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THE WHITE HOUSE
WASHINGTON
October 12, 1983

MEMORANDUM TO: FAITH WHITTLESEY
THROUGH: Jack C. Courtemanche
FROM: Morton C. Blackwell *MCB*
SUBJECT: New Taxation of Churches

Attached is a memorandum I have prepared for your signature.

This is a volatile issue which is going to make ugly headlines soon for the President unless action is promptly taken.

MCB:jet

1 Attachment a/s

THE WHITE HOUSE

WASHINGTON

October 12, 1983

MEMORANDUM TO JAMES A. BAKER III AND EDWIN MEESE III

FROM: FAITH RYAN WHITTLESEY

SUBJECT: New Taxation of Churches

The fundamentalist and evangelical Protestant churches are waking up to the reality that they are about to be required to start paying Social Security taxes, under the provisions of our TEFRA passed last year. The new taxation is scheduled to go into effect January 1 for church employees, which includes church-related-school employees and all church staff except clergy.

Wealthy, main line Protestant churches are not yet deeply involved in resistance to this new tax. But it now appears that at least hundreds of Mennonite, Amish, fundamentalist and evangelical church leaders will refuse to pay the tax. At a September 30 meeting organized by the National Christian Action Coalition at the Capitol Hill Club, thirty preachers and Christian school leaders from around the country held fiery discussions on this issue.

The result early in 1984 would be that our Treasury Department and our Justice Department, acting under our revenue bill, would be taking high-visibility legal actions against outspoken religious leaders, many of whom broke all precedent by working hard to elect us in 1980.

Religious leaders are working with Senator Bill Armstrong and some House members to introduce a bill to exempt religious organizations from the new tax. We should decide now if we are prepared to weather this coming storm. If not, we should get to work now with Congressional friends to introduce an Administration-backed repealer of this portion of TEFRA. Judging from the intensity of feeling now building up on this issue, I suggest the latter course.

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MB

MEMORANDUM TO JAMES A. BAKER III AND EDWIN MEESE III

FROM: FAITH RYAN WHITTLESEY *FRW*

SUBJECT: Tuition Tax Credits, School Prayer, and Pornography

TUITION TAX CREDITS:

This issue is of overwhelming importance to many traditionally Democratic parents who send their children to Catholic, Protestant and Jewish schools. Groups like the Knights of Columbus, Agudath Israel, and many fundamentalist Christian churches hinge their support of the President on this issue.

The President's recent Cabinet Room meeting with the leaders of the Tuition Tax Credit coalition was a smashing success. Even people like Paul Weyrich who tend to doubt our seriousness on this issue, left the meeting convinced the President had ordered a full court press on this issue now.

The story attached in the USA Today the following Monday has been devastating. The article claims the President misled the coalition, and the headline specifically says the issue is "low priority."

To maintain our credibility with this broad-based coalition, there must be delivery on the commitment Senators Baker and Dole gave the President. That is, the tuition tax credit bill must come up for Senate floor action this fall. The President told the group, "I will settle for nothing less than a two-House strategy which can get this long over-due bill on my desk for signature." This requires that the bill be added to a House-passed revenue measure, and there are only a few of those in prospect.

If the past is any guide, the Senators in question will come up with reasons why each bill, in turn, should not be "encumbered" with the tuition tax credit issue. If we let this happen, there will be major explosions with unfortunate fall-out next year.

I suggest the President send the coalition members who met with him the attached letter to reaffirm his statements in the Cabinet Room.

Ken Duberstein, Morton Blackwell and I met on Friday, October 7, to discuss the choice of a legislative vehicle to which tuition tax credits could be attached. I emphasized the importance of selecting a vehicle which is a "must pass" bill lest we risk great disillusionment with our strategy and increased questioning of our commitment.

SCHOOL PRAYER:

We have transmitted to the School Prayer Coalition the assurances repeatedly given to the Legislative Affairs Office by Senator Baker that the President's Voluntary Prayer Amendment will be brought up in October for Senate floor consideration. Based on these assurances, many groups are devoting major resources to this effort. Pat Robertson has spent two weeks visiting with religious leaders to generate grassroots support. Dr. Jimmy Draper, President of the 14 million member Southern Baptist Convention has officially written all 100 Senators and started large amounts of local activity directed at the Senators. Dr. Jerry Falwell has recently mailed out 800,000 letters to generate favorable mail. "Save Our Schools," a Viguerie client, is mailing heavily on this topic.

The coalition supporting restoration of voluntary school prayer is united in opposition to the Hatch "silent prayer" amendment which was also voted out of the Senate Judiciary Committee. The attached letter from Dr. Jimmy Draper is illustrative of their feelings. In fact, its strong criticism of the Hatch proposal is mild by comparison with other comments.

Dr. Ron Godwin of Moral Majority has spoken personally with Hatch and received a vague response to Falwell's request that the Senator withdraw his amendment. Hatch has declined to meet with Pat Robertson of the Christian Broadcasting Network and the 700 Club. Robertson is outspoken in favor of the President's amendment and vigorously against Hatch's. In fact, we have not seen an indication of support for the "silent prayer" amendment from any religious organization in the United States. Those National Council of Churches groups which oppose the President's amendment also oppose Hatch's.

There have been no other prayer amendments voted out of the Senate Judiciary Committee. By a two to one vote, the Judiciary Committee did vote out a proposed statute which would attempt to guarantee equal access for voluntary student prayer groups, on the same basis as non-religious groups, for the use of school facilities for meetings. The view of the coalition on this Denton bill is that it is only a supplement to the President's amendment. A statute might be struck down unless the Amendment were in place.

Based on the assurance from Senator Baker, all supportive groups are timing their grassroots efforts for a Senate vote in late October. The danger here is that the Senate leadership will fail to do what they have promised, namely, bring up the Amendment which was voted out by the Senate Judiciary Committee. Last week this group received information that when Senator Baker met with the Republican Senators and listed legislative priorities for the remainder of the year, school prayer was not mentioned. This information has been deeply disturbing to the school prayer coalition who are devoting enormous effort to lobbying in support of a school prayer amendment in the belief that it will be brought up during this session.

The action required is for the White House to keep up maximum pressure on the Senators to bring up the proposal.

This situation is not unlike the tuition tax credit issue. Politically we win if we get votes on the Senate floor. It would be most helpful to win those votes, but a serious let-down for our supporters if we get no record votes.

PORNOGRAPHY LAW:

The anti-pornography coalition was delighted with the initial results of their Cabinet Room meeting with the President. The subsequent lack of action leaves them upset.

We have formed a White House Task Force on enforcement of pornography laws. Steve Galebach of the Office of Policy Development is the White House Coordinator. Due to other pressing demands on Galebach's time, there is little to show for the effort. The Justice Department has sent out one memorandum to U.S. Attorneys; this memo is described as totally inadequate by the coalition.

Postal Inspectors, U.S. Customs officials, and former FBI officials say nothing has been done to change the Justice Department's disinclination to raise the priority of anti-pornography law enforcement.

What is needed in this case is for the President to direct the Justice Department actually to increase prosecutions.

As the problem of pornography gets worse, the number of prosecutions goes down. A few well publicized busts and prosecutions will convince the coalition that the President is really serious about this. The group is convinced that without much more White House pressure, nothing will change on this topic at Justice.

Attachments

cc: Richard G. Darman
Kenneth Duberstein
Edward Rollins
David George

Tax credits for tuition 'low priority'

By Chris Collins
and Ann Devroy
USA TODAY

WASHINGTON — Although President Reagan is being portrayed as hard at work fulfilling his campaign promise to provide tax breaks for parents of private school children, neither Congress nor the White House expects those promises to be kept.

And while Reagan will continue pushing tax credits in highly visible ways, the issue is nowhere near the top of his legislative priorities.

That isn't the impression Reagan left with conservative and religious leaders in an Oval Office meeting last week. Conservative leader Paul Weyrich walked out of the session convinced, he said, that Reagan would work hard for the tax credits and that "there's a possibility" Congress would pass them this year.

"I'm convinced in my own mind that they are serious," he



By Mark Angeles, USA TODAY
WEYRICH: Still thinks tax credits 'a possibility.'

said.

That, indeed, is the White House's on-the-record position. But off the record, officials say they will not make any huge lobbying effort in Congress for tuition tax credits.

Even if the White House lob-

bied intensely, it is unlikely that the tax credits would pass this year, especially in the Democrat-controlled House.

From the view of Republicans in the White House, Reagan could still say he worked like heck to get the credits through Congress, but was stymied by House Democrats.

It will be tougher, however, to pin the blame on Democrats if the bill doesn't clear the Republican-controlled Senate. And it probably won't, White House officials concede.

"I don't think anything will happen," says Erta Fielek, an aide to Finance Committee member Bob Packwood, R-Ore., a co-sponsor of the tuition tax credit bill. "The senator's position all along has been that — if anything — support has been waning. . . . We don't even talk about tuition tax credits anymore."

But the White House is still talking. According to a Senate aide, tax credit supporters were told Friday that the administration was "set" to take the bill to the Senate floor.

"If they tried to push it through, we'd fight it tooth and nail," vows Mike Fernandez, a spokesman for Sen. Ernest F. Hollings, D-S.C., a leading Senate opponent of tuition tax credits. "We can win it."

Republican aides agree. "It would die immediately" as a separate bill, Fielek said.

In theory, the issue could be attached to a popular "must-pass" bill. But there's a sticking point: For parliamentary reasons, it would have to be attached to a House-passed revenue bill. None are pending nor expected.

Draft letter from the President to Tuition Tax Credit Coalition members with whom he met in the Cabinet Room on September 16, 1983.

Dear _____:

I want to thank you for taking the time to meet with me in the Cabinet Room September 16 on the topic of tuition tax credits.

As I said then, I spoke on September 14 with Senator Howard Baker and Senator Bob Dole on the urgent need for prompt U.S. Senate floor action on our bill. I urged them to help us get tuition tax credits as an amendment to a House-passed revenue bill this year.

Nothing less than a two-House strategy will get this bill on my desk for signature. We cannot settle for any one-House plan.

Senator Baker and Senator Dole gave me their pledge that tuition tax credits will come up for Senate action this fall. I will continue to confer with them in order to determine the most effective legislative strategy.

Some people opposed to passage of this important measure have circulated stories to the media to the effect that somehow, despite my conversation with you, this matter is not viewed as urgent in my Administration. Let me again assure you that tuition tax credit is at the very top of my domestic legislation agenda.

We have worked together for years to get tuition tax credits written into law. I am in this fight to win. With your continued strong support, we will win.

Sincerely,

Ronald Reagan

SOUTHERN BAPTIST CONVENTION

OFFICE OF THE PRESIDENT
JAMES T. DRAPER, JR.

FIRST BAPTIST CHURCH
P.O. BOX 400
DALLAS, TEXAS 76039

July 8, 1983

President Ronald Reagan
THE WHITE HOUSE
Washington, DC

Dear Mr. President:

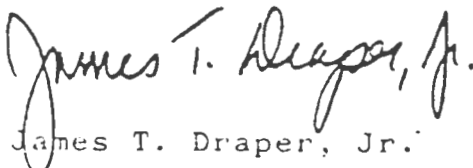
I regret that I could not meet with you, but am required to be at another meeting in the Midwest. I was privileged to meet with a group of Christian leaders today at the invitation of the Freedom Council. Your invitation came during our meeting this afternoon.

I strongly believe in the right of voluntary prayer in the public schools. I have traveled over 130,000 miles this past year. I have concluded that the overwhelming majority of our 14 million Southern Baptists favor voluntary prayer in the public schools. We are a theistic country. The Supreme Court has clearly ruled that such acknowledgment of our theistic faith in the public sector is our right by law. Voluntary prayer guarantees the same right to our children.

I have had some concerns regarding the proposed prayer amendment. I believe it must include clear language, disallowing any authority of the state to prescribe the content of such prayer. I urgently request that distinct language be employed by the proposed amendment to make this absolutely clear. If such changes are made, I would strongly support it.

May God bless you today and every day. You are constantly in our prayers.

In His love,


James T. Draper, Jr.

JTD:mn

THE WHITE HOUSE

WASHINGTON

October 3, 1983

MEMORANDUM TO: FAITH WHITTLESEY

THROUGH: Mary Ann Meloy

FROM: Morton C. Blackwell *M.C.B.*

SUBJECT: The Fundamentalist and Evangelical Voters

Attached is a duplicate copy of the memorandum on Tuition Tax Credit, School Prayer, and Pornography which I had expanded as you requested.

Following is the other data you requested:

1. Approximately 85,000,000 Christians attend church in the United States on an average Sunday. About 125,000,000 consider themselves church-going Christians.
2. Sixty million (60,000,000) adult Christians consider themselves "born again."
3. Of the "born again" Christians, an estimated 14,000,000 are not registered to vote. In 1980, it was found that the more "fundamentalist" a congregation, the lower its percentage of registered voters tended to be. Fifty percent (50%) registered was a common finding.

The above figures are generally agreed upon by a wide variety of religious leaders. Dr. Jerry Falwell organized some significant registration drives through the churches in 1980. Most of the theologically conservative religious leaders are now receptive to suggestions that they work to get their congregations registered, but little organizational work has been done yet for the 1984 election period.

MCB:jet

1 Attachment a/s

THE WHITE HOUSE
WASHINGTON

Date:

TO: *Martan*

FROM: FAITH R. WHITTLESEY

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said*

*section
on prayer to be
chg.?
M.F.*

Information

Action

THE WHITE HOUSE
WASHINGTON
September 29, 1983

MEMORANDUM TO: FAITH RYAN WHITTLESEY
THROUGH: Jonathan Vipond, III
FROM: Morton C. Blackwell *MCB*
SUBJECT: Tuition Tax Credit, School Prayer and
Pornography Memorandum

Attached per your request is a revised copy of my original memorandum of the 26th. I have added the additional information to the portion on School Prayer as you requested.

MCB:jet

Attachment a/s

Susan - Original to MAM; this FYI

THE WHITE HOUSE
WASHINGTON
September 28, 1983

MEMORANDUM TO: FAITH RYAN WHITTLESEY
THROUGH: Jonathan Vipond, III
FROM: Morton C. Blackwell *MB*
SUBJECT: Tuition Tax Credits, School Prayer and
Pornography

As you know, I am working on a longer paper relating to issues politically important to the 1984 elections. Here is a brief summary on the status of three of these issues:

TUITION TAX CREDITS:

This issue is of overwhelming importance to many traditionally Democratic parents who send their children to Catholic, Protestant and Jewish schools. Groups like the Knights of Columbus, Agudath Israel, and many fundamentalist Christian churches hinge their support of the President on this issue.

The President's recent Cabinet Room meeting with the leaders of the Tuition Tax Credit coalition was a smashing success. Even people like Paul Weyrich who tend to doubt our seriousness on this issue, left the meeting convinced the President had ordered a full court press on this issue now.

The story attached in the USA TODAY the following Monday has been devastating. The article claims the President misled the coalition, and the headline specifically says the issue is "low priority." The "Alice" column in the following day's Washington Times claimed that Ken Duberstein had been contemptuous of Weyrich as the Cabinet Room meeting broke up. Duberstein flatly denies this, although Weyrich staffer Greg Butler affirms the story.

To maintain our credibility with this broad-based coalition, there must be delivery on the commitment Senators Baker and Dole gave the President. That is, the tuition tax credit bill must come up for Senate floor action this fall. The President told the group, "I will settle for nothing less than a two-House strategy which can get this

long overdue bill on my desk for signature." This requires that the bill be added to a House-passed revenue measure, of which there are only a few in prospect.

If the past is any guide, the Senators in question will come up with reasons why each bill, in turn, should not be "encumbered" with the tuition tax credit issue. If we let this happen, there will be major explosions with unfortunate political fall out next year.

As a stop-gap measure, I suggest the President send the coalition members who met with him the attached letter to reaffirm his statements in the Cabinet Room.

SCHOOL PRAYER:

We have transmitted to the School Prayer Coalition the assurances repeatedly given to the Legislative Affairs Office by Senator Baker that the President's Voluntary Prayer Amendment will be brought up in October for Senate floor consideration. Based on these assurances, many groups are devoting major resources to this effort. Pat Robertson has spent two weeks visiting with religious leaders to generate grassroots support. Dr. Jimmy Draper, President of the 14 million member Southern Baptist Convention has officially written all 100 Senators and started large amounts of local activity directed at the Senators. Dr. Jerry Falwell has recently mailed out 800,000 letters to generate favorable mail. "Save Our Schools," a Viguerie client is mailing heavily on the topic.

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The action required is for the White House to keep up maximum pressure on the Senators to bring up the proposal.

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MCB:jet

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and Ann Devroy
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By Mark Angeles, USA TODAY
WEYRICH: Still thinks tax credits 'a possibility.'

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bied intensely, it is unlikely that the tax credits would pass this year, especially in the Democrat-controlled House.

From the view of Republicans in the White House, Reagan could still say he worked like heck to get the credits through Congress, but was stymied by House Democrats.

It will be tougher, however, to pin the blame on Democrats if the bill doesn't clear the Republican-controlled Senate. And it probably won't, White House officials concede.

"I don't think anything will happen," says Ena Fielek, an aide to Finance Committee member Bob Packwood, R-Ore., a co-sponsor of the tuition tax credit bill. "The senator's position all along has been that — if anything — support has been waning... We don't even talk about tuition tax credits anymore."

But the White House is still talking. According to a Senate aide, tax credit supporters were told Friday that the administration was "set" to take the bill to the Senate floor.

"If they tried to push it through, we'd fight it tooth and nail," vows Mike Fernandez, a spokesman for Sen. Ernest F. Hollings, D-S.C., a leading Senate opponent of tuition tax credits. "We can win it."

Republican aides agree. "It would die immediately" as a separate bill, Fielek said.

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As I said then, I spoke on September 14 with Senator Howard Baker and Senator Bob Dole on the urgent need for prompt U.S. Senate floor action on our bill. I urged them to help us get tuition tax credits as an amendment to a House-passed revenue bill this year.

Nothing less than a two-House strategy will get this bill on my desk for signature. We cannot settle for any one-House plan.

Senator Baker and Senator Dole gave me their pledge that tuition tax credit will come up for Senate action this fall. I suggested a bill which might serve as a vehicle. They had some other ideas and promised to come up with an effective legislative strategy. They will confer with me again soon on this.

Some people opposed to passage of this important measure have circulated stories to the media to the effect that somehow, despite my conversation with you, this matter is not viewed as urgent in my Administration. Let me again assure you that tuition tax credit is at the very top of my domestic legislation agenda.

We have worked together for years to get tuition tax credits written into law. I am in this fight to win. With your continued strong support, we will win.

Sincerely,

RR

SOUTHERN BAPTIST CONVENTION

OFFICE OF THE PRESIDENT
JAMES T. DRAPEP, JR.
(817) 267-3313

1983 SEP -6 PM 4:34

FIRST BAPTIST CHURCH
P.O. BOX 400
EULESS, TEXAS 76039

August 30, 1983

The Honorable Roger W. Jepsen
The United States Senate
Washington, DC 20510

Dear Senator Jepsen:

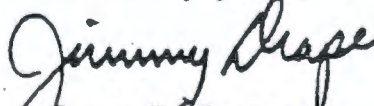
I am writing to you today concerning the President's revised amendment calling for voluntary prayer in the public schools, Senate Joint Resolution #73. When the President first proposed his amendment I was opposed to it because it would allow for state-composed prayers. While the vast majority of our 14 million Southern Baptists favor voluntary prayer in our public schools, we could not support such a proposal. However, when the President at the urging of many of us in the Christian community, added clear and precise language which forbids any agent of the state or nation to compose the words of prayer for our schools, I was elated.

I want to urge you to support this proposed amendment. It will allow the school children in America the same privilege that we cherish for our congress, courts and other public forums, namely the right to public prayer. We are not an atheistic country. We are a nation that was founded upon Biblical principles and upon a firm belief in God. Voluntary prayer acknowledges this cherished heritage.

I must also express my strong opposition to the alternative proposal which calls for silent prayer and meditation. Because of the wording it could open the door for the full removal of all religious acknowledgement from the schools and eventually from public life. It must not be accepted. I urge you to oppose that alternative proposal.

I would be interested in hearing from you concerning this matter. I assure you that the people of this nation will be watching this matter most carefully and that there are millions of us who will not sit idly by and watch our wonderful nation take on the atmosphere and posture of denying God by removing all opportunities for prayer from the basic education of our children.

Sincerely yours,


James T. Draper, Jr.

Backers of tuition credits cry for action

By Edmond Jacoby
WASHINGTON TIMES STAFF

W. Times
8/25/83

An organization backing tuition tax credit legislation has demanded a meeting with President Reagan before Sept. 15 to find out what he really means to do to support their goals.

Citing failures by one presidential aide after another to live up to White House commitments, the National Coalition for Tuition Tax Credits told the president, "We have reached a point where we are unsure of the sincerity for final passage of this bill on the part of White House staff and congressional sponsors selected by the White House."

The coalition's position was set out for the president in a stinging four-page letter from spokesman Robert E. Baldwin. He told the president the coalition had lost faith with endless promises of support which he said were worthless in the hands of administration officials who were not personally supportive of tuition tax credits.

Tuition tax credit supporters had been assured on a number of occasions by the White House that the measure would be

attached to a piece of legislation in the "must pass" category.

A spokesman for the president said that tuition tax credits are still much favored by the president and the measure will be attached to a suitable bill when Congress reconvenes.

Baldwin also complained that the administration had not even carried the president's promise of support forward to the point of formulating a "two-house strategy for passage of the bill."

Sources had said earlier that opponents of tuition tax credits in the White House had planned to let the bill pass in the Senate and then go for a certain death in the House. That is why proponents at 1600 Pennsylvania Ave. want it attached to must-pass legislation.

Coalition members had lobbied Congress for attachment of the tuition tax credit legislation to a "must" measure to ensure passage during the past year, Baldwin said, after being told that was the president's plan.

He said he and his fellow coalition members were repeatedly embarrassed after pressing the plan on the Hill in the face of congressional objections that the White

House would not support the strategy, only to find out later that the White House did not, in fact, support it.

"Time and time again," Baldwin said, "we were reminded that tuition tax credit legislation was one of the five top priorities of the administration."

"But no effective commitment was organized," he said. "It would appear that tuition tax credit supporters must be satisfied with rhetoric alone."

Baldwin said only one piece of legislation — the debt ceiling bill — remains in this session of Congress to which tuition tax credit can be attached and given a fair chance of passage. He said Senate Majority Leader Howard Baker, R-Tenn., has openly opposed attaching it as a rider to that legislation.

The coalition did not question the president's personal commitment to tuition tax credits, Baldwin said. "We were willing to follow your leadership on this legislation."

"However," he said, "we have reluctantly arrived at the conclusion that there has been no similar commitment for passage of tuition tax credits on the part of your staff."



CITIZENS FOR EDUCATIONAL FREEDOM

SUITE 854 WASHINGTON BUILDING
WASHINGTON, D.C. 20005

15TH STREET & NEW YORK AVE., N.W.
AREA CODE 202-638-6423

TESTIMONY IN SUPPORT OF TUITION TAX CREDITS

before

SENATE FINANCE COMMITTEE

by

SISTER RENEE OLIVER

ASSOCIATE DIRECTOR

CITIZENS FOR EDUCATIONAL FREEDOM

APRIL 28, 1983

I am Sister Renee Oliver, Associate Director Of Citizens for Educational Freedom. I wish to thank the members of the Committee for the opportunity to speak to you on the very important topic of parental rights in education.

Citizens for Educational Freedom is a national, non-sectarian and non-partisan organization made up of parents who are concerned that their rights in education are not being recognized.

Members believe, as I am sure you do, that the educational responsibility does not originate with the state, but rather that the ultimate responsibility for children belongs to parents. In 1925, the United States Supreme Court upheld the right of parents to choose the education of their children. Likewise the United Nations Declaration on Human Rights, to which this country subscribes, also acknowledges the prior right of parents to choose the education they want for their children.

Scholars in many fields have been pointing out with increasing frequency that most democratic states throughout the world recognize the prior right of parents. Although the particular form and extent of an equitable, pluralistic system of education varies in different countries, most democratic states acknowledge the fundamental right of parents to choose the kind

of education they desire for their children and do not discriminate in the allocation of public funds among individuals, groups or institutions. With the exception of the United States, virtually every western democracy provides some measure of government support for demominational and alternative schools. According to a study by Dr. Daniel McGarry of St. Louis University, of some 75 free world countries, about 65 provide DIRECT public assistance for independent schools. In comparison, the United States has only a limited form of educational pluralism.

In the early days of this country, most education was private, church-sponsored and tax-supported. All schools receiving money from the government were considered "public" schools, not because they were agencies of the government, but because their education was providing a public service. Only since the Everson Case in 1947, has the Supreme Court decided to oppose relief to parents of non-government school children as a violation of the First Amendment. This has resulted in strengthening the government monopoly of education, paid for with taxes from all citizens, and thus creating a condition of second-class citizenship for children whose parents exercise their right of choice. In America a monopolistic church is not allowed, but in its place a monopolistic, public school system has been established.

The Supreme Court has not been consistent in its pronouncements either. The Court has ruled that the state may provide textbooks to non-government schools but not charts or maps (They have yet to rule on whether a book of maps is permissible). The Court has also ruled that the state may reimburse the schools for mandated services, but reimbursement for education itself -- which is compulsory -- is not permissible.

Unfortunately, past debate over constitutionality of relief to parents has focused upon the Establishment Clause of the First Amendment and ignored the Free Exercise Clause. Education is mandated by law in every state of the union. Parents are, therefore, required to educate their children despite their ability or inability to find and afford a school that agrees with their own personal values. In some instances the compulsory education law forces parents to act contrary to their own conscience, a clear violation of this Free Exercise Clause. In *Sherbert v. Verner*, (374 U.S.398,405-1963) the Supreme Court said, "...conditions upon public benefits cannot be sustained if they so operate, whatever their purpose, as to inhibit or deter the exercise of First Amendment freedoms."

Therefore, no citizen should be required to give up one benefit (educational tax dollars) in order to enjoy another (free exercise of religion).

In addition, there are many parents who believe that limiting their access to educational tax dollars while requiring compulsory education is also a violation of the Fourteenth Amendment which guarantees them equal protection under the law. Clearly the poor are effectively denied their right of choice because they can neither afford to exercise choice nor refuse to attend school. The state has created a category of parents who, solely by reason of their economic status, must subject their children to a type of education in which they might not believe. This dilemma has led to what we call the "Home-school Protest Movement". More and more parents who cannot in conscience send their children to the assigned public school but cannot afford the non-public school of their choice, are taking their children out of school to educate them at home. While obviously a poor solution, they see it as the lessor of two evils.

To those who argue that parents already have the freedom to choose, I point out that they may do so only at a loss of their educational tax dollars. If one is on food stamps, he need not use them in a government store; if one is on Medicare, he need not go to a government hospital; a GI Bill need not be used at a state college or university. But if one wishes to benefit from his tax dollars for elementary and secondary education, he must do so in a government school. This is discriminatory, especially today when the cost of education is consuming more

and more of the family budget.

According to the National Center for Educational Statistics, 62% of the families who send their children to non-government schools have incomes under \$25,000 and only 10% earn over \$50,000. According to another study by the Catholic League for Religious and Civil Rights on inner city nonpublic schools, 72% of these parents earn under \$15,000. Obviously, these families must be under severe stress to come up with the tuition to these schools.

It is inconsistent that those supporters of public schools who view them as bastions of democracy cannot see the danger to that same democracy by a single educational system supported by--and hence basically controlled by-- the state. If we follow their arguments to their logical conclusions, the result would be the elimination of all non-public schools except those for the most wealthy, an obvious danger to the democracy they seek to protect. Those who prize independence from state-directed thought must surely recognize that an alternative system of education for all who desire it is an essential characteristic of any true democracy. Otherwise we are in danger of promoting an educational system that will result in an undifferentiated, homogeneous mass of citizens.

We also think it is time that we differentiate between public

schools and public education. Every school that graduates well-educated students is participating in public education and should be treated equally as contributing to the common good. The state's concern should be that quality education is available to all, not where that education occurs.

There is a parallel here to the *Bradfield v. Roberts* case of 1899, where the Supreme Court viewed a hospital owned and operated by nuns as "a secular corporation being managed by people who hold to the doctrine of the Roman Catholic Church." The Court thought that as long as the hospital performed its purpose as stated in the articles of incorporation, the sectarian character of the hospital was of no matter. So it should be with schools that are doing a good job of educating the next generation of Americans.

Today there are approximately five million children in non-government schools in this country. At an average cost of \$2,553 per child in a public school the parents of private school children are saving the American taxpayer almost \$13 billion a year.

We don't think a tuition tax credit for this kind of saving is asking too much, especially if you look at the tax credits already listed on the back of an income tax form: for a political contribution, for insulating your home, and even for

day care at a church-supported facility. If I understand the purpose of these tax credits, it is to encourage the public to engage in activities which are directed toward the common good. Surely education should be foremost among them.

When fully implemented, S-528 will represent a tax loss of only \$800 million. (5,000,000 children x \$300 = \$1.5 billion but all families will not be eligible for full credit. Usually less than 50% of those eligible claim a credit, so \$800 million is a generous figure.) Let us compare this to the \$99 billion public education budget, 100% of which is paid for by taxpayers. A tuition tax credit would mean that the parents of nonpublic school children would retain the equivalent of 8/10ths of 1% of the amount of money already allocated to public schools. This is hardly three times the federal money for public schools as claimed by the report of the American Association of School Administrators. That report failed to take into consideration the \$517 per pupil federal tax relief currently realized by public schools. Nor would tuition tax credit money come out of the public education budget any more than an energy credit comes out of the budget for the Department of Energy or a credit for a campaign contribution comes out of the Congressional budget. Public schools will continue to be funded at present levels, regardless of what happens to tuition tax credits. Nor will non-passage of tuition tax credits mean that public schools will get an additional \$800,000,000. The two issues are

mutually exclusive and should be viewed as such. But excellence in public and non-public schools are not mutually exclusive. This country should be able to maintain both. May I point out that there has been no destruction of public education in any of the other free countries of the world where dual support of both public and non-public education is practiced, nor did it happen in Minnesota during the 27 years when that state had an educational tax deduction in effect. (A practice now being challenged before the Supreme Court.)

We also think the argument that tuition tax credits will destroy public schools is an insult to the many excellent public schools we have in this country. It implies that people will continue to attend them only if forced to do so by financial penalty. We do not believe that we must build a financial Berlin Wall around public schools to keep students in. On the contrary we believe that public schools are and will continue to be the major source of education in this country. But we do not believe that any parent should be locked into a particular school or school system, especially if it results in a non-education for their children. Nor do we believe that a government monopoly of education is in the best interest of either government or education or children. Whenever you have a monopoly or a protective tariff, costs rise and quality declines. On the other hand, if parents are truly able to send their children where they will get the best education, that

freedom of choice will generate the kind of competition that will lead to excellence in all schools, public and private.

To the argument that public schools will never be able to compete with non-public schools because the latter may refuse difficult students, I would like to interject a personal observation that as a teacher of many years in parochial schools I have had children with all types of problems : deaf, blind, retarded, emotionally disturbed, etc. Non-public schools have always accepted these children and will continue to do so whenever possible. The only reason such children are sometimes refused is that some schools simply lack the money for facilities and faculty to give them the kind of education they need.

One final argument against tuition tax credits that we would like to address is the accusation that they will encourage racial segregation. Although it is obvious to anyone who has visited an inner city parochial school that the opposite is really the case, the Coleman research report should put that argument to rest once and for all. He says, "...we see that blacks and whites are substantially less segregated in the private sector than in the public sector." In fact Coleman states that those blacks with the means to pay for private schools have " higher enrolment rates in Catholic schools than do whites of the same religious group." This leads to the

Coleman conclusion that those most likely to benefit from a program such as tuition tax credits would be lower income minorities. The report also shows that there is a higher percentage of minorities in private schools in states such as New York and California which have large minority populations than in public schools. The minority enrollment in New York's private schools alone exceeds 60%.

Another point which we think has been ignored in this area is the fact that almost every private school -even the most prestigious- provides scholarships to poor and minority students, thus achieving a racial mixture not possible in an all white suburban school.

In other areas, the number of minority students who have been refused admission because of discriminatory policies in a few schools is infinitesimal when compared to the vast numbers of minority children who have been prohibited from attending the schools of their choice because they could not afford the tuition.

Furthermore, all present legislation states quite clearly that no credit will be allowed to parents who send their children to schools that discriminate on the basis of race. This is in keeping with the strong stand against racial discrimination which CEF has always supported.

However, in spite of the number of pages in S-528 devoted to discrimination language, tuition tax credit legislation is not, and should not be, the vehicle to settle all the discrimination problems in our country, as laudable as that would be. We believe that there are other pieces of legislation that can better address those problems. Tuition Tax Credits, however, is the only means currently available to bring some measure of relief and justice to another civil rights issue: parents basic right to choose the education of their own children.

In summary, while a tuition tax credit is not the final answer to the problems of equity and quality in education, CEF believes that it will foster parental rights in education. This in turn, will promote the kind of competition that will encourage all schools and teachers to vie for excellence that can only be good for children, education and the future of this great country. Therefore, CEF believes that a tuition tax credit involves a policy which should be pursued by this Congress.

If the federal government assists education in any way, it must do so in a manner that equalizes educational opportunity for all children.

499 So. Capitol Street
Suite 101
Washington, DC 20003
(202) 484-7511



THE MORAL MAJORITY, INC.

M E M O

TO: Morton Blackwell (cc: Mrs. Faith Whittlesey)
FROM: Dick Dingman *RBD*
DATE: November 4, 1983
RE: Tuition Tax Credits

Today I attended a hastily called meeting of the TTC coalition and Sen. Dole's senior staff. Mr. Don Susswein was the chief spokesman for Dole.

He began by saying there was "a problem" with using the Math-Science bill as a TTC vehicle, notwithstanding "our agreement" to use it. We quickly told him we had no such agreement and did not want Math-Science used.

Susswein then tossed the ball to us saying that time was running short and there wasn't much left to use as the vehicle. *Bill*. Barr said selection was their problem, not ours. Various bills were then discussed.

I asked Susswein if he sensed any sort of a "full court press" on this issue from Ken Duberstein. He said he has not discussed it with Ken but has talked with Kable several times. It was clear from his response there was no "full court press." We clearly spelled out the nature of our meeting with the President and Ken's commitment to the "full court press."

Susswein played the role of a loyal soldier going through the motions but did not seem genuinely committed to success. We made it clear we were reluctant to choose any specific vehicle as the best because there might be political nuances unknown to us. However, we felt the Women's Pension Equity bill might be best, with some revenue bill next best. Two or three times he raised the possibility of the unemployed health benefits bill. We strongly discouraged that vehicle.

In summary, he seemed in agreement with pursuing the Women's Pension Equity bill as the best choice.

TUITION TAX CREDIT MEETING

JULY 22, 1983 3:30 pm Room 194

Message taken will call back

Bob Baldwin	Citizens for Educational Freedom
* Sister Renee Oliver	638-6423
Edward Anthony	U.S Catholic Conference
Frank Monahan	659-6600
Rev. Thomas Gallagher	
James Robinson	
Robert Smith	Council on American Private Education
Tara Kalagher	659-0016
Elmer Von Feldt	Knights of Columbus
Patrick Donlin	203-776-4319
Harvey Bacque	
* Rev. Edward Spiers	Knights of Columbus
	635-0657
William Lehrfeld	Knights of Columbus
Leonard Henzke	659-4772
✓ * Bob Billings	National Christian Action Coalition
	941-8963
Rev. Stephen O'Brien	National Catholic Education Association
	293-5954
Rev. Vincent Duminico	Jesuit Secondary Education Association
	667-3888
Paul Weyrich	Committee for the Survival of A Free
	Congress 546-3000
Roy Jones	The Moral Majority
Mark Jones	484-7511
James Skillen	Association for Public Justice
	429-0244
Gregory Butler	National Pro-Family Coalition
Marcella Donovan	546-3000
Leonard Defiore	Knights of Columbus
	853-4518 <i>OK #</i>
	<i>Superintendent</i>

TUITION TAX CREDIT MEETING

JULY 22, 1983 3:30 P.M. Room 194

John Mularoni

Students for Excellence in Education
543-1286

~~W~~ Gordon Jones

United Families of America
644-5370

Bernard Dingman

The Moral Majority
484-7511

Noreen Barr

Eagle Forum
544-0353

Bill Barr

Office of Policy Development

Bob Kabel

Legislative Affairs

Kenneth Terrell

Department of Education

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on JULY 22, 19 83

for BLACKWELL of OPI
(NAME OF PERSON TO BE VISITED) (AGENCY)

- BALDWIN, Robert
- OLIVER, Renee Sister
- MONAHAN, Frank
- ROBINSON, James
- SMITH, Robert
- KALAGHER, Tara
- SPIERS, Edward
- LEHRFELD, William
- HENZKE, Leonard
- BILLINGS, William
- O'BRIEN, Stephen
- DUMINICO, Vincent
- JONES, Leroy
- JONES, Mark
- DONOVAN, Marcella
- BUTLER, Gregory
- MULARONI, John
- JONES, Gordon
- DINGMAN, Bernard
- BARR, Noreen
- TERRELL, Kenneth

MEETING LOCATION

Building OEOB Requested by SHORTLEY
 Room No. 194 Room No. 191 Telephone 2657
 Time of Meeting 3:30 Date of request July 21, 1983

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-6742

REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on JULY 22, 19 83

for BLACKWELL of OPI
(NAME OF PERSON TO BE VISITED) (AGENCY)

- BALDWIN, Robert
- OLIVER, Renee Sister
- MONAHAN, Frank
- ROBINSON, James
- SMITH, Robert
- KALAGHER, Tara
- SPIERS, Edward
- LEHRFELD, William
- HENZKE, Leonard
- BILLINGS, William
- O'BRIEN, Stephen
- DUMINICO, Vincent
- JONES, Leroy
- JONES, Mark
- DONOVAN, Marcella
- BUTLER, Gregory
- MULARONI, John
- JONES, Gordon
- DINGMAN, Bernard
- BARR, Noreen
- TERRELL, Kenneth
- AIOSA, Angelo

MEETING LOCATION

Building OEOB Requested by SHORTLEY
 Room No. 194 Room No. 191 Telephone 2657
 Time of Meeting 3:30 Date of request July 21, 1983

Additions and/or changes made by telephone should be limited to three (3) names or less.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-45742

THE WHITE HOUSE
WASHINGTON

June 6, 1983

MEMORANDUM FOR FAITH RYAN WHITTLESEY

FROM MORTON C. BLACKWELL

This is our most complete list
of the organizations with the
Tuition Tax Credit coalition.

ORGANIZATIONS SUPPORTIVE OF TUITION TAX CREDITS

Accelerated Christian Education
Dr. Ronald Johnson ✱
Vice President
2600 Ace Lane
Lewisville, TX 75067
O-214-462-1776

Agudath Israel of America
Rbi Menacham Lubinsky
Dir. Gov. & Public Affairs
Five Beekman Street Suite 910
New York, NY 10038
O-212-587-9237

Assn. of Christian Schools Int.
Dr. Paul Kienel
President
Box 4097
Whittier, CA 90607
O-213-694-4791

Association for Public Justice
Dr. James Skillen
Executive Director
2000 K St N.W. #300
Washington, DC 20006
O-202-429-0244 H-301-263-5909

Catholic Daughters of America
Mrs. Loretta Knebel
National Regent
10 West 71 St
New York, NY 10023
O-212-877-3041

✱ Christian Schools International
Dr. Michael Ruiter
Director
3350 East Paris Ave.
Grand Rapids, MI 49508
O-616-957-1070

Citizens for Educational Freedom
Mrs. Marilyn Lundy - President
#854 Washington Building
15th & New York Ave. N.W.
Washington, DC 20005
O-202-683-6423 H-313-881-9258

Comm. for Survival of Free Congress
Mr. Paul Weyrich
President
721 Second Street, N.E.
Washington, DC 20012
O-202-546-3000

Conservative Caucus
Mr. Monroe Thomas
Director
328 F. Street, N.E.
Washington, DC 20002
O-202-543-7988

Council on American Private Ed.
Mr. Robert Smith
Executive Director
1625 Eye St. N.W.
Washington, DC 20006
O-202-659-0016

Council on Education Freedom in Am.
Mr. Robert Marlow
Director
2105 Wintergreen Ave S.E.
Washington, DC 20028
O-301-336-1585

Daughters of Isabella
Mrs. Mary Bergman
International Regent
#1 Columbus Plaza
New Haven, CT 06507
O-203-772-2130

Eagle Forum
Ms. Noreen Barr ✱
Washington Director
316 Pa. Ave.S.E., Ste.203
Washington, DC 20003
O-202-544-0353

Greek Orth.Archdio.of N.& S.America
Rev. Alexandar Karloutsos
Executive Director
10 East 79th St.
New York, NY 10021
O-212-570-3571

Religious Roundtable
Mr. Ed McAteer
President
1500 Wilson Blvd.# 502
Arlington, VA 22209
O-703-525-3795


United Families of America
Mr. Gordon Jones
Director
604 Olesmont
Baltimore, MD 21228
O-301-747-8595

Wisconsin Assn. of Nonpublic Schools
Mr. John Hanley
President
PO Box 2018
Milwaukee, WI 53201

National Taxpayers Union
Mr. Jule Herbert
Director-Washington D.C.
321 Pennsylvania Ave.
Washington, DC 20003
O-202-543-1300

Christian Day Schools
Mr. Donald Vetter
Director
Wartburg College
Waverly, IA 50677
219-352-1200

Florida Assn. of Non-Public Schools
Rev. Douglas MacDonald
President
17503 E. Oakland Pk. Blvd
Fort Lauderdale, FL 33334

Coalitions for America *will call back*
Mrs. Connaught Marshner 
President
721 Second St. N.E.
Washington, DC 20002
O-202-546-3000

Save Our Schools
Mrs. Fran Gemma
Washington Director
1712 Eye Street N.W.
Washington, DC 20006
O-202-331-7223 H-202-241-1951

United States Catholic Conference
Rev. Thomas Gallagher
Secretary for Education
1312 Massachusetts Ave. NW
Washington, DC 20005
O-202-659-6600

Mr. Robert Dugan will call back
Nat. Association of Evangelicals
~~Mr. Forrest Montgomery~~
Chief Council *(counsel)*
1430 K St. N.W.
Washington, DC 20005
O-202-628-7911

California Assn. of Private Schools
Mr. Bruce Keuning
Chairman
6339 Cagetown Road
Lakewood, CA 90713

Lutheran Elementary/Secondary Schl.
Dr. James H. Boldt
Secretary
3558 S. Jefferson Ave.
St. Louis, MO 63118
O-314-664-7000

Campaign for Tuition Tax Credits
Mrs. Carmela Sanchez
President
479 Montauk Ave.
Brooklyn, NY 11208

Parents for Educational Choice
Mr. Laurence Katz
Chairman
500 West Baltimore St. Univ. of Maryland
Baltimore, MD 21201
O-301-528-7214

Jesuit Secondary Association
Rev. Duminico S.J.
President
1717 Mass Ave.N.W.
Washington, DC 20036
O-202-667-3888

Knights of Columbus
Mr. Virgil Dechant
Supreme Knight
#1 Columbus Plaza
New Haven, CT 06507
O-203-772-2130

Michigan Assn.of Nonpublic Schools
Mrs. Billie Cops Wimmer

P. O. Box 10157
Lansing, MI 48901
O-517-372-9310

Moral Majority
Dr. Ronald Godwin
Vice President
499 S.Capitol St.SW, Ste. 101
Washington, DC 20003
O-202-484-7511

Educational Voucher Institute
Mr. William Coats
Director
2500 Packard #203
Ann Arbor, MI 48104
O-313-971-7722 H-313-764-8416

National Assn. of Episcopal Schools
Mr. Frederic Rhineland
President
St John's Parish School
Olney, MD 20832
O-301-774-6804

National Catholic Education Assn
Msgr John Meyers
President
Ste.350, One Dupont Cir.
Washington, DC 20036
O-202-293-5954

National Christian Action Coalition
Mr. Bill Billings
President
5515 Cherokee Ave,Rm.3060
Alexandria, VA 22312
O-703-941-8962

National Council of Catholic Women
Mrs. Winnie Coleman
Executive Director
1312 Mass. Ave.
Washington, DC 20005
O-202-638-6050

National Society of Hebrew Day Schl
Rab. Bernard Goldenberg
Chairman, Ex. Committee
229 Park Ave., South
New York, NY 10003
O-212-674-6700

New Jersey Right to Educ. Choice
Mrs. Mary Patnaude
President
780 Austin St.
Westfield, NJ 07090
O-201-232-4064

New Mexico Assn of Nonpublic Schls.
Rev. Dennis Andrews
Chairman
Albuquerque, NM 87110

New York State.Fed of Cath Sch Par.
Mr. William Gallagher
Chairman
232 Main St.
Binghamton, NY 13915
O-607-729-1225 H-607-797-2465

N. East Pastoral Ctr. for Hispanics
Mr. Mario Paredes
Archdiocese of New York
1011 First Ave.
New York, NY 10022
O-212-371-1000

Parents Rights
Mrs. Mae Duggan
President
2208 North Warson Road
St Louis, MO 63114
O-314-423-0831 314-434-4171

National Alternative Schools
Mrs. Pat Montgomery
President
1416 Granger
Ann Arbor, MI 48104
O-313-769-4515

The Heritage Foundation
Miss Eileen Gardner
Education Specialist
513 C Street N.E.
Washington, DC 20002
O-202-546-4400



American Legislative Exchange Coun.
Ms Kathleen Teague
Executive Director
418 C Street N.E.
Washington, DC 20002
O-202-547-4646

*will call
back monday*

Nat. Assn. of Parents Rights in ED.
Mr. Frank Brown
President
Box 1806
Chicago, IL 60690
O-312-333-2019 H-312-321-7781