

THE WHITE HOUSE

WASHINGTON

February 12, 1985

MEMORANDUM FOR DONALD REGAN  
MICHAEL K. DEEVER

FROM: JAMES CICCONI   
SUBJECT: Follow-Up on Black Strategy

In a previous memo, I outlined a possible strategy for reaching out to black Americans. Assuming agreement on the need for such an effort, it is perhaps useful at this point to provide a more detailed discussion of certain elements.

Basics of a New Approach

1. Any new approach to blacks must be rooted in substance, not just atmospherics: the latter should showcase the former. This is admittedly different from our past efforts, but it is a difference born of necessity. Efforts based largely on scheduling and symbolism have worked with groups where our policy disagreements are minimal. Blacks, however, perceive themselves to be at odds with most policy priorities of this Administration. The resulting gap can only be closed by affirmatively seeking common ground with a significant segment of black Americans.
2. We must be prepared to sustain any new effort over the long term. Gains from an issue-oriented approach will be incremental, and perhaps barely noticeable in the short run.
3. We must walk before we can run. Any initial gains will be among upwardly-mobile blacks who are part of, or entering, the middle class; broader targeting would be premature. Upwardly-mobile blacks should be inclined toward this Administration's policies, but for a number of reasons have not been supportive. In effect, we must package our policy message for them and, at the same time, minimize other obstacles to their support.
4. We must prevent major goofs. The biggest single obstacle to increasing our black support in the first term was our own inability to foresee the perceptual consequences of certain decisions, some of which were considered to be minor at the time. While most of the Administration has grown more sensitive in the wake of Bob Jones, such misjudgments still represent a danger which, unless avoided, can undo any political gains from our new strategy.

5. For the immediate future, we must avoid the "established" black leadership. As stated previously, such leaders are unremittingly hostile to this President and cannot be expected to take a constructive approach. The current black leadership seems, quite frankly, more interested in personal publicity and enhancing their influence within the Democratic Party than they are in new approaches to black problems. In fact, they are personally and rhetorically linked to a philosophy which cannot be reconciled with our own. Thus, meetings would not only be unproductive, but would serve to strengthen the position of such hostile leaders within their own organizations, and among blacks generally. Instead of allowing ourselves to be pressured into such old, no-win patterns, we should seek out other blacks with whom there is a chance of reaching common ground.
6. We should make clear that favoritism on grants and contracts is out-of-bounds, and will not be considered as an aspect of our strategy. Too often, political support by certain voter group members is viewed as a license to demand favoritism on grants or contracts. Our resistance to this pattern has led to criticism from some of our black supporters; however, it is absolutely essential that we not fall into this "spoils system" trap in the same way that previous Administrations have. As part of our Hispanic strategy, we made clear that no one in the White House, including the Hispanic liaison, would discuss grants or contracts, and we must be similarly adamant with our black supporters. The political base we build among blacks must rest on common policy ground, and not on hope of personal financial benefit.

#### Shaping our Alternative

1. We should work to develop a policy package that addresses the very real problems of black Americans from a conservative standpoint. This can include new ideas, as well as established Administration policies (e.g., enterprise zones, youth opportunity wage) that would be re-packaged to highlight their appeal to black Americans.
2. Such a package need not be confined to economic issues, but could also include criminal justice and social policy issues. Blacks, for example, are victimized disproportionately by crime, yet black politicians are the most ardent foes of tougher criminal laws. Similarly, the break-up of the black family has been an increasing and alarming trend for over twenty years, and has arguably been exacerbated by federal policies. Such issues, often ignored by the Democrats, have good potential for attracting blacks to the Republican Party if our solutions make sense.

3. Our main emphasis should be on the overall philosophical difference between our policies and those of the liberal Democrats. In effect, we would stress the concept of providing incentives for self-reliance, versus the failed course of increased dependence on government. Current policy dynamics favor our approach for several reasons. First, our policies are largely untried, and therefore hold some prospect for success, while the liberal methods have been tried on a massive scale and, for the most part, have failed. Second, decreasing government resources make the liberal approach impossible to sustain financially, and dictate that alternatives be tried. Third, there is no longer a national consensus in support of the liberal approach; in fact, the opposite is now true. Fourth, there is a significant intellectual trend, manifested in a continuing series of books and articles, toward questioning the social policies of the past twenty years. Given such developments, we stand a decent chance of attracting more adherents to our philosophy among black Americans.

#### Fostering Public Debate

1. We should attempt to foster, and fuel, a public debate on policies aimed at addressing the problems of black Americans. This is in our interest because, as noted above, the policy dynamics favor our argument. Our insurgent ideas will be pitted against a liberal philosophy that has not yet been questioned on a national scale, and which will be difficult to defend. In short, we should foster a public debate because we can have every expectation of winning it.
2. We should encourage Republican elected officials to participate in the debate, even if their policy prescriptions differ somewhat from ours. For example, it is to our advantage that some GOP Congressmen are publicly pushing a black legislative package, because such actions add to the debate without an appearance of White House orchestration.
3. Relatively minor items on the President's schedule can also add to the public debate. These could include, for example, wire photos with the author of a new book, a publicized phone conversation with someone like Thomas Sowell, or a Presidential message to a conference that might otherwise go unnoticed.
4. Administration and Republican Party officials can begin publicly referring to the fact that "a national debate is now occurring" on the social policy of the past twenty years, with hints that a change is needed. The President can also acknowledge the debate in passing public references.

5. We must be prepared to give access, and, thereby, credibility, to black groups that show interest in publicly espousing new approaches to black problems, even if we differ on particulars. One example is the new Council for a Black Economic Agenda, which met with the President last month in a session that drew a surprising amount of press attention (along with criticism from black leaders that was based transparently on egotism). We should not, however, tie ourselves to only one group: our interest in fostering debate is better served by a variety of groups, all of which are competing for public (and White House) attention.
6. Once the ground has been prepared through ample public discussion, the President should raise it to a higher level of prominence by publicly laying out our policy package, and then engaging fully in the philosophical discussion. (The President's personal involvement will increase the level of public attention to such an extent that our policy alternative must be ready, and capable of withstanding scrutiny.)

#### The Civil Rights Problem

1. Any new approach to blacks cannot ignore the perceptual problem we face on civil rights. Many black Americans feel, quite simply, that this Administration has worked to reverse the legal gains of the Sixties, and some even accept the notion that this President is anti-civil rights. If we are to move forward, we must "clear the decks" in this area.
2. Our difficulties on civil rights are rooted mainly in inaccurate perceptions that have been propagated by Washington's civil rights lobby. This group subsists on fear that the days of state-sanctioned discrimination will return, and it creates that fear through alarmist predictions, misrepresentation of motives, exaggeration of current problems, and by downplaying the progress that has been made.
3. With the objectives of the Sixties largely achieved through legal and even attitudinal changes, we have seen the civil rights movement of that era displaced by the civil rights lobby of today. No longer seeking the moral goals of equality, they are, like any other lobby, seeking to create, defend, and extend special programs and status for the group they represent. In this context, their vested interest in creating misperceptions about our civil rights record is understandable; indeed, it is to be expected in the same way that the environmental lobby can be expected to distort our actions in that area. We should, therefore, deal with them accordingly.

4. We should also recognize that we have unintentionally aided such programmed misperceptions in two ways. First, we have sometimes taken actions without considering the appearance that would be created among blacks (e.g. Bob Jones, and our delays regarding the Voting Rights Act). Second, we have unnecessarily picked fights on issues that are tangential to our Administration's civil rights policy goals (e.g. the Dade County set-aside case). The first point has been taken care of, to the extent it can be, by experience derived from our past mistakes. The second point, however, is still a concern. We dissipate our effectiveness and blur our message if we allow ourselves to be drawn into legislative and legal battles on even minor civil rights issues. Our energies and political capital should instead be expended on those issues that bear directly on our philosophy and on which we can set forth a well-reasoned public argument (quotas and busing are two such examples). Also, since such determinations involve policy, there must be a high degree of coordination by the White House. We must not allow our civil rights policy to be made on an ad hoc basis by mid-level agency officials, as often occurred in the past.
5. We can also address the "fear factor" by beginning to lay out what we are for, as well as what we oppose, in the area of civil rights. By outlining what we favor and support, we draw implicit limits on our future actions, and negate unspoken black concern about how far we are prepared to go. This can be accomplished through a civil rights policy statement, a Presidential speech, or both.

#### Pacing our Effort

1. Our effort to offer policy alternatives to black Americans must be properly paced. We should not attempt to do everything at once, nor should we move before the groundwork has been properly laid.
2. For the next several months, we should concentrate on the effort to foster a debate regarding U.S. social policy. As noted previously, this should be done in a low-key manner, building toward an eventual speech by the President. However, such a speech (to lay out our philosophy and policy alternatives) should not be given until the budget battles are well on their way to resolution. To do otherwise would risk both a conflict in our priorities, and accusations that we were trying to distract attention from painful domestic budget cuts.
3. A statement or speech on civil rights should also be held in abeyance until spring, but should be delivered several weeks in advance of the philosophy/policy alternatives speech.

4. The specific policy points for each statement or speech should be quietly developed by the White House, beginning immediately, in order to be ready for a late spring target date.
5. A senior White House official should be designated to coordinate implementation of this strategy over an extended period of time.
6. A suggested timetable would be as follows:

February to mid-May -- measures to foster public debate  
-- staff development of civil rights policy statement  
-- staff development of social and economic policy package  
-- designation of White House coordinator

Mid-May to June -- civil rights policy statement and/or Presidential speech on civil rights

Late May or early June -- Presidential speech on economic/social policy package and philosophy

The effort will, of course, need to extend well past June, but it is preferable to delay further decisions until reaction to the above steps has been assessed.

cc: John A. Svahn  
Frank Donatelli

December 21, 1984

MEMORANDUM FOR JIM CICCONI  
FROM: KEVIN R. HOPKINS *KRH*  
SUBJECT: BLACK STRATEGY

At your suggestion, I reviewed your December 12, 1984, memorandum to Mike Deaver concerning the Administration's "Black Strategy". I think the steps you outline are on-target -- indeed, essential -- to building support among blacks for the President's policies.

As you correctly point out, the first thing the President must do is neutralize institutionalized black hostility toward the President. You accurately observe that current black "leadership" is unremittingly antagonistic toward the President, and correctly imply that these so-called black leaders do not necessarily speak for the majority of black Americans. Still, far too many blacks who otherwise might support us confront such a wall of personal emotional resistance to the President and his policies that their easiest emotional course is simply to avoid listening to us. Nor are we blameless. Policy missteps aside, we have made no significant effort in our four years to reach out to black Americans other than through public liaison efforts, a few speeches, and a select few "pro-black" policy initiatives, such as aid to the HCBUs.

We must do more than this in our second term. Strategically, three steps are required.

1. We must undertake a continuous and sincere campaign to make black Americans feel comfortable with Reaganism -- to let them know we want their support. Most important, this requires that the President make more than a speech or two focused on "black concerns". Rather, the President should begin to regularly address the plight of blacks and the poor in his speeches. Such references should not come across as mere pandering (which, unfortunately, can be the impression if "black issues" are relegated to a set speech or two or to a single week each year. Rather, they should be seen to stem from the President's deep concern for extending the benefits of a healthy economy to all Americans. In other words, we must ask -- repeatedly -- for black support if we really want to secure it.

2. We must, as you suggest, solidify our support for civil rights. Specifying the action this requires goes beyond the scope of this memorandum (and you have addressed the matter elsewhere in a memorandum I have not had the opportunity to review). But whatever steps we take, we must make it clear to the public that we take the protection of civil rights as a given -- that we intend to enforce the law vigorously and continuously. Only if blacks perceive they have nothing to fear from us on the race issue will they begin to listen to us on non-race issues.

3. Finally, we must broaden our policy agenda to encompass blacks. This requires not a change in policy, but a significant change in the communication of that policy. We must "package" our existing policies so that blacks who are willing to listen to us see that they can, indeed, benefit from Reaganism.

Key here is that we move beyond the so-called "black issues". To the average black, HBCUs and SBA minority loans are tangential matters. Yet it appears to me that in the first term we used just such policies as the primary justification for blacks' supporting us. In point of fact, we sought to use such "pro-black policies" in connection with the second objective above -- solidifying our image on civil rights -- rather than to advance our overall policy objectives. In other words, we confused the "substance" of point 2 with the "objectives" of point 3, and thus rarely came to the stage of asking blacks to support our overall policy goals. It was if (and I exaggerate here for emphasis) we were telling the world we had two sets of policies: tax cuts and low inflation for non-blacks, and HBCUs, minority loans, and black appointments for blacks.

In the second term we must correct this problem. Specifically, our second-term policy objective must be to move beyond civil rights into the area of opportunity. We then should proudly and confidently place our "opportunity agenda" up against the opposition's -- and this is an argument (unlike competition on civil rights grounds) that we can win.

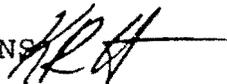
\* \* \* \* \*

Elsewhere, I have advocated an overall policy communication structure based on a similar concept (see my attached two memoranda). Moreover, I believe the White House should establish a specific office (under Baker, Deaver, Darman, whoever), the sole purpose of which is to devise substantive means for broadening the appeal of the entire range of the President's agenda. I would be happy to discuss this concept with you further at your convenience.

THE WHITE HOUSE

WASHINGTON

December 19, 1984

MEMORANDUM FOR BEN ELLIOTT  
FROM: KEVIN R. HOPKINS   
SUBJECT: PRESIDENT'S SECOND INAUGURAL ADDRESS

The President's second inaugural address should be heavily thematic, and should lay out the broad principles that will govern the President's term. He should stress that after four years of America's learning again what she can do for herself, it is time for all people in the country to move forward together. In particular, he should call for an end to the "sniping partisanship" whose only purpose over the past four years has been to obstruct for obstruction's sake. In this regard, he should cite the deficit issue, and point out that those who have been wailing loudest about the deficit problem are the same ones who have been first to bail out every spending program on the books. In other words, he should challenge those who have been his opponents these past four years to work with him to do what needs to be done, or to shut up and let those who know what needs to be done, do it.

Particular themes he should emphasize include:

Taxes. He should reiterate, in the strongest possible terms, that he will not support a tax increase, for three reasons. First, it would only feed higher spending. Second, it would hurt the economy. Third, people already pay too high taxes. The President should begin his second term determined to end the notion that tax increases are an option for reducing the deficit; they are not an option because they do not reduce the deficit. The focus must shift back to where it belongs, namely...

Spending. The President should stress that the number one budget goal in his second term must be to bring down spending without impairing our national security. In this regard, he should emphasize two aspects of his proposed spending reduction plan. First, it eliminates programs where the government has no business spending money (e.g., business subsidies). Second, in legitimate programs, it removes beneficiaries who don't deserve taxpayer assistance (e.g., middle class in student loans). He should acknowledge that all aid helps somebody, but that the aid isn't free, and that his standard is whether a worker earning \$10,000 or \$12,000 per year should be taxed to pay for the program. In other words, the focus should be not just on reducing spending for spending's sake (though that is part of

it), but on eliminating spending that would be illegitimate regardless of economic or budgetary conditions.

Tax Simplification. He should make similar arguments here, stressing the populist arguments and those pertaining to the family (see my Washington Post article). As with spending, he should challenge directly those special interests who benefit at the expense of average people because of special provisions in the tax code.

Economic Opportunity. He should re-emphasize that the only way all Americans are going to prosper is through economic growth and economic opportunity. This requires, first of all, that government take no action that will impede overall economic growth or individual economic opportunity, which should be stated as a major guiding principle for evaluating all current and future laws and regulations (such as higher taxes). Second, it requires the enactment of specific steps that promote growth and opportunity (e.g., enterprise zones).

Family. The President should similarly stress the need for policies that help preserve or prevent the break-up of families. He should note the central role families play in individual financial security and transmitting socially acceptable norms of behavior, and emphasize that no society will be strong and prosperous unless its families first are. (See the extensive work by Bruce Chapman in this area.) The President should also cite the problem of illegitimacy, particularly among blacks, and assert that it must be a major concern of policymakers for the rest of the decade.

He should use these five factors to redefine (and rename) the fairness issue so that he, and not his opponents, will control the debate on this issue in the second term.

\* \* \* \* \*

On foreign policy and defense, the President must similarly move to recapture the debate in three areas: national security (defense spending), arms control, and support for democracies overseas. In the first area, he must emphasize how little has really been done to rebuild our defenses (thanks to Democratic obstructionism) and reposit the case for strong defense forces, especially conventional forces that can prevent the advance to nuclear conflict. In the second area, the President absolutely must shift the debate from space weaponry (essentially irrelevant in the current nuclear equation) to the thousands of nuclear warheads aimed at the U.S. that could kill millions of people. And he should stress that he will sign no arms agreement unless it fulfills his objectives, namely, equitably reducing arms on both sides, enhancing stability, and being verifiable. On the third issue, he must strongly draw the distinction between democracies and totalitarian states, and emphasize that America must first be a friend to democracy (and transition thereto)

before she can ever be a friend to freedom.

The recent problems in Ethiopia allow the President to powerfully add a fourth item to this list: Third World economic growth. He should emphasize that his foreign policies in his second term will be aimed at giving Third World nations the option between the mire of socialist policies (that have produced, among other things, the famine in Ethiopia) and the hope of capitalism and economic growth. He should make it plain that the era of an America subsidizing suffering has come to an end.

\* \* \* \* \*

Boldly setting out themes such as this will, I believe, permit the President to move quickly to control the policy agenda, and hence the creation of policy, for the next four years.

#

# THE WHITE HOUSE

WASHINGTON

December 20, 1984

MEMORANDUM FOR EDWIN MEESE III

FROM: KEVIN R. HOPKINS

SUBJECT: Strategic Elements of the 1985 Agenda

Following are the key strategic considerations involved in successfully implementing the President's 1985 agenda.

## Policy and Political Objectives in 1985

### A. Policy Objectives

Without question, the Administration's four top policy objectives in 1985 are: (1) budget reductions; (2) revenue-neutral tax simplification; (3) maintenance of the defense build-up; (4) achievement of equitable, verifiable arms reductions. A major second-tier objective may be the enactment of enterprise zones legislation.

### B. Political Objectives

In order to build the political base for post-Reagan Republicanism, the Administration must hold its traditional conservative base (primarily by firmly upholding the President's traditional objectives of budget and tax restraint and a strong defense) while, at the same time, reaching out to "populist" liberals and moderates and the poor and blacks. As well, the Administration must continue to build support among emergent Republican groups, such as the youth.

### The First-term Experience

The Administration achieved three significant policy victories in 1981: (1) major restraint in spending; (2) significant tax rate reductions; and (3) the beginnings of a rebuilding of the nation's defenses. However, by 1982 the Administration found itself on the defensive in all three areas. In the first, it was asserted that the President's budget cuts had devastated the poor (the fairness issue). In the second, it was asserted that the tax cuts had helped only the rich (fairness) while creating a \$200 billion deficit (the deficit issue). In the third, it was contended that "huge and unnecessary" defense spending increases had widened the deficit (the deficit issue) while making the world less safe (the arms control/peace issue).

As a result, the Administration spent the last three years of the President's first term: (1) achieving no major new restraints on the growth of spending, and in many cases sanctioning higher than desired spending levels; (2) acquiescing to four major tax increases; and (3) constantly defending, with only mixed success, the defense rebuilding effort.

### The Political Landscape in 1985

Given the President's landslide victory last November, one might assume a favorable political landscape. But such is not the case. While the electorate proclaimed strong support for the President and his policies, their role, in business-as-usual Washington, is now over for the present. From this point on, the major players are the Administration, the Congress, and the special interests. The latter are as powerful and determined as ever to hold on to their special spending programs and tax breaks, while the former (even some Republican members) are decidedly more hostile than in 1981. Therefore, if the Administration is to achieve its principal policy goals in 1985, it must create an enormous countervailing force -- grassroots public outcry -- to offset the greater strength of the institutional forces opposing it -- and the Administration must do so to a far greater extent than it did even in 1981.

Three major steps are required.

#### Create a Political Paradigm

The first step must be to create publicly appealing model of the Administration's objectives. The nature of the President's proposed budget reductions and the Treasury tax reform proposal, along with the President's repeated emphasis on opportunity, suggest a natural paradigm: now that the economy and our national security have been returned to the road to health, it is time to replace the government of privilege with an economy of opportunity. Of note, this paradigm should appeal to the targeted political groups (populist liberals and moderates, poor, blacks, and youth), while retaining most of the President's traditional conservative base.

The elements of this paradigm include:

- ° Keep workers' taxes down by ending the special spending programs that line the pockets of corporations, bureaucrats, and upper-and middle-income people who can make do on their own. The standard by which a program should be judged is whether it is worth raising taxes on a \$10,000 or \$12,000 per year worker. The President should stand firm against a tax increase because it would only permit more spending and make people worse off.

- ° Simplify taxes to reduce average workers' tax rates while ending special tax breaks for business and the wealthy.
- ° Increase economic opportunity by maintaining economic growth (and doing nothing to slow it down) and enacting pro-opportunity legislation such as enterprise zones.
- ° Maintain a strong defense so that we can achieve real arms reductions on both sides.

#### Shift and Hold the Debate to the Administration's Own Terms

In order for this strategy to succeed, it is imperative that the Administration keep the debate on its own terms. Just as surely as our loss of control of the terms of debate paralyzed our efforts in 1982-1984, it will doom our efforts in 1985 and beyond.

In particular, we must keep the budget debate on spending, and not deficit, grounds. The moment we allow that our efforts are directed toward reducing the deficit (rather than reducing spending), we open the door to a TEFRA-like "grand compromise" in which taxes shoot back up and spending remains virtually untouched. In fact, we must work explicitly to remove tax hikes as a deficit-reduction option; because they slow down the economy and only fuel higher spending, tax increases are not merely an undesirable option for controlling the deficit -- they are no option at all.

Similarly, while we must advocate spending control for its own sake, we must also advocate spending reductions in particular programs because the indicated spending would be unjustified regardless of the state of the economy or the size of the budget.

Finally, we must shift the debate back to our side on defense and arms control. Clearly, the anti-defense mood prevalent on Capitol Hill makes it difficult to maintain our defense build-up. Moreover, both Mondale, during the campaign, and the Soviets, now, have made the principal focus of arms control space weaponry. In the nuclear equation, such weapons are almost irrelevant; the real and continuing danger are the thousands of Soviet warheads aimed at targets in the U.S. and Europe. Unless we make it publicly clear that no arms agreement will be worthwhile unless it significantly reduces this most dangerous of weapons, then our failure to achieve an arms accord (should that occur) would place the burden for the failure on us (because we refused to give up on SDI), and therefore further undercut support for our defense program.

#### Wage a Grassroots Campaign for the President's Program

The elements of this step are outlined in detail in the white notebook.

*\*Notebook prepared for Ed Meese by Bruce Chapman.  
I do not have a copy.*

December 21, 1984

MEMORANDUM FOR JIM CICCONI  
FROM: KEVIN HOPKINS *KRH*  
SUBJECT: THINK TANK IDEA

In your memorandum of December 12, 1984, to Mike Deaver, you mentioned the possibility of encouraging formation of a "private, conservative black 'think tank'". Should you desire to pursue this idea, I think an excellent candidate to head up such a think tank would be Wendell Gunn, who previously served as Special Assistant to the President and Assistant Director of the Office of Policy Development for Commerce and Trade during 1982-1984.

Wendell is now a privately employed financial and economic consultant, working out of his home in Stamford, Ct. (Phone: 203/329-0807) In the past, he has expressed to me an interest in creating just such a think tank as you describe. It might be constructive for you to talk with Wendell about this idea. I would be happy to assist you in this endeavor in any way you might need.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

January 8, 1985

MEMORANDUM TO: Boyden Gray  
Roger Porter  
Jim Cicconi  
Ken Cribb

FROM: Mike Horowitz **MH**

SUBJECT: Task Force on Barriers to Economic Achievement

In light of the day's events, the question of who establishes the task force proposed in the attached memo, and under whose auspices it operates, may be somewhat problematic. (My personal preference would be for the Vice President to organize and chair it.)

As the attached editorial from today's Washington Times makes clear, however, events will not await the completion of the "transition" -- hence the attached draft. Moving ahead with the task force would, in my judgment:

- o Promote adoption of a clean version of the Grove City legislation favored by the President.
- o Enable the Administration to initiate, rather than react to, events.
- o Shift the current terms of the civil rights debate.

I will try to get us together during the current "interregnum" so that the proposal/process can be fleshed out. This is a good initiative, in my opinion, and I hope we can get a quick decision out of the system re setting the Task Force up.

Attachments

MEMORANDUM FOR: THE ATTORNEY GENERAL  
THE SECRETARY OF COMMERCE  
THE SECRETARY OF LABOR  
THE SECRETARY OF HEALTH AND HUMAN SERVICES -  
THE SECRETARY OF HOUSING AND URDAN DEVELOPMENT  
THE SECRETARY OF EDUCATION  
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

FROM:

SUBJECT: Task Force on Barriers to Economic Achievement

In 1984, we marked the twentieth anniversary of the passage of the Civil Rights Act of 1964. That legislation signaled America's determination to eliminate race, national origin, and sex as a basis for decisionmaking by our government, economy, and our society as a whole. Clearly, the country has made substantial progress toward achieving the Act's objectives during the intervening decades and, as we enter 1985, Federal enforcement of the Act (and the civil rights legislation which succeeded it) remains a central Federal priority.

It is becoming increasingly obvious, however, that while it continues to be right and necessary to employ the instruments of government to eliminate discrimination, including discrimination fostered by government regulations, such action alone is insufficient. A true agenda for opportunity must include addressing and eliminating the barriers to economic achievement by minorities and women, particularly those statutory and administrative barriers imposed by Government itself. To cite only the most obvious examples, such barriers:

- o Create unreasonably difficult or costly licensing requirements for entry into trades and professions, or the establishment of businesses.
- o Discourage employers from locating (and creating new jobs) in minority communities.
- o Restrict the ability of women and others to pursue paid employment within their own homes.
- o Inhibit effective maintenance of discipline and academic standards in our nation's public schools, effectively denying equal educational opportunities to too many of our minority children.

- o Frustrate the employment of minority youth and restrict the ability of their elders to successfully compete for employment opportunities through minimum wage and similar mandates.
- o Encourage dependence rather than independence in the administration of public assistance.
- o Preclude improved housing for public housing tenants by restricting the privatization of housing units.

The President is concerned that America get on with implementing the full agenda for opportunity for those who need it most. As a first step, [I] [ ] will be chairing a Task Force on Barriers to Economic Achievement to identify, and recommend strategies to eliminate, the significant government-created barriers to economic achievement by minorities and women. I am asking that each of you provide me, by \_\_\_\_\_, with the name of the senior agency official you have designated to serve on this task force.

the endeavor will be a challenging one. with few exceptions, the statutory and administrative mandates which now serve as barriers to economic achievement by minorities and women were enacted with the best of intentions. Many of these barriers have also acquired powerful constituencies with vested interests in their preservation -- who may yet argue that minorities and women benefit from their maintenance, or for still more Federal programs to deal with their effects. They should understand, however, and the Task Force will need to do the critical work to make clear, that the Administration is determined to proceed with the more effective alternative: removal of the barriers themselves.

THE WASHINGTON TIMES  
January 8, 1985

## The Equal Opportunity Act of 1985

The economic liberation of black Americans is about to be undertaken, for the first time in decades, by political leaders who know what they are about economically.

Black leaders long have understood that blacks would never be integrated fully into American society until they acquired both economic and political power. But the drive for black *political* rights came first and naturally enough was dominated by liberal leaders and liberal ideas. The libs are the specialists in that kind of thing, and so ran the show while conservatives dragged their heels.

As an unfortunate side effect, by the time the essential elements of black political liberation had been put into place, the political and economic welfare of American blacks had been entrusted to liberal leaders, even though in economic affairs they were out of their depth.

Liberal programs for black economic liberation — affirmative action, for example — were only marginally effective because they were based on political concepts such as enfranchisement or bureaucratic notions such as credentials. Political concepts have little use in the economic sphere, where (as long as the government refrains from countenancing discrimination against minorities) productivity is more important than legal entitlement.

Now, however, a group of young House Republicans, for the most part members of the so-called Conservative Opportunity Society, are about to make a major effort to benefit minorities through conservative

economic expertise. Within a few weeks they are to introduce the most important piece of civil rights legislation in almost 20 years — an omnibus bill intended to strike down at one blow all the most important barriers to full black participation in the American economy.

Few of the proposals are especially original. Many have been kicking around for years: education vouchers to let low-income parents send their children to decent schools; repeal of the Davis-Bacon Act, which effectively discriminates against inexperienced or non-union minority workers on government-funded construction projects; urban homesteading to sell public housing projects to their occupants; a special sub-minimum wage to help minority teenagers get summer job experience; enterprise zones to attract business to the inner city; repeal of home-work regulations that essentially outlaw cottage industries; perhaps even welfare reform to reduce welfare dependency.

What is new is the idea of packaging all these proposals together so as to draw attention to their single theme — making the economy work for disadvantaged minorities. Also new is the effort to put these proposals on the front burner. In the past they usually were reserved for wishful speeches about what conservatives could do for blacks, if people would step aside and give them the chance. These young leaders want to make their own chance, and after tax reform the administration ought to have no higher domestic priority than helping them.

---

Racial politics, black and white.

---

## A NEW AMERICAN DILEMMA

BY GLENN C. LOURY

**F**ORTY YEARS AGO the Swedish economist Gunnar Myrdal argued in *An American Dilemma* that the problem of race in the United States cut to the very core of our definition as a people. Myrdal described America as a nation which, although founded on the ideals of individual liberty and personal dignity, could not bring itself—through either law or social practice—to treat the descendants of slaves as the equals of whites. The dilemma for white leaders in particular was that these racial practices were so deeply ingrained that even if they wanted to get rid of them, it seemed politically impossible to do so. In 1944 Myrdal hardly could have foreseen the extent to which the United States would confront and begin to resolve this great dilemma. As recently as twenty years ago many conservatives denied as a matter of principle that the government should interfere in private decisions in order to assure equal opportunity for black people. (Ronald Reagan, for example, opposed the 1964 Civil Rights Act.) Two decades later that position has been completely discredited, both legally and morally.

The old racism is not gone, but the disparity between American ideals and racial practice has narrowed dramatically. Today the civil rights debate is dominated by the issue of affirmative action, in which the question is whether the history of racism warrants special—not simply equal—treatment for blacks. Whereas blacks were once excluded from politics by subterfuge and the threat of violence, they now constitute a potent political bloc with often decisive influence on local and national elections. Martin Luther King Jr., whose passionate, relentless, and compelling articulation of black aspirations made him the nemesis of Presidents, governors, and F.B.I. officials alike, is now honored as a national hero. The moral victory of the civil rights movement is virtually complete.

And yet racial divisions remain. Today we are faced with a new American dilemma, one that is especially difficult for black leaders and members of the black middle class. The bottom stratum of the black community has compelling problems which can no longer be blamed sole-

ly on white racism, and which force us to confront fundamental failures in black society. The social disorganization among poor blacks, the lagging academic performance of black students, the disturbingly high rate of black-on-black crime, and the alarming increase in early unwed pregnancies among blacks now loom as the primary obstacles to progress. To admit these failures is likely to be personally costly for black leaders, and may also play into the hands of lingering racist sentiments. Not to admit them, however, is to forestall their resolution and to allow the racial polarization of the country to worsen. If the new American dilemma is not dealt with soon, we may face the possibility of a permanent split in our political system along racial lines.

It is deeply ironic that this dilemma has arisen in the wake of the enormous success of the civil rights movement. In little more than a generation, the United States has changed from a country callously indifferent to the plight of its black citizens into one for which that plight is a central feature of our political life. A new middle class of well-educated and well-placed blacks has emerged, whose members can be found in technical, managerial, and professional positions throughout the leading institutions of the nation. Differences in earnings between young, well-educated black and white workers have diminished dramatically; and something approximating parity in economic status has been achieved for young, intact black families.

Yet, in general, even this class of blacks does not view itself as being in the American mainstream. There is a keen appreciation among blacks of all social classes that at least one-third of their fellow blacks belong to the underclass. There is no way to downplay the social pathologies that afflict this part of the black community. In the big-city ghettos, the youth unemployment rate often exceeds 40 percent. It is not uncommon for young men to leave school at age 16 and reach their mid-20s without ever having held a steady job. In these communities, more than half of all black babies are born out of wedlock. (In Central Harlem the most recently reported figure is 79.9 percent.) Black girls between the ages of 15 and 19 constitute the most fertile population of that age group in the industrialized world; and their birth rate is twice as high as any other group of women in the West. (See "Children As Parents," by Ann Hulbert, *TNR*, September 10.)

---

Glenn C. Loury is Professor of Public Policy at Harvard's Kennedy School of Government. He is currently at work on a book about racial advocacy in the post-civil rights era entitled *Free At Last?*

December 31, 1984

The undeniable progress of the black middle class has been accompanied by the undeniable spread of these problems. Today nearly three of every five black children do not live with both their parents. The level of dependency on public assistance for basic economic survival in the black population has essentially doubled since 1964. About one-half of all black children are supported in part by transfers from the state and federal governments. Over half of black children in public primary and secondary schools are concentrated in the nation's twelve largest central city school districts, where the quality of education is notoriously poor, and where whites constitute only about a quarter of total enrollment. Only about one black student in seven scores above the 50th percentile on the standardized college admissions tests. Blacks, though little more than one-tenth of the population, constitute approximately one-half of the imprisoned felons in the nation.

Among those great many blacks who have entered the middle class in the past twenty years there is, understandably, a deeply felt sense of outrage at the injustice of conditions endured by the black poor. Somewhat less understandable is their reluctance to consider their own success as evidence of the profound change that has taken place in American attitudes, institutions, and practices. The position of poor blacks is perceived as being inherently linked to the racist past of the nation, as proving that the historic injustice of which Myrdal spoke still flourishes.

Moreover, middle-class blacks do not generally look to their own lives as examples of what has become possible for those blacks still left behind. Talented black professionals, who in decades past would have had scant opportunity for advancement, now, in the interest of fairness and racial balance, are avidly sought in corporate board rooms or on elite university faculties. Nonetheless they find it possible, indeed necessary, to think of themselves as members of an oppressed caste.

**T**HE GREAT MAJORITY of Americans do not see the situation of blacks in this way. Whereas black politicians and intellectuals consider the ghetto and all that occurs there to be simple proof that the struggle for civil rights has yet to achieve its goals, others are repelled by the nature of social life in poor black communities. Though most are too polite to say so, they see the poverty of these communities as substantially due to the behavior of the people living there. They are unconvinced by the tortured rationalizations offered by black and (some) liberal white spokesmen. They do not think of themselves or their country as responsible for these dreadful conditions. Most nonblack Americans know something of hardship. Most were not born wealthy; many have parents or grandparents who came here with next to nothing, and who worked hard so that their children might have a better life. Most aren't hostile or even indifferent to the aspirations of blacks. In fact they point with pride to the advancement that blacks have made, to the elaborate legal apparatus

erected since 1964 to assure racial fairness, and to the private efforts undertaken by a great number of individuals and institutions to increase black participation in their activities.

A recent Gallup poll conducted for the Joint Center for Political Studies, a black think tank in Washington, revealed the dimensions of the gulf between black and white perceptions. More than two out of three whites said they believe that "all in all, compared with five years ago, the situation of black people in this country has improved," compared to only about one in three blacks. Nearly one-half of the whites polled were "satisfied with the way things are going at this time," but only one-seventh of blacks were. One-half of blacks felt that "blacks should receive preference in getting jobs," compared to one in eleven whites. Some 72 percent of blacks but only 31 percent of whites thought of Ronald Reagan as "prejudiced."

The 1984 Presidential election made distressingly clear why this gap is not likely to be bridged. Two-thirds of all whites voted for Reagan, while nine-tenths of all blacks voted against him. And black leaders went beyond merely opposing the President. Roger Wilkins lambasted the Administration for engaging in a "concerted effort to constrict the democratic rights" of blacks, an effort which Coretta King said was aimed at "turning back the clock" on black progress. Benjamin Hooks declared that the Administration had to be "eliminated from the face of the earth."

It strains credulity to attribute Reagan's broadly based landslide to a resurgent racism among whites. Much broader forces are evidently at work—just as there are forces broader than racism sustaining and encouraging the social pathology of the ghetto. But black leaders, like their constituents, cannot seem to bring themselves to admit this. They prefer to portray the problems of the ghetto as stemming from white racism, and to foster racial politics as the primary means of fighting it. Within the Democratic Party, racial splits such as the one created by Jesse Jackson's Presidential candidacy or the civil war between Chicago Mayor Harold Washington and his white opponents may well be a sign of things to come. The already tense sparring between New York Mayor Ed Koch and his black foes could grow into bitter confrontation in next year's mayoral campaign. By casting their political battles in starkly racial terms, black leaders help to promote a racial schism in American political life, without necessarily addressing the most fundamental problems of their constituents.

**U**NFORTUNATELY, neither Democratic leaders nor Republican leaders nor black leaders have much incentive to prevent this political fracas from exacerbating the general racial division of American society. The Democrats, having just finished a campaign in which a quarter of the votes for Walter Mondale were cast by blacks, appear to have a big stake in the perpetuation of racial schism. Far from viewing the "color gap"

with alarm, Democratic strategists have come to depend on it. Yet under electoral pressure the Democrats have had to keep their distance from the black leadership. The Democrats' chief problem is how to maintain the enthusiasm of black supporters without alienating white supporters. Witness one of the central dilemmas of the Mondale candidacy: how to keep Jesse Jackson close enough to win blacks but far enough away to placate whites.

The Republicans and President Reagan cannot, in the short run, expect to win much support from blacks, no matter what they do. Moreover, any such overt appeal to blacks by Reagan would risk alienating the right wing of his constituency. Some right-wing Republican candidates are not above exploiting the vestiges of racism. (Jesse Helms, for example, managed to mention Jesse Jackson's name twenty-four times in a fund-raising solicitation during his recent reelection campaign.) Thus, from Reagan's point of view, the benefits of rapprochement will seem slight, and the costs as potentially great. Representative Jack Kemp's speech at the Urban League convention last summer—in which he made an overt appeal for black support, pledging to include the black poor in his "new opportunity society"—was a hopeful exception to the Republicans' indifference.

**B**UT OF ALL the actors in this drama, black leaders play the most important role, and the most problematic. The prevailing ideological cast of many prominent black leaders and intellectuals is considerably to the left of the national mainstream, and often of the black community itself. Because of the long history of racist exclusion, many blacks place group solidarity above mere philosophical differences when deciding whom to support. A black ideologue of the left (or, for that matter, of the right—Louis Farrakhan, for example) is almost immune from challenge by another black, since it is precisely in ideological terms that whites most often oppose him. By posing the challenge, the black critic seems to ride with whites against his own race. The black challenger may thus forfeit black political support if he expands his appeal to white voters by criticizing incumbent black leadership. The opposition of whites to the black incumbent is taken by other blacks as proof that he is "sticking it to the man," and thus deserves support. The black challenger winds up appearing, in the eyes of his own people, to be an agent of forces inimical to their interests.

As a result, many black leaders act in ways which exacerbate their isolation from the American political mainstream without fear of reproach by more centrist blacks. The way in which the Voting Rights Act has come to be enforced compounds the problem. To avoid redistricting battles in courts, legislatures routinely create overwhelmingly black, electorally "safe" districts for black incumbents. As a result, most nationally prominent black politicians do not require white support to retain their prominence. Those blacks who do require white

support—Los Angeles Mayor Tom Bradley, for example—are discernibly closer to the center of the Democratic Party.

The results can be bizarre. Jesse Jackson actually campaigned in the Deep South urging local politicians to join his Rainbow Coalition so that, working together, they might enact the Equal Rights Amendment, eliminate state right-to-work laws, and secure a nuclear freeze. Most candidates running in the South on such a platform have short political careers. Lasting alliances between poor southern blacks and whites, if they are to emerge at all, will not emerge with this as the substance of the black politician's appeal. Yet southern whites who are repulsed by such "progressive" candidates are written off as racists. And the incentive for the emergence of a centrist black leadership which might someday achieve significant white support is diminished even further.

**P**HILOSOPHER Robert Nozick once gave a lecture at Harvard entitled, "Why Do Intellectuals Hate Capitalism?" and found one intellectual's answer scribbled on a poster announcing the talk: "Because we're smart!" One way black leaders might answer the question, "Why are you so undifferentiated in expressed philosophic perspective?" is: "Because we're smart"—smart enough to understand black interests and to uniformly recognize them to be well served by a left-liberal politics.

This argument, while not implausible, is not necessarily correct. An alternative explanation for the ideological posture of black leaders is this: the outcome of the internal struggles among black elites for leadership is sharply affected by the general perception of the black community on the quality of race relations. When most blacks think that things are going poorly for the group (as they do now), relatively radical forces in the leadership will be strengthened. When the American political establishment, liberal or conservative, reacts negatively to these radical leaders, it becomes all the more difficult for moderate blacks to challenge them.

This is what happened in 1984. Last summer Jesse Jackson's candidacy came under severe criticism from Democrats and Republicans alike. There was talk of not permitting him to speak at the Democratic Convention unless he repudiated Farrakhan. Conservative commentators were extremely critical of his post-primary junket to Central America and Cuba. At the convention, many blacks were disappointed by the limited concessions Mondale offered Jackson supporters. Their discomfort was enhanced by the adoption in Dallas of the most conservative major party platform in the last fifty years. As a result, the black leadership was fiercely critical of both Mondale and Reagan (for different reasons, of course), but virtually silent about some of Jackson's more extreme views. It would have required great courage for any black leader of prominence to publicly criticize, say, Jackson's foreign policy positions, or to publicly acknowledge the serious problem of black anti-Semitism

during the campaign—and virtually none did.

This alternative explanation accounts for two central features of black politics today that the “Because we’re smart” retort cannot. First, it suggests why black political debate, though by no means non-existent, is so truncated. Consider that between 1965 and 1979 the number of low-income blacks who were victims of robbery rose by 1,266 per 100,000; among middle-income whites the increase was 359. But the residents of inner-city Detroit, who face one of the highest criminal victimization rates anywhere, regularly return to Congress John Conyers, who uses his position as chairman of the House Subcommittee on Criminal Justice to crusade against police brutality and white-collar crime, but spends little time publicly addressing the plight of the victims of street crime. No serious challenge to Conyers has ever been waged by a black attacking him for failing to represent the community’s interest in reducing crime. Here is a case where, arguably, blacks’ interests are not served by Conyers’s traditional left-liberal perspective. What blacks in Detroit need is less, not more, uniformity of opinion.

What conceivable justification can black leaders offer for such limited debate among the victims of crime about Conyers’s views on crime? To argue that ordinary black people identify with and excuse the criminals who brutalize them would be to plumb the depths of fatuity and condescension. And yet consider how the N.A.A.C.P., the largest and oldest civil rights organization in the country, characterizes the inner-city crime problem in the April 1983 issue of its magazine, *The Crisis*:

Blacks make up . . . 12 percent of the nation’s total population . . . an incredible 50 percent of the total prison population . . . [but] only 4 percent of the nation’s law enforcement personnel. . . . Why are so many blacks in prison and . . . so few blacks in law enforcement? One inescapable answer applies to both questions: racism. Superficially, it would appear that blacks commit more crimes than anyone else . . . [but the] only explanation for this . . . discrepancy is conscious choices of key decision makers to focus on crimes committed more frequently by blacks.

If the common ideology of the black leadership is this reticent to express principled opposition to the damaging criminal behavior of a relatively few young black men, it simply does not serve the welfare of blacks.

Second, the “Because we’re smart” argument cannot explain the ubiquitous coolness that nationally prominent black politicians exhibit toward the defense of American interests abroad. The most vulnerable segment of the American population to any major setback abroad are the black inner-city poor. If vital raw materials become scarce, who will suffer first and most? If markets abroad disappear, if trading partners can no longer afford to buy our goods, who will be unemployed? Of course, factors beyond the narrow interests of constituents should determine one’s foreign policy positions. Still, the answers to these questions are sufficiently uncertain that those advocating the interests of the inner-city poor would do well to consider them carefully.

Again, they do not seem to be doing so, which only widens the schism between blacks and the American mainstream. It is unhealthy that NBC correspondent Marvin Kalb could feel obliged to ask Jesse Jackson, before a television audience of millions, whether his loyalties were first to America or first to black people—especially when the answer was the latter. When Jackson ended his speech at the University of Havana with “Long live Cuba! Long live the United States! Long Live President Castro! Long live Martin Luther King! Long live Martin Luther King! Long live Che Guevara! Long Live Patrice Lamumba!” the clear suggestion was that Martin Luther King’s movement and Che Guevara’s movement are on the same moral and political plane. Such cavalier use of King’s moral legacy will only squander it. And yet while the rest of the electorate gasps, blacks seem to slumber.

To be sure, ordinary black people feel a genuine ambivalence about their American nationalism. Blacks find themselves in America only because their ancestors were kidnapped and brought here as slaves. In the century following emancipation, black artists and intellectuals—whose legacy continues to exert a powerful influence on educated young blacks—found they could only gain freedom of action and the recognition for their accomplishments by exiling themselves. The complicity of the federal and state governments in sustaining Jim Crow laws and the de facto system of racial caste, and the ubiquity of racist assumptions and practices throughout American life have left deep scars. There can be no forgetting that Martin Luther King Jr. was hounded as a suspected enemy of the state by the F.B.I., even as he was helping to effect the nation’s great moral awakening. Today, when the Reagan Administration seems to flinch from condemning the ugly racism of South African apartheid, it makes many blacks even more reluctant to embrace fully their American nationalism.

**T**HUS WHITE LEADERS too, if they do not seek to understand the nature and sources of black political alienation and respond sensitively to it, are in danger of making our racial dilemma worse. White Democrats and white Republicans who are elected to office without black support will be tempted, as all politicians are, to reward their friends (i.e., whites), and punish their enemies (i.e., blacks). If they succumb to this temptation, they will make it infinitely harder for black leaders to adopt positions that make mutual compromise and accommodation possible.

This is the great problem confronting President Reagan, as great in its own way as the deficit problem. Even in the absence of any short-term political gain, he must seek to reach out to the blacks and include them in his new majority. The President need not pretend to be a liberal Democrat. In a manner consistent with his social philosophy, he should act on the statement he made in 1982 to the National Black Republican Council: “No other experience in American history runs quite parallel to the black experience. It has been one of great hardships, but also of great heroism; of great adversity but also great

---

achievement. What our Administration and our party seek is the day when the tragic side of the black legacy in America can be laid to rest once and for all, and the long, perilous voyage toward freedom, dignity, and opportunity can be completed, a day when every child born in America will live free not only of political injustice, but of fear, ignorance, prejudice, and dependency."

The President must recognize the damage that is done to the country by poor judgment in policy decisions of powerful symbolic importance. Two examples of this problem from Reagan's first term come to mind. The Administration appeared to support segregationist Bob Jones University in its efforts to gain a tax exemption; and it failed to give early support to a compromise version of the bill to extend the Voting Rights Act, and thus permitted itself to be portrayed as opposing the measure. Such mistakes served only to insult and further alienate a tenth of the population.

Reagan must also push with greater vigor and urgency those initiatives he already supports: enterprise zones, a sub-minimum wage for the hard-to-employ, ownership possibilities for responsible public housing tenants, and

support for the development of a strong black entrepreneurial class. He has to show he is willing to take some risks, and make some compromises to see that these and other initiatives are enacted. In his first term the President seemed reluctant to appear before black audiences—perhaps because he feared an ugly reception. Yet, by taking blacks seriously enough to directly seek their support, he can take the lead in healing the country's racial wounds.

Should Reagan be prepared to take these steps, a historic opportunity will present itself to the black leadership. The black underclass cannot afford another four years of wishful thinking from its leaders about the drift of political ideas in contemporary America. Those leaders must find the courage and wisdom to heed the growing signs of racial political isolation, and to seek accommodation and compromise. They need not become conservative Republicans. What is required is that black leaders, from a mature and varied set of ideological positions, adopt strategies consonant with the shifting political realities. Until they do so, the new American dilemma will be perpetuated by blacks and whites alike.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

December 21, 1984

MEMORANDUM TO: Jim Cicconi  
FROM: Mike Horowitz *MH*  
SUBJECT: Black Strategy

These are some hasty reactions to your memo, which I believe to be absolutely on target in many of its points. This Administration, under normal circumstances, would be expected to draw considerable support from any group:

- o In which the church is the principle community institution -- and in which there is accordingly greater than average agreement with Administration positions on "social issues" such as moral values, school discipline, pornography, etc..
- o Which is by far the most victimized by violent crime, and hence has the most to gain from this Administration's efforts to restore balance to the criminal justice process.
- o Whose children bore the brunt of the deterioration in educational standards which occurred during the 1970's, and which this Administration has done so much to reverse.
- o Which was (and to the extent that reforms remain to be effected, still is) disproportionately represented among those workers taxed, under Great Society policies, to provide transfer payments to support others with a lifestyle which exceeds their own.
- o Large numbers of whom live in areas which would be designated as "Enterprise Zones", and whose young people disproportionately bear the burden of such interest group "successes" as high minimum wages.
- o Contains a large and growing middle class, with a vested interest in preserving and expanding individual economic opportunity.
- o Which, polls consistently indicate, overwhelmingly favors a policy of equal opportunity, and which shares this Administration's opposition to busing, quotas, and similar "race conscious" policies.

That we do not, as you correctly emphasize, is not so much a function of poor salesmanship (to which, we are frequently exhorted, the solution is more and better salesmanship) as it is the absence of a coherent and identifiable product to sell -- a core of ideas and beliefs (a policy) based on which this Administration can be consistently seen to act.

A policy can be evaluated (and sold) in terms of its overall effects. A series of ad hoc (and frequently, contradictory) episodes in the various departments and agencies cannot -- particularly when they are undertaken with the apparent, vain, hope that they will not be noticed. As the predictable result has been a civil rights record about which we have been, by turns, defensive, apologetic, or (occasionally) defiant -- but all-too-infrequently assertive or affirmatively proud.

While I agree that we should take every opportunity to give additional prominence to the emerging cadre of conservative intellectuals and leaders in the black community (and that we should avoid actions which further empower media-created "leaders") I would put somewhat less emphasis on developing leaders or agendas for blacks. As the overwhelming repudiation of the Mondale campaign (which had an "agenda" and "leaders" for every discernable group), Americans prefer national leadership and a national agenda (even where they do not agree with every particular).

As Glenn Loury powerfully emphasizes, blacks are no exception in this regard (although he might tellingly have added that we have too often acted as though they were). As Loury convincingly argues, once the Administration develops a truly national civil rights agenda, real debate within the black community can begin. A debate from which new agendas and additional leaders can emerge -- from the black community itself.

An obvious first step would be to offer substantive Administration jobs to leaders such as Loury and Sowell who have taken it upon themselves to challenge the assumption blacks benefit from the liberal agenda. To date, we have ignored the Loury's and Sowell's (when we have not rejected them outright) in favor of "bridge figures" (whose message to blacks, in the end, is that they should support the Administration "in spite of it all"). As I indicated yesterday, I believe that the appointment of Tom Sowell to a Cabinet-level position could, in and of itself, truly affect history -- and not in the area of civil rights alone. I know it will take some tough persuading, and personal appeals by the President, but success on this score will, in my opinion, give a basis to a large proportion of the black community (and more media figures than might be imagined) to identify with the President's overall program.

These are initial thoughts offered in haste as you leave for your R & R, and I look forward to further talks when you return.

House GOP priorities (domestic):

- (1) Budget;
- (2) Tax reform;
- (3) Civil rights;

Why civil rights should be a priority:

- (1) Opportunity to reach out to black voters;
- (2) Opportunity to push the conservative agenda under the banner of "social justice";
- (3) Opportunity to go on the offensive -- to act because we're interested in the social good instead of reacting because we don't agree with the left's approach;
- (4) Opportunity to seize the left's moral high ground by challenging their protection of it.

The situation in the 99th Congress:

- (1) The Leadership Conference will introduce another Grove City bill. It may be more sophisticated but it will have the same effect. [Covering small grocers' because customers buy food with Food Stamps; or farmers because they benefit from price supports.]
- (2) If we don't have a positive alternative they will be able to paint anyone who questions the measure, or tries to amend it, a racist -- especially since a handful of conservative GOP Senators defeated the bill last year.
- (3) Analysis of statistics and trends gives every indication that the policies now in place aren't working.
- (4) The GOP does have economic proposals that would attack directly some of the economic problems of blacks.

A Proposal:

- (1) Make civil rights a GOP priority.
- (2) Embrace documents, such as the bishops draft letter on poverty, that point out the problems that do exist.
- (3) Make the case for the failure of the policies now in place.
- (4) Use the inevitable Grove City bill as a wedge to enter the civil rights debate and begin talking about how we can really ensure civil rights.
- (5) Have an alternative omnibus bill or amendment that can be offered as a substitute to Grove City. That bill or

amendment should include:

- \* Grove City language conservatives can support;
- \* Language reversing the trend toward policies that have the effect of racial quotas;
- \* Enterprise zones;
- \* Youth opportunity wage;
- \* Privatization of housing;

[It could also include repeal of Davis-Bacon, education vouchers, repeal of homework regulations, and a review of operational licensing standards and procedures.]

Strategy:

- (1) Adopt an alternative that dovetails with other priorities (like the one suggested above).
- (2) Use every possible forum to talk about it.
- (3) Cultivate media interest -- don't focus on the Washington media, try Reader's Digest, the WSJ, USA Today, and radio.
- (4) Make our high ground a driving interest in results, not process and rhetoric.

Tactics:

In order for this approach to work civil rights has to become a priority -- use every possible forum to bring it up:

- \* Select Committee on Children, Youth, and Families could hold hearings on black teenage unemployment -- especially since the Democrats want to hold hearings on poverty as the cause of existing problems.
- \* When Revenue Sharing comes up offer an amendment that conditions funds on review of state licensing procedures and how they impact on black employment.
- \* Get national religious leaders to sponsor a gala event -- talk about the problems and our solutions; solicit ideas from the people we're trying to help -- whites can't solve blacks' problems, they can only get out of the way.
- \* Sell the idea to conservative celebrities -- particularly those who work with inner-city kids and the disadvantaged -- and get them to begin lobbying for the approach, in Washington and around the country.
- \* Get GOP youth organizations to take the issue on as their cause.

Immediate goal: Damage control on Grove City

Long Term goal: Change the focus of debate on civil rights

Best case scenario:

- (1) Defeat the Leadership Conference's Grove City bill;
- (2) Change the focus of debate;
- (3) Pass our economic proposals.

Worst case scenario:

- (1) Pass the Leadership Conference's Grove City bill overwhelmingly;
- (2) Continue to be at a loss for an alternative to the left's civil rights agenda;
- (3) Continue to vote for civil rights legislation we're opposed to.

Most likely scenario:

- (1) Begin to change the focus of debate;
- (2) Pass bad Grove City language, or moderately bad language, with enterprise zones attached.

THE WHITE HOUSE

WASHINGTON

December 12, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: JAMES W. CICCONI *JWC*

SUBJECT: Black Strategy

At this point, it is perhaps more reflective of current thinking to outline a possible black strategy, and secure your reactions. In that vein, I would offer the following points:

1. Our approach must address, and not ignore, the reasons for the President's current unpopularity with blacks. Much of our problem is rooted in black perceptions that the President is anti-civil rights, and that his economic program is unfair to blacks. While this seems obvious as a matter of analysis, it also points out the need to correct current misperceptions at the same time we are looking forward.

We can begin to address the civil rights aspect by clearly defining what we are for, as well as what we are against. (I have already written a memo on the civil rights policy problem, which includes some specific recommendations, and will be happy to send you a copy.) The bottom line here, though, is that much of our problem is based on a fear, abetted by our policy missteps, about how far we might go in rolling back the civil rights gains of the past 20 years. We can allay that fear only by clearly defining our policy (thereby setting some limits), and restoring control of civil rights policy-making to the White House (thus making certain that the President's views, and not ad hoc agency decisions, determine our policy).

2. We must begin to lay out a "new agenda for black America". This requires a good deal of thought, and the participation not only of our political supporters, but also of conservative black thinkers from around the country. Faith Whittlesey has begun some contacts with such a group. So far, the meetings have been less than productive, because they are not goal-oriented and have not been integrated with an overall strategy. We have taken steps to correct that, with a view toward encouraging formation of a private, conservative black "think tank."

3. We must begin to form our own black leadership composed of people with whom we can deal. This should not be totally Republican, and need not be in tune with us on every issue--

the key is simply that they not be hostile to the President, or to our ideas in general. We can bestow credibility on the people we choose by consulting with them, speaking to their groups, and providing them access within the Administration. This is, of course, precisely what we did with Hispanics. Black leadership is, to a great extent, in the eye of the beholder. We can affect such perceptions by the publicity White House recognition provides. Change will only come slowly, but the espousal of our message by recognizable blacks is important to its overall credibility.

4. We cannot hope to gain ground by dealing with the established black leadership (Jesse Jackson, Ben Hooks, Vernon Jordan, et al). They are unremittingly hostile to this President, their agenda is diametrically opposed to ours, and their status as leaders is dependent on their continued public criticism of our program. If we are seen to be dealing with them, we will only strengthen their credibility among blacks, thereby damaging ourselves. We must shut them out of the White House to the maximum extent possible without adverse publicity. We must also put them in the position of responding to our "new agenda," since they will be hard put to oppose many of the issues we could put forward.

5. We must move with deliberation, and not with undue haste. A time when severe budget cuts are the primary news is not the best time for a major black outreach effort. Instead, we should begin to put the "infrastructure" of such an effort in place. This would include preparation of a "new agenda" of policy ideas; the ordering of our own house on civil rights policy, culminating in a formal policy statement and a major Presidential speech on civil rights; encouragement for the formation of a private "think tank" of black conservatives; and identification and promotion of an alternative black leadership.

6. We must work closely in the meantime with other groups, like ethnics and Hispanics, that were far more supportive of the President in 1980. Such groups will react with hostility if they feel we are focusing on blacks while ignoring them.

7. We must recognize up front that progress will be very slow, and difficult to measure since we are starting from such a small base (e.g., a five point increment represents a 50% gain). Moreover, we must be prepared to sustain the effort over a period of years if we hope to show any significant progress. The political arguments for doing so are strong, though, and the increasing racial polarization of U.S. politics adds a moral argument, as well.

cc: James A. Baker, III

Long Term goal: Change the focus of debate on civil rights

Best case scenario:

- (1) Defeat the Leadership Conference's Grove City bill;
- (2) Change the focus of debate;
- (3) Pass our economic proposals.

Worst case scenario:

- (1) Pass the Leadership Conference's Grove City bill overwhelmingly;
- (2) Continue to be at a loss for an alternative to the left's civil rights agenda;
- (3) Continue to vote for civil rights legislation we're opposed to.

Most likely scenario:

- (1) Begin to change the focus of debate;
- (2) Pass bad Grove City language, or moderately bad language, with enterprise zones attached.

House GOP priorities (domestic):

- (1) Budget;
- (2) Tax reform;
- (3) Civil rights;

Why civil rights should be a priority:

- (1) Opportunity to reach out to black voters;
- (2) Opportunity to push the conservative agenda under the banner of "social justice";
- (3) Opportunity to go on the offensive -- to act because we're interested in the social good instead of reacting because we don't agree with the left's approach;
- (4) Opportunity to seize the left's moral high ground by challenging their protection of it.

The situation in the 99th Congress:

- (1) The Leadership Conference will introduce another Grove City bill. It may be more sophisticated but it will have the same effect. [Covering small grocers' because customers buy food with Food Stamps; or farmers because they benefit from price supports.]
- (2) If we don't have a positive alternative they will be able to paint anyone who questions the measure, or tries to amend it, a racist -- especially since a handful of conservative GOP Senators defeated the bill last year.
- (3) Analysis of statistics and trends gives every indication that the policies now in place aren't working.
- (4) The GOP does have economic proposals that would attack directly some of the economic problems of blacks.

A Proposal:

- (1) Make civil rights a GOP priority.
- (2) Embrace documents, such as the bishops draft letter on poverty, that point out the problems that do exist.
- (3) Make the case for the failure of the policies now in place.
- (4) Use the inevitable Grove City bill as a wedge to enter the civil rights debate and begin talking about how we can really ensure civil rights.
- (5) Have an alternative omnibus bill or amendment that can be offered as a substitute to Grove City. That bill or

amendment should include:

- \* Grove City language conservatives can support;
- \* Language reversing the trend toward policies that have the effect of racial quotas;
- \* Enterprise zones;
- \* Youth opportunity wage;
- \* Privatization of housing;

[It could also include repeal of Davis-Bacon, education vouchers, repeal of homework regulations, and a review of operational licensing standards and procedures.]

Strategy:

- (1) Adopt an alternative that dovetails with other priorities (like the one suggested above).
- (2) Use every possible forum to talk about it.
- (3) Cultivate media interest -- don't focus on the Washington media, try Reader's Digest, the WSJ, USA Today, and radio.
- (4) Make our high ground a driving interest in results, not process and rhetoric.

Tactics:

In order for this approach to work civil rights has to become a priority -- use every possible forum to bring it up:

- \* Select Committee on Children, Youth, and Families could hold hearings on black teenage unemployment -- especially since the Democrats want to hold hearings on poverty as the cause of existing problems.
- \* When Revenue Sharing comes up offer an amendment that conditions funds on review of state licensing procedures and how they impact on black employment.
- \* Get national religious leaders to sponsor a gala event -- talk about the problems and our solutions; solicit ideas from the people we're trying to help -- whites can't solve blacks' problems, they can only get out of the way.
- \* Sell the idea to conservative celebrities -- particularly those who work with inner-city kids and the disadvantaged -- and get them to begin lobbying for the approach, in Washington and around the country.
- \* Get GOP youth organizations to take the issue on as their cause.

Immediate goal: Damage control on Grove City

1. **Coordinative**: JC, Rhodes, Donatelli → Deaver  
- coordination of overall strategy
2. **Event Strategy**: Donatelli, Rhodes, JC, Bradley  
- propose a progression of meetings and events for next 90 days; lay groundwork for blitz
3. **New Agenda**: Chapman, Rhodes, JC, (outside groups), Holladay **Bradley**  
- devise set of initiatives and proposals to attract black support; assemble as pkg.
4. **Civil Rights Policy**: JAB, EM, Srohn (JC)  
- restructure policy-making process; draft civ rts policy statement; Pres'l speech
5. **New Leadership**: Bradley, Rhodes, Holladay  
- identify, begin cultivating alt black ldrs via meeting, photos, etc; low-key
6. **Appointments**: Armstrong  
- identify, promote GOP blacks w/ ldrship potential; install one or two high-level apptts

Mit

- Understanding meeting
- "Thank you" Emerson

UNESCO  
openers gp

- Tobacco investigation >
- 2 days on this; documents being circ'd
- hearing is Jan 3 (report due by end of month)

FERC: Georgiana Sheldon is on  
Ed Cox in Dallas wants to help - aware of sit. now assessing  
= what is timetable on this? = w/in 30 days but not before Jan 2  
7510 Salgado -  
= assessing =



Page Two: Memorandum to Michael Deaver.

Point 4: Jim discusses the approach we should take with existing black leadership. I agree we should spend more time with those people who can articulate their support of the President as opposed to those who are diametrically opposed to the President and the Administration.

Point 5: This is the same as Point 2 and 3, however, we need not create new organizations but rather work with existing organizations that support us, are credible and have constituencies - of which there are many. We should focus our time on those issues affecting all Americans but that have more direct impact on the black community. We would thereby bring black America into the mainstream so minorities are not treated as second class citizens.

Point 6: I agree with Jim wholeheartedly.

Point 7: I do agree with the direction Jim is taking, however I feel that if we segment the black community by targeting our message to particular individuals and organizations concerned with economic development, there is a far greater probability that the President's message will be understood. Economic development is color blind.

In summation, I generally agree with what Jim is saying. However I do not feel that the White House needs to create new black leadership. There are already leaders existing in the Administration as well as out.

AEI and the Heritage Foundation were not created by the White House. Similarly, the Lincoln Institute and National Center for Neighborhoods Enterprise are established organizations with a strong constituency supportive of the President.

Although Jim does not suggest this, I would be remiss if I did not advise that we quickly need to acknowledge black Republicans who labored in the 1984 campaign to re-elect the President. It would be unprofessional to begin the job of Outreach in the black community without thanking the individuals who helped to get us here in the first place.

The Republican Party has been notorious for not saying thank you to its supporters. This is critical in handling Outreach in the minority communities. Symbolism is important in all constituencies as industry, labor, religious, handicapped, etc.

THE WHITE HOUSE  
WASHINGTON

December 13, 1984

TO: MIKE DEEVER

Attached, per your request, is a memo which reflects my current **thinking on a possible black strategy.** I have shown a draft to Frank Donatelli, and he is in basic agreement.

I have tried to be concise, and not mince words, in order to save your time and draw your honest reaction to each point. Obviously, the different points could be fleshed out with much more detail; also, there is much here that is implicit.

I have also attached a copy of a memo on civil rights policy-making which is a bit more lengthy. So far, only Baker and Svahn have seen it, and I'd be interested in your reactions.

Thanks-- I'll be happy to have a **meeting to discuss these papers at any time you wish.**

  
Jim Cicconi

THE WHITE HOUSE

WASHINGTON

December 12, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: JAMES W. CICCONI *JWC*

SUBJECT: ~~Black Strategy~~

At this point, it is perhaps more reflective of current thinking to outline a possible black strategy, and secure your reactions. In that vein, I would offer the following points:

1. Our approach must address, and not ignore, the reasons for the President's current unpopularity with blacks. Much of our problem is rooted in black perceptions that the President is anti-civil rights, and that his economic program is unfair to blacks. While this seems obvious as a matter of analysis, it also points out the need to correct current misperceptions at the same time we are looking forward.

We can begin to address the civil rights aspect by clearly defining what we are for, as well as what we are against. (I have already written a memo on the civil rights policy problem, which includes some specific recommendations, and will be happy to send you a copy.) The bottom line here, though, is that much of our problem is based on a fear, abetted by our policy missteps, about how far we might go in rolling back the civil rights gains of the past 20 years. We can allay that fear only by clearly defining our policy (thereby setting some limits), and restoring control of civil rights policy-making to the White House (thus making certain that the President's views, and not ad hoc agency decisions, determine our policy).

2. We must begin to lay out a "new agenda for black America". This requires a good deal of thought, and the participation not only of our political supporters, but also of conservative black thinkers from around the country. Faith Whittlesey has begun some contacts with such a group. So far, the meetings have been less than productive, because they are not goal-oriented and have not been integrated with an overall strategy. We have taken steps to correct that, with a view toward encouraging formation of a private, conservative black "think tank."

3. We must begin to form our own black leadership composed of people with whom we can deal. This should not be totally Republican, and need not be in tune with us on every issue--

the key is simply that they not be hostile to the President, or to our ideas in general. We can bestow credibility on the people we choose by consulting with them, speaking to their groups, and providing them access within the Administration. This is, of course, precisely what we did with Hispanics. Black leadership is, to a great extent, in the eye of the beholder. We can affect such perceptions by the publicity White House recognition provides. Change will only come slowly, but the espousal of our message by recognizable blacks is important to its overall credibility.

4. We cannot hope to gain ground by dealing with the established black leadership (Jesse Jackson, Ben Hooks, Vernon Jordan, et al). They are unremittingly hostile to this President, their agenda is diametrically opposed to ours, and their status as leaders is dependent on their continued public criticism of our program. If we are seen to be dealing with them, we will only strengthen their credibility among blacks, thereby damaging ourselves. We must shut them out of the White House to the maximum extent possible without adverse publicity. We must also put them in the position of responding to our "new agenda," since they will be hard put to oppose many of the issues we could put forward.

5. We must move with deliberation, and not with undue haste. A time when severe budget cuts are the primary news is not the best time for a major black outreach effort. Instead, we should begin to put the "infrastructure" of such an effort in place. This would include preparation of a "new agenda" of policy ideas; the ordering of our own house on civil rights policy, culminating in a formal policy statement and a major Presidential speech on civil rights; encouragement for the formation of a private "think tank" of black conservatives; and identification and promotion of an alternative black leadership.

6. We must work closely in the meantime with other groups, like ethnics and Hispanics, that were far more supportive of the President in 1980. Such groups will react with hostility if they feel we are focusing on blacks while ignoring them.

7. We must recognize up front that progress will be very slow, and difficult to measure since we are starting from such a small base (e.g., a five point increment represents a 50% gain). Moreover, we must be prepared to sustain the effort over a period of years if we hope to show any significant progress. The political arguments for doing so are strong, though, and the increasing racial polarization of U.S. politics adds a moral argument, as well.

cc: James A. Baker, III

THE WHITE HOUSE

WASHINGTON

December 12, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: JAMES W. CICCONI *JWC*

SUBJECT: Black Strategy

At this point, it is perhaps more reflective of current thinking to outline a possible black strategy, and secure your reactions. In that vein, I would offer the following points:

1. Our approach must address, and not ignore, the reasons for the President's current unpopularity with blacks. Much of our problem is rooted in black perceptions that the President is anti-civil rights, and that his economic program is unfair to blacks. While this seems obvious as a matter of analysis, it also points out the need to correct current misperceptions at the same time we are looking forward.

We can begin to address the civil rights aspect by clearly defining what we are for, as well as what we are against. (I have already written a memo on the civil rights policy problem, which includes some specific recommendations, and will be happy to send you a copy.) The bottom line here, though, is that much of our problem is based on a fear, abetted by our policy missteps, about how far we might go in rolling back the civil rights gains of the past 20 years. We can allay that fear only by clearly defining our policy (thereby setting some limits), and restoring control of civil rights policy-making to the White House (thus making certain that the President's views, and not ad hoc agency decisions, determine our policy).

2. We must begin to lay out a "new agenda for black America". This requires a good deal of thought, and the participation not only of our political supporters, but also of conservative black thinkers from around the country. Faith Whittlesey has begun some contacts with such a group. So far, the meetings have been less than productive, because they are not goal-oriented and have not been integrated with an overall strategy. We have taken steps to correct that, with a view toward encouraging formation of a private, conservative black "think tank."

3. We must begin to form our own black leadership composed of people with whom we can deal. This should not be totally Republican, and need not be in tune with us on every issue--

the key is simply that they not be hostile to the President, or to our ideas in general. We can bestow credibility on the people we choose by consulting with them, speaking to their groups, and providing them access within the Administration. This is, of course, precisely what we did with Hispanics. Black leadership is, to a great extent, in the eye of the beholder. We can affect such perceptions by the publicity White House recognition provides. Change will only come slowly, but the espousal of our message by recognizable blacks is important to its overall credibility.

4. We cannot hope to gain ground by dealing with the established black leadership (Jesse Jackson, Ben Hooks, Vernon Jordan, et al). They are unremittingly hostile to this President, their agenda is diametrically opposed to ours, and their status as leaders is dependent on their continued public criticism of our program. If we are seen to be dealing with them, we will only strengthen their credibility among blacks, thereby damaging ourselves. We must shut them out of the White House to the maximum extent possible without adverse publicity. We must also put them in the position of responding to our "new agenda," since they will be hard put to oppose many of the issues we could put forward.

5. We must move with deliberation, and not with undue haste. A time when severe budget cuts are the primary news is not the best time for a major black outreach effort. Instead, we should begin to put the "infrastructure" of such an effort in place. This would include preparation of a "new agenda" of policy ideas; the ordering of our own house on civil rights policy, culminating in a formal policy statement and a major Presidential speech on civil rights; encouragement for the formation of a private "think tank" of black conservatives; and identification and promotion of an alternative black leadership.

6. We must work closely in the meantime with other groups, like ethnics and Hispanics, that were far more supportive of the President in 1980. Such groups will react with hostility if they feel we are focusing on blacks while ignoring them.

7. We must recognize up front that progress will be very slow, and difficult to measure since we are starting from such a small base (e.g., a five point increment represents a 50% gain). Moreover, we must be prepared to sustain the effort over a period of years if we hope to show any significant progress. The political arguments for doing so are strong, though, and the increasing racial polarization of U.S. politics adds a moral argument, as well.

cc: James A. Baker, III

THE WHITE HOUSE

WASHINGTON

ADMINISTRATIVELY CONFIDENTIAL

December 12, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: JAMES W. CICCONI 

SUBJECT: Civil Rights Policy

During the President's first term, a pattern emerged in the area of civil rights which has been disturbing, and which has continually led to problems. In short, it boils down to this: our Administration has not formulated a specific civil rights policy framework. Instead, our policy has been determined on a case-by-case basis by the Civil Rights Division, with little or no White House involvement.

Civil Rights Policy-Making

Over the past four years, with only occasional exceptions, major civil rights policy decisions have not been brought before the President prior to some executive branch action which either constrained his options, or rendered any discussion purely informational. The Cabinet Council on Legal Policy was created in the wake of controversy over Administration civil rights policies, and was designed as a forum for identifying such issues and bringing them before the President for policy decision. This was expected to involve the normal debate of opposing viewpoints and consideration of options that the Cabinet Council system has produced in most other policy areas. The President, hearing the different positions and options, would then decide. Unfortunately, the CCLP has failed utterly in fulfilling this function.

In the absence of a White House system for setting Administration policy in the multitude of areas encompassing the term "civil rights," a vacuum has developed. This has understandably been filled by the Civil Rights Division, which has been quite clearly making such decisions in place of the White House. Policy decisions are reflected in speeches, amicus briefs, interventions, and positions in various lawsuits which not only reverse longstanding Justice Department policy, but, in many cases, defy legal precedent.

To be sure, the Civil Rights Division cannot be faulted for these developments. There has indeed been a vacuum in the civil rights policy area which the White House has not moved to fill. Failing White House insistence that policy be decided here, the decisions in any policy area will, predictably, be made at the departmental level. The "vacuum" is more than a problem of systems, though: it extends to the particulars of our policy itself. We have not fleshed out the President's philosophy in this area, and, after four years, are still left with only certain statements, expanded somewhat by last year's ABA speech (e.g. favoring affirmative action, against rigid quotas and busing). The Civil Rights Division has thus been free to interpret their preferred courses of action as being consistent with the President's philosophy largely due to the absence of contrary Presidential pronouncements. This has given the division a degree of policy leeway enjoyed by few, if any, comparable offices. In contrast, White House involvement has invariably been limited, ad hoc, and often after-the-fact. The White House usually receives information in one of the following ways:

- a. consultation limited to a few individuals in the White House or OMB who tend to be sympathetic with the Civil Rights Division's position;
- b. limited information provided to either the Counsel's Office or Cabinet Affairs, often at the last minute; or
- c. particular White House staffers will hear of an issue "through the grapevine," and will request more detailed information from Justice.

Since the necessary information reaches the White House senior staff either right before, or right after a particular action is taken by DOJ, options are constrained accordingly. Meetings are set up to brief appropriate White House officials and to answer questions. However, our options are usually limited:

- a. Justice is given tacit approval to proceed, usually when a position has already been filed (the Dade County example);
- b. the Justice position is modified in some way to satisfy significant White House concerns, while remaining consistent with the overall DOJ thesis (the Grove City example); or

- c. the Justice position remains intact, but a different, and more politically palatable rationale for the stance is presented (the Bob Jones example).

The point here is not whether we ended up in a proper or ill-advised position on a particular issue. It is that the civil rights policy process (if it can be called that) is operating beyond White House control or Presidential involvement, and without any considered, coherent strategy except, perhaps, on the part of the Civil Rights Division.

### Policy Consequences

Beyond the issues of busing and quotas, there is a good deal of confusion about what this Administration stands for. As an example, the President has often spoken in a supportive way about affirmation action, yet DOJ actions can, in many cases, be interpreted as opposing affirmative action. Similarly, the President has supported minority set-aside programs on the federal level (even going so far as to reject agency goals, and impose higher ones), at the same time his Justice Department is fighting them on the state and local level. The President seems to distinguish between "goals" and "quotas," while DOJ files briefs equating the two.

These are symptoms of ad hoc policy-making. It is confused because we are confused. It is often contradictory because we often contradict ourselves (Bob Jones is one example; our position on the Voting Rights Act is another).

Instead of identifying and focusing on specific policy objectives, we have repeatedly found ourselves skirmishing over issues that were not of our choosing, as in Grove City and Bob Jones. Ill-considered positions in court have led to unnecessary controversy which, even when we prevailed legally, required us to confront legislation worse than the situation we sought to correct.

In Congress, too, we sometimes "missed the boat" because of unrealistic assessments of what could be achieved. For example, in early 1981, instead of supporting a straight extension of the Voting Rights Act, which would have been applauded, we sought significant changes which were unjustly portrayed as an attempt to gut the law. The resulting controversy allowed the civil rights lobby to "up to the ante." Though we ultimately decided to support a straight extension, it was too late: the bill that reached the President contained provisions far worse than the original Act.

Thus, in a number of civil rights areas, we have found ourselves in battles, by virtue of DOJ decisions, which continue to have repercussions in Congress, in the courts, and in the political arena. Yet, the most striking aspect of the situation is that, for all the political damage sustained by the President, we have achieved very little of substance in such battles. In fact, our main achievements have been in those areas where the President's policy is clearest and least controversial: busing and "true" quota cases.

Unfortunately, it is not our civil rights achievements, but, instead, our often unsuccessful "rollback" actions which have been more likely to stick in the public mind. This is particularly true with blacks, the media, and those who view themselves as sensitive to civil rights. From a policy standpoint, this has made even our initiatives (e.g. fair housing enforcement) suspect, and vulnerable to being "trumped" by the civil rights lobby. From a political standpoint, the damage is more severe, and perhaps not reversible for many years. In effect, we have incurred the enmity of 90% of America's blacks, and cemented them to the Democratic Party. To be sure, voting trends among blacks have not been promising for the GOP. However, we have squandered our opportunities by a perceived assault on the civil rights laws--an "assault" that was not planned, but was instead stumbled into through a lack of White House attention, and a failure to assert our coordinative prerogatives.

Future Republican candidates may not be capable of carrying the South, as President Reagan did, while losing 90% of black voters. It is politically imperative that we cut into this bloc vote in the coming years, even if our efforts yield only several percentage points difference. Thad Cochran and Strom Thurmond have both proven that such efforts, rooted in more sensitivity to civil rights concerns, can turn a close election into a safe one.

More important, though, is that Republicans begin to identify what we are for in the area of civil rights, in addition to what we are against. Otherwise, we risk being viewed as reactionaries seeking to undermine civil rights, mostly in a sub-rosa fashion. By and large, Americans are proud of the civil rights progress we have made in the thirty years since Brown. Republicans have every right to share in that pride--Kennedy may have sent federal marshals to Birmingham, but Ike sent the National Guard to Little Rock. By appearing negative today, we belie our own Party's contribution to the decline of state-sanctioned racism in the U.S. In fact, the subliminal message is that we could envision rolling back the clock, if only because our actions, combined with a failure to articulate limits, raise questions about how far we would go.

### Civil Rights Policy in the Second Term

There are a number of steps that I would recommend be considered in a second term:

1. We should revitalize the Cabinet Council on Legal Policy so that it indeed serves as a forum for developing policy options in the area of civil rights. For such discussions, both the chairman of the Civil Rights Commission and the chairman of the EEOC should sit as members.
2. It should be clearly directed that policy questions (as distinct from enforcement actions or case filings where there is ample precedent) must be brought to CCLP for discussion. The Administration has tended to allow Justice more discretion than necessary in deciding civil rights policy because of our unwillingness to interfere with their decisions about what, or whether, to file in particular cases. Unless our policy is already clear (and in most cases, it has not been), the Cabinet Council and the President should decide what the policy is; Justice would then file in accord with that policy. Simply because DOJ has broad discretion in its judicial filings does not mean the White House must also abdicate policy decisions to them.
3. A policy statement on civil rights should be drafted and then debated not only within the White House, but among Party leaders. Frankly, some black academic thinkers like Thomas Sowell have done a far better job of articulating a conservative civil rights policy framework than this Administration has. We simply must define what we are for, as well as what we are against, and why. This would counter the irrational fears conjured by our opponents, and may be the only way we can give blacks a reason for rallying to our Party. It would also provide the Justice Department with the type of central policy guidance that has been lacking in the civil rights area.
4. The President should be engaged directly. He should be at the center of discussions on what our policy is, and what we stand for in the area of civil rights. The President should also be exposed periodically, in small sessions, to the views of the black community. Too often in the past, the President has been surprised by outcry among blacks about his Administration's policies. Exposure to black viewpoints on such issues (including Republicans such as Bill Coleman and Ed Brooke) will give the President a direct understanding of how certain civil rights issues are viewed by the black community.

5. Legislative strategy on civil rights issues must be controlled by the White House. On a number of occasions, we have been insufficiently attentive to such issues in Congress, leaving them in DOJ's hands until they have passed beyond our power to control (e.g. the Voting Rights Act). In the past year, we have done better on several potentially volatile issues (insurance equity, comparable worth, Title IX/Grove City legislation) because we have asserted White House control at an early stage.

I will be happy to discuss these points further if you desire.