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September 5, 2007

The Honorable William Jefferson Clinton
William J. Clinton Foundation
55 West 125th St.
New York, NY 10027

RE: Republican Misrepresentation of Clinton Administration Policy

Dear Mr. President:

As you know, in 1941, President Franklin Delano Roosevelt issued an Executive Order prohibiting discrimination by all defense contractors. Twenty years later, in 1965, President Lyndon B. Johnson expanded that policy in an Executive Order banning discrimination by **all** government contractors. No discrimination with federal funds has been the U.S. government's policy for decades, until now.

President Bush's so-called "faith based initiative" allows, for the first time in decades, employment discrimination with federal funds. This is a profound change in policy. Since 1965, if an employer using federal funds had a problem hiring the best qualified applicant because of discrimination based on race or religion, that employer had a problem because the weight of the federal government was behind the victim of discrimination. Now, the faith-based initiative proposes to shift the weight of the federal government from supporting the victim to supporting the employer's so-called "right" to discriminate. This is a radical departure from existing civil rights law. Moreover, if we don't enforce discrimination laws in federal contracts, where is our moral authority to tell private employers, who may be devoutly religious, what they can do with their private money? A policy of religious discrimination in employment is wrong in the private sector; it is certainly wrong with federal funds.

Fortunately, President Bush has had no success codifying this new policy in federal statute. Instead, he has been forced to rely on executive orders and changes in regulations to implement this new practice. Still, with every reauthorization of a social service program, Congress once again debates this volatile issue.

The reason I feel it is necessary to bring this to your attention is because every time we have this debate on Capitol Hill, Republican Members of Congress invoke your name and your administration in a manner that suggests not only that you supported this

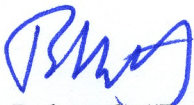
abominable practice, but that you are the father of it. They regularly mischaracterize the fact that you signed charitable choice language into law as suggestive of your support for this current discriminatory practice, regardless of your signing statements to the contrary that accompanied each piece of legislation you signed that contained charitable choice language. Not a single debate on this issue has taken place in the U.S. House of Representatives without someone attributing this deplorable practice to you and your administration.

For your convenience, I am enclosing copies of Republican floor statements that invoke your name from the 108th, 109th and 110th Congresses. This year, we have already seen it raised during the debate to reauthorize Head Start, and we expect to see it again when we begin the reauthorization of the Workforce Investment Act.

I hope you find this information useful, and I strongly urge you to speak out against this gross mischaracterization of your administration's policies and set the record straight.

Thank you for your attention to this important civil rights issue. Please do not hesitate to call upon me if you would like to discuss this further.

Very truly yours,



Robert C. "Bobby" Scott
Member of Congress