

WHITE HOUSE STAFFING MEMORANDUM

Date: 9/9 ACTION / CONCURRENCE / COMMENT DUE BY: 9/10 3:00pm

Subject: Face Report Memo - II

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McCURRY	<input type="checkbox"/>	<input type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
PODESTA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	REED 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ECHAVESTE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RUFF	<input type="checkbox"/>	<input type="checkbox"/>
LEW	<input type="checkbox"/>	<input type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
BEGALA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input type="checkbox"/>	<input type="checkbox"/>
BERGER	<input type="checkbox"/>	<input type="checkbox"/>	SPERLING	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BLUMENTHAL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEIN	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STERN	<input type="checkbox"/>	<input type="checkbox"/>
IBARRA	<input type="checkbox"/>	<input type="checkbox"/>	STRETT	<input type="checkbox"/>	<input type="checkbox"/>
KLAIN	<input type="checkbox"/>	<input type="checkbox"/>	VERVEER	<input type="checkbox"/>	<input type="checkbox"/>
LANE	<input type="checkbox"/>	<input type="checkbox"/>	WALDMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEWIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YELLEN	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	<u>Mathews</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MARSHALL	<input type="checkbox"/>	<input type="checkbox"/>	<u>Winstan</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Kagan</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McGINTY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Comments to Maria Echaveste

RESPONSE:

September 10, 1998

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Maria Echaveste  
Deputy Chief of Staff

Re: What Kind of Race Report Do You Want to Deliver?

Despite our earlier discussions, your staff remains divided about whether your report should be:

- the 75-page "Presidential Essay Model" favored by Michael Waldman and Ann Lewis (and at least somewhat appealing to several others); or
- the "Book Model" reflected in outlines presented to you at intervals over the past year.

Several points are not in dispute: The report must be personal in tone, emphasizing themes, values and challenges, drawing heavily on your experiences (and those of the First Lady, the Vice President, Mrs. Gore and the Advisory Board), and incorporating diverse voices we have heard through correspondence and events. It must avoid language that might seem platitudinous, and avoid a laundry list of small-to-modest programs. Beyond that, the models differ in scope and goals.

In deciding between these two, you might consider which model is more likely to:

- say something interesting and command near-term attention and readership?
- be an enduring document, and make a difference?
- be "presidential" by showing leadership and mastery of powerful moral and historical currents?
- be more feasible to produce?
- be more enjoyable for you to work on?

**THE PRESIDENTIAL ESSAY MODEL\***

The best chance for writing a book that has a chance to make a significant impact is to write a short and powerful narrative -- an extended essay of, say, 75 printed pages. This is the format used by President Reagan when he wrote his brief book on abortion, *Abortion and the Conscience of a Nation*, which included a 33 page essay by him on abortion, and afterwards by two other authors. A longer book would be closer to the format used by the First Lady when she

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\* MICHAEL WALDMAN WROTE THIS SECTION.

wrote *It Takes a Village*. The book could also include texts of the town meetings you conducted.

As in those books, this format would enable you most effectively to speak from the heart. It will be an ideal format to discuss what has been learned during the Race Initiative, deploy anecdotes about promising practices, and grapple with tough, nongovernmental issues. Policies would be used to illustrate a point. For example, a ten page discussion of education could talk about its role as the key to opportunity, use your personal history, reivew the achievements of the administration and highlight a few illustrative policies -- such as charter schools and educational opportunity zones -- that can address educational disparities.

Michael Waldman, among others, believe that this shorter format, and only this shorter format, is actually achievable in the limited time available to us. He strongly believes that it is highly unlikely that -- given the pressure of the elections, Social Security conference and Congressional negotiations, State of the Union, and other matters -- you will be able to put a sizeable personal stamp on a document much longer than this.

If a book, rather than a traditional governmental report, is the route chosen, this is the most appropriately Presidential way to proceed.

## **THE BOOK MODEL**

In this model, the personal, narrative style would extend to teaching the nation some background information, and include substantial attention to promising practices and a workplan for the nation, so that the audience will hear, in your voice, ideas about what the nation should do and what each of *them* should do. Details would be relegated to an appendix or to stand-apart textual boxes. The principal elements would be:

- An introductory essay and summary (which might be quite similar to what Michael Waldman proposes).
- Authoritative social scientific background information on demographics, disparities, discrimination, and intergroup relations;
- Your vision of One America in the 21<sup>st</sup> century. Why your conceptions of racial justice and equal opportunity are preferable to some alternatives that are implicit in public discourse, and how the motivation for that vision is rooted in our history and cherished ideals, and in your personal experiences;
- Modeling how we can constructively engage one another on *hard questions*, by applying your vision and values to concrete situations that will grab the reader – such as human stories about school integration, profiling, or bilingual education.
- Promising practices that may build bridges connecting people across lines of color and class;
- A workplan for the nation – not just what the Federal government should undertake this year and next, but what *all* of us can do together and individually; Federal, state and local governments; private sector and voluntary sector; in our public lives and our personal lives, to help build One America.

A summary chapter outline of this is attached. Gene Sperling recently suggested reorganizing much of the same material around a series of hard questions. If feasible (I'm not sure it is), this alternative would be a more creative way to engage readers. Whatever the organization, however, discussion of each issue should start with a pointedly human situation – the family struggling in a housing project, not a statistic about affordable housing.

More fundamentally, however, the issue is not the organization of the book, but rather its scope and ambition.

**DECISION**

Presidential Essay Model

Book Model

Let's discuss

HARVARD LAW SCHOOL  
CAMBRIDGE MA

6/20/98

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Erskine Bowles  
Sylvia Mathews  
Maria Echaveste

RE: Your Book on Race: Decisions on Process and Substance Issues

**I. What is the concept/ambition for the book?**

*Option A:* The appended book outline (6/19/98 version) is premised on the ambition for the book you tentatively endorsed last November, including:

- Authoritative social scientific background information on demographics, disparities, discrimination, and intergroup relations;
- Your vision of One America in the 21<sup>st</sup> century, and why it is preferable to some alternatives that are implicit in public discourse; how the motivation for that vision is rooted in our history and cherished ideals;
- Some models/examples of how we can constructively engage one another on hard questions, and the promising practices that may build bridges connecting people across lines of color and class; and
- A "workplan for the nation" – not just what the Federal government should undertake this year and next, but what *all* of us can do together and individually: Federal, state and local governments; private sector and voluntary sector; in our public lives and our personal lives, to help build One America with racial and ethnic justice.

*Option B:* Alternatively, the book could focus on the personal aspects of your vision and workplan, omit attention to background social science and policy context, and trim the presentation of materials on promising practices, Administration accomplishments and "hard questions." We could separately publish some of this omitted material in a more "institutional" document, not in your voice.

*Analysis:* This decision, at bottom, is about what kind of product you believe is more likely to shape public understanding and debate – not just in December, but into the future. Your advisors disagree about what kind of product is "Presidential, non-academic, and non-political." This is uncharted territory, because no sitting president has authored something like *Option A*. No one favors a lengthy social science exegesis. Edley believes, however, that solid references to the evidence will make the book a resource, in which you lend authority to the evidence and the

evidence lends weight to your prescriptions. Under *Option B*, favored by Ann Lewis, these less personal subjects would be covered in separate documents released along with your book.

*Recommendation:* (Edley) Head towards *Option A*, but be prepared to fall back to *B* if the evolving draft leaves you uncomfortable.

## II. Who should be the central staff participants – the “Core Group”?

Who do you want centrally involved in discussions with each other and with you? There will be a wider circle of insider and outsider involvement, but who are the handful of staff – the “Core Group”-- you want in the Oval Office presenting competing views about chapter 3, or reacting to your feedback on the draft of chapter 4? The book is personal, so your selection of interlocutors is, too. The attached checklist offers a menu.

Relatedly, as drafting proceeds we will involve knowledgeable people from your outside circle of friends and advisors, such as Taylor Branch, Tony Campolo and Vernon Jordan. But are there one or two “outside” individuals you want invited to make the considerable investment of joining regular meetings of the Core Group?

*Recommendation:* Erskine should discuss the issue of core group membership with you privately. The smaller the number the better.

## III. Will the ordinary White House staff processes work well enough?

To what extent should we rely on the usual White House staff processes? My three key concerns are: scheduling your time; the roles of the policy councils; and whether to hire an outside writer to help.

(A) *Priority scheduling of your time* – Should we schedule regular core-group discussions with you to review crucial choices and written drafts, or should we rely primarily on paper-driven interaction with you, plus schedule a few occasional discussions?

*Analysis:* The scheduling process requires wide staff participation in the allocation your time, balancing competing demands framed by particular offices and interests. Most priorities are contingent, not fixed. *If* you feel that your personal participation in argument and discussion with a few advisors is essential to producing the book you want, then the practical truth is that we need a rebuttable presumption of one session with you every 2-3 weeks over the next four months, assuming there is useful work to be done. *If* you believe a more removed, paper-driven process will suffice, then we will try to schedule occasional discussions as the ordinary process permits.

*Recommendation:* (Edley) Direct staff that this is a high priority that you want accommodated within reason, with penciled-in dates to drive it forward.

(B) *NEC/DPC/OMB roles* – Should we rely primarily on the policy councils and their usual processes to develop the “workplan for the nation”, or should the book process drive the work of the policy councils in providing input for the workplan?

*Analysis:* Recall that the workplan is intended to reach beyond near-term Federal measures to include longer term goals and prescriptions for all levels of government, and for private individuals and institutions. The workplan must build on your record, tap staff expertise and be coordinated with ongoing Administration policy work, including the budget process. If we rely on the policy councils, however, then development of the workplan will likely suffer in the press of ordinary business, with consequences for the timeliness and boldness of the policy options presented to you. You augmented the White House staff with an Advisory Board in part because you believed an extraordinary mechanism was necessary to provide sustained focus and out-of-the-box thinking. Do similar considerations apply at the book-writing stage?

The alternative is to use the book process, overseen by Maria, to drive work from the policy councils and others that would flow into options for the workplan, through the Core Group (above).

Some perceive me as more progressive than many of your advisers and, accordingly, fear that I might attempt to hijack the values and policies in the book. In response: I don't hide my values, but I try to subordinate them to my professional commitment to help you and the Vice President formulate and execute *your* agenda, as advisor or honest-broker, depending on the circumstance. Specifically on race-related matters, I have a few differences with Administration policies and practices, but to my mind these differences arise either because you made choices without having a full set of considerations presented, or because subordinate officials are doing things with which you would likely disagree. On the race matters about which we have interacted, I have yet to detect any daylight between your views and mine. In any event, my name was not on the election ballot.

*Recommendation:* (Echaveste, Edley) Use the book process to drive preparation of the workplan, with full participation of the policy councils; ensure coordination and inclusion by relying on the Core Group, appropriate staff consultations, and decision memoranda to you.

(C) *Writing* – In order to capture effectively your own voice, should we rely on the normal internal process of wordsmithing, or should we assume that I will be able to muddle through with *ad hoc* assistance from Michael Waldman, Sidney Blumenthal and others, or should we hire a writer-friend to work with us (e.g., David Kusnet or Don Baer)?

*Analysis:* The nature and scope of this undertaking would severely tax the production capacity of the speechwriting staff. The State-of-the-Union process has a kitchen-sink quality that, while inclusive, would not produce a good book. The second alternative, with me holding the pen, would engage me in much negotiating over text to get the “voice” correct – time perhaps better spent on the ideas, policies and research. The last alternative, contracting with an ex-speechwriter, adds another player but would make the writing more efficient.

*Recommendation:* (Echaveste) Make Edley do the best he can, with liberal use of Waldman, Blumenthal and outside friends for *ad hoc* assistance.

**IV. Is the attached outline heading in the right direction?**

Attached is the current outline, to guide the intensive work now beginning. The outline is of topics and questions, offering neither answers nor felicitous language.

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**DECISIONS**

**I. Concept/ambition**

- Option A:* Broad ambition, with fallback (Edley), **OR**
- Option B:* Minimize social science and non-personal matters

**II. Core Group participants**

- Participants indicated on attachment, **OR**
- Discuss with us first

**III. White House process**

*(A) Scheduling*

- Priority scheduling of regular meetings with Core Group (Edley), **OR**
- Rely on regular scheduling process

*(B) Policy council roles in generating the "workplan"*

- Rely on regular staff process, **OR**
- Use the book/Core Group to drive the workplan (Echaveste, Edley)

*(C) Writing*

- Rely on regular speechwriting process, **OR**
- Rely on Edley to hold the pen, with *ad hoc* help, **OR**
- Recruit a familiar writer to hold the pen:
  - Baer
  - Kusnet
  - other/discuss?

**IV. Is the outline heading in the right direction?**

- Yes
- No
- Meet to discuss (recommended)

Version 4.b

**RACE, RECONCILIATION AND JUSTICE:  
ONE AMERICA IN THE 21<sup>st</sup> CENTURY**

To: Sylvia, Maria

Re: Some strategic questions:

1. Is the book primarily about the values and ideas that *unite* us, occasionally engaging the values and perceptions that *divide* us? Or is it more evenly divided between easy and controversial subjects? (Recommendation: the latter.)
2. In terms of length, should we set a target, or let the book "write itself"? (Recommendation: It doesn't really matter. Whatever length it takes for the President to address the issues he wants to address.)
3. How much scholarly apparatus should there be – footnotes, citations to leading books etc., technical appendices? Should, perhaps, different chapters be handled differently in this regard – more scholarly for the exposition of background information, and less scholarly for the vision, values and prescriptions? (No recommendation.)
4. Can we agree on a October 15<sup>th</sup> target date, well in advance of budget appeals season, for presentation to POTUS of major ideas for federal policy changes? (Discussions with NEC/DPC before this date, of course.)
5. In the "accomplishments" chapter, what tone, comprehensiveness, and structure? What treatment of neutral measures with redistributive or disparate impacts – e.g., EITC, Headstart, minimum wage. What treatment for macro and aggregate accomplishments – e.g., job creation, income growth, welfare role reductions. What treatment for adverse developments – e.g., program reductions, greater income and wealth inequalities (by some measures), benefit cuts.
6. I continue to be worried about closure on several process issues, among them: time to engage POTUS; White House conference or comparable roll-out; staff support in the late summer and fall.
7. Who will work with me on outreach?? –
  - *wide outreach* to solicit ideas about what should be in the book;
  - *close outreach* to a more trusted audience who can react to pre-draft ideas (e.g., Advisory Board members; interested members of the Cabinet; friends and informal advisors of the President); and
  - *vetting* to a limited group who will review draft material.

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## RACE, RECONCILIATION AND JUSTICE: ONE AMERICA IN THE 21<sup>ST</sup> CENTURY

*Note: This is only an evolving outline of ideas and subjects. It is not an effort to capture the appropriate language with which to communicate the President's ideas to a general audience. It is only intended to guide research, outreach and deliberation.*

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### Executive Summary

#### Chapter 1. Introduction: One America in the 21<sup>st</sup> Century

1.1. Opening: Why, as the last President of the 20<sup>th</sup> century, I launched this initiative.

- America faces several challenges at home and abroad as we enter the new century; Among these is the challenge of making the most of the opportunities created by our growing diversity, while avoiding the tragic mistakes we've seen too often in our nation's history and around the globe.
- No subject has been more vexing – threatening our domestic tranquility, testing the sincerity of our deepest civic values, shaping our public policies and even our most private thoughts about one another. The difficulty and pervasiveness of the problem perhaps explains the temptation to let things drift along, absent an explosive crisis. Perhaps there's been too much of that in recent decades. But we cannot afford that any longer, if we ever could.

1.2. Summary of core themes and vision

- (a) What we mean by "race" [clarifying for purposes of scope]
- (b) *Vision of community*: Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths .
- (c) *Vision of opportunity*: Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment.
- (d) We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

### 1.3. Personal context

- (a) Observations from 1950s and 1960s: horror and hope
  - Personal impressions of the Civil Rights movement – what it meant to me then, and what it means to me today.
- (b) Gubernatorial experiences – not a record of accomplishments, but a few examples of challenge, struggle, failure or success, as a window on the post- civil rights movement evolution of our nation's work on the issue.
  - Voting rights/districting; hiring/affirmative action? The politics of race.
  - Comparing notes with other political and civic leaders in the 1970s and 1980s.

1.4. What has been accomplished since launching this initiative – the work of the Advisory Board, the engagement of scores of thousands of people in communities and organizations around the nation. Appreciation to the Advisory Board, and to the many people throughout the nation who responded to our call to engage in a national conversation on race, or to redouble their efforts already underway.

### 1.5. What I hope to accomplish with this report/book:

- Authoritative social scientific background information on demographics, disparities, discrimination, and intergroup relations;
- My vision of One America in the 21<sup>st</sup> century, and why it is preferable to some alternatives that are implicit in public discourse, and how the motivation for that vision is rooted in our history and cherished ideals;
- Some models or examples of how we can constructively engage one another on hard questions, and the promising practices that may build bridges connecting people across lines of color and class;
- A workplan for the nation – not just what the Federal government should undertake this year and next, but what *all* of us can do together and individually. Federal, state and local governments; private sector and voluntary sector; in our public lives and our personal lives, to help build One America with racial and ethnic justice.

### 1.6. Some highlights of the report:

- (a) Headlines from promising practices and dialog efforts (chapter 5)
- (b) Headlines from the workplan: enforcement, education, criminal justice, health disparities, history initiative (chapter 7)
- (c) Headlines from leadership/next steps (chapter 8)

### 1.7. Closing message to the Congress, and to the American People.

## Chapter 2. Where is America on race, and where are we going?

### 2.1. The salience of race and ethnicity in our everyday lives

- (a) How it intrudes on us in various ways, explicitly or subtly.

- (b) For some of us, our communities are homogenous and we live in a racial or ethnic enclave with exposure to racial differences almost entirely through mass media. Others of us have constant reminders about the differences in America.
- (c) For example .... [*real stories* ....]

## 2.2. Demographic history and trends

- (a) Population and population characteristics

## 2.3. Disparities, and what we know about the effectiveness of past policies intended to help

- (a) What the Kerner Commission said
- (b) A survey of sectoral conditions: Socioeconomic indicators: income, wealth, business ownership, employment, education, housing, health, criminal justice variables, benefits program participation
  - The data
  - The broad sweep of social policies, and what conclusions to draw about their effectiveness
  - [An especially detailed look at education and economic mobility]
- (c) Voting and civic engagement – voting rights, voter registration and participation, elected officials, other dimensions of participation

## 2.4. Discrimination: authoritative data using various methodologies: How much discrimination is there?

- (a) Definitions: not looking at mere disparities; considering both traditional econometric methods and the compelling evidence from “testers”
- (b) Sectors: employment, housing, retail sales, credit, business/contracting

## 2.5. Intergroup relations: how integrated are our lives, how have attitudes and stereotypes changed, etc.

- (a) What is the significance of group separation or segregation? Why does it matter? Connection to the vision of One America; separateness of our communities leading to divisions in perceptions and even values, with implications for our broader sense of community and our ability to live and work together.
- (b) One community, or many?
  - Patterns of residential, school and occupational segregation; trends and historical comparisons
    - Religious life
    - Other dimensions of social life
- (c) Attitudes: tolerance, etc., over time.
  - Racial attitudes
  - Ethnic attitudes, e.g., Arab-Americans facing discrimination

## 2.6. Summation:

- (a) The effects of race on our civic discourse: how race poisons politics and policymaking, overtly or subtly; examples of how *not* to address issues of opportunity, responsibility and community.
- (b) Most salient elements of progress to date
- (c) Our most challenging work ahead

### Chapter 3. **More than a dream: Racial and ethnic justice in the 21<sup>st</sup> century**

- (a) [The President's vision of One America with racial and ethnic justice in the 21<sup>st</sup> century, and why his vision is preferable to competing visions. Seeking clarity about our value commitments and ambitions for One America. This pivotal section is an elaboration of the framework sketched in speeches and in the introduction to this Report. The section should be significantly historical, illustrating the conceptual points with references to historical struggles and statements.]

3.2. Models: There several ways to think about national identity, and about racial and ethnic justice, each of which has valuable and even compelling claims on our values, but which ultimately are inadequate and/or unattainable:

- (a) *Neutral formalism*: Eliminate race-conscious barriers in law; achieve "colorblindness" in official and personal conduct: Martin Luther King, Jr.'s "I have a dream" formulation, as commonly misconstrued.
  - Clear problems as an instrumental prescription (MLK acknowledged this in his support for race-conscious measures), but what about as ideal, as vision?
  - Seems unattainable if there are group-correlated inequalities because these will fuel stereotypes and, in turn, be incorporated into attitudes, and from these into private practices and public policies.
- (b) *Assimilation*, with racial differences vanishing in importance.
  - May imply a radical kind of assimilation, in which I have to give up too much of who I am in order to be accepted in this One America. That's unacceptable.
- (c) *Celebratory pluralism*: Racial differences as analogous to religious differences.
  - Religious diversity analogy:
    - America is the most religious of industrialized nations, but we do not worship in the same way; indeed, some scholars assert that religion flourishes precisely because of religious freedom.
    - We do not merely tolerate this diversity, we celebrate it. It is one aspect of America about which we are intensely proud.
  - Fine, but needs an element of distributive justice as well.
- (d) *Rawlsian distributive justice*: Definition: no discernable evidence that America had a history of slavery, conquest or colonialism.

- For example, no inherited legacy of disadvantage as reflected today in, for example, the incredible wealth disparities.
  - Fine formulation, but incomplete. It needs an element to ensure *community*; interactions across lines of differences. Even if it were possible, we wouldn't want fully equal individuals separated from one other by walls and distance.
  - We care about *integration*. And we should. Because ....
- (c) *Clintonian Synthesis*, and its basic implications for policy and practice
- The sources of our values
    - Civic sources – Declaration of Independence, etc.
    - Family and communal sources
    - Spiritual sources
  - The connection between national identity and our conception of justice
  - What a just One America should and will look like.
  - Why I believe we can and must do it.

#### Chapter 4. Wrestling lessons: What vexes us, and constructive engagement of our differences<sup>1</sup>

##### 4.1. The unfinished agenda of combating discrimination, bigotry and exclusion:

- (a) How much does race still matter?
- What is discrimination, and how much of it is there?
  - How much observed disadvantage is fairly attributable to discrimination or its lingering effects? (Includes discussion of the "culture" critique.)
  - Absent specific discrimination, How important are diversity, inclusion and integration as ideals, and as social policy objectives? Why?
  - When we act in public and private life to close the opportunity gap, when is racial targeting appropriate, and when not? What are the moral, practical and legal considerations?
    - Since affirmative action is so controversial, should we abandon it? [Recapitulation of "Mend it, don't end it."]

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<sup>1</sup> The purpose of this chapter: Using just a handful from the menu of topics below, model how we can face up to some of the hardest questions dividing us in an honest and constructive way; teasing out the policy implications of the values and vision by grappling with some questions that animate the national conversation. Make use of short essays that will be contributed by a diverse group of "thinkers", leaders and citizens; the essays will be separately published in a companion document.

List of topics for this chapter to be developed; the following items are among the menu of possibilities, for POTUS selection. The book's discussion of each question would (i) respectfully note and engage a broad range of views, searching for the "kernel of truth" in opposing positions; (ii) develop the President's view on the matter by reference to the Vision presented in Chapter 4; (iii) sketch the practical implications for public policies and private practices – with some of those implications detailed in later chapters of the book.

- Public policies: with, or without, racial targeting?
- (b) Profiling in the criminal justice system: where do we draw the line between efficient allocation of resources, and impermissible stereotyping?
- (c) What about "apologizing" for slavery, conquest, and colonization?

#### 4.2. The new agenda:

- (a) Do we still care about integration? What price, what burdens are we willing to bear?
  - Education
  - Housing
- (b) Identity politics and ethnic enclaves
- (c) Beyond the Black-White paradigm. What that means, and why it is necessary.
  - The distinctiveness created by colonization, conquest and culture; the importance, and limits, of the old model.
  - Immigration policy and attitudes – distinguishing a principled pursuit of One America from divisive and even nativist proposals.
  - Language, culture and subgroup identity – especially the issue of bilingual education and English acquisition.
  - Will other Americans accept a Spanish-speaking 51<sup>st</sup> state, if the people of Puerto Rico seek admission to the Union?
- (d) The special challenges of Native American justice. Tribal sovereignty: what it is, and what it must be in the 21<sup>st</sup> century.

### Chapter 5. Promising practices

5.1. Topic: examples of public and private efforts to promote racial reconciliation and racial justice

5.2. We need important changes in public policies and private practices to change the social and economic facts in people's lives, but policy initiatives will founder and fail to command consensus unless build on a foundation of moral and political agreement. That kind of agreement requires that we feel more connected to one another, across our differences. So we need promising practices for how people can come together to improve understanding and, ultimately, to make a difference.

- (a) Criteria for making these judgments – although not every practice fits with every criterion :
  - Does it help build bridges across lines of class and color?
  - Is it action that improves people's lives, or does it lead to such action?
  - Is it sustainable over time, and can it be used by others elsewhere?
- (b) The importance of effective dialogue
  - The work of the Advisory Board and its staff;

- Description of the guidelines for effective conversations on race, as developed by PIR staff in consultation with experts and practitioners
- (c) Examples of promising dialogue programs
  - Examples and descriptions from different sectors: government, business, the media, the faith community, education, nonprofit sector, etc. (Excerpting from the web site and from a separate, detailed backup volume we will publish)
    - City Year
    - Americorps
    - Search for Common Ground
    - Bell Atlantic, Levi Straus (?)
    - A World of Difference
    - Students Talking About Race (STAR)
    - Etc.
  - Unpromising practices: what doesn't work, and makes our problems worse

5.3. Establishing an ongoing program to recognize and replicate promising practices

- (a) Announce (pre-cooked) creation of a private program analogous to the Ford Foundation-funded Kennedy School program on Innovations in Government, which produces annual awards and publishes case studies

**Chapter 6. The record of this Administration**

[Organized as historical narrative, rather than laundry list; programmatic details from NEC/DPC/agencies in an appendix. Presented to show debate and struggle (within the Administration and with Congress) over the conceptualization the Opportunity Agenda and the appropriate means; an overlay of debate about the role of government generally, and of the Federal government in particular.]

6.1. ....

6.2. ....

6.3. ....

**Chapter 7. A workplan for the nation over the next decade**

[Workplan organized by sectors/subject matter; and including within each, federal, state, local, private and personal elements. To repeat: **This is not just about the federal government, and not just about government.**]

7.1. Education, employment and opportunity

- (a) Closing the opportunity gap in K-12 education
- (b) Closing the gaps in higher education and technical education
- (c) Leveling the economic development playing field, and affirmatively mitigating disincentives for job-creation in struggling communities.
- (d) Combating the twinned calamities of racial isolation and poverty concentration, in schools and in housing.
- (e) Building a stronger entrepreneurial class –initiatives in business formation and development (apart from government contracting programs, which deserve continued support to remedy discrimination where it exists).

#### 7.2. Antidiscrimination efforts

- (a) Improving enforcement – federal and state, public and private
- (b) Data: authoritative time-series data measuring the extent of discrimination in various sectors and regions, using both statistical and “tester” methodologies

#### 7.3. Public safety and the administration of justice

- (a) The entitlement to a safe community
- (b) Just as we fund child nutrition to save lives, we must find a way to make the interventions needed to prevent the reckless or desperate turn to crime

#### 7.4. Health and Services

- (a) Health disparities
- (b) Initiative to assure equitable access to services

#### 7.5. Citizenship Civic Life

- (a) Voter registration and participation as civic obligation
- (b) Naturalization and immigrant integration
- (c) Understanding
- (d) The news and entertainment media – enormous power for good or ill; limited accountability to government because of the First Amendment, which is of course as it should be. But the media are accountable to us in a different sense, and have both rights and responsibilities. What are those in connection with the struggle for a racially just One America?
- (e) Bold initiative to expand/improve the teaching of history, viewing the study of history as instruction in dealing with difference; cf. NDEA/Sputnik.
- (f) Bold initiative to enlist the faith community in this work, tapping not just their resources in free basements and mailing lists, but their spiritual resources.

#### 7.6. Research needs

## Chapter 8. Leadership

- 8.1. I am issuing a call to action, appealing for the recruitment of a cadre of leaders from all sectors who will dedicate themselves to learning, teaching and practicing the difficult tasks of building One America for the 21<sup>st</sup> century.
- 8.2. A plan to sustain and expand the efforts now underway in communities and organizations around the country. I am assigning responsibility for nurturing this community-based engagement by explicitly challenging certain sectors, organizations and leaders.
  - (a) Elected officials
  - (b) Faith community
  - (c) Corporate community
  - (d) Youth
  - (e) Educators
  - (f) Organized labor
  - (g) The media
  - (h) Others??
- 8.3. *In general terms:* Holding ourselves accountable for the quality of our leadership: creating effective watchdog and feedback mechanisms.
  - (a) Strengthening the Civil Rights Commission and its state partners. A network of means to monitor the roles and activities of political leaders, corporate leaders, civic leaders, the media.

## Chapter 9. Conclusion

- 9.1. Reprise
- 9.2. Something about previous presidents – personalized examples of how some of them chose to move forward, and others didn't. Opportunities seized and squandered. Tragedies seeded or averted.
- 9.3. Something optimistic about the our ideals and our spirit.
- 9.4. Something about our standing in the eyes of the world, and in the judgment of historians. We must not be mere participants in the history of this struggle. We must be the authors of that history.
- 9.5. Something about our standing in the hearts of our children and grandchildren. What we owe them. We must lighten their burdens and brighten their futures, each and all.
- 9.6. Closing message: response to a letter from a grade school child; and a prayer.



"Christopher Edley, Jr." <edley@law.harvard.edu>  
08/17/98 11:07:36 AM

Record Type: Record

To: Scott R. Palmer/PIR/EOP, Jose Cerda III/OPD/EOP  
cc: Elena Kagan/OPD/EOP, Maria Echaveste/WHO/EOP  
Subject: Re: POTUS Book on Race: Criminal Justice Working Group

Jose:

In the attachment drafted by Scott to get the ball rolling, what you see is that the "bold ideas" section IV needs to be filled in. My goal is to have some paper ready for POTPUS and FLOTUS shortly after they return from Russia. So, extracting ideas and then vetting/clearing such a memo puts a lot of time pressure on us (or, at least, me). Of the key areas in the workplan chapter, only Criminal Justice has yet to start moving. So, I hope you and Elena can focus on this soon.

Thanks.

At 10:25 AM 8/17/1998 -0400, Scott\_R\_Palmer@pir.eop.gov wrote:  
> Chris Edley suggested that I follow up with you to find out where we are in  
> terms of organizing a Criminal Justice Working Group to begin brainstorming  
> and vetting issues for the President's race book. Mike Cohen is leading a  
> similar group in education that is moving forward. Chris is eager for us  
> to get started in criminal justice with a meeting this week. Attached is a  
> very rough Thinking Paper that outlines the four principle questions that  
> the Working Group should likely try to address. Let me know if you have  
> any questions or concerns, or if I can be of assistance to you in pulling  
> together a meeting. I can be reached at x51047. If you would like to  
> speak with Chris, feel free to page him at (800) 710-4964. Thanks.

>

> (See attached file: CRIMJUST.WPD)

>

> Attachment Converted: "c:\Documents\Attachments\CRIMJUST.WPD"

>



- Crimjust.wpd



"Christopher Edley, Jr." <edley @ law.harvard.edu >  
08/19/98 09:58:40 AM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Maria Echaveste/WHO/EOP  
Subject: book

---

Elena:

1. My understanding is that you and Maria have spoken again about DPC engagement on ideas for the workplan chapter. Mike Cohen is fully engaged, and I'm really pleased at how that effort is moving along thus far.

2. CRIME: I've suggested that Scott Palmer contact Jose Cerda directly to get the criminal justice piece moving, because we are running out of time. Scott has drafted something to help get the juices flowing.

3. HEALTH: On Health, it seems to me we have to do something, but the question in my mind is whether there anything to be said in the workplan chapter beyond recapitulation of the Health Disparities initiative announced a couple of months ago. I've suggested that David Campt of PIR raise this with Chris Jennings before reaching out to HHS and outside experts for their thoughts. Unless people feel there are substantial possibilities on this front, it doesn't seem like it deserves a workgroup effort comparable to education, economic development, crime, or even civil rights.

The particular wrinkle I suggested to David Campt, as he studies the documents and chats with Jennings, is whether the Health Disparities initiative contains a comprehensive set of non-federal elements. It probably does. Just a question to explore.

PLEASE SAY SOMETHING TO JENNINGS SO HE HAS CONTEXT FOR THIS. Thanks.

4. SOCIAL SERVICES: I haven't given much thought to this general programmatic area. (I assume that we will handle job training stuff either in the economic opportunity working group or the education working group -- which ever makes sense to you and Sperling.) Unless you have feel otherwise, let's not attempt any serious work on this front for now. Child care can be handled as an adjunct of job strategies.

5. DEADLINE: Maria has, I hope, said something about the 9/10 deadline for my memorandum to POTUS. Getting that written, vetted, cleared and submitted by 9/10 will be tough.

So, tell me honestly: Are you on board, or are you "actively skeptical"?

ciao

Raul's Report

Bruce -  
FYI

 Maria Echaveste

08/19/98 05:24:33 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Judith A. Winston/PIR/EOP  
Subject: Race Book--Sept 10 Deadline

FOLks--we're really committed to trying to have a memo to the president with policy ideas by 9/10 so that we can meet with him in the week following. That means people need to meet and discuss in the next three weeks--I'm counting on you--You all wanted to be sure that the Policy Councils were fully integrated in the development of policy for the Race Book--the time is now--THANKS.

Message Sent To:

Elena Kagan/OPD/EOP  
Gene B. Sperling/OPD/EOP  
Michael Cohen/OPD/EOP  
Jose Cerda III/OPD/EOP  
Jonathan A. Kaplan/OPD/EOP  
Joshua Gottbaum/OMB/EOP

Forner

August 20, 1998

**THE PRESIDENT'S REPORT ON RACE  
CHAPTER ON ADMINISTRATION ACCOMPLISHMENTS**

**Goals**

1. Convey Administration's key principles (e.g. opportunity, responsibility, community, etc.) and describe successes, occasional missteps, and hard choices in carrying them out.
2. Use this chapter to tell a compelling story rather than provide a comprehensive list of every accomplishment. Resist making every Administration accomplishment a race accomplishment.
3. Act as a bridge between chapters on our past history and our future direction. Organizing themes need to be consistent with chapters which precede and follow.
4. Be honest rather than excessively celebratory.
5. Show the right level of detail without being boring.

**Organization of Chapter**

This chapter would be organized chronologically by looking at the key themes of the Clinton Administration beginning with the campaign and following each year in office. For each year or logical period of time, we would describe the values that were at the core of the policy-making decisions, such as opportunity, responsibility, and community. We would also examine the key struggles and hard choices made, especially those which have an impact on race issues. Finally, we will describe the outcomes of the policy decisions and how they affect race issues. Resource documents will include State of the Union addresses and supporting documents, speeches, DPC/NEC accomplishments documents, and personal interviews with staff.

**Personal Stories**

In addition to the historical narrative, this chapter could contain some short anecdotes, set off in separate boxes, of people or organizations whose lives were transformed by Clinton Administration policies and initiatives. For example, one story might describe a revitalized urban community which was turned around by a series of policies such as Empowerment Zones and increased lending to minority businesses. Another story might describe a high school with a large Latino population which has benefited by increased Title I funding, bilingual education programs, after school initiatives, and school to work programs. A third story might describe a middle class family's search for housing and the increasing opportunities for home ownership made available by Administration policies. A fourth story might describe a mother's chance to get off welfare, obtain job training, and start a new job.

**Content Issues**

1. *Bipartisanship*. This should not be simply a self-congratulatory document. Rather it should include a discussion of difficult issues and of successes and failures. It is important to appeal to a bipartisan audience so all of America is interested in the issue or at least in the document. We might consider a report on the *nation's* accomplishments rather than solely the

President's accomplishments.

2. *Role of government.* The chapter should discuss the role of government in addressing races issues
3. *Macro policies.* We will need to decide whether to include macro policies such as the impact of economic growth on race issues.
4. *Race-neutral policies.* Should we include policies which are intended to be race neutral but which have a disproportionate impact on minorities, whether negative or positive, in areas where disparities exist? Policies of this type would include: the EITC, minimum wage increases, increased funding for Head Start.
5. *Race-targeted policies.* It seems obvious that we would include policies that are specifically-designed to assist minority groups. This might include policies such as the Hispanic Education Initiative, loans to minority businesses, eliminating ethnic health disparities, etc.

### Research Outline

For each year, examine:

- a. key values promoted
- b. tough struggles, especially related to race
- c. outcomes

Campaign:

Year 1:

Year 2:

Year 3:

Year 4:

Election themes and promises:

Year 5:

Year 6:

Year 7:

Year 8:

# **Options for an Ongoing Structure to Carry Out the President's Work Plan and for Releasing the President's Report to the Nation**

Draft, August 25, 1998

There are two items at issue in this memo: 1) what kind of ongoing infrastructure is necessary to carry forward the President's work plan, and 2) at what sort of event should the President release his report. The content of the work plan should drive the structure that is put in place for follow up. While the work plan is not yet completed, we know that there will be some general components which will require continuity:

- ▶ Policy making (including research and data collection)
- ▶ Outreach and leadership development (including technical assistance to communities)
- ▶ Communication's campaign (including an awards program)
- ▶ Support for promising practices (such as a clearinghouse, conferences, grant funding)

If we have a strong infrastructure to handle these activities, we could have a more elaborate event or series of events to release the report and carry out the work plan. A weaker structure requires only a more modest event.

## **Overall Objectives**

1. To create a vehicle / structure within the federal government to implement the President's work plan; this includes helping to create a focus for federal, state, local, private, and sectoral (e.g. education, business) efforts.
2. To stimulate sectoral and community leaders to continue the efforts of the President's Initiative on Race and to carry out the President's work plan in their communities.
3. To provide the President with an opportunity to release his Report to the Nation at a high profile event and to use the bully pulpit to inspire Americans to hear his call to action.

## **I. THRESHOLD DECISIONS**

1. **Should there be a new government structure to implement the President's work plan or can we rely on existing entities to carry out the work plan?**

Recommendation: A new entity is necessary with at least a few new staff.

Explanation: The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors, will be essential to ensure continued momentum and follow up.

2. **For non-federal efforts such as community and sectoral efforts, must there be an ongoing structure to provide coordination and accountability?**

Recommendation: Non-federal efforts should have a central point for coordination and follow up.

Explanation: If we are to enlist the support of leaders and communities outside of the federal government, they will expect to have a central point of contact. Also, we can ensure greater accountability and progress if there is a

mechanism for tracking progress and providing technical assistance.

**3. Assuming we recommend an ongoing structure to coordinate non-federal efforts, to what extent should the Administration be responsible for its creation and management?**

**Recommendation:** The Administration should have minimal involvement. The President may inspire the structure, but its leadership and management should be independent.

**Explanation:** The Administration should avoid being too closely aligned to the new organization to prevent partisan resistance to participating in its activities.

**II. DECISION: WHAT KIND OF STRUCTURE IS NECESSARY TO IMPLEMENT THE WORK PLAN?**

Any structure should be designed to meet the needs of the work plan, and it should not raise expectations that cannot be met. The options for such a structure fall along a continuum of strong to weak in their ability to carry out an ambitious work plan and along a continuum of government to private in terms of the structure's leadership. *The options are not mutually exclusive, and several may be chosen to work in coordination.*

**Option 1: President's Council for One America**

The continuing effort could take the form of a White House council, like the Council of Economic Advisers or the Council for Environmental Quality. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating authority. A council should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination. The council could also include a communications component, which would help lead a public education campaign, and an outreach component, which would recruit leaders in all sectors to help improve race relations.

- Pros:**
- Closely linked to President and White House
  - Relatively stable structure
  - Could accommodate external group of high-profile leaders
- Cons:**
- Likely requires congressional action

**Option 2: Dedicated Staff in the Office of the Chief of Staff**

An Assistant to the President with a few special assistants located in the Chief of Staff's office could take responsibility for managing Administration efforts. These staff members would have a leadership and coordinating function among White House offices.

- Pros:**
- Closely linked to President and White House
  - At the center of activity
- Cons:**
- Not a formal structure, may not be stable

- May not be viewed publicly as a significant enough commitment

**Option 3: White House Office of Race Relations**

The continuing effort could take the form of a White House office, similar to the White House Women's Office. Once again, this office could include policy, public education, and outreach components, which would work closely with other White House offices and the federal agencies.

- Pros:
- Closely linked to President and White House
  - Relatively stable structure

- Cons:
- Sounds good, but will they have any real power?

**Option 4: White House/Inter-Agency Task Force or Working Group**

The continuing effort could take the form of a task force or working group in which White House officials from several offices work with officials from the federal agencies to address issues of race in a coordinated manner. The effort could be coordinated by staff in the COS office.

- Pros:
- Closely linked to President and White House
  - Does not require congressional action

- Cons:
- Task forces and working groups are generally temporary in nature

**Option 5: Give Responsibilities to Existing Offices Within the Government**

The key goals in the work plan would be assigned to various federal agencies. For example, the Community Relations Service at DOJ could continue the promising practices effort and provide technical assistance to communities interested in addressing race issues. A structure of this type would probably work better if there was a person or organization designated as the main point of contact or the convener.

- Pros:
- Does not require congressional action
  - Gives responsibilities to organizations which already work on these issues

- Cons:
- Very decentralized, may lack coordination

**Option 6: Public-Private Partnership**

A public-private partnership might have some of the flexibility of a foundation but continue to be linked to a government agency. Several models exist but need further exploration, including the National Park Service, the Corporation for National Service, and the Smithsonian Institution.

- Pros:
- Fundraising authority
  - Flexibility to build partnerships

- Cons:
- Likely requires congressional action and appropriation
  - Complex / difficult to set up

**Option 7: One America Foundation**

The structure could take the form of a private foundation, established at the President's urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race

relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros:
- Serves as umbrella to coordinate several areas of activity
  - Independence
  - Ability to raise money
- Cons:
- May not be viewed as closely connected to the President
  - Requires someone's time and attention to pull together

**Option 8: Carter Center Model**

This option is similar to the Foundation model above except that it would be an endeavor for the President after his final term ends. Staff could begin immediately to design the structure.

- Pros:
- More time to put together the funding and structure
  - The President will have more time to devote to it
- Cons:
- Delays significant Presidential involvement for a few more years

**Option 9: Point of Contact at Non-Profit Organization or Foundation**

Under this option, there would be one or a few individuals within a non-profit organization or foundation, who would serve as a point of contact. This minimalist structure might focus on handling only a few items, such as maintaining a database of involved communities, sending them a newsletter, and maintaining a database of promising practices.

- Pros:
- Ensures some continuity
  - Keeps expectations to a minimum
- Cons:
- Too limited
  - Not enough resources to manage activities

**Option 10: Designate Sector or Community Leaders**

The President would designate or enlist leaders from the various sectors (education, business, religious, etc.) and from communities to go forth and lead their colleagues in a productive effort to improve race relations. This option would be most successful if there was a central coordinating point in government or at a private entity, but it could be done through the regular efforts of the White House Public Liaison staff.

- Pros:
- People like to hear from their peers
  - Keeps effort at a local, grassroots level
- Cons:
- May need more Presidential involvement to entice groups to participate
  - May be disjointed

**III. DECISION: WHAT KIND OF CONFERENCE / VENUE FOR THE RELEASE OF THE PRESIDENT'S REPORT?**

**Recommendation: December White House Conference**

A small conference (200 - 400) similar to the White House Conference on Hate Crimes would be organized in December. This event would provide an opportunity for the President to release his report to the nation and issue a call to action. The President would open the conference with remarks and follow with interaction with satellite sites around the country. The participants would include leaders from the various sectors and from various parts of the country. The conference could be put on satellite and local groups could organize events to watch the President's remarks with a goal of at least one event in every state. Administration officials would be asked to participate in some of the larger meetings.

SS

**OPTIONS MEMORANDUM: ONE AMERICA AWARDS**  
**RECOGNIZING LEADERSHIP WHICH PROMOTES RACIAL RECONCILIATION**  
**LEADERS ("SOLDIERS FOR JUSTICE") BUILDING ONE AMERICA**

**Purposes of One America Awards**

To promote President Clinton's vision of One America--a united and just America in which we honor and respect differences while celebrating our common values and aspirations--a program of **One America Awards** will be created to recognize successful individual and institutional leadership in bridging and healing racial divisions. The program would have the following purposes:

1. To reward and encourage individuals and institutions which have demonstrated success over time in bridging racial divisions.
2. To help such individuals and institutions strengthen and expand their efforts.
3. To inspire other individuals and institutions to initiate similar efforts
4. To build connections/networks among individuals and institutions engaged in such efforts.

**Options**

Three options are described below. They are patterned after successful models of existing award programs--the National Civic League's All-America City Award and the Harvard University Kennedy School's Innovations in Government Award. Summaries of these models are attached to this memo.

**Option 1(based on All-America City Award):**

Using planning funds already made available by the Levi Strauss, Kellogg and Hitachi Foundations, and perhaps by the Rockefeller Foundation, the National Civic League (NCL) would establish an awards program to recognize communities (broadly defined) and institutions which are doing exemplary work in bridging racial divisions. Local political jurisdictions or neighborhoods within such jurisdictions, as well as local community, religious and civic organizations, would be eligible for these awards. An existing NCL planning committee, already established for this purpose, would develop the specific selection criteria, determine the nature of the award (plaque, monetary award, etc.), and identify a proposed selection jury of nationally recognized leaders. NCL would reach out to a range of partners (i.e.-NCCJ, National Urban League, National League of Cities, National Association of Counties, National Council of Churches, Junior League, Jaycees, YWCA, YMCA) to help market the award and to be represented in the selection process. The selection process would follow closely the process now used in the All-America City Award competition. A major corporation would sponsor the awards program (the Allstate Foundation has committed \$1.6 million for three years to the All-America City Award), and the White House would participate in the annual award ceremony (Vice President Gore made presentations to the 1996 and 1997 winners in the Indian Treaty

Room).

### **Option 2--(based on Innovations in Government Award)**

A prominent institution of higher education (Harvard University?), with foundation support, would establish the awards program. Government jurisdictions and agencies, businesses, religious and civic organizations, and educational institutions would be eligible for the award. The award would be given by sector, so that the competitors in each category would have similar missions. A core group of leaders from each sector would be convened to determine the specific selection criteria for each sector and to help market the awards among their colleagues. The administering institution of higher education would determine the selection process and the nature of the award and would implement the program for each sector. The White House would participate in the annual award ceremony.

### **Option 3--Combination of Options 1 and 2**

Because communities and governments have fundamentally different missions, structures and constraints from private and non-profit sector organizations, options 1 and 2 would proceed simultaneously. The National Civic League would focus its awards program on communities and government institutions, and the institution of higher education would focus its awards program on religious organizations, educational institutions and businesses. Awards for both programs would be presented at a single White House event each year to which all winners would be invited.

### **Issues to be Resolved**

1. Choice of Option
2. Institutions to be Involved
3. General Criteria (specific criteria to be developed by administering organization)  
(ex-general criterion of measureable change vs. specific indicator of change)
4. Nature of Award (plaque, monetary award, publicity, free technical assistance, etc.)
5. Coordination with on-going White House structure on racial reconciliation
6. Other?

**Possible Participants in Meeting:**

Chris Edley

William Winter, Advisory Board

Bob Thomas, Advisory Board

Suzan Johnson Cook, Advisory Board

Judith Winston, PIR

Michael Wenger, PIR

Rob Wexler, PIR

Minyon Moore, White House Director of Public Liaison

Mickey Ibarra, White House Director of Intergovernmental Affairs

Rose Ochi, Director, Community Relations Service

Sandy Cloud, President, NCCJ

Bernie Anderson, Department of Labor

Chris Gates, President, National Civic League

Representative of Innovations in Government Program

Representatives from Kellogg/Levi Strauss/Ford/Rockefeller Foundations

Melissa Berman, Conference Board

Eddie Williams, Joint Center for Political and Economic Studies

Arturo Vargas, Executive Director, National Association of Latino Elected Officials

Carol Schneider, President, Association of American Colleges & Universities

J.D. Hokoyama, LEAP

Other Possible Participants:

Other White House Officials

Other Advisory Board members

Other members of National Voices Coalition

American Indian Representation

## Options Outline

### 6.3 Criminal Justice<sup>1</sup>

Racial disparities exist in both the realities and perceptions of crime and the administration of justice. Communities of color often absorb a disproportionate amount of the social, economic, and personal costs of crime. These communities want and need strong law enforcement. However, studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites. Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly. To do so, we must build trust in our criminal justice system and reduce crime in communities of color.

[Add core themes.]

#### 6.3 (a) Community Security: Reduce Criminal Victimization in Communities of Color ✓

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America decreased by approximately 20 percent. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. For example, in 1995, the homicide rate for white males was approximately 5 per 100,000, while the homicide rate for males of color was approximately 8 per 100,000 for Asians/Pacific Islanders, 18 for American Indians/Alaska Natives, 25 for Hispanics, and 58 for blacks. In general, 1994 victimization rates for all violent and property crimes were approximately 65 per 1000 for blacks, 63 for Hispanics, and 52 for whites. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

#### 6.3 (b) Keep Young People Out of the Criminal Justice System

We must intervene in the lives of young people in communities of color to keep them out of crime and the criminal justice system. Rates of juvenile crime have decreased in the last few years. From 1995 to 1996, the juvenile violent crime arrest rate declined approximately 9%, and the juvenile murder arrest rate dropped 30%. Furthermore, evidence suggests that juvenile drug use, including the use of crack cocaine, is declining. Nonetheless, juvenile crime remains a national problem. Furthermore, both victimization and arrest data indicate that disparities exist with regard to rates of juvenile crime, including violent crime. Most crime is intra-racial, and "[b]oth violent offenders and victims of violent crime tend to be young, male, black, and live in urban areas." (Sampson and Lauritsen 1997). Furthermore, in part as a result of the war on drugs, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to

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<sup>1</sup> This draft assumes that the issue of hate crimes will be addressed in the section on civil rights enforcement.

prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic affects on communities of color.

Emerging evidence indicates that high rates of crime, including juvenile crime, in communities of color are linked to conditions of concentrated disadvantage in such communities, including high poverty, low performing schools, high unemployment, low-quality health care, and absence of stable families. Keeping young people in these communities out of the criminal justice system requires a comprehensive approach to law enforcement involving all sectors of society working in partnership.

### **6.3 (c) Strengthen Fairness and Trust in the Criminal Justice System**

We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence and trust in our criminal justice system than do whites. For example, a 1997 survey by the Joint Center for Political and Economic Studies found that approximately 81% of blacks and 83% of Hispanics agreed that "police are much more likely to harass and discriminate against blacks than whites," and 56% of whites agreed with that statement as well. Different perceptions of the criminal justice system are also reflected in the different reactions among racial groups to certain high-profile cases, such as the O.J. Simpson criminal case. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

#### **6.3 (c) (i) Restrict the Improper Use of Racial Profiling**

No American should be subject to disparate application of the state's policing power because of his/her race. Racial profiling refers to the use of race by law enforcement as one factor in identifying criminal suspects. Some in law enforcement may see racial profiling as a necessary, legitimate practice given limited law enforcement resources and evidence of racial disparities in criminal behavior. But racial profiling also imposes costs on innocent persons, perpetuates and reinforces stereotypes, creates situations that can lead to physical confrontations, and contributes to tensions between persons of color and the criminal justice system. Furthermore, there is evidence that racial stereotypes are presently being used in law enforcement in ways that inappropriately target persons of color.

#### **6.3 (c) (ii) Eliminate Police Misconduct and Brutality**

We must have zero tolerance for police misconduct and brutality in law enforcement. Preliminary evidence indicates that persons of color are more likely than whites to be subject to police use of force or threats of force. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by

racial animus still occur.

**6.3 (c) (iii) Eliminate Racial Discrimination and Unjustified Disparities in Incarceration, Sentencing, and Imposition of the Death Penalty**

We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice. For example, data show that blacks comprise approximately 50 percent of state and federal prison inmates, four times their proportion in society, and Hispanics comprise approximately 15 percent. These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice and to policies and practices that have an unjustified disparate impact on persons of color. Perhaps the most dramatic example of discrimination in the administration of justice concerns disparities in the imposition of the death penalty. Perhaps the most controversial example of a policy that has an unjustified impact on persons of color is the present 100:1 disparity in sentencing for possession of crack versus powder cocaine.

**6.3 (c) (iv) Increase Diversity and Representation in the Criminal Justice System**

It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.

## Education and Race

### *Very Draft*

Education is the key to America's success in the 21st century. Education is the essence of opportunity, but the opportunities are not equal for all Americans. The tools of education are becoming more and more essential in the 21st century, but significant disparities in the acquisition of important skills exist between white children and children of color. It is essential to ensure equality of opportunity in the one institution that offers hope for those willing to work hard. Furthermore, education provides a unique opportunity to bring people together and break down racial stereotypes. To build One America we must promote the goals of excellence, equity and integration in education.

#### Key themes/challenges:

- ▶ We must institutionalize the notion that every child is capable of learning and achieving at high levels.
- ▶ Improving opportunity requires accountability from our schools, from parents, and from students.
- ▶ High quality integrated schools provide a more complete educational experience than high quality segregated schools.
- ▶ We should rethink the role of the federal, state and local governments.

#### **I. Reduce Racial Disparities in Educational Opportunity**

In order for all children to have the opportunity to succeed and reach high standards, every child should have the essential resources needed for learning in the 21st century, and we must provide extra help to those students who need it most. Furthermore, we must rethink the design of our school systems to attain the goal of equal opportunity. An Education Bill of Rights would call for States and school districts to provide every child with essential educational resources.

##### **a. Resources (The Education Bill of Rights)**

###### **i. Qualified teachers in high-minority schools.**

In 1993, students at public secondary schools with a high percentage of minority enrollment (50 percent or more) were more likely to be taught English (28.3%) and mathematics (39.1%) by teachers who had not majored in those subjects than were students at secondary schools with a low percentage of minority enrollment (4 percent or less) (*Condition of Education 1998*, supplemental table 58-2). We must improve the quality of teacher training, ensure that high-quality teachers are distributed equitably, and ensure that teachers promote high expectations for students of all races. To do this, we need higher quality teacher preparation programs and more rigorous teacher testing and certification requirements.

In addition, LEP children need access to high-quality, experienced teachers. 27.2% of schools with bilingual/ESL vacancies found them "difficult or impossible to fill" in the 1993-94 school year, down from 38.2% in 1990-91.

## ii. More Challenging Curricula

- (1) **Ensure that all children have access to challenging curriculum.** In 1996, white 12th grade students were more likely than Hispanic and black students to take AP exams. 133 out of every 1000 whites took AP exams while 74 out of every 1000 Hispanics and 32 out of every 1000 blacks took AP exams. Overall, between 1984 and 1996, the number of students who took AP exams increased dramatically, rising from 50 to 131 12th grade students per 1000. Whites, blacks and Hispanics all contributed to this significant increase (*Condition of Education 1998*, indicator 27).
- (2) **Ensure that all children have access to high-quality, educational preschool programs.** Children who do not reach school ready to learn will spend a significant amount of time catching up to their peers and may never overcome the initial learning gaps. In 1996, Hispanic children between 3 and 5 years old had the lowest enrollment, 37%, in center-based programs. Black children were the most likely to be enrolled in such programs with a rate of 63% while 54% of white children were enrolled. Center-based programs include day care centers, Head Start programs, preschools, nursery schools, prekindergartens, and other early childhood programs (*America's Children: Key National Indicators of Well-Being 1997*, pg. 88).

## iii. Better Infrastructure

- (1) **All children must have access to 21st century technology.** In 1993, 50% of black children ages 3-17 used a computer at school compared to 63% of white children. The technology gap has remained steady for the past decade though the rates of computer use have increased steadily for all groups (*U.S. Bureau of the Census, Current Population Survey, PPL-22, "Computer Use in the United States: October 1993*).
- (2) **Increase access to modern school buildings.** Children cannot learn effectively in overcrowded schools with crumbling walls. In 1996, in 42% of schools where the student body was 50.5% or more minority, at least one inadequate school building was found, affecting 4.8 million students. In schools where the student body was less than 5.5% minority, 28.7% reported at least one inadequate building. (*GAO Report, School Facilities: America's Schools Report Differing Conditions, June 14, 1996*). We must provide adequate facilities to help raise students' expectations and sense of self-worth as well as to raise achievement.

**b. Teacher Expectations and Parental Involvement**

- i. Every child will have a parent or other adult actively engaged in that child's learning.** In 1996, white parents had higher attendance at school events (plays, sporting events, etc.) (70.9%) than black (56%) or Hispanic (54.8%) parents and more often acted as a volunteer or served on a committee (44.5%) than black (29.5%) or Hispanic (27.7%) parents (*Condition of Education, 1998*, indicator 49).
- ii. High teacher expectations for students must be more than a mantra.**

**c. Governance and Accountability**

- i. Rethink the role of the federal, state and local governments, including issues of school finance.**
- ii. Develop stronger mechanisms for holding teachers, parents and students accountable for achievement.**

**II. Reduce Racial Disparities in Educational Achievement**

While significant disparities persist between whites and minorities, our goal must be to overcome these gaps *and* to raise the bar for everyone.

**a. Significantly improve student skills and knowledge as reflected by test scores and other measures.**

Achievement measures could include NAPE test scores, AP test scores, English acquisition for LEP students, etc. While black and Hispanic NAEP reading scores have been increasing for all age groups, the average score for black and Hispanic 17-year olds is only at the level of white 13-year olds. An important component of reducing these gaps is to ensure opportunities for tutoring and other forms of extra help to the students who need it. Subsidizing test prep courses may be one approach.

**b. Significantly increase high school and college graduation rates**

A high school diploma is a minimal qualification for a job in today's economy. In 1996, blacks had closed the high school completion gap with whites but the completion rates for Hispanics remained low. In 1967, the gap between whites and blacks was 20 percentage points (approximately 75% to 55%) but by 1996, the gap had narrowed to a 7 percentage point difference (91.5% to 83%). Hispanics lagged far behind at approximately 61.9% in 1996.

College enrollment and completion are important. White students beginning their post-secondary education in the 1989-90 school year in 4-year institutions were more likely than minority students to have a degree within 4 years, with 56.4% earning some type of degree by that time. Asian/Pacific Islanders were next with a 52.8% completion rate,

followed by blacks with 45.2%, and Hispanics with 41.3%. (*Digest of Education Statistics 1997*, pg. 324).

**c. Increase student aspirations for education**

The objective of this goal is to compel minority students and their families to place a high value on educational attainment.

**III. End Racial Segregation in Education**

**a. Reduce segregation and racial isolation among schools**

Promote ways to enhance integration such as charter and magnet schools. Examine possibilities for cross-district and regional collaboration.

**b. Reduce segregation within schools**

Reduce tracking and overrepresentation in special education. Testing?

**c. Promote diversity in higher education**

In states where affirmative action has been declared unlawful, data shows a substantial decrease in the numbers of students accepted at the most prestigious schools. For example, University of California at Berkeley had to reject more than 800 highly qualified black, Hispanic or Native American applicants who had 4.0 or higher grade point averages and scored 1200 or higher on the SAT.

Education Working Group: Summary of Challenges, Actions, and Bold Ideas

Challenge	Data	Administration Actions	Bold Ideas: Federal Government		Bold Ideas: Other Actors
			Policy	Enforcement	
<b>II. Racial Disparities in Educational Opportunity</b>					
<b>A. Early Child Development</b>	<ul style="list-style-type: none"> <li>Disparities in prenatal care; parental education; reading to children; access to child care; pre-kindergarten</li> </ul>	<ul style="list-style-type: none"> <li>Increased funding for Head Start, Early Head Start, Even Start</li> </ul>			
<b>B. School Finance</b>	<ul style="list-style-type: none"> <li>Disparities in expenditures per student; effective spending per student</li> <li>Disparities in school quality</li> </ul>	<ul style="list-style-type: none"> <li>Increased support for Title I</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> </ul>	
<b>C. High-Quality Teachers</b>	<ul style="list-style-type: none"> <li>Disparities in certified teachers; teachers w/ major or minor in primary field; teachers w/ advanced degrees; teachers w/ years on job; class size</li> </ul>	<ul style="list-style-type: none"> <li>Recruiting New Teachers (proposed)</li> <li>Reducing Class Sizes in Early Grades (proposed)</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> <li><i>Affirmative action in hiring; use of race as factor in placement</i></li> </ul>	
<b>F. Challenging Curricula</b>	<ul style="list-style-type: none"> <li>Disparities in access to transition courses; honors, AP, IB courses; high standards</li> </ul>	<ul style="list-style-type: none"> <li>Goals 2000</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> </ul>	
<b>G. High Expectations</b>	<ul style="list-style-type: none"> <li>Disparities in personal expectations; knowledge of how to reach expectations; placement decisions</li> </ul>	<ul style="list-style-type: none"> <li>High Hopes</li> </ul>		<ul style="list-style-type: none"> <li><i>Testing; Title VI actions</i></li> </ul>	

<p>H Resources for LEP Students</p>	<ul style="list-style-type: none"> <li>Number of LEP-qualified teachers per LEP student</li> </ul>	<ul style="list-style-type: none"> <li>Support for LEP-student education</li> <li>Hispanic Action Plan (proposed)</li> <li>Civil rights enforcement</li> </ul>		<ul style="list-style-type: none"> <li><i>Lau, Title VI actions; public education and enforcement as applied in California, elsewhere</i></li> </ul>	
<p>I Modern Technology</p>	<ul style="list-style-type: none"> <li>Disparities in access to/use of computers; Internet; teacher training in technology</li> </ul>	<ul style="list-style-type: none"> <li>Technology Literacy Challenge Fund</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> </ul>	
<p>J Modern Facilities</p>	<ul style="list-style-type: none"> <li>Disparities in quality of facilities</li> </ul>	<ul style="list-style-type: none"> <li>Modern School Buildings (proposed)</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> </ul>	
<p>K College Participation and Admissions</p>	<ul style="list-style-type: none"> <li>Disparities in college enrollment; enrollment by type and selectivity of institution</li> <li>Use of affirmative action</li> </ul>	<ul style="list-style-type: none"> <li>AmeriCorps</li> <li>Increased loans, grants, work study</li> <li>High Hopes (proposed)</li> <li>Support for affirmative action</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> <li><i>Use of affirmative action in admissions</i></li> </ul>	
<p>L Graduate/Professional School Participation</p>	<ul style="list-style-type: none"> <li>Racial disparities in enrollment; enrollment by type and selectivity of institution</li> <li>Use of affirmative action</li> </ul>			<ul style="list-style-type: none"> <li><i>Title VI actions</i></li> <li><i>Use of affirmative action in admissions</i></li> </ul>	
<p>II: Racial Disparities in Educational Achievement</p>					
<p>A Achievement Test Scores</p>	<ul style="list-style-type: none"> <li>Disparities in reading, math scores</li> </ul>	<ul style="list-style-type: none"> <li>America Reads</li> </ul>		<ul style="list-style-type: none"> <li><i>Title VI actions, especially where use of high stakes tests and disparities in opportunity coexist</i></li> </ul>	
<p>B College Test Scores</p>	<ul style="list-style-type: none"> <li>Disparities in SAT, ACT, GRE, LSAT, MCAT scores</li> </ul>				

**ONE AMERICA?  
THE PRESIDENT'S REPORT TO THE NATION  
ON RACIAL JUSTICE AND OPPORTUNITY IN THE 21<sup>ST</sup> CENTURY**

*Note: This is only an evolving outline of ideas and subjects. It is not an effort to capture the appropriate language with which to communicate the President's ideas to a general audience. It is only intended to guide research, outreach and deliberation.*

**Introduction: One America in the 21<sup>st</sup> Century**

**A. Opening:**

1. Why, as the last President of the 20<sup>th</sup> century, I launched this initiative.
  - America faces several challenges at home and abroad as we enter the new century; Among these is the challenge of making the most of the opportunities created by our growing diversity, while avoiding the tragic mistakes we've seen too often in our nation's history and around the globe.
  - No subject has been more vexing – threatening our domestic tranquility, testing the sincerity of our deepest civic values, shaping our public policies and even our most private thoughts about one another. The difficulty and pervasiveness of the problem perhaps explains the temptation to let things drift along, absent an explosive crisis. Perhaps there's been too much of that in recent decades. But we cannot afford that any longer, if we ever could.
  - [Draw on several letters received by POTUS or FLOTUS, and several events or people they have met; showing the continuing importance of this struggle in personal terms – both good and bad stories, including both painful situations and seeds of hope.]
2. What we mean by "race"
  - Since 1960s, greater complexity of "race" and identity; historical contingency; *beyond black-white*; ambivalence in the Hispanic context; "white" ethnics; Arab-Americans; Jews; Native Americans and the interrelationships of race, culture, sovereignty.
  - Intragroup heterogeneity and even tensions

**B. Personal context**

1. Observations from 1950s and 1960s: horror and hope
  - Personal impressions of the Civil Rights movement – what it meant to me then, and what it means to me today.
  - [Use personal stories.]
2. Gubernatorial experiences – not a record of accomplishments, but a few examples of challenge, struggle, failure or success, as a window on the post-civil rights movement evolution of our nation's work on the issue.

- Voting rights/districting; hiring/affirmative action? The politics of race.
- Comparing notes with other political and civic leaders in the 1970s and 1980s.

C. Summary of core themes and vision

1. *Vision of community:* Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, letters, etc.)
2. *Vision of opportunity:* Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, letters, etc.)
3. *Vision of responsibility:* Responsibilities of citizenship; responsibility to reach out to others; responsibility to take advantage of opportunities. (Examples from forums, letters, etc.)
4. We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

D. The Advisory Board and its work

1. What has been accomplished since launching this initiative – the work of the Advisory Board, the engagement of scores of thousands of people in communities and organizations around the nation.
2. Appreciation to the Advisory Board, and to the many people throughout the nation who responded to our call to engage in a national conversation on race, or to redouble their efforts already underway.

E. What I hope to accomplish with this report/book:

1. Authoritative social scientific background information on demographics, disparities, discrimination, and intergroup relations;
2. My vision of One America in the 21<sup>st</sup> century, and why it is preferable to some alternatives that are implicit in public discourse, and how the motivation for that vision is rooted in our history and cherished ideals;
3. Some models or examples of how we can constructively engage one another on hard questions, and the promising practices that may build bridges connecting people across lines of color and class;
4. A workplan for the nation – not just what the Federal government should undertake this year and next, but what *all* of us can do together and individually. Federal, state and local governments; private sector and voluntary sector; in our public lives and our personal lives, to help build One America with racial and ethnic justice

F. Some highlights of this report to the American people:

1. Headlines from promising practices and dialog efforts (chapter 5)

2. Headlines from the workplan: enforcement, education, criminal justice, health disparities, history initiative (chapter 7)
  3. Headlines from leadership/next steps (chapter 8)
- G. Closing message to the Congress, and to the American People.

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## Executive Summary

### Chapter 1. Where Is America On Race, And Where Are We Going?

#### 1.1. The salience of race and ethnicity in our everyday lives

- (a) How it intrudes on us in various ways, explicitly or subtly.
  - For some of us, our communities are homogenous and we live in a racial or ethnic enclave with exposure to racial differences almost entirely through mass media. Others of us have constant reminders about the differences in America.
  - For example .... [*real stories* ....]
- (b) Social policy history : The broad sweep of social policies, and what conclusions to draw about their effectiveness
  - Narrative starting with Myrdal, through Kerner Commission, to Clinton Inauguration. Organized to focus on:
    - Hinging events, or milestones in 5-7 key policy sectors: antidiscrimination law; political rights and participation; education; economic opportunity (jobs, training, economic development); criminal justice; housing; health
    - Weaving through the narrative a half dozen conceptual themes that are the framework for the narrative – how are ideas have evolved, and our struggles been shaped, with reference to:
      - › Federalism – what’s the proper role of different levels of government;
      - › Public-private-personal? Includes the roles of market and family; includes the nature redistributive norms – as in the establishment of food stamps, or SSI; EITC, but not a guaranteed income or job; etc.
      - › Targeting by race or income, versus broad-based programs
      - › Black-white, versus more complex multiculturalism (this includes rising consciousness about Native American issues, as well as burgeoning Hispanic and Asian populations)
      - › Norms of tolerance, inclusion and antidiscrimination
    - Pivotal figures: include within the narrative some examples of individuals who have made a big difference – Eisenhower at Little Rock; MLK at Montgomery and Birmingham; Nixon on Native Americans; etc.
  - Stressing the nature of the choices we faced and made at each juncture.
- (c) Demographic history and trends
  - Population and population characteristics
  - Intermarriage; multiracial families, the census category controversy
- (d) Disparities, and what we know about the effectiveness of past policies intended to help.

- A survey of sectoral conditions today: Socioeconomic indicators: income, wealth, business ownership, employment, education, housing, health, criminal justice variables, benefits program participation
  - The sectoral [drawing on CEA Factbook and on the NAS/NRC study]
    - [An especially detailed look at education and economic mobility]
  - Voting and civic engagement – voting rights, voter registration and participation, elected officials, other dimensions of participation
- (e) Discrimination: authoritative data using various methodologies: How much discrimination is there?
- Definitions: not looking at mere disparities; considering both traditional econometric methods and the compelling evidence from “testers”
  - Sectors: employment, housing, retail sales, credit, business/contracting
- (f) Intergroup relations: how integrated are our lives, how have attitudes and stereotypes changed, etc.
- One community, or many?
  - What is the significance of group separation or segregation? Why does it matter? Connection to the vision of One America; separateness of our communities leading to divisions in perceptions and even values, with implications for our broader sense of community and our ability to live and work together.
    - Patterns of residential, school and occupational segregation; trends and historical comparisons
    - Religious life
    - Other dimensions of social life
  - Attitudes: tolerance, etc., over time.
    - Racial attitudes
    - Ethnic attitudes, e.g., Arab-Americans facing discrimination
- (g) Summation:
- The effects of race on our civic discourse: how race poisons politics and policymaking, overtly or subtly; examples of how *not* to address issues of opportunity, responsibility and community.
  - Most salient elements of progress to date, and some missteps, shortcomings
    - Policies that have made the problem harder, at least in some respects: [e.g., housing, transportation policies that have fueled racial and economic isolation]
    - Policies that have importantly helped [e.g., antidiscrimination laws, income maintenance programs]
  - Our most challenging work ahead

## Chapter 2. More Than A Dream: Racial Justice and Opportunity in the 21<sup>st</sup> Century

[The President's vision of One America with racial and ethnic justice in the 21<sup>st</sup> century, and why his vision is preferable to competing visions. Seeking clarity about our value commitments and ambitions for One America. This pivotal section is an elaboration of the framework sketched in speeches and in the introduction to this Report. The section should be significantly historical, illustrating the conceptual points with references to historical struggles and statements.

What follows in analytical material – a start for eliciting the President's views and theories. The book would not be written or organized in this manner.]

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- 2.1. Models: There several ways to think about national identity, and about racial and ethnic justice, each of which has valuable and even compelling claims on our values, but which ultimately are inadequate and/or unattainable;
- (a) *Neutral formalism*: Eliminate race-conscious barriers in law; achieve "colorblindness" in official and personal conduct: Martin Luther King, Jr.'s "I have a dream" formulation, as commonly misconstrued.
    - Clear problems as an instrumental prescription (MLK acknowledged this in his support for race-conscious measures), but what about as ideal, as vision?
    - Seems unattainable if there are group-correlated inequalities because these will fuel stereotypes and, in turn, be incorporated into attitudes, and from these into private practices and public policies.
  - (b) *Assimilation*, with racial differences vanishing in importance.
    - May imply a radical kind of assimilation, in which I have to give up too much of who I am in order to be accepted in this One America. That's unacceptable.
  - (c) *Celebratory pluralism*: Racial differences as analogous to religious differences.
    - Religious diversity analogy:
      - America is the most religious of industrialized nations, but we do not worship in the same way; indeed, some scholars assert that religion flourishes precisely because of religious freedom.
      - We do not merely tolerate this diversity, we celebrate it. It is one aspect of America about which we are intensely proud.
    - Fine, but needs an element of distributive justice as well.
  - (d) *Rawlsian distributive justice*: Definition: no discernable evidence that America had a history of slavery, conquest or colonialism.
    - For example, no inherited legacy of disadvantage as reflected today in, for example, the incredible wealth disparities.

- Fine formulation, but incomplete. It needs an element to ensure *community*; interactions across lines of differences. Even if it were possible, we wouldn't want fully equal individuals separated from one other by walls and distance.
- We care about *integration*. And we should. Because ....
- (e) *Clintonian Synthesis*, and its basic implications for policy and practice
  - The sources of our values
  - Civic sources – Declaration of Independence, etc.
    - Family and communal sources
    - Spiritual sources
  - The connection between national identity and our conception of justice
  - What a just One America should and will look like.
  - Why I believe we can and must do it.
- (f) Beyond the Black-White paradigm. What that means, and why it is necessary.
  - The distinctiveness created by colonization, conquest and culture; the importance, and limits, of the old model.
  - Immigration policy and attitudes – distinguishing a principled pursuit of One America from divisive and even nativist proposals.
  - Language, culture and subgroup identity – especially the issue of bilingual education and English acquisition.
  - The special challenges of Native American justice. Tribal sovereignty: what it is, and what is must be in the 21<sup>st</sup> century.

### Chapter 3. Wrestling Lessons: Constructive Engagement Of Our Vexing Differences<sup>1</sup>

#### 3.1. The unfinished agenda of combating discrimination, bigotry and exclusion:

- (a) How much does race still matter? And why?
  - What is discrimination, and how much of it is there?
    - How much observed disadvantage is fairly attributable to discrimination or its lingering effects? (Includes discussion of the "culture" critique.)

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<sup>1</sup> The purpose of this chapter: Using just a handful from the menu of topics below, model how we can face up to some of the hardest questions dividing us in an honest and constructive way; teasing out the policy implications of the values and vision by grappling with some questions that animate the national conversation. Make use of short essays that will be contributed by a diverse group of "thinkers", leaders and citizens; the essays will be separately published in a companion document.

List of topics for this chapter to be developed; the following items are among the menu of possibilities, for POTUS selection. The book's discussion of each question would (i) respectfully note and engage a broad range of views, searching for the "kernel of truth" in opposing positions; (ii) develop the President's view on the matter by reference to the Vision presented in Chapter 4; (iii) sketch the practical implications for public policies and private practices – with some of those implications detailed in later chapters of the book.

- Absent specific discrimination, How important are diversity, inclusion and integration as ideals, and as social policy objectives? Why?
  - Profiling in the criminal justice system: where do we draw the line between efficient allocation of resources, and impermissible stereotyping?
  - When is a public policy battle, such as bilingual education or affordable housing or welfare reform, a covert battle about color? And when, in our civic discourse, must we face issues of race in order to address issues of opportunity?
- (b) What about “apologizing” for slavery, conquest, and colonization?
- 3.2. When we act in public and private life to close the opportunity gap, when is racial targeting appropriate, and when not? What are the moral, practical and legal considerations?
- (a) Since affirmative action is so controversial, should we abandon it? [Recapitulation of “Mend it, don’t end it.”]
- (b) Public policies: with, or without, racial targeting?
- 3.3. The new agenda of inclusion and opportunity:
- (a) Do we still care about integration? Why? What price, what burdens are we willing to bear?
- Education
  - Housing
- (b) Identity politics and ethnic enclaves
- (c) But can we overcome our differences, and agree on the agenda?
- Clashes of interests – zero-sum competition
  - Clash of values
  - Clash of perceptions

NO

**Chapter 4. Promising Practices: How To Build Bridges That Connect People Across Lines of Color and Class**

- 4.1. Intro: the topic is examples of public and private efforts to promote racial reconciliation and racial justice:
- (a) We need important changes in public policies and private practices to change the social and economic facts in people’s lives, but policy initiatives will founder and fail to command consensus unless build on a foundation of moral and political agreement. That kind of agreement requires that we feel more connected to one another, across our differences. So we need promising practices for how people can come together to improve understanding and, ultimately, to make a difference.
- (b) Criteria for making these judgments – although not every practice fits with every criterion:

- Does it help build bridges across lines of class and color?
- Is it action that improves people's lives, or does it lead to such action?
- Is it sustainable over time, and can it be used by others elsewhere?

#### 4.2. The importance of effective dialogue

- (a) The work of the Advisory Board and its staff;
  - Description of the guidelines for effective conversations on race, as developed by PIR staff in consultation with experts and practitioners
- (b) Examples of promising dialogue programs
  - Examples and descriptions from different sectors: government, business, the media, the faith community, education, nonprofit sector, etc. And in different modalities: dialogue; education efforts; service efforts; action efforts, etc. (Excerpting from the web site and from a separate, detailed compendium volume we will publish)
    - City Year
    - Americorps
    - Search for Common Ground
    - Bell Atlantic, Levi Straus (?)
    - A World of Difference
    - Students Talking About Race (STAR)
    - Etc.
- (c) Unpromising practices: what doesn't work, and makes our problems worse

#### 4.3. Establishing an ongoing program to recognize and replicate promising practices

- (a) Announce (pre-cooked) creation of a private program analogous to the Ford Foundation-funded Kennedy School program on Innovations in Government, which produces annual awards and publishes case studies
- (b) [Anticipate discussion of leadership in chapter 7]
- (c) Conclusion

### **Chapter 5. The Record Of The Clinton-Gore Administration**

[Organized as historical narrative, rather than laundry list; programmatic details from NEC/DPC/agencies in an appendix. Presented to show debate and struggle (within the Administration and with Congress) over the conceptualization the Opportunity Agenda and the appropriate means; an overlay of debate about the role of government generally, and of the Federal government in particular.]

### **Chapter 6. A Workplan For Our Nation**

[Workplan organized by sectors/subject matter; and including within each, federal, state, local, private and personal elements. To repeat: This is not just about the federal government, and not just about government. Few

items will have FY 2000 budget impacts. Several will have "down payments" represented in Administration accomplishments and earlier proposals.]

### 6.1. Education

- (a) The foundation for our workplan:
  - What are the facts?
  - What are our value-based commitments? [equality norms to spur gap-closing, as related to the Vision chapter]
  - Who has what rights; who has what responsibilities? public versus private roles
  - Rethinking the federal role for the 21<sup>st</sup> century?
- (b) Closing the gap in opportunity
  - *Resources*: teachers; curriculum; infrastructure
  - *Expectations and support*: high expectations by teachers; parental involvement
  - Governance and accountability
- (c) Closing the gap in achievement
  - *Standards and excellence*: testing; appropriate stakes and accountability
  - *Attainment*: high school graduation; college graduation; etc.
  - *Values and hopes*: closing the gap in aspirations; universalizing the credo of education as the gateway
- (d) Combating racial and economic isolation
  - Reduce segregation and racial isolation among schools
  - Reduce segregation within schools – inappropriate tracking and overrepresentation in special education
  - Promote inclusion in higher education
- (e) Combating the twinned calamities of racial isolation and poverty concentration, in schools and in housing.
- (f) [Notes: LEP/bilingual issues handled in part as resource issues and in part as achievement issues.]

### 6.2. Economic Development and Job Opportunities

- (a) Closing the jobs gap
  - Job creation and community economic development
  - The distribution of job opportunities, and access to them
- (b) Putting financial markets to work for all
- (c) Attacking our legacy of wealth and asset inequality
- (b) Building a stronger entrepreneurial class – initiatives in business formation and development (apart from government contracting programs, which deserve continued support to remedy discrimination where it exists).

### 6.3. Criminal Justice and Community Security

- (a) Community Security: reducing criminal victimization in communities of color, and establishing the right to a live in safety.
  - [includes combating the endemic drugs]
- (b) Youth focus: Keep young people out of the criminal justice system
  - Just as we invest in child nutrition to save lives, we must find a way to make the interventions needed to prevent the reckless or desperate turn to crime
- (c) Strengthen fairness and trust in the criminal justice system
  - Combat improper use of racial profiling
  - Zero tolerance for police misconduct and brutality
  - Eliminate racial discrimination and unjustified disparities in incarceration, sentencing and imposition of the death penalty
  - Increase diversity and representation in the administration of criminal justice.

#### 6.4. Health Care and Strengthening Families

- (a) Health disparities initiative
- (b) The insurance gap
- (c) Child welfare and social services
- (d) [Fatherhood?]

#### 6.5. Indian Country

- (a) Introduction: Special status and sovereignty; history
- (b) [Reprise of the subchapter themes above, as applied to Native Americans:]
  - education
  - economic development and jobs
  - criminal justice
  - health care and strengthening families
  - cultural survival and integrity
  - governance and sovereignty

#### 6.6. Enforcing our Antidiscrimination Laws and Values

- (a) Strengthening the legal framework for opportunity – shaping federal and state civil rights law and law enforcement to promote educational and economic opportunity
- (b) Strengthening law enforcement -- federal and state, public and private; increasing voluntary compliance with antidiscrimination laws and principles
- (c) Data and research:
- (d) Authoritative time-series data measuring the extent of discrimination in various sectors and regions, using both statistical and “tester” methodologies.
  - We must be able to answer the questions, “How much discrimination is there, and are we making progress?”

## 6.7. Citizenship and Civic Life

- (a) Renewing democracy as a component of healing America.
  - Voter registration and participation as civic obligation
  - Searching out and stimulating new forms and mechanisms of participation, because building community is a step toward building One America.
- (b) Naturalization and immigrant integration
- (c) The news and entertainment media
  - Enormous power for good or ill; limited accountability to government because of the First Amendment, which if of course as it should be. But the media are accountable to us in a different sense, and have both rights and responsibilities. What are those in connection with the struggle for a racially just One America?
    - Cf., the issue violence in the media
- (d) School and university curricula
  - Bold initiative to expand/improve the teaching of history, viewing the study of history as instruction in dealing with difference; cf. NDEA/Sputnik.
  - More generally, curricular improvements so that Americans understand more about Americans
- (e) Bold initiative to enlist the faith community in this work, tapping not just their resources in free basements and mailing lists, but their spiritual resources.
- (f) Research needs
  - Missing data – under-analyzed groups and subgroups, especially Native Americans and Asians.
  - Authoritative tracking of disparities to mark our progress into the next century.
  - Periodic report card [by the “follow-on entity”]

## Chapter 7. Leadership For One America

### 7.1. Call to action

- (a) In general terms: Holding ourselves accountable for the quality of our leadership: creating effective watchdog and feedback mechanisms.
  - I am issuing a call to action, appealing for the recruitment of a cadre of leaders from all sectors who will dedicate themselves to learning, teaching and practicing the difficult tasks of building One America for the 21<sup>st</sup> century.

- 7.2. A plan to sustain and expand the efforts now underway in communities and organizations around the country.

- (a) *Sectoral leadership and action:* I am assigning responsibility for nurturing this community-based engagement by explicitly challenging certain sectors, organizations and leaders.
  - Elected officials
  - Faith community
  - Corporate community
  - Youth
  - Educators
  - Organized labor
  - The media
  - Leadership organizations within minority and non-minority ethnic communities, e.g., Native Americans, Latinos, Italian-Americans
  - Others??
- (b) *Community leadership and action:* Community-based workplans to be developed by local partnerships, reporting to their communities. [One America Partnerships?]
- (c) *Federal leadership and action:* What the Federal government's ongoing commitment will be
  - Strengthening the Civil Rights Commission and its state partners. A network of means to monitor the roles and activities of political leaders, corporate leaders, civic leaders, the media.
  - within the federal government – federal employees and agencies as leaders/models
  - [The "follow-on entity" within Executive Office of the President/WHO]

### 7.3. Conclusion

- (a) The critical ingredient of leadership – not just from politicians, or even primarily from them. People in all walks of life, in dramatic and quiet ways.
- (b) Awards Program for promising practices (see chapter 4)
  - [Modeled after either the American Civic League "All American City" program, or the Ford Foundation-Kennedy School award program for Innovations in Government.]
- (c) How these private/civic leadership efforts are to be sustained over time, so there will momentum will build, not flag.

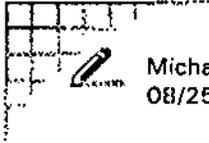
## Chapter 8. Conclusion

### 8.1. Reprise

- 8.2. Personalized examples of how previous presidents chose to move forward, and others didn't. Tragedies seeded or averted. Opportunities seized and squandered. Optimism about the our ideals and our spirit. Our standing in the eyes of the world, and in the judgment of historians. We must not be mere

participants in the history of this struggle. We must be the authors of that history. Our standing in the hearts of our children and grandchildren; what we owe them. We must lighten their burdens and brighten their futures, each and all.

8.3. Closing message. Response to a letter from a grade school child. A prayer.



Michael Cohen  
08/25/98 11:05:06 AM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP  
Subject: Race and Education



PRACE2.W

Attached is a draft of a document on race and education that (1) incorporates key data related to racial disparities in education, (2) catalogues what the Administration has already done or proposed, and (3) suggests some new ideas and next steps. In doing this, we have divided the education world into 3 areas--preschool, K-12, and postsecondary and lifelong learning. Its long--about 20 pages. This document is essentially the product of two meetings involving myself, PIR staff (including Chris at one meeting), and the few other DPC and NEC staff who happened not to be on vacation last week. At this point, the new ideas are probably more numerous than "big and bold", though I think it is probably too early in the process to discard ideas.

In some sense, the document is a response to the pressure to get something moving. And it is a good starting point for the next round of discussions that need to take place once there are more key policy people available (e.g., Barbara Chow, Jen Klein, Shireman, CC Rouse, Mike Smith).

I've sent this draft to Barry White, and asked him to respond to some issues in pieces of the draft produced by his staff. I see the next steps here as:

1. Circulating the document to the key DPC/NEC/OMB/ED policy people (Jen Klein, you and Bruce, Shireman and Rouse, Barbara Chow, Mike Smith), and asking for responses and additions.
2. I'm meeting with Chris Edley in a few minutes to review where we are, and to solicit his input. I'll give him a copy of the draft.
3. Calling a meeting later this week or early next week--depending upon when there is a critical mass of people available, to identify a more manageable set of issues and new ideas/proposals we want to send to the President in the Sept. 10 (or is it 6?) memo. I think it would be helpful if you participate in that meeting. I will also make sure that Chris and relevant PIR staff are invited.

Any reactions to substance or process would be greatly appreciated.

Draft  
MCohen  
8/25/98

## RACE AND EDUCATION

### INTRODUCTION

There two fundamental issues pertaining to race and education that must be addressed. First, racial and ethnic minorities generally have lower levels of educational attainment -- as measured by academic performance as well as high school graduation and postsecondary enrollment and graduation -- and correspondingly fewer quality educational opportunities than white Americans. This appears to be a function of both race and of poverty, in varying degrees. Low income and minority students in particular are less likely to participate in quality preschool programs [check], and are more likely to attend schools with large classes, unqualified teachers, crumbling facilities, safety and discipline problems, fewer computers, and insufficient time and resources to provide students who need it with extra help.

In the main, the Administration's approach to this issue has been through initiatives and proposals to strengthen the quality of public schools overall (with higher standards, strengthened accountability, greater choice, smaller classes, modern school buildings, 21st century technology, better prepared teachers, mentors and tutors, after-school programs, etc.) and to target these and other resources for extra help and expanded opportunities for students in high poverty communities. The Administration has also provided the resources to expand access to preschool programs and to higher education.<sup>1</sup>

New proposals to reduce racial and ethnic disparities in educational attainment and opportunities should be consistent with this overall approach, and should significantly extend it in strategically selected areas. For example, we should propose significant new Federal initiatives as well as challenges to states and local communities designed to significantly improve the quality of teachers for low income and minority students. We should also propose new initiatives, and challenge states and local communities, to take dramatic steps to provide students and families in urban communities with a broader range of high quality educational choices.

Second, to a considerable extent, many students in the United States still attend racially identifiable schools, despite the fact that our Nation as a whole has become increasingly diverse. At the K-12 level, segregated housing patterns in metropolitan areas make racial segregation

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<sup>1</sup>This draft does not yet incorporate the role of civil rights enforcement activities in our efforts to reduce disparities in education performance, or with respect to related issues. Subsequent drafts will.

among schools prevalent. Further, as a result of Prop. 209 in California and the Hopwood decision in Texas, minority application to and enrollment in selective institutions of higher education in those states has declined. If similar laws are enacted elsewhere or if other legal challenges erode affirmative action in higher education, we can expect to see a similar pattern on a wider scale.

In the wake of the 1954 Brown decision, school desegregation was seen as an essential tool for equalizing education opportunities, in recognition of the Court's finding that separate schools could not also be equal. However, the difficulties in eliminating de facto segregation, coupled with a growing recognition that school and instructional resources are more important determinants of academic performance than the racial composition of the school, have led policymakers, parents and educators to focus on making sure that every school is a good school regardless of its student body composition, rather than on continued school desegregation.

The challenge for the Administration is to make the case for the value of diversity in schools and colleges, despite the limited evidence that such diversity will enhance educational performance as conventionally understood. Rather, we must be able to argue that diversity in our schools and colleges will enable all students to be better prepared to participate in more diverse communities and workplaces, and in a global economy.

Further, we must articulate strategies that will achieve diversity. In higher education, our discussions to date have focused on partnerships with higher education and business communities to take the lead in making the case for diversity, as well as on a range of short and long term "pipeline" initiatives (e.g., High Hopes proposal for the long term, and new support for AP courses and test preparation programs for high school juniors and seniors in the short run).

We have not yet focused on promoting the value of diversity and school integration in public elementary and secondary schools. I believe it will be important to support this goal, and to talk about how it could be achieved. We should make clear that the tools of the past--busing in particular--are not the tools of the future. But we can articulate a strategy of sorts of making more of our schools more diverse racially and ethnically.

Our approach should be to first make every school a good school, using strategies described above. If we do this in urban areas, parents will have more freedom to choose where they will live. This could lead to more desegregated housing patterns, and help keep/attract white middle class families to cities.

We should also work to expand choice in ways that can promote desegregation. For example, charter schools could accomplish this (but may not always--the Education Department's recent charter schools report seems to indicate that some may be more racially identifiable than the surrounding community). Giving urban high school students the option to take courses in community colleges also might (if urban community colleges are more diverse than urban public schools [need to check data on this]). Dade County Florida has tried another

approach, by creating Satellite Learning Centers. Initially conceived of as a way of coping with rapid enrollment growth, these SLC's are "schools" located in the facilities of large employers. The employer provides the facility, the school system provides the staff, curriculum, textbooks, etc., and the students are the children of the employees. Since work settings tend to be more integrated than neighborhoods, this can be a means of creating schools that are integrated along racial, ethnic and socioeconomic lines. Consequently, encouraging cities and employers to locate schools on employment sites and letting parents take their kids to school near where they work rather than where they live could be another approach to promoting greater racial diversity in schools.

The pages that follow are designed to stimulate a more full and detailed consideration of the education ideas the President should advance in the context of his report on the race initiative. Organized roughly by age-level (pre-school years, elementary and secondary school years, postsecondary education and lifelong learning) they briefly summarize what we know about racial disparities, what the Administration has already accomplished and proposed, and what we additional steps we might take in the future.

## **The Pre-School Years**

**In the Pre-School Years:** Children who do not reach school prepared to learn, quickly fall behind their peers, requiring expensive and complex remedial efforts that are not likely ever to overcome completely the initial learning gaps. Special focus is required for low-income racial and ethnic minority children who are least likely to attain this level of readiness without special help to the family and in child care and pre-school settings.

### **Data:**

- Studies show that 89% of all children ages 3-5 are read to three or more times per week compared to 74% of black children and 62% of Hispanic children.
- Hispanics are under represented in Head Start; they comprise 29 percent of children in poverty, 23% of children in Head Start (excluding Puerto Rico).
- Low-income, minority children are more likely to receive child care in a family day care setting (which may be unlicensed and of uncertain quality). Research documents the importance of quality child care programs to school readiness. The research shows that when children are in better quality child care programs, they have stronger language, pre-mathematics, and social skills, better relationships with their teachers and stronger self-esteem.

### **Federal Efforts to Date:**

- Head Start: (\$4,355 million in FY 1998) will serve 830,000 children in FY98, including 40,000 infants and toddlers; x% are minorities. Administration goal: serve 1 million children by 2002, including doubling the number of infants and toddlers.
- The Child Care and Development Fund (\$2,071 million in FY 1998) in subsidies to over 1 million children. President's FY99 proposal: (\$ 7,500 million over 5 years) to serve an additional 1 million children by FY 2003.
- Tax credits: \$16.5 billion (over five years) for the Child and Dependent Care Tax Credit, \$98 billion provided by the Child Credit, and \$150 billion provided by the Earned Income Tax Credit.
- Tax credits to private employers that expand or operate child care facilities. President's FY99 proposal (\$500 million over 5 years). Credits could be targeted to employers in Federally-designated empowerment zones.
- Even Start provides educational services to low-income families. In 1998, 700 Even Start programs provided early childhood education services, adult education, and parenting education in integrated "family literacy" programs, serving over 34,000 families in high-poverty urban and rural areas across the country. Over two-thirds of the families served were minorities. Just under half of the programs emphasized an ESL as a major part of the curriculum.
- America Reads is a new initiative to help States and communities ensure that all children can read well and independently by the end of the third grade. The original proposal

included a component aimed at helping parents help their children prepare to read.

• The President's FY99 Child Care Initiative also includes:

- \$100 million to assist states in enforcement of state health and safety standards.
- \$44 million in scholarships for child care providers who seek training.
- \$30 million to fund consumer education, parent hotlines, and research activities.
- \$3 billion over five years for an Early Learning Fund that will provide grants to communities for activities that improve early childhood education and the quality and safety of child care for children under 5 years old.
- \$5.1 billion over five years to offer more help to families with incomes under \$59,000 through the child and dependent care tax credit.
- \$5 million in assistance to states in developing support systems for families of children with disabilities.

Business tax credits for child care facilities.

### **Potential New Strategies:**

1. Strengthen Families' Ability to Help the Child in the Home. Improved parenting among low-income families can significantly improve the performance of children in school and in other developmental ways. There are a variety of relatively small scale investments in providing such aid, such as Even Start. Major new investments in parenting and related training could be made through models that provide home visits by family counselors or nurses teaching basic parenting skills and outreach (PAFT, HIPPI), or through USDA's WIC program (which reaches 45 percent of infants born in this country).

2. Make quality pre-school education universally available. Head Start can be a base for this. Encourage or provide incentives to States to provide all children the opportunity for a beneficial pre-school experience, with the first goal being meeting the needs of low-income children. Title 1 can fund preschool programs, at local discretion. We should consider setting aside a portion of Title 1 funds for preschool programs, and expanding total Title 1 investment in preschool. We should also make sure that performance standards required in Head Start reauthorization adequately address school readiness knowledge and skills.

3. Provide universal access to quality center-based child care for all who want it. Dramatic increases to the Child Care and Development Fund (which includes State matching) can help more families receive child care subsidies, thereby assisting low-income families in affording the child care settings of their choice.

4. Link pre-school programs with public schools. Require explicit ties between publicly-funded child care and Head Start, and the public schools, in order to ease the transition from pre-school to elementary school by: requiring updates on the child's developmental status to any problems from Head Start and child care to the school; agreements between schools and Head Start and child care centers on curriculum/developmental goals; consultations between schools, and Head Start and child care centers for children with special needs.

## Elementary and Secondary School Years

**In the K-12 Years:** Success in elementary and secondary schooling is, among other things, heavily influenced by positive role models, family support and high quality educational services. Low-income racial and ethnic minority children often lack one or more of these critical success factors. Without meeting these requirements, many will not succeed in school, the workforce, or as citizens.

### Data:

#### *Race & Poverty*

- Poverty rates for minorities remain disproportionately high: In 1996, more than one-quarter of both Hispanic and Black families lived in poverty (26.4% and 26.1%, respectively), while the poverty rate for White families was 8.6%. Moreover, this percentage increases greatly for minority families with school-age children -- approximately 33% of Hispanic and 34 of Black families with children under age 18 were poor, compared to 13% of comparable White families.
- High minority schools tend to be high poverty schools. 33.1% of schools with 0-10% minority enrollment have 0-10% poor enrollment. Contrastingly, 87.7% of schools with 90-100% minority enrollments have 50-100% poor enrollment. The correlation between percent black and Latino enrollment and percent free lunch eligible is .72 (*Deepening Segregation In American Public Schools: A Special Report From the Harvard Project on School Desegregation*, pg. 19).

#### *Minority Enrollment*

- Between 1975 and 1994, the percentage of White students declined at all school levels, while that of Black students grew from 14.5% to 16% and that of Hispanic students grew from 6.5% to 13%.

#### *Student Achievement*

- In general, data on grade retention and enrollment indicate that Hispanics are less likely than their White and black classmates to fall behind in grade level while in the *early* stages of their schooling. However, in the latter stages of their academic progress, higher percentages of Latinos than Whites are enrolled below their grade level.
- In 1994, the enrollment in gifted and talented programs was 81.4% White, 8.4% Black, and 4.7% Hispanic.

- By age nine, Hispanic American and Black students lag behind Whites in reading, math, and science proficiency. For example, in 1994, the gap between reading test scores for Whites and Hispanics was 32 points; the gap between Whites and Blacks was 33 points.
- Black and Hispanic students in 1994 continued to trail their White counterparts by 10 or more percentage points in their participation in upper level high school courses such as Algebra II, physics, chemistry and trigonometry. In addition, white 12th grade students were more likely than Hispanic and black students to take AP exams. In 1996, 133 out of every 1000 whites took AP exams while 74 out of every 1000 Hispanics took them. 32 out of every 1000 blacks took AP exams in that year. Hispanics though, were almost three times as likely (35 out of every 1000 students) to take a foreign language AP examination as Whites (12 out of every 1000 students). Overall, between 1984 and 1996, the number of students who took AP exams increased dramatically, rising from 50 to 131 students per 1000 12th grade students. Whites, Blacks and Hispanics all contributed to this significant increase (*Condition of Education 1997*, pg. 100).
- By 1996, Blacks had almost closed the high school completion gap with Whites but the gap of completion rates for Hispanics remained wide. In 1967, the gap between Whites and Blacks was 20 percentage points (approximately 75% to 55%) but by 1996, the gap had narrowed to a 7 percentage point difference (approximately 92% to 85%). Hispanics lagged far behind at approximately 60% in 1996. That slow progress is in large part explained by the increasing representation of Hispanic immigrants with less education (*Economic Report of the President 1998*, Chart 4-7).
- With regard to Internet access, in 1997, schools with 50 percent or more minority students enrolled lagged behind schools with 20 percent or few minority students.

### *Teachers*

- Students in high-poverty and high-minority schools are more likely to be taught by teachers who do not have a major in the field in which they are teaching.
- There is a strong significant relationship between teacher scores on a basic literacy test (TECAT) and student test scores. (*Ron Ferguson, 96,97*). In Texas, Black and Latino children are far more likely to be taught by teachers who scored poorly on the TECAT. As the percentage of non-white children in a school increases, the average teacher score declines. (*John Kain & Kraig Singleton, 96*).
- Additionally, while minority students make up nearly a third of our nation's student population, only 13% of our teachers are minorities. And more than 40% of our nation's public schools do not have a single minority faculty member (*A Talented, Dedicated, and Well-Prepared Teacher in Every Classroom: U.S. Department of Education Initiative on Teaching*).

### *School Safety*

- *Need to add data*

### **Federal Efforts to Date:**

Since 1993, the Administration's strategy to strengthen K-12 education overall and reduce racial disparities in achievement has been to:

- Promote high standards for all students.
- Hold schools, school districts and states accountable for results and provide flexibility in how to achieve them.
- Target funds to high poverty schools and communities.
- Invest in providing critical learning opportunities, including smaller classes, modern buildings, 21st century technology, and after-school tutoring and learning opportunities.
- Expanded choice and charter schools [need to look at data on racial identification in charter schools, from latest charter school evaluation.]

These strategies have been incorporated into a number of specific program initiatives, including:

- Goals 2000 and the reauthorized ESEA, both enacted in 1994, re-oriented Federal K-12 education policy around school-wide and school system reforms, emphasizing standards-based reform and the increased use of technology in education.
- Title I -- In 1999 Title I grants to school districts will provide educational services to over 10 million students in high poverty communities.
- ED Technology -- The Administration has proposed a \$2 billion federal contribution over five years to education technology to ensure that all students are able to use computers with high-quality software and have access to the Internet in their classrooms, and that teachers have the training to integrate the use of technology into effective instruction.
- School Construction -- The FY 1999 budget proposed Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools.
- Education Opportunity Zones -- a new initiative proposed in the FY 1999 budget to assist high-poverty urban and rural local educational agencies to implement education reform strategies if they adopt tough reforms to hold schools accountable for improving quality, expanding public school choice, ending social promotion, and show real improvements in student achievement.
- Class Size -- a new initiative to help States and local school districts recruit, train, and hire 100,000 additional well-prepared teachers in order to reduce the average class size to 18 in grades 1 through 3 in public schools.

- Hispanic initiative -- the FY 1999 budget proposed increases \$XX million in increases for several existing programs that assist Hispanic students, such as Bilingual Education, Migrant Education, and TRIO.
- Comprehensive school reform demos -- a new program to help nearly 3,500 schools nationwide implement effective, research-based school improvement models.
- After School Programs (21st Century Learning Centers) -- the FY 1999 budget proposed a \$160 million to support nearly 3,000 before- and after-school programs that will focus primarily on improving student achievement and preventing juvenile violence and substance abuse. Because most of the centers will be located within schools, they can provide educational services directly linked to students' classroom needs.
- America Reads -- a presidential initiative to ensure that all children are reading well and independently by the end of the 3rd grade.
- Teacher Recruitment and Preparation -- new initiative proposed in the HEA -- \$67 million to improve the quality of teacher education and address shortages of well-trained teachers, particularly in urban and rural areas.

#### Potential New Strategies:

1. Make sure there are qualified teachers in high poverty schools. First, encourage and support state and local efforts to improve the preparation, certification, recruitment, selection, induction, retention, evaluation, reward and dismissal of teachers overall. Support necessary R&D on critical components of an upgraded system, such as assessing teacher competence in the classroom. Second, work to end the practice of disproportionately placing and keeping unqualified teachers in high poverty schools. Require states to require prospective teacher to pass basic skills/subject matter tests (and help them develop more demanding assessments) in order to be licensed. Prohibit school districts receiving Title I funds from staffing Title I funded classes (what about schoolwides???) with unqualified teachers, and bar those without an effective system for teacher evaluation (including removal of incompetent teachers) from receiving Federal (or just Title 1) funds. Require K-4 teachers in Title 1 schools to successfully complete training in teaching reading, and fund the training. Third, help attract and retain the best teachers for high poverty schools. Fund induction and continuing professional development programs in high poverty schools. Provide incentives for Board-certified teachers to teach in high poverty schools.
2. Recruit More Minority Teachers. Many believe that a major factor influencing children's success in education is role models. Enhance current recruitment programs with effective incentives to attract more minorities to the teaching profession. Minority teachers, administrators, and school personnel serve as role models for minority students and can provide an important link between schools and parents.



\*  
EO?

3. Make every LEP child competent in English within 3 years of obtaining services. English language competency is the key to success in schooling and the economy. ESL and similar services should be made universally available to all students who need them. Federal funding can provide matching grants to States to do this.

4. Support English Plus. In addition to ensuring that all LEP students learn English, we should promote foreign language learning, starting in the early grades, for student's whose native language is English. The objective is to dramatically increase the number of students who leave school fluent in two or more languages, regardless of their native language.

5. Report Cards. Pressure can effectively be brought to bear on State, school, and school district policies to improve educational achievement through public comparisons of achievement. Charter and "endow" (no government strings attached) a non-partisan, non-government body do fair report cards on State, school district, and school achievement.

6. Support demonstrations of, and if effective greatly expand "Newcomer High Schools" for recently arrived immigrant students. Many school districts are facing an increasing number of secondary immigrant students who have low level English or native language skills, and in many cases, have had limited formal education in their native countries. In order to prevent these students from dropping out (and these children are a significant factor in the 40% Hispanic drop-out rate), these students must learn English, take the required content courses and catch up to their U.S. peers. Some district have developed Newcomer programs -- either a separate school or a school-within-a-school. These programs typically educate students for a limited period of time (most for less than two years) before enrolling them in their home schools. Three such schools are 4-year high schools. The programs reach beyond the students themselves, providing classes to orient parents to the U.S. and 63% offer adult ESL classes. There are currently 75 such programs in 18 States and the Center for Applied Linguistics has sponsored an evaluation of their effectiveness.

7. Propose an Education Bill of Rights. The proposal would call for states and school districts to provide every child with essential education services, including (1) high standards, (2) qualified teachers, (3) curriculum and competent teaching that prepares each student for college or a good career, (4) parents right to know on an objective basis how well their children and are doing, (5) parental access to teachers and administrators to fix problems that are the fault of teachers and administrators, (5) preschool programs, (6) small classes, (7) 21st century technology, (8) after-school programs, (7) tutoring and other forms of extra help.

8. Expand Choice and Opportunity for students in Urban School Systems. Challenge states and school districts/cities to expand the range of high quality schools students and families can choose among, thereby enabling students in low performing schools to move to better ones. A variety of approaches should be encouraged, including:

- Community College Enrollment. High school students should be permitted to enroll in community colleges, for high school level or college level courses. This step could

provide inner city students with access to more qualified teachers, because most community colleges have faculty with subject matter expertise (whereas urban high schools often have teachers teaching out of field). It could also help boost minority enrollment in college. [see if this can build on existing tech-prep programs, or other articulation agreements.]

- Contract School System. Transform urban school systems from bureaucracies which operate large numbers of schools into systems in which the local governing body contracts out the operation of each school--to teachers, private operators, etc. In effect every school becomes a charter school, with a distinct mission, control over its own staffing and budget, and accountable for results. The local school board is responsible for selecting the schools, identifying new types of schools that might be needed and soliciting proposals to operate the school, monitoring the performance of each school and holding it accountable. Under this approach, all schools would eventually be schools of choice. \*\*  
⑦
- Schools located at large employers. Encourage large employers to provide facilities on site for schools for children of their own employees, while the school district provides the teachers, curriculum, instructional materials, etc. Dade County's Satellite Learning Centers provide the model for this approach. Dade's experience shows that these schools can (1) be more diverse than other schools, because work sites are more diverse than residential neighborhoods (2) save the school districts the cost of new facilities (3) save employers costs associated with employee turnover and (4) increase parental involvement in the schools. ?

9. School Safety Initiative

to be developed for 10/15 school safety conference

## Postsecondary Education and Lifelong Learning

### Data:

- High School Completion: In 1996, 4.1% of White students, 6.7 % of Black students, and 9.0% of Hispanic students in grades 10-12, aged 15-24 who had been enrolled the previous October were no longer enrolled and had not graduated.
- College enrollment: In 1996, 45% of Whites, 35.7% of Blacks, and 33.8% of Hispanics aged 18-24 who had completed high school were enrolled in college.
  - Longitudinal NELS data indicates that even among students who score in the top one-third of a standardized test, students from low-income families were five times as likely NOT to enroll in college as those from high-income families; nearly 60 percent of this group cited financial reasons for their decision.
  - In 1993, the average SAT score for Whites was 938 out of 1600, compared to 741 for Blacks and 802 for Mexican Americans.
  - Among high school seniors interested in going to college, those whose parents read financial aid materials were much more likely to enroll (80 percent vs. 55 percent).
  - According to NELS data, 71 percent of low-income students who took geometry went to college, compared to 26 percent who did not take geometry.
- College Graduation and Persistence: Of those aged 25-34, 41.7% of Asians have a bachelor's degree, as do 26% of whites, 12.2% of blacks, 9.8% of Hispanics, and 7.5% of Native Americans.
  - In 1995-1996, 62.9% of black undergraduates received some form of financial aid, as did 59.4% of Native Americans, 54.2% of Hispanics, 42.9% of Asians, and 47.9% of Whites. For graduate and professional schools, these numbers were 62.7% for blacks, 55.8% of Hispanics, 41% of Asians, and 51.3% of Whites.
  - Of those who began their postsecondary education at a 4-year institution in 1989-90, 56.4% of whites received a bachelor's degree within 4 years, as did 52.8% of Asian/Pacific Islanders, 45.2% of blacks, 41.3% of Hispanics. Of these students, 27% of whites were no longer enrolled and had not received a degree, as were 36.8% of blacks, 36.6% of Hispanics, and 25.5% of Asians.
- Minority-Serving Institutions: 21% of all Black postsecondary students attend one of the

Historically Black Colleges and Universities (HBCU's), nearly 50% of all Hispanic students attend an Hispanic Serving Institution (HSI), and X% of all Native American students attend one of the Tribal Colleges and Universities (TCU's).

- Graduate School enrollment: Whites represented 82.6% of those enrolled in graduate schools, blacks represented 7.6%, Hispanics 4.4%, Asian/Pacific Islanders 4.9%, and Native Americans 0.5%.
- Professional School enrollment: Whites represented 76.9% of those enrolled in professional schools (e.g., law schools, business schools, etc.), blacks represented 7.4%, Hispanics 4.8%, Asian/Pacific Islanders 10.2%, and Native Americans 0.7%.
- Adult Literacy: According to the 1992 National Adult Literacy Survey (NALS), there are about twice as many racial minorities (across all groups) and immigrants in the lowest tier of literacy as there are in the overall population. These adults can barely, if at all, perform basic tasks such as totaling an entry on a deposit slip, locating the time or place of a meeting on a form, and identifying a piece of information in a news article. As a result, they are more likely to be unemployed, work fewer hours, and earn less. They are also more likely to live in poverty and receive public assistance, and less likely to vote.
  - Black, Hispanic, and American Indian/Alaska Native adults lag behind Whites in average educational attainment. In particular, Hispanics adults have the lowest average educational attainment at about 10 years, and a disturbingly large share of low-literate Hispanic adults failed to correctly perform even one task in the NALS.
- Participation in Adult Education: Racial minorities comprise a disproportionate share of clients served by adult education programs. In 1996, 38 percent of adult education participants were Hispanic, 32 percent White, 17 percent Black, and 12 percent Asian or Pacific Islander.
  - English as a second language (ESL) clients are the largest and fastest growing part of the adult education population. They receive substantially more hours of instruction and remain in programs longer than adult basic education (ABE) and adult secondary education (ASE) clients. Strong demand has created long waiting lists for ESL programs throughout the country, while ABE and ASE programs appear to have excess capacity.

Federal Efforts to Date: The funding levels below are the FY99 Budget requested levels, unless otherwise noted.

### High School Completion and Postsecondary Enrollment

- High Hopes for College: \$140 million in federal funds (\$2.2 billion over 5 years). The program aims to reach 3,000 middle schools & serve over 1 million students over 5 years. *Isn't this the same as the college-school partnership item below? Why do the per-student costs for this description come out to \$2200 per kid, while the description below is \$800 per kid?*
- College-School Partnership: \$140 million to provide early intervention services to approximately 175,000 high-poverty middle school students.
- TRIO Programs: \$243 million for Upward Bound (incl. Math/Science initiative) to increase enrollment in postsecondary education for approximately 60,000 disadvantaged students, and \$96 million for Talent Search to provide academic support to about 330,000 middle and high school youth.
- Hispanic Dropout Initiative: More than \$600 million dollars for a comprehensive action plan, including \$30 million to transform schools with high drop out rates, and increased funds for Hispanic-serving institutions as well as federal TRIO programs.
- School-to-Work (STW): \$250 million in federal funds. Over one million students participate. More than half of all partnership secondary schools, as well as 40 percent of postsecondary partners, have developed agreements that grant college credit or advanced standing for secondary school course work or dual enrollment.
- Summer Jobs: \$871 million a year to provide work experience in public and private agencies, enhance basic educational skills, encourage school completion, and expose 530,000 low-income youth to the world of work.
- Early Awareness Information: \$15 million in federal funds to publicize availability of financial aid and to encourage students and their families to prepare for higher education.
- Financial Aid: As the data above shows, minority students are heavily dependant on financial aid. The FY 1999 Budget provides a total of \$57 billion in aid, including \$39 billion from FFEL and Direct Loans (9.3 million awards) \$10.5 billion from the SFA accounts (8.8 million awards), and \$7 billion in HOPE and Lifetime Learning tax credits.
  - Work Study: \$900 million in federal funds (\$1.1 billion with employer match). Over one million participants at 3,400 institutions.
  - Pell Grants: \$7.5 billion available to 4 million students. \$3,100 maximum award, a 35% increase since FY 1994.
  - Perkins Loans: \$1.1 billion in loan volume serving about 788,000 recipients.

- Suppl. Educational Opportunity Grants (SEOG): \$619 million in federal funds (\$784 million with match). About 1.05 million students receive aid at about 3,800 institutions.
- FFEL/Direct Loans: Income contingent and graduated repayment options are available. In addition, the HEA reauthorization bill should lower the interest rates on new FFEL and direct loans by 0.8%.

#### Minority Serving Institutions

- HBCU's: \$137.5 million to strengthen HBCU's; \$96 million for capital financing; Executive Order on HBCU's (i.e., Executive Agency Actions to Assist HBCU's).
- \$28 million to strengthen HSI's, and \$5 million to strengthen TCU's.
- National Need Graduate Fellowships (Consolidation of GAANN, Javits, etc.): \$37.5 million for X,XXX participants.

#### Adults, Dropouts and Others Outside the Education Mainstream

- **Adult Education State Grants** support local programs that provide ABE, ASE/GED preparation, and ESL services to adults and drop-outs with limited literacy skills. **1998 appropriation: \$345 million. 1999 request: \$361 million. Participants served: 4 million adults.**
- **The Even Start Family Literacy Program** supports local school-community partnerships that provide an integrated, intergenerational program of adult education, early childhood education, and parenting education to low-income, educationally disadvantaged families. **1998 appropriation: \$124 million. 1999 request: \$115 million. Participants served: 31,500 families (36,400 adults).**
- **The High School Equivalency Program** provides academic and support services to migratory and seasonal farmworkers (or children of such workers), who are 16 years of age or older and not currently enrolled in school, to obtain the equivalent of a high school diploma and subsequently to gain employment or begin postsecondary education or training. **1998 appropriation: \$7.6 million. 1999 request: \$10 million. Participants served: 3,000 students.**
- **Youth Opportunity Areas** (proposed) would provide grants to support multiple education, job training, and social services for youth in EZ/EC and similar high poverty areas. The goal of the initiative is to raise the employment rate for out-of-school youth in

target communities from current levels of less than 50 percent to a level of 80 percent, or commensurate with the employment rate in non-poverty areas. **Participants to be served:** 50,000 youth.

- **Welfare to Work and TANF.** Resources to encourage and help welfare recipients to obtain needed education and good jobs.
- **Workforce Investment Act.** The reauthorized JTPA adult and youth programs.
- **One-Stop Career Centers:** \$147 million for implementation of One-Stop Career Centers and continued development of America's Labor Market Information System. These will provide streamlined access to job referrals, job search assistance, information on jobs and their skill requirements, and information on training opportunities. To date, all States have received implementation grants, and XX centers have been created across YY states.

### Potential New Strategies:

#### High School Completion and Postsecondary Enrollment

1. Sustain and institutionalize the principles of the President's School to Work initiative as that law sunsets. The Workforce Investment Act enacted on August 7, 1998 establishes new Youth Councils that will develop the portions of the local plan relating to youth policy. With a re-constituted membership that includes local school representatives, these councils offer the based on which to build a more permanent local structure for coordination and cooperation of social services, business and schools that School to Work began. This is critical to the development, learning, and success of minority youth. *What is the action step here? Who does what?*

2. Aggressively expand early mentoring and information. The High Hopes for College initiative provides a model for all schools to provide families with early information about the cost of going to college, financial aid that is available, what courses to take (esp. math, science) to be well-prepared for college, and the mentoring many need. Backed by partnerships with area colleges, counselors would work with students in middle school to help raise expectations and goals early on. The current initiative is very small. It could be greatly expanded. *I don't think this is really a new proposal, unless we can really afford to ramp up High Hopes beyond its current trajectory—and unless the program can handle a faster growth rate. Can we, and can it?*

3. Federal Matching Funds for AP courses and for AP and SAT/ACT Preparation. The President has made universal access to two years of higher education a priority, and has created ways to alleviate the financial hurdles. A logical next step in improving the quality of access is to make all students more competitive by closing the gaps in advanced course availability as well

as SAT and ACT test scores. The Federal government could establish funding matching mechanisms to encourage states to improve access to AP courses and preparation for AP tests in low-income schools; in areas where AP courses are not available, funds could be used for partnerships with community colleges that offer similar courses. Similarly, matched funds could be used to do one of a number of things for SAT/ACT preparation: pay for low-income youth to attend prep courses (e.g., Kaplan; Princeton Review); fund poor school districts to set up their own test prep programs; as in America Reads, waive the federal match for Work Study students who help prepare disadvantaged students for the tests.

4. Encourage states to give scholarships to top of graduating class. States can create incentives by rewarding the top 5 or 10% of graduating seniors at every school with free tuition to any public institution in the state. This approach is currently being tried out in Texas. Federal matching funds could accelerate adoption in other States. ✓

5. Aggressively Promote knowledge and use of the President's Income Contingent Repayment option: Many believe that low income, and especially minorities, will not take the risk of default seemingly inherent in borrowing money for college, and thus will not attend. The President's ICR repayment option eliminates the risk of borrowing for higher education. If a borrower fails to earn enough after schooling to repay the loans through normal repayment plans, ICL reduces payments only to what is affordable, and if not paid off in 25 years, converts the loan to a grant -- no further repayments required.

6. Frontload Pell grants: Under a frontloading scheme, rather than receiving a 4-year stream of federal grant awards, students would receive the same amount of grant aid but within the first two school years, and finance the remainder of their education entirely through loans. Frontloading has been shown to increase both the postsecondary enrollment and retention rates of disadvantaged students, with low income blacks and Hispanics realizing the largest gains.

7. Strengthen Civil Rights Enforcement and Laws: Civil rights enforcement could be strengthened by integrating investigation, litigation, and remediation approaches across Federal and state agencies, and increasing funding for civil rights enforcement. In addition, civil rights laws could be strengthened by forbidding institutions of higher education that are found guilty of discrimination from receiving Federal grants and/or student aid until the problem is remediated. Another option is to suspend guilty institution's tax exempt status.

8. Provide strong incentives for Higher Education Institutions to Establish Retention and Preparation Programs: While TRIO's current structure is not conducive to a large expansion, it has developed useful models for helping minorities prepare for, enter, and stay in higher education. The federal government could encourage institutions to establish the next-generation of TRIO-like programs for all students who need them. Higher education institutions could be required set up programs modeled on successful aspects of TRIO as a condition of continued eligibility for Pell grants and other programs that aid low income and minority students.

9. Encourage Institutions to Provide Scholarships to Local Disadvantaged Students: In an attempt to give back to their respective communities, many institutions of higher education (e.g., Harvard) provide undergraduate scholarships to local disadvantaged students. Again, the federal role in this strategy could include financial incentives, or it could be limited to challenging institutions to establish or expand these scholarships.

### Minority Serving Institutions

1. Encourage Partnerships Between Minority Serving Institutions and other Institutions: As the data above shows, a large percentage of Blacks, Hispanics, and Native Americans attend HBCU's, HSI's, and TCU's, respectively. One way to help these students is to establish "partnerships" between minority serving institutions and other institutions of higher education (there is currently such a partnership between some HBCU's, Georgia Tech, Boston University, and Rochester Institute of Technology). These partnerships could, for instance, allow students at minority serving institutions to take courses at partner institutions, transfer to partner institutions without paying more in tuition, and use labs or other facilities at partner institutions.

The federal role in this strategy could be to provide financial incentives for schools to establish these partnerships (e.g., more student financial assistance funds). Or, the federal role could be limited to challenging schools to create these partnerships, similar to how the President called for institutions to put Work Study students to work as reading tutors as part of his America Reads Challenge.

### Drop-outs, Adults, and Others Outside the Educational Mainstream

1. Concentrate multiple resources in lowest income areas for maximum impact. Combine the concepts of EZ/ECs, Youth Opportunity Areas, Education Opportunity Zones, with current investments in TANF, JTPA, and Title I-Education for the Disadvantaged (and other relevant resources, including housing and criminal justice) into a massive effort to improve the quality of education, training, and economic development, to lead to dramatic reductions in unemployment and in employment rates of low income, minority youth and adults in the locations where their problems are most intractable.

2. Universal ESL for every adult who needs it. Every adult who wants to learn English should be given the chance to do so. Create and fund a separate authority for ESL programs to accommodate rapid growth and unmet demand without diminishing other Adult Education purposes. Encourage life skills training for recent immigrants. Promote parent involvement, continuing education, and civic participation.

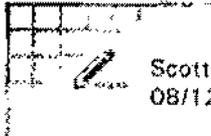
3. Redesign the GED to make it an effective alternative to a high school degree. The current GED is not valued as a real equivalent to a high school degree, but some such device is necessary for those who cannot or will not obtain a high school degree. The Federal Government can subsidize develop of an effective GED that is aligned with challenging State content and performance standards for high school graduates, instead of norming them against a national

average of high school graduates. *Do we want a new GED—or do we want states to provide alternative routes, and alternative ways, for adults to demonstrate that they have met the performance standards for a high school diploma?*

4. Newcomer High School. See "In the K-12 Years" for more information.

Race Int Pol - Education

Bruce  
FYI



Scott R. Palmer  
08/12/98 04:22:09 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Elena Kagan/OPD/EOP, Bruce N. Reed/OPD/EOP, Maria Echaveste/WHO/EOP, adley @  
law.harvard.gov @ inet  
Subject: Re: Education Meeting for Race Book

Attached is an initial Thinking Paper for the Education Working Group meeting tomorrow at 10:30. The paper lays out the four discussion questions that Mike described. Please let me know if you have any questions or concerns.



EDUC.WP

Message Sent To:

Michael Cohen/OPD/EOP  
Michele Cavataio/PIR/EOP  
Barry White/OMB/EOP  
Wayne Upshaw/OMB/EOP  
Robert M. Shireman/OPD/EOP  
Cecilia E. Rouse/OPD/EOP  
Tanya E. Martin/OPD/EOP  
Nicole R. Rabner/WHO/EOP  
Jonathan H. Schnur/OPD/EOP

## Education Working Group: Thinking Paper

Realizing the President's vision of One America will require a long-term effort to achieve the following goals in several critical areas, including education, economic development, and criminal justice:

- Overcome racial disparities;
- Eliminate racial discrimination;
- Improve race relations and promote the value of our diversity.

As part of the President's workplan to achieve these goals, we must construct an agenda of short- and long-term policy actions to be implemented by the federal government, state, local, and tribal governments, the private sector, the non-profit sector, and others. In terms of education, while we must promote action in both K-12 and higher education, given the growing importance of lifelong learning in the 21st century, we should think of education as a continuous pipeline from birth through college and beyond.

To develop a workplan to achieve the above goals in education, we must develop answers to the following questions (NOTE: None of the answers that follow the questions listed below are meant to be complete; rather, they are initial ideas.):

- I. **What are the key challenges (i.e., disparities, discrimination, race relations) of race in education? (NOTE: We need to think here of what concrete goals we must accomplish in the next X years.)**
  1. Racial disparities in early childhood development (including prenatal care, family learning, child care, pre-kindergarten).
  2. Racial disparities in access to educational resources (including funding, high quality teachers, academic materials, challenging curricula, modern technology, contemporary facilities, college participation).
  3. Increasing number and diversity of LEP students.
  4. Racial disparities/discrimination in educational expectations (including access to high standards, beliefs about individual capacity, beliefs about whose world is whose, beliefs about the "coolness" of educational success, and understanding of opportunities).
  5. Racial disparities in educational achievement (including test scores, high school graduation rates, college graduation rates).
  6. State of segregation in education (including segregation among schools, segregation within diverse schools due to tracking and self-segregation, lack of diversity in higher education).
  7. Vestiges of discrimination in access to K-12/higher education.
- II. **What are the hard questions that we must answer to address those challenges?**
  1. What is the appropriate role of the federal government in K-12 education?
  2. What is the proper role of public versus private versus parochial schools? OR What is the proper role of vouchers?
  3. How do we best educate LEP students? OR What is the proper role of bilingual education? How do we best accommodate language diversity?

4. What is the value of diversity in K-12/higher education?
5. What is the proper role of affirmative action in higher education? OR Under what circumstances are race-based actions required or permitted?

III. **What has the Administration accomplished/proposed thus far to address those challenges?**

1. Administration Accomplishments: AmeriCorps; America Reads; Technology Literacy Challenge Fund; increased support for Head Start; support for Charter Schools; Goals 2000 and promotion of high standards; promotion of partnerships between schools and families; Safe and Drug Free Schools Act and Safe Schools Act; support for bilingual education; increased support for Title I; increased loans, grants (e.g., Pell Grants), and work study to make college more affordable and to make two years of college universal; School to Work.
2. Prior Administration Proposals:
3. Recent Administration Proposals: Recruiting New Teachers; Small Class Sizes in Early Grades; Modern School Buildings; Education Opportunity Zones; Hispanic Action Plan; High Hopes; increased support for students loans, grants, and work study; support for affirmative action, increased support for after-school programs.

IV. **What are some bold ideas (new or reformulated) to address those challenges? ( NOTE: These bold ideas should include federal and non-federal actions, short- and long-term actions, etc.)**

- Advisory Board's Likely Recommendations: Strengthen teacher preparation and equity; promote school construction; enhance early childhood learning; promote high expectations; promote movement from K-12 to higher education; promote the benefits of diversity in K-12 and higher education.
1. Improve Teacher Education:
  2. Set Opportunity to Learn Standards:
  3. Equalize School Funding:
  4. Promote School Construction:
  5. Support Test Preparation Programs:



"Christopher Edley, Jr." <cedley@law.harvard.edu>  
08/05/98 07:42:35 PM

Record Type: Record

To: Edward W. Correia/WHO/EOP, Maria Echaveste/WHO/EOP, Elena Kagan/OPD/EOP, Judith A. Winston/PIR/EOP

cc: Charles F. Ruff/WHO/EOP, Jacinta Ma/PIR/EOP

Subject: Re: next steps

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Fabulous notes. Geez.

Small comments, in no particular order:

a. I would say that MAYBE these need elevation to POTUS. I favor developing the memo (with all the work that entails) and dropping out or adding as that process indicates. In other words, this shouldn't be viewed as a final list.

b. We really are killing four birds with one stone, and it makes sense to bear that in mind. The birds are: (1) updating POTUS on a few items; (2) plotting Administration priorities for the next two years and getting the needed policy signals to accomplish that; (3) flagging anything that has budget implications for FY 2000; (4) getting some bold thinking in front of POTUS for his race book.

c. In regard to the last item, b(4), we need a mini-working group not only to help process the memo, but also to think about ideas that may not be federal, or that may be longer range, or whatever. And, I dunno, maybe there's something about Native Americans. Maybe discrimination in the context of immigration enforcement. Anyway, I'd like a little working group, with charter not only to assist with Eddie's POTUS memo, but the broader brainstorming I need for the book.

d. I don't want any of this morning's discussion to leave the impression that I am anything but wildly enthusiastic about biting the bullet on 8(a) and SDB programs -- or at least putting before POTUS the option of doing so. I believe Maria agrees. **BUT I DID NOT LEAVE THE DISCUSSION WITH A SENSE OF WHO HAS THE LEAD IN DRIVING 8(a) REFORMS FORWARD.** If not WH COUNSEL, then who? Would be nice to get something signed off on by the time of the book. Erskine and Cassandra designed a package of changes that are sitting on the shelf to consider.

e. I just want to reiterate that there is serious intellectual work involved in many of these issues. There is hard conceptual stuff that ought to be framed in a way with the general way POTUS will discuss racial and ethnic justice, etc. Obvious point, but when the lawyers in the basement start arguing about everything, we'll have to remind folks to keep the big picture in mind. (Once we paint it.)

f. This is a large agenda. I urge Eddie to make use of Jacinta Ma, an attorney with a strong civil rights background, from the PIR staff. In addition, Maria will have a White House Fellow starting in September, who

is an attorney with some civil rights experience and interest.

\*\*\*\*\*

At 04:52 PM 8/5/1998 -0400, Edward\_W\_Correia@who.eop.gov wrote:

> Chris asked me to summarize my notes of our meeting this morning in  
> order to review the civil rights enforcement issues we identified as  
> particularly significant. I list these below, as well as my recollection of  
> the remainder of our discussion. Please let me know if you have corrections  
> or additions.

>  
> We identified the following "frontier" civil rights enforcement issues  
> as significant enough to warrant review by the President:  
> 1) higher education admissions, including the use of standardized  
> tests and the way we choose to articulate and support the Bakke decision;  
> 2) high stakes testing in other settings, such as elementary and  
> secondary schools;  
> 3) single sex schools;  
> 4) magnet and charter schools, including the appropriate use of race  
> by these schools in creating a diverse student body and our enforcement  
> strategy if schools exclude groups in violation of the civil rights laws;  
> 5) the importance of testers in civil rights enforcement, as used by  
> the EEOC and other enforcement agencies;  
> 6) achieving diversity in employment and ownership in the broadcasting  
> industry, including the status of the challenge to the FCC's employment  
> rules and strategies to diversify ownership;  
> 7) our efforts to achieve "environmental justice," i.e., challenging  
> decisions of local government or other recipients of federal funds in land  
> use planning decisions that have a discriminatory impact.

>  
> In addition to these issues, we may, after further review, want to  
> include language discrimination by employers and religious discrimination.  
> Also, the question of reforms in the Btal program may warrant review, both  
> as a legal matter based on our need to comply with Adarand and as a policy  
> matter, based on the desire to make the program more effective.

>  
> In regard to policy issues that Chuck and I contemplated including in  
> a memo to the President, particularly pipeline strategies for higher  
> education, there was a strong recommendation to include these as a part of  
> the regular budget process. I will convey this recommendation to Chuck and  
> discuss with Elena and Mike Cohen how that would be done. Finally, there  
> was a consensus that we need some kind of regular White House review of  
> civil rights enforcement policy and strategies. One possibility is a  
> meeting every month (perhaps 6 weeks) involving DPC, Counsel's Office,  
> other White House staff where appropriate, the heads of the enforcement  
> agencies and some agency staff.

>

>

>

**Very Rough Draft Outline for  
One America in the 21st Century:  
Report of the Advisory Board to the President's Initiative on Race**

Note: This is a very brief outline of subjects for the Advisory Board report which would accompany individual Board members' contributions. We hope that this outline will help focus Board members on the areas in which we believe the Advisory Board can make the greatest contributions to the President's final report to the American People. It may also help organize individual members' ideas for what they might structure their own reports.

**Chapter 1. Introduction: The Advisory Board to the President's Initiative on Race**

- Why the President appointed an Advisory Board to his Initiative on Race - its mission
- Who are the individuals on the Advisory Board and their collective agenda
- What the Advisory Board set out to do during the Initiative year - challenges and opportunities, early decision to focus on education and economic opportunities, dialogue, promising practices, etc.
- Context that the Advisory Board is one element of a much larger Presidential Initiative which is lead personally by the President, involving the White House as well as the entire Administration

**Chapter 2. Advisory Board activities over the past year and lessons learned.**

Collective

- Advisory Board meetings - WH Conference Center, Mayflower, College Park, Fairfax County, Phoenix, San Jose, Denver, Newark, and Boston
- Little Rock Central High School
- Santa Fe Congress of American Indians
- University of Mississippi
- Children's Defense Fund
- Carnegie Meeting

Individual

- Two to three compelling examples from each board member

Lessons Learned (interspersed with events above)

- Complexity of issues, their range and their interconnectedness
- Summary of some of the most compelling facts and analysis from meetings dealing with education, economic opportunities, and stereotype issues
- Personal stories of challenges overcome and opportunities expanded

### **Chapter 3. Promising Practices and Dialogues.**

#### Promising Practices

- Brief description of some promising practices site visits in Phoenix, San Jose, Denver and LA
- Some common factors for why they work
- Programs may help shed light on larger policy prescriptions to improve race relations or reduce racial disparities
- Continuation or expansion of these program in the future to increase positive outcomes

#### Dialogue

- Brief description of most compelling public or private conversations that help advance state of race relations
- Elements that contribute to successful dialogues and strategies for replication
- Efforts to expand opportunities for productive dialogues that lead to concrete actions
- Reasons by dialogue leading to action is important

### **Chapter 4. Policy Recommendations.**

- Broadly, the 3-4 priority policy areas which most dramatically reduce disparities and promote equal opportunities (not specific or targeted program recommendations). This section will draw heavily from the existing letters from Dr. Franklin to the President following each of the Advisory Board meetings in the last 8 months. Additional ideas from the June meeting will also be incorporated in this section. Some examples may include:
  - Continuing FY99 increases for anti-discrimination enforcement strategies which include periodic audits of how the country is doing in areas such as housing, employment and public accommodations; vigorous educational efforts to prevent discriminatory practices and to increase victims' awareness of the laws; and expansion of existing prosecution efforts;
  - Closing the education gap through focus on some areas of K-12 education such as teacher training, early childhood education, language acquisition or mentoring;
  - Increasing opportunities for overall employment and economic growth through macroeconomic policies which sustain the current economic trends. In order to reduce racial disparities in economic opportunities, policy solutions must be broadly constructed to incorporate employment, housing, community development, transportation, training, child care and other related structural issues. Concentrated poverty issues must also be dealt with separately to help the most disadvantaged members of our society;
  - Reducing health disparities which most fundamentally affect people's chances to learn and earn

## **Chapter 5. Next Steps.**

- Some options for next steps may include:
  - Recruitment and engagement of leaders, both existing and new, who can continue the work started by Advisory Board members in the past year and how we can sustain and nurture their work;
  - Council for One America
  - Continuation of promising practices identification
  - Private foundation for One America
  - One America community partnerships
  - Advisory Board members' personal pledge to continue as advocates for the President's vision for One America
  - Challenge and opportunity of government to government relationship on American Indian issues
  - Other ideas for President on what he can ask of others when he reports to the American people at the end of the year

## **Chapter 6. Conclusion.**

- Unprecedented Presidential effort provided Board members incredible opportunities to travel country and touch people's hearts - Thank you to the President
- Have done a lot of work in this year - more than some expected, less than others
- But much more work remains which must involve President, Federal, state, and local governments, private sector, religious communities, schools, and individuals
- Towards a more perfect union - why the country will be better off in the next year and over the next 50 years because of what was started this year compared to not having this initiative

~~CONFIDENTIAL~~  
DRAFT/August 4, 1998

**PRESIDENT'S INITIATIVE ON RACE  
SUMMARY OF ADVISORY BOARD'S POLICY RECOMMENDATIONS TO THE PRESIDENT**

Following each meeting of the Advisory Board to the President's Initiative on Race, Dr. John Hope Franklin, Chairman of the Advisory Board, has sent a letter to the President on behalf of the full Board reporting on the meeting and providing preliminary policy recommendations on the substantive issues discussed. To date, Dr. Franklin has sent six letters to the President concerning the following substantive areas:

1. Civil Rights Enforcement (November 1997 meeting in College Park, MD)
2. Race and Education (December 1997 meeting in Fairfax, VA)
3. Race and Employment (January 1998 meeting in Phoenix, AZ)
4. Race and Poverty (February 1998 meeting in San Jose, CA)
5. Race and Stereotypes (March 1998 meeting in Denver, CO)
6. Race and Housing (April 1998 meeting with HUD in Newark, NJ)

In addition, Dr. Franklin will likely send additional letters to the President in the following areas:

7. Race and Criminal Justice (May 1998 meeting in Washington, D.C.)
8. Follow-Up on Education, Economic Development, Leadership, and Vision (June 1998 meeting in Washington, D.C.)
9. Race and Health (July 1998 meeting with HHS in Boston, MA)
10. The Immigrant Experience (July 1998 meeting with Carnegie Endowment for International Peace in Washington, D.C.)

In September, the Advisory Board will forward to the President its final report, which will likely reiterate and expand upon the Board's preliminary recommendations.

This document summarizes the policy recommendations made and likely to be made by the Advisory Board in each critical area listed above. Please note one overarching, high-priority recommendation in all areas:

- **Enhance Data Collection and Research:** Throughout the last year, the Advisory Board was challenged by limited data and research on critical issues, especially with regard to issues affecting Hispanics, Asian/Pacific Islanders, and American Indian/Alaska Natives. The Board believes that enhancing data collection and research, including data on racial disparities and testing on discrimination, is a crucial part of the policy-making process and is an especially appropriate role for the federal government. Furthermore, the Board believes that data collection and analysis should be done on a periodic basis to help measure our long-term progress toward addressing issues of race and building One America.

Race Initiative - Advisory Committee  
FYI

**I. Civil Rights Enforcement**  
(PIR Staff: John/Scott)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
✓	*	<b>Strengthen Civil Rights Enforcement:</b> "The data we have received and reviewed makes it clear that actionable illegal discrimination on the basis of race and national origin is still active and the source of harmful consequences. . . . [F]or the last two decades, civil rights enforcement agencies have had their budgets and staffing reduced while many of their responsibilities have been increased. . . . Strengthen[] civil rights enforcement throughout the United States: in the FY 1999 budgets, help create partnerships with States and localities that enforce comparable laws. . . ." The Board has also recommended devoting additional resources to training staff and offering technical assistance to recipients of Federal funds to help prevent discrimination.	<ul style="list-style-type: none"> <li>Proposed \$86 million funding increase in FY 1999 budget</li> </ul>	
✓	*	<b>Expand Data Collection on Racial/Ethnic Discrimination:</b> "Expand[] and strengthen[] the Federal government's ability to collect, analyze, and disseminate reliable data on the nature and extent of discrimination based upon race and national origin. . ."	<ul style="list-style-type: none"> <li>Proposed \$10 million initiative to test for housing discrimination</li> <li>Proposal to increase data collection on hate crimes</li> </ul>	OMB CEA
✓	*	<b>Implement Initiatives from White House Hate Crimes Conference:</b> "Implement[] fully the series of bold new initiatives announced at the White House Hate Crimes Conference aimed at better data collection, enforcement, and prevention."	<ul style="list-style-type: none"> <li>Proposals to strengthen hate crimes laws and enforcement</li> </ul>	Richard S. DOJ
✓		<i>Promote Respect for International Human Rights Standards: In 1994, the United States ratified the Convention on the Elimination of All Forms of Racial Discrimination (CERD). We urge you to take several steps to further support CERD, including submitting as soon as possible and periodically thereafter a state report to the CERD Committee as required under the Convention. In addition, we should incorporate CERD's standards into our domestic discourse. For example, we suggest that the Department of Justice reference CERD's provisions in its court filings and other documents where relevant.</i>	<ul style="list-style-type: none"> <li>Possible Executive Order concerning human rights treaties and creation of Working Group</li> <li>DOS CERD report</li> </ul>	NSC

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2. Race and Education  
(PIR Staff: Scott)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
✓	*	<p><b>Promote Teacher Equity and Preparation:</b> "There seems to be substantial agreement that high-quality teachers are our most valuable educational resource. However, the data show that lesser-qualified teachers are overrepresented in high-poverty, high-minority communities. In addition, teachers are often ill-prepared to promote high expectations for students of all races, to create settings in which students of all races can learn effectively, and to teach in increasingly diverse environments. We recommend that you look at ways that the federal government can help bridge racial disparities in student access to quality teachers and support the professional development of teachers to serve minority students better." <i>Government and higher education leaders should work together to improve teacher education.</i></p>	<ul style="list-style-type: none"> <li>Initiative to Get Good Teachers Into Underserved Areas</li> <li>Bingaman/Miller amendment on teacher education</li> </ul>	Mike C.
✓		<p><b>Develop Education Pipeline Programs:</b> "It is our understanding that programs that expose students at an early age to future educational opportunities and that provide mentoring, tutoring, and other support for students who aspire to take advantage of those future opportunities have shown positive results in improving educational outcomes for minority youth. We understand that you are presently considering a proposal to expand existing pipeline programs, such as the TRIO programs, and to promote new programs, such as college-school partnerships, to increase expectations, improve achievement, and increase college access for minority students. We want to offer our support for such a proposal." <i>Other efforts could include increasing the availability of advanced placement courses in high poverty, high-minority school districts and providing financial support, such as loans or grants, for college test preparation courses.</i></p>	<ul style="list-style-type: none"> <li>High Hopes Initiative</li> <li>Short- to mid-term efforts (e.g., AP courses, test preparation courses)</li> </ul>	Bob S. Eddie C.
✓		<p><b>Teach Racial Understanding Through Diversity:</b> "As we saw firsthand during our visit to Ammandale High School, many of our schools are rapidly becoming more racially diverse. This diversity can be a great asset in teaching students how to get along with people different from themselves and about how our cultural diversity enriches America. We have had the opportunity to learn about many programs, several of which the Initiative has featured as promising practices, that are working in our schools to teach children the tolerance and understanding necessary for them to function as good citizens in our multicultural, democratic society. . . . We must think of creative ways that the federal government can further support primary and secondary schools in their efforts to implement such programs and to promote understanding through diversity."</p>	<ul style="list-style-type: none"> <li>Promising practices</li> </ul>	DOEd.

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√	<p><b>Enhance Public School Choice:</b> “While many of us have substantial concerns about using public school money to fund private schools, there seemed to be some consensus among Board members and panel participants on the efficacy of exploring public school choice as one strategy for increasing educational opportunity and overcoming racial disparities in education. I know that you are a strong proponent of public school choice. We wish only to offer our support for your continuing efforts in this regard.”</p>	<ul style="list-style-type: none"> <li>• Education Opportunity Zones Initiative</li> <li>• Support for charter schools</li> </ul>	Mike C.
√ *	<p><b>Promote School Construction:</b> <i>Students cannot learn effectively in overcrowded schools with crumbling walls, old wiring, inadequate heat, and/or no air conditioning. Poor facilities hinder teaching and learning, limit access to technology, and dampen students' expectations and feelings of self-worth. Once again, these problems are most prevalent in minority communities where 42% of students (or 4.8 million students) attending schools that are majority of color are in schools with at least one inadequate building. It is estimated that building and renovating our public schools to adequately serve all students will cost more than \$100 billion. The federal government should take action in partnership with state, local, and tribal governments, the private sector, and the non-profit sector to address this need. Your proposed School Construction and Modernization Initiative, which would provide federal tax credits to pay interest on \$22 billion in bonds to renovate schools, is crucial, but it could be expanded by committing direct federal funds and requiring state matching funds, as with federal funding for highway construction. School construction must be made a national priority.</i></p>	<ul style="list-style-type: none"> <li>• School Construction and Modernization Initiative</li> </ul>	Mike C.
√	<p><b>Enhance Early Childhood Learning:</b> <i>Emerging evidence indicates that a child's development in the earliest years is crucial to his/her development throughout life. However, data indicate that racial disparities persist in terms of early childhood learning. For example, studies show that 89% of white children ages 3-5 are read to three or more times per week compared to 74% of black children and 62% of Hispanic children. The federal government should take action to help eliminate such disparities and enhance early childhood learning opportunities for children of all races.</i></p>	<ul style="list-style-type: none"> <li>• Initiative to Reduce Class Sizes in Early Grades</li> <li>• Early Learning Fund Initiative</li> </ul>	Mike C.

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3. Race and Employment  
(PIR Staff: John)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
✓	*	<b>Evaluate the Effectiveness of Job Training Programs:</b> The Board recommended that the Department of Health and Human Services and the Department of Labor evaluate the relative effectiveness of various employment training programs for different minority and immigrant communities that will highlight the commonalities and, where they exist, the differences in their training needs.	<ul style="list-style-type: none"> <li>Welfare reform evaluations at federal and state levels</li> </ul>	NEC (John O.) DPC DOL
✓	*	<b>Support Multiple Forms of Testing to Create a Citizens' Progress Report on Race:</b> The Board lent its support for a HUD-funded project to systematically measure racial discrimination through testing in the areas of employment, housing, credit and other areas of social life so that there is a periodic progress report on racial disadvantage and disparities.	<ul style="list-style-type: none"> <li>Proposed \$10 million initiative to test for housing discrimination</li> <li>HUD-funded conference</li> <li>DOL meeting</li> </ul>	OMB CEA See Urban Institute report
✓	*	<b>Improve Racial Data Collection:</b> The Board advised that Federal statistical data gathering agencies make every effort to create large enough periodic samples of all minority groups so that post-censal information on race is systematically available for all groups. This could be achieved by over-sampling Asian-Americans and American Indians as part of such key annual data series as the Current Population Surveys.	<ul style="list-style-type: none"> <li>OMB plans meeting of statistical agencies</li> </ul>	OMB CEA
✓		<b>Require the Bureau of Indian Affairs to Address Indian Economic Development Needs:</b> Of particular concern to the Board was the difficulty that tribes interested in economic development and access to credit continue to face in gaining access to credit and investment resources due to confusion by investors about the jurisdictional rules or conditions for adjudicating mortgages and foreclosure procedures. The Bureau of Indian Affairs needs to make every effort to address this issue through the voluntary cooperation of major lenders and secondary market actors, including Fannie Mae and Freddie Mac. Memoranda of Understanding could be executed with major tribal associations, as well as individual tribes, which foster the necessary long-term process of building programs to inform and educate investors and lenders about the range of realistic, culturally sensitive lending and investment opportunities available in Indian Country.	<ul style="list-style-type: none"> <li>Interagency conference to address tribal economies.</li> </ul>	DPC NEC

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**4. Race and Poverty**  
(PIR Staff: John)

√	*	<b>Advisory Board Recommendations</b>	<b>Administration Actions</b>	<b>Follow Up</b>
√	*	<b>Examine Income Inequality:</b> The Board heard evidence about long-term patterns of income inequality and suggested that the President initiate discussions among senior policy makers and congressional leaders, as well as the private sector, as to potentially available means to reduce the extremes of this persistent pattern of inequality that so notably limits this country's ability to reduce systemic poverty and concomitant racial disadvantage.		N/A
√		<b>Support Supplements for SBA Programs:</b> The Board learned of the importance of strong encouragement for tax credits and supports for corporations to provide philanthropic support for micro-credit development programs. Such financing is critically important since many, if not all, of the clients for such programs bring with them damaged or limited credit histories that prevent them from seeking funding from regular lending institutions or from the Small Business Administration.	<ul style="list-style-type: none"> <li>SBA innovations</li> </ul>	N/A
√	*	<b>Use the Current Economic Boom to Provide Necessary Job Training and Minimum Wage Increases/Promote Access to Jobs with Liveable Wages:</b> The Board found that it is important to take advantage of the current economic boom to reach out to, educate, train, and place as many people as possible for positions in the new economy as additional efforts aimed at welfare to work transition are put into place along with a commitment to higher minimum wages. <i>Minority workers must have access to jobs that pay a living wage, including benefits.</i>	<ul style="list-style-type: none"> <li>Administration support for minimum wage increase</li> </ul>	
√		<b>Evaluate Anti-Poverty Program Effectiveness:</b> The Board recommended the establishment of a White House task force involving those Federal agencies engaged in addressing various aspects of the anti-poverty problem to have them carefully and jointly assess and evaluate which of these current programs, or those programs which have recently lapsed, have proven utility in successfully reducing poverty on a sustained basis. They should use available data to assess whether programs are equally effective for all minority groups, and if not, why. This cross-agency evaluation would assess how better to coordinate or integrate local level programs so that tools managed by different agencies could have a better, cumulative impact when targeted in tandem rather than in isolation.		
√	*	<b>Protect and Strengthen Collective Bargaining and Unions:</b> <i>The Board will likely recommend that the Administration protect and strengthen collective bargaining and unions to help reduce wage disparities.</i>		NEC (John O.)

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5. Race and Stereotypes  
(PIR Staff: David)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
		<p><b><u>Hold a Presidential Event On Stereotypes and What Can Be Done About Them:</u></b> "The issue of racial stereotypes is a core element of the problems of racial division and the lack of inclusion. Stereotypes influence how people of different races and ethnicities view each other, and as a consequence, treat each other. . . . As the nation's leader and as a leading authority figure, you are in a unique position to underscore the link between racial discord in society and the stereotypes that lurk in the very private realm of our hearts and minds. . . . The event -- whether a speech, fireside chat, or other format -- would need to include a call to action. This call to action would remind people that all of us -- especially local leaders -- are in a position to advocate for changes in the ways that stereotypes become unconsciously institutionalized into virtually every organization in society."</p>		
		<p><b><u>Institutionalize the Administration's Promotion of Racial Dialogue:</u></b> "In a variety of ways, the Initiative is promoting involvement in small group racial dialogue. . . . In addition to helping Americans learn more about racial issues, these efforts help reduce stereotypes by creating interdependencies and a common mission between people of different racial groups. We urge you to continue your commitment to racial dialogue so that it is institutionalized after the end of the Initiative."</p>		
	*	<p><b><u>Convene a High-Level Meeting on the Problem of Racial Stereotypes with Leaders from the Media:</u></b> "The primary purpose of the meeting would not be to assign blame, but rather to focus Presidential and public attention on the role of the media in both helping and hindering societal progress about the issue of stereotypes. . . . During the meeting, you could encourage participants to pursue a number of strategies so that the media could play a more positive role with respect to stereotypes."</p>		
✓		<p><b><u>Promote Inclusion of the American Indian Community:</u></b> The Board also made several recommendations to promote inclusion of American Indians in the Initiative and beyond, including conducting a Presidential visit to an Indian reservation, convening a White House Conference on economic development in Indian country, and/or convening a report on American Indian issues.</p>	<ul style="list-style-type: none"> <li>• Interagency conference to address tribal economies.</li> </ul>	

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6. Race and Housing  
(PIR Staff: John)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
✓	*	<b>Continue to Use Testing to Develop Evidence of Continuing Discrimination:</b> The Board noted the persistence of discrimination in housing and the important role which Federally funded testing programs have played in combating overt and subtle forms of disparate treatment. The Board supports HUD's decision to double housing complaints processing by the year 2000.	<ul style="list-style-type: none"> <li>• Proposed \$10 million initiative to test for housing discrimination</li> </ul>	
		<b>Highlight Housing Integration Efforts:</b> The Board learned of a small number of non-profit organizations dedicated to promoting integration through non-race based strategies of outreach. The Board recommends that these efforts be highlighted in the final report <i>and that the Administration further support these programs.</i>	<ul style="list-style-type: none"> <li>• HUD regional mobility</li> <li>• Title VI desegregation</li> </ul>	
	*	<b>Support the Increase and Targeting of Federal Funds for Urban Revitalization:</b> The Board supported the recommendations of the Eisenhower Foundation that stress the importance of linking federal and private sector funds to rebuild the core of inner city neighborhoods, many of which are home to minority and low-income families. The Board supported the type of targeting in HUD's HOME program and recommended an increase in overall levels of funding to meet the needs of such programs.	<ul style="list-style-type: none"> <li>• HUD/DOT Hope via Homes</li> </ul>	
		<b>Support Community Development Corporations:</b> The Board is convinced that local neighborhood community development corporations offer key, sensible, cost-effective and locally legitimate programs that can improve conditions in minority communities in our inner cities. <i>Support is need for such programs and for related community and neighborhood efforts that work to reduce racial disparities and segregation within our metropolitan areas.</i>	<ul style="list-style-type: none"> <li>• Federal agency use of non-profit CDCs for development, such as enterprise communities</li> </ul>	

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7. Race and Criminal Justice  
(PIR Staff: Scott)

✓	*	Advisory Board Recommendations	Administration Actions	Follow Up
✓	*	<p><i><b>Expand Data Collection and Analysis:</b> As in other subject areas, one point that clearly emerged from our readings and discussions was the lack of data that exist for some racial groups with regard to issues of criminal justice. For several reasons, much of the data that exist are restricted to blacks and whites, with little data available on issues affecting Hispanics, Asian Americans, or Native Americans. . . . We recommend that the Administration develop appropriate mechanisms to collect and analyze more complete criminal justice data for all racial and ethnic groups, so that issues of race can be better assessed and addressed.</i></p>		
	*	<p><i><b>Consider Restricting the Use of Racial Profiling:</b> Racial profiling refers to the use of race by law enforcement personnel as one factor in identifying criminal suspects. . . . We understand that the Department of Justice is presently examining the issue of racial profiling. We strongly endorse this effort and recommend that you and the Attorney General consider restricting and develop alternatives to racial profiling in federal law enforcement and encourage state and local governments to do the same. Such actions would send a powerful statement to persons of color that the federal government does not sanction the disparate application of policing powers by race.</i></p>	<ul style="list-style-type: none"> <li>• DOJ internal review of racial profiling</li> </ul>	
		<p><i><b>Eliminate Racial Stereotypes and Diversify Law Enforcement:</b> The Administration should develop and support efforts to eliminate stereotypes from the administration of justice. One strategy that experts and practitioners mentioned repeatedly during our May 19 meeting is enhanced training for law enforcement personnel. . . . Furthermore, it is crucial to promote diversity throughout the criminal justice system by increasing the number of persons of color serving as police, prosecutors, judges and more.</i></p>		
		<p><i><b>Reduce or Eliminate Drug Sentencing Disparities:</b> While there may be some justification for the differential treatment of crack versus powder cocaine offenders, all participants in our May 19 meeting agreed that the present 100:1 sentencing disparity is morally and intellectually indefensible and undermines confidence in the fairness of our criminal justice system. The Administration has recommended a reduction in the disparity to 10:1 by raising the amount of crack that triggers a mandatory minimum and lowering the amount of powder cocaine. We strongly support this action at a minimum. . . .</i></p>	<ul style="list-style-type: none"> <li>• Proposed reduction in sentencing disparity</li> </ul>	

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	<p><b><i>Promote a Comprehensive Approach to Keep Young People Out of the Criminal Justice System:</i></b> Many communities of color face concentrated disadvantage, which is linked to high rates of crime, including juvenile crime. Reducing crime and keeping young people in these communities out of the criminal justice system likely requires a coordinated approach to law enforcement, including education, economic, and criminal justice programs and involving all sectors of those communities. We support several Administration efforts to prevent and address youth crime in communities of color, including the enhancement of after school programs and support for community partnerships. We urge the Administration to further support coordinated efforts to address concentrated disadvantage and keep young people out of the criminal justice system...</p>	<ul style="list-style-type: none"> <li>• Increased support for after-school programs</li> <li>• Support for Values-Based Violence Prevention partnerships</li> </ul>	
	<p><b><i>Continue to Enhance Community Policing and Related Strategies:</i></b> Strategies that fall under the rubric of community policing have the potential to improve relations between law enforcement and communities of color, enhance confidence in law enforcement, and reduce crime. The federal government should continue to support community policing efforts in communities of color. . .</p>	<ul style="list-style-type: none"> <li>• Initiative to provide COPS grants to underserved cities</li> <li>• Initiative to fund community prosecutors</li> </ul>	
	<p><b><i>Support American Indian Law Enforcement:</i></b> There seems to be strong consensus that further resources are needed to adequately support criminal justice in Indian country. . . . We are pleased that your FY 1999 budget includes more than \$180 million to strengthen law enforcement in Indian country. The federal government should continue to take action to strengthen tribal law enforcement and justice systems in a manner that respects tribal sovereignty and preserves tribal justice practices.</p>	<ul style="list-style-type: none"> <li>• Proposed \$180+ million funding increase for criminal justice in Indian country</li> </ul>	
	<p><b><i>Support Initiatives that Improve Access to Courts:</i></b> The Administration should support initiatives to increase understanding of the way our criminal justice system operates and improve access to our courts. At a minimum, all judicial systems should provide the ability for limited English proficient users to access both the criminal and civil courts in their communities. Strategies that may be implemented include providing grants to community based organizations for outreach and public education, providing training for law enforcement personnel, including judges, about the changing demographics in the communities they serve, and making available court-certified interpreters.</p>		

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RACE  
BOOK

September 15, 1998

MEMORANDUM FOR THE PRESIDENT

From: Maria Echaveste  
Deputy Chief of Staff

cc: Christopher Edley, Jr.  
Sidney Blumenthal  
Elena Kagan  
Terry Edmonds

Re: Agenda and Briefing Materials for Race Book Meeting -  
Tuesday, September 15, 7:00pm in the Oval Office

5:40 pm

This is planned as a small meeting with the group you identified earlier:

Echaveste, Blumenthal, Kagan and Edley. We will endeavor to include Terry Edmonds, per your decision that he should help write the book.

Below is a proposed agenda:

1. The education portion of the "workplan" chapter. (20 minutes)
2. Overview of "hard questions" on which I would like to engage you, and which would likely appear at various places in the book. (20 minutes)
3. Confirmation of your interest in a trade book publication, per discussions with Eli Segal. (2 minutes)
4. Scheduling and other process matters. (Maria, 5 minutes)
5. Time permitting: feedback on the draft "vision" to guide drafting.

## *Introduction*

Professor Edley has previously provided you with the first of his lengthy memoranda providing greater detail for pieces of the book. (Memo sent to you 9/12 describing the vision, workplan and leadership chapters of the book.) This memo focuses on the education portion of the workplan chapter and on the “hard questions” that will help elicit your values regarding race in America that should form the foundation of your book.

### *I. Education workplan*

There are many who would argue that if America could indeed provide the opportunity for a quality education for every child regardless of race or income, significant progress could be made towards racial reconciliation. Thus, racial disparities in opportunity and achievement persist as towering obstacles to achieving your vision. We have tolerated this for too long; it is wrong. Therefore, the education workplan identifies three pillars to focus upon: a) closing the racial gap in opportunity and achievement; b) instituting greater accountability and responsibility; and c) tackling the problem of racial isolation.

In focusing on these three pillars, we must recognize that these problems have long gone unsolved not only because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government, of community and of the family in education. The old formulas need revision; the old problems need new thinking, and the old values need new life. Generalizing, we need to provide every family, regardless of race or zip code, with an Education Bill of Rights.

**A. Close the racial gap in opportunity and achievement.** This means overcoming racial disparities in the opportunities available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. It also means improving our ability to make targeted, individualized efforts so that every child achieves his or her God-given potential. Among the key elements of an education bill of rights for equal opportunity and full achievement:

- *Parenting and early childhood*
- *Teaching:* Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for all.
- *Curriculum and standards:* Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or her full potential: Students of color are often tracked into special education and out of honors courses.
- *English acquisition:* Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.
- *Infrastructure:* Eliminate disparities in full access to adequate facilities and technology.
- *Post-secondary attainment:* Overcome disparities in high school graduation rates, and in

college participation, retention and graduation rates.

**B. Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without far stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we must design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform.

*Tests and accountability:* Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers and students accountable for educational achievement. The accountability should flow "up" from parents and "down" from a number of actors: e.g., federal taxpayers, state and local elected officials, presidential leadership. The range of tools, both carrots and sticks should stretch from more effective parental actions, to political mobilization, to school reconstitution or receivership, to fiscal incentives -- and everything in between.

*Governance and leadership:* If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems. For example, debates over education often become debates about "local versus federal" control, or about who is responsible for the failure of public schools to provide a quality education for every child. We have to move beyond the "blame" game and the "federalism" debate: but what are the alternative principles to guide the discussion?

**C. Promote integration and diversity in education to enrich the learning experience for all students.** Students deserve an opportunity to learn together in ways that dissolve stereotypes, improve race relations and, *ceteris paribus*, provide a more complete educational experience. For the nation's sake, parents and students should have a right to choose an ethnically diverse educational setting. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement. Can we achieve a societal consensus so that we must: (i) educate the public on the value of inclusion, diversity and integration -- reviving that ideal; (ii) reduce racial segregation and isolation among schools; (iii) reduce segregation within schools; and (iv) defend and enhance inclusion in higher education. Yet we must recognize that changing demographics in many cities makes "integration" a wishful hope, not a real possibility. In school desegregation cases around the country, minority parents are saying enough to busing. What are the other options?

\*

*-- Preliminary discussion issues on the education workplan*

- (1) Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation?
- (2) Do the bulleted items for attacking resource and achievement disparities capture your personal priorities? Are any high priorities missing? Can any of them be demoted for attention in textual boxes rather than in your narrative?
- (3) Do you agree with the integration theme?
- (4) Will you authorize us to explore some rethinking of the long-term federal role in order to tackle these disparities, or must we take current arrangements as immutable?

**II. *Hard Questions:***

Attached is a matrix listing hard questions, or hypotheticals, in ten areas. (You may recall this approach from your affirmative action work in 1995 with Professor Edley.) Each question presents a very real social situation or policy problem, meant to serve as a doorway onto a whole set of related questions and controversies. Wrestling with the questions should illuminate values that are shared and disputed, perceptions that are factual or ill-informed. Professor Edley hopes that working through some of these questions will help elicit your best thinking, and detail your vision and its application to some of the thorniest questions facing the nation. The result, modeling a thoughtful engagement of the issues, will be used throughout the book. Professor Edley's thought is for a specific chapter on "wrestling lessons," but a different organization may make more sense.

What we would like is your feedback on this list. If this approach appeals to you, we will do some writing on each of them and get your reactions.

**III. *Trade Book***

Professor Edley has had preliminary conversations with Eli Segal, Peter Osnos and White House Counsel. We need your guidance on whether to pursue this.

**IV. *Other Process Matters***

We need guidance concerning how you want to work with the book team, how best to elicit the personal stories that should suffuse the book, and scheduling.

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Attachment: Matrix of Hard Questions

Vexing Issue	Case or Hypothetical Example
1. Is allegiance to group identity in conflict with our American identity? Does pressure to assimilate threaten group identity?	Is it wrong for a black or Latino college student to self-segregate at the lunch table or fraternity? Is it wrong for a new immigrant family to press their daughter to marry "within" the ethnic group? Also: choosing a place of worship.
2. How important is integration?	Magnet/charter school: Should the school board design the curriculum and pupil assignment scheme to promote diversity? Residential: Is it wrong for town leaders (or apartment landlords) to attempt to create integrated communities and avoid segregation? (Oak Park; Starret City)
3. Representation and difference: Must governmental bodies or other organizations need to reflect the diversity of the communities they represent?	Is it right to oppose black city councilors in Los Angeles because the Latino population lacks representatives; should a newspaper try to cover minority "issues" with someone from that group?
4. Where are the boundaries between legitimate personal preferences, stereotypes and discrimination?	Is it discrimination if a white manager has two equally qualified candidates, one Hispanic and one white, and hires the white candidate because he "feels a stronger connection"? Retail store "profiling": keeping an eye on minority customers. Elderly lady crosses the street to avoid boisterous teens.
5. In what circumstances, if any, should race be used to identify criminal suspects?	Chandler, AZ case of civil rights violations against Hispanics suspected of being illegal aliens; Arabs and airport security;
6. When is an issue about race and when is it about class? How is this viewed differently by different racial groups?	A legislature decides to cut welfare benefits for recipients after 18 months...; Landlord declines to accept section 8 vouchers -- is it race, or class? Was Prop 187 about race?
7. How do we respect tribal sovereignty while creating opportunity in One America?	Is investment in gaming a good direction for economic development?
8. Does our growing language diversity threaten our American identity?	An Anglo feels ill-at-ease entering a grocery store in Miami where everything is in Spanish; has diversity become a danger when a teacher faces a classroom where half the students are LEP, representing three or even eight languages?
9. Are the gains of one racial or ethnic group made at the expense of another?	A black neighborhood council is unhappy that the only grocer in the black neighborhood is Korean; Hispanic employees at a telephone company are concerned that the corporate affirmative action plan has done little for them.
10. History: What about apologies and reparations? How does history matter?	Slavery apology, Japanese internment, American Indians, Holocaust? What are the distinctions? Is victimhood inherited?

September 16, 1998

To: Maria Echaveste

From: Christopher Edley, Jr.

Re: Upcoming "Race" Speeches: My understanding of where we are

RACE  
~~BOOK~~  
BOOK

### 1. PIR Advisory Board Event, Friday 9/18

Highly thematic, with a focus on education and the role it plays in the President's vision of creating One America with racial and ethnic justice, and equal opportunity. That vision includes closing the dramatic racial and ethnic disparities in education resources and achievement, strengthening our mechanisms of accountability, and restoring our belief in the value of inclusion and integration. Some particulars: thanks to the Advisory Board; the CEA "fact book"; mention of an SBA initiative.

### 2. Congressional Black Caucus Dinner, Saturday 9/19

*Past:* You have been with me in the past, for which I am grateful, and you've been with me because my agenda has been your agenda. And despite what the critics always claim, this has not special interest politics, because the agenda we share is an agenda for One America in which no group is left behind. Details: Clinton-Gore accomplishments and proposals.

*Present:* And I'm continuing to fight for our agenda. Right now on Capitol Hill. Examples.

*Future:* For the future, my vision of One America with racial and ethnic justice, and equal opportunity. What I want a future President to stand before you 10 years from now and point to as progress made.

### 3. Congressional Hispanic Caucus Dinner, Wednesday, 9/23

*Past, Present:* As with CBC, a shared agenda of opportunity and inclusion reflected in the Clinton-Gore record, and important battles today on the Hill and elsewhere.

*Future:* Vision of One America, with a focus on what it means to get "beyond the Black-White paradigm. How the nation's agenda must reflect the new diversity of the 21<sup>st</sup> century.

RACE  
Book

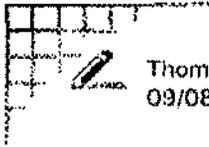
Record Type: Record

To: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP  
cc: Leanna A. Shimabukuro/OPD/EOP  
Subject: Race/Crime Outline

Elena:

My comments/edits to the Crime section of Edley's document:

- 1. Overemphasizes "fairness issues," underemphasizes "victimization."** The truly "bold" approach to Race/Crime is not to focus so much on those issues that are already part of Washington's polarized debate on Race/Crime (i.e., police brutality, death penalty disparities), but on clearly defining and making the case for how the criminal justice system "underserves" minority communities. While there is much less literature and data on how minority communities are underprotected, there is ample evidence of its existence -- and the President's One America report could be the document that finally energizes leaders at all levels, and from all races, to come together on take on the issue of crime in minority neighborhoods.
- 2. Should include discussion of firearms violence in victimization section.** Guns and the high victimization rates for young minority males go hand-in-hand, and offer a powerful example of how the Race/Crime discussion does not always include critical issues.
- 3. Discussion of responsibility, adults and non-governmental response to keeping young minorities out of the criminal justice system.** The introduction of Chris' memo talks about the importance of non-federal and non-governmental challenges that should be included in the report. I would suggest that this section is perfect for such suggestions. For instance, what more can communities, local leadership, minority leadership, business, etc., be doing to keep young minorities from coming into contact with the criminal justice system. This might also be a good opportunity to discuss the Chicago Study, which found that communities of all races with certain informal social controls -- i.e., adults intervening to reinforce certain behaviors/standards -- had 40% lower rates of violent crime. How can non-government entities strengthen and support these social controls -- and, thus, reduce crime, violence and the number of minority kids coming into contact with the criminal justice system.
- 4. Think about toning down language on racial profiling, police brutality and misconduct.** It seems to me that Chris' language here may be problematic. First, these issue deserves serious thought and action, but I don't see how we propose "zero tolerance" against these practices when there is little consensus on what all of these terms mean. We should by all means be tough on brutality, but misconduct and racial profiling are much broader categories that means different things to different people. We need to think about exactly what law enforcement will be prohibited from doing before we propose "zero tolerance."
- 5. Miscellany.** I think it's a great idea to talk about a "right" to community safety, as Chris suggests. I think "coerced abstinence" -- or drug testing and treatment -- is worth talking about in the incarceration section. And my reaction is that most of what needs to be done in this section will fall on state and local governments, not the feds.



Thomas L. Freedman  
09/08/98 02:32:01 PM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP, Mary L. Smith/OPD/EOP  
Subject: Edley Report

Two Possible additions:

1. Native Americans-- This seems to be missing and Mary will contact Julie F. to suggest achievements and tasks.
2. Civil Rights Backlog-- the report mentions the backlog but does not devote even a bullet to our Civil Rights Enforcements Initiative.

below is the bullet's we used...

**Civil Rights Enforcement Initiative.** The Administration proposed in its Fiscal Year 1999 budget a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination and strengthens civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternative dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the Equal Employment Opportunity Commission (EEOC) to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 balanced budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million, or more than 16 percent, over last year's funding.

**Reforming and Strengthening the EEOC.** The centerpiece of this initiative expands the EEOC's ADR program over three years to allow as many as 70 percent of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. In the first year of this expansion, the EEOC will provide ADR in a projected 16,000 cases -- 20 percent of all incoming cases and double the number currently sent to mediation. The Administration's budget also sets specific performance goals for the EEOC to reduce its backlog. Through a combination of the increased use of mediation, improved information technology, and an expanded investigative staff, the EEOC will reduce the average time it takes to resolve private sector

complaints from over 9.4 months to 6 months, and reduce the backlog of cases from 64,000 to 28,000, by the year 2000. In total, the budget requests \$279 million for the EEOC for FY 1999 -- \$37 million or 15 percent more than the enacted 1998 budget. More than one-third of the proposed increase (\$13 million) goes to expansion of the agency's ADR program.



Cynthia A. Rice

09/08/98 02:02:26 PM

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Record Type: Record

To: Laura Emmett/WHO/EOP  
cc: Andrea Kane/OPD/EOP, Paul J. Weinstein Jr./OPD/EOP  
bcc:  
Subject: Re: Race Comments Now Due by 2:00!!!!!!!!!!!!

At this point, the Economic Development/Job Opportunities section is not in Chris Edley's draft memo to the President, so we do not have anything comments to give you on the draft memo.

We had given Edley's folks some comments on Friday, which are in the process of being incorporated, but that entire section is missing from this draft.

Laura Emmett



Laura Emmett

09/08/98 12:45:20 PM

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Record Type: Record

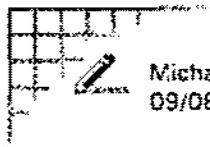
To: See the distribution list at the bottom of this message  
cc:  
Subject: Race Comments Now Due by 2:00!!!!!!!!!!!!

The Race Meeting is now at 3:00 rather than 4:00 so Elena wants your comments by 2:00. Thanks.

Message Sent To:

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Michael Cohen/OPD/EOP  
Christopher C. Jennings/OPD/EOP  
Cynthia A. Rice/OPD/EOP  
Julie A. Fernandes/OPD/EOP  
Thomas L. Freedman/OPD/EOP  
Paul J. Weinstein Jr./OPD/EOP  
Jose Cerda III/OPD/EOP  
Jennifer L. Klein/OPD/EOP



Michael Cohen  
09/08/98 12:05:00 PM

RACE  
BOOK

Record Type: Record

To: Elena Kagan/OPD/EOP, Bruce N. Reed/OPD/EOP  
cc: Laura Emmett/WHO/EOP  
Subject: Reactions to Edley's paper

Overall I think Chris' education section is ok, for as far as it goes. I have the following observations/reactions, based on my quick reading:

1. As we insisted, Chris has coupled efforts to close the achievement gap with efforts to closing the opportunity gap. As I read his discussion, it hit me that for message purposes we have to be clear about what it means to close the achievement gap: we should mean that race/ethnicity would no longer be a significant predictor of achievement, though there would still continue to be individual differences in achievement. Often the rhetoric about closing achievement gaps is misunderstood to mean that all kids will now achieve at the same level--a goal that will be accomplished either by holding down the performance of high achievers, or by lowering standards and then ignoring performance that is above the standard.
2. Chris has included the idea of an Education Bill of Rights. Good enough for now, though I assume there will be a lively debate over what level of government, if any, funds and guarantees these rights. In addition, there are several things left off his list that we should insist be added. In particular-- (1) after-school and summer-school programs to provide kids who need it with extra help; and, (2) small classes with qualified teachers. There are several items on Chris' list that I have concerns about. (1) equitably funded schools and (2) the right to choose racially and ethnically schools. With regard to equitable funding--what makes funding important is what it buys--small classes, good teachers, after-school programs, a well rounded instructional program, safe schools, etc. If the bill of rights "guarantees" these opportunities, then I don't think we also need to get into finance equity, and there are many down sides for going down that road. With regard to choice--I think we want to guarantee parents the right to choose good public schools. Its ok if they choose diverse, integrated schools, but we can do a whole lot more to guarantee that there is a good supply of high quality schools from which to choose, than we can guarantee schools that are racially integrated. In many places, geography and demographics will simply make that impossible.
3. Under his accountability section, Chris raises the issue of governance and accountability. I believe what he is getting at here is: if, in order to guarantee finance equity or racially integrated schools we must get rid of local districts and local school boards, we should do so. While I find this an intriguing idea (I actually raised it in one of our brainstorming sessions), it has the potential to create a needless controversy that may not be central to accomplishing most of what we want to get done. It's ok with me if Chris wants to raise this in the memo, but I think he should be far more explicit about what he has in mind.
4. The emphasis in the education section is overwhelmingly on K-12. In the main, this is right--we won't solve access to higher education concerns unless we fix the schools that minority students attend. That notwithstanding, I think there needs to be somewhat greater attention to higher education (particularly to show recognition of the affirmative action issues) and to pre-school,

because the kids we are most concerned about need help starting as early as possible.

WHITE HOUSE STAFFING MEMORANDUM

RACE BOOK

Date: 9/5 ACTION / CONCURRENCE / COMMENT DUE BY: 9/7

Subject: President's Race Report

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McCURRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BOWLES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NASH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PODESTA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	REED	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ECHAVESTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RUFF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
BEGALA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BERGER	<input type="checkbox"/>	<input type="checkbox"/>	SPERLING	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BLUMENTHAL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STEIN	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STERN	<input type="checkbox"/>	<input type="checkbox"/>
IBARRA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STRETT	<input type="checkbox"/>	<input type="checkbox"/>
KLAIN	<input type="checkbox"/>	<input type="checkbox"/>	VERVEER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LANE	<input type="checkbox"/>	<input type="checkbox"/>	WALDMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEWIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YELLEN	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input type="checkbox"/>	<u>Kagan</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MARSHALL	<input type="checkbox"/>	<input type="checkbox"/>	<u>Mathews</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Weinstein</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McGINTY	<input type="checkbox"/>	<input type="checkbox"/>	<u>Kepner</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<u>Cohen</u>	<input checked="" type="checkbox"/>	
			<u>Shireman</u>	<input checked="" type="checkbox"/>	
			<u>Correia</u>	<input checked="" type="checkbox"/>	

REMARKS: Comments to Maria Echaveste (see cover note)

RESPONSE:

September 4, 1998

To: Colleagues and Comrades

Through: Phil Caplan  
Staff Secretary

From: Christopher Edley, Jr.  
Professor of Law

RE: Draft Memorandum on the President's Race Report: Background

As most of you know, we are scheduled to give the President by September 10<sup>th</sup> the first of several memos on the evolving content of his report to the nation on race – a.k.a., the race book. The attached draft still has some holes, but I wanted to make it available for the weekend.

I am especially interested in reactions to the "workplan" elements that are outlined. These ideas reflect a lot of conversations and meetings with NEC, DPC, OMB and WH Counsel staff – though not as many as we would have liked, due to vacation schedules. As the memorandum indicates, this is an evolving process, and more specificity about the themes, options and program details must come over the next two months.

Maria Echaveste has called a meeting for Tuesday at 4 p.m. to collect and discuss reactions to this draft. I and the team working with me would be delighted to hear from people before or after then. In particular, the following contacts are good for providing your reactions:

Christopher Edley ([edley@law.harvard.edu](mailto:edley@law.harvard.edu); pager 1-800-864-8444, pin 182-9507);  
Michele Cavataio, John Goering, Scott Palmer, PIR

**Principal contacts with whom we are working:**

DPC	Kagan, Weinstein, Cerda, Cohen, Orzag, Fernandes
NEC	Sperling, Kaplan, Rouse, Parker, Shireman
Counsel	Ruff, Correia
OMB	Mathews, Gotbaum, Deich, Wachino, Barry White, Redburn
OPL	Moore
IGA	Ibarra, Cutler
Communications	Lewis, Blumenthal, Waldman
CEA	Blank
Other	Echaveste, Begala

Draft v6

September 9, 1998

## MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Maria Echaveste  
Deputy Chief of Staff

Re: Progress Report on the Race Book, and Request for Interim Guidance

This memorandum is organized in the following sections:

- I. Introduction, process and organization of the effort
- II. The Vision (book chapter 2), and basic themes
- III. The Workplan (book chapter 6)
- IV. Leadership (book chapter 7)
- V. Next steps, and summary of decisions requested

### I. INTRODUCTION, PROCESS AND ORGANIZATION OF THE EFFORT

The purpose of this memorandum is to review our progress, confirm our general direction, and solicit interim guidance on a few substantive matters. Most important, Part II is a first attempt to sketch your "vision" of One America with racial justice and equal opportunity in the 21<sup>st</sup> century. Then, Part III adds some flesh to key portions of the "workplan" chapter outline you have already seen, offering a partial menu of ideas.<sup>1</sup> We want to know if this conceptual framework makes

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<sup>1</sup>The current detailed (and daunting) outline of the book is at Tab A. The chapter outline is:

- |               |   |
|---------------|---|
| Introduction: | One America in the 21 <sup>st</sup> Century   |
| Chapter 1:    | Where Is America On Race, And Where Are We Going?                                       |
| Chapter 2:    | More Than A Dream: Racial And Ethnic Justice In The 21 <sup>st</sup> Century            |
| Chapter 3:    | Wrestling Lessons: Honest, Constructive Engagement Of Our Vexing Differences            |
| Chapter 4:    | Promising Practices: How To Build Bridges That Connect People Across Lines Of Class And |

sense, and if we are heading for the right mix of bold and pedestrian, thematic and programmatic. White House policy staff are fully engaged and have both contributed to this workplan material and reviewed this memorandum. Important disagreements and special concurrences are noted in this document or accompanying memoranda.

We hope to complete the workplan menu within two weeks and, based on your tentative approval of several ideas, proceed with more detailed policy development between now and early November. This is key: I want these first stages of developing the workplan to emphasize thoughtfulness and boldness in the selection of the challenges, goals, themes and general strategies, connecting those to the vision. The next step, for greater detail over the next two months, is to figure out more concretely what ought to be done by whom (federal government? parents?). Throughout, Maria Echaveste will ensure that the interests of the policy councils are well regarded, that the formal clearance process is used when appropriate, and that I can appeal to you with any conflicts we cannot resolve in a timely way.

We have four working groups to help prepare the policy, or "workplan" chapter. These are co-lead by the appropriate NEC or DPC staff and me. As yet, they do not span the entire range of subjects you may want to cover, but they are a good start:

- Education
- Economic Development and Employment Opportunity
- Criminal Justice and Community Security
- Civil Rights Enforcement

We also have less elaborate collaborative discussions moving forward on: Health, Strengthening Families, Native Americans, and Democracy/Civic Engagement. The "book team" includes a handful of PIR staff, and the addition soon of Terry Edmonds. I'm confident that several White House and OMB staff will also play critical roles, as they have in preparation of this document.

**Outreach:** Finally, Maria has assigned Minyon Moore and OPL the overall responsibility for coordinating external consultations by the outreach offices and, through Cabinet Affairs, conversations with key appointees in the agencies. Throughout September, many members of your staff will be making calls or conducting meetings with some 400 individuals, asking about the proposed framework for your report, the most important actions you should take after the Advisory Board's work, and any elements they think it is especially important for you to communicate in your report. We will share some of the substantive responses with you, but all of them will be weighed by the book team.

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	Color, Creating Community And Opportunity
Chapter 5:	The Record Of The Clinton-Gore Administration
Chapter 6:	A Workplan For Our Nation
Chapter 7:	Leadership For One America
Chapter 8:	Conclusion

## II. THE VISION CHAPTER, AND BASIC THEMES

This section summarizes my best sense of your central vision for the book -- chapter 2 in the current outline. It builds on earlier material sent to you by Sidney Blumenthal and by me, as well as previous statements by you. In the book, the vision discussion will be preceded by an introduction and by the chapter describing where America has been and is on race, including demographics, discrimination, disparities, and intergroup relations. While not yet in your language, what follows is an effort to capture the key ideas and their interrelationships. At the end of the section, we also want to engage you on some cross-cutting questions, such as the role of government.

### (a) Why is this subject so important for us to tackle?

- *Renewing America for the new century:* For six years, I have worked to prepare America for the challenges of the 21<sup>st</sup> century. We have put our fiscal house in order, taken important steps to strengthen the international economic system, worked at home and abroad to create a post-cold war national security framework, launched an investment program in vital areas of education, training, new technologies and environmental protection. One additional area, without which we cannot succeed in the decades ahead, is overcoming the divisions of race and ethnicity so that we can be One America, united in a web of mutuality that gives us the strength to be our best as individuals, as communities and as a nation.
- *Global and historical context:* The difficulty of the problem is evident not only from our own national history, but from events around the world -- even today. The conflict is commonplace, as differences give rise to hatreds and then bloodshed. As President, I've seen it over and over again, and struggled to find ways that, through our actions and example, this nation could help troubled societies see their shared humanity and find peace. But make no mistake: This struggle to build peace and strength out of differences is a struggle against deep failings and sinfulness that seem inherent in the human spirit. In my own religious tradition, sin can be overcome through struggle and faith, and it is a never-ending struggle. We should expect no easier a task when it comes to dealing with our differences here in America.
- *The stakes:* On a more practical plane, making diversity a source of strength rather than division promises great rewards in social peace and home and economic success globally.
- *New complexity:* The civil rights movement of three and four decades ago was largely framed in black and white, but led to bursts of energy and progress for other minorities

and for women. Today's diversity gives us great opportunities, but also more complex challenges.

- *Cause for confidence:* There is cause for confidence, because our ideals and values are far more than words locked behind glass in the National Archives. They are an incandescent beacon for peoples worldwide, and the lodestar by which we chart our own course and criticize our missteps. Our noblest moments and wisest leaders are marked not by the exploitation of difference, but by recalling us to the commitments of equality, tolerance, opportunity and justice. In my life, I have seen this most profoundly in the struggle against racial segregation and bigotry. No nation matches our capacity for moral greatness.
- (b) **What would it mean to have a full measure of racial justice and opportunity in America? What would our relationships be like, and what would society look like?**
- *Vision of community:* [Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, correspondence, etc.)]

"One America" does not mean that we lose our ethnic identities, becoming some homogenized undifferentiated mass. We can be proud of our cultural identities and distinctiveness, and at the same time be proud of and loyal to America – indeed, that is one of the most important elements of our nation's greatness.

In religion, for example, scholars tell us that we are the most observant of developed nations, and that freedom of religion and separation of church and state are important parts of the explanation. We are a nation full of religious individuals, yet we do not all worship in the same way. Indeed, our civic values are that we tolerate and respect different religious traditions, and celebrate the legal and civic values that make diversity possible. We are proud of that diversity, and together with tolerance, recognize it as a defining greatness of America. And much of the rest of the world recognizes this too.

So, too, with our racial and ethnic diversity. Our greatness in the decades ahead depends not merely on overcoming prejudice and bigotry rooted in our differences, and not only in tolerating differences. We must instead celebrate those differences as a source of richness and strength. Our personal lives are enriched by this diversity, and our society and economy are strengthened by it.

In the community of America, the things that connect us must be stronger than those that divide us. A "community" means shared interests. But we must also have a shared concern for our collective advancement, and mutual concern for each other. Transcending differences, while respecting them, is part of creating such a community.

So there is a delicate balance, because we have far too much to lose if we retreat into ethnic enclaves — walled off from one another by prejudice, stereotypes or even simple ignorance and misunderstanding. We sacrifice greatness and goodness, richness and riches, if by circumstance or choice we separate ourselves into subcommunities along the very fracture lines that have traced our national racial tragedies since Europeans arrived on these shores.

- *Vision of opportunity:* [Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, correspondence etc.)]

We have legacies of slavery, conquest and colonialism; of Jim Crow and racist immigration quotas. The inheritance is evident in the patterns of our lives: the racially isolated communities, the gaping disparities in educational achievement, employment, criminal victimization and wealth; the still too-rare close friendships across lines of race. This inheritance is a burden to our spirits and a tax on our prosperity. Perhaps most tragically, for too many of our fellow citizens, the legacy has shackled dreams that are every American's inalienable right. This is wrong, and we can do better.

One way our children and grandchildren will know when we have achieved racial justice and opportunity is that the evidence of America's legacy of inequality will be found only in history books, and not in brutal social and economic disparities surrounding them.

- *Vision of responsibility:* Responsibilities of citizenship; responsibility to reach out to others; responsibility of each of to combat whatever stereotypes and fears we may have; and responsibility to take advantage of opportunities. (Examples from forums, letters, etc.) We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles, including civil rights battles, to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

**(c) Why is this vision preferable to alternative, competing visions?**

- Why embracing "equal opportunity" is necessary, but insufficient alone to produce a full measure of justice and fairness in One America.
- Why color blindness makes sense, and why it doesn't.
- Why assimilation as Americans is important, but not an assimilation that seeks to erase our diverse identities. Is tolerance of differences sufficient, or must there be more?

\*\*

### III. THE WORKPLAN CHAPTER

The purpose of this chapter is to explain the most important steps the nation must take over the next decade in pursuit of your vision of racial justice and opportunity, as described earlier in the book. As with the promising practices chapter, you want to provide inspiring "news you can use" to people in communities and organizations across the nation who are looking for ideas. The workplan is organized by policy sectors, and within each sector it will contain federal, state, local, private and personal elements. This is *not* just about the federal government, or government generally. Few items will have FY 2000 budget impacts, although several will have "down payments" in Administration accomplishments and earlier proposals. (The ideas which follow reflect substantial contributions from DPC, NEC and OMB; this memorandum has been through an accelerated clearance process. Comments from your advisors are noted in this document or in appended memoranda.)

The book should be highly thematic, avoiding an exhaustive and mind-numbing recitation of comprehensive programmatic details. But it must contain just enough pointed recommendations to leave the reader with a sense that you have provided concrete direction, not just rhetoric. This also entails being very selective – not *every* good idea for addressing *every* important problem. In areas where thoughtfulness or clarity requires more program detail, the final document can use textual boxes set apart from the flow of the narrative.

Two final points. The boldness you have requested in policy ideas seems in some cases to come in the statement of a national goal ("close disparities in education achievement by X percent"), and in other cases may not be evident until we offer specific public or private interventions to advance the goal. Relatedly, in the stating the goals we have repeatedly between brave aspirations and statements that are more cautious and achievable. We need your general guidance on this.

#### § 6.2 THE EDUCATION SECTION OF THE WORKPLAN

Apart from the economy, I assume that education will be the clear first-among-equals in your workplan for the nation, receiving disproportionate emphasis throughout the book. Despite improvements over the last several decades, racial disparities in opportunity and achievement persist throughout the education pipeline, and these disparities are powerful obstacles to achieving your vision. We've tolerated it for too long. It is wrong. Therefore, the workplan focuses on areas of significant disparity that have the greatest impact on educational outcomes. It also emphasizes the instrumental and ethical necessity of heightened responsibility and accountability.

In addition, racial isolation, often in combination with poverty concentration, remains a problem both among and within our schools, presenting barriers to achievement, excellence, and to your vision of mutual understanding and community. This is the third pillar of the education workplan.

– *Outline of the section*

**Introduction/Context**

- Education is primary [only central?] to achieving my vision. This requires:
    - (1) eliminating racial disparities in educational opportunity and achievement;
    - (2) reinforcing responsibility and strengthening accountability for administrators, teachers and students, as well as for the political institutions governing education; and
    - (3) promoting racial and economic integration in education.
  - These problems have long gone unsolved because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government and of the family in education. The old formulas need revision, the old problems need new thinking, and the old values need new life.
  - We need to provide every family, regardless of race or zip code, with an Education Bill of Rights.<sup>2</sup>
- (a) **Close the racial gap in opportunity and achievement.** Notwithstanding important progress, significant racial disparities in achievement persist. We must close these gaps and raise the bar for everyone. This means overcoming racial disparities in the

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<sup>2</sup> Such a Bill of Rights might include the following:

- (1) Every child shall have a parent or other adult actively engaged in his/her learning and have access to support services to help that child achieve to his/her full potential.
- (2) Every child shall have access to early learning opportunities.
- (3) All parents have the right to send their children to equitably funded schools that are accountable for their child's learning.
- (4) Every child shall have access to high-quality teachers.
- (5) Every child shall be held to high expectations and standards and have access to challenging curricula.
- (6) Every child shall have access to adequate facilities and modern technology.
- (7) Every LEP child shall have access to the tools necessary to help him/her learn English within three years.
- (8) Every child shall learn in a safe environment.
- (9) All parents and children shall have the right to choose to attend racially and ethnically integrated schools.
- (10) Every high school graduate shall have the financial support and opportunity to go to college.

educational opportunity available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. Beyond this, we must improve our ability to make targeted, individualized efforts to ensure that every child succeeds to his or her full potential. Among the key elements of an education bill of rights for equal opportunity and achievement:

- *Parenting and early childhood:* Ensure that every child has a parent or other adult actively engaged in that child's learning, and that every young child has access to early learning opportunities.
  - *Teaching:* Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for students of all races.
  - *Curriculum and standards:* Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or her full potential. Students of color are often tracked into special education and out of honors courses.
  - *English acquisition:* Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.
  - *Infrastructure:* Close the racial disparity in full access to adequate facilities and modern technology.
  - *Post-secondary attainment:* Overcome racial disparities in high school graduation rates, and in college participation, retention and graduation rates.
- (b) **Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without much stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we will have to design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform. The Voluntary National Test is such an intervention, as is public school choice, and we must build on such approaches while providing needed safeguards against abuses.
- *Tests and accountability:* Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers, and students accountable for educational achievement. The accountability should flow "up" from parents and "down" from Federal taxpayers and presidential leadership. The range of tools, both carrots and sticks, should stretch from more effective parental action, to

political mobilization, to school reconstitution or receivership, to fiscal incentives – and everything in between.

- *Governance and leadership:* If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems.
  
- (c) **Promote integration and diversity in education to enrich the learning experience for all students.** We also care about integration, so that students have the opportunity to learn together in ways that dissolve stereotypes and improve race relations. Parents and students should have a right to chose an integrated education. But, after a burst of progress in the late 1960s and early 1970s, segregation in K-12 education is worsening. For example, a recent study reports that one-third of black and Hispanic students attend schools with more than 90 percent minority enrollment, and almost nine in 10 of those schools are predominantly poor. High-quality integrated schools provide a more complete educational experience for all students than high-quality segregated schools. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement.
  
- *Educate the public on the value of inclusion, diversity and integration -- reviving that ideal:* An inclusive community of students and educators can: improve teaching and learning by enriching the learning environment with diverse perspectives; strengthen students' critical-thinking skills by challenging their existing perspectives; teach students how to interact comfortably with people different from themselves and thereby how to function as good neighbors, colleagues and citizens in our diverse democratic society; improve students' preparation for employment by teaching them the value of diverse perspectives, how to function in diverse business settings, and how to communicate effectively in our increasingly diverse domestic marketplace and the expanding global marketplace; and foster the advancement of knowledge by spurring study in new areas of concern.
  
- *Reduce racial segregation and isolation among schools:* This is not a call for massive, federally mandated strategies where there is no constitutional violation demanding court-supervised remedies. Instead, parents and educators should make use of a range of measures such as magnet schools, multidistrict transfer programs, and so forth. Most important, we must better appreciate the important stake we have in making diversity work in the world of our children. Schools of unquestioned excellence are the easiest to make and keep diverse.
  
- *Reduce segregation within schools:* Even in diverse schools, evidence shows that students are often reseggregated into racially homogenous classes through tracking and other mechanisms, thereby reducing their opportunities to learn together and have

positive cross-racial interactions.

- *Inclusion in higher education:* Promote access and diversity in higher education, and foster the educational benefits of diversity. Mend, don't end, affirmative action. And wherever possible, use creative race-neutral mechanisms in admissions and in the K-12 pipeline. Ensure that in sustaining the crucial role of HBCUs, HSIs, and Tribal colleges (which are integrated) we don't "excuse" historically white institutions from the principle of excellence-through-inclusion.

*-- Discussion issues on the education workplan*

- Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation? | college
- Do the bulleted items capture your personal priorities? Are any high priorities missing? Can any of them be demoted for attention in textual boxes rather than in your narrative?
- Can we explore some rethinking of the federal role in order to tackle these disparities?

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## § 6.4 CRIMINAL JUSTICE AND COMMUNITY SECURITY

From hate crimes to crack houses, from police misconduct to police hiring, from disparate incarceration rates to racial profiling -- barely a week goes by without some aspect of crime and criminal justice standing as a lightning rod for racial and ethnic tensions. No area is more freighted with divisive stereotypes and misunderstanding. Yet it must be tackled with vigor because victimization and criminality destroy communities and families, just as they fuel alienation and division.

*-- Outline of the section*

### **Introduction/Context**

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice: communities of color disproportionately bear the social, economic, and personal costs of crime, and, according to polls, have less confidence in the fairness of the criminal justice system than do whites.

- Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly, and thereby closes the trust gap while making community security a right enjoyed equally.

(a) **Community Security: Eliminate racial disparities in victimization.** The right to be secure cannot be discounted by race. Every American is entitled to live in a safe community, and the race of residents shouldn't tell us the crime rate. From 1992 to 1997, rates of violent crime in America have decreased, but disparate victimization rates persist. Tackling this problem directly is part of the opportunity agenda, as well as a matter of decent fairness. The Administration's record has numerous elements, which we can build upon and target to close the disparities.

(b) **Keep young people out of the criminal justice system, and for those who have contact with it, make it their last.** Racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. The realities are flatly inconsistent an American vision of racial justice and equal opportunity.

Crime rates still too high

?

(c) **Build greater fairness and trust in the criminal system.** Several past and present factors contribute to mistrust in our criminal justice system among persons of color, including negative interactions, disparities in the administration of justice (incarceration, sentencing, death penalty), and lagging diversity in law enforcement (police, prosecutors, judges, juries). Without more trust, creating safe communities is impossible, because legitimacy, support and cooperation don't come free.

Mistrust is greater than just race

- *Prohibit the use of racial profiling:*<sup>3</sup> No American should be subject to disparate application of the state's policing power because of his/her race. Statistically efficient allocation of resources, some claim, justifies impositions on innocent persons, while perpetuating stereotypes and contributing to tensions. Targeting based on color, without individualized evidence, is rarely if ever fair and just.

- *Pursue zero tolerance for racially suspect police misconduct and brutality:* While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur. We are deeply divided in perceptions of the magnitude of the problem.

Don't help

<sup>3</sup>Profiling will also be considered in the "Wrestling Lessons" chapter, as one of the hard questions that forces us to think about differences in values and perceptions.

- *Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.*
- *Increase diversity and representation in the criminal justice system.*

***-- Discussion issues on the criminal justice workplan***

- Can we speak of community safety as a "right", and the racial disparities in victimization as flatly inconsistent with your vision? If so, are disparities a fair index of this aspect of racial justice and opportunity?
- Should we "prohibit" racial profiling, or "restrict" it?
- Similarly, should we tackle disparities in rates of incarceration, presumably with targeted attention to prevention, diversion and post-incarceration?
- Can we assume that the primary public sector role is state and local, or do you envision continued growth in the federal role?

**§ 6.7 THE CIVIL RIGHTS ENFORCEMENT SECTION OF THE WORKPLAN**

We have considered distributing the civil rights law enforcement issues in several sectoral subsections – as components of the education or jobs strategies, for example. But for now, I want to press ahead as sketched below because the audience will appropriately expect some attention to the traditional antidiscrimination enforcement agenda. This also permits you to teach about this unfinished work. Moreover, the best opportunities for boldness are in cross cutting issues, among them: policy judgments about the lawfulness under Title VI of persistent resource disparities; retooling agency enforcement strategies to emphasize proactive technical assistance and voluntary action; and rethinking the legal framework and enforcement priorities to reflect our 21<sup>st</sup> century diversity.

We are joined at the hip with Chuck Ruff, and will cooperate in his effort to put before you suggested civil rights enforcement priorities for the next two years.

***-- Outline of the section***

**Introduction/Context**

- Persistence of discrimination, and of enforcement backlogs.

- We have opportunities to strengthen and more aggressively enforce civil rights principles, and also support appropriate voluntary actions that promote equal opportunity and access. This includes defending disparate impact doctrine, and defending affirmative action.
  - The traditional agenda needs renovation to (i) increase its efficiency at handling the retail problem of discrimination; (ii) contribute more directly to the opportunity agenda in education, jobs and community economics; (iii) reflect our 21<sup>st</sup> century diversity.
- (a) **Overcome racial disparities in opportunity by expanding the use of civil rights enforcement.** Civil rights enforcement can play an especially important role in overcoming barriers to educational and economic opportunity, and we should strengthen and focus civil rights enforcement to complement the opportunity agenda.
- *Strengthen antidiscrimination laws and enforcement procedures:* For example, we could amend Title II, which prohibits discrimination in public accommodations, to include businesses that provide goods and services. At present, racial discrimination in retail sales (e.g., the Eddie Bauer case in which a black teenager was ordered by a security guard to strip off his shirt because he did not have a sales receipt) does not raise a strong federal cause of action. We nearly abandoned pattern and practice investigations during the 1980s. That was wrong.
  - *Use Title VI to address racial disparities:* No federal money should be spent in a manner that supports unjustified racial disparities in opportunity. For example, in education, Title VI prohibits policies and practices that have an unjustified disparate impact on select racial groups in terms of access to educational resources, tracking into challenging courses, the use of unvalidated high stakes tests, and more. We should strengthen Title VI enforcement.
  - *How much discrimination is there?* We should expand research on the extent of racial discrimination, using the best available methodologies (testers where appropriate), in such areas as employment, housing, and access to capital. The results of such testing should be published in an annual report card.
- (b) **Fully address all forms of discrimination affecting our increasingly diverse population by strengthening civil rights laws and enforcement.** We must retool our civil rights laws and refocus enforcement efforts to fully address civil rights issues affecting our diverse citizenry.
- *New immigrants:* Strengthen laws and enforcement to promote the rights of new immigrants. For example, in immigration and employment, we could expand enforcement against labor abuses in "sweatshops," the victims of which are often new immigrants of Hispanic or Asian origin, and amend present laws to stabilize the

immigration status of persons who report labor abuses so those persons do not fear reprisal, official or private.

- *Language acquisition:* Promote the rights of LEP populations. For example, in education, we could develop regulations to clarify the *Lau* standard concerning what legal requirements schools must meet in educating LEP students.
  - *Learning your rights:* Educate immigrant and LEP populations about civil rights laws and mechanisms. We should promote outreach to immigrant and LEP populations whose rights are protected but who are underutilizing civil rights laws.
- (c) **Address discrimination and disparities by promoting voluntary efforts in conjunction with enforcement of civil rights laws.** In addition to reacting to civil rights complaints, civil rights enforcement agencies should act proactively to encourage and support voluntary compliance with civil rights laws and values.
- *Expand civil rights consultations and clarify legal standards:* There are civil rights areas where both the law and policy are unclear and where people of good will may be managing inappropriate programs. We should act to clarify legal standards and to encourage actors to seek guidance concerning their civil rights obligations. We could promote laws or regulations encouraging voluntary consultations with civil rights agencies. If an actor voluntarily submits his/her practice for civil rights review, he/she is safe harbored and/or any agreement approved by the civil rights agency following that review would be defended by the federal government if later challenged by a third party.
  - *Expand proactive enforcement:* Absent a formal complaint, where potential civil rights violations are discovered, civil rights agencies should follow up with the party to correct the injustice. If discussions are not fruitful, the enforcement agency reserves the right to launch a more formal civil rights enforcement examination. For example, in education, the Department of Education's Office of Civil Rights (OCR) recently learned of a Georgia education policy that placed students into gifted and talent programs based solely on IQ test scores, despite the fact that the IQ test was not validated for that purpose nor validated to be the *sole* factor for any purpose. This policy led to a disproportionately low number of minority students being admitted to gifted and talented programs. OCR consulted with Georgia officials, and the policy was properly amended.
- (d) **Mend, don't end, affirmative action as enforcement remedy and voluntary measure to promote access and inclusion**
- (e) **[Hate crimes.]**

– *Discussion issues on the civil rights workplan*

- After further interagency discussion, we will need policy guidance about a number of Title VI issues.
- Should we develop a package addressing “the new diversity”?
- How much technical assistance should be done proactively to implement “mend don’t end” in various sectors?

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#### IV. THE LEADERSHIP CHAPTER

Following the workplan chapter, you can challenge leaders in a range of sectors to do their part, and combine this with a vision of locally-based efforts to use the promising practices and devise locally-oriented workplans. Finally, in this chapter you should describe the ongoing mechanism within the White House to help support the sectoral leadership, community-based leadership, and the Federal government elements of your workplan.

##### (a) Challenges for sectoral leadership

We expect, by the publication date, to have worked successfully with leadership groups in a few sectors, prompting them to develop a list of action steps tailored to their sector, and a practical strategy for implementation. A brief status report on what we have initiated follows.

- *Higher Education:* With staff support from the American Council on Education, a core group of college and university presidents is working to establish a broader coalition that will lead a coordinated campaign to educate the public about the value of diversity in higher education and to share campus practices that promote diversity. We expect them to launch the effort, designed with Frank Greer as lead consultant, sometime this fall. (There is a possibility of using a White House event to bless the undertaking.)
- *Faith Community:* Sandy Cloud of the National Conference for Community and Justice has agreed to lead a steering committee in convening, on October 22 and October 23, an implementation summit at which a group of faith leaders will write and commit to a practical work plan for both national and community-based action, and devise a coalition mechanism for follow through. This will include special efforts to reach those faith communities that have not traditionally been leaders in racial justice. In addition, at your September 11 breakfast for religious leaders, you will have an opportunity to mention

Sandy Cloud's leadership, and encourage those in the room to respond positively to the effort.

- *Corporate:* Secretary Daley will informally convene a group of CEOs in October to identify the most appropriate elements of a corporate sector initiative, and strategies for enlisting support from key executives. In preparation for that session, White House and agency staff will brainstorm with some current and former Administration officials in corporate leadership.
- *Youth:* We are organizing a team of White House staff and representatives from national youth-oriented organizations to prepare a workplan intended for widespread endorsement and dissemination. (The outside collaborators will include USSA, Young Democrats, Young Republicans, the youth divisions of the NAACP, Urban League, La Raza and the Congress of Asian Pacific American Youth.) Tentatively, we think the plan's three major components will be: (i) a national campaign to educate the youth sector about the intricacies and history of race and racism; (ii) an initiative to improve race-related curriculum and teaching in grades K-16; and (iii) a mechanism to ensure youth sector involvement.

**(b) Options for an ongoing structure to carry out your work plan**

While the work plan is not yet completed, we know that there will be some general components which will require continuity and should compose the major responsibilities of the new entity:

- ▶ Policy making (including research and data collection)
- ▶ Outreach and leadership development (including technical assistance to communities)
- ▶ Communication campaign (including an awards program)
- ▶ Support for promising practices (such as a clearinghouse, conferences, grant funding)

The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors is needed to ensure continued momentum and follow up from outside efforts. Non-federal leaders engaged on the workplan will expect a central point of contact and technical assistance.

**Option A: President's Council for One America**

*A1: President's Council for One America Plus an External Advisory Committee*

The continuing effort could take a form similar to the Council for Environmental Quality or the Office of Science and Technology Policy. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating

authority. The council, created by Executive Order, would be run by an Assistant to the President (as Executive Director) with a small staff and a blue ribbon advisory committee. A council staff should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination. It would also have a communications component, which would help lead a public education campaign, support a promising practices clearinghouse, and conduct outreach to help improve race relations.

- Pros:
- Location places the Presidency squarely behind racial reconciliation effort
  - Relatively stable structure
  - Staff appointed by you ensures White House control
  - Advisory committee offers opportunity for showcasing diverse leadership, provides credibility in building partnerships
- Cons:
- Location and staffing make the stakes high
  - Advisory committee requires support and nurturing; the familiar headaches

*A2: President's Council for One America, No Advisory Committee*

This option would be the same as option A1 but it would not include an Advisory Committee.

- Pros:
- Staff would not be distracted by the day-to-day demands of managing an Advisory Committee
- Cons:
- Lacks the outside validation that an Advisory Committee can provide

**Option B: Dedicated Staff reporting to the Office of the Chief of Staff**

An Assistant to the President with a small staff, reporting to the Chief of Staff's office, could take responsibility for managing Administration efforts.

- Pros:
- Closely linked to you and the White House
  - At the center of activity
- Cons:
- Not a formal structure, may not be stable
  - May not be viewed publicly as a significant enough commitment

**Option C: Private Foundation Model**

*C1: One America Foundation*

The structure could take the form of a private foundation, established at your urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros:
- Serves as umbrella to coordinate several areas of activity
  - Independence
  - Ability to raise money
- Cons:
- May not be viewed as closely connected to the White House
  - Requires someone's time and attention to pull together

**C2:** *Clinton Library Model*

This option is similar to the Foundation model above except that it would be an endeavor for you after your final term ends, possibly as part of the Clinton library. Staff could begin immediately to design the structure.

- Pros:
- More time to put together the funding and structure
  - You will have more time to devote to it
- Cons:
- Delays significant Presidential involvement for a few more years
  - May be partisan resistance to participating in activities because of close alignment with this Administration

## V. NEXT STEPS

Attachments:

- Current book outline.
- NEC memorandum on employment issues
- ???

RACE  
BOOK

**ONE AMERICA?  
THE PRESIDENT'S REPORT TO THE NATION  
ON RACIAL JUSTICE AND EQUAL OPPORTUNITY IN THE 21<sup>ST</sup> CENTURY**

*Note: This is only an evolving outline of ideas and subjects. It is not an effort to capture the appropriate language with which to communicate the President's ideas to a general audience. It is only intended to guide research, outreach and deliberation.*

**Introduction: One America in the 21<sup>st</sup> Century**

**A. Opening:**

1. Why, as the last President of the 20<sup>th</sup> century, I launched this initiative.
  - America faces several challenges at home and abroad as we enter the new century; Among these is the challenge of making the most of the opportunities created by our growing diversity, while avoiding the tragic mistakes we've seen too often in our nation's history and around the globe.
  - No subject has been more vexing – threatening our domestic tranquility, testing the sincerity of our deepest civic values, shaping our public policies and even our most private thoughts about one another. The difficulty and pervasiveness of the problem perhaps explains the temptation to let things drift along, absent an explosive crisis. Perhaps there's been too much of that in recent decades. But we cannot afford that any longer, if we ever could.
  - [Draw on several letters received by POTUS or FLOTUS, and several events or people they have met; showing the continuing importance of this struggle in personal terms – both good and bad stories, including both painful situations and seeds of hope.]
2. What we mean by "race"
  - Since 1960s, greater complexity of "race" and identity; historical contingency; *beyond black-white*; ambivalence in the Hispanic context; "white" ethnics; Arab-Americans; Jews; Native Americans and the interrelationships of race, culture, sovereignty.
  - Intragroup heterogeneity and even tensions

**B. Personal context**

1. Observations from 1950s and 1960s: horror and hope
  - Personal impressions of the Civil Rights movement – what it meant to me then, and what it means to me today.
  - [Use personal stories.]
2. Gubernatorial experiences – not a record of accomplishments, but a few examples of challenge, struggle, failure or success, as a window on the post-civil rights movement evolution of our nation's work on the issue.