

File
Race Book

March 26, 1999

MEMORANDUM TO TODD STERN

FROM: Bruce Reed
~~Elena Kagan~~

SUBJECT: Comments on Draft Chapters of Race Book

I I etc.

In this memo, we outline our concerns about and changes to the policy chapters of the draft race book. With a little good faith, we believe these changes can easily be incorporated, although this is not the first time we have suggested them to the authors.

For the most part, however, the real shortcomings of the current draft have little to do with policy. With all due respect to the time and talent that have already gone into this project, the current draft is a passable government report, not a bold vision of race and America for the 21st Century. We doubt that this is the caliber of book the President was hoping for or expecting.

maybe too much
definitely too much

We see three fundamental problems:

It's missing from every chapter

1. *This draft does nothing to advance the President's goal of launching a new debate on race.* The President has made clear that the whole point of the race initiative was to move beyond the old debates of the '60s and '70s toward a new debate about race. This draft could have been written 20 years ago. It lays out new rights, but deliberately goes out of its way not to mention responsibilities -- even replacing the President's trademark "opportunity, responsibility, community" with "opportunity, community, heart." Instead of advancing the President's long-held philosophy that the best way to close the opportunity gap is through universal programs that expand opportunity for all but disproportionately help minorities, the draft focuses almost entirely on narrow, targeted programs to help particular populations. And it does very little to reframe the race debate, focusing more on black-white concerns than on the complex new challenges we face as a nation that is almost majority-minority. There is a chapter on Native Americans -- why is there no chapter on the New Immigrants or the New Citizens?

2. *No one reading this draft would think it was written by Bill Clinton.* Going back to his 1992 speeches in Detroit and Macomb County, the President has never had one philosophy for minorities and another for whites -- he has already tried to deliver the same message to both. But this draft is written in a different voice, oddly disconnected from the tone, the

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-take Teach
for America to school

policies, and the force of the man who has been working on these issues for two decades. The draft leaves the impression that we just stumbled onto this issue of race, and scrambled to pull some policies together to deal with it -- rather than that the underlying mission of the Clinton Presidency has been to expand opportunity for everybody. ^{subject} This has summed part of [The real Clinton is missing from these pages:] ~~If the President were talking about social promotion -- to any audience, white or black -- he would extol what Chicago is doing; this draft not only never mentions it, but talks at length about the downsides of testing and ending social promotion.~~ When the President talks about race, he always wrestles with the many hard issues that surround race -- what drives racial tensions and what can we do to ease it; how much government can do and how much must change come from the inside out. This draft attributes almost every problem to latent racism and discrimination, either by the citizenry or the government. ~~The result is little more than a disparate impact analysis of America.~~ ^{catches w/ the point above}

3. *It isn't bold and it isn't interesting.* This draft does a serviceable job of conveying basic information about race. ~~It is replete with (selective) facts and figures, but devoid of depth, complexity, or emotion.~~ But if the point of the race book was to put forth a bold vision, provoke a good debate, or even just change a few minds, this draft falls short. When the President talks about race in a speech or town meeting, he comes across as honest, revealing, interesting. This draft ~~meets none of those tests, either.~~ Neither the rhetoric nor the vision rise to the occasion. ~~We were hoping for something bolder.~~ ^{Don't know what this means}

unfortunately doesn't!

EDUCATION CHAPTER

The centerpiece of this chapter, about the "Compact for Equal Opportunity in Education," just doesn't work. Despite repeated meetings on this topic, and direct guidance from the President on down that this chapter needs to advance his existing education agenda, it still does not. This section (pp III.1-19 to III.1-27) needs a fundamental rewrite or it will undermine the real centerpiece of the President's education agenda, which he laid out in the State of the Union.

As we have made clear throughout this process, the authors seem intent on minimizing our sweeping ESEA proposals -- which the President has called a "sea change" in education policy -- in one throwaway paragraph, so they can devote most of the discussion to a new effort (the "Compact") that is inconsistent with what we've already proposed. This is particularly troubling because our existing proposal is bolder, more coherent, and more likely to reduce racial disparities in achievement than the vague idea sketched out in the draft.

As we said to the authors two months ago, "Every time he speaks on this subject, the President makes a powerful argument for why his plan is fundamental to closing the education opportunity gap, by ensuring a qualified teacher in every classroom, consequences for schools that fail, and high expectations coupled with the help it takes to meet those expectations. Obviously, the book need not be limited to proposals the President has already made. But

since ESEA debate is the most important shot he'll have at these problems in his Presidency, it deserves more than a paragraph."

This section needs to change in two fundamental ways: First, it needs to make a strong, compelling case for the President's ESEA proposal (and related investments) as the centerpiece of his vision for increasing educational opportunity. The President has given dozens of off-the-cuff speeches that make his argument for equal opportunity in education better than this draft does. The book needs to explain why poor schools aren't working and the sea change we've proposed to fix them -- that low-income students have suffered the most from decades of federal indifference to results, and now for the first time, we're demanding accountability; that every child has a right to functioning schools, qualified teachers, and high expectations; and that failing schools, lousy teachers, and social promotion will no longer be a local option.

Second, the Compact section needs to be reworked to mesh with ESEA or junked altogether. The most sensible change would be to make the ESEA reforms the heart of this Compact, rather than a prelude to it. The description of the Compact on p. 21 and in the text box on p. 23 doesn't work, for a variety of reasons. The whole proposal is too vague to make much sense, but its few specifics conflict with what we're already doing. It combines some measures we've already proposed to require nationwide (like report cards and takeovers of failing schools) with others we've rejected (like expert panels). [As an example of what might happen under the Compact, the draft cites Dade County's efforts to turn around failing schools -- which is already required under our ESEA proposal.] The essence of the Compact is offering (and then taking away) broader flexibility in federal grant programs -- which we have already proposed to do through ESEA, and may already have signed into law through Ed-Flex by the time the book comes out. Most troubling, it undercuts the President's ESEA proposal by suggesting that "our ambitions must be higher" (p. 25) and that "the special challenge of racial disparities requires special measures" like the Compact (p. 26). The whole point of our ESEA proposal -- as well as our class size, school construction, and after-school proposals -- is to close the gap. We should make arguments for it, not against it.

We would be happy to rewrite this section, but Paul Glastris -- who writes all the President's education speeches -- might be the best candidate to do so.

CRIME CHAPTER

~~Again, the centerpiece of this chapter is vague and not well thought through.~~ The proposal to require community action plans for targeted crime funds (p. 16) is a warmed-over version of Bush's weed-and-seed program. It is supposed to help "Hot Spots" -- but it sets up a process of plans, reviews, and accountability that will make it harder for those communities to get money than if they applied through the regular COPS program. It's too modest a proposal to raise a fuss over, but it bears little relation to what we're actually doing in our budget of our crime bill.

in this chapter

40-41 -- We cannot say that the lack of trust in law enforcement "may even promote crime" or imply that criminals are more likely to commit repeat acts of domestic violence because of the way they were treated by law enforcement. That kind of moral equivalence is unacceptable. We have never made excuses for criminal behavior, and we should not start now. We can make a persuasive argument about the need for greater trust without accusing law enforcement of causing crime.

47 -- We can't commit to supporting legislation that Conyers "is preparing". We supported Conyers bill last year to promote data collection, but we will not support data collection as a condition of COPS money.

Is this right??
Don't support
not today

48 -- The section on racial profiling needs to be rewritten to reflect what we'll actually do.

50 -- I can't imagine that if only 1% of police-citizen encounters involve use of force, we have statistically significant data to support the notion that "a disproportionate number of these incidents involve persons of color." On the next page, the sentence "There are just too many examples, some horrific, to ignore the problem" sounds like rhetoric without citing an example.

I don't know what this refers to, but I wonder whether we want to be arguing here.

56 -- We should not claim that some "unfortunate cycle" in which lack of minority trust in law enforcement is making it difficult to attract minorities to policing, unless we have studies to support it.

too much

58 -- The concluding paragraph is hopelessly trite and naive -- suggesting that children's world views will be shaped only by "the investments we make or don't make" in them and not, for example, by whether or not they grow up in neighborhoods that are safe. It suggests that if we just spent money on schools instead of prisons, everything would be fine. But the real world is more complicated than that. If we don't keep children safe, they won't grow up. If we don't make neighborhoods safe, there won't be enough jobs, or taxes to pay for decent schools. If we don't continue to reduce crime, we will see more racial and class isolation, not less. So if our goal is to promote an honest dialogue about America's problems, let's not fall back on truisms like schools are better than jails.

OTHER CHANGES

p. (Intro)-8: As noted above, the new litany of "opportunity, community, heart" is ridiculous. The President can't and shouldn't walk away from "responsibility" in his race book. It was the central theme of the most important speech he has given on the subject, in Memphis.

P. (Intro)-10: As noted above, it would be inconsistent with the President's whole career to lay out three new rights without talking about responsibilities.

p. (I)-22: This page refers to “hidden bigots” like “the teacher in your child’s school, a policeman who might detain you, or your supervisor at work”. “Hidden bigot” is not a phrase to throw around lightly. It’s certainly not fair to single out teachers and police, who are no more likely to hold racist views than people in other professions, and should not be stereotyped.

EDUCATION

5 -- The paragraphs on vouchers don’t fit, and don’t make sense. For one thing, the President is opposed to the federal use of funds for vouchers, not vouchers themselves. Moreover, we’re just asking for trouble if we imply that vouchers will “reinforce race and class segregation.” This section should be dropped.

17 -- These three principles don’t exactly sing. The first principle ought to be along the lines of “First, we must eliminate racial disparities in education by raising expectations for everyone and doing more to help everyone meet those expectations -- because every child can learn.”

28-29 -- The draft suggests we have given “lip service” and made “compromises” in our ideals, but doesn’t say how.

32 -- Testing and standards should be discussed later, under expectations and accountability (p. 41), not as the introduction to a section on school equity. And we’re for the standards movement. We’re for high standards now and everywhere -- not down the road after every aspect of unequal funding has been addressed.

34 -- We have a host of proposals in our ESEA package to improve the quality of teaching for poor and minority children. They’re not mentioned.

44 -- [ask EK re civil rights laws] ??
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