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**Record Group/Collection:** George H.W. Bush Presidential Records  
**Collection/Office of Origin:** Speechwriting, White House Office of  
**Series:** Speech File Draft Files  
**Subseries:** Chron File, 1989-1993

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**OA/ID Number:** 13531  
**Folder ID Number:** 13531-007

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**Folder Title:**  
Meeting with National Commission on Civil Rights 5/17/90 [OA 5374] [1]

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 17, 1990

REMARKS BY THE PRESIDENT  
DURING MEETING WITH  
COMMISSION ON CIVIL RIGHTS

The Rose Garden

10:02 A.M. EDT

THE PRESIDENT: Welcome to the Rose Garden and to the White House. Thank you all very much for coming. To the Attorney General and Secretary Cavazos and Secretary Sullivan, thank you for joining us. Director Newman, the same. And to Senators Dole, Hatch, and Garn, Congressman Ham Fish, thank you very much for being with us today. To Chairman Fletcher, an old friend and a man I'm very proud of, welcome, sir. To Commissioners Buckley, Ramirez, Redenbaugh, Wilfredo Gonzalez and the State Advisory Committee Chairpersons, and to the distinguished leaders. I see Ben Hooks here and others of the civil rights community across this great country. It is -- and I mean it -- an honor to have you here today.

I think we've made it a moment that's very hopeful worldwide. In a minute from now, I'll be meeting in this marvelous Oval Office with Chancellor Kohl, talking about the dramatic changes that have taken place in the world. There is a time when the thundering cry for freedom is being heard and answered from Panama, hopefully in Johannesburg, to Warsaw.

And around the world, peoples are warring against tyranny, citizens struggling against state control, economies weary of bureaucratic central planners, all are looking to America as reason for hope -- the bright star by which to chart their course to freedom.

And so it's all the more crucial now that we look carefully to the kind of country we are -- to the state of democracy here in the Land of Liberty. And we're called upon to ensure that this democracy means opportunity for all who call it home.

Few have worked harder to deliver the promise of democracy, to make an enduring dream a living reality, than the men and women assembled here today in this Rose Garden. And particularly, I want to give credit again to these men and women standing behind me.

From its earliest origins, the Commission on Civil Rights has been an independent, bipartisan voice for justice. And the Commissioners, the Directors, the Advisory Committees all share a cultural diversity and an intellectual and moral conviction that are truly America's best. And these men and women have earned our admiration. And today, they deserve our thanks.

Joining a new Chairman -- and as I said, my friend of many years, Art Fletcher -- are two outstanding additions: Carl Anderson and Russell Redenbaugh. I know Bob Dole shares my admiration for Russell, a man of impressive credentials, who knows, as all Americans should know, that physical disability will not be a barrier to service in this administration. That's why I remain firmly committed to the landmark Americans with Disabilities Act to help ensure equal rights and opportunities for these Americans.

And today, I'd like to announce a new member of the Civil Rights Commission, Mr. Charles Pei Wang, President of the China Institute in America, an outstanding new addition.

Over the last few days, I've met to discuss pending civil

MORE

rights legislation with leaders representing America's rich tapestry of cultural, religious, and ethnic diversity. And I got, as I knew I would, a lot of sound advice. Much of which I can accept. (Laughter.) But these leaders, this Commission -- (applause) -- the Congress and this administration, believe me, all share a common conviction for equal opportunity. It's a responsibility that I've tried to take very seriously -- especially now, when our most vital export to the world is democracy.

And we must make sure that we as a nation continue to lead by example. We must see that true affirmative action is not reduced to some empty slogan, and that this principle of striking down all barriers to advancement has real, living meaning to all Americans. We will leave nothing to chance and no stone unturned as we work to advance America's civil rights agenda. (Applause.)

This nation's progress against prejudice, from the '64 Act to the Voting Rights Act, to the Fair Housing and Age Discrimination in Employment Acts, it's all hinged on the principle that no one in this country should be excluded from opportunity. And so, we're committed to enacting new measures like the Hate Crimes Statistics Act, the HOPE initiative of housing, a revitalized enforcement of restrictions against employment bias. This administration seeks equal opportunity and equal protection under the law for all Americans -- goals that I know are shared by Senators Kennedy and Representative Hawkins, and certainly by the four distinguished members of Congress with us here today.

And so we've supported efforts to ensure an individual's ability to challenge discriminatory seniority systems. We've also moved to stiffen the penalties from racial discrimination in setting or applying the terms and conditions of employment. And today, as we work to ensure that America represents democracy's highest expression, I want to begin by offering three principles that must guide any amendments to our civil rights laws. These principles are firmly rooted in the spirit of our current laws. After the extensive discussions that we've had this week, I think they're principles on which all of us, including the leadership on the Hill, can agree. And so I will enthusiastically support legislation that meets these principles.

First, civil rights legislation must operate to obliterate consideration of factors such as race, color, religion, sex, or national origin from employment decisions. (Applause.) So in essence, we seek civil rights legislation that is more effective, not less. The focus of employers in this country must be on providing equal opportunity for all workers, not on developing strategies to avoid litigation. (Applause.)

No one here today would want me to sign a bill whose unintended consequences are quotas. Because quotas are wrong, and they violate the most basic principles of our civil rights tradition and the most basic principles of the promise of democracy. America's minority communities deserve more than symptomatic relief, and we want to eradicate the disease. And that will require systematic solutions, strategies that transcend statistics.

We should empower and ennoble our minority communities. We should seek systematic change that allows every American to excel. During these meetings this week, I invited the civil rights leadership to work with me to craft a bill that moves us towards this goal. After these consultations, I am confident that this can be done. I want to sign a civil rights bill, but I will not sign a quota bill. (Applause.) I think we can work it out. (Applause.)

The second civil rights legislation must reflect fundamental principles of fairness that apply throughout our legal system. Individuals who believe their rights have been violated are entitled to their day in court, and an accused is innocent until proved guilty. In every case involving a civil rights dispute, constitutional protections of due process must be preserved.

And third, federal law should provide an adequate deterrent against harassment in the workplace based on race, sex, religion, or disability, and should ensure a speedy end to such discriminatory practices. Our civil rights laws, however, should not be turned into some lawyer's bonanza, encouraging litigation at the expense of conciliation, mediation, or settlement.

Let me add that Congress, with respect, should live by the same requirements it prescribes for others. (Applause.) In '72, the Civil Rights Act of '64 was justly applied to executive agencies in state, local governments and Congress, however, has not covered. And this -- this is not an assault on Congress, I'm just trying to -- I've got about -- (laughter) -- but seriously, this inconsistency should be remedied to give congressional employees and applicants the full protection of the law to send a strong signal that it's both the Executive Branch and Congress that are in this together. And the Congress should join the Executive Branch in setting an example for these private employers.

Now, we seek strategies that work, putting power where it belongs -- in the hands of the people. That means new ideas, like giving poor parents the power of an alternative choice in where to send the kids to school so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care to give parents more flexibility and choice. Policies that underwrite prosperity by encouraging capital flow to build more businesses in poor neighborhoods. The door is open wider now than it ever has been. Together, I believe we can open it still wider.

Today, an expanding economy is working in the service of civil rights. And so, let's not set the clock back. Let's look past the differences that divide us, to the shared principles and the better natures that we have within us. To the civil rights leadership assembled here today -- Dorothy, excuse me, I didn't see you earlier -- and so many -- I'm in real trouble if I single them out here. Look, I have offered you my hand and my word that, together, we can and will make America open and equal to all. Now, this administration is committed to action that is truly affirmative, positive action in every sense, to strike down all barriers to advancement of every kind for all people. We will tolerate no barriers, no bias, no inside tracks, no two-tiered system, and no rungless ladders. And I'm willing to take the time to make sure that this is done right, simply because it's worth doing right. Now is the time, really, to extend a hand to all that are struggling, and to devote our energies to a broader agenda of empowerment, that all might join in this new age of freedom.

I am delighted that you all came here. Thank you for bringing honor to this prestigious Rose Garden, and to paying tribute to our Commission here in which I have great confidence, and in which I take great pride.

Thank you all very, very much. (Applause.) Thank you.

END

10:16 A.M. EDT

THE WHITE HOUSE  
WASHINGTON

May 16 1990

INFORMATION

MEMORANDUM TO THE PRESIDENT

THROUGH: CHRISS WINSTON *cc*

FROM: MARK LANGE *ml*

SUBJECT: REMARKS FOR THE CIVIL RIGHTS COMMISSION

*has the been  
cleared by  
T.S.  
Boyd's shop  
Fletcher  
etc.??*

1990 MAY 16 AM 9:11

I. SUMMARY

On Thursday, May 17, at 10:00 a.m. you will make remarks at the gathering of the leaders of the U.S. civil rights movement. The event will take place in the Rose Garden and your remarks are twelve minutes in length and will be on speechcards.

II. DISCUSSION

The attached remarks cite the advance of democracy around the world as an added impetus for civil rights vigilance here at home -- and outline three principles that should guide any new legislation. The remarks also suggest that Congress should be held to the same civil rights standards as the private sector.

In particular, you emphasize a common understanding that new legislation should avoid the unintended consequence of racial quotas. Instead, you call for a broader agenda of empowerment for all minorities.

(Lange/Cawley)  
May 16, 1990  
3:30 p.m.  
[AFFIRM.DOC]

1990 MAY 16 PM 3.53

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
THE ROSE GARDEN  
THURSDAY, MAY 17, 1990  
10:00 A.M.

Thank you all. Attorney General Thornburgh. Chairman  
Fletcher, Commissioners Buckley, Ramirez, and Redenbaugh  
[RED-in-bao]; Wilfredo Gonzalez, Regional Directors and State  
Advisory Committee Chairpersons:

It's an honor to have you here today. We meet at a very  
hopeful moment worldwide. A time when the thundering cry for  
freedom is being heard and answered from Panama to Johannesburg  
to Warsaw. Around the world, peoples warring against tyranny,  
citizens struggling against state control, economies weary of  
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to freedom.

So it's all the more crucial now that we look carefully to  
the kind of country we are -- to the state of democracy here in  
the land of liberty. We are called upon to ensure that this  
democracy means opportunity, for all who call it home. \\

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Over the last few days I've met to discuss pending civil rights legislation with leaders representing America's rich tapestry of cultural, religious, and ethnic diversity. I got, as I knew I would, a great deal of sound advice. These leaders, this Commission, the Congress, and this Administration, all share a common conviction for equal opportunity. It's a responsibility I have always taken very seriously -- especially now, when our most vital export to the world is democracy.

We must make sure that we as a nation lead by example. We must see that true affirmative action is not reduced to an empty

slogan -- and that this principle has real, living meaning, for all Americans. We will leave nothing to chance, and no stone unturned, as we work to advance America's civil rights agenda.

This nation's progress against prejudice -- from the 1964 Civil Rights Act, to the Voting Rights Act, to the Fair Housing and Age Discrimination in Employment Acts -- it has all hinged on the principle that no one in this country should be excluded from opportunity. So, we're committed to enacting new measures -- like the Hate Crimes Statistics Act, the HOPE initiative, and revitalized enforcement of restrictions against employment bias.

This Administration seeks equal opportunity and equal protection under the law for all Americans -- goals that I know are shared by Senator Kennedy and Representative Hawkins. So we've supported efforts to ensure an individual's ability to challenge discriminatory seniority systems. We've also moved to stiffen the penalties for racial discrimination in setting or applying the terms and conditions of employment.

Today, as we work to ensure that America represents democracy's highest expression, I want to begin by offering three principles that must guide any amendments to our civil rights laws.

These principles are firmly rooted in the spirit of our current laws -- and after the extensive discussions we've had this week, I think they're principles on which all of us -- including the leadership on the Hill -- can agree. So I will enthusiastically support legislation that meets these principles.

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of From the desk of

George Bush

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- because quotas

civil rights tradition,

the perpetuation of

in Luther King, Jr.

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*was King speaking  
about "quotas"  
when he condemned  
tokenism. Be sure!!  
we must not err on this*

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And third, Federal law should provide an adequate deterrent to sexual or religious harassment, or harassment on the basis of disability in the workplace, and should ensure a speedy end to such discriminatory practices. In improving the remedies, however, our civil rights laws should not be turned into a bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement.

Let me add that Congress should subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local governments. Congress, however, is not yet covered. This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. The Congress should join the Executive Branch in setting an example for private employers.

We seek strategies that work -- putting power where it belongs: in the hands of people. And that means new ideas, like giving poor parents the power of an alternative, and choice in

where to send their kids to school -- so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care, to give parents more flexibility and choice. And policies that underwrite prosperity, by encouraging capital flow to businesses in poor neighborhoods.

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To the Civil Rights leadership assembled here today: I have offered you my hand, and my word, that together we will make America "open and equal to all." This administration is committed to action that is truly affirmative -- positive action, in every sense -- to strike down all barriers to advancement, of every kind, for all people. We will tolerate no barriers, no bias, no inside tracks, no two-tiered systems, no glass ceilings, and no rungless ladders. \\\

Now is the time to extend a hand to all that struggle on the other side -- and to devote our energies to a broader agenda of empowerment, that all might join in this new age of freedom.

Thank you, and God bless you all.

# # #

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/16/90

ACTION/CONCURRENCE/COMMENT DUE BY: ---

SUBJECT: PRESIDENTIAL REMARKS: CIVIL RIGHTS COMMISSION

|                | ACTION FYI               |                                     |                  | ACTION FYI               |                                     |
|----------------|--------------------------|-------------------------------------|------------------|--------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/> | <input checked="" type="checkbox"/> | MCCLURE          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| SUNUNU         | <input type="checkbox"/> | <input type="checkbox"/>            | NEWMAN           | <input type="checkbox"/> | <input type="checkbox"/>            |
| SCOWCROFT      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | PORTER           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| DARMAN         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | ROGICH           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| BATES          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | UNTERMAYER       | <input type="checkbox"/> | <input type="checkbox"/>            |
| CARD           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>ROGERS</u>    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| CICCONI        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>WINSTON</u>   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| DEMAREST       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PINKERTON</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| FITZWATER      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | _____            | <input type="checkbox"/> | <input type="checkbox"/>            |
| GRAY           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | _____            | <input type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/> | <input type="checkbox"/>            | _____            | <input type="checkbox"/> | <input type="checkbox"/>            |

## REMARKS:

The attached has been forwarded to the President.

## RESPONSE:

James W. Cicconi  
 Assistant to the President  
 and Deputy to the Chief of Staff  
 Ext. 2702

THE WHITE HOUSE  
WASHINGTON

1990 MAY 16 AM 9:11

May 16, 1990

INFORMATION

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FROM: MARK LANGE *ML*  
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The surest, most insidious symptom of the perpetuation of injustice was well understood by Dr. Martin Luther King, Jr. Nearly 30 years ago he knew, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

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# # #

THE WHITE HOUSE  
WASHINGTON

DZ :

Here's the latest copy of  
Civil Rights — the changes are  
highlighted.

Attached are Nelson's comments  
and changes.

— Carolyn —

**DD**  
**==**

(Lange/Cawley)  
May 16, 1990  
8:45 p.m.  
[AFFIRM.DOC]

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Over the last few days I've met to discuss pending civil rights legislation with leaders representing America's rich tapestry of cultural, religious, and ethnic diversity. I got, as I knew I would, a great deal of sound advice. These leaders, this Commission, the Congress, and this Administration, all share a common conviction for equal opportunity. It's a responsibility I have always taken very seriously -- especially now, when our most vital export to the world is democracy.

We must make sure that we as a nation lead by example. We must see that true affirmative action is not reduced to an empty

slogan -- and that this principle of striking down all barriers to advancement has real, living meaning, for all Americans. We will leave nothing to chance, and no stone unturned, as we work to advance America's civil rights agenda.

This nation's progress against prejudice -- from the 1964 Civil Rights Act, to the Voting Rights Act, to the Fair Housing and Age Discrimination in Employment Acts -- it has all hinged on the principle that no one in this country should be excluded from opportunity. So, we're committed to enacting new measures -- like the Hate Crimes Statistics Act, the HOPE initiative, and revitalized enforcement of restrictions against employment bias.

This Administration seeks equal opportunity and equal protection under the law for all Americans -- goals that I know are shared by Senator Kennedy and Representative Hawkins. So we've supported efforts to ensure an individual's ability to challenge discriminatory seniority systems. We've also moved to stiffen the penalties for racial discrimination in setting or applying the terms and conditions of employment.

Today, as we work to ensure that America represents democracy's highest expression, I want to begin by offering three principles that must guide any amendments to our civil rights laws.

These principles are firmly rooted in the spirit of our current laws -- and after the extensive discussions we've had this week, I think they're principles on which all of us -- including the leadership on the Hill -- can agree. So I will

enthusiastically support legislation that meets these principles.

First, civil rights legislation must operate to obliterate consideration of race, color, religion, sex, national origin, age or disability from employment decisions. We seek civil rights legislation that is more effective, not less. The focus of employers in this country must be on providing equal opportunity for all workers -- not on developing strategies to avoid litigation. No one here today would want me to sign a bill whose unintended consequences are quotas -- because quotas <sup>are wrong. They</sup> violate the most basic principles of our civil rights tradition, and the promise of democracy.

The surest, most insidious symptom of the perpetuation of injustice was well understood by Dr. Martin Luther King, Jr. Nearly 30 years ago he knew, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

*To paraphrase Dr. Martin Luther King we must:*  
We want to eradicate the disease. ~~And~~ America's minority communities deserve more than symptomatic relief. <sup>And doing that will require</sup> ~~They deserve~~ systematic solutions -- strategies that transcend statistics.

We should empower and ennoble our minority communities. We should seek systematic change that allows every American to excel. During my meetings this week, I invited the civil rights leadership to work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this

goal. I am confident that this can be done. I want to sign a civil rights bill; I cannot sign a quota bill.

Second, civil rights legislation must reflect fundamental principles of fairness that apply throughout our legal system: individuals who believe their rights have been violated are entitled to <sup>due process</sup> ~~their day in court~~, and an accused is innocent until proven guilty. In every case involving a civil rights dispute, constitutional protections of due process must be preserved.

And third, Federal law should provide an adequate deterrent against harassment in the workplace based on sex, religion, or disability, as well as race -- (( PHRASE DELETED )) and should ensure a speedy end to such discriminatory practices. Our civil rights laws, however, should not be turned into a bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement.

Let me add that Congress should live by ~~to~~ the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local governments. Congress, however, is not yet covered. This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. The Congress should join the Executive Branch in setting an example for private employers.

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I'm willing to take the time to make sure that this is done right -- because it's worth doing right. Now is the time to extend a hand to all that are struggling -- and to devote our energies to a broader agenda of empowerment, that all might join in this new age of freedom.

Thank you, and God bless you all.

# # #

THE WHITE HOUSE  
WASHINGTON

Kilberg  
Comments

May 16, 1990

INFORMATION

MEMORANDUM TO THE PRESIDENT

THROUGH: CHRISS WINSTON *cc*  
FROM: MARK LANGE *ml*  
SUBJECT: REMARKS FOR THE CIVIL RIGHTS COMMISSION

I. SUMMARY

On Thursday, May 17, at 10:00 a.m. you will make remarks at the gathering of the leaders of the U.S. civil rights movement. The event will take place in the Rose Garden and your remarks are twelve minutes in length and will be on speechcards.

II. DISCUSSION

The attached remarks cite the advance of democracy around the world as an added impetus for civil rights vigilance here at home -- and outline three principles that should guide any new legislation. The remarks also suggest that Congress should be held to the same civil rights standards as the private sector.

In particular, you emphasize a common understanding that new legislation should avoid the unintended consequence of racial quotas. Instead, you call for a broader agenda of empowerment for all minorities.

(Lange/Cawley)  
May 16, 1990  
8:50 a.m.  
[AFFIRM.DOC]

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
THE ROSE GARDEN  
THURSDAY, MAY 17, 1990  
10:00 A.M.

Thank you all. Attorney General Thornburgh, Secretary  
Cavazos; Chairman Fletcher, Commissioners Buckley, Ramirez, and  
Redenbauch; Willie Gonzalez, Regional Directors and State  
Advisory Committee Members...

It's an honor to have you here today. We meet at a very  
hopeful moment worldwide. A time when the thundering cry for  
freedom is being heard and answered from Panama to Johannesburg  
to Warsaw. Around the world, peoples warring against tyranny,  
citizens struggling against state control, economies weary of  
bureaucratic central planning, all are looking to America as  
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to freedom.

So it's all the more crucial now that we look carefully to  
the kind of country we are -- to the state of democracy here in  
the land of liberty. Whatever the nations of the world decide  
about their futures, **we are called upon to ensure that this  
democracy means opportunity, for all who call it home. \\\**

Few have worked harder to deliver the promise of democracy,  
to make an enduring dream a living reality, than the men and  
women assembled here today -- and particularly, these men and  
women behind me.

overkill

AREN'T THE OTHER  
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*are Blacks ethnic diversity?*

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So, we're committed to enacting new measures -- like the Hate Crimes Statistics Act, our fair housing initiatives, the HOPE initiative, and revitalized enforcement of restrictions against employment bias.

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enthusiastically support legislation that meets these principles.

First, civil rights legislation must operate to obliterate consideration of race, color, religion, sex, nation of origin, age, or disability from employment decisions. [[ Some provisions of the Kennedy-Hawkins bill, with the best of intentions, still have an unintended consequence: they encourage employers to make decisions <sup>[solely]</sup> on the basis of these irrelevant characteristics to avoid costly litigation. In spite of recent amendments, the bill encourages employers to base hiring decisions on the very considerations our civil rights laws direct them to ignore. ]]

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We want to eradicate the disease. And America's minority communities deserve more than symptomatic relief. They deserve systematic solutions -- strategies that transcend statistics.

We should empower and ennoble our minority communities. We should seek systematic change that allows every American to excel. During my meetings this week, I invited the civil rights leadership to work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this goal.

Second, civil rights legislation must reflect fundamental principles of fairness that apply throughout our legal system: individuals who believe their rights have been violated are entitled to their day in court, and an accuser must shoulder the burden of proof. In every case involving a civil rights dispute, constitutional protections of due process must be preserved.

And third, Federal law should provide an adequate deterrent to sexual or religious harassment, or harassment on the basis of disability in the workplace, and should ensure a speedy end to such discriminatory practices. In improving the remedies, however, our civil rights laws should not be turned into a bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement.

Let me add that Congress should subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local governments. Congress, however, is not yet covered.

This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. The Congress should join the Executive Branch in setting an example for private employers.

We seek strategies that work -- putting power where it belongs: in the hands of people. And that means new ideas, like giving poor parents the power of an alternative, and choice in where to send their kids to school -- so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care, to give parents more flexibility and choice. And policies that underwrite prosperity, by encouraging capital flow to businesses in poor neighborhoods.

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Thank you, and God bless you all.

I'm willin g to take the time to make sure that this is done right because its worth doing right. The lives of toomany Americans are too important to rugh to judgment. The last civil right acts was in 1964. No changes since. This will have same lasting impact.

5/17 PM. MORE FROM McBEE:

Five - 2 prep card  
@ 7:20 a.m.  
cos. p. 1000.

(Lange/Cawley)  
May 16, 1990  
8:50 a.m.  
[AFFIRM.DOC]

Director  
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U.S.

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
THE ROSE GARDEN  
THURSDAY, MAY 17, 1990  
10:00 A.M.

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THAD  
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We seek civil rights legislation that is more effective, not less. The focus of employers in this country must be on providing equal opportunity for all workers -- not on developing strategies to avoid litigation. No one here today would want me to sign a bill whose unintended consequences are quotas -- because quotas violate the most basic principles of our civil rights tradition, and the promise of democracy.

Quotas -- The surest, most insidious symptom of the perpetuation of injustice was well understood by Dr. Martin Luther King, Jr. Nearly 30 years ago he knew, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

SUGGEST NOT... HE WASN'T TALKING ABOUT QUOTAS PER SE. M.F.

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We should empower and ennoble our minority communities. We should seek systematic change that allows every American to excel. During my meetings this week, I invited the civil rights leadership to work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this goal.

Second, civil rights legislation must reflect fundamental principles of fairness that apply throughout our legal system: individuals who believe their rights have been violated are entitled to their day in court, and an accuser must shoulder the burden of proof. In every case involving a civil rights dispute, constitutional protections of due process must be preserved.

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Let me add that Congress should <sup>live by</sup> subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local governments. Congress, however, is not yet covered.

THINK THIS IS WHAT IS MEANT - BUT NOT SURE ABOUT OUR POSITION ON SEXUAL ORIENTATION PROBLEM - WOULD DEFEND SUBSTANTIVE EXCEPTS

NOT HERE...  
M.T.

Sexual  
orientation  
or  
religious  
belief

RELIGIOUS  
RECORDS  
SEE  
NELSON  
DRAFT

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Thank you, and God bless you all.

Mark -

Holly Williamson ?

Barry McBa just called me :

a couple of changes for

Civil Rights :

① ADD / Secretary Sullivan  
Secretary Cavazos  
Connie Newman  
(if we want)

② DELETE / "Regional Directors"

I have not made these  
changes. I thought we'd wait  
till POTUS kicks it back.

(Lange/Cawley)  
May 16, 1990  
8:50 a.m.  
[AFFIRM.DOC]

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Thank you, and God bless you all.

# WHITE HOUSE STAFFING MEMORANDUM

DATE: 05/14/90 ACTION/CONCURRENCE/COMMENT DUE BY: 4:00 p.m. Tuesday 05/15

SUBJECT: PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
(05/14 5:00 p.m. draft)

|                | ACTION FYI                          |                                     |            | ACTION FYI                          |                                     |
|----------------|-------------------------------------|-------------------------------------|------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | MCCLURE    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| SUNUNU         | <input type="checkbox"/>            | <input type="checkbox"/>            | NEWMAN     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| SCOWCROFT      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | PORTER     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| DARMAN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | ROGICH     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BATES          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | UNTERMEYER | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CARD           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROGERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| CICCONI        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | PINKERTON  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| DEMAREST       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | WINSTON    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| FITZWATER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GRAY           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            |            | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

Please provide any comments/recommendations directly to Chriss Winston by 4:00 p.m. on Tuesday, 05/15, with a copy to my office. Thanks.

*We'd like to get a copy of these remarks once*

RESPONSE:

*See Comments. Thank.  
 Holly Williamson  
 5-15-90*

*reconciled.  
 Thanks*

NOTE: I have indicated Justice's comments by the following: (DOJ).  
 Thanks -

James W. Cicconi  
 Assistant to the President  
 and Deputy to the Chief of Staff  
 Ext. 2702

1990 MAY 14 PM 5:48

(Lange/Cawley)  
May 14, 1990  
5:00 P.M.  
[AFFIRM.DOC]

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
[ 450 OEOB ]  
THURSDAY, MAY 17, 1990  
[ TIME ]

Thank you all. <sup>Chairman?</sup> Arthur Fletcher, <sup>(will not be there)</sup> ~~Mary Frances Berry~~, <sup>Commissioners?</sup> Esther

~~Gonzales~~-Arroyo Buckley, ~~Blandina~~ Cardenas Ramirez, Russell

Redenbauch; <sup>Attorney General</sup> ~~Dick~~ Thornburg <sup>h</sup> Secretary Cavazos; Regional directors

and State Advisory Committee Members...

It's an honor to have you here today. We meet on an auspicious day -- the anniversary of the landmark Brown v. Board of Education decision. And we meet at a very hopeful moment worldwide. A time when the thundering cry for freedom is being heard and answered from Panama to Johannesburg to Warsaw.

Around the world, people wary of state control, economies weary of bureaucratic central planning, all are looking to America as reason for hope -- the bright star to follow as they chart their course to freedom.

So it's all the more crucial now <sup>o</sup> that we look carefully to <sup>(poor)</sup> the kind of country we are -- to the state of democracy here in the land of its birth. Whatever the nations of the world decide about their futures, We are called upon to ensure that this democracy means opportunity, for all who call it home. \\\

No one in America -- no one -- has worked harder to deliver the promise of democracy, to make an enduring dream a living reality, than the men and women <sup>assembled here</sup> ~~in this room~~ today, and particularly those <sup>men and women behind me.</sup>

From its earliest origins, the Commission on Civil Rights

Willie  
Gonzales  
Staff Director  
for the Commission--  
he will be  
behind POTUS  
escorting  
Redenbauch,  
who is  
blind. Also  
Gonzales is  
a P.A.S.)

has been an independent, bipartisan voice for justice. The Commissioners, Directors, and volunteers who serve on Advisory Committees, all share an intellectual caliber, a moral conviction, and a cultural diversity that are truly America's best. These men and women have earned our admiration. Today, they deserve our thanks.

Over the last few days I've met with leaders representing

America's rich tapestry of cultural, religious, and ethnic diversity. I got, as I knew I would, a great deal of sound advice -- and <sup>it has been offered constructively. I am very much grateful for</sup> ~~as I imagined I would, just a little constructive~~ criticism. <sup>these consultations.</sup>

But these leaders, this Commission, and this Administration, <sup>and, I might add, the Congress</sup> all share a common conviction for equal opportunity. It's a responsibility I have always taken very seriously -- and it's especially serious now, when our most vital export to the world is democracy.

We must make sure that we as a nation lead by example. We must see that <sup>equal opportunity for all (DOJ)</sup> ~~affirmative action~~ is not reduced to <sup>an empty</sup> ~~a~~ slogan -- and that <sup>this</sup> ~~the~~ principle of ~~equal opportunity~~ has real, living meaning, for all Americans.

To the Civil Rights leadership assembled here today: I have offered you my hand, and my word, that together we will make America "open and equal to all." Today, I want to explore in greater depth our commitment to equal opportunity.

To begin with, this administration is committed to action that is truly affirmative -- positive action, in every sense -- to strike down all barriers to advancement, of every kind, for

all people. We will tolerate no barriers, no bias, no inside tracks, no two-tiered systems, no glass ceilings, and no rungless ladders. \\ Now, let me tell you what we're against. \\

We're against any action or lack of action that would perpetuate or exacerbate injustice. And I know the leadership in the Congress shares this conviction.

This nation's progress against prejudice -- from the 1964 Civil Rights Act, to the Voting Rights Act, to the Fair Housing Act, to the Age Discrimination in Employment Act, <sup>to the pending Americans with Disabilities Act</sup> -- it has all hinged on the principle that no one in this country should be excluded from opportunity.

*in the insert how?*  
*note: check the language with legislative Affairs.*  
~~That's why I remain firmly committed to the enactment this year of landmark legislation to extend protections to those Americans with disabilities.~~ <sup>So</sup> And we're committed to new measures, like <sup>the ADA,</sup> the Hate Crimes Statistics Act, fair housing initiatives, <sup>the HOPE legislation,</sup> and revitalized enforcement of restrictions against employment bias.

*(D&J)*  
~~Many of this Administration's proposals, in fact, share common goals with the legislation being offered by Senator Kennedy and Representative Hawkins~~ <sup>have as their</sup> goals of equal opportunity and equal protection under the law. <sup>we're</sup> So ~~we've~~ supported <sup>ing</sup> efforts <sup>allegedly</sup> to ensure an individual's ability to challenge discriminatory seniority systems. <sup>we're</sup> We ~~ve~~ also moved <sup>ing</sup> to stiffen the penalties for racial discrimination in setting or applying the terms and conditions of employment.

Today, as we work to ensure that America represents

democracy's highest expression, I want to offer four principles that ought to guide any amendments to our civil rights laws.

These principles are firmly rooted in the spirit of our current laws -- and after the extensive discussions we've had this week, I think they're principles on which ~~we~~ all of us -- including the leadership on the Hill -- can agree. So I will enthusiastically support legislation that meets these principles.

First, civil rights legislation must operate to obliterate consideration of race, color, religion, sex, nation of origin, age, or disability from employment decisions. As you know, Title VII of the Civil Rights Act of 1964 (DOJ) encourages hiring on the basis of ability and qualifications, not race or religion.

~~Some~~ <sup>Certain (DOJ)</sup> provisions of the Kennedy-Hawkins bill, <sup>though, compel (DOJ)</sup> with the best of intentions, still have an unintended consequence: they encourage employers to make decisions on the basis of these irrelevant characteristics <sup>if they are to avoid costly litigation. (DOJ)</sup> In spite of recent amendments, the bill encourages employers to base hiring decisions on the very considerations our civil rights laws direct them to ignore.\*

So we seek civil rights legislation that is more effective, not less. <sup>The</sup> ~~Because the~~ focus of employers in this country must be on providing equal opportunity for all workers -- not on developing strategies for avoiding litigation -- strategies that are likely to result in quota schemes violating the most basic principles of our civil rights tradition, and the promise of democracy.

The surest, most insidious symptom of the perpetuation of

\* In addition, certain other provisions of the bill have the effect of undermining Title VII's scheme of mediation and conciliation by providing incentives for litigation. (DOJ)

injustice was well understood by Martin Luther King in 1962. He knew then, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

~~We want to eradicate the disease.~~ And America's minority communities deserve more than <sup>the false</sup> ~~symptomatic~~ relief <sup>of quotas.</sup> They deserve systematic solutions -- through strategies that transcend statistics and quotas.

Rather than perpetuate the demoralizing stigma of preferential distinctions, we should empower and ennoble our minority communities. Rather than sowing the seeds of self-doubt, ~~and questions of competence in anyone's heart,~~ <sup>resentment and</sup> we should seek systematic change that allows every American to excel. And I'm confident the leadership will work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this goal.

Second, civil rights legislation must reflect <sup>the</sup> fundamental principles of fairness <sup>that apply throughout our legal system:</sup> individuals who believe their rights have been violated are entitled to their day in court, and an accused <sup>must shoulder the burden of proof.</sup> ~~is innocent until proven guilty.~~ In every case <sup>involving a</sup> of civil rights dispute, constitutional protections <sup>(OAR)</sup> must be preserved.

Third, Congress must subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local

"innocent until proven guilty" infers a ~~criminal~~ violation. (OCA)

DOJ NOTE:

the quote does not seem to fit. Administration critics would say "we are fighting tokenism with quotas."

M.L. NOTE:

QUOTAS GIVE RISE TO TOKENISM...

Tony Schall  
633-2011

(DOJ)

(DOJ)

(DOJ)

(DOJ)

~~WE WANT TO ERADICATE THE DISEASE~~  
\*AFTER 5:10 PM. CALL TO OCA

governments. Congress, however, is not yet covered. This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. These people, too, are entitled to their rights, and the Congress should join the Executive Branch in setting an example for private employers.

And fourth, Federal law should provide an adequate deterrent to sexual or religious harassment<sup>or harassment</sup> on the basis of disability in the workplace, and<sup>should</sup> ensure a speedy end to such discriminatory practices. In improving the remedies, however, our civil rights laws should not be turned into a bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement. Ultimately, cooperation will serve the interests of all parties far better than litigious conflicts. ✓

✓ Arthur Fletcher said recently, "I'm looking for a more comprehensive response. You can't go a quarter-mile in this time in our nation's history when the full mile is needed." I agree. A moment ago, I spoke of my conviction that America's minority communities deserve more than symptomatic relief. I believe they deserve systematic solutions -- an agenda of change that transcends statistics and quotas.

We seek strategies that work -- putting power where it belongs: in the hands of people. And that means new ideas, like school vouchers to give poor parents the power of an alternative, and choice in where to send their kids -- so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care without restrictions

of any kind, to give parents more flexibility and choice. And policies that underwrite prosperity, by encouraging capital flow to build more businesses in poor neighborhoods.

~~Discussions~~  
(OCA + DOT) ~~Affirmative action and~~ <sup>≡</sup> ~~equal opportunity must be more than~~  
~~issues of social responsibility, and more than matters of legal~~  
compulsion. Because, as labor markets tighten, people of every walk of life, of every kind, all will be in growing demand in this new decade. All will be needed. In any field, those who know how to apply sources of talent once left untapped; who know how to recruit, how to train, re-train, and retain talent; how to educate, how to motivate, and promote -- those with that knowledge will prosper.

✓ (DOT) This broader agenda must be part of a more comprehensive aimed at equal opportunity.  
effort ~~of affirmative action.~~ The interests of economics and justice are coinciding now like never before. The door is open wider now than it has ever been -- and we can open it still wider.

So let us look past the superficial differences that divide us, to the shared principles and better natures we have within us. Now is the time to extend a hand to all that struggle on the other side -- and to devote our energies to a broad agenda of empowerment, that all might join in this new age of freedom.

Thank you, and God bless you all.

# # #

THE WHITE HOUSE

WASHINGTON

May 15, 1990

INFORMATION

MEMORANDUM TO THE PRESIDENT

THROUGH: CHRISS WINSTON *CW*  
FROM: MARK LANGE *ML*  
SUBJECT: REMARKS FOR THE CIVIL RIGHTS COMMISSION

I. SUMMARY

On Thursday, May 17, at 10:00 a.m. you will make remarks at the gathering of the leaders of the U.S. civil rights movement. The event will take place in the Rose Garden and your remarks are twelve minutes in length and will be on speechcards.

II. DISCUSSION

The attached remarks cite the advance of democracy around the world as an added impetus for civil rights vigilance here at home -- and outline ~~four~~ *three* principles that should guide any new legislation.

In particular, you emphasize a common understanding that new legislation should avoid the unintended consequence of racial quotas. Instead, you call for a broader agenda of empowerment for all minorities.

*The remarks also suggest that Congress should be held to the same standards as the private sector.*  
*civil rights*

(Lange/Cawley)  
May 15, 1990  
9:45 P.M.  
[AFFIRM.DOC]

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
THE ROSE GARDEN  
THURSDAY, MAY 17, 1990  
10:00 A.M.

Thank you all. Attorney General Thornburgh, Secretary Cavazos; Chairman Fletcher, Commissioners Buckley, Ramirez, and Redenbauch; Willie Gonzalez, Regional Directors and State Advisory Committee Members...

It's an honor to have you here today. We meet at a very hopeful moment worldwide. A time when the thundering cry for freedom is being heard and answered from Panama to Johannesburg to Warsaw. Around the world, peoples warring against tyranny, citizens struggling against state control, economies weary of bureaucratic central planning, all are looking to America as reason for hope -- the bright star by which to chart their course to freedom.

So it's all the more crucial now that we look carefully to the kind of country we are -- to the state of democracy here in the land of liberty. Whatever the nations of the world decide about their futures, we are called upon to ensure that this democracy means opportunity, for all who call it home. \\

Few have worked harder to deliver the promise of democracy, to make an enduring dream a living reality, than the men and women assembled here today -- and particularly, these men and women behind me.

From its earliest origins, the Commission on Civil Rights has been an independent, bipartisan voice for justice. The Commissioners, the Directors, the Advisory Committees, all share a cultural diversity, and an intellectual and moral conviction, that are truly America's best. These men and women have earned our admiration. Today, they deserve our thanks.

Joining a new Chairman, and my friend of many years, Art Fletcher, are two outstanding additions: Carl Anderson and Russell Redenbach. I know Bob Dole shares my admiration for Russell -- a man of impressive credentials -- who knows, as all Americans should know, that physical disability will not be a barrier to service in this Administration. That's why I remain firmly committed to the landmark "Americans with Disabilities Act" to help ensure equal rights and opportunities for these Americans.

Over the last few days I've met to discuss pending civil rights legislation with leaders representing America's rich tapestry of cultural, religious, and ethnic diversity. I got, as I knew I would, a great deal of sound advice. These leaders, this Commission, the Congress, and this Administration, all share a common conviction for equal opportunity. It's a responsibility I have always taken very seriously -- especially now, when our most vital export to the world is democracy.

We must make sure that we as a nation lead by example. We must see that true affirmative action is not reduced to an empty slogan -- and that this principle has real, living meaning, for

all Americans. We will leave nothing to chance, and no stone unturned, as we work to advance America's civil rights agenda.

This nation's progress against prejudice -- from the 1964 Civil Rights Act, to the Voting Rights Act, to the Fair Housing and Age Discrimination in Employment Acts -- it has all hinged on the principle that no one in this country should be excluded from opportunity.

So, we're committed to enacting new measures -- like the Hate Crimes Statistics Act, our fair housing initiatives, the HOPE initiative, and revitalized enforcement of restrictions against employment bias.

This Administration seeks equal opportunity and equal protection under the law for all Americans -- goals that I know are shared by Senator Kennedy and Representative Hawkins. So we've supported efforts to ensure an individual's ability to challenge discriminatory seniority systems. We've also moved to stiffen the penalties for racial discrimination in setting or applying the terms and conditions of employment.

Today, as we work to ensure that America represents democracy's highest expression, I want <sup>to begin by</sup> ~~to offer~~ <sup>ing three</sup> ~~four~~ principles that must guide any amendments to our civil rights laws.

These principles are firmly rooted in the spirit of our current laws -- and after the extensive discussions we've had this week, I think they're principles on which we all of us -- including the leadership on the Hill -- can agree. So I will enthusiastically support legislation that meets these principles.

First, civil rights legislation must operate to obliterate consideration of race, color, religion, sex, nation of origin, age, or disability from employment decisions. [[ Some provisions of the Kennedy-Hawkins bill, with the best of intentions, still have an unintended consequence: they encourage employers to make decisions on the basis of these irrelevant characteristics to avoid costly litigation. In spite of recent amendments, the bill encourages employers to base hiring decisions on the very considerations our civil rights laws direct them to ignore. ]]

We seek civil rights legislation that is more effective, not less. The focus of employers in this country must be on providing equal opportunity for all workers -- not on developing strategies to avoid litigation. No one here today would want me to sign a bill whose unintended consequences are quotas -- because quotas violate the most basic principles of our civil rights tradition, and the promise of democracy.

The surest, most insidious symptom of the perpetuation of injustice was well understood by Dr. Martin Luther King, Jr. Nearly 30 years ago he knew, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

We want to eradicate the disease. And America's minority communities deserve more than symptomatic relief. They deserve systematic solutions -- strategies that transcend statistics.

We should empower and ennoble our minority communities. We should seek systematic change that allows every American to excel. During my meetings this week, I invited the civil rights leadership to work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this goal.

Second, civil rights legislation must reflect fundamental principles of fairness that apply throughout our legal system: individuals who believe their rights have been violated are entitled to their day in court, and an accuser must shoulder the burden of proof. In every case involving a civil rights dispute, constitutional protections of due process must be preserved.

*Let me add that* <sup>*third*</sup> ~~first~~, <sup>*should*</sup> ~~must~~ Congress subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local governments. Congress, however, is not yet covered. This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. The Congress should join the Executive Branch in setting an example for private employers.

<sup>*third*</sup> ~~fourth~~, Federal law should provide an adequate deterrent to sexual or religious harassment, or harassment on the basis of disability in the workplace, and should ensure a speedy end to such discriminatory practices. In improving the remedies, however, our civil rights laws should not be turned into a

bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement.

*insert Congress* → We seek strategies that work -- putting power where it belongs: in the hands of people. And that means new ideas, like giving poor parents the power of an alternative, and choice in where to send their kids to school -- so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care, to give parents more flexibility and choice. And policies that underwrite prosperity, by encouraging capital flow to businesses in poor neighborhoods.

The door is open wider now than it has ever been -- and together we can open it still wider. ~~At no other time have the goals of civil rights and strong economic growth~~ *so* let us look past the differences that divide us, to the shared principles and better natures we have within us.

To the Civil Rights leadership assembled here today: I have offered you my hand, and my word, that together we will make America "open and equal to all." This administration is committed to action that is truly affirmative -- positive action, in every sense -- to strike down all barriers to advancement, of every kind, for all people. We will tolerate no barriers, no bias, no inside tracks, no two-tiered systems, no glass ceilings, and no rungless ladders. \\\

Now is the time to extend a hand to all that struggle on the other side -- and to devote our energies to a broad agenda of empowerment, that all might join in this new age of freedom.

Thank you, and God bless you all.

Today, ~~not~~ an expanding economy <sup>is working in</sup> ~~in hand with civil rights~~ <sup>goes hand</sup>  
the service of  
not set back the clock.  
~~economics and civil rights~~

Document No. 140 899

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 05/14/90 ACTION/CONCURRENCE/COMMENT DUE BY: 4:00 p.m. Tuesday 05/15

SUBJECT: PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
(05/14 5:00 p.m. draft)

|                   | ACTION FYI                          |                                     |                   | ACTION FYI                          |                                     |
|-------------------|-------------------------------------|-------------------------------------|-------------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | MCCLURE           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| SUNUNU            | <input type="checkbox"/>            | <input type="checkbox"/>            | NEWMAN            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| SCOWCROFT         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | PORTER            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <del>DARMAN</del> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | ROGICH            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BATES             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | UNTERMAYER        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CARD              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <u>ROGERS</u>     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| CICCONI           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <u>PINKERTON</u>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| DEMAREST          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <u>WINSTON</u>    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| FITZWATER         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <u>          </u> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GRAY              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <u>          </u> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HAGIN             | <input type="checkbox"/>            | <input type="checkbox"/>            | <u>          </u> | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

Please provide any comments/recommendations directly to Chriss Winston by 4:00 p.m. on Tuesday, 05/15, with a copy to my office. Thanks.

RESPONSE:

*see comments*

90 MAY 15 4:28 PM

James W. Cicconi  
Assistant to the President  
and Deputy to the Chief of Staff  
Ext. 2702

(Lange/Cawley)  
May 14, 1990  
5:00 P.M.  
[AFFIRM.DOC]

1990 MAY 14 PM 5:48

PRESIDENTIAL REMARKS: NATIONAL COMMISSION ON CIVIL RIGHTS  
[ 450 OEOB ]  
THURSDAY, MAY 17, 1990  
[ TIME ]

Thank you all. Arthur Fletcher, Mary Frances Berry, Esther Gonzalez-Arroyo Buckley, Blandina Cardenas Ramirez, Russell Redenbauch; Dick Thornburg, Secretary Cavazos; Regional directors and State Advisory Committee Members...

It's an honor to have you here today. We meet on an auspicious day -- the anniversary of the landmark Brown v. Board of Education decision. And we meet at a very hopeful moment worldwide. A time when the thundering cry for freedom is being heard and answered from Panama to Johannesburg to Warsaw.

Around the world, people wary of state control, economies weary of bureaucratic central planning, all are looking to America as reason for hope -- the bright star to follow as they chart their course to freedom.

So it's all the more crucial now, that we look carefully to the kind of country we are -- to the state of democracy here in the land of its birth. Whatever the nations of the world decide about their futures, We are called upon to ensure that this democracy means opportunity, for all who call it home. \\

No one in America -- no one -- has worked harder to deliver the promise of democracy, to make an enduring dream a living reality, than the men and women in this room today.

From its earliest origins, the Commission on Civil Rights

has been an independent, bipartisan voice for justice. The Commissioners, Directors, and volunteers who serve on Advisory Committees, all share an intellectual caliber, a moral conviction, and a cultural diversity that are truly America's best. These men and women have earned our admiration. Today, they deserve our thanks.

Over the last few days I've met with leaders representing America's rich tapestry of cultural, religious, and ethnic diversity. I got, as I knew I would, a great deal of sound advice -- and as I imagined I would, just a little constructive criticism. But these leaders, this Commission, and this Administration, all share a common conviction for equal opportunity. It's a responsibility I have always taken very seriously -- and it's especially serious now, when our most vital export to the world is democracy.

We must make sure that we as a nation lead by example. We must see that affirmative action is not reduced to a slogan -- and that the principle of equal opportunity has real, living meaning, for all Americans.

To the Civil Rights leadership assembled here today: I have offered you my hand, and my word, that together we will make America "open and equal to all." Today, I want to explore in greater depth our commitment to equal opportunity.

To begin with, this administration is committed to action that is truly affirmative -- positive action, in every sense -- to strike down all barriers to advancement, of every kind, for

all people. We will tolerate no barriers, no bias, no inside tracks, no two-tiered systems, no glass ceilings, and no rungless ladders. \\ Now, let me tell you what we're against. \\

We're against any action or lack of action that would perpetuate or exacerbate injustice. And I know the leadership in the Congress shares this conviction.

This nation's progress against prejudice -- from the 1964 Civil Rights Act, to the Voting Rights Act, to the Fair Housing Act, to the Age Discrimination in Employment Act -- it has all hinged on the principle that no one in this country should be excluded from opportunity.

That's why I remain firmly committed to the enactment this year of landmark legislation to extend protections to those **Americans with disabilities**. \\ And we're committed to new measures, like the Hate Crimes Statistics Act, fair housing initiatives, and revitalized enforcement of restrictions against employment bias.

Many of this Administration's proposals, in fact, share common goals with the legislation being offered by Senator Kennedy and Representative Hawkins -- goals of equal opportunity and equal protection under the law. So we've supported efforts to ensure an individual's ability to challenge discriminatory seniority systems. We've also moved to stiffen the penalties for racial discrimination in setting or applying the terms and conditions of employment.

**Today, as we work to ensure that America represents**

**democracy's highest expression, I want to offer four principles that ought to guide any amendments to our civil rights laws.**

These principles are firmly rooted in the spirit of our current laws -- and after the extensive discussions we've had this week, I think they're principles on which we all of us -- including the leadership on the Hill -- can agree. So I will **enthusiastically support legislation that meets these principles.**

First, civil rights legislation must operate to obliterate consideration of race, color, religion, sex, nation of origin, age, or disability from employment decisions. As you know, Title VII encourages hiring on the basis of ability and qualifications, not race or religion.

Some provisions of the Kennedy-Hawkins bill, with the best of intentions, still have an unintended consequence: they encourage employers to make decisions on the basis of these irrelevant characteristics. In spite of recent amendments, the bill encourages employers to base hiring decisions on the very considerations our civil rights laws direct them to ignore.

So we seek civil rights legislation that is more effective, not less. Because the focus of employers in this country must be on providing equal opportunity for all workers -- not on developing strategies for avoiding litigation -- strategies that are likely to result in quota schemes violating the most basic principles of our civil rights tradition, and the promise of democracy.

The surest, most insidious symptom of the perpetuation of

injustice was well understood by Martin Luther King in 1962. He knew then, as Americans of all walks of life know today, that quotas are wrong. He wrote, in fact, that "tokenism can now be seen not only as a useless goal, but as a genuine menace. It is a palliative which relieves emotional distress, but leaves the disease and its ravages unaffected."

**We want to eradicate the disease.** And America's minority communities deserve more than symptomatic relief. They deserve systematic solutions -- through strategies that transcend statistics and quotas.

Rather than perpetuate the demoralizing stigma of preferential distinctions, we should empower and ennoble our minority communities. Rather than sowing the seeds of self-doubt and questions of competence in anyone's heart, we should seek systematic change that allows every American to excel. And I'm confident the leadership will work with me to craft a bill, in the spirit of our record of civil rights legislation, that moves us toward this goal.

Second, civil rights legislation must reflect fundamental principles of fairness: individuals who believe their rights have been violated are entitled to their day in court, and an accused is innocent until proven guilty. In every case of civil rights dispute, constitutional protections must be preserved.

Third, Congress must subject itself to the same requirements it prescribes for others. In 1972, the Civil Rights Act of 1964 was justly applied to executive agencies and state and local

governments. Congress, however, is not yet covered. This inconsistency must be remedied, to give Congressional employees and applicants the full protection of the law. These people, too, are entitled to their rights, and the Congress should join the Executive Branch in setting an example for private employers.

And fourth, Federal law should provide an adequate deterrent to sexual or religious harassment on the basis of disability in the workplace, and ensure a speedy end to such discriminatory practices. In improving the remedies, however, our civil rights laws should not be turned into a bonanza for lawyers, encouraging litigation at the expense of conciliation, mediation, or settlement. Ultimately, cooperation will serve the interests of all parties far better than litigious conflicts.

Arthur Fletcher said recently, "I'm looking for a more comprehensive response. You can't go a quarter-mile in this time in our nation's history when the full mile is needed." I agree. A moment ago, I spoke of my conviction that America's minority communities deserve more than symptomatic relief. I believe they deserve systematic solutions -- an agenda of change that transcends statistics and quotas.

We seek strategies that work -- putting power where it belongs: in the hands of people. And that means new ideas, like school vouchers to give poor parents the power of an alternative, and choice in where to send their kids -- so that all can have access to the best. It means more tenant control and ownership of public housing. Tax credits for child care, ~~without restrictions~~

*Note: there are restrictions, i.e., one parent in the family has to be working*

*Scully  
x5128*

*Lukes  
x3454*

*possibly some words missing?*

of ~~any kind~~, to give parents more flexibility and choice. And policies that underwrite prosperity, by encouraging capital flow to build more businesses in poor neighborhoods.

Affirmative action and equal opportunity must be more than issues of social responsibility, and more than matters of legal compulsion. Because as labor markets tighten, people of every walk of life, of every kind, all will be in growing demand in this new decade. All will be needed. In any field, those who know how to apply sources of talent once left untapped; who know how to recruit, how to train, re-train, and retain talent; how to educate, how to motivate, and promote -- those with that knowledge will prosper.

This broader agenda must be part of a more comprehensive effort of affirmative action. The interests of economics and justice are coinciding now like never before. The door is open wider now than it has ever been -- and we can open it still wider.

So let us look past the superficial differences that divide us, to the shared principles and better natures we have within us. Now is the time to extend a hand to all that struggle on the other side -- and to devote our energies to a broader agenda of empowerment, that all might join in this new age of freedom.

Thank you, and God bless you all.

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