

NLWJC - Kagan

DPC - Box 068 - Folder-010

Women's Issues-Title IX [1]

women's issues - Title IX


THE WHITE HOUSE
WASHINGTON

EK/JEN

November 23, 1998

MEMORANDUM FOR JACK LEW, DIRECTOR
OFFICE OF MANAGEMENT AND BUDGET

CC: BRUCE REED
McGAVOCK D. REED

FROM:  CHARLES F. RUFF, COUNSEL TO THE PRESIDENT

RE: DRAFT EXECUTIVE ORDER

I am forwarding to you a proposed executive order dealing with federally conducted education programs and ask that you process it under the terms of Executive Order 11030, as amended. As the President stated in June 1997, this order is necessary to ensure that prohibitions against discrimination on the basis of race, color, national origin or sex apply to courses and other educational programs offered by the federal government itself. The proposed order would apply essentially the same standards to these programs that apply now to educational programs conducted by recipients of federal funds.

I would also appreciate your expediting the review to the extent possible. There has already been considerable consultation among the various agencies responsible for drafting the order. In addition, the views of the principal agencies that conduct educational programs were solicited early the process or drafting.

Please let me know if you need additional information. Thank you for your assistance.

Attachment

DRAFT, 11/17/98

Executive Order _____

Nondiscrimination on the Basis of Race, Color, National Origin, and Sex in Federally Conducted Education and Training Programs

Numerous civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d, et seq., and Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681, et seq., prohibit discrimination on the basis of race, color, national origin, and sex, in educational programs and activities that receive federal financial assistance. In addition, other federal laws, including Title VII of the Civil Rights Act of 1964, as amended (Title VII), prohibit discrimination against employees by employers on the basis of race, color, national origin, sex, and other grounds with respect to, among other things, opportunities for and participation in education and training programs. The federal government has acted, and will continue to act, aggressively through litigation, policy guidance, outreach, and other means to expand and ensure equal opportunities for minorities and women who participate in State, local, and private education programs that receive federal financial assistance.

In addition to providing federal assistance to various education and training programs, the federal government *itself conducts* numerous education and training programs. For example, the Department of Defense operates schools for grades kindergarten through high school to educate the dependents of service members and others in the United States and around the world. The Department of Interior also operates schools, kindergarten through the undergraduate level, to educate Native Americans. Many agencies also provide training on federal laws and regulations to a variety of audiences in a variety of settings: formal academies teach state and local personnel principles, laws, techniques, and strategies relating to effective law enforcement; seminars

instruct members of select industries on federal requirements for licensing and operation; programs in prisons train federal inmates on trade skills; and members of the public are educated about the environment and natural resources.

I believe it is essential that the federal government hold itself to the same principles of nondiscrimination in educational opportunities that we now apply to education programs and activities of state and local governments and private institutions receiving federal financial assistance. Existing laws and regulations prohibit certain forms of discrimination in federally conducted education and training programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973, as amended), and discrimination based on race, color, national origin, sex, or religion against federal employees (prohibited by Title VII). Through this Executive Order, we are now expanding prohibitions of discrimination on the basis of race, color, national origin, and sex to certain other federally conducted education and training programs and activities.

NOW, THEREFORE, to enforce the Constitution and laws of the United States, and to achieve equal opportunity in federally conducted education and training programs, and by the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 921-932, title 20, United States Code; section 2164, title 10, United States Code; section 2001 et seq., title 25, United States Code; section 7301, title 5, United States Code; and section 301, title 3, United States Code, it is hereby ordered as follows:

Section 1. Statement of policy on education programs and activities conducted by executive departments and agencies.

1-101. No individual shall, on the basis of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in an education or training program or activity of any executive department or agency conducted in the United States, the territories, the possessions, the Commonwealths of Puerto Rico and of the Mariana Islands, and as set forth in Subsection 1-102.

1-102. The provisions of this Order shall apply to education programs and activities that are operated by the Department of Defense under 10 U.S.C. § 2164 and 20 U.S.C. §§ 921-932.

Section 2. Definitions.

2-201. "Program or activity" includes programs or activities conducted, operated, administered, or undertaken by an executive department or agency.

2-202. "Education and training programs" include, but are not limited to, formal schools, extracurricular activities, academic programs, occupational training, scholarships and fellowships, student internships, training for industry members, summer enrichment camps, and programs to train teachers.

2-203. The Attorney General is delegated authority to determine the scope of education and training programs, in addition to those identified in subsection 2-202 and section 3, that are subject to and exempt from coverage by this order, respectively.

2-204. "Military training or education programs" are those training and education programs conducted by the Department of Defense for the primary purpose of training or educating members of the armed forces or to meet a statutory requirement to train federal, state or local civilian law enforcement officials pursuant to 10 U.S.C. Chapter 18.

2-205. "Armed forces" includes, for purposes of this order, the Armed Forces of the United States, as well as the armed forces of a foreign government recognized by the United States or attached to an international organization.

Section 3. Exemptions from coverage.

3-301. This order does not apply to members of the armed forces or to military training or education programs. Members of the armed forces, including students at military academies, will continue to be covered by regulations that bar discrimination based on race, color, national origin, or sex, which are enforced by the Department of Defense and individual service branches. The Department of Defense shall develop procedures to protect the rights of, and to provide redress to, civilians not otherwise protected from discrimination based on race, sex, national origin, or color by existing federal law, and who participate in military training or education programs conducted by the Department of Defense.

3-302. This Order does not apply to, affect, interfere with, or modify in any way the operation of any otherwise lawful affirmative action plan.

3-303. An individual shall not be deemed subjected to discrimination by reason of his or her exclusion from the benefits of a program limited by federal law to individuals of a particular sex, race, color, or national origin, including Native American or Alaska native, different from his or hers.

3-304. This Order does not apply to programs and activities conducted by the Department of Interior, Bureau of Indian Affairs, that are in conformance with tribal customs or otherwise culturally appropriate. For example, classes that require separation of students on the basis of

gender in order to conform to tribal customs that require such separation would not be in violation of this order.

3-305. This Order does not apply to (1) selections based on national origin of foreign nationals to participate in covered programs, if such programs concern primarily national security or foreign policy; or 2) selections or other decisions regarding participation in covered programs made by entities outside the executive branch, provided that it shall be the policy of the executive branch that education and training programs and activities shall not be available to entities that select persons for participation in violation of federal or state law.

Section 4. Administrative enforcement.

4-401. Any person who believes him or herself, or any specific class of individuals, to be aggrieved by a violation of this order or implementing regulations, rules, policies, or guidance, may, by him or herself or a representative, file a written complaint with the agency that such person believes is in violation of this order or implementing regulations, rules, policies, or guidance. Pursuant to procedures established by the Attorney General, each executive department or agency shall conduct an investigation of a complete complaint alleging a violation by one of its employees.

4-402. (a) If the office within an executive department or agency that is designated to investigate complaints for violations of this order or its implementing rules, regulations, policies, or guidance concludes that an employee has not complied with this order or any implementing rules, regulations, policies, or guidance, such office shall refer a copy of the report and findings, and supporting evidence to an appropriate agency official. The appropriate agency official shall review such material and determine what, if any, disciplinary action is appropriate.

(b) In addition, the designated investigating office may provide appropriate agency officials a recommendation for any corrective and/or remedial action. The appropriate officials shall consider such recommendation and implement corrective and/or remedial action by the agency, when appropriate. Nothing in this order authorizes monetary relief to the complainant as a form of remedial or corrective action by an executive department or agency.

4-403. Any action to discipline an employee who violates this order or its implementing rules, regulations, policies, or guidance (including removal from employment, if appropriate), shall be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act (Civil Service Reform Act of 1978, Pub. L. 95-454, Oct. 13, 1978, 92 Stat. 1111, see Tables for classification.)

Section 5. Implementation and Agency Responsibilities.

5-501. The Attorney General shall publish in the Federal Register such rules, regulations, policies, or guidance, as deemed appropriate by her, to be followed by all executive departments and agencies. The Attorney General shall address:

- a. the scope of education programs and activities subject to and exempt from coverage by this order, in addition to those identified in Sections 2 and 3;
- b. examples of discriminatory conduct;
- c. applicable legal principles;
- d. enforcement procedures with respect to complaints against employees;
- e. remedies;
- f. requirements of an agency's annual report as set forth in Section 7;
- g. and such other matters as deemed appropriate.

5-502. Within 60 days of the publication of final rules, regulations, policies, or guidance by the Attorney General, each executive department and agency shall establish a procedure to receive and address complaints regarding its federally conducted education and training programs activities. Each executive department and agency shall take all necessary steps to effectuate any subsequent rules, regulations, policies, or guidance issued by the Attorney General within 60 days of issuance.

5-503. The head of each executive department and agency shall be responsible for ensuring compliance with this order.

5-504. Each executive department and agency shall cooperate with the Attorney General and provide such information and assistance as the Attorney General may require in the performance of the Attorney General's functions under this order.

5-505. Upon request and to the extent practicable, the Attorney General shall provide technical advice and assistance to executive departments and agencies to assist in full compliance with this order.

Section 6. Annual Report.

6-601. Consistent with the regulations, rules, policies, or guidance issued by the Attorney General, each executive department and agency shall submit to the Attorney General a report that summarizes the number and nature of complaints filed with the agency and the disposition of such complaints. Such reports shall be submitted annually for the first three years after the effective date of this order, and submitted within 60 days of the end of the preceding year's activities. Subsequently, reports shall be submitted every three years, within 90 days of the end of each 3 year period.

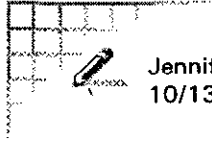
Section 7. General Provisions.

7-701. Nothing in this order shall limit the authority of the Attorney General to provide for the coordinated enforcement of nondiscrimination requirements in federal assistance programs under Executive Order No. 12250.

7-702. Nothing in this order amends, supplements, or subtracts from an employee's protections and remedies under Title VII of the Civil Rights Act of 1964, as amended.

Section 8. Judicial Review.

8-801. This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees. This order is not intended, however, to preclude judicial review of final decisions in accordance with the Administrative Procedure Act, 5 U.S.C. 701, et seq.



Jennifer L. Klein
10/13/98 11:34:42 AM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Julie A. Fernandes/OPD/EOP, Nicole R. Rabner/WHO/EOP

Subject: Title IX

I talked about Title IX before you came into Team Leaders. We are basically ready to go -- DOD and DOJ have agreed on an exemption for members of the armed forces and for civilians in DOD education programs only if the program serves a military purpose. We will also add an exemption for the selection of foreigners for education programs concerning national security or foreign policy (eg., if the CIA wants to chose foreigners from a particular country, we won't stop them).

Julie suggested that we meet with civil rights groups before we announce this, and I thought we should also double check with the women's groups. Do you agree? Do you want to be there?



U.S. Department of Justice *Women's issues -*
Title IX
Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

SEP 23 1998

Ms. Elena Kagan
Deputy Assistant to the President
for Domestic Policy
The White House
2nd Floor, West Wing
Washington, D.C. 20502

Dear Ms. Kagan:

The purpose of this letter is to transmit a draft of the Executive order expanding the prohibitions of discrimination on the basis of race, color, national origin, and sex to certain federally conducted education and training programs. In addition, I am seeking your input regarding several exemptions requested by various agencies. Also enclosed for your review are two charts. The first summarizes the types of programs that agencies identified as inappropriate for coverage under the proposed Executive order. The second chart is a compilation of the federally conducted program inventories received from 91 agencies. I will first bring your attention to changes we have made to the draft Executive order since our last meeting with your office, and will then discuss exemptions requested by agencies.

1. Contractors:

Based upon discussions at our last meeting and in order to simplify implementation, we have deleted all references to contractors in the Executive order.

2. Department of Defense (DOD) Exemptions:

We also discussed the scope of military exemptions at our last meeting. At that time, we proposed the following language to exempt all individuals covered by the Uniform Code of Military Justice, 10 U.S.C. Chapter 47:

Nothing in this order amends, supplements, or subtracts from an individual's protections and remedies under the Uniform Code of Military Justice, 10 U.S.C. Chapter 47.

We have since shared this language with the Office of the General Counsel at DOD. DOD feels that our language does not provide a broad enough exemption and has informally submitted the following:

The provisions of this order do not apply to members of the armed forces. For purposes of the order, the term "armed forces" includes the Armed Forces of the United States, as well as the armed forces of a foreign government recognized by the United States or an international organization.

For purposes of the order, the terms "Federally conducted education program" or "federally conducted civilian education program" exclude military training or education programs conducted by the Department of Defense for the primary purpose of training or educating members of the Armed Forces or to meet a statutory requirement to train Federal, State or local civilian law enforcement officials [pursuant to 10 U.S.C. Chapter 18].

According to DOD, this language would exclude the following types of military training and education programs from coverage:

Military Academies - all
Senior Service Schools - all
Command and General Staff College
National War College
Industrial College of the Armed Forces
Basic and Advanced Individual Training - all
Joint military exercises - all
Defense Mapping School [example of training of foreign government military personnel]
Service Judge Advocate General Schools - all
Training under 10 U.S.C. Ch. 18 - all (covers State and local law enforcement)

DOD's preferred exemption language encompasses virtually all DOD education and training programs except the DOD Dependents Schools and the DOD Domestic Dependent Elementary and Secondary Schools. As a result, civilians and foreign nationals participating in any DOD program designed for the purpose of

"training or educating members of the armed forces" would be excluded from coverage. Moreover, State and local law enforcement officials receiving training from DOD would also be excluded from coverage. Efforts to reach a compromise on the DOD language were unsuccessful. Therefore, our recommended language and DOD's language are included in the current draft Executive order on pages 4 and 5 as Option 1 and Option 2, respectively. Please advise as to which option you prefer.

3. Other Requested Exemptions:

In collecting the agency inventories of federally conducted programs, we asked the agencies to identify any impediments to applying the proposed Executive order to particular programs. A number of agencies identified particular programs or categories of programs for exclusion from coverage. The bases given for those requests fall into four general categories: foreign national participants; military participants; training involving national security, anti-terrorism, or military issues; and miscellaneous programs, such as volunteer activities and single-sex programs.

A. Foreign Nationals. First, and most frequently identified as appropriate for exemption from coverage under the Executive order, were programs involving participation by foreign nationals. While many of the programs identified are conducted by agencies in other countries (and therefore already are excluded), a significant number of the programs are conducted in the United States and include both foreign and U.S. participants. In many cases, the concern raised by the agency relates to the inability to participate in the selection of foreign participants. The Executive order as drafted would address this concern, however, since it contains a provision at 3-306 excluding the selection process when the decision regarding who may attend or participate in a training program is not made by the executive department or agency. On the other hand, the Executive order, as written, would cover foreign nationals once they are selected and participate in a federally conducted educational or training program in the United States.

It is important to note that some agencies with programs that provide training to foreign nationals did not request an exemption for their programs. To illustrate the impact of any decision exempting coverage for foreign nationals, Part C of Chart I (which summarizes requested exemptions) includes a list of programs providing training to foreign nationals, for which agencies did not request exemptions.

A few possible options for a "foreign national" exemption include:

Option (1): Provide coverage for all foreign nationals engaged in training in this country;

Option (2): Exclude all foreign nationals engaged in training in this country;

Option (3): Exclude only members of foreign armed forces who are participating in training in this country.

Option (4): Exclude members of a foreign government or foreign armed forces who are participating in any training in this country; or

Option (5): Exclude any foreign nationals who are participating in military, national security, or anti-terrorism training in this country.

We recommend adopting options 4 and 5. It is our belief that members of a foreign government or foreign armed forces (addressed in option 4) who wish to voice a complaint will likely pursue diplomatic channels, rather than filing an administrative complaint in this country. Further, this group is the most likely to participate in military, national security, or anti-terrorism training. However, in deference to the concerns raised by several agencies regarding these subject matters, we would also recommend excluding from coverage any foreign civilians participating in military, national security, or anti-terrorism training (option 5).

If this recommendation is adopted, any civilian foreign nationals participating in any other category of training, while in the United States, would be covered by the Executive order.

Please advise whether you prefer any of these options or another option.

B. Military Personnel. The second category of requests for exemptions made by other departments or agencies includes programs where military personnel are participants. Under either option for the DOD exemptions discussed above, this concern would be addressed.

C. National Security/ Anti-terrorism/ Military Programs. The third category of requests for exemptions includes programs that relate to national security or anti-terrorism, or are provided for the primary purpose of military training. Agency concerns include both the sensitive content and the fact that foreign nationals frequently participate. For example, the Department of Energy requested an exemption for a class of

programs that involves highly classified information, noting that "under law, all attendees must hold appropriate security and intelligence clearances and demonstrate an official 'need to know'." The Department of State also has raised general national security concerns regarding coverage of its Antiterrorism Assistance Program, which involves almost exclusive participation by foreign nationals. Note that if our recommendation to exclude any foreign nationals who participate in this category of programs is adopted (option 5 above), the State Department's concern would be addressed. As written, the Executive order does not exclude programs involving national security or anti-terrorism issues for either U.S. civilians or foreign nationals.

D. Miscellaneous. The final category of requests for exemptions include miscellaneous programs that are not specifically identified in the Executive order. For example, several agencies sponsor programs in local school systems wherein Federal employees volunteer as tutors or mentors. Such volunteer programs should not be covered by the Executive order because the employees are not acting in their official capacity. Other miscellaneous requests came from the Department of Education, which requested an allowance for single-sex schools as long as there are comparable schools or programs offered, and the Small Business Administration, which requested an exemption for a program that was established to benefit certain businesses owned by women and was designed specifically to overcome gender-based inequities. We recommend that the Executive order not list specific programs that should be exempt, since specific programs change from year to year. Instead, those specific programs can be listed in the subsequent enforcement guidance. If you agree, the Executive order could include a statement indicating that specific programs that are exempt will be identified in the enforcement guidance to be issued at a later date.

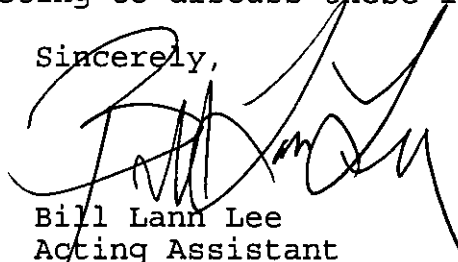
4. Next Steps

The current draft has been reviewed by the Department of Justice's Office of Legal Counsel. After receiving your decisions on the DOD exemption language and the other requested exemptions as set forth above, as well as other comments you might have, we will revise the Executive order. Once finalized, the document will be forwarded to the Office of Management and Budget (OMB) for review and distribution to the affected departments and agencies for review and comment. If the final draft to OMB is transmitted by the Department of Justice, we will have to send it through full Departmental clearance to secure the Attorney General's signature. This process is typically time-consuming. To expedite the transmittal, we recommend that the Domestic Policy staff send the final draft forward to OMB. Please advise on this issue as well.

As a final note, you may recall that a decision was made early on that the Executive order need not contain all of the enforcement details. Rather, we would issue subsequent guidance to outline specifics such as the scope of programs covered, specific exemptions, examples of discriminatory conduct, and details of the administrative complaint process.

Please feel free to contact me at (202) 514-6715, or Anita Hodgkiss at (202) 616-2732 to discuss these matters. It may be helpful for us to have another meeting to discuss these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Lann Lee", written over the word "Sincerely,".

Bill Lann Lee
Acting Assistant
Attorney General
Civil Rights Division

Enclosures (3)

cc: Robert L. Weiner



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

SEP 23 1998

Mr. Robert L. Weiner
Senior Counsel
Office of the Counsel
to the President
Room 128, OEOB
Washington, D.C. 20500

Dear Mr. Weiner:

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Training under 10 U.S.C. Ch. 18 - all (covers State and local law enforcement)

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D. Miscellaneous. The final category of requests for exemptions include miscellaneous programs that are not specifically identified in the Executive order. For example, several agencies sponsor programs in local school systems wherein Federal employees volunteer as tutors or mentors. Such volunteer programs should not be covered by the Executive order because the employees are not acting in their official capacity. Other miscellaneous requests came from the Department of Education, which requested an allowance for single-sex schools as long as there are comparable schools or programs offered, and the Small Business Administration, which requested an exemption for a program that was established to benefit certain businesses owned by women and was designed specifically to overcome gender-based inequities. We recommend that the Executive order not list specific programs that should be exempt, since specific programs change from year to year. Instead, those specific programs can be listed in the subsequent enforcement guidance. If you agree, the Executive order could include a statement indicating that specific programs that are exempt will be identified in the enforcement guidance to be issued at a later date.

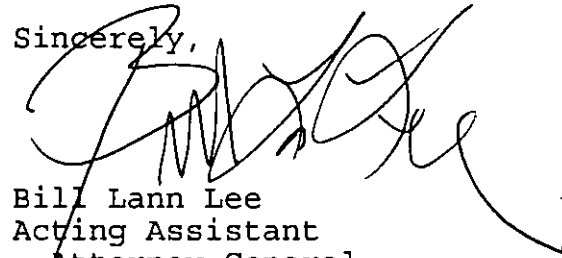
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Sincerely,

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Bill Lann Lee
Acting Assistant
Attorney General
Civil Rights Division

Enclosures (3)

cc: Elena Kagan



Draft 4/1/98 [includes both options for DOD exemption]

Executive Order _____

Nondiscrimination on the Basis of Race, Color, National Origin,
and Sex in Federally Conducted Education and Training Programs

Numerous civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d, et seq., and Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681, et seq., prohibit discrimination on the basis of race, color, national origin, and sex, in educational programs and activities that receive Federal financial assistance. In addition, other Federal laws, including Title VII of the Civil Rights Act of 1964, as amended (Title VII), prohibit discrimination against employees by employers on the basis of race, color, national origin, sex, and other grounds with respect to, among other things, opportunities for and participation in education and training programs. The Federal government has acted, and will continue to act, aggressively through litigation, policy guidance, outreach, and other means to expand and ensure equal opportunities for minorities and women that participate in State, local, and private education programs that receive Federal financial assistance.

In addition to providing Federal assistance to various education and training programs, the Federal government *itself* conducts numerous education and training programs. For example, the Department of Defense operates schools for grades kindergarten through high school to educate the dependents of

service members and others in the United States and around the world. The Department of Interior also operates schools, kindergarten through the undergraduate level, to educate Native Americans. Many agencies also provide training on Federal laws and regulations to a variety of audiences in a variety of settings: formal academies teach state and local personnel principles, laws, techniques, and strategies relating to effective law enforcement; seminars instruct members of select industries on Federal requirements for licensing and operation; programs in prisons train Federal inmates on trade skills; and members of the public are educated about the environment and natural resources.

I believe it is essential that the Federal Government hold itself to the same principles of nondiscrimination in educational opportunities that we now apply to education programs and activities of State and local governments and private institutions receiving Federal financial assistance. Existing laws and regulations prohibit certain forms of discrimination in Federally conducted education and training programs -- including discrimination against people with disabilities (prohibited by the Rehabilitation Act of 1973, as amended), and discrimination based on race, color, national origin, sex, or religion against Federal employees (prohibited by Title VII). Through this Executive order, we are now expanding prohibitions of discrimination on the basis of race, color, national origin, and

sex to certain other Federally conducted education and training programs and activities.

NOW, THEREFORE, to enforce the Constitution and laws of the United States, and to achieve equal opportunity in federally conducted education and training programs, and by the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 921-932, title 20, United States Code; section 2164, title 10, United States Code; section 2001 et seq, title 25, United States Code; section 7301, title 5, United States Code; and section 301, title 3, United States Code, it is hereby ordered as follows:

Section 1. Statement of policy on education programs and activities conducted by executive departments and agencies.

1-101. No individual shall, on the basis of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in an education or training program or activity of any Executive department or agency conducted in the United States, the territories, the possessions, the Commonwealths of Puerto Rico and of the Mariana Islands, and as set forth in Subsection 1-102.

1-102. The provisions of this Order shall apply to education programs and activities that are operated by the Department of Defense Dependents Schools.

Section 2. Definitions.

2-201. "Program or activity" includes programs or activities conducted, operated, administered, or undertaken by an executive department or agency.

2-202. "Education and training programs" include, but are not limited to, formal schools, extracurricular activities, academic programs, occupational training, scholarships and fellowships, student internships, training for industry members, summer enrichment camps, and programs to train teachers.

2-203. The Attorney General is delegated authority to determine the scope of education and training programs, in addition to those identified in subsection 2-202 and section 3, that are subject to and exempt from coverage by this order, respectively.

Section 3. Exemptions from coverage.

OPTION 1: DOJ Language for DOD Exemption:

3-301. Nothing in this order amends, supplements, or subtracts from an individual's protections and remedies under the Uniform Code of Military Justice, 10 U.S.C. Chapter 47.

OPTION 2: DOD Language for DOD Exemption (3-301 and 302):

3-301. The provisions of this order do not apply to members of the armed forces. For purposes of this order, "armed forces," includes the Armed Forces of the United States as well as the armed forces of a foreign government recognized by the United States or an international organization.

3-302. For purposes of this order, the terms "federally conducted education program" or "federally conducted civilian education program" exclude military training or education programs conducted by the Department of Defense for the primary purpose of training or educating members of the Armed Forces, or to meet a statutory requirement to train Federal, State, or local civilian law enforcement officials. 10 U.S.C. Ch.18

Other exemptions continued:

3-303. This Order does not apply to, affect, interfere, or modify in any way the operation of any otherwise lawful affirmative action plan.

3-304. An individual shall not be deemed subjected to discrimination by reason of his or her exclusion from the benefits of a program limited by federal law to individuals of a particular sex, race, color, or national origin, including Native American or Alaska native, different from his or hers.

3-305. This Order does not apply to programs and activities conducted by the Department of Interior, Bureau of Indian Affairs, that are in conformance with tribal customs or otherwise culturally appropriate. For example, classes that require separation of students on the basis of gender in order to conform to tribal customs that require such separation would not be in violation of this order.

3-306. This order does not apply to the selection process utilized and/or decisions made by any entity *other than* the

executive department or agency, regarding who may attend or participate in an education or training program conducted by an executive department or agency.

Section 4. Administrative enforcement.

4-401. Any person who believes him or herself, or any specific class of individuals, to be aggrieved by a violation of this order or implementing regulations, rules, policies, or guidance, may, by him or herself or a representative, file a written complaint with the agency that such person believes is in violation of this order or implementing regulations, rules, policies, or guidance. Pursuant to procedures established by the Attorney General, each executive department or agency shall conduct an investigation of a complete complaint alleging a violation by one of its employees.

4-402. (a) If the office within an executive department or agency that is designated to investigate complaints for violations of this order or its implementing rules, regulations, policies, or guidance concludes that an employee has not complied with this order or any implementing rules, regulations, policies, or guidance, such office shall refer a copy of the report and findings, and supporting evidence to an appropriate agency official. The appropriate agency official shall review such material and determine what, if any, disciplinary action is appropriate.

(b) In addition, the designated investigating office may provide appropriate agency officials a recommendation for any

corrective and/or remedial action. The appropriate officials shall consider such recommendation and implement corrective and/or remedial action by the agency, when appropriate. Nothing in this order authorizes monetary relief to the complainant as a form of remedial or corrective action by an executive department or agency.

4-403. Any action to discipline an employee who violates this order or its implementing rules, regulations, policies, or guidance (including removal from employment, if appropriate), shall be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act (Civil Service Reform Act of 1978, Pub. L. 95-454, Oct. 13, 1978, 92 Stat. 1111, see Tables for classification.)

Section 5. Implementation and Agency Responsibilities.

5-501. The Attorney General shall publish in the Federal Register such rules, regulations, policies, or guidance, as deemed appropriate by her, to be followed by all executive departments and agencies. The Attorney General shall address:

- a. the scope of education programs and activities subject to and exempt from coverage by this order, in addition to those identified in Sections 2 and 3;
- b. examples of discriminatory conduct;
- c. applicable legal principles;
- d. enforcement procedures with respect to complaints against employees;
- e. remedies;

f. requirements of an agency's annual report as set forth in Section 7;

g. and such other matters as deemed appropriate.

5-502. Within 60 days of the publication of final rules, regulations, policies, or guidance by the Attorney General, each executive department and agency shall establish a procedure to receive and address complaints regarding its federally conducted education and training programs activities. Each executive department and agency shall take all necessary steps to effectuate any subsequent rules, regulations, policies, or guidance issued by the Attorney General within 60 days of issuance.

5-503. The head of each executive department and agency shall be responsible for ensuring compliance with this order.

5-504. Each executive department and agency shall cooperate with the Attorney General and provide such information and assistance as the Attorney General may require in the performance of the Attorney General's functions under this order.

5-505. Upon request and to the extent practicable, the Attorney General shall provide technical advice and assistance to executive departments and agencies to assist in full compliance with this order.

Section 6. *Annual Report.*

6-601. Consistent with the regulations, rules, policies, or guidance issued by the Attorney General, each executive department and agency shall submit to the Attorney General a

report that summarizes the number and nature of complaints filed with the agency and the disposition of such complaints. Such reports shall be submitted annually for the first three years after the effective date of this order, and submitted within 60 days of the end of the preceding year's activities.

Subsequently, reports shall be submitted every three years, within 90 days of the end of each 3 year period.

Section 7. *General Provisions.*

7-701. Nothing in this order shall limit the authority of the Attorney General to provide for the coordinated enforcement of nondiscrimination requirements in Federal assistance programs under Executive Order No. 12250.

7-702. Nothing in this order amends, supplements, or subtracts from an employee's protections and remedies under Title VII of the Civil Rights Act of 1964, as amended.

Section 8. *Judicial Review.*

8-801. This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees. This order is not intended, however, to preclude judicial review of final decisions in accordance with the Administrative Procedure Act, 5 U.S.C. 701, et seq.

Chart I: Requested
Exemptions

SUMMARY OF FEDERALLY CONDUCTED EDUCATION AND TRAINING PROGRAM EXEMPTION REQUESTS

The following chart summarizes the information provided to the Department of Justice by Federal departments, agencies, boards, and commissions (collectively, "agencies") on their federally conducted programs which, in their opinion, should be excluded from the proposed executive order governing federally conducted education and training programs. The chart is divided into three parts.

Part A lists programs that involve education and/or training provided to foreign nationals. This was the most common exemption requested. The chart provides the name of the agency, the name of the federally conducted program, the legal authority for the program, the approximate 1997 fiscal year funding, a brief description of the program, and the reason offered by the agency for the exemption. Whenever possible, the justification listed is a direct quotation from the inventory submitted by the agency so as not to mischaracterize the nature of the program or the reason the agency believes the program merits exclusion from the executive order. In the event an agency did not articulate a justification for the requested exemption, the class of programs the training belongs to is simply listed in the "Justification" column--e.g., training of foreign nationals.

Part B provides information on exemptions requested for various reasons other than the fact that the programs involve training of foreign nationals. Exemptions were requested for programs involving training for military purposes, training involving national security issues, training directed at agency employees that is also open to non-agency employees, programs specifically targeted to women, and training conducted by contractors on behalf of an agency. The same categories of information are provided for these programs as are provided in the first section.

There were instances where the concerned agency unequivocally requested an exemption for a particular program or a class of programs and gave reasons therefor. In a few instances, other agencies listed programs with similar characteristics, yet did not request an exemption for the programs. In order to provide the most complete information as to the number and scope of a particular class of programs, those agencies that did not request an exemption but have similar programs are listed in Part C.

**CHART I
PART A
Requested Exemptions - Training of Foreign Nationals**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
1	Department of Commerce	Special American Business Internship training program (SABIT)	Freedom Support Act; Foreign Assistance Act of 1961 §632(a) \$2.5M	SABIT Program provides training for managers and scientists from the Newly Independent States (NIS) of the former Soviet Union through reimbursable agreements to U.S. companies and directly through group training sessions. U.S. companies provide the training free of charge. Other costs are borne by the U.S. Government.	Congress places restrictions on FSA activities, including earmarked funds for certain countries or restrictions which might inhibit SABIT's ability to train individuals from specific NIS countries.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
2	DOJ/Criminal Division	International Criminal Investigative Training Assistance Program (ICITAP)	<p>§534(b)(3) of the Foreign Assistance Act of 1961, as amended; Anti-Drug Abuse Act of 1988; International Narcotics Control Act of 1990; Urgent Assistance for Democracy in Panama Act of 1990; East European Democracy Act of 1989; Freedom Support Act of 1992.</p> <p>Funding is from Department of State and USAID; conducted by DOJ</p>	<p>ICITAP was created in 1986 by Congressional mandate to provide comprehensive development assistance programs to law enforcement agencies in emerging democracies. ICITAP maintains two types of projects: those run by in-country offices in Bolivia, Columbia, El Salvador, Guatemala, Haiti, Honduras, Panama, and Bosnia for major police reform and development efforts, and those which are Washington-based for smaller projects in Central and South America, the English-speaking Caribbean, Lebanon, Liberia, Rwanda and South Africa.</p>	<p>ICITAP training programs are aimed exclusively at law enforcement and judicial officials of other countries. The recipients of ICITAP training are selected by the host country. Given the complex cultural, ideological, religious, and traditional heritages of the places in which ICITAP works abroad, it would be extraordinarily difficult to comply in all cases with the goals of Title IX. We believe that ICITAP and programs like it should be excluded from the scope of the intended order.</p>

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
2	DOJ/ Criminal Division	Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) A. Former Soviet Union & Central/Eastern Europe	FY 97: \$5M Funding is from State Dept. Under Freedom Support Act and Support for Emerging Democracies (SEED)	Provides professional training, assistance & advice in investigative & prosecutorial laws & techniques required to combat organized crime, corruption & economic crimes. Using State Dept funds, provides financial support for the ABA's Central & E. European Law Initiative.	OPDAT programs are implemented overseas and recipients of the training are non-U.S. citizens who serve as prosecutorial & judicial personnel in other countries. Recipients are selected by host country, not OPDAT. Overseas programs not believed to be subject to provision of U.S. statutory & regulatory measures that seek to prohibit discrimination in federally conducted education and training programs.
	DOJ/ Criminal Division	B. Haiti	FY 97: \$ 1.7M	OPDAT assists the Haitian Ministry of Justice in the operation of a training facility for Haitian judicial personnel and prosecutors.	Training of foreign nationals.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
2	DOJ/ Criminal Division	C. Colombia	FY 97: \$ 1M	In Colombia OPDAT provides technical assistance and training for the Prosecutor General's Office.	Training of foreign nationals.
	DOJ/ Criminal Division	D. International Visitors to the United States	FY 97: \$0	OPDAT serves as the liaison between various private and public agencies that sponsor visits to the U.S. by foreign officials who are interested in examining the American legal system.	Training of foreign nationals.
3	Department of State	B. Antiterrorism Assistance	22 U.S.C. §2349aa, P.L. 98-151; P.L. 99-399 FY 97: \$ 16.5M	This program is designed to strengthen relationships between the U.S. and foreign governments by helping them to deter and manage terrorist threats.	Training of foreign nationals. Also, expressed National security concerns.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

3	Department of State	C. Office of Professional Development	<p>Authority: Pub. L. 99-399; Memoranda of Agreement between Navy and State and the Marine Corps which specifies the Department's training responsibilities.</p> <p>FY 97: \$540K</p>	<p>The Office of Professional Development (DS Training Center) offers operational and technical training for DS and other DOS personnel; police authority from foreign countries; and other U.S. federal, state and municipal officials as required.</p>	<p>Training of foreign nationals. Training of military personnel.</p>
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**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
4	Treasury/ Federal Law Enforcement Training Center	<p>Conducts a multitude of training courses for foreign governments, both within and outside the U.S. The following are examples.</p> <p>A. Law and Democracy Programs PAATP Curriculum Conf: Russia and Poland participating</p> <p>B. Exports International Banking & Money Laundering: Poland, Russia, Romania</p> <p>C. ATF Internat'l ATF Internat'l Post Blast Investigations: Haiti, Colombia, Venezuela.</p>	<p>Authority: P.L. 104-208</p> <p>Funding: not provided</p>	Not provided	Training of foreign nationals.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
4	Department of Treasury/ US Secret Service	International Training- Currency Seminar Authentication of Genuine U.S. Currency and Detection of Counterfeit (various courses)	Authority: not provided FY 97: not provided State Department funded	Provides information to ascertain the authenticity of U.S. currency. Open to international law enforcement personnel and banking officials.	Training of foreign nationals.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
6	Peace Corps	Volunteer Assignments	Authority: The Peace Corps Act, Pub. L. 87-293, 22 U.S.C. §2502 et seq. FY 97: Not provided	Peace Corps teaching assignments are in institutions operated by governments and other entities of the countries in which Volunteers serve and are under the supervision of host-country nationals.	No Peace Corps Volunteers serve in the United States. While the Peace Corps may provide technical assistance in planning Volunteer assignments, the curriculum for each course is the responsibility of local authorities. The Peace Corps does not control any substantive aspect of the assignment, and the instruction offered is in no sense a federally conducted educational activity. Thirty-seven percent of all Peace Corps Volunteers serving at the end of fiscal 1996 were serving in education programs in foreign countries.
7	U.S. Commodity Futures Trading Commission	Seminar: Futures Registration	Authority: not provided FY 97: not provided	Commission staff conducts an annual seminar about futures regulation for members of foreign government regulatory agencies and foreign exchanges.	Training of foreign nationals. FTC does not view this program as federally conducted.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	United States Information Agency	A. Study of the US Program	Authority: Pub. L. 87-256, as amended FY 97: \$2,860,131	Seeks to promote a better understanding of the U.S., its history, culture, & institutions among foreign educators worldwide whose professional focus & responsibilities involve teaching about the U.S. in universities abroad	All of our educational and cultural exchange programs involve foreign persons, foreign institutions, or foreign countries with many programs requiring the selections to be made overseas. Agency foresees impediments to the enforcement of Title IX to grantees selected overseas where their selection has not been subject to U.S. laws and regulations.
	United States Information Agency	B. Center for Cultural and Technical Interchange Between East and West, Inc.	Authority: Pub. L. 86-472 FY 97: \$ 7M	Promotes better relations & understanding between nations of Asia & the Pacific through cooperative study, training, and research.	Same as above.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	United States Information Agency	C. North-South Center	Authority: Pub. Law 101-513 FY 97: \$ 1.5M	Promotes better relations & serves as a catalyst for change among the U.S., Canada, & the nations of Latin America & the Caribbean by advancing knowledge & understanding.	Same as above.
	United States Information Agency	D. Fulbright Teacher Exchange Program	Authority: Pub. L. 87-256 FY 97: \$2,047,528	Sponsors reciprocal exchanges between American & foreign teachers & educ'l administrators in approx. 30 countries.	Participants are selected overseas.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	United States Information Agency	E. Summer Institutes for African Educators in English as a Second/Foreign Language	Authority: Pub. L. 87-256 FY 97: \$250K	The two institutes support upgrading of English language teaching at secondary and tertiary school levels throughout parts of Africa. Participants are teachers of English at the secondary or tertiary school level, teacher trainers at teacher training colleges, or supervisors of secondary level English language programs.	Training is in another country.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	United States Information Agency	F. Junior Faculty Development Program	Authority: Freedom Support Act FY 97: \$750K	Provides opportunities for university faculty from Russia & Ukraine to develop their academic knowledge & teaching skills in specially designed programs at American universities.	Participants are selected overseas.

**CHART I
PART A**

Requested Exemptions - Training of Foreign Nationals

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	United States Information Agency	G. Advisor Training (OSEAS Regional Linkage and Partnership Prog & US-Based Training Program)	Authority: Pub. L. 87-256 FY 97: \$27K	The programs develop the professional advising skills and knowledge about U.S. higher education of overseas educational advisors provide professional development opportunities for U.S international educators at overseas advising centers.	Training of foreign nationals.
	United States Information Agency	H. International Media Training	Authority: Pub. L. 87-256, as amended, 22 U.S.C. §2451 <u>et seq.</u> FY 97: \$1,455,186	Training programs for foreign journalists to promote the development of a free and independent media throughout the world.	Training of foreign nationals.

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
1	Department of Defense	A. National Interagency Civil-Military Institute	Authority: 32 U.S.C. § 112 FY 97: \$3M	Providing training to military and civilian leaders on the interagency processes required for effective military support to civil authorities thus enhancing the interoperability of the military with Federal, State and Local counterdrug operations.	Requests an exemption for military training and education programs. "Military training and education programs are governed generally and, in some cases, specifically, by statute, in particular title 10 of the U.S. Code. The purposes of these programs are often conceptually and substantively different than those programs conducted for civilians, whether they are civilian Government employees or members of the public. Additionally, military training and education, particularly basic training, advanced individual training, advanced skills training, officer candidate training, and the senior service schools, are intended to teach and enhance skills which those entering the military do not possess, e.g., military discipline, military combat and combat support, and military command."

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
	Department of Defense	B. Fire Fighting and Damage Control	Authority: 32 U.S.C. §112 FY 97: \$ 103K	This program is for merchant mariners who are going to sea, and covers: NAVOSH; shipboard firefighting; damage control; chemical, biological, and radiological defense; helo fire fighting; and other assorted maritime/government required courses.	Military training (see above)
	Department of Defense	C. Senior Service Schools (SSS)	Authority: 32 U.S.C. §112 FY 97: not provided	SSS nominations are senior managers who have potential and desire for the Senior Executive Service. These military programs emphasize military strategy.	Military training (see above)

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
	Department of Defense	D. DODSI Interagency Training Center	Authority: Director CIA Decision, 3/18/68; Nat'l Security Directive 47 FY 97: \$1.4 M	Provides classroom training in technical surveillance, countermeasures and supporting subjects. Primary concern is technical security protection of U.S. government information. Open to Federal employees and Federal contractors identified by the contracting Federal agency.	

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
	Department of Defense	E. Long Term Full Time training	Authority: not provided FY 97: not provided	LTFTT graduate level education to maintain the technical expertise required by the unique function of the Defense Mapping Agency. The Agency selects 25 employees through several levels of competition to attend Photogrammetry, GIS, Orbital Mechanics, and computer science disciplines. The program is open to all DMA civilian employees.	Specifically requests exemption for internal DOD education and training programs directed at DOD civilian employees, which also may be open to some civilian employees of other agencies. "We are concerned that, if the approach envisaged by the July 14 letter were adopted, organizations of the Federal Government, including the Department of Defense Components, would close their education and training program to civilian employees of sister agencies. This would deny all employees involved, both Defense and non-Defense personnel, the benefits and richness of experience that such joint training can provide. It also may force agencies which currently rely on these training and education programs to expend additional resources either to establish training programs of their own or to contract for training."

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
	Dept of Defense	G. Dept. of Defense Security Institute	Authority: not provided FY 97: \$4.6M	Program provides classroom, on-site , and independent study course training in major security programs.	Internal training (see above)

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
2	Department of Energy	<p>Training Involving national security; Requests exemption for a class of programs</p> <p>e.g., Nuclear Nonproliferation Training Seminar (NNS)</p>	<p>Authority: not provided</p> <p>FY 97: not provided</p> <p>Authority: E.O. 12333; DOE Order 151.1; Presidential Decision Directive 39</p> <p>FY 97: \$410K</p>	<p>Trainees include employees of DOE, other Federal agencies, contractors, congressional staff, National Laboratories, non-profit and private organizations, and foreign governments.</p> <p>NNS provides an introduction to nuclear nonproliferation policy issues. NNS is open to Federal and DOE National Laboratory employees. Occasionally, visitors from foreign governments are permitted to attend the first two days of the workshop.</p>	<p>"We also note that some of the training conducted by DOE is required for reasons of national security. Some of the courses contain highly classified information. Under law, all attendees must hold appropriate security and intelligence clearances and demonstrate an official "need-to-know. In accepting nominees to attend these courses, DOE must rely on the equal opportunity and nondiscriminatory policies and practices of the attendees's employers. In view of the rigid requirements for admissions to such courses and the national security interest involved, DOE submits that such training programs be excluded from coverage under the proposed executive order.</p>

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
	Department of Energy cont'd	e.g., Emergency Management System Training	Authority: not provided FY 97: not provided	Program to train emergency management community, improving emergency planning, preparedness, and response capabilities within DOE at M&O contractor sites, with other Federal agencies, and tribal, State, local and industry organizations.	Same as above.

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
3	General Services Administration	Judicial Legal Intern Program	Authority: 5 U.S.C. §3111 FY 97: not provided	This program is offered by the General Services Administration Board of Contract Appeals. The program involves the use of volunteer law students who are not considered agency employees. The law students receive academic credit from their schools in exchange for legal intern activities which assist Board judges .	Not provided.

**CHART I
PART B
Other Requested Exemptions**

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
4	Small Business Administration	Women's Business Owner Demonstration Program	Authority: 15 U.S.C. §656 FY 97: \$4M	This program provides long-term training, counseling, networking and mentoring, and funds private sector, non-profit organizations with a three-year declining Federal grant that must be matched by Federal contributions.	This program was established to benefit certain businesses owned by women. Strict application of Title IX may have the undesirable effect of nullifying this important eligibility requirement. The proposed Executive order should exempt such programs which are specifically designed to overcome gender-based inequities.

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
1	Department of Energy	Idaho National Engineering and Environmental Laboratory (INEEL) Research Exchange Program	Energy Reorganization Act of 1974, §2(a) and §103(10); DOE Organization Act of 1977, Pub. L. No. 95-91, §102; Executive Orders 12876, 12900, 13021 FY 97: not provided	Provides for inclusion of university participants from minority and non-minority institutions in existing INEEL projects. Participants are from 97 universities, 40 states, and 3 foreign countries.	Training of foreign nationals.
	Department of Energy	INEEL Employee Education Program	Authority: M&O Contract FY 97: not provided	Obligated through INEEL subcontracts with two Idaho universities to provide the mission-related academic courses, primarily at the graduate level.	Training of foreign nationals.

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
2	DOJ/ Immigration	Carrier Consultant Program	Illegal Immigration Reform and Immigration Responsibility Act of 1996 FY 97: \$2M	Provides basic and advanced training to international airlines that service the U.S. to identify fraudulent documents, smuggler operations, and other related illegal activities as well as changes in U.S. immigration laws and regulations.	Training of foreign nationals

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
3	DOJ/FBI	International Training	Freedom Support Act, support for Eastern European democracy legislation and world-wide funding agreements \$380K	Training at the FBI Academy, Quantico, International Law Enforcement Academy in Budapest, other regional sites. Liaison successes for the FBI and increases the effectiveness and efficiency of international police services to make them better partners with the FBI on operational matters.	Training of foreign nationals in U.S. and overseas.

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
4	DOT/Federal Aviation Admin.	<p>A. Antiterrorism Training and Assistance Program</p> <p>B. Civil Aviation Security International Course</p>	<p>International Security and Development Cooperation Act of 1985, PL 99-83 FY 97: \$ 273,369</p> <p>Authority: None cited FY 97: \$ 67,275</p>	<p>Training in principles and concepts of Airport Security Management within the unique environment of an international airport.</p> <p>Training for foreign officials responsible for implementing aviation security programs and procedures in their country.</p>	<p>Training of foreign nationals</p> <p>Training of foreign nationals</p>

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
5	Federal Trade Commission	International Technical Assistance Program	Authority: 22 U.S.C. §§239(b), 2295b, 5812, 5931; Inter-Agency Agreement with the U.S. Agency for International Development. FY 97: \$1,007,371	Training designed to assist the governments of Central and Eastern Europe, Latin America and the Caribbean in developing antitrust and consumer protection legislation. Provided in conjunction with the Justice Department's Antitrust Division.	Participants are employees of foreign governments
6	General Services Admin.	Trail Boss Program	Authority: E.O. 13011, dated 7/16/97 FY 97: \$295,500	Trains senior Government professionals to acquire and implement major Information Technology systems.	Training of foreign nationals. Open to all Federal Agencies, international government employees, and State and local government employees.

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
7	Inter-American Foundation	A. Field Research Fellowship Program at the Doctoral-Level for Caribbean, Latin American and U.S. Citizens	Authority: Agency directive FY 97: \$205,520	Supports dissertation field research in Latin American and Caribbean countries on IAF development strategies. Seventeen Fellows; enrolled doctoral students at U.S. universities.	Training of foreign nationals.
	Inter-American Foundation	B. Field Research Fellowship Program at the Master's Level for Caribbean, Latin American and U.S. Citizens	Authority: Agency directive FY 97: \$14,620	Supports Master's-level field research in Latin American and Caribbean countries on IAF development strategies.	Training foreign nationals
	Inter-American Foundation	C. U.S. Graduate Study Fellowship Program for Caribbean and Latin American Citizens Only	Authority: Agency directive FY 97: \$566,740	Supports graduate student at U.S. universities on IAF development strategies. Seventeen Fellows; enrolled graduate students at U.S. universities.	Training foreign nationals

**CHART I
PART C**

Similar Program/No Exemption Requested

#	Agency	Federally Conducted Program	Authority/ FY 97	Description	Justification for Exemption
8	Securities and Exchange Commission	International Enforcement and Market Oversight Institute	Authority: 5 U.S.C. §3109; Agency Service Agreement with USAID FY 97: not provided	Comprehensive one-week training program covering securities investigative, enforcement and market surveillance practices and techniques.	During FY 1997, the Enforcement Institute was attended by 103 delegates from securities regulatory organizations from both developed and emerging markets throughout the world. If the delegates' participation is USAID-funded, USAID requires that the genders of the delegates be reported to USAID.
	Securities and Exchange Commission	Variety of other programs presented in the U.S. and overseas for capital markets participants from countries for which SEC and USAID technical assistance funding.	Authority: not provided FY 97: not provided	Various programs	Programs are delivered to capital markets officials from foreign countries.

Chart II: Federally
Conducted Programs

CHART II -- SUMMARY OF FEDERALLY CONDUCTED EDUCATION AND TRAINING PROGRAM INVENTORIES

The following is a summary of information provided to the Department of Justice by Federal departments, agencies, boards, and commissions in response to our request for an inventory of their Federally conducted education and training programs. The summary is divided into two sections.

The first section includes two charts, one for the Cabinet departments and the second for agencies, boards, and commissions. The charts indicate the general types of programs conducted by each entity. For the Cabinet departments, the program categories are: Federally operated schools; student and youth educational programs; specialized training; and programs for the general public. For agencies, boards, and commissions, the program categories are the same except the "Federally operated schools" category is omitted since none of these entities operate such schools. In addition, the chart for the agencies, boards, and commissions includes a category to identify entities reporting that they only conduct education or training programs for Federal employees.

The second section of this summary provides a brief description of the Federally conducted programs and activities of each entity, first for Cabinet departments and then for agencies, boards, and commissions. Because of the complexities involved in this survey, and the failure of many agencies to provide complete and accurate information, the data set forth in this section are not complete and may include a few programs that more properly should be characterized as Federal financial assistance rather than as a Federally conducted program.

There are three Cabinet departments that operate schools. The Department of Defense operates school systems for military dependents both in the United States and abroad. The Department of the Interior's Bureau of Indian Affairs operates K-12 tribal schools and two Native American colleges. In addition, the Department of Agriculture operates a graduate school that offers a variety of classes to the public.

Student and youth educational programs can involve a diverse set of activities, including scholarships, fellowships, and internships, activities in schools and at the Federal facility, development and dissemination of instructional materials, teacher training, and summer camps.

Specialized training typically is provided to state and local government employees, and to persons who work in, or otherwise are involved in, the regulated industries. Training also may be provided to foreign nationals, in the United States and/or abroad. Training may be provided at a training institute established by the Federal entity, or through seminars, workshops, classes, or the distribution of instructional materials.

Educational activities for the general public may take place at a Federal facility or through the distribution of publications or via the Internet. Educational programs conducted by the Department of the Interior's Park Service at national parks and other sites is perhaps the largest Federal educational program directed to the general public.

CHART II. Summary of Federally Conducted Programs and Activities

A. Cabinet Agencies

Department	Federally Operated School	Student and Youth Educational Programs	Specialized Training	Programs for the General Public
Agriculture	x	x	x	x
Commerce		x	x	
Defense	x	x	x	
Education		x		x
Energy		x	x	x
EPA		x	x	x
HHS		x	x	x
HUD			x	
Interior	x	x	x	x
Justice		x	x	x
Labor		x	x	
State		x	x	
Transportation		x	x	
Treasury		x	x	
Veterans		x	x	

CHART II. Summary of Federally Conducted Programs and Activities

B. Agencies, Boards, and Commissions

Agency	Student and Youth Educational Programs	Specialized Training	Programs for the General Public	No Covered Programs
Advisory Commission on Intergovernmental Relations				x
Advisory Council on Historic Preservation		x	x	
African Development Foundation				x
Agency for International Development		x		
American Battle Monuments Commission				x
Appalachian Regional Commission	x			
Architectural and Transportation Barriers Compliance Board		x		
Arms Control and Disarmament Agency	x			
Assassination Records Review Board				x
Central Intelligence Agency	x			
Commission on Civil Rights	x		x	
Commission on Fine Arts				x
Commodity Futures Trading Commission		x	x	

Agency	Student and Youth Educational Programs	Specialized Training	Programs for the General Public	No Covered Programs
Consumer Product Safety Commission	x			
Corporation for National and Community Service	x	x		
Defense Nuclear Facilities Safety Board	x			
Equal Employment Opportunity Commission	x	x	x	
Export-Import Bank		x		
Farm Credit Administration				x
Federal Communications Commission				x
Federal Deposit Insurance Corporation		x		
Federal Election Commission		x		
Federal Emergency Management Agency		x		
Federal Housing Finance Board				x
Federal Labor Relations Authority		x		
Federal Maritime Commission				x
Federal Mediation and Conciliation Service		x		
Federal Mine Safety and Health Review Commission				x
Federal Retirement Thrift Investment Board				x

Agency	Student and Youth Educational Programs	Specialized Training	Programs for the General Public	No Covered Programs
Federal Trade Commission		x		
General Services Administration	x	x		
Holocaust Memorial Museum	x		x	
Institute of Museum and Library Sciences				x
Inter-American Foundation	x			
International Trade Commission		x		
Merit Systems Protection Board		x		
National Aeronautics and Space Administration	x			
National Archives and Records Administration		x		
National Capital Planning Commission				x
National Commission on Libraries and Information Science				x
National Council on Disability		x		
National Credit Union Administration	x	x		
National Endowment for the Arts	x	x		
National Endowment for the Humanities	x			
National Labor Relations Board	x	x		

Agency	Student and Youth Educational Programs	Specialized Training	Programs for the General Public	No Covered Programs
National Mediation Board	x	x		
National Science Foundation	x			
National Transportation Safety Board				x
Nuclear Regulatory Commission		x		
Occupational Safety and Health Review Commission				x
Office of Government Ethics				x
Office of Personnel Management		x		
Office of the Special Counsel				x
Overseas Private Investment Corporation	x			
Panama Canal Commission	x	x		
Peace Corps	x	x	x	
Pension Benefit Guaranty Corporation				x
Postal Rate Commission				x
Postal Service	x	x		
Railroad Retirement Board				x
Securities and Exchange Commission	x	x		
Selective Service Commission				x
Small Business Administration		x		

Agency	Student and Youth Educational Programs	Specialized Training	Programs for the General Public	No Covered Programs
Social Security Administration	x			
Tennessee Valley Authority	x		x	
United States Enrichment Corporation				x
United States Information Agency		x		
United States Trade and Development Agency	x			

The following agencies advised in their response that they do not believe that they are subject to the President's Memorandum of June 17, 1997: the Delaware River Basin Commission; the Federal Home Loan Mortgage Corporation (Freddie Mac); the Federal National Mortgage Association (Fannie Mae); the Federal Reserve Board; the Legal Services Corporation; the Neighborhood Reinvestment Corporation; the Smithsonian Institution; and the Susquehanna River Basin Commission.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Agriculture

1. *Agricultural Marketing Service*

The Service provides training to students on food distribution issues and has a fellowship program.

2. *Agricultural Research Service*

The Service provides scholarships at historically black land grant colleges.

3. *Animal and Plant Health Inspection Service*

The Service provides scholarships at historically black land grant colleges; provides other scholarships and fellowships; provides training to veterinarians, veterinary students, scientists, state employees, and others; and has an internet education program, a high school mentoring program, and career day programs.

4. *Cooperative State Research, Education and Extension Service*

The Service provides scholarships at historically black land grant colleges and conducts a K-12 classroom program.

5. *Departmental Administration*

The Administration provides scholarships at historically black land grant colleges.

6. *Economic Research Service*

The Service provides scholarships at historically black land grant colleges and has a volunteer student intern program.

7. *Farm Service Agency*

The Agency provides scholarships at historically black land grant colleges, conducts a conference for Future Farmers of America, and conducts outreach to college students and youth.

8. *Food and Consumer Service*

The Service provides scholarships at historically black land grant colleges.

9. *Food Safety and Inspection Service*

The Service provides scholarships at historically black land grant colleges.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Agriculture (cont.)

10. Forest Service

The Service provides scholarships at historically black land grant colleges, fellowships, and a wide range of educational services to teachers and students in the classroom and at the Department. The Service also conducts specialized training persons in the forest industry and conducts Job Corps training.

11. Graduate School

The Department conducts a graduate school that provides training to state and local government officials, and offers a variety of courses to the general public (foreign nationals also participate).

12. Grain Inspection, Packers and Stockyards Administration

The Administration provides scholarships at historically black land grant colleges and other colleges, and has a student outreach program.

13. National Agricultural Statistics Service

The Service provides scholarships at historically black land grant colleges and has a scholarship program for Native American college students. It also conducts an outreach program for high school students.

14. Natural Resources Conservation Service

The Service provides scholarships at historically black land grant colleges and provides fellowships.

15. Rural Development

Rural Development provides scholarships at historically black land grant colleges.

Department of Commerce

1. International Trade Administration

ITA provides training to foreign nationals from the Newly Independent States of the former Soviet Union.

2. National Oceanic and Atmospheric Administration

NOAA makes individual school presentations and provides training on pollution and resource management issues.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Commerce (cont.)

3. *National Telecommunications and Information Administration*

The Administration provides training to government contractors and foreign nationals on radio frequency spectrum management.

4. *Office of the General Counsel*

The GC's Office provides training to trade attorneys.

Department of Defense

Note: The Department of Defense did not provide information on programs whose "intent [is] . . . to train DoD military personnel" although the Department advises that non-Department personnel are admitted on a space-available basis. The Department of the Air Force reported that it has not covered programs. A few Department components were not included in the report and we are told that their responses are forthcoming.

1. *Defense Intelligence Agency*

The DIA provides scholarships and has an adopt-a-school program.

2. *Defense Investigative Service*

The DIS provides training on security issues to Federal contractors, and foreign government and international organization personnel at the Department of Defense Security Institute.

3. *Defense Research and Engineering*

Defense Research and Engineering provides scholarships, and disseminates information on science and math experiments.

4. *Department of Defense Education Activity*

The Department operates two K-12 school systems for civilian dependents of military personnel (one school system is in the United States, Puerto Rico, Guam, and the Panama Canal Zone, and the other is overseas).

The Department operates eighteen "Science, Mathematics, and Engineering Targeted Education Programs" to promote science, mathematics and engineering skills and careers at public schools and Historically Black Colleges.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Defense (cont.)

5. Department of the Army

The Army conducts a Junior ROTC program.

6. Department of the Navy

The Navy provides scholarships and fellowships, conducts a high school apprenticeship program, has internships, provides mentoring in high schools and grade schools, provides students with a “telepresence” at global scientific exploration sites, and conducts various student outreach activities. The Navy distributes educational booklets and has a web site. It also provides training in firefighting to merchant mariners.

7. National Guard Bureau

The National Guard Bureau Counterdrug Directorate instructs state, local and municipal law enforcement officers to investigate and prosecute narcotics cases and how to avail their agencies of military support resources. The NGBCD also trains law enforcement agencies and Department of Defense personnel in counterdrug activities. The NGBCD provides training to military and civilian leaders on the interagency processes required for effective military support of civil authorities.

The NGBCD provides military based training, supervised work experience in community services, and conservation projects to civilian youth who drop out of secondary school. The NGBCD conducts a program for youths designed to expose classes and teachers of inner-city schools to real world applications of math and science.

8. National Security Agency

NSA provides scholarships, conducts summer programs for students on math, science, and technology, provides training to math and science teachers, sponsors a nationwide math contest, has an adopt-a-school program, and conducts other mentoring activities.

9. Washington Headquarters Services

Headquarters Services awards scholarships and has a volunteer student intern program.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Education

The Education Department conducts research on educational issues, awards fellowships, provides reference services through the National Library of Education, distributes tutoring materials and other publications, facilitates distribution of information by schools on "best practices," operates information clearinghouses, provides educational services to certain private school students through contractors, provides financial support for BIA schools, sponsors voluntary national tests, conducts satellite town meetings for the general public, contributes to a high scholar program that brings high school scholars to Washington, D.C. for educational activities, conducts an education reform program for teachers, and operates a web site for teachers.

Department of Energy

1. *Federal Energy Technology Center*

The Center provides internships, conducts student mentoring, provides classroom demonstrations and demonstrations for students at FETC, and conducts teacher training.

2. *Field Offices*

The Field Offices provide scholarships and fellowships, student programs, teacher training, a speakers bureau, and specialized training.

3. *Office of Arms Control and Nonproliferation*

The Office conducts training for DOE contractors, and some state and local government employees and foreign nationals.

4. *Office of Civilian Radioactive Waste Management*

The Office offers scholarships, conducts teacher training, conducts workshops for youth and student field trips, and provides contractor training.

5. *Office of Defense Programs*

The Office conducts a pre-college enrichment program, and conducts science education for students, local government employees, and the general public.

6. *Office of Emergency Management*

The Office provides training to state and local officials, and the public.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Energy (cont.)

7. *Office of Energy Research*

The Office has internships and fellowships, conducts a math and science competition for high school students, distributes teaching materials, and provides training to high school and middle school students on supercomputers.

8. *Office of Nonproliferation and National Security*

The Office sponsors a lecture series.

9. *Office of Nuclear Energy, Science and Technology*

The Office offers scholarships and fellowships.

10. *Safeguards and Security Central Training Academy*

The Academy provides security training to Federal contractors, state and local officials, and foreign nationals.

Environmental Protection Agency

The EPA provides training to state employees regarding applications for States to conduct hazardous waste programs, to state and local government employees, tribal employees, and others on a variety of environmental issues and regulatory requirements and on enforcement and problem solving skills, and to volunteer monitors for estuaries and coastal areas. The EPA conducts public outreach efforts through meetings, a speakers bureau, information on the Internet, and publications. The EPA provides fellowships and scholarships, has student interns, provides mentoring in schools, conducts teacher training, and disseminates instructional materials.

Department of Health and Human Services

1. *Administration for Children and Families*

The Administration conducts a Head Start Fellows Program.

2. *Agency for Health Care Policy and Research*

The Agency provides fellowships.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Health and Human Services (cont.)

3. Food and Drug Administration

The FDA provides internships and has an adopt-a-school program. The FDA provides training to state and local government employees and various regulated industries through satellite broadcasts, videotapes, classes, and speakers at workshops, professional association meetings, and conferences. The FDA also provides information to the general public about food safety through videotapes.

4. Health Care Financing Administration

The HCFA provides scholarships and conducts a public Medicare mammography campaign.

5. National Institutes of Health

NIH provides scholarships and fellowships.

6. Program Support Center

The Center provides human resource development courses that are open to state and local government employees.

7. Public Health Service

The Public Health Service conducts a college education program on women's health, has fellowships, and provides materials to schools on the President's Challenge Physical Fitness Program.

Department of Housing and Urban Development

HUD provides training on housing issues to state and local government employees, non-profit organizations, and community groups at the HUD Training Academy.

Department of the Interior

1. Bureau of Indian Affairs

BIA operates 79 K-12 schools and two colleges; conducts a family literacy program; provides scholarships; and trains tribal law enforcement and detention officers at its Indian Police Academy.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of the Interior (Cont.)

2. Bureau of Land Management

BLM assigns one employee to work with various tribal colleges and universities; has an internship program, a student conservation association, a summer camp for high school students, and a small program for elementary school children; trains educators; and provides career counseling.

3. Fish and Wildlife Service

The Fish and Wildlife service engages in outreach to the general public through tours, demonstrations, and other activities; conducts educational work on behalf of K-12 students, college and graduate students, and other youth through classes, workshops, camps, field trips, an Internet program, teacher training, and the dissemination of curriculum materials; and conducts specialized training, including training on wildlife issues for state and foreign governments, tribal agencies, and private organizations, a polar bear safety course for the oil industry, and a wetlands course for realtors.

4. Geological Survey

The Geological Survey provides educational information to the general public through a lecture program and dissemination of informational materials; conducts educational work on behalf of students and other youth through graduate research grants and undergraduate scholarships, a summer science camp and a summer symposium, teacher training, dissemination of curriculum and other materials, classes, visiting lecturers in classrooms, and internships; and provides training to state and local government employees and foreign nationals.

5. Minerals Management Service

The Minerals Management Service has a small number of programs, including targeted training, internships, and a school volunteer program.

6. Office of Surface Mining

The Office provides training to state government and tribal personnel.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Interior (cont.)

7. Park Service

The Park Service conducts education programs for park visitors; disseminates instructional materials to educational institutions and sponsors classroom study in parks; provides training to park volunteers and persons interested in historic preservation; and provides educational scholarships for children of Park Service employees.

Department of Justice

1. Antitrust Division

The Antitrust Division provides training on antitrust enforcement.

2. Bureau of Prisons

Education and training classes are conducted for Federal prisoners.

3. Civil Rights Division

The Civil Rights Division provides training to state and local law enforcement personnel on police misconduct issues, and the enforcement of Federal criminal civil rights statutes and the Americans with Disabilities Act (ADA); makes presentations to community groups about criminal civil rights prosecutions; provides training at housing conferences to fair housing agencies and to the housing and lending industry; provides training to state officials about the requirements of Federal laws that prohibit discrimination by Federal aid recipients; makes information available to the general public about the ADA through a toll-free information phone line and publications; and conducts a speakers bureau that provides ADA training at conferences and training sessions.

4. Criminal Division

The Criminal Division provides training to law enforcement agencies, prosecutors, and judicial officials of foreign countries both abroad and in the United States. The Division provides instructional materials to state and local officials on asset forfeiture requirements.

5. Drug Enforcement Administration

DEA provides training to state and local law enforcement officers.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Justice (cont.)

6. *Executive Office for United States Attorneys*

The Executive provides training to state and local prosecutors and law enforcement personnel.

7. *Federal Bureau of Investigation*

The FBI provides training to state and local law enforcement officers, and foreign law enforcement officers, including training at the FBI Academy at Quantico, Virginia.

8. *Immigration and Naturalization Service*

The INS provides training to state and local government personnel, and to employers, and provides information to the general public through a web home page.

9. *INTERPOL - U.S. National Central Bureau*

The Bureau has an internship program and provides training to state and local law enforcement officers.

10. *Marshals Service*

The Marshals Service conducts training for state and local law enforcement officers and other state and local government personnel.

11. *National Institute of Corrections*

NIC conducts training for and disseminates information to state and local correctional officials.

12. *Office of Attorney Personnel Management*

The Department conducts a volunteer student internship program.

13. *Office of Community Oriented Policing Services*

The COPS Office offers Police Corps scholarships.

14. *Office of Information and Privacy*

The Office provides FOIA training to non-Federal entities.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Justice (cont.)

15. Office of Justice Programs

OJP provides limited training to contractors, state government employees, and researchers on utilization of Bureau of Justice Statistics data, and provides training to state and local law enforcement personnel on police misconduct issues and the enforcement of the Americans with Disabilities Act.

Department of Labor

The Labor Department provides training to state government employees and others on occupational safety and health (at the OSHA Training Institute and the National Mine Health and Safety Academy), labor statistics, equal employment in contracting, ERISA, and veterans employment issues (including training at the National Veterans' Training Institute). The Department's Office of the Solicitor also conducts a law student intern program and the Bureau of Labor Statistics conducts a fellowship program.

Department of State

The State Department conducts training at its Foreign Service Institute for Foreign Service family members and other non-Federal employees, has fellowships, provides security and anti-terrorism training to state and local law enforcement officers and foreign nationals, conducts a student internship program, and conducts periodic seminars for small business firms.

Department of Transportation

1. Coast Guard

The Coast Guard conducts a high school ROTC program; provides scholarships; conducts a general education program in partnership with schools; and provides training in boating safety.

2. Federal Aviation Authority

The FAA provides training to pilots, flight controllers, security workers, aviation medical examiners, airport operations inspectors and manufacturing inspectors, airport equipment maintenance workers, and aviation instructors. Persons trained include some foreign nationals.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of Transportation (cont.)

3. Federal Highway Administration

The FHA conducts student internship programs, a fellowship program for college students and faculty, an outreach program for high school students, and a summer classroom program for high school students. The FHA also provides training on state-of-the-art technology to all segments of the transportation community and provides training on discrimination issues to state and local agencies.

4. Federal Railroad Administration

The FRA has a summer internship program for college students.

5. Federal Transit Administration

The FTA provides a variety of training, including training on safety in different modes of transportation at its Transportation Safety Institute, training on various issues at its National Transit Institute, a child safety conference, training on rural transportation issues, and seminars on transportation improvement issues. The FTA also conducts internship programs and an education program for grades K-8.

6. Maritime Administration

The Maritime Administration provides training in firefighting and national emergency operations.

7. National Highway Traffic Safety Administration

The NHTSA provides traffic safety training to the States.

8. Office of the Secretary

The Office of the Secretary has cooperative agreements with minority educational institutions to administer the Department's training for small and disadvantaged business enterprises.

9. Research and Special Programs Administration

The Research and Special Programs Administration provides training on safety and security issues at the Transportation Safety Institute, and training on hazmat issues. It also conducts a student outreach program.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of the Treasury

1. Bureau of Alcohol, Tobacco and Firearms

The BATF has a laboratory internship program for college students, a high school student outreach program, a program for youth to volunteer in law enforcement agencies, classroom programs on crime prevention, and a visiting scientist program (for Americans and foreign nationals). BATF provides training for state and local law enforcement officers, prosecutors, industry officials, and others (including some foreign nationals) on laboratory techniques, financial investigations, arson investigations, alcohol and tobacco regulations, and firearms and explosives laws.

2. Bureau of Engraving and Printing

The Bureau has an internship program and an adopt-a-school program.

3. Bureau of Public Debt

The Bureau has a small adopt-a-school program.

4. Customs Service

The Customs Service provides training to state and local law enforcement officers and others in the security fields, and has several programs for student education (including an "Explorer's Program," an adopt-a-school program, and educational programs in the schools).

5. Department Offices

Department Offices provide training to banking and other officials on community development issues and have an adopt-a-school program.

6. Federal Law Enforcement Training Center

FLETC provides training to state and local law enforcement officers.

6. Financial Management Service

The Financial Management Service provides training to financial institution employees and has an adopt-a-school program.

7. Internal Revenue Service

The IRS trains volunteer tax counselors, has agreements allowing IRS employees to teach at Historically Black Colleges and Universities, and has an adopt-a-school program and a school volunteer program.

CHART II. Description of Federally Conducted Education and Training Programs

A. Cabinet Departments

Department of the Treasury (cont.)

8. *Office of the Comptroller of the Currency*

The Comptroller's Office has an adopt-a-school program.

9. *Secret Service*

The Secret Service provides training to state, local, and foreign law enforcement officials.

Department of Veterans Affairs

The Veterans Affairs Department provides training to over 100,000 medical students at VA facilities; provides training to veterans organizations on veterans benefits; and provides training to bank and mortgage company employees and others on compliance with the VA home loan program.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Advisory Commission on Intergovernmental Relations

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Advisory Council on Historic Preservation

The Council provides training to state, local, and tribal officials, contractors, and the general public on historic preservation issues.

African Development Foundation

The Foundation advises that it does not conduct any education or training programs for persons who are not Federal employees.

Agency for International Development

AID provides training through contracts and grants, virtually all of which takes place in a foreign country and/or with foreign nationals.

American Battle Monuments Commission

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Appalachian Regional Commission

The Commission conducts a summer program, in collaboration with the Department of Energy, for high school students to learn math and science at the Energy Department's Oak Ridge, Tennessee National Laboratory.

Architectural and Transportation Barriers Compliance Board

The Board conducts training for state and local officials, and other persons concerning compliance with the Americans with Disabilities Act.

Arms Control and Disarmament Agency

The Agency provides education and training to university and faculty members through fellowships at the agency, and to undergraduate students through an intern program. The Agency also provides scholarships to graduate students.

Assassination Records Review Board

The Board advises that it does not conduct any education or training programs for persons who are not Federal employees.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Central Intelligence Agency

The CIA conducts programs for students under which the students are paid and/or receive tuition assistance.

Commission on Civil Rights

The Commission conducts a speaker series that is open to the general public (as well as Federal employees) and has a intern program for student volunteers.

Commission on Fine Arts

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Commodity Futures Trading Commission

The Commission disseminates informational materials to the public and conducts an annual seminar on futures regulations for members of foreign governments and foreign exchanges.

Consumer Product Safety Commission

The Commission has an internship program for a few students from the Worcester Polytechnic Institute.

Corporation for National and Community Service

The Corporation provides fellowships, scholarships, and internships, conducts leadership and management training for grantees, and provides training on environmental issues to state and local government employees and nonprofit entities.

Defense Nuclear Facilities Safety Board

The Board conducts an internship program for graduate students that is three to four years in length.

Delaware River Basin Commission

The Commission advises that it is not covered by the President's Memorandum of June 17, 1997.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Equal Employment Opportunity Commission

The EEOC conducts training seminars, briefings, and forums on Federal equal employment laws for employers and members of the public. The EEOC also disseminates informational materials to the general public and has a speakers program. The EEOC conducts a volunteer intern program for college and law school students.

Export-Import Bank

The Export-Import Bank conducts training seminars for credit administrators, bankers, attorneys, exporters, small businesses, and state and local officials.

Farm Credit Administration

The Farm Credit Administration advises that it does not conduct any education or training programs for persons who are not Federal employees.

Federal Communications Commission

The FCC advises that it does not conduct any education or training programs for persons who are not Federal employees.

Federal Deposit Insurance Corporation

The FDIC provides training for employees of state financial regulatory agencies.

Federal Election Commission

The Commission provides training through conferences and an outreach program, primarily to representatives of candidates, political parties, and political action committees, on campaign finance law requirements.

Federal Emergency Management Agency

FEMA provides training on emergency response issues. This includes training provided through the National Fire Academy and the Emergency Management Institute.

Federal Home Loan Mortgage Corporation (Freddie Mac)

Freddie Mac advises that it is not covered by the President's Memorandum of June 17, 1997.

Federal Housing Finance Board

The Board advises that it does not conduct any education or training programs for persons who are not Federal employees.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Federal Labor Relations Authority

The FLRA provides training to Federal employee union representatives, some private sector union representatives, and Federal labor relations professionals on Federal labor relations issues.

Federal Maritime Commission

The Federal Maritime Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Federal Mediation and Conciliation Service

The Federal Mediation and Conciliation Service provides training to parties to collective bargaining agreements (in the private and public sectors), and to international labor, management and government groups.

Federal Mine Safety and Health Review Commission

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Federal National Mortgage Association (Fannie Mae)

Fannie Mae advises that it is not covered by the President's Memorandum of June 17, 1997.

Federal Reserve System

The Federal Reserve System advises that it is not covered by the President's Memorandum of June 17, 1997.

Federal Retirement Thrift Investment Board

The Board advises that it does not conduct any education or training program for persons who are not Federal employees.

Federal Trade Commission

The FTC provides training on legal matters to some state and local government employees and a few employees of foreign governments.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

General Services Administration

GSA provides training on a variety of issues to state and local government officials and employees, tribal officials, a few foreign government employees, and contractor employees. Issues addressed include procurement; management of real and personal property, security, and travel; energy conservation and efficiency; and the Federal Advisory Committee Act. GSA conducts this training in part at its Interagency Training Center and its Energy Savings Performance Center. GSA does not consider volunteer students receiving academic credit or its adopt-a-school program to be covered by the President's Memorandum of June 17, 1997.

Holocaust Memorial Museum

The Museum provides education to the general public through periodic lectures, panel discussions, films, and other events, and through publications. The Museum also assists educators by maintaining a resource center containing lesson plans and curricula.

Institute of Museum and Library Sciences

The Institute advises that it does not conduct any education or training programs for persons who are not Federal employees.

Inter-American Foundation

The Inter-American Foundation provides fellowships to graduate students concerning research on Latin American and Caribbean countries.

International Trade Commission

The International Trade Commission conducts training seminars on international economic issues that are open to the public and are attended by private experts in the area under discussion and by personnel of embassies (the seminars are primarily for federal employees).

Legal Services Corporation

The Legal Services Corporation advises that it is not subject to the President's Memorandum of June 17, 1997, and that it does not conduct any education or training programs for persons who are not Federal employees.

Merit Systems Protection Board

The Board conducts a training program for persons who represent management or employees in hearings before the Board.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

National Aeronautics and Space Administration

NASA provides educational materials to teachers through its Educator Resource Centers and conducts workshops for K-12 teachers. It conducts student competitions and a summer high school apprenticeship program.

National Archives and Records Administration

The National Archives provides training to agency contract employees, state and local government employees, and others on records management issues.

National Capital Planning Commission

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

National Commission on Libraries and Information Science

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

National Council on Disability

The Council may conduct an annual conference to provide training for youth with disabilities, particularly regarding employment options.

National Credit Union Administration

The National Credit Union Administration conducts training for state examiners and other state officials, occasionally conducts training open to the public on credit union issues, and provides student stipends for vocational training.

National Endowment for the Arts

NEA has an internship program for college students (in-house internships and internships in arts organizations), conducts occasional training for arts administrators, and has a small arts program in Federal correctional institutions.

National Endowment for the Humanities

NEH provides fellowships, summer stipends, and research funds to scholars and faculty at colleges and universities.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

National Labor Relations Board

The NLRB provides training seminars on labor law and has a volunteer intern program for academic credit.

National Mediation Board

The National Mediation Board provides training in dispute prevention and resolution to railroad, airline, and union representatives, and has a law clerk internship program.

National Science Foundation

The National Science Foundation provides science fellowships to university graduate students and post-doctoral students.

National Transportation Safety Board

The NTSB advises that it does not conduct education or training programs for persons who are not Federal employees.

Neighborhood Reinvestment Corporation

The Neighborhood Reinvestment Corporation advises that it is not subject to the President's Memorandum of June 17, 1997.

Nuclear Regulatory Commission

The NRC provides training to state personnel on radiation control measures, and also provides training for some state employees and foreign nationals on various issues related to nuclear power plants.

Occupational Safety and Health Review Commission

The Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Office of Government Ethics

The Office of Government Ethics advises that it does not conduct education or training programs for persons who are not Federal employees.

Office of Personnel Management

OPM conducts executive and management training for state and local government employees, and for foreign nationals.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Office of the Special Counsel

The Office of the Special Counsel advises that it does not conduct any education or training programs for persons who are not Federal employees.

Overseas Private Investment Corporation

OPIC conducts a student internship program that includes an educational component (seminars, briefings, etc.).

Panama Canal Commission

The Panama Canal Commission provides pilot training and scholarships for dependents of employees.

Peace Corps

The Peace Corps conducts pre-service and in-service training for Peace Corps volunteers, and volunteers conduct education and training in their overseas assignments. The Peace Corps provides educational materials to teachers, and a speakers bureau of current and former volunteers for schools. The Peace Corps facilitates post-graduate scholarships for returned volunteers and academic credit for volunteer service. The Peace Corps conducts lectures open to the general public.

Pension Benefit Guaranty Corporation

The Corporation advises that it does not conduct any education or training programs for persons who are not Federal employees.

Postal Rate Commission

The Postal Rate Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Postal Service

The Postal Service provides training to individuals and businesses on how to use postal services, provides training and information to businesses that wish to act as suppliers or vendors to the Postal Service, conducts workshops for persons who wish to apply for employment, and conducts a college internship program.

Railroad Retirement Board

The Board advises that it does not conduct any education or training programs for persons who are not Federal employees.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

Securities and Exchange Commission

The SEC conducts internship programs for law students, occasionally provides training to state employees on broker-dealer examinations, and provides training to foreign nationals in the United States and overseas.

Selective Service Commission

The Selective Service Commission advises that it does not conduct any education or training programs for persons who are not Federal employees.

Small Business Administration

The SBA provides information and training on starting and operating a small business through a network of Business Information Centers, Small Business Development Centers, women's business centers, and thousands of volunteer counselors (some or all of this activity may fall within the "Federally assisted" category rather than being Federally conducted). The SBA offers a variety of specialized training courses, including courses veterans, persons interested in running a small business investment company, Native Americans, women business owners interested in doing business with the Federal government, and small business lenders.

Smithsonian Institution

The Smithsonian advises that it is not subject to the President's Memorandum of June 17, 1997.

Social Security Administration

The Social Security Administration provides instructional materials designed to be used in high school civics classes.

Susquehanna River Basin Commission

The Commission advises that it is not subject to the President's Memorandum of June 17, 1997.

Tennessee Valley Authority

The TVA provides scholarships to dependents of employees and others; conducts a "weekend enrichment" program of educational activities; and provides training to communities on developing community improvement plans.

CHART II. Description of Federally Conducted Education and Training Programs

B. Agencies, Boards, and Commissions

United States Enrichment Corporation

The Enrichment Corporation advises that it does not conduct any education or training programs for persons who are not Federal employees.

United States Information Agency

The USIA conducts a wide variety of programs that seek to promote a better understanding of the United States by foreign citizens, improved international relations, cultural exchanges between the United States and foreign countries, the spread of democratic values in foreign countries, and the teaching of English in foreign countries. The programs conducted in the United States are either exclusively for, or almost exclusively for, foreign nationals, and the programs with significant participation by American citizens typically are conducted in foreign countries. The USIA also conducts a speakers program in the United States.

United States Trade and Development Agency

The Trade and Development Agency conducts a volunteer internship for college and post-graduate students.