsors of this study are eager to work together with other Americans of goodwill

Tab C

BIOS OF MEETING PARTICIPANTS

Barbara Arnwine, Executive Director, Lawyers Committee for Civil Rights Under Law
Arnold Aronson, Chairperson, Leadership Conference Education Fund
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Patricia Wright, Government Relations Director, Disability Rights Education and
Defense Fund
Raul Yzaguirre, President, National Council of La Raza
Nancy Zirkin, Government Relations Director, American Association of University
Women



Lawyers' Committee for
Civil Rights Under Law

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Bulletin Board 202/783-0854

Direct Dial

**SUMMARY OF THE ACHIEVEMENTS OF
BARBARA R. ARNWINE**

Co-Chairs
Paul C. Surock
Herbert H. Harbo
Secretary
Eleanor M. Fox
Treasurer
Stiles V. Link
Counsel
Jerome L. Linn
Executive Director
Barbara R. Arnwine

Ms. Barbara Ruth Arnwine is an activist renowned for her work in the areas of poverty law, civil and human rights law and environmental law. For the last twenty years, her work has been carried forth throughout the United States and in the international arena.

Currently, Ms. Arnwine is the Executive Director of the Lawyers' Committee for Civil Rights Under Law, a thirty-two year old, non-profit, legal civil rights organization, founded by President John F. Kennedy to involve the private bar in the representation of victims of racial discrimination. Under her direction, the Lawyers' Committee handles an impressive caseload of civil rights matters throughout the United States. She has held other important positions in civil rights organizations and in legal services.

Ms. Arnwine's major achievement was her work in the enactment of the landmark Civil Rights Act of 1991.

In April, 1994 she traveled to South Africa as part of an advance team of the Lawyers' Committee's South Africa Electoral Observers Delegation. In July of the same year, she traveled to Guantanamo Bay as a part of a delegation of non-governmental organizations to investigate and make recommendations regarding the legal rights of Haitian refugees.

She is equally known for her work in convening the seminal National Conference on African American Women and the Law held June 15-18, 1995 in Washington, DC. This historic conference, attended by 1000 participants, served to focus national attention on the current social, political and legal status of African American women. Most importantly, the Conference served as a forerunner to plan workshops and formulate an action agenda to present at the United Nations Non-Governmental Organizations Forum and Fourth World Conference on women held in Beijing, China.

From August 25th through September 13th, Ms. Arnwine led a delegation of 47 persons to the UN Beijing '95 activities. At the NGO Forum, she helped to form an African American women's caucus which was attended by over 350 persons. Similarly, Ms. Arnwine played an important role in convening a U.S. Women of Color Caucus to coordinate the concerns of Asian, Native American and Hispanic women with those of African American women. At Ms. Arnwine's urging, an unprecedented meeting was held between the United States Official Delegation and the Women of Color Caucus to enlist support for concerns pertaining to women of color in the Platform of Action. These efforts contributed to the adoption of a Platform of Action which provides protections for women who confront multiple forms of discrimination.



HUMAN
RIGHTS
CAMPAIGN

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pager 800 386 5996

Executive Director

Elizabeth M. Birch

Elizabeth Birch was appointed executive director of the Human Rights Campaign in late 1994 and took the helm of the organization in January, 1995.

Prior to her appointment at the Human Rights Campaign, Birch was worldwide director of litigation and human resources counsel for Apple Computer, Inc.; where in addition to heading up litigation, she was instrumental in the development of Apple's landmark domestic partnership and non-discrimination policies. She also served as general counsel of Claris Corporation, a wholly owned subsidiary of Apple.

Birch graduated with honors in 1985 from the Santa Clara University School of Law. While studying at Santa Clara she clerked at the California Supreme Court. After graduating she joined the San Francisco law firm of McCutchen, Doyle, Brown and Erickson, where she specialized in complex commercial litigation with an emphasis in computer law. In 1989 she joined Apple where she became a visible spokesperson for lesbian and gay equal rights in the workplace, contributing significantly to the national movement to establish domestic partnership coverage in a variety of workplace settings.

Birch has a long history of activism in the lesbian, gay and AIDS/HIV communities. She is a former co-chair of the National Gay and Lesbian Task Force and the founder of AIDS Legal Services, a model program for people with HIV in Northern California. Birch also authored several AIDS anti-discrimination ordinances which have been enacted in California municipalities. She was selected as Pro Bono Lawyer of the Year by the Santa Clara County Bar Association, and was named one of the Outstanding Women of Santa Clara Valley in 1993.



**THE LEAGUE
OF WOMEN VOTERS[®]**
OF THE UNITED STATES

BECKY CAIN
Biography

Becky Cain is the 14th president of the League of Women Voters of the United States and chair of the League of Women Voters Education Fund. A native of West Virginia and League member since 1975, Ms. Cain has played an active role in local, state and national government.

Ms. Cain led the fight for passage of the National Voter Registration Act of 1993 (known as motor voter), which will put twenty million additional registrants on the voter rolls by the 1996 elections. Heading the National Motor Voter Coalition, she has taken a strong stance in calling for the full implementation of the law. Under motor voter the country is experiencing the largest increase in voter registration in American history.

Ms. Cain has also lobbied hard for campaign finance reform and universal access to health care coverage. In addition, she has spoken for the League in opposing term limits for congressional representatives and the balanced budget amendment. Under her leadership, the League has sought to make the information superhighway and other new technologies serve the needs of citizens.

Ms. Cain has appeared on CBS "This Morning" and the "McNeil-Lehrer News Hour," in addition to being heard on the "Larry King Show" and as a commentator on National Public Radio's "All Things Considered." Her columns and guest editorials have also been carried by Scripps-Howard and Cox News Service. She has been a guest editorial columnist for the Charleston Gazette Newspaper and hosted a television talk show.

Ms. Cain currently serves on the Executive Committee of the Leadership Conference on Civil Rights, Alliance for Health Reform Board of Directors, the Advisory Commission on Election Law to the American Bar Association, the UNICEF Advisory Board, the Committee on the Constitutional System, and the Board of Citizens for Tax Justice, among others.

An active force in local and state government, she chaired a review of her town's charter in 1979 and in 1987 and 1989, she coordinated state constitutional amendment campaigns for governmental reform and public education financing reforms. She is currently serving on the West Virginia Elections Commission.

Most recently Ms. Cain received the Distinguished Alumni Award from the West Virginia University Political Science Department, the West Virginia Education Association Corma A. Mowrey Memorial Award for leadership. In 1988 she also received the West Virginia Common Cause Public Service Award and the West Virginia Celebrate Women Award for outstanding achievement in volunteer service. This year she received an Honorary Legum Doctoris degree from Ripon College and the Charleston Area Chamber of Commerce and Development "Expect the Best" award.

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Evanson, Illinois

Carol Wagner Williams
Marina Beach, California

Kathleen Wittenberg
Inverton, California

Executive Director
JUDITH A. CONROY



BIOGRAPHICAL SKETCH

MARTY A. CORRY

As Director of the Federal Affairs Department of the American Association of Retired Persons, Marty Corry is responsible for overseeing the direct lobbying activities that represent the interests and concerns of AARP members and older Americans in general.

Health, economic, and consumer issues constitute the full range of issues that are lobbied by staff under Mr. Corry's direction before the legislative, executive, and occasionally judicial forums of the federal government.

His tenure at AARP, which commenced in 1983, has included service as Legislative Representative and as Sr. Coordinator on economic issues. He assumed the position of Director of Federal Affairs in 1987.

Prior to coming to AARP, Mr. Corry worked with the College Board as Legislative Analyst and Consultant on public policy issues. He also served on several programs for higher education including the Department of Health, Education and Welfare.

JUSTIN DART, JR.
907 6TH STREET, S.W., APT. 516C
WASHINGTON, D.C. 20024
202/488-7684

Justin Dart, Jr. Washington residence: 907 6th St., SW, Apt. 516C, Washington, DC 20024. 202-488-7684, Fax 202-863-0010, TDD 202-484-1370; permanent, voting residence: 4147 Mischire, Houston, Texas 77025.

- Born Chicago, Illinois, 1930. Contracted polio, 1948. Wheel chair user 1948-present. History, 1954. Several scholastic honors and awards. Taught several sections of required history and government courses, University of Houston, 1954. Attended University of Texas Law School, 1954-55; honor fraternity, but left before graduation. Honorary doctorates, University of New Haven, 1991. University of Illinois, 1993, Gallaudet University, 1993. Married to Yoshiko Saji Dart, who has played a leading partnership role in all the below-listed activities occurring since 1963.

- 1980-1993: Five presidential, one congressional and five gubernatorial appointments in the area of disability policy, by both Republicans and Democrats.

- 1989-present: Member of the Board of Trustees, the Dole Foundation.

- 1993-present: Citizen advocate for the rights and empowerment of people with

- Chairman of the President's Committee on Employment of People with Disabilities 1980-82. Chairperson of the Congressional Task Force on the Rights and Empowerment of Americans with Disabilities, 1983-90. Member of the presidentially appointed National Council on Disability, 1982-86, 1988-89 (three appointments - Vice Chairperson 1982-85). President-elect of the National Rehabilitation Association 1989 (resigned on assuming chair of President's Committee on Employment of People with Disabilities). Commissioner, Rehabilitation Services Administration, 1986-87. Member and Chairperson of the Texas Governor's Committee for Persons with Disabilities (two appointments), 1980-85. Chairperson of the Governor's Long Range Planning Group for Texans with Disabilities, 1982-84. Member of the Texas Council on Disabilities (two appointments), 1984-86.

- Founder and CEO of three successful corporations, including Japan Tupperware, Ltd., beginning with four employees in 1963, growing to 25,000 in 1965; company was presented as the outstanding example of domestic marketing in Japan, 1965 by Japanese Marketing

EQUAL ACCESS TO THE AMERICAN DREAM

Federation. Operated private independence and employment oriented program for persons with and without disabilities in personal home - 1966-present. Delivery and street sales of Houston Chronicle (daily newspaper), 1953. Increased sales on route more than 40%.

- Founded the first organization to promote racial integration of the then segregated University of Houston, 1952. Has advocated for the rights of students, women, Blacks, Hispanics and persons with disabilities in Mexico, Japan, Viet Nam and USA, 1957-present. Founded successful residential independent living program in Japan, 1964. Co-founder of Austin Resource Center for Independent Living, 1975-79.

- Worked with Frankie Rancolph and the leaders of CIO, AFL, NAACP and others to form the Harris County (Houston) Democrats in 1953, authoring the group's constitution, organization plan and precinct organizing manual. The latter document was later published for distribution throughout the State. The Harris County Democrats eventually took control of the Party structure from the traditionally dominant "Dixiecrats," and has elected several distinguished Congresspersons.

- During the last sixteen years has played a leading role in the development of and ~~advocacy for national disability, civil rights and health care policy, particularly the~~ urge united advocacy, visiting each of the fifty states at least five times. As Vice Chairperson of the National Council on Disability, met with disability community leaders in all fifty states to develop the National Policy on Disability, which first recommended (1983) full civil rights protection for people with disabilities. As RSA Commissioner (1986-87) visited each state rehabilitation and RSA office at least once, to solicit input from staff. As Chairperson of the Congressional Task Force on the Rights and Empowerment of Americans With Disabilities (1988-90), presided at public forums and made presentations at numerous other meetings in each of the fifty states, involving more than 30,000 members of the disability community. As Chairperson of the President's Committee on the Employment of People with Disabilities has traveled to every state at least once to meet with leaders of the business and disability communities, urging full and harmonious compliance with ADA, with minimal litigation and expense, and maximum employment for people with disabilities and profit for business. Has participated over the years in disability policy dialogue through frequent testimony before the Congress and numerous meetings with White House, agency and Congressional staff. Has participated in meetings with Presidents Reagan, Bush and Clinton, Vice Presidents Bush, Quayle and Gore, and many governors and members of the House and Senate, visiting each Congressional office at least once when ADA was before the Congress. Participated in numerous civil rights-ADA marches in San Francisco, Dallas, St. Louis, Austin, Houston, Montgomery, New York and Washington D.C. to the gates of the White House and the steps of the Capitol. Has addressed international meetings on civil rights in Japan, Canada, Australia, Germany, Netherlands and at the 1992 and 1994 World Congresses of Disabled People's International. Has met with civil rights delegations from China, USSR, Russia,

Estonia, Greece, United Kingdom, Germany, France, Sweden, Finland, Czechoslovakia, Hungary, Poland, Zimbabwe, Nicaragua, India and other nations. Represented the United States at the 1992 Montreal summit on disability of ministers from 75 nations, and American disability rights advocates at the 1992 United Nations sessions on disability.

- On July 26, 1990, Appeared on the dais with President Bush when he signed the Americans with Disabilities Act, received the first pen used by the President to sign the law.

- National and international awards and recognitions. 1997: the American Legion National Commander's Award for Distinguished Public Service; 1996: The Jim and Sarah Brady Award, National Head Injury Foundation; The Gallaudet University Alumni Association, 35th Anniversary Commendation for Distinguished Advocacy for the Rights of All Disabled Americans; The National Council on Independent Living, for outstanding contributions to civil rights; 1995: The John Gardner Award, to an outstanding American who represents the ideals of Common Cause founder and former HEW Secretary, John Gardner (\$10,000- cash award); 1994: President's Committee on Employment of People With Disabilities, the first annual Justin Dart Achievement Award (shared with Yoshiko S. Dart); The National Parent Network on Disabilities, Outstanding Leadership Award; The Distinguished Lecturer Award of the Rehabilitation Engineering Society of North America; William A. Spencer Lectureship Award, Baylor College of Medicine; 1993: The Hubert Humphrey Award of the Leadership Conference on Civil Rights, conferred with the participation of President Clinton; The Distinguished Public Service Award of the Center for Independent Living, Berkeley; The National Easter Seal Society Distinguished Service Award; Goodwill Industries of America, commendation for distinguished service; The Paralysis Society of America Access to the Skies Award; 1992: President's Award, the World Congress of Rehabilitation International; Neal Eike Prize, Boston University; John Distinguished Achievement; National Association of Independent Living, first annual Justin Dart Award; America's Disability Channel (TV), the first annual Justin Dart Award; 1991: National Rehabilitation Association, public service; National Federation of the Blind, Distinguished Service Award; National Association of the Deaf, advocacy for human rights; 1990: Association for Retarded Citizens, award for ADA advocacy; Award for Distinguished Public Service, American Academy of Physical Medicine and Rehabilitation; Epilepsy Foundation, for outstanding contributions to the passage of ADA; 1989: first Humanitarian Award of the National Head Injury Foundation, permanently named the Justin Dart Humanitarian Award; President's Trophy, Handicapped American of the Year, 1988; other major National Awards - 1983-88 - AARP, Volunteer of the Year, 1988; Disability Hall of Fame, 1987; Paralyzed Veterans of America; National Association of the Deaf; National Alliance for Mental Illness, National Council on Independent Living (1985,1988); Healing (religious) Community; National Head Injury Foundation; National Council on the Handicapped; National Association of Rehabilitation Facilities; People-to-People Committee for the Handicapped; the American Coalition of Citizens with Disabilities. Numerous state

and regional awards include the first Meritorious Public Service Award of the Coalition of Texans with Disabilities, permanently named the Justin Dart Award. Several major recognitions for promoting the employment of and sports for Japanese persons with disabilities, including personal congratulations from the now Emperor Akihito and Empress Michiko. One of the first private sector Americans ever to appear on the cover of the "Time magazine of Japan," Shukan Asahi, 1965. Award of Merit by Mexican Sports Broadcasters and commendation by President of Mexico for role as principal promoter of Mexican national men's and women's bowling teams (able bodied), world champions, 1960.

- Coordinating editor of the Governor's Long Range Plan for Texans with Disabilities and the National Policy for Persons with Disabilities, 1982. Key contributor to the development of Toward Independence and the Americans with Disabilities Acts of 1988 and 1989. Co-author of A Philosophical Foundation for Independent Living, 1982. Author of numerous articles and papers on disability policy and philosophy. Editor of two books of poetry

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National Council of Senior Citizens

President
Harry Guenthe
Executive Director
Steve Protuli

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Joe Ervin is the Director of Political Education for the National Council of Senior Citizens (NCSC). In this capacity he is responsible for NCSC's federal political activities, including PAC activities and grassroots political organizing.

Mr. Ervin served as the Senior Policy Analyst for NCSC's Legislative Department for three years prior to his promotion to Director of Political Education. In his position as Senior Policy Analyst he advised the Council on many issues of concern to the elderly including Social Security, pensions, housing, employment and poverty-related concerns. Previously he worked as Legislative Director for former Congressman Jack Brooks (D-TX).

He received his B.A. in political science from Southern University A&M College-Baton Rouge and also took graduate level courses in Public Administration at Howard University.



Asian Pacific American Labor Alliance

January 8, 1997

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 Keni Wong, AFT
 1st Vice-President
 Lonnie Moy, IBEW
 2nd Vice-President
 Peter Frank, AFSCME
 Secretary
 Richard Gurtler, ILWU
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 Beverly Lovelace, OPETU
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 David Warner, AFL-CIO
 George Wong, CIOU
 Keni Wong, AFT
 William Wong, UIC

Matthew Finucane is the Executive Director of the Asian Pacific American Labor Alliance, the first national organization of Asian Pacific American union members. In his position, Mr. Finucane works as an advocate for Asian Pacific American workers and their families on issues involving worker, civil, and immigrant rights. Before joining APALA, Mr. Finucane worked for eight years as a union occupational safety and health director. An attorney, Mr. Finucane is a graduate of Georgetown University Law School and is a member of the Japanese American Citizens League and the National Asian Pacific American Bar Association. He is an Executive Board member of the Leadership Conference on Civil Rights.

Executive Director
 Matthew H. Finucane

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BIOGRAPHY

MARCIA D. GREENBERGER

Marcia Greenberger is the founder and co-president of the National Women's Law Center. The creation of the Center over 20 years ago established her as the dean of women's legal advocates in Washington.

A recognized expert on sex discrimination and the law, Ms. Greenberger has participated in the development of key legislative initiatives and litigation protecting women's rights, particularly in the areas of employment, education and reproductive rights and health. She has been a leader in developing strategies to advance the cause of women and their families on the federal and state level, and in the successful passage of legislation protecting women against sexual harassment, pay discrimination, and providing new educational and training opportunities. She has also been counsel in landmark litigation establishing new legal precedents for women in the enforcement of laws prohibiting discrimination in employment and education, athletic discrimination, and the safe use of prescription drugs.

Ms. Greenberger received her B.A. with honors in 1967, and her J.D. *cum laude* in 1970, from the University of Pennsylvania. She practiced tax law with the Washington, DC, firm of Caplin and Drysdale from 1970-72, and in 1972 she started and became Director of the Women's Rights Project of the Center for Law and Social Policy. In 1981, she founded the National Women's Law Center.

Her leadership and contributions are reflected in the professional honors she has received and the numerous boards on which she serves. She was selected to receive the Woman Lawyer of the Year Award by the D.C. Women's Bar Association in 1996, honored by the Center for Law and Social Policy in 1995, and given the William J. Brennan, Jr. award by the District of Columbia Bar in 1994. She received a Presidential appointment to the National Skill Standards Board, and is also currently a member of the Board of Overseers of the University of Pennsylvania Law School, the Executive Committee of the Leadership Conference on Civil Rights, the Institutional Review Board of the Alan Guttmacher Institute, the Georgetown University Law Center Women's Law and Public Policy Fellowship Program, the National Policy Council of the Disability Rights Education and Defense Fund, and the Black Student Fund. Ms. Greenberger is also a member of the American Law Institute, the American Bar Association Commission on Women in the Profession, and a Fellow of the American Bar Foundation.

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Biographical Sketch of PENDA D. HAIR

PENDA D. HAIR is Director of the Washington, D.C. Regional Office of the NAACP Legal Defense & Educational Fund, Inc. (LDF). LDF is a national civil rights organization that has used the law for more than half a century to open doors of opportunity to African Americans, other people of color, women, and the poor. LDF was founded in 1940 under the leadership of the late Thurgood Marshall and is separate and independent from the N.A.A.C.P.

Ms. Hair has been an attorney with LDF since 1982, specializing in voting rights, affirmative action, employment discrimination and fair housing. She represents Texas voters who intervened in Vera v. Richards, to defend two majority-African-American congressional districts in that State. Ms. Hair has served as counsel in many important civil rights cases, including Patterson v. McClean Credit Union in the U.S. Supreme Court and Jeffers v. Clinton, a statewide redistricting case litigated under the Voting Rights Act.

Ms. Hair coordinates LDF's national advocacy on affirmative action and other civil rights issues. She is an adjunct professor at Georgetown Law School and previously served on the faculty of Columbia University Law School, teaching in the areas of civil rights, women's rights, federal taxation and Professional Responsibility. She is a 1978 graduate of Harvard Law School, magna cum laude, where she was Supreme Court Note editor of the Law Review. She served as law clerk to The Honorable Wilfred Feinberg, U.S. Court of Appeals for the Second Circuit, and The Honorable Harry A. Blackmun, Associate Justice, The Supreme Court of the United States.

DOROTHY IRENE HEIGHT

For nearly half a century, Dorothy Irene Height has given leadership to the struggle for equality and human rights for all people. Her life exemplifies her passionate commitment for a just society and her vision of a better world.

Dorothy Height was born in Richmond, Virginia, March 24, 1912, and educated in the public schools in Rankin, Pennsylvania, a small town near Pittsburgh, where her family moved when she was four. Dorothy Irene Height established herself early as a dedicated student with exceptional oratorical skills. With a \$1,000 scholarship for winning a national oratorical contest sponsored by the Elks and a record of scholastic excellence, she enrolled in New York University and earned the bachelor and master's degrees in four years. She did further postgraduate work at Columbia University and the New York School of Social Work.

Employed in many capacities by both government and social service associations, she is known primarily by her leadership role with the YWCA and the National Council of Negro Women (NCNW). While working as a caseworker for the New York Welfare Department, she was the first Black named to deal with the Harlem riots of 1935 and became one of the young leaders of the National Youth Movement of the New Deal era. It was during this period that Height's career as a civil rights advocate began to unfold, as she worked to prevent lynching, desegregate the armed forces, reform the criminal justice system and for free access to public accommodations. But it was November 7, 1937, that was the turning point in the life of Dorothy Height who still remembers the day that changed her life. Mary McLeod Bethune, founder and president of the National Council of Negro Women, noticed the assistant director of the Harlem YWCA who was escorting Eleanor Roosevelt into an NCNW meeting. Height answered Mrs. Bethune's call for help and joined Bethune in her quest for women's rights to full and equal employment, pay and education.

This was the beginning of her dual role as YWCA staff and NCNW volunteer, integrating her training as a social worker and her commitment to rise above the limitations of race and sex.

Height quickly rose through the ranks of the YWCA, from the Emma Ransom House in Harlem to the Phyllis Wheatley Branch in Washington, D.C.. By 1944 and until 1977, Height was a staff member of the National Board of the YWCA of the USA where she held several leadership positions. In these positions she assumed responsibility for developing leadership training activities for volunteers and staff as well as programs to promote interracial and ecumenical education. And in 1965 she inaugurated and became Director of the Center for Racial Justice, a position she held until 1977 when she retired from the National YWCA of the USA.

Height was elected national president of Delta Sigma Theta Sorority in 1947 and carried the sorority to a new level of organizational development throughout her term, which ending in 1956. Her leadership training skills, social work background and knowledge of volunteerism benefitted the sorority as it moved into a new era of activism on the national and international scenes under Dorothy Height's leadership. From the presidency of Delta Sigma Theta, Height assumed the presidency of the National Council of Negro Women in 1957, a position she still holds today.

As the fourth President of the NCNW, Height has led a crusade for justice for Black women and since 1986 has worked to strengthen the Black family. Under the leadership of Height, NCNW achieved tax exempt status; raised funds from thousands of women in support of erecting a statue of Bethune in a federal park; developed several model national and community based programs (ranging from teenage parenting to pig swine "banks" which address hunger in rural areas) that were replicated by other groups; established the Bethune Museum and Archives for Black Women, the first institution devoted to black women's history; and established the Bethune Council House as a national historic site. In the 1960's Height placed the organization on an action course of issue oriented politics, sponsoring "Wednesdays in Mississippi" when interracial groups of women would help out at Freedom Schools; voter education drives in the North and voter registration drives in the South; and establishing communication between black and white women.

Her international travels and studies throughout Africa, Asia, Europe and Latin America began as early as 1937. As Vice Chair of the United Christian Youth Movement of North America, she was chosen as one of 10 American youth delegates to the World Conference on Life and Work of the Churches in Oxford, England. Two years later Height was a YWCA representative to the World Conference of Christian Youth in Amsterdam, Holland. These early international experiences and activities as a leader of the Youth Movement left her with heightened confidence and the conviction that her goals and vision should be broadened to encompass international perspectives.

By the early 1950's, her leadership skills and understanding of the need to move the woman's agenda beyond the boundaries of the United States were evident. While she served as a Y staff member, she represented NCNW at a meeting of the Congress of Women in Port-au-Prince, Haiti, in connection with Haiti's bicentennial exposition; and while there arranged for the initiation of the first international chapter of Delta Sigma Theta at the same time.

In 1952 Height served as visiting professor at the University of Delhi, India, in the Delhi School of Social Work, which was founded by the YWCA's of India, Burma, and Ceylon. Height became known for her internationalism and humanitarianism, and became the Y representative to conduct international studies and travel to expand the work of the YWCA. In 1958, she was one of a 35-member Town Meeting of the World on a special people-to-people mission to five Latin American countries. Because of her expertise in

training, she was sent to study the training needs of women's organizations in five West African countries.

Dr. Height is known for her extensive international and developmental education work. She initiated the sole African American private voluntary organization working in Africa in 1975, building on the success of NCNW's domestic projects. Prior to this success, she carried major leadership training assignments in Asia, Africa, Europe and South America.

These early international and human relations experiences helped prepare her for moving the NCNW agenda into one of cooperation and collaboration in response to the needs of the people, both domestically and internationally. But her experiences also caught the attention of the human rights community as well as the federal government. In 1966 Height served on the Council to the White House Conference "To Fulfill These Rights"; went to Israel to participate in a 12-day study mission sponsored by the Institute on Human Relations of the American Jewish Committee; and attended an Anglo-American Conference on Problems of Minority Integration held by the Ditchley Foundation. In 1974 she was a delegate to the UNESCO Conference on Women and Her Rights held in Kingston, Jamaica; in 1975 participated in the Tribunal at the International Women's Year Conference of the United Nations at Mexico City. As a result of this experience NCNW under Height's leadership was awarded a grant from USAID to hold a conference for women from the United States, Africa, South America and the Caribbean in Mexico City and to arrange a site visit with rural women in Mississippi. Under the auspices of the United States Information Agency, Height lectured in South Africa after addressing the National Convention of the Black Women's Federation of South Africa near Johannesburg in 1977.

Her distinguished service and contributions to making the world a more just and humane one have earned her over fifty awards and honors from local, state, and national organizations and the federal government. With Vice President Hubert H. Humphrey she received the John F. Kennedy Memorial Award of the National Council of Jewish Women in 1965; and in 1964 she was awarded the Myrtle Wreath of Achievement by Hadassah. For her contributions in the interfaith, interracial and ecumenical movements for over thirty years she was awarded the Ministerial Interfaith Association Award in 1969; the Lovejoy Award, the highest recognition by the Grand Lodge, I.B.P.O. Elks of the World for outstanding contribution in the human relations in 1968. In 1974 Ladies Home Journal named her "Woman of the Year" in human rights; and the Congressional Black Caucus presented Height the William L. Dawson Award for "Decades of public service to people of color and particularly women."

Working closely with Dr. Martin Luther King, Jr., Roy Wilkins, Whitney Young, A. Phillip Randolph and others, Height participated in virtually all major civil and human rights events in the 1960's. For her tireless efforts on behalf of the less fortunate, President Ronald Reagan presented her the Citizens Medal Award for distinguished service in 1989, the year she also received the Franklin Delano Roosevelt Freedom Medal by the Franklin

and Eleanor Roosevelt Institute. Her awards also include the Essence Award, 1987; Stellar Award, 1990; Camille Cosby World of Children Award, 1990; the Caring Award by the Caring Institute, 1989; the Olender Foundation's Generous Heart Award, 1990.

She received the Spingarn Medal from the National Association for the Advancement of Colored People (NAACP) in July 1993. She was inducted into the "National Women's Hall of Fame" in October 1993 and President Bill Clinton presented her the Presidential Medal of Freedom Award in August 1994.

Dr. Height has received over twenty-four honorary degrees, from such institutions as Spelman College, Lincoln University (Pennsylvania), Central State University, and Princeton.

As a result of her extraordinary leadership in advancing women's rights, her dedication to the liberation of Black America and her selfless determination, Height has carried out the dream of her friend and mentor, Mary McLeod Bethune, to leave no one behind. As a self-help advocate, she has been instrumental in the initiation of NCNW sponsored food drives, child care and housing projects, and career and educational programs that embody the principles of self-reliance. She is proud that NCNW established and maintains to this day the Fannie Lou Hamer Day Care Center, the only monument to Fannie Lou Hamer in Ruleville, Mississippi. As a promoter of positive black family life, Height conceived and organized the Black Family Reunion Celebration in 1986 to reinforce the historic strengths and traditional values of the African American family. Now in its eleventh year in nine cities, the Black Family Reunion Celebration has made a difference in the lives of those fourteen million who have participated. And so has Dorothy Height during her six decades of public life as dream giver, earth shaker, and crusader for human rights.

EDUCATION

- 1929 - Graduated Rankin High School, Rankin, PA (Validictorian)
- 1932 - B.A. New York University, New York City
- 1933 - Master in Educational Psychology - New York University
New York School of Social Work - Columbia University (Advance studies)

HONORARY DEGREES:

- 1967 - Doctor of Humane Letters, Tuskegee Institute
- 1970 - Doctor of Humane Letters, Coppin State College
- 1970 - Doctor of Humane Letters, Harvard University
- 1970 - Doctor of Civil law, Pace University
- 1974 - Doctor of Humane Letters, University of Massachusetts
- 1975 - Doctor of Humane Letters, Howard University
- 1975 - Doctor of Humane Letters, Smith College

- 1975 - Doctor of Humane Letters, New York University
- 1977 - Doctor of Humane Letters, Bethune Cookman College
- 1980 - Distinguished Service Medal, Barnard College
- 1981 - Doctor of Humane Letters, Spelman College
- 1982 - Doctor of Humane Letters, Emmanuel College
- 1982 - Doctor of Humane Letters, Berea College
- 1983 - Doctor of Humane Letters, Bowie State College
- 1985 - Doctor of Humane Letters, Smith College
- 1989 - Doctor of Humane Letters, College of the City of New York
- 1989 - Doctor of Humane Letters, Lincoln University
- 1990 - Doctor of Laws, Princeton University
- 1992 - Doctor of Humane Letters, Central State University
- 1993 - Doctor of Humane Letters, Tougaloo College
- 1994 - Doctor of Humane Letters, Bennett College
- 1996 - Doctor of Humane Letters, University of the District of Columbia



Leadership Conference on Civil Rights

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Fax: 202/466-3435
TTY: 202/785-3859

WADE HENDERSON, ESQ.

Wade Henderson is the Executive Director of the Leadership Conference on Civil Rights (LCCR).

The Leadership Conference on Civil Rights is the nation's premier civil rights coalition. Established in 1950 by giants of the civil rights movement, the LCCR was created to promote the passage and implementation of civil rights laws designed to achieve equality under law for African Americans, and to improve the quality of life for all Americans. The LCCR has coordinated the national legislative campaign on behalf of every major civil rights law since 1957.

Over the years, the Leadership Conference has worked to redefine civil rights issues in broad and inclusive ways. Today, the LCCR includes over 180 national organizations working together to resolve the ongoing civil rights problems of our time. These organizations include groups representing persons of color, women, labor organizations, persons with disabilities, older Americans, gays and lesbians, and major religious groups.

In accepting the post of LCCR Executive Director in June 1996, Mr. Henderson stated, "I am profoundly honored to continue the legacy of the LCCR's founders and to promote the interests of its current member organizations. Today the LCCR – and the civil and human rights movement – face new challenges. Among other tasks, we must advance an inclusive, affirmative agenda that will help to ensure equal opportunity for all as the nation moves into the 21st century."

Prior to his role with the Leadership Conference, Mr. Henderson was the Washington Bureau Director of the National Association for the Advancement of Colored People (NAACP). In that capacity, he directed the government affairs and national legislative program of the NAACP. Mr. Henderson was also the Director of the NAACP's Voter Empowerment Program. Mr. Henderson was the NAACP's advocate on the Civil Rights Act of 1991; the National Voter Registration Act ("Motor-Voter" Law); the Brady Handgun Prevention Act and the Assault Weapons Ban; and the Family Medical Leave Act.

- FOUNDERS**
- Arnold Aronson
- A. Philip Randolph
- Roy Wilkins
- OFFICERS**
- CHAIRPERSON**
- Dorothy I. Height
- VICE CHAIRPERSONS**
- Antonio Hernandez
- Judith L. Lichtman
- William L. Taylor
- SECRETARY**
- Horace Davis
- TREASURER**
- Gerard W. McEntire
- LEGISLATIVE CHAIRPERSON**
- Jane O'Grady
- COUNSEL EMERITUS**
- Joseph L. Rauh, Jr.
- HONORARY CHAIRPERSONS**
- Marvin Kaplan
- Benjamin L. Hooks
- Clarence M. Mitchell, Jr.
- EXECUTIVE COMMITTEE**
- Barbara Achwine**
Leaders' Coalition for Civil Rights Under Law
- Becky Cain**
League of Women Voters
- Jackie DeFazio**
American Association of University Women
- Anita Perez Ferguson**
National Women's Political Caucus
- Matthew Finucane**
Black People's American Labor Alliance
- Keith Geiger**
National Education Association
- Eugene Glover**
National Council of Senior Citizens
- Marcia Greenberger**
National Women's Law Center
- Rebecca Isaacs**
Nurses for the American People
- Kwesi Akyem**
NAACP
- Patricia Ireland**
National Organization for Women
- Elaine Jones**
NAACP Legal Defense & Educational Fund, Inc.
- Joseph Lowery**
Southern Christian Leadership Conference
- Lion Lynch**
United Brotherhood of Carpenters
- Laura Murphy**
American Civil Liberties Union
- Robert L. Pitt**
National Council of Churches
- Hugh Price**
National Urban League
- David Saperstein**
Joint of American Hebrew Congregations
- Richard Womack**
LCCR
- Patricia Wright**
National Public Education and Defense Fund
- Stephen P. Yochim**
International Union of Marine, Shipbuilding Workers
- Paul Yzaguirre**
National Council of La Raza
- Daniel Z. Pope**
Human Rights Campaign
- COMPLIANCE/ENFORCEMENT COMMITTEE**
- KAREN NAKASAKI, CHAIRPERSON**
- STAFF**
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- ADMINISTRATIVE ASSISTANT**
- LEE M. HAYWOOD
- POLICY RESEARCH ASSOCIATE**
- KAREN MCGILL LEWSON

"Equality in a Free, Plural, Democratic Society"



Mr. Henderson is well known for his expertise on a wide range of civil rights, civil liberties, and human rights issues. He works principally in the areas of civil rights enforcement; affirmative action policy; economic and political empowerment for people of color and the poor; welfare reform; criminal justice reform; fair housing policy; issues of immigration and refugee policy; and human rights.

Wade Henderson was previously the Associate Director of the Washington national office of the American Civil Liberties Union, where he began his career as a legislative counsel and advocate on a wide range of civil rights and civil liberties issues. Mr. Henderson also served as Executive Director of the Council on Legal Education Opportunity (CLEO); and as Assistant Dean and Director of the Minority Student Program at Rutgers University School of Law. He is a member of the Bar in the District of Columbia, New Jersey, and the United States Supreme Court.

Mr. Henderson is a graduate of Howard University and the Rutgers University School of Law. He is the author of numerous articles on civil rights and public policy issues.

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Rebecca Isaacs is Public Policy Director of People For the American Way in Washington, D.C. Prior to coming to People For she was Communications Director for Congresswoman Lucille Roybal-Allard. Before that she practiced public interest law in the areas of domestic violence, family law and civil rights in California. She is a graduate of the University of California, Santa Cruz and UC, Hastings College of the Law and a member of the California Bar.

ELAINE R. JONES — BIOGRAPHICAL SKETCH

Elaine R. Jones is director-counsel of the NAACP Legal Defense and Educational Fund (LDF), the nation's oldest organization fighting for equal rights under law. (Created in 1940 under the leadership of the late Thurgood Marshall, LDF initially was an independent litigation arm of the National Association for the Advancement of Colored People; the two groups separated entirely in 1957.) When Ms. Jones took the helm of LDF in 1993, she became its first female leader. She brought with her two decades of experience as a litigator and civil rights activist, as well as a passion for fairness and equality that dates back to her childhood.

Born in Norfolk, Virginia, Ms. Jones came of age in the Jim Crow South and learned its painful lessons early on. From her mother (a college educated school teacher) and her father (a Pullman porter and a member of the nation's first black trade union), Ms. Jones learned about both the realities of racism and the importance of idealism. From the age of eight, she knew she wanted to be a lawyer and to commit her life to the pursuit of equal justice.

After graduating with honors in political science from Howard University, Ms. Jones joined the Peace Corps and became one of the first African Americans to serve in Turkey. This began a long series of "firsts" in her career. Following her two-year Peace Corps stint, she became the first black woman to enroll in the University of Virginia School of Law, and was its first female African American graduate.

Ms. Jones was invited to join one of Wall Street's most prestigious firms after her graduation in 1970 — a highly unusual offer at that time. She turned it down to pursue the goal she had chosen as a girl, and immediately joined the Legal Defense Fund's staff. With the exception of two years in a government post, she has remained with LDF ever since.

In her early years at LDF Ms. Jones continued to blaze trails, becoming one of the first African American women to defend death row inmates. In the face of harassment by the Ku Klux Klan and effrontery from a biased and disdainful legal system, she argued capital cases throughout the South. In 1972, only two years out of law school, she was counsel of record in *Furman v. Georgia*, a landmark U.S. Supreme Court case that abolished the death penalty in 37 states.

During this period, she also argued numerous employment discrimination cases, including class actions against some of the nation's largest employers (e.g., *Patterson v. American Tobacco Co.*, *Stallworth v. Monsanto*, and *Swint v. Pullman Standard*). Ms. Jones gained administrative experience as LDF's managing attorney from 1973-1975.

In 1975, Ms. Jones was named special assistant to the U.S. Secretary of Transportation Willie T. Coleman, Jr. (who currently serves as LDF Chairman). In addition to her role in building actual roads and bridges, she helped create metaphorical paths — for instance, taking the lead in crafting policy that opened the U.S. Coast Guard to women.

Ms. Jones returned to the Legal Defense Fund in 1977. In yet another "first," she originated the position of legislative advocate in LDF's Washington, D.C. office. In that capacity, she earned a reputation as a skillful negotiator and an ardent voice for those who have been shut out of the economic, political, and social mainstream. While continuing her litigation efforts, Ms. Jones undertook a broad array of responsibilities: providing briefings and expert testimony

to congressional staffs and committees; monitoring and working to confirm or defeat federal judicial appointees; building bridges from the civil rights movement to women's business, and other groups; and furthering the expansion of civil rights through legislation. Her work was instrumental in reshaping of the federal judiciary to include more people of color and more judges committed to equal rights. She also played a key role in securing passage of legislative milestones such as the Voting Rights Act Amendments of 1982, the Fair Housing Act of 1988, the Civil Rights Restoration Act of 1988, and the Civil Rights Act of 1991.

In 1989, Ms. Jones broke another barrier, becoming the first African American elected to the American Bar Association Board of Governors. Her term ended in 1992; she continues to serve on the ABA's Council on Individual Rights and Responsibilities. She is active in the Old Dominion Bar Association (*Virginia*) and the National Bar Association (*whose Judicial Selection Committee she co-chairs*), and is a former board member of the Mexican-American Legal Defense Fund. Ms. Jones is also a member of the executive committee of the Leadership Conference on Civil Rights and the board of the National Women's Law Center.

Under her direction, the Legal Defense Fund has broadened its mission to include emerging priorities — such as health care reform, environmental justice, and curbing violence — while continuing the longstanding struggles for educational equity, fair employment, voting rights, fair housing, and unbiased administration of the criminal justice system.

Ms. Jones' leadership in the struggle for equality has earned her numerous awards. Some of the groups that have honored her are the National Legal Aid and Defender Association, the National Bar Association, the American Bar Association Commission on Women in the Profession, the Women's Bar Association of the District of Columbia, the District of Columbia Bar Association, the National Women's Law Center, Delta Sigma Theta Sorority, Inc., the Southern Christian Leadership Conference, the National Council of Jewish Women, and the National Association of Black Women Attorneys. Ms. Jones holds honorary doctorates from the University of San Diego School of Law, the District of Columbia School of Law and The Howard University School of Law.

A teacher and mentor, Ms. Jones has been a fellow at Harvard University's Institute of Politics and a guest lecturer at the law schools of American University, Catholic University, Georgetown University, Harvard University, Howard University, Temple University and the College of William and Mary. Overseas, she has lectured at Oxford, Tel Aviv University School of Law, and the University of Khartoum in Sudan. She participates in numerous conferences, seminars and panels on the full range of issues that concern women, African Americans, other people of color, and equal justice under law. She is a familiar face and voice in the national news media and frequently addresses prominent civic, political, cultural, and professional audiences.

Elaine Jones is a member of the Bar of the Supreme Court of Virginia, the District of Columbia Court of Appeals; U.S. District Courts for the Eastern District of Virginia and the District of Columbia; U.S. Courts of Appeals for the Fourth, Fifth and Eleventh Circuits; and the Supreme Court of the United States.

CHARLES KAMASAKI
Senior Vice President
National Council of La Raza

Charles Kamasaki has headed the Office of Research, Advocacy and Legislation of the National Council of La Raza (NCLR) since 1989; he was previously Director of NCLR's Policy Analysis Center, a position he held for seven years.

He is responsible for managing NCLR's research, policy analysis, and advocacy activity on a wide range of issues, including civil rights, education, employment and training, housing and community development, immigration, poverty, and trade. He also coordinates NCLR's public information and leadership development activities. He supervises a staff of approximately 20 professionals and support personnel, and oversees a budget of about \$1.5 million.

Kamasaki has authored, co-authored, and supervised the preparation of several dozen policy reports, journal articles, and opinion editorials. He testifies frequently at Congressional and Administrative hearings.

His work has been widely cited in the press, including the *Washington Post*, the *New York Times*, the *Wall Street Journal*, and others. He has lectured at the Kennedy School of Government at Harvard University, the Woodrow Wilson School of Public Affairs at Princeton University, Brown University, the University of Texas-Pan American, the University of Missouri Law School, The American University Law School, and others.

Kamasaki is past Chair of the Compliance and Enforcement Committee of the Leadership Conference on Civil Rights, and is immediate past Chair of the National Community Reinvestment Coalition; he also serves on the Boards of the Coalition on Human Needs, the National Immigration Law Center, and the National Low Income Housing Coalition, among others.

Prior to coming to Washington, he specialized in housing and community development technical assistance to elected officials and community-based organizations in his native South Texas, and also managed two local political campaigns. He is an avid outdoorsman and sports fan.

Karen McGill Lawson is Executive Director of the Leadership Conference Education Fund and Policy/Research Associate for the Leadership Conference on Civil Rights. Ms. Lawson oversees all of the Leadership Conference Education Fund endeavors including its Children's Campaign whose goal is to affect children's developing attitudes about the differences among people. Ms. Lawson is co-author of Talking to Our Children About Racism, Prejudice and Diversity and a contributing editor of Voting Rights in America, Continuing the Quest for Full Participation. She also is author of the **CIVIL RIGHTS MONITOR**, a quarterly publication that tracks the civil rights activities of the federal government. Prior to joining the Leadership Conference, she served as the education monitor for the U.S. Commission on Civil Rights. Ms. Lawson holds B.A. and M.A. degrees in sociology from Pennsylvania State University and Notre Dame University. She is married to Warner Lawson, Jr. who teaches law at Howard University and is the proud mother of Lauren Arrington, an award winning young playwright.

JUDITH L. LICHTMAN
President, Women's Legal Defense Fund

Judith L. Lichtman has been a guiding and influential force in the women's movement for more than 20 years. As president of the Women's Legal Defense Fund (WLDF), her commitment, vision, and talent as an attorney and advocate have made a profound difference for women and families across the United States.

Lichtman always knew that she would work to end inequality. She has said, "I never wanted to be a corporate lawyer. For me, being a lawyer meant having the license to be a civil rights activist." After receiving her law degree from the University of Wisconsin in 1965, Lichtman worked at the Urban Coalition, at the U.S. Commission on Civil Rights, and as the legal advisor to the Commonwealth of Puerto Rico. In 1974, Lichtman became WLDF's executive director and first paid staff person.

Lichtman has taken WLDF from its inception as a small volunteer group to a national organization with thousands of members. Under her leadership, WLDF has become one of the country's most influential political forces, shaping national policy through its advocacy, lobbying, litigation, and public education. Lichtman's vision and WLDF's strength have resulted in the passage of some of the most important legal protections for American women and families, from the Pregnancy Discrimination Act of 1978 to the Family and Medical Leave Act (FMLA) of 1993.

Lichtman has been recognized by civic and legal organizations, business and labor leaders, and others for her strategic abilities, political savvy, effectiveness in building powerful and diverse coalitions, and tireless commitment to building a truly just society. The Women's Bar Association and Foundation of the District of Columbia named her Woman Lawyer of the Year in 1989, a year in which she also received the Sara Lee Frontrunner Award. She received the Martin Luther King, Jr. Civil Rights Leadership Award in 1993 and has been listed by *Washingtonian* magazine as one of Washington, D.C.'s most powerful women. At WLDF's 25th anniversary luncheon in June 1996, President Clinton called Lichtman "a remarkable national treasure."

Lichtman has risen as a leader for families while raising her own. She lives in Washington, D.C. with her husband, Elliott Lichtman. They have two grown daughters. Says Lichtman, "For more than 20 years, I've tried to make this world a better place for women and their families. We've come a long way, but our work is far from done. My daughters, and all our children, deserve a future where every school and workplace is truly free of discrimination, and where all families have the support they need to succeed at home and on the job. I know from experience -- if we can imagine it, we can make it happen."



WASHINGTON BUREAU
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HAROLD McDougall, ESQ.

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Harold A. McDougall is Professor of Law and immediate past Director of the Law and Public Policy Program at Catholic University in Washington, D.C. He was a civil rights organizer and voter registrant in his early years and is currently Executive Vice President of an NAACP local branch.

A graduate of Harvard College and Yale Law School, Professor McDougall has been a law teacher since 1975, specializing in the areas of urban development, civil rights, and the workings of state, local, and federal Government. He has written numerous articles on urban, suburban, and rural land development, with an emphasis on the relation between land, law, and community.

Professor McDougall's recently published book, Black Baltimore: A New Theory of Community (Philadelphia: Temple University Press, 1993) pursues these themes and posits the need for small, flexible, information-seeking "base communities" as essential for rebuilding and revitalizing community in the 21st century, particularly in hard-hit urban areas. He is presently engaged in consulting and in public speaking on these themes, particularly as they relate to revitalization of civic culture and of economic and social structures, at both the neighborhood and metropolitan regional levels.

Gerald W. McEntee was elected International President of the 1.3 million-member American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, in December 1981 and has served in that office continuously since then. He was re-elected to a four-year term in June 1996.

McEntee is a Vice President of the AFL-CIO and a member of its Executive Council. In September 1992, the Board of Trustees of the George Meany Center for Labor Studies elected McEntee to serve as a member of the board. As an officer of the AFL-CIO's Public Employee Department, McEntee often speaks officially for all public employee members of the labor federation.

As President of the union, McEntee is a key player in the effort to redesign government, traveling throughout the country speaking to such organizations as the Carnegie Institute on ways to efficiently and effectively redesign the government workplace. McEntee serves on the board of the Alliance to Reinvent Government. McEntee also has long been a leader in the fight to reform the nation's health care system. He is a member of the board of the Health Care Reform Project, a coalition of consumers, businesses, labor organizations, health care providers, and other Americans dedicated to the passage of comprehensive health care reform.

McEntee is a co-founder and Chairman of the Board of the Washington-based Economic Policy Institute. He is also co-founder of Project 500, a national effort to have progressive majorities in state legislatures across the country, and is a Vice President of Americans for Democratic Action. In addition, McEntee is a member of the board of the Child Care Action Campaign and is a member of the National Commission on Children. He also chairs the AFL-CIO's Work and Family Committee.

McEntee had a distinguished career as a labor leader in Pennsylvania before assuming the presidency of the nation's largest public employee and health care workers union. Beginning in 1958, as an AFSCME organizer in Philadelphia, he became the successful architect of the major public-sector drive to unionize more than 75,000 Pennsylvania state employees. He was elected Executive Director at the founding convention of AFSCME Council 13 in Pennsylvania in 1973, and an International Vice President of AFSCME in 1974.

McEntee holds a B.A. degree in Economics from LaSalle University in Philadelphia. In addition, he has done graduate work at Temple University and attended the Harvard

AFSCME

and his wife, Barbara, live in Washington, D.C.

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12/6/90





BIOGRAPHICAL STATEMENT

LAURA W. MURPHY
Director
ACLU Washington Office

On February of 1993 Laura W. Murphy returned to the American Civil Liberties Union in her third professional position, this time as Director of its Washington Office. As Director she develops and directs the federal legislative and Executive Branch civil liberties agenda for the national organization and supervises a staff of 30 individuals. Murphy divides her time as chief lobbyist, administrator and national spokesperson in order to bring resources and visibility to the substantive work of the Washington Office. Murphy is the first woman to hold this position in the ACLU's 75 year history.

Since returning to the ACLU, she has been directly involved in congressional and administrative branch deliberations on counter-terrorism issues, criminal justice, FBI surveillance, privacy, lobbying disclosure, free speech and civil rights enforcement as well as general supervision of other areas of great concern to the ACLU such as the principle of separation of church and state, reproductive rights, and equality and due process issues. During Murphy's tenure the ACLU Washington office has been instrumental in the passage of landmark legislation such as the Family Medical Leave Act, the Motor Voter Bill, the Religious Freedom Restoration Act, and the Freedom of Access to Clinics Act. In addition, the ACLU's recent lobbying work has led to the adoption of numerous amendments to major legislation including the passage of a mandatory minimum safety valve in the Omnibus Crime Bill of 1994.

Given the hostility toward civil liberties demonstrated by the 104th Congress, the ACLU Washington Office overcame enormous odds to help defeat a constitutional amendment banning flag desecration, as well as crime legislation that would erode Fourth Amendment Rights that was part of the "Contract with

America." The Washington Office has co-chaired a coalition to defeat measures that would punish poor women for having children, and has lead and organized coalitions representing Republicans, libertarians, gun owners, immigrants rights and religious groups who oppose counter-terrorism legislation that violates civil liberties. In particular, Ms. Murphy's lobby efforts were critical to the formulation of a less burdensome federal lobbying registration law. She also advised President Clinton on his policy providing continued support for federal affirmative action programs for women and minorities.

Ms. Murphy has been a spokesperson on CNN's "Inside Politics," "MacNeil/Lehrer Newshour," "The Today Show," "Larry King Live," "Nightline," "Crossfire," C-SPAN and the "NBC Evening News" among many others. She has received numerous awards and recognition for her dedication and achievements such as the distinguished public service award from the Mayor of the District of Columbia and in publications such as the California Journal and the Wellesley College Alumni magazines.

She is a member of the Executive Committee of the Leadership Conference on Civil Rights (the largest rights coalition in the U.S.). Ms. Murphy is also on the Board of the D.C. Committee to Promote Washington, a local civic organization in Washington, D.C. and is a member of the Board of Trustees of the Public Defender Service of the District of Columbia.

Previous Professional Associations of Laura W. Murphy

Prior to returning to the ACLU, Murphy enjoyed a rich and varied career in politics and community service. Upon graduation from Wellesley College in Massachusetts in 1976, she was asked to join the professional staff of Congressman Parren J. Mitchell (D-MD) as a legislative assistant in his Washington office. She later joined the Washington, D.C. staff of Congresswoman Shirley Chisholm (D-NY) for whom she was also a legislative assistant. From 1979 to 1982, she was a registered lobbyist for the American Civil Liberties Union Washington Office (ACLU). In that capacity she lobbied members of the U.S. Congress, delivered testimony before Congressional committees and conducted press briefings on pending reproductive rights and civil rights legislation. While at the ACLU Washington office, she directed the Voting Rights Act Public Education Project. Her successful and widely acclaimed advocacy contributed to the strategic bi-partisan support necessary to sign the Voting Rights Act into law in 1982.

After moving to Los Angeles in 1982, Laura W. Murphy became Director of Development and Planned Giving for the ACLU Foundation of Southern California. On behalf of the Foundation, she coordinated fundraising events and conducted seminars on estate planning and deferred giving. She later joined a public affairs consulting firm, Mixner/Scott, Inc. She then took a position as Chief of Staff of the Los Angeles Office of the California Assembly Speaker Willie L. Brown, where she conducted research and public education projects and directed a staff of eight.

Ms. Murphy moved to Chicago in 1987, where she coordinated fundraisers for numerous elected officials and was active in a number of civic organizations. She served on the boards of the Goodman Theater, Family Focus, the Streeterville Organization of Active Residents (SOAR) and the Coalition of 100 Black Women. She spearheaded fundraisers for Atlanta Mayor Maynard Jackson, Virginia Governor L. Douglas Wilder, Illinois Senator Paul Simon, Illinois Attorney General Roland Burris, Illinois gubernatorial candidate Neil Hartigan, Cook County Recorder of Deeds Carol Moseley Braun, and District of Columbia Mayor Sharon Pratt Kelly.

In 1991, Mayor Kelly asked Ms. Murphy to join her staff as Special Assistant to the Mayor for Tourism and later Director of the Office of Tourism and

Promotions in the District of Columbia. The Office of Tourism and Promotions was created through Murphy's lobbying in partnership with a coalition of diverse business leaders who felt that tourism, the city's largest private industry, was not getting adequate government support. Tourism and conventions generate some \$3.7 billion in revenue for the Washington metropolitan region. The purpose of the Office of Tourism and Promotions is to capture more revenues for the District, to increase business and employment opportunities for local firms and residents, and to help revamp the District's national and international image. During her brief tenure in this position, Murphy has achieved many objectives, not the least of which was having a pivotal role in securing the World Cup Soccer games for the District in 1994 and lobbying to substantially increase the District's tourism advertising budget.

KAREN K. NARASAKI

Karen K. Narasaki is the Executive Director of the National Asian Pacific American Legal Consortium (NAPALC), a nonprofit, nonpartisan organization. Headquartered in Washington, D.C., its mission is to advance the legal and civil rights of Asian Pacific Americans through litigation, advocacy, public education and public policy development. Ms. Narasaki also serves as a Chairperson of the Compliance/Enforcement Committee of the Leadership Conference on Civil Rights and is Chairperson of the National Network Against Anti-Asian Violence.

Before joining NAPALC, Ms. Narasaki was the Washington, D.C. Representative for the Japanese American Citizens League (JACL), the nation's largest Asian American civil rights organization. Ms. Narasaki directed JACL's national advocacy program and served as its representative on the Executive Committee of the Leadership Conference on Civil Rights. Prior to that she was a corporate attorney at Perkins Coie in Seattle, Washington. Before joining Perkins Coie, she served as a Law Clerk to Judge Harry Pregerson on the United States Court of Appeals for the Ninth Circuit in Los Angeles.

She has served on the Boards of National Asian Pacific American Bar Association, the Asian Bar Association of Washington, The Asian Pacific American Legal Center of Southern California and the Organization of Pan Asian American Women. She is a graduate of Yale University and the UCLA School of Law.

**Biographical Sketch of
MARK J. PELAVIN**

Mark J. Pelavin is the Associate Director of the Religious Action Center of Reform Judaism (RAC), a position he has held since May 1996. The Center represents the Reform Jewish Movement to the Congress and the Administration, develops extensive legislative and programmatic social action materials for the Reform Movement and trains nearly 2,000 Jewish adults, youth, rabbinic and lay leaders each year in social justice work.

Mr. Pelavin, an attorney, is also the Associate Director of the Commission on Social Action of Reform Judaism. The Commission is the social justice policy-making body of the Reform Movement, relating ethical and spiritual principles of Judaism to the problems of today's world and implementing resolutions through the Religious Action Center via advocacy, development of educational materials and congregational programs.

As associate director of the RAC, Mr. Pelavin supervises the day to day activity of the 17 member staff, overseeing all the legislative work and the congregational-relations programming of the Center. Mr. Pelavin also serves as associate director of the Center's Kovler Institute on Black-Jewish Relations.

Prior to assuming his current position, Mr. Pelavin served as the Director of Governmental and Public Affairs for the American Jewish Congress, one of the nation's oldest and most influential Jewish public affairs agencies. He had worked for AJCongress since March, 1984, and had directed its Washington operations since September, 1989. Previously he was Director of Policy Planning, Associate Washington Representative and Assistant to the Executive Director for AJCongress.

Prior to joining AJCongress' staff, Mr. Pelavin worked for the Mondale for President campaign.

Mr. Pelavin is a graduate of Brandeis University (B.A. in Politics) and Georgetown University Law Center (J.D., *cum laude*). He and his wife Lori Morris live in Bowie, Maryland with their two children, Jordan Elizabeth Pelavin and Daniel Morris Pelavin.

About the Religious Action Center of Reform Judaism

The Religious Action Center of Reform Judaism is the Washington Office of the Union of American Hebrew Congregations and the Central Conference of American Rabbis, representing 1.5 million Reform Jews and 1700 Reform rabbis in 850 congregations nationwide.

*The Religious Action Center
promotes social justice and
religious liberty by
mobilizing the American
Jewish community and
working on its behalf
in the nation's capital*

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*Rabbi David Saperstein
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*Rabbi Lynn Lasker
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*Emily Lurie Schindler
Chairperson
Commission on Social Action
of Reform Judaism*

*Rabbi Eric Yaffe
Director
Commission on Social Action
of Reform Judaism*

*The Religious Action Center
is under the auspices of
the Commission on Social
Action of Reform Judaism,
a joint responsibility of
the Central Conference of
American Rabbis and
the Union of American
Hebrew Congregations
with its affiliate
American Conference
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Temple Sisterhoods,
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GEORGINA C. VERDUGO

Biography

Georgina Verdugo is Regional Counsel of the Washington, D.C. office of the Mexican American Legal Defense and Educational Fund (MALDEF). MALDEF is a national advocacy organization that uses the law, community education and research to protect the civil rights of the nation's 27 million Latinos. As Regional Counsel, she heads the legislative branch of MALDEF, advocating to promote civil rights in the areas of employment, education, immigrants rights, political access, and language rights.

Prior to coming to MALDEF, Ms. Verdugo most recently completed the Masters of Public Administration degree at the Kennedy School of Government, Harvard University. While at the Kennedy School, she served as Board Relations Editor of the *Harvard Journal of Hispanic Policy*.

A member of the State Bar of California, Ms. Verdugo was an attorney in private practice for several years in California before attending the Kennedy School, concentrating on business and tax litigation. She received her undergraduate degree in political science from the University of California, Los Angeles, and law degree from the University of San Francisco School of Law. Additionally, she received a Master's of Law in International Business and Taxation from the University of London (King's College/London School of Economics). She was also a member of the Publisher's Editorial Staff, Matthew Bender and Company, and wrote portions of various tax and legal texts.

Ms. Verdugo is currently a member of the American Bar Association Commission on Public Understanding About the Law, the President's Committee on Employees with Disabilities, as well as a member of the Governing Board of the Federal Bar Association.

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EULA BOOKER TATE

IN 1967, EULA WAS HIRED INTO CHRYSLER CORPORATION, UAW LOCAL 630, AS AN ASSEMBLER WHERE SHE SERVED AS CHIEF STEWARD AND FIRST VICE PRESIDENT. WHEN UAW/CHRYSLER LOCAL 630 CLOSED, EULA TRANSFERRED HER MEMBERSHIP TO TRENTON ENGINE LOCAL 372, REGION 1A.

FROM 1980 TO 1991, SHE WAS GRANTED A UNION LEAVE OF ABSENCE TO WORK WITH MICHIGAN STATE UNIVERSITY IN LANSING AS UNION MINORITIES AND WOMEN'S LEADERSHIP TRAINING PROJECT COORDINATOR.

SISTER TATE HAS TEN (10) YEARS OF PROFESSIONAL EXPERIENCE IN GOVERNMENT AS COUNCIL MEMBER AND MAYOR PRO TEM FOR THE CITY OF YPSILANTI.

IN 1991, SHE WAS APPOINTED TO THE INTERNATIONAL STAFF BY PRESIDENT OWEN BIEBER, AS A LEGISLATIVE REPRESENTATIVE IN THE WASHINGTON OFFICE.

AS A CONSULTANT, SHE HAS DESIGNED AND DEVELOPED SUCCESSFULLY A NUMBER OF CONFERENCES AND SEMINARS WHICH INCLUDES CLIENTS THROUGHOUT THE UNITED STATES.

SISTER TATE IS A DELEGATE OF THE WASHINGTON D.C. METRO CLUW CHAPTER AND ALSO SERVES AS NATIONAL CO-CHAIR OF CLUW'S LEGISLATIVE AND POLITICAL ACTION COMMITTEE. SHE HAS BEEN LISTED IN "WHO'S WHO OF AMERICAN WOMEN", "BLACK WOMEN IN MICHIGAN" AND "WHO'S WHO AMONG BLACK AMERICANS".

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BIOGRAPHICAL SKETCH

With others founded the Disability Rights Fund (DREDF), a national law and policy center in Berkeley, CA. In 1981 Pat helped establish the office. In the past 11 years, Pat, virtually single-handedly established disability as a leading force in litigation, and has spearheaded the development of all phases of critical disability civil rights litigation, including the most comprehensive piece of disability rights legislation in the world, the Americans with Disabilities Act. In accomplishing this list of stunning achievements, Pat worked with a degree of energy, skill, and tenacity that has dazzled even the most long standing

members of the board of the Leadership Conference on Disability. Numerous organizations have recognized Pat's role in the ADA including, The Dole Foundation, The Task Force on the Independence and Empowerment of Americans with Disabilities, Presidential Task Force, Administration on Developmental Disabilities, U.S. Department of Health and Human Services, Administration for Children and Families, and the National Council on the Handicapped. She also has received the George Service Award for distinguished service to the dignity, equality, and independence in the lives of people with disabilities. Most recently she received the Hubert H. Humphrey Award from the Leadership Conference on

Disability. In the Washington office in 1979, Pat initiated a process of educating diverse groups in Washington, D.C. that would break barriers to integration for people with disabilities. Pat established bi-partisan alliances between Congress and the Administration. She built coalitions of organizations representing the rights of people with disabilities, as well as trade unions. Her hard work on this issue won her a position on the executive committee of the Leadership Conference on Civil Rights. Pat also

worked closely with traditional disability groups who have been active in the civil rights area. Her successful campaign in Washington resulted in the Administration backing down from its attempts to delay the implementation of provisions enforcing the federal disability civil rights law. This success was accomplished by a multi-tiered strategy created by Pat, which involved high level meetings with government officials, as well as intensive grass roots campaigns. This victory was the beginning of a decade of unprecedented policy advances for people with disabilities that would not have been possible without Pat Wright.

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RAUL YZAGUIRRE

Raul Yzaguirre is one of the most widely recognized leaders in the Hispanic community. For over 35 years, he has been a key national player on behalf of Hispanic Americans. Today, as President of the National Council of La Raza (NCLR) — the largest constituency-based national Hispanic organization and leading Hispanic "think tank" in Washington, D.C. — he continues his lifelong mission to improve opportunities for Hispanic Americans.

Since joining NCLR in 1974, Mr. Yzaguirre has spearheaded its emergence as the most influential and respected Hispanic organization in the country. The *Baltimore Sun* routinely refers to NCLR as the principal Latino advocacy group. The *Albuquerque Tribune* has called NCLR "the leading Hispanic think tank in the country." In its review of the influence of Latino advocates in Washington, *Hispanic Business* magazine concluded that NCLR is, "by all accounts the most effective Hispanic organization."

Mr. Yzaguirre has been honored on many occasions for his work. In 1979, he was the first Hispanic to receive a Rockefeller Public Service Award for Outstanding Public Service from the Trustees of Princeton University. He received the Common Cause Award for Public Service in 1986. From 1989 to 1990, he served as one of the first Hispanic Fellows of the Institute of Politics at the John F. Kennedy School of Government at Harvard University. In 1993, Mr. Yzaguirre received the Order of the Aztec Eagle, the highest honor given by the government of Mexico to non-citizens. He is also the recipient of the Martin Luther King, Jr. Medallion in recognition of his contribution to civil and human rights. Dr. Yzaguirre is also the recipient of two honorary doctorates. He was first listed in *Who's Who in America* in 1980.

Mr. Yzaguirre is the immediate past Chairperson of the Independent Sector, a nonprofit coalition of over 850 corporate, foundation, and voluntary organizations. He serves on the Board of Directors of numerous organizations, including the Enterprise Foundation, the National Democratic Institute, and the Hispanic Association for Corporate Responsibility. He was the first Hispanic to serve on the Executive Committee of the Leadership Conference on Civil Rights. He was Chairperson of President Clinton's Advisory Commission on Educational Excellence for Hispanic Americans, and is currently the President of the newly created Mexican and American Solidarity Foundation. Mr. Yzaguirre also serves on the Visiting Committee for the John F. Kennedy School of Government at Harvard University and is a member of the Council on Foreign Relations.

In a 1992 profile, *Hispanic* magazine described him as being "at the center of the Hispanic leadership stage." He is a frequent commentator on Latino issues; he has appeared on *NBC Nightly News*, *ABC World News Tonight*, *CBS Evening News*, *The Today Show*, *CNN*, and *National Public Radio* and in *The Washington Post*, *The New York Times*, *The Los Angeles Times*, *USA Today*, *The Wall Street Journal*, *The Chicago Tribune*, *Time*, *Newsweek*, and *The National Journal*.

A lifelong community activist, Mr. Yzaguirre was born in the Rio Grande Valley of South Texas in 1939. He began his civil rights career at the age of 15 when he organized the American G.I. Forum Juniors, an auxiliary of the American G.I. Forum, an Hispanic veterans organization. After graduating from high school in 1958, Mr. Yzaguirre served four years in the U.S. Air Force Medical Corps. In 1964, he founded NOMAS, the National Organization for Mexican American Services. A proposal he wrote for NOMAS led to the creation of what is now NCLR. In 1966, Mr. Yzaguirre received his B.S. from George Washington University, and became a program analyst at the Migrant Division of the U.S. Office of Economic Opportunity (OEO). In 1969, Mr. Yzaguirre founded Interstate Research Associates (IRA), the first Mexican American research association, which he built into a multimillion dollar nonprofit consulting firm.



NANCY M. ZIRKIN

Nancy M. Zirkín is Director of Government Relations for the 160,000-member American Association of University Women. She directs work on AAUW's legislative priorities in Congress and the executive agencies. Her work on the advancement of women began in 1971, and continues in her advocacy to improve the lives of women and girls by promoting civil and constitutional rights and equity in education and in the workplace. Currently, she is directing the AAUW Voter Education Campaign.

Civil Rights

THE WHITE HOUSE

WASHINGTON

March 1, 1993

Dear Member of Congress:

I write to express my strong support for the "Justice for Wards Cove Workers Act," which Representative Jim McDermott is reintroducing today. This important piece of legislation will overturn the unfair exemption of the original plaintiffs in the Wards Cove Packing Co. v. Antonio case from coverage under the Civil Rights Act of 1991.

The Civil Rights Act of 1991 was passed to overturn a series of controversial Supreme Court decisions that made it more difficult for victims of discrimination to challenge employers' discriminatory practices. Congress found that the ~~cases~~ ^{decisions} weakened the scope and effectiveness of Federal civil rights protections. Chief among these decisions was Wards Cove Packing Co. v. Antonio, yet the Act exempts the very 2,000 Americans who sought relief in the original case.

America is a nation of great diversity, founded on the principle of equality before the law. It is contrary to all of our ideals to exclude any American from the protection of our civil rights laws.

I am committed to removing this exemption. I urge you to join with Representative McDermott and undertake all action necessary to ensure the passage of the "Justice for Wards Cove Workers Act."

Sincerely,

President William J. Clinton

Approved by
Walter Beltrami
March 1, 1993

THE WHITE HOUSE

WASHINGTON

March 1, 1993

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Sincerely,

President William J. Clinton

*Approved by
Walter Bellotti
March 1, 1993*