

Sec. 7. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable by law against the United States, its officers, its employees, or any other person.

William J. Clinton

The White House,
January 15, 2001.

[Filed with the Office of the Federal Register, 8:45 a.m., January 18, 2001]

NOTE: This Executive order was published in the *Federal Register* on January 19.

Executive Order 13190—President's Commission on Educational Resource Equity

January 15, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

Section 1. Policy. A quality education is essential to the success of every child in the 21st century and to the continued strength and prosperity of our Nation. Our Nation has embraced the goal of promoting high educational standards for all children and increasing accountability in education. Although we know it is crucial that all children have access to the educational resources and opportunity necessary to achieve high standards, long-standing gaps in access to educational resources exist, including disparities based on race and ethnicity. These gaps limit the ability of individuals, as well as our Nation, to reach their full potential. Therefore, it is the policy of this Administration that our Nation undertake appropriate steps to understand fully the current status of resource equity in education and to identify and implement strategies at the local, State, and national levels that will ensure that all students have a full and equal opportunity to succeed.

Sec. 2. Establishment. To carry out this policy, there is established the "President's Commission on Educational Resource Equity" (Commission). The Commission shall be composed of not more than 13 members

appointed by the President from the public and private sectors. The members may include current and former Federal, State, and local government officials, corporate and foundation leaders, recognized education and civil rights experts, educational practitioners, and others with experience and expertise in educational resource equity. The President shall designate from among the Commission members such official or officials to be chairperson or chairpersons, as he shall deem appropriate.

Sec. 3. Duties and Commission Report. (a) The Commission shall collect and review information about the current status of gaps in the availability of educational resources, including the underlying causes and effects of such resource gaps. The Commission shall, as appropriate, invite experts and communities to provide information and guidance in furtherance of their duties.

(b) Not later than August 31, 2001, the Commission shall prepare and submit a report for the President and the Congress on the issue of resource equity in education. The report shall include, but not be limited to:

(i) An analysis of the status of resource equity in education with regard to such factors as finances, staff, facilities, instructional programs, and support services, taking into account, as appropriate, differences in costs and needs for different students and communities;

(ii) An analysis of how resource gaps in education affect the success of individuals and our Nation;

(iii) An examination of the effectiveness of targeted Federal resources toward disadvantaged students and low-income schools as compared with the provision of State and local resources toward disadvantaged students and low-income schools;

(iv) A summary of best practices with regard to overcoming gaps in the availability of educational resources; and

(v) Short- and long-term recommendations for educational policy makers, including local, State, and Federal officials, to achieve resource equity in education.

Sec. 4. Administration, Compensation, and Termination. (a) The Department of Education shall, to the extent permitted by

law, provide administrative support and funding for the Commission.

(b) Members of the Commission shall serve without compensation, but while engaged in the work of the Commission, members appointed from among private citizens of the United States shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707) to the extent funds are available for such purposes.

(c) The functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, that are applicable to the Commission, shall be performed by the Department of Education in accordance with the guidelines that have been issued by the Administrator of General Services.

(d) The chairperson (or chairpersons) may from time to time prescribe such rules, procedures, and policies relating to the activities of the Commission as are not inconsistent with law or with the provisions of this order.

(e) The Commission shall terminate 30 days after submitting its final report, unless extended by the President.

William J. Clinton

The White House,
January 15, 2001.

[Filed with the Office of the Federal Register,
8:45 a.m., January 18, 2001]

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Memorandum on Delegation of Authority Under Sections of the Immigration and Nationality Act
January 15, 2001

Memorandum for the Attorney General

Subject: Delegation of Authority Under Sections 212(f) and 215(a)(1) of the Immigration and Nationality Act

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 212(f) and 215(a)(1) of the Immigration and Nationality Act, as amended (8 U.S.C.

1182(f) and 1185(a)(1)), and in light of Proclamation 4865 of September 29, 1981, I hereby delegate to the Attorney General the authority to:

- (a) maintain custody, at any location she deems appropriate, and conduct any screening she deems appropriate in her unreviewable discretion, of any undocumented person she has reason to believe is seeking to enter the United States and who is encountered in a vessel interdicted on the high seas through December 31, 2001; and,
- (b) any other appropriate actions with respect to such aliens permitted by law.

This memorandum is not intended to create, and should not be construed to create, any right or benefit, substantive or procedural, legally enforceable by any party against the United States, its agencies or instrumentalities, officers, employees, or any other person, or to require any procedures to determine whether a person is a refugee.

You are authorized and directed to publish this memorandum in the *Federal Register*.

William J. Clinton

NOTE: An original was not available for verification of the content of this memorandum.

Letter to Congressional Leaders Transmitting a Report on Funding for the Trade and Development Agency With Respect to China
January 13, 2001

Dear Mr. Speaker: (Dear Mr. President:)

I hereby transmit a report including my reasons for determining, pursuant to the authority vested in me by section 902 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246), that it is in the national interest of the United States to terminate the suspension on the obligation of funds for any new activities of the Trade and Development Agency with respect to the People's Republic of China.

Sincerely,

William J. Clinton

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives,