Extent

Approximately 533 folders, 49520 pages

Summary

This collection consists of records concerning the White House’s review of federal affirmative action programs and policy. The review was led by George Stephanopoulos and Christopher Edley. The review was mandated by President Clinton in March of 1995. It concluded on July 19, 1995 with a speech wherein President Clinton used the phrase “mend it, don’t end it” to describe his new policy toward affirmative action. This collection contains the entirety of Christopher Edley’s staff files.

Scope and Content Note

The materials in FOIA 2008-0308-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. FOIA request 2008-0308-F contains materials from several offices and individuals including WHORM Subject File and White House Staff and Office Files. The White House Office of Records Management (WHORM) Subject Categories contains primarily correspondence to and from citizens in reference to their stance on affirmative action. The White House Staff and Office Files contain draft and final reports, memoranda, correspondence, draft and final speeches, contact sheets, event planning info, newspaper articles and background info. The records come from many offices, including: Cabinet Affairs, Chief of Staff, Communications, Counsel’s Office, Domestic Policy Council, First Lady’s Office, Legislative Affairs, National Economic Council, President’s Initiative for One America, Press Secretary, Public Liaison, Publication’s Office, Speechwriting, and Women’s Initiative and Outreach. The majority of responsive records are from Christopher Edley’s Counsel files. His records were processed in their entirety.

Biographical Note

On July 19, 1995 President Clinton gave an address in the National Archives Rotunda concerning Affirmative Action. In his remarks President Clinton announced that affirmative action was still needed to right past wrongs. Specifically in his speech he said that the slogan for affirmative action was “mend it, don’t end it.” He addmitted that there had been abuses of affirmative action, but that when done correctly it could be an effective tool to give all Americans an equal opportunity. He also gave specific instructions in a memo to the Heads of Executive Federal Departments and Agencies instructing them that the policy principles of any affirmative action program must be eliminated or reformed if it: (a) creates a quota; (b) creates preferences for unqualified individuals; (c) creates reverse discrimination; or (d) continues even after its equal opportunity purposes have been achieved. President Clinton’s speech and memo were the result of a review of affirmative action programs in federal agencies that he had called for in March of 1995. Affirmative action had become a politically decisive issue in large part because of the University of California vote to eliminate all race-based programs in hiring and college admissions, California’s Governor Pete Wilson desire to abolish race and gender-based preferences in government employment and education, and the Supreme Court hearing the case Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995). President Clinton advised his staff to study all affirmative action programs in federal agencies. He named Christopher Edley as the director of the White House Affirmative Action Review team. Edley worked closely with George Stephanopoulos in the Chief of Staff’s office and Deval Patrick of the Civil Rights Division within the Department of Justice, and the White House Counsel’s Office in reviewing the affirmative action programs in the federal government. The review team requested that each federal agency compile comprehensive information detailing all the affirmative action programs administered by the agency with detailed analysis of the program strengths and weaknesses. As a result of the review the team created the “Affirmative Action Review Report to the President,” dated July 19, 1995. On June 12, 1995 during the White House’s review of affirmative action programs the Supreme Court decided on the Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995) case that set new standards in federal affirmative action programs. The Supreme Court declared that affirmative action programs needed to be “narrowly tailored,” and that they must have a "compelling" need to serve the government’s

interest. The day following the Supreme Court’s decision President Clinton released a statement reaffirming that the Supreme Court had not abolished affirmative action rather that they had set a higher standard for affirmative action. Due to the Supreme Court’s decision the White House’s affirmative action review team was forced to incorporate the Adarand decision into their review. Also, the Department of Justice issued a memorandum on June 28, 1995 to the General Counsels of federal agencies detailing preliminary legal guidance on the implications of the Adarand decision.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in two collections areas - Clinton Presidential Records: White House Office of Records Management (WHORM) and White House Staff and Office Files. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Alpha file was compiled by the White House Office of Records Management from 1993 – 1996 and is a series of documents arranged by name of persons, organizations, or events. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 USC 22) and the Freedom of Information Act (FOIA) (5 USC 552 as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (Title 17, USC) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Topical Subjects

Affirmative action programs

Processed by

Staff Archivist, 2011. Previously restricted materials are added as they are released.

Last Modified Date

2012-10-01

Container List

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