UNITED STATES
DEPARTMENT OF EDUCATION

NEWS

FOR IMMEDIATE RELEASE
October 10, 1997

Contact: David Frank (202) 401-3026
Tom Lyon (202) 401-1220

STATEMENT BY U.S. SECRETARY OF EDUCATION RICHARD W. RILEY

regarding voucher proponent's memo that encourages weakening basic civil rights legislation for D.C. vouchers

I have read the Oct. 10 USA TODAY [page D15] article regarding the effort of Clint Bolick, the litigation director of the Institute for Justice, to use the D.C. appropriations bill that authorizes vouchers for 2,000 school children to weaken basic civil rights protections. I have also read his memo in its entirety and it is quite clear to me that the Institute for Justice has something in mind other than helping all children get a good education.

In his pursuit of vouchers, Mr.Bolick seems eager to gut some of the most fundamental civil rights laws of this land --in particular, laws that have done so much to help disabled children and young women get the best education possible. I am stunned that anyone would willingly boast that they "argued strongly against those regulations." To its credit, the United States Catholic Conference vigorously tried to persuade Mr. Bolick to be more inclusive and include these fundamental civil rights laws in the D.C. bill.

A careful reading of the proposed D.C. School Reform legislation tells us that Mr. Bolick was indeed successful in his efforts to weaken basic and fundamental civil rights protections. The bill would make Title VI, Title IX, and Section 504 inapplicable to participating schools. These laws include important substantive and procedural rights for parents. It is not clear that any of these protections would apply to the vague anti-discrimination language in this bill. Moreover, that language does not apply <u>at all</u> to discrimination based on disability and it affirmatively allows certain forms of sex discrimination.

Also, because the full protections of the Individuals with Disabilities Education Act (IDEA) do not apply to parents who choose to send their children to private schools, the voucher program would effectively deny the choice of using a voucher to send a disabled child to a private school. In his zealous effort to eliminate these basic civil rights laws, Mr. Bolick is creating a situation that invites confusion and an enormous amount of unnecessary litigation.

The citizens of the District of Columbia and their children deserve the same basic protections when it comes to civil rights as all other Americans. I urge the Congress to reject this legislation that goes against the grain of basic American fairness. The D.C. voucher legislation is deeply flawed in more ways than one.

###

attachment

DC Voucher

09/30/97 16:15

TO: Mike Cohen
Domestic Policy Council
FAX PHONE: (202) 456-7431 VOICE: (202) 456-2216

FROM: AAUW
TERI BERNARDO
PHONE: (202) 728-7633 FAX: (202) 872-1425

Support Existing Anti-Discrimination Laws: Oppose Cloture on S. 1156

September 29, 1997

Dear Senator:

On behalf of the American Association of University Women (AAUW), the National Women's Law Center (NWLC), and the Leadership Conference on Civil Rights (LCCR), we urge you to oppose cloture on the District of Columbia Appropriations bill (S. 1156). We believe that the District of Columbia should not be a laboratory for exempting taxpayer-supported schools from federal civil rights laws.

The District of Columbia Student Opportunity Scholarship Act of 1997, which is expected to be introduced by Senators Coats and Lieberman as an amendment during Senate floor consideration of to S. 1156, erodes anti-discrimination laws (Title VI, Title IX, Section 504, and the Age Discrimination Act) and takes away from the children of D.C. the guarantee of equal educational opportunity that they deserve. The bill's anti-discrimination provision falls far short of the anti-discrimination requirements under federal law. Further, the bill expressly permits taxpayer dollars to support sex discrimination by funding single-sex programs, regardless of the justification for them and regardless of whether any programs are available to the excluded sex.

Attached is more detailed information on why we oppose cloture on the District of Columbia Appropriations bill. If you have and questions, please contact Nancy Zirkin, AAUW, at 202/785-7720, Debbie Brake, NWLC, at 202/588-5180, or Wade Henderson, LCCR, at 202/466-3311.

Sincerely,

Sandy Bernard Marcia Greenberger Wade Henderson

Sandy Bernard
AAUW, President

Marcia Greenberger
NWLC, Co-President

Wade Henderson
LCCR, Executive Director

OPPOSE CLOTURE ON S.1156: SUPPORT EXISTING FEDERAL ANTI-DISCRIMINATION LAWS

The District of Columbia Student Opportunity Scholarship Act of 1997, which is expected to be introduced by Senators Coats and Lieberman as an amendment during Senate floor consideration of S.1156, erodes existing anti-discrimination laws (Title VI, Title IX, Section 504 and the Age Discrimination Act) and takes away from the children of D.C. the guarantee of equal educational opportunity that they deserve.

- D.C. should not be a laboratory for exempting taxpayer-supported schools from federal civil rights laws. Under current law, schools that receive federal funds in the form of federal aid to students must abide by federal laws prohibiting discrimination in federally-funded education programs.[1] These laws protect students, and others, from discrimination on the basis of sex, race, color, national origin and disability in federally-funded education programs. The Coats bill, however, rewrites the law to permit schools to receive taxpayer-funded vouchers unconditionally, without any corresponding obligation to comply with federal anti-discrimination laws. D.C. students attending taxpayer-supported schools should not have less protection from discrimination than students in all other parts of the country.

- The bill's anti-discrimination provision falls far short of the anti-discrimination requirements under federal law and is not adequate. In an apparent attempt to compensate for withholding federal civil rights protections from the federally-supported voucher program created in the bill, the bill includes a section prohibiting participating schools from discriminating on the basis of race, color, national origin or sex. However, the bill's substitute anti-discrimination provision is far from adequate:

  (1) The bill does not include disability as a prohibited basis for discrimination;[2]

  (2) There is no indication that the types of discrimination that it does cover would be construed as broadly as the requirements of federal law; and

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[1] Grove City College v. Bell, 465 U.S. 555, 563-70 (1984). While Congress subsequently overturned other aspects of the Court's decision in Grove City restricting the scope of federal civil rights laws, it left intact the Court's ruling that a private college that did not otherwise receive federal aid had to comply with federal civil rights laws because it indirectly received such aid by enrolling students who paid their tuition with federal education grants.

[2] Although a separate section of the bill preserves the existing obligations of D.C. public schools under the Individuals with Disabilities Education Act, it does not address D.C. private schools, nor does it preserve the general prohibition of disability-based discrimination applicable to federally-funded programs under Section 504 of the Rehabilitation Act.

(3) The bill affords no means for enforcing its non-discrimination provision other than by permitting a newly-created private corporation to revoke an institution's eligibility if it finds the institution violated the civil rights provision. By contrast, the federal anti-discrimination laws are enforced by the government agency that awarded the federal funds or by the courts, and persons harmed by discrimination are entitled to a complete remedy.

- <u>The bill expressly permits taxpayer dollars to support sex discrimination by funding single-sex programs, regardless of the justification for them and regardless of whether any programs are available to the excluded sex.</u> The bill explicitly permits participating schools to be single-sex or to offer single-sex classes or activities, without any requirement that they offer any program for the excluded sex, much less an equal program. As history has shown, single-sex education has often left girls and women with the short end of the stick, and the bill provides no safeguards to keep history from repeating itself. Moreover, Title IX already provides adequate flexibility for appropriate single-sex programs.

For additional information, contact:

Deborah Brake
National Women's Law Center
(202) 588-5180

Nancy Zirkin
American Association of University Women
(202) 785-7700

September 29, 1997

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
LEGISLATIVE AFFAIRS

PHONE: 395-4790 / FAX: 395-3729

TO: EOP Internal Distribution List

DATE: 9/29

SUBJECT: FY 1998 Appropriations Letter from Franklin D. Raines, Director

PAGES: 4

District of Columbia FY1998
Appropriations - House letter

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

September 29, 1997

THE DIRECTOR

The Honorable Bob Livingston
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the District of Columbia Appropriations Bill, FY 1998, as reported by the Subcommittee. As you develop the Committee version of the bill, your consideration of the Administration's views would be appreciated.

The Administration strongly opposes a provision of the Subcommittee bill that would provide for the use of Federal taxpayer funds for private school vouchers. Instead of investing additional resources in public schools, vouchers would allow a few selected students to attend private schools, and would draw attention away from the hard work of reforming public schools that serve the overwhelming majority of D.C. students. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public. If this language is included in the bill presented to the President, the President's senior advisers would recommend that the President veto the bill.

While the Administration appreciates the support of the Subcommittee in developing a bill that provides sufficient Federal funding to implement the National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act), we strongly oppose a number of the provisions of the Subcommittee bill, as described below. Even if the provision concerning school vouchers were to be stricken, the Subcommittee bill would remain unacceptable. Unless the Administration's concerns are satisfactorily resolved, the President's senior advisers would recommend that the President veto the bill.

Abortion

The Administration strongly opposes the abortion language of the Subcommittee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations involving rape or incest. Further, the Department of Justice has advised that the language would be unconstitutional regarding funds provided to the District of Columbia Corrections Trustee, to the extent the language places an undue burden on a woman's right to obtain an abortion. The Administration continues to view the prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

Davis-Bacon Act

The Administration strongly opposes section 363 of the Subcommittee bill. As drafted, this provision would permit waiver of the application of the Davis-Bacon Act to construction and repair work for the District of Columbia schools. Waiving these protections would deny payment of locally prevailing wages to workers on Federally funded construction sites. The language must be revised to eliminate the waiver of the Davis-Bacon Act.

Pennsylvania Avenue

The Administration strongly opposes section 159 of the bill, which would require that Pennsylvania Avenue in front of the White House be opened on January 1, 1998. On May 20, 1995, the Department of the Treasury implemented the security action to prohibit vehicular traffic on Pennsylvania Avenue between 15th and 17th Streets. A White House Security Review concluded that there was no alternative to prohibiting vehicular traffic on Pennsylvania Avenue that would ensure the protection of the President of the United States, the first family, and those working in or visiting the White House Complex from explosive devices carried in vehicles near the perimeter. The Subcommittee's action would jeopardize the safety of those inside the White House Complex.

Micromanagement

The Administration opposes the provisions of the Subcommittee bill that would further restrict or otherwise condition management of the District Government, thereby undercutting the Financial Responsibility and Management Assistance Authority's (the Authority's) oversight role and responsibility for the District's annual budget.

Specifically, the Administration opposes provisions of the bill that would require the District to place a ceiling on FY 1998 full-time equivalents (FTEs) at ninety percent of the level as of September 30, 1997, and language placing a cap on general fund expenditures in order to provide $500 million for debt reduction and a taxpayer relief fund. Congress has given to the Authority the responsibility to guide the District toward long-term financial health and that role should not be undercut by unnecessary micromanagement.

Other provisions of the bill that undermine functions of the Authority and the District Council include: a provision requiring District Government employees to reside in the District; a provision to close the University of the District of Columbia Law School; and, the prohibition of helicopter tours over the District.

Treasury Borrowing Authority

The Subcommittee bill includes language that would prohibit the District from borrowing to finance its accumulated general fund deficit. It is not uncommon for cities recovering from severe cash flow problems to finance accumulated deficits through long-term borrowing. The Revitalization Act allows the District to borrow up to $300 million from Treasury for deficit financing if the District can show that it does not have private market access. The District needs the flexibility to use the Treasury window for long-term borrowing in case the private markets are not accessible.

D.C. Courts and Offender Services Funding

The Administration strongly opposes language in the Subcommittee bill that provides for funding the District of Columbia Courts and Offender Services through the Office of Management and Budget. The Administration urges the Committee to consider passing funding through the Authority or through stand-alone accounts. The original proposal was to pass funding through the State Justice Institute and not require the Institute to review these expenditures.

Additionally, the Administration would recommend that the House include language that would make available funds collected by the District of Columbia Courts for necessary expenses, including the funding of pension costs.

The Administration is committed to working with the House to produce a bill that will assist the District in its continued efforts toward financial recovery. We look forward to working with the House to address our mutual concerns.

Sincerely,

Franklin D. Raines
Director

Identical Letter Sent to The Honorable Bob Livingston, The Honorable David R. Obey, The Honorable Charles H. Taylor, and The Honorable James P. Moran

Press Guidance on DC Vouchers
September 17, 1997

General Points:

- The Administration strongly opposes any legislation allowing the use of Federal taxpayer funds for vouchers, including in D.C.

- We need to focus on strengthening the public schools that serve the vast majority of students and expanding choice within the public education system, such as through charter schools that only stay open as long as they do a good job.

- Vouchers would siphon critical dollars from neighborhood public schools that are already short on resources in order to send a few selected students to private schools, and would distract attention from the hard work of reform needed to change failing schools into good schools and good schools into outstanding schools.

Q: Doesn't the failure of the DC schools to manage so basic a task as to open their schools on time call into question the capacity of the school system here to improve? Shouldn't vouchers be allowed here at least?

A: The delay in opening the DC schools has been very unfortunate. However, vouchers would do nothing to speed the process of repairing DC schools, and would accomplish nothing for the vast majority of students who will continue to attend these schools. In fact, vouchers would divert attention and resources away from the public schools and the hard task of reforming them. We need to confront the real problems that the DC school system has -- by raising standards, putting into place effective reform strategies, and holding students, teachers and schools accountable for their performance. Establishing vouchers in DC would set a dangerous precedent for using taxpayer funds to support schools that are unaccountable to the public.

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

FAX COVER SHEET

Number of pages 1
(excluding cover sheet)

Date 9/18/97

TO: **SAP DISTRIBUTION LIST**

FROM: **OMB LEGISLATIVE AFFAIRS**
Phone: 395-4790

SUBJECT OF SAP:

S. 1156 – District of Columbia Appropriations Bill, FY 1998

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

September 18, 1997
(Senate Floor)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

S. 1156 – DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1998

(Sponsors: Stevens (R), Alaska; Faircloth (R), North Carolina)

This Statement of Administration Policy provides the Administration's views on S. 1156, the District of Columbia Appropriations Bill, FY 1998, as reported by the Senate Appropriations Committee.

The Administration commends the Committee for developing a bill that provides sufficient funding to implement the National Capital Revitalization and Self-Government Improvement Act of 1997 successfully. The Senate is urged to approve a bill that is free of extraneous provisions.

The Administration strongly supports charter schools which provide parents and students more choice within the public education system. However, the Administration understands that an amendment may be offered that would provide for the use of school vouchers in the District. The Administration would strongly oppose any legislation allowing the use of Federal taxpayer funds for private school vouchers. Instead of investing additional resources in public schools, vouchers would allow a few selected students to attend private schools, and would draw attention away from the hard work of reforming public schools that serve the overwhelming majority of D.C. students. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public. If such an amendment were adopted and included in the bill presented to the President, his senior advisers would recommend that the President veto the bill.

The Administration strongly opposes the abortion language of the Committee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations of rape or incest. The Administration continues to view this prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

The Administration understands that an amendment may be offered that would limit the use of a portion of the D.C. prison construction funds for housing inmates in private contract facilities. The Administration strongly opposes such a restriction on the use of these funds as it would hinder the Bureau of Prisons' ability to house serious violent offenders in a timely and cost effective manner. The amendment is not needed since the Revitalization Act already requires that fifty percent of D.C. inmates be housed in private contract facilities.

The Administration urges the Senate to consider an amendment that would make funds collected by the D.C. Courts available to the Courts for necessary expenses, including the funding of pension costs.

Talking Points on DC Vouchers
DRAFT -- September 17, 1997

General Points:

- The Administration strongly opposes any legislation allowing the use of Federal taxpayer funds for vouchers, including in D.C.

- ~~Instead,~~ We need to focus on strengthening the public schools that serve the vast majority of students and expanding choice within the public education system, such as through charter schools that only stay open as long as they do a good job.

- Vouchers would siphon critical dollars from neighborhood public schools that are already short on resources in order to send a few selected students to private schools, and would distract attention from the hard work of reform needed to change failing schools into good schools and good schools into outstanding schools.

Q: Doesn't the failure of the DC schools to manage so basic a task as to open their schools on time call into question the capacity of the school system here to improve? Shouldn't vouchers be allowed here at least?

A: The delay in opening the DC schools has been very unfortunate. However, vouchers would do nothing to speed the process of repairing DC schools, and would accomplish nothing for the vast majority of students who will continue to attend these schools. ~~Instead, we need to confront the real problems that DC and many other urban school systems have, by raising standards, putting into place effective reform strategies, and holding students, teachers and schools accountable for their performance.~~ ~~Establishing vouchers in DC would set a dangerous precedent for using taxpayer funds to support schools that are unaccountable to the public.~~ stet

In fact, vouchers would divert attention and resources away from the public schools and the hard task of reforming them. We need to confront the real problems that the D.C. school system has – by raising standards, etc.

DC Vouchers

William R. Kincaid
09/15/97 06:23:11 PM

Record Type: Record

To: Mary I. Cassell/OMB/EOP

cc: Michael Cohen/OPD/EOP, Jonathan H. Schnur/OVP @ OVP

Subject: DC Language

We recommend inserting language along the lines of the following at the beginning of the paragraph on private school vouchers:

"The Administration strongly supports charter schools which provide parents and students more choice within the public education system. However, ..."

Thanks.

-- Bill

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

STATEMENT OF ADMINISTRATION POLICY

TO: JOHN HILLEY
BARBARA CHOW
ANDY BLOCKER
JOHN PODESTA
SYLVIA MATHEWS
GENE SPERLING
CHUCK MARR
BRUCE REED
ELENA KAGAN
PAUL WEINSTEIN
JASON GOLDBERG

CC: JACK LEW
CHARLES KIEFFER

FROM: Alice Shuffield A.S.

DATE: September 15, 1997

SUBJECT: FOR YOUR CLEARANCE -- DC Appropriations Senate SAP

Attached is our draft Senate floor SAP regarding S. 1156, the District of Columbia Appropriations Bill. The bill will likely go to the floor on Tuesday.

Position: **We need to resolve the level of objection for school vouchers: strongly oppose, Secretary of Education veto threat, or Senior Advisors veto threat. In the 1996 DC SAPs (the last time the issue was debated on the DC bill), the voucher provision fell under a blanket senior advisors veto threat. In this SAP, the voucher provision is not in the Committee bill, so we are commenting on a potential stand-alone Coats/Lieberman amendment. Director Raines prefers language strongly opposing the provision, but just short of a veto threat.**

Timing: We aim to send the letter up by the end of the day on Monday.

Please contact Alice Shuffield at 5-4790 by 5:00pm on Monday with your comments.

September __, 1997
(Senate Floor)

S. 1156 -- DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1998

(Sponsors: Stevens (R), Alaska; Faircloth (R), North Carolina)

This Statement of Administration Policy provides the Administration's views on S. 1156, the District of Columbia Appropriations Bill, FY 1998, as reported by the Senate Appropriations Committee.

The Administration commends the Committee for developing a bill that provides sufficient funding to implement the National Capital Revitalization and Self-Government Improvement Act of 1997 successfully. The Senate is urged to approve a bill that is free of extraneous provisions.

The Administration strongly opposes the abortion language of the Committee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations of rape or incest. The Administration continues to view this prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

DECISION NEEDED -- LEVEL OF OBJECTION TO VOUCHER PROVISION:

(1) Strongly oppose
(2) Secretary of Education recommends veto
(3) Senior Advisors recommend veto

The Administration understands that an amendment may be offered that would provide for the use of school vouchers in the District. **The Administration would strongly oppose any legislation allowing the use of Federal taxpayer funds for private school vouchers.** The use of public funds for private schools undermines one of the foundations of the public school system -- to build a strong and diverse democracy. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public. **[If such an amendment were adopted and included in the bill presented to the President, [the Secretary of Education / his senior advisers] would recommend that the President veto the bill.]**

The Administration understands that an amendment may be offered that would limit the use of a portion of the D.C. prison construction funds for housing inmates in private contract facilities. The Administration strongly opposes such a restriction on the use of these funds as it would hinder the Bureau of Prisons' ability to house serious violent offenders in a timely and cost effective manner. The amendment is not needed since the Revitalization Act already requires that fifty percent of D.C. inmates be housed in private contract facilities.

The Administration urges the Senate to consider an amendment that would make funds collected by the D.C. Courts available to the Courts for necessary expenses, including the funding of pension costs.

TIME WARNER'S PATHFINDER

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GOP Wants Vouchers for D.C. Schools

By DARLENE SUPERVILLE
Associated Press Writer

WASHINGTON (AP) Republican congressional leaders said Tuesday they would act within the next few weeks on a controversial plan to make school-choice vouchers available to pupils attending District of Columbia public schools.

"We believe public schools should be a magnet and not a trap," House Speaker Newt Gingrich told an outdoor crowd of about 50 children, their parents and local religious leaders who support the proposal.

The youngsters were free to go to the Capitol building because the start of the district school year has been delayed three weeks, until Sept. 22, by ongoing repairs at city schools.

They wore oversized red and white T-shirts with the words "Save the Kids, Now!" and gave Gingrich, R-Ga., and Senate Majority Leader Trent Lott, R-Miss., a petition favoring vouchers signed by more than 2,000 residents.

"Congress will answer this petition," Lott declared.

Democratic Sens. Joseph Lieberman of Connecticut and Mary Landrieu of Louisiana joined Republicans in support of the plan, under which about $7 million would be used to pay for the school vouchers.

Some 2,000 low-income pupils could then qualify for up to $3,200 to attend the public, private or religious school of their choice.

Congress plans to include the proposal in the city's 1998 budget, which it must approve. A similar effort failed in 1995.

Rep. Eleanor Holmes Norton, a Democrat and the district's nonvoting delegate in Congress, chided lawmakers for revisiting the issue.

"Go home. Go to your own town. Go to your own district. Get vouchers passed there," she said. Norton said Congress should use the $7 million to pay for additional repairs at school buildings instead of vouchers.

(16 Sep 1997 15:22 EDT)

Back to Headlines

To: Kathryn B. Stack/OMB/EOP@EOP

cc: Mark E. Miller/OMB/EOP@EOP, Barry White/OMB/EOP@EOP
Subject: Draft SAP on the DC Appropriations Bill

Following this paragraph is a draft SAP to the Senate Floor on the DC Appropriations Bill. Included in the SAP is a paragraph on the possibility of an amendment being offered to included funding for school vouchers and the Administration's objection this amendment. I need your approval on the paragraph **ASAP**. The SAP needs to go to the Senate tomorrow, Floor action on the bill is scheduled for Friday. Please note, this is the first SAP to the Hill. The Senate Subcommittee did not have a formal markup and the House will begin consideration of the bill sometime next week.

September 11, 1997
(Senate Floor)

S. 1156 -- DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1998

(Sponsors: Stevens (R),Alaska; Faircloth (R), North Carolina)

This Statement of Administration Policy provides the Administration's views on S. 1156, the District of Columbia Appropriations Bill, FY 1998, as reported by the Senate Appropriations Committee.

The Administration commends the Committee for developing a bill that provides sufficient funding to implement the National Capital Revitalization and Self-Government Improvement Act of 1997 successfully. The Administration is pleased that the bill does not contain extraneous provisions that would impede its enactment.

The Administration strongly opposes the abortion language of the Committee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations of rape or incest. The Administration continues to view this prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

The Administration understands that an amendment may be offered that would provide for use of school vouchers in the District. The Administration would strongly oppose any legislation allowing the use of Federal taxpayer funds for private school vouchers. The use of public funds for private schools undermines one of the foundations of the public school system -- to build a strong and diverse democracy. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public. If such an amendment were adopted and included in the final bill, the President's senior advisers would recommend that the President veto the bill.

John,
FAX TO

FAX COVER

Education Branch
Executive Office of the President
Office of Management and Budget
Washington, D.C. 20503

TO: ~~[illegible]~~ MIKE COHEN

FAX NUMBER: ~~53729~~ 65581

FROM: Kitty Steele

DATE: ______________ TIME: ______________

NUMBER OF PAGES: Cover + 2

Notes:

SAP / DC - 1996

FYI. Veto Threat up front, not specifically vouchers

Education Branch Fax Number: 202/395-4875
Voice Confirmation: 202/395-5880

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

February 26, 1996
(Senate Floor)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 2546 -- DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1996
(Sponsors: Walsh (R), New York; Jeffords (R), Vermont)

This Statement of Administration Policy provides the Administration's views on H.R. 2546, the District of Columbia Appropriations Bill, FY 1996, as reported by the Conference Committee. The Administration strongly supports efforts of the District of Columbia to bring fiscal stability, growth and opportunity to the city. The President remains committed to helping put the District back on the path to financial health and we appreciate Congress' decision to provide the full Federal payment to the District.

Regrettably, the conferees chose to include objectionable authorization and related legislation in the Conference Report. Based on these provisions, the President's senior advisers would recommend that the President veto this bill if it were presented to him in its current form.

While the Administration supports many of the school reform endeavors in the District of Columbia appropriations bill, it remains strongly opposed to the language in the legislation allowing the use of Federal taxpayer funds for private school vouchers.

The Administration strongly supports good schools both public and private, and recognizes that private schools are an important part of American education. However, establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for private schools across the country. Private school tuition vouchers would divert badly needed public funds and shift them to private institutions that would retain their ability to exclude students on the basis of their ability to pay or their academic achievement, and that are not accountable to the public. The Administration would support provisions in the bill that would permit the use of public funds for public school choice, and for scholarships for after-school and summer activities at either public or private non-sectarian schools.

The Administration strongly opposes section 2551(b)(6) of the bill which would, in effect, waive the application of labor protection laws, including the Davis-Bacon Act and civil rights provisions, to construction and repair work for the District of Columbia schools. In addition, the Administration recommends that the provision for permitting volunteers within 2561(a)(2) be consistent with the provisions under the Fair Labor Standards Act for volunteering to State and local governments. The Administration would also suggest that the same provision be clarified to exclude labor performed for contractors and subcontractors on work covered by the Davis-Bacon Act.

The Administration strongly opposes the abortion language of the bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations of rape or incest. The Administration objects to the prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District. We urge repeal of a similar provision in P.L. 104-92.

The Administration is committed to working with the Congress to produce an acceptable bill as soon as possible. In view of the critical financial needs of the District, we urge the Congress to be responsive to these concerns.

FAX COVER

Education Branch
Executive Office of the President
Office of Management and Budget
Washington, D.C. 20503

TO: Bill Kincaid

FAX NUMBER: 6-5581

FROM: Mary

DATE: **TIME:**

NUMBER OF PAGES: Cover +

Notes: Here are the pages from past Secretary Riley letters on vouchers.

Education Branch Fax Number: 202/395-4875
Voice Confirmation: 202/395-5880

UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

October 31, 1995

Honorable Bob Livingston
Chairman
Committee on Appropriations
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am writing to express my views on Representative Gunderson's draft "District of Columbia School Reform Act of 1995," which I understand may be offered as an amendment to H.R. 2546, the fiscal year 1996 appropriations bill for the District of Columbia. While I am a strong supporter of efforts to reform and improve education in the District and find many ideas in the bill that could benefit the District's children, I am particularly opposed to language in the legislation that would authorize the use of Federal taxpayer funds to pay for private school vouchers.

I appreciate the conscientious efforts of the District task force and of Representative Gunderson in developing a process to craft legislation to benefit the District's schools and the children they serve. As a result, there is much in the draft Reform Act that would address the educational needs of those children. The development of comprehensive reform plans, the establishment of challenging standards and corresponding assessments for all students, the creation of charter schools, increased parental involvement in their children's education, greater use of family literacy programs, access to state-of-the-art technology, effective work-force preparation, and expansion of school-business partnerships, all of which the Act would promote, are ideas that this Administration has actively supported.

I regret that the Act would also create a program of federally-funded vouchers for low-income students to use at public or private elementary and secondary schools, with little or no public accountability for how those funds are used. While the President and I have long supported choice among <u>public</u> schools, we have repeatedly expressed our opposition to using taxpayer funds for <u>private</u> school vouchers. We need to focus on approaches that will improve education for all children instead of draining much-needed resources from the public schools, which will continue to serve the overwhelming majority of students, leaving them even worse off. This aspect of the draft Act is highly objectionable as a matter of good public policy. Choice among private schools should be paid for with private funds, with public funds used to provide choice among public schools.

UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

November 15, 1995

Honorable James M. Jeffords, Chairman
Subcommittee on the District of Columbia Appropriations
United States Senate
Washington, D. C. 20510

Dear Jim:

I am writing to express my views on the House and Senate versions of H.R. 2546, the fiscal year 1996 appropriations bill for the District of Columbia. The respective versions of Title II of the bill contain a variety of provisions designed to improve elementary and secondary education for children in the District. I am a strong supporter of efforts to reform and improve education in the District. While I find many ideas in the two bills that could benefit the District's children, I am concerned that a number of these provisions intrude on the authority and responsibility of the parents, local citizens, teachers, principals, and local elected officials to make their own decisions on these issues, and are inconsistent with our long-standing tradition of State and local control of education. In addition, I am strongly opposed to language in the House bill that would authorize the use of Federal taxpayer funds to pay for private school vouchers.

<u>Vouchers</u>

I strongly oppose Subtitle J of Title II of the House bill, which would create a program of federally funded vouchers for students from low-income families to use at public or private elementary and secondary schools, with little or no public accountability for how those funds are used. While the President and I have long supported choice among <u>public</u> schools and publicly accountable charter schools, we have repeatedly expressed our opposition to using taxpayer funds for <u>private</u> school vouchers, whether or not they are referred to in some other way, such as "scholarships". We need to focus on approaches that will improve education for all children instead of draining much-needed resources from the public schools, which will continue to serve the overwhelming majority of students, leaving them even worse off.

Under the House bill, Federal taxpayers would be asked to provide $3,000 to each student with a voucher, nearly eight times the amount the Federal Government now makes available for public school children throughout the Nation, an extremely costly venture that could be a first step toward a nationalized voucher program at public expense that we do not need and cannot afford. Choice among private schools should be paid for with private funds, with public funds used to provide choice among public schools.