

NLWJC - Kagan

DPC - Box 038 - Folder 007

Race-Asian America Meeting

July 22, 1998

MEMORANDUM TO ERSKINE BOWLES

FROM: DORIS MATSUI

CC: MINYON MOORE

RE: ASIAN PACIFIC AMERICAN LEADERS MEETING

Many in the Asian Pacific American community are very pleased with the Administration's efforts on behalf of Asian Pacific Americans and will acknowledge the progress we have made. The following are the major issues of concern.

Political Appointments

Appointments continue to concern the community. Several points will be presented:

- Lack of cabinet and subcabinet level appointments
- Lack of promotion of current APA appointees
- Lack of APA senior person in White House Personnel
- Need for APA to replace Dang Pham, Deputy Director of OBEMLA at Education
- Need to continue to push for confirmation of Paul Igasaki at EEOC & Bill Lann Lee

Talking Point

- This administration has appointed more Asian Pacific Americans (over 200) to senior-level positions than any other administration. The Administration is committed to continuing such appointments. (See attachment from Bob Nash.)

Immigration and Naturalization

Fully funded for fees
[FILED] 1-time approp but part of bud not possible.

The Asian Pacific American community wants leadership on appropriations to address the backlog of INS cases.

Background

The dramatic increase in naturalization applications (from 540,000 in FY 1994 to almost 1.6 million in FY 1997), along with the dedication of substantial resources over the past nine months to implement quality procedures, has resulted in an increase in the number of pending applications to nearly 1.9 million as of the end of May 1998. Most applicants are experiencing a wait time of 18-24 months.

At the same time, the INS ^{227m} plans to increase the fees on naturalization, which fund the program, from \$95 to \$225 as of October 1. (This increase will more accurately reflect the actual cost of

improve mgmt // moving around same money? | cany over? | re-program?

process improvements // more to front end - service ctrs! so 2 adjudicators need to do less // SWAT teams - moving into offices

processing an applicant.)

OMB and DPC are working with the INS to develop a credible backlog-reduction plan that focuses on management and process reforms.

Talking points:

- We agree that the growing backlog is unacceptable. The Administration is committed to both management reforms and providing the resources necessary to steadily reduce and eventually eliminate the waiting time. The Domestic Policy Council and the Office of Management and Budget already are working with the INS and Department of Justice to develop a comprehensive plan to achieve this goal.
- In the past year, the INS has implemented several reforms to the naturalization process that are designed to expedite processing, while maintaining integrity. However, we recognize that there are enormous challenges ahead. We are committed to addressing those challenges in an expeditious manner.
- In addition, our FY 1999 budget anticipates significant further reductions to waiting time.

If asked about the fee increase:

- Given the budget realities, an increase in the fee is the only way to reduce the backlog. We recognize that in some cases the anticipated fee increase will create a hardship. We will make sure that any proposal to increase the fee is accompanied by a waiver for those for whom the burden is too great.

Campaign Finance Reform

In two previous meetings last fall, one with you and another with the President, members of the APA community requested a review of the policy which disallowed campaign contributions to the Democratic party from legal permanent residents. Last January the DNC changed its policy in order to allow donations from legal permanent residents.

At this meeting, participants will raise the issue once again, as it applies to the legal permanent resident ban in the pending campaign finance reform legislation.

Talking Point:

- We are also concerned about this issue. Working on a bipartisan basis, we will continue to encourage fair and meaningful reforms.

Census

The Asian Pacific American community is grateful to the administration for standing firm on sampling. The community's next priority is to ensure that federal agencies use the information

on the various categories of APAs in a consistent manner. The meeting participants also would like to work with the federal agencies to develop a strategic media plan to educate the APA community of the importance of participating in the census process.

Talking Point:

- Thank you for your support of sampling. It's clear that you understand all too well the connection between census and programs and policies. I hope you will continue your effort to educate the public on the importance of a fair and accurate census.

President's Initiative on Race

While appreciative of the administration's efforts, there is a concern that Asian Pacific Americans lack visibility in public forums. They would like an assurance that APAs will be represented in the President's Report to the American people and included in its recommendations.

Talking Point:

- We encourage you to work with the Race Initiative staff on the report. It's important that your voices are heard. I will speak with the Initiative's Executive Director Judy Winston about ensuring that she solicits your input.

Filipino Veterans of WWII

The Filipino American community continues to advocate for the extension of veteran's benefits to Filipino veterans who fought alongside US soldiers in WWII. Constituents continue their efforts, both on the Hill and at the White House, to move forward legislation currently pending.

A hearing before the Veterans Affairs Committee took place today, Wednesday, July 22, 1998. Response to the hearing was sympathetic, yet budgetary constraints remain the impediment to a solution deemed appropriate by the Filipino veterans. As you know, there also is considerable opposition within the veterans' community and the House Veterans Affairs Committee.

Talking Points:

- We acknowledge the heroism of the Filipino Veterans. Your efforts to educate the public about this issue have been effective.
- As you know, the President recognizes that the situation of the Filipino vets is special. Therefore, the President's FY 99 budget would end the 50 percent-level for service-connected disability for Filipino vets and would offer full disability benefits to disabled Filipino veterans living in the United States. (Note: This option will benefit 1,600 Filipino veterans currently receiving 50 percent benefits, at a cost of \$5 million a year, \$25 million over 5 years).

190- : p. can't enter if at risk of becoming
pub ch.

st/MS - u. diff gives

Medicaid? food stamps? - currently receiving OR
in past

(leave for more than 6 mos)
(receiving certain adjustments in status)

Gen. limit cases. FS

Prote consider Medicaid- practice (no guidance)

Welfare Reform & Related Issues

Background

Current immigration law requires the INS and the State Department to determine whether an applicant for admission to the United States is likely to become a "public charge." In doing so, the INS and State Department often take into consideration whether the applicant receives certain public benefits. The word has spread within the immigrant community that enrolling yourself or your children in Medicaid or other benefit programs puts you at risk with the INS.

public charge - means basic costs of living

He by statute:

TANF/SSI - have to - costs of living

Last winter - real overstepping - pay back lens!
We got them to stop.

DPC and OMB have been leading an inter-agency process to determine whether, given the increased use of Medicaid and food stamps by working families and children and our increased efforts to insure that all eligible children and families receive these benefits, the agencies should revise their policies.

Prob - p. disallowing kids + selves from Medicaid.
We'd like to Medicaid/FS. of look.
Prob. do OK

Talking points:

We are grateful for your help in successfully winning back the immigrant provisions of the welfare bill and restoring food stamp benefits for legal immigrants. Together we corrected a wrong.

Ans: Medicaid - not as much of our program.

Except for institutionalized

Now we are concerned about policies or practices that would endanger our efforts to enroll eligible children and families in Medicaid and food stamp programs.

INS
v.
HHS

DPC and OMB have been leading an inter-agency process to look at this issue. We are at the tail end of that process and hope to reach a clear resolution soon.

ins then has to do rule??

largely legal immigrants.

Health care

The health care concerns for the APA community are:

Ash Chris

Medicaid coverage of legal immigrant children through the Children's Health Insurance Program proposed in the FY99.

An Asian Pacific American Executive Order which would increase the participation of APAs in federal government programs targeting effective access to and utilization of health and human services and encouraging research. (Note: Draft is circulating for final sign-off).

?

Talking Points:

Right now legal immigrant children are eligible for coverage through the Children's Health Insurance Program if they entered the country before the 1996 welfare law was enacted. Our proposed FY 1999 budget would extend the law to cover children who entered the country after 1996. Unfortunately, Congress rejected this proposal. We are committed to ending this disparity and will continue to work with Congress, as we did on the food stamps, until we can get such coverage passed.

"means-tested lens"

4

give states option to do Medicaid + CHIP regardless when they entered country?

- We are moving forward in the process on an executive order. As you know, executive orders require the input and comment of many offices, which makes the approval process lengthy.

Attention to APA Community

The Asian Pacific American community was thrilled by the Vice President's appearance at the Organization of Chinese American's national conference last week. They hope that the President, Vice President, First Lady and Mrs. Gore will attend future APA events.

Talking Point:

- We intend to continue our involvement in APA events.

INS/DOL -

DOL - if it ever kills out I 9 forms

if hit a vol, refer to INS

↳ (not killing out refer)

INS generally doesn't enforce, but shows to

Advocates want to repeal law -

don't want DOL involved in issuing,

arg: p. won't encourage alt labor volds

it think it will trigger many inspections

MOU -

DOL couldn't refer to INS when responding to complaint
about workplace conditions

Just sitting.



July 24, 1998

TO: Erskine Bowles, The White House Chief of Staff
Doris Matsui, Deputy Director for Public Liaison and Deputy Assistant to the President
FR: Chung-Wha Hong
Executive Director, National Korean American Service & Education Consortium

Immigrant Policy Issues Affecting Asian Pacific American Communities

There are major legislative proposals and policy issues on the administrative level that affect immigrant communities across the nation with regard to public benefits, political participation, naturalization and immigration. Below are summary of selected issues and preliminary recommendations. While the summary and recommendations are not comprehensive, we hope that this can be part of the continuing discussion with the Administration in developing fair policies toward Asian Pacific Americans and immigrants.

1. Restoration of Food Stamp Benefits to Legal Immigrants

Issue: The welfare reform law enacted on August 22, 1996 terminated food stamp benefits for almost a million legal immigrants as of September 1, 1997. Over 1.5 million low-income immigrants and citizens were affected, and live in households with reduced food budgets due to these benefit cuts.

In response to these devastating cuts, a national grassroots campaign was launched to restore Food Stamp benefits to legal immigrants. And with strong leadership from the Administration, the House and Senate passed the Agricultural Research Bill which President Clinton signed into law on June 23, 1998. The new law restores benefits to the most vulnerable legal immigrant population including the elderly, disabled, children under 18 years of age, and refugees. Although the bill represents a major victory for immigrants, more needs to be done for a full restoration of Food Stamps.

Recommendation: We urge the Administration to seek future opportunities for full restoration of Food Stamps to legal immigrants on the federal level. As an immediate strategy, advocates are working with state governments to provide Food Stamps to legal immigrants that are not covered by the federal bill such as legal immigrants between the ages of 18 and 65. But without full restoration on the federal level, any restorations on the state level are subject to yearly budgetary pressures.

2. Proposals that Restrict Voting Rights and Political Participation of Immigrants

Issue: Voting rights and political participation of immigrants may be severely limited by amendments to the campaign finance reform proposals and other separate proposals. If passed, these proposals will:

* Prohibit bilingual voting materials and assistance by amending the Voting Rights Act

Affiliates

민족학교
Korean Resource Center
Los Angeles

민족교육봉사원
Korean Resource Center
SF Bay Area

한인교육문화마당집
Korean American
Resource & Cultural Center
Chicago

청년마당집
Korean American
Community Center
Philadelphia

청년학교
Young Korean American
Service & Education Center, Inc
New York

(Doolittle Amendment)

- * Require proof of voting to state election officials before receiving ballots. (Doolittle Amendment)
- * Establish a federal pilot program to allow election officials to "verify" the citizenship of voters in California, Texas, Florida, New York and Illinois, using INS and Social Security Administration data (Peterson Amendment)
- * Repeal mail-in registration requirements that allow states to remove certain voters from the voting polls, and allow states to require photo ID at the polls (Goodlatte Amendment)
- * Ban contributions by legal permanent residents to political parties or campaigns (Cox Amendment)

These amendments have nothing to do with campaign finance reform and proof of citizenship requirements discriminate against ethnic minorities. Both the INS and Social Security Administration have openly opposed this new requirement stating that their data base systems are not capable of confirming the citizenship status of every potential voter. Furthermore, many Asian Pacific Americans will face greater difficulties in exercising their right to vote given that 55% of this population live in the five states selected for the pilot program. Finally, prohibition of bilingual voting assistance and materials would undermine the voting rights of new citizens who are unfamiliar with technical English.

Banning political contributions from legal permanent residents is another discriminatory measure against immigrants. Such a measure is widely believed to be a violation of the First Amendment rights of legal permanent residents because they are denied their right to express support for a candidate they support. This proposal represents a dangerous trend where immigrants are viewed as "foreigners" and denied a fair opportunity to participate in the political process. On March 30, a similar proposal (H.R. 34, Illegal Foreign Contributions Act of 1998) was passed in the House by a vote of 369 to 43.

Recommendation: Strongly oppose all of the above amendments. Currently, states may require ID at the polls in a manner that is nondiscriminatory and consistent with the Voting Rights Act. We urge President Clinton to adopt a position to allow legal permanent residents to make contributions to political campaigns.

3. Naturalization

Issue: H.R. 2837 (Naturalization Reform Act sponsored by Rep. Lamar Smith) would "impose unnecessary burdens on [citizenship] applicants and on INS without any comparable enhancement to the integrity of the process," according to INS general counsel Paul Virtue. H.R. 2837 contains provisions that unnecessarily lengthen the interview process, add new requirements to elderly over 75 years of age, and require the INS to take into consideration all acts known to them, regardless of when such acts occurred, when determining "good moral character."

Nearly two million permanent residents have been placed in a citizenship application backlog with some applicants waiting for over three years to become naturalized. If the Naturalization Reform Act is passed, the wait for applicants will become longer and the path towards naturalization will become more arduous.

As an alternative, Sen. Kennedy (D-MA) and Rep. Gephardt (D-MO) have introduced the New

American Citizenship Act (H.R. 3341 and S. 1717). Key provisions of the Act include: eliminating the backlog, reducing the naturalization processing time to six months, capping the INS fee to \$150 until the backlog is reduced, appropriating \$100 million for the INS to fix technical problems, improve procedures, and deter naturalization fraud.

Naturalization is a fundamental step for new immigrants to become part of American society and to strengthen American democracy.

Recommendation: We urge President Clinton to support the Kennedy-Gephardt bill which embodies the spirit of welcoming qualified immigrants to become citizens by establishing a naturalization process that is fair, efficient, and affordable. Specifically, we urge the Administration to work with Congress to reduce the citizenship application time to six months, immediately reduce the backlog, improve customer service and appropriate enough funds to the INS to implement much needed reforms and modernization.

4. Extension of Section 245(i) of the Immigration Act

Issue: 245(i) is the mechanism by which some undocumented immigrants, who are immediate relatives of citizens, can adjust their status in the United States without going back to their home country. The required penalty fee for this program is \$1,000. This program has been an important source of funds for the INS before it was expired beginning of this year. Without 245(i), immigrants must return to their home countries to adjust their status. Because the 1996 immigration law bars immigrants from re-entry for three or ten years, depending on the period of undocumented stay in the U.S. the expiration of 245(i) has resulted in long-term barring of many immigrants who would have qualified for visas before the 3 and 10 year bars. Since its expiration, the Senate Appropriations Subcommittee, which has jurisdiction over the INS budget, passed a provision that would restore Section 245(i) of the Immigration Act.

Recommendation: Support extension of 245(i) contained in the Senate Appropriations bill (Commerce, Justice, and State, the Judiciary and Related Agencies Subcommittee).

5. Immigrants with Criminal Record

Issue: Among the most controversial provisions in the Illegal Immigration Reform and Immigrant Responsibility Act (IIRARA) of 1996 are provisions regarding immigrants with criminal convictions. Legal permanent residents who have been convicted of an "aggravated felony" are deported with no chance to apply for waiver of deportation before an immigration judge. The definition of "aggravated felony" has been expanded to include most drug-related crimes, minor theft offense, burglary offenses, and failure to appear for service of a criminal sentence if the underlying offense is punishable by a term of imprisonment of at least 5 years. The new rule applies retroactively without time limits so that a conviction received twenty years ago, for which an immigrant has already served time, would still make the immigrant deportable.

In addition, crimes involving moral turpitude committed within 5 years of admission make the immigrant deportable if the offense is *potentially* punishable by a sentence of one year or longer. In New York State, this category of deportable crimes includes Class A Misdemeanors such as petit larceny, subway turnstile jumping, and issuing a bad check.

Recommendation: We urge the President to work with Congress to draft legislation that narrows

the scope of criminal conviction-related deportation provisions, allow judicial review, and not apply the new standards retroactively.

6. DOL and INS Collaboration

Issue: In April of this year Attorney General Janet Reno announced the formation of a new "Worker Exploitation Task Force" designed to "crack down on modern day slavery." The Task Force will rely heavily on increased cooperation between the FBI, DOL and the INS. The inter-agency cooperation was also previously formalized through a memorandum of understanding agreement signed by the INS and DOL in 1992. Both initiatives aim to end worker exploitation but in effect, by requiring DOL workers to check I-9 forms, they serve to prevent immigrant workers from reporting labor law violations. In this way, the inter-agency cooperation achieves the opposite of its intended result for immigrant workers - an exacerbation of exploitative working conditions due to workers' fear of contacting the DOL.

Recommendation: There should be strict confidentiality for any immigrant coming forward to report criminal and civil violations of law. We urge the Administration to adopt an affirmative policy on reporting immigration information by instructing the DOL to refrain from investigating or reporting immigration status of workers when they are investigating labor related violations.

7. Bilingual Education

Issue: Rep. Riggs (R-CA) introduced the English Language Fluency Act (H.R. 3892) aimed at dismantling federal bilingual education programs that serve America's 3.2 million language-minority students. The proposal would reduce grants for bilingual education, require children with Limited English Proficiency (LEP) to learn English within two years, eliminate federal grants for university teacher training programs, restrict research on English language acquisition, and cut off funds from states exempting LEP students from standardized achievement tests in English. This bill passed the House Committee on Education and the Workforce in June, 1998 and is awaiting a full floor vote.

Recommendation: Support the continuation of bilingual education and oppose H.R. 3892. In the long-term, improve bilingual education through more research on language acquisition, more teacher training and recruitment of qualified bilingual and ESL teachers.

Prepared by:

National Korean American Service & Education Consortium (NAKASEC)
143-32 Ash Avenue, Suite 100, Flushing, NY 11355
718-445-3939 / fax 718-445-0032
E-mail: nakasec@sprynet.com
www.nakasec.org

Sources: Food Research & Action Center, League of Women Voters, National Asian Pacific American Legal Consortium, National Citizenship Coalition, National Association on Bilingual Education, National Immigration Forum, National Immigration Law Center, New York Immigration Coalition, New York State Defenders Association/Criminal Defense Immigration Project, New York University School of Law/Clinical Law Center, Northern California Coalition for Immigrant & Refugee Rights, Organization of Chinese Americans and others.

THE WHITE HOUSE
WASHINGTON

August 3, 1998

MEMORANDUM FOR ERSKINE BOWLES

FROM: DORIS MATSUI

CC: JOHN PODESTA
MARIA ECHAVESTE
MINYON MOORE
BOB NASH
ELENA KAGAN

RE: ASIAN PACIFIC AMERICAN COMMUNITY LEADERS MEETING

This is to follow-up on the meeting you held with leaders of Asian Pacific American community organizations. The leaders were very pleased with the meeting as it demonstrated the President's ongoing commitment to working with the APA communities. They also appreciate your suggestion that a follow-up meeting be planned. Below you will find an outline of the issues discussed.

POLITICAL APPOINTMENTS

- The groups agreed that much progress has been made and thanked the Administration for its support of Bill Lann Lee and Paul Igasaki of the EEOC. You expressed the Administration's ongoing commitment to hiring and promoting Asian Pacific Americans for high-level appointments.
- While disappointed that Chancellor Chang-Lin Tien was not named Secretary of Energy, they are pleased that Chancellor Tien had an opportunity to get to know and be known by people in Washington.
- The groups were especially concerned about the replacement of Dang Pham as Deputy Director of Bilingual Education and Minority Affairs at the Department of Education. They believe it is important to replace him with another Southeast Asian American.
- They also believe it is important to appoint senior-level Asian Pacific Americans to the Department of Labor, where currently there are none.
- The groups asked that the disproportionately small number of APA judicial appointments

be remedied.

- Lastly, they noted that the community would like to see more appointments and promotions of Asian Pacific Americans in the White House.

Follow-up: The groups will send Bob Nash information about current APA appointees and their appointment interests. Bob Nash will send them a listing of vacancies and arrange a meeting to discuss possibilities. As for judicial appointments, you encouraged the groups to continue working with Mark Childress.

IMMIGRATION & NATURALIZATION

- The groups asked for leadership in appropriations to address the backlog of INS cases and noted that while they understand why fees might need to be raised, they think the poor service makes an increase difficult to justify.

Follow-up: DPC, Legislative Affairs, and OMB are aware of the problems and are seeking solutions. (During a recent conference call arranged by OPL, groups indicated that they realize and appreciate how much the Administration is doing).

CAMPAIGN FINANCE REFORM

- The groups expressed concern regarding campaign finance reform that would disallow legal permanent residents from making campaign contributions.
- They also noted how much they appreciate the Administration's support for bilingual ballots.

CENSUS

- They thanked the Administration for its firm commitment to a fair and accurate census and agreed to activate their extensive grassroots to rally around sampling.
- They noted that they are still concerned about the possibility that the Asian American subcategories might be eliminated compelling many Asian Pacific Americans to check "other" instead.

Follow-Up: Doris will work with groups to educate the public about sampling implications.

PRESIDENT'S INITIATIVE ON RACE

- The groups want to ensure that the final report includes a focus on Asian Pacific Americans because they did not feel fully included in the Initiative.

Follow-Up: You indicated that Maria Echaveste would handle this concern.

AFFIRMATIVE ACTION

- The groups think the Administration is doing a terrific job upholding affirmative action. Although they believe opposition forces to the Washington State Initiative are making

progress, they are concerned that other states will soon have similar initiatives. The groups suggest that the Administration coordinate with local defenders of affirmative action to include appropriate Administration officials at the most effective time.

Follow-Up: Elena Kagan agreed that anti-affirmative action state initiatives will be a threat nationwide until several are defeated in a row. She requested the groups' advice and solicited more information on the strategy of Washington State groups. Doris will work with the groups to get the information to Elena.

FILIPINO VETERANS OF WWII

- The Filipino American community thanks the President for his \$25 million proposal for disabled Filipino Veterans. However, the APA community continues to advocate for the extension of veteran's benefits to all Filipino veterans who fought alongside the United States in WWII. They plan to continue their efforts to move forward legislation. Veterans groups support the benefits extension as long as it does not come at the expense of other veterans.
- You noted that although the Administration recognizes the patriotism of the Filipino veterans, an extension will be very difficult without the support of the House Veterans Committee and veterans' groups.

*** After your emergency departure, the following issues were raised:**

HEALTH CARE

- APA communities are asking about the status of the Executive Order ("Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs"). It is an issue that unites the extremely diverse APA communities. Elena explained that it is necessary for the Executive Order to be cleared by many offices and that it is being handled expeditiously.
- The groups thanked the Administration for its efforts to establish Children's Health Insurance Programs since children's health insurance is a particularly relevant issue for the APA community.
- The groups are concerned that people in the community are confused about "public charge". They noted that many immigrant parents of uninsured children eligible for Medicaid do not apply for fear of being labeled a public charge.

Follow-Up: DPC and OPL will work with relevant agencies to address the groups' concerns and confusion about public charge.

WORKER EXPLOITATION

- The groups expressed their concern about the Memorandum of Understanding (MOU) between the Department of Labor and the Department of Justice. Currently DOL provides INS with information about workers, many of whom are immigrants fearing

investigation. They fear that workers are discouraged from complaining about unfair labor practices and want the Administration to guarantee that immigrant workers will not be sanctioned in the process of investigating labor standards.

Follow-Up: Elena indicated that Maria is taking the lead with groups, INS, and DOL.

FOOD STAMPS

- The community is grateful that the Administration worked diligently to win back Food Stamps for legal immigrants.

ATTENTION TO APA COMMUNITY

- The APA community was energized by the Vice President's speech at the Organization of Chinese Americans' conference. They are looking forward to hearing what he has to say in the future.

October 15, 1997

MEMORANDUM FOR ERSKINE BOWLES

FROM: Beverly Barnes

RE: Asian Pacific American Meeting

Following is a briefing paper prepared by Doris Matsui on issues that are likely to be raised during your meeting with local members of the Asian Pacific American community. Doris has provided not only their concerns, but also background information that they will be pleased to see you aware of and talking points on Administration positions/activities.

I have also included an article that ran in Monday's *USA Today*, which offers a good look at the community's perspective on the bias they face.

Doris Matsui and Sylvia Mathews will attend this meeting. We will also ask Bob Nash and Elena Kagan to come, as the group is concerned about political appointments as well as immigration and welfare reform issues.

Doris would be happy to review some of the group's concerns with you in advance of the meeting. She suggests you take an informal tone and begin by telling the group that you want to listen to their concerns and have an exchange.

She recommended that you emphasize the following points:

1. The White House and the Administration is outraged that the Asian Pacific American community have been unfairly represented and portrayed during the campaign finance controversy. It is very important for everyone to understand that Asian Pacific Americans should and will not be held to a different standard than other Americans participating in the political process.
2. The Administration has not shunned the Asian Pacific American community. Concerns that the campaign finance controversy has negatively affected political appointments for Asian Pacific Americans are unfounded. This controversy did and will not affect these appointments in any fashion.
3. We need your advice, feedback and help to reach out to the Asian Pacific American community across the country. Many of you represent communities which have strongly supported the President and we greatly appreciate your support. It important for all us to work together for the betterment of the Asian Pacific American community.

ISSUES BRIEFING PAPER
Asian Pacific American Community Meeting
Thursday, October 16, 1997
2:00 p.m.

CAMPAIGN FINANCE CONTROVERSY AND REFORM

The campaign finance controversy has greatly affected the Asian Pacific American community. They have coalesced around this issue but the reasons differ between the national organizations inside the beltway and the broader Asian Pacific American community around the country. A majority of the community outside the beltway feel that Asian Pacific Americans have been made the campaign finance scapegoats by "guilt by association" (which is largely perpetuated by the mainstream media). National organizations have focused on the negativity of the hearings.

Several of today's participants have filed a petition to the U.S. Commission on Civil Rights seeking Commission hearings into the discriminatory impact on Asian Pacific Americans by actions from Members of Congress, the Democratic National Committee, the National Republican Senatorial Committee, numerous other elected officials and the news media.

The Commission will hold a hearing in December for the petitioners to brief the Commission members. The Commission can only deal with the civil rights issues of the petition and thus, they will not be able to address any legislative issues.

It is important to stress that the Administration wants to see the campaign finance hearings and investigations conducted with the highest standard of fairness and on a bipartisan basis. Our goal is meaningful reforms across the board. We believe that the Asian Pacific American community should not be singled out for scrutiny because of systemic problems in the campaign finance laws. Nor should they be held to a different standard than other Americans who participate in the political process.

POLITICAL APPOINTMENTS

The Asian Pacific American community, especially inside the beltway, believe that the Administration has shunned the community in terms of political appointments. They fear that the negativity of the campaign finance controversy has greatly decreased the number of Asian Pacific Americans appointed to the Administration. It is important to note that there is also still disappointment because there never has been a Cabinet Secretary of Asian Pacific descent.

It is imperative to stress that this Administration has appointed more Asian Pacific Americans (over 200) to more senior level positions than any other Administration. Furthermore, many who served in the first term have stayed on and many are being promoted within their own agencies. For those reasons, there are fewer appointments available as this term begins than at the start of

the first term.

The Administration has a number of Asian Pacific American political appointees including several high-level appointments who are awaiting confirmation. These include Mr. Bill Lee, Assistant Attorney General for Civil Rights; Mr. Robert Gee, Under Secretary for Policy, Planning and Program Evaluation - Department of Energy ; Ms. Jeanette Takamura, Assistant Secretary for Aging -- Department of Health and Human Services and Ms. Nancy-Ann Min Depalre, Administrator of Health Care Finance--Department of Health and Human Services.

Asian Pacific Americans constitute about three percent of the total number of political appointments in this Administration, which roughly parallels the total percentage of Asian Pacific Americans in the United States.

WHITE HOUSE CLEARANCE ISSUES

There have also been several incidents involving Asian Pacific Americans and clearance into the White House. Among those incidents is the case involving Ms. Yvonne Lee. She is member of the U.S. Civil Rights Commission who was detained at the gate because the WAVES Center mistakenly identified her as a non-citizen.

Also, six University of California, Berkeley students have alleged that they were discriminated against by the United States Secret Service during a White House tour in July 1997. Two uniformed Secret Service officers prevented the students from talking pictures with the White House as the background. According to the students, the security guards allowed white tourists to take photos. Eventually, the students say, a male officer -- after using an expletive -- allowed them to use their cameras.

Several groups, including some who will be represented, recently have asked for clarification on the White House's clearance policy.

The Secret Service has made some changes to how appointments are logged into their computer system. They have also promised to provide their staff with additional sensitivity training. Inspectors were sent to California to talk with the students about their experience and to ensure that something similar doesn't happen again.

AFFIRMATIVE ACTION

The Asian Pacific American community has differing viewpoints concerning affirmative action, particularly on to ceilings and quotas to prevent "over representation" in elite educational institutions (similar to what happened to the Jewish community earlier in the century) which is seen as a direct product of affirmative action programs.

It is questionable whether or not affirmative action does continue to benefit Asian Pacific American applicants to elite educational institutions. For example, the enrollment/acceptance

rate of Asian Pacific Americans at University of California, Berkeley law school and the entering class of University of Texas, Austin rose with the termination of affirmative action.

It is important to note that views on affirmative action differ among the Asian Pacific American sub-communities. Most of the high achieving /highly represented students tend to be from East Asia (China, Korea & Japan) and South Asia (India & Pakistan) heritage. Whereas, there are many under represented groups of Southeast Asian heritage (Vietnam, Cambodia & Laos).

What is not questionable are the facts of non-representation and the glass ceiling in the vast world outside of the classroom. The construction business is notorious for shutting out minority contractors. For example, in 1991, Asian Pacific Americans contractors constituted 20% of the pool of San Francisco's construction firms. They were receiving only 5% of the contracting dollars for the SF school district's construction contracts. This seems to be the general picture painted without mandated affirmative action programs.

It is important to stress the Administration's continued support of affirmative action both in education and in business. Because of the differing views on the subject among your audience, you should not get too specific here.

HATE CRIMES AND RACE RECONCILIATION

The Asian Pacific American community has seen the rise of hate crimes against persons of Asian Pacific descent according to a report issued by the Asian Pacific American Legal Consortium (led by Karen Narasaki, who will be present).

One of the major hate crime cases is a dispute between six Asian Pacific American college students and Denny's in Syracuse, New York. According to reports, the six students were waiting for a table and had noticed that people who had arrived later than they were being seated. When the students complained to the hostess, they claim that they were roughly escorted to the parking lot by two white security officers who were also off-duty police officers. According to the students, once they reached the parking lot, a group of approximately 20 white males came out of the restaurant yelling racial slurs and proceeded to assault them. The security guards refused to intervene. The assault ceased when two African American males intervened.

The local District Attorney stated that the students were not discriminated against because of their ethnicity. They also concluded that there was not enough evidence to pursue assault charges because several witness accounts of the parking lot incident were found to be inconsistent and unreliable.

The Organization of Chinese Americans (OCA) has sent a letter to Attorney General Janet Reno asking for a Justice Department investigation.

The Justice Department was already and is currently investigating Denny's.

The White House Hate Crimes Conference, on November 10, will address circumstances such as

this one (though not this one, specifically). We are hopeful that some of the leaders at your meeting will participate in the conference.

Also, it is important to mention that an Asian Pacific American woman (Angela Oh) was selected to serve on the Advisory Board to the President's Initiative on Race not only because of her work in the Asian Pacific American community but also because of her efforts in bringing different communities together.

IMMIGRATION AND WELFARE REFORM

The Asian Pacific American community believes that immigrants' rights are being curtailed and that legal immigrants are unfairly carrying the burden of welfare reform.

Reducing Legal Immigration:

Last month, the U.S. Commission on Immigration Reform released its final report to Congress and renewed its call to substantially reduce legal immigration levels. More specifically, it has proposed to eliminate the "fourth preference" (immigration of U.S. citizens' siblings) category.

Many Asian Pacific Americans use this preference category --which has a significant backlog, with the largest wait in China and India-- and most members of the community strongly oppose its elimination.

Last year, Congress considered and failed to reach agreement on cuts to legal. At the time, the President indicated that he could support a moderate reduction in legal immigration that was consistent with keeping families together, assisting individuals to find jobs and encouraging citizenship. The Administration continues to believe that any proposal to reform legal immigration must advance these principles.

Also, while it appears unlikely that Congress will take up major legal immigration reform in the near future, the Administration maintains its position that reforms should address the significant backlog of applicants waiting to immigrate under the fourth preference.

Naturalization:

The Administration is working to improve waiting times and provide more efficient service to citizenship applicants, while maintaining the highest standards of integrity to the naturalization process.

The new INS Office of Naturalization Operations was created four and a half months ago to strengthen the integrity of the naturalization system and improve customer service. The new office has made a great deal of progress to full automate and standardize naturalization procedures by the summer of 1998.

The INS has conducted a thorough review of its naturalization application process and propose a fee increase. A fee increase will not be implemented until improvements have been made to this system.

FILIPINO WORLD WAR II VETERANS

It is estimated that there were approximately 70,000 surviving veterans out of the estimated 400,000 Filipino veterans who fought in WWII with the United States. It is estimated that 24,000 Filipino veterans reside in the United States. The Filipino American community believes that the U.S. Congress has established a discriminatory policy in not recognizing the active duty of these veterans.

Senate Bill S-623 and H.R. 836 (Filipino Veterans Equity Act) would deem certain service by the Filipino veterans as active service for purposes of benefits under programs administered by the Department of Veteran Affairs. The American Legion and Veterans of Foreign Wars support this "Equity of Benefits" and call for the appropriation of adequate funds for associated costs.

The Department of Veterans Affairs has consistently opposed this legislation due to cost restraints. The current law provides \$200 million to the Philippine Army to help pay benefits to these veterans.

Some of the concerns that the Filipino American community have raised regarding these veterans include: equity in benefits and pension; administration support for congressional hearings and the Filipino Veterans Equity Act; waiver of certain immigration laws and recognition by the Administration.

Last fall, the President signed a proclamation honoring the Filipino Veterans' service during WWII. Currently, the White House Office of Public Liaison has convened a working group to undertake a policy review to examine this issue with a fresh outlook. Last week Sylvia Mathews met with Congressman Filner to discuss this subject.

JAPANESE PERUVIAN ISSUE

During World War II, many Peruvians of Japanese descent were interned in camps in the United States. This community is seeking to widen the Civil Liberties Act of 1988 (which gives redress to individuals who were forced into camps) in order for them to be eligible for reparations. Community leaders have spoken to Members of Congress on both sides of the aisle asking for their support.

The White House Counsel's Office and the Office of Public Liaison have met with community leaders to discuss this issue.

The Counsel's Office is working with the Department of Justice to carefully review current regulations to determine if Japanese Peruvians might qualify for any benefits.

MISCELLANEOUS

Asian Pacific American Caucus Institute Dinner -- May 1997

The Asian Pacific American Caucus Institute (Institute) holds an annual dinner celebrating Asian Pacific American Heritage Month. They recently changed their name from the Congressional Asian Pacific American Caucus Institute at the request of the Asian Pacific American Members of Congress. They have held three dinners thus far, and the President has spoken at this event twice -- 1995 and 1996.

The President was invited to speak at their third annual dinner in May 1997. The White House informed the Institute that the President will be in Mexico during their event. The White House, after speaking to the Institute several times, made many attempts to locate a speaker for them. The First Lady and many members of the Cabinet accompanied the President and thus, were unavailable to attend also. The Vice President was also traveling during this time.

The White House arranged to have Bob Nash, Assistant to the President, Director of Presidential Personnel to speak to them. The Institute refused Mr. Nash, saying that he was "not high-level enough" for this dinner.

Since this dinner, several members of the Institute, including the Executive Director, have been unfairly attacking the President and the Administration for their perceived lack of commitment to the Asian Pacific American community.

Immigration Talking Points

Reducing Legal Immigration

Background: Last month, the U.S. Commission on Immigration Reform released its final report to Congress and renewed its call to substantially reduce legal immigration levels. More specifically, it proposed the elimination of the "fourth preference" category which allows individuals to sponsor their brothers and sisters for immigration. Many Asian-Americans use the fourth preference category-- which has a significant backlog -- and advocacy groups strongly oppose its elimination. It is extremely unlikely that Congress will act on the Commission's legal immigration recommendations this year.

Talking Points

- Last year, Congress considered and failed to reach agreement on cuts to legal immigration. At that time, the President indicated that he could support a moderate reduction in legal immigration that was consistent with pro-family, pro-work and pro-naturalization principles. The Administration continues to believe that any proposal to reform legal immigration must advance these principles.
- While it appears unlikely that the Congress will take up major legal immigration reform anytime soon, the Administration maintains its position that reforms should address the significant backlog of applicants waiting to immigrate under the fourth preference.

Naturalization

- The Administration is working to improve waiting times and provide more efficient service to citizenship applicants, while maintaining the highest standards of integrity to the naturalization process.
- As you know, we have received unprecedented numbers of naturalization applications--by July 31, INS had received over 1.4 million naturalization applications for FY 97-- a 51% increase over the same period in FY 1996.
- The new INS Office of Naturalization Operations was created four and a half months ago to strengthen the integrity of the naturalization system and improve customer service. The new office has made considerable progress on its plan to fully automate and standardize naturalization procedures across the country by the summer of 1998.
- With regard to a naturalization fee increase, INS has conducted a thorough

review of their application process and may propose a fee increase that reflects the true costs of adjudicating these benefits. A fee increase will not be implemented until improvements have been made to the naturalization process.

October 16, 1997

ASIAN PACIFIC AMERICAN COMMUNITY LEADERS MEETING

FINAL LIST OF PARTICIPANTS

Karen Narasaki (Nar-ah-SOCK-y)

Executive Director, National Asian Pacific American Legal Consortium

Matt Finucane (Fin-NEW-kin)

Executive Director, National Asian Pacific American Labor Association

Daphne Kwok, (Kw-ock, like the sound in Rock)

Executive Director, Organization of Chinese Americans

Gloria Caolie, (Co-WHEEL-ly)

Special Assistant to the President, American Federation of State and Federal Municipal Employees.

Bob Sakaniwa, (Sack-a-KNEE-wah)

Executive Director, Japanese American Citizen's League

Francey Lim Youngberg

Executive Director. Asian Pacific American Caucus Institute

John Yang

President, D.C. Chapter. National Asian Pacific American Bar Association

Toa (Twah) Do (Dough)

Regional Representative, National Coalition of Vietnamese American Voters

Mark Keam (pronounced: KIM), *Washington Representative, Korean American Coalition*

NOTE: *There have been two changes to the original participants list. John Yang will now represent NAPABA. He replaces Paul Chan who was unable to travel in from Colorado. Subroto Mitro has been removed from the list. Several attempts to speak with him have been unsuccessful.*

Asian Meeting 10-16

Food stamps for legal immigrants - new budget
Citizenship / naturalization - average 18 mos.

Brother + sister - immigration

Accountability for local district offices.
CR: sent note - specifics.

App Actic - Pres. Betty Parris -

position function - it serves

Another critical - P's shorts need to be stronger

Appointments (paralel) (judicial) (personnel office)

Campaign Fundraising

Prohib. of legal perm residence - contribution -
(Our of Senate revised ^{MF} bill)

Implementation is not discriminatory

Filipino Vets -

why w/ DPC (who?)

Memlan Vets - Sense of the Senate resolution -
USDA not interpreting - returning food stamps

Effect: Most of 1970s's discrimination is based in terms of
CR's - not employees

Lab - Our new init -> expand ADR into T. VI area

Outreach activs - part T.A + training - but also get sense
of how progs are ~~fund~~ working - learn what real
issues are -

Effect: Immigration - CRs

coupled w/ testers pilot (much like in hearing)
targeting resources - tells us who to do CRs on / areas to select -