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LOCAL PROGRAM—AWARENESS

Dallas Chapter of the Institute of Real Estate Management

Dallas, TX

Backed by the clout of the Dallas Mayor's office, Adopt-A-Block began citywide in 1988 with the goal of reducing crime in Dallas "one block at a time." Much more than an area crime watch, the program is designed to renew deteriorating neighborhoods and to work with residents as they strive to take responsibility for their homes, their neighbors, and their quality of life. Blocks in targeted areas are "adopted" by associations, corporations, churches, and other groups.

The endorsement of the Mayor's office greases the wheels of red tape inherent in assisting these designated areas. City agencies and Dallas police have proven very responsive to any and all requests from Adopt-A-Block sponsors.

The Dallas Chapter of the Institute of Real Estate Management adopted one block in the Fair Park area, one of Dallas's toughest neighborhoods, in January 1989. Being professional property managers, the first order of business was to evaluate the block's physical problems and interview residents regarding their concerns and needs. Home improvements are provided only to homeowners. Negligent landlords are made to feel increased pressure from the city. Twice each year, the chapter spends a Saturday clearing trash; making home repairs; mowing and removing debris; and visiting with residents. Special T-shirts identify the group. They have succeeded in getting tremendous support from area suppliers and contractors such as landscaping firms, electricians, and plumbers who provide not only expertise but manpower.

Crime has been significantly reduced. Illegal dumpsites have disappeared; trash is less apparent; yards are neatly mowed and edged; homes boast new porches, screens, electrical, and plumbing; and elderly residents are receiving assistance from "Meals On Wheels" and other programs. Residents willingly come out of their homes to greet the volunteers and pitch in to help their neighborhood.

The chapter will spend less than \$500 this year for all expenses including the special T-shirts. The chapter's eventual goal is to become an area captain. They plan to have a number of member firms adopt blocks under their identity umbrella while they coordinate efforts thereby significantly expanding their service area.

CONTACT: Janet M. Lawson, (214) 368-2181

Starting Date: January 1989

Number of People Involved: 12 Committee Members,
Unlimited number of volunteers

Type of Program: Community Clean Up

LOCAL PROGRAM—AWARENESS

Greenwich Health Association

Greenwich, CT

Teen Heart Throb is a collaborative heart risk reduction program developed in 1985 by Greenwich Health Association in cooperation with Greenwich Hospital and the Greenwich Department of Health and piloted at a local high school in January 1986. The ultimate goal is to reduce premature death and disability due to heart disease by providing early heart health education and screening services to secondary school students in all of the public and private schools in Greenwich.

The program has several components, including: height and weight check, blood pressure screening, cholesterol/HDL screening using a venapuncture drawing of blood (not a finger prick test), a computerized health risk appraisal (HRA), and one-on-one or group counseling by health professionals (nurses/physicians) for all of the participating teenagers.

Teen Heart Throb is now offered annually to 350-500 students, usually freshmen or sophomores, at all six secondary schools in Greenwich. This program has discovered 20-25% of teenagers "at risk" for heart disease based on elevated cholesterol readings. The program also addresses other risk factors: family history, blood pressure, exercise, smoking, stress, and the like. The Greenwich Health Association knows they have had an impact on students themselves, and perhaps some of their families, in terms of making lifestyle changes to reduce their chances of heart disease in the future.

Teen Heart Throb involves staff and volunteer manpower, including: nurses, program assistants, physicians, laboratory technicians, and teachers. The number varies depending on the size of the school and the number of teenagers being screened and educated.

CONTACT: Peter J. Flierl, (203) 869-0200 (days) or
(203) 637-3417 (evenings)

Starting Date: 1985, Ongoing

Number of People Involved: Between 25-50 Volunteers

Type of Program: Youth Wellness

LOCAL PROGRAM—DONATED PROFESSIONAL SERVICES

Home Builders Association of Panama City-Bay County

Panama City, FL

Since 1988, the Home Builders Association of Panama City-Bay County has organized projects to repair and refurbish homes of economically disadvantaged individuals, building better living conditions, and closer relationships.

The HBA decided to undertake one community service project each quarter. A committee was appointed to evaluate hardship cases brought to the HBA's attention by the State Department of Health and Rehabilitative Services. After examining numerous cases, the committee made their recommendations to the board, which approved the choices.

The HBA organized their first Saturday work day in March 1988. All association members were asked to participate. Local media were contacted and asked to cover the work day. Throughout the week, volunteers prepared the materials needed for the job.

Approximately 15-20 HBA members turned out for the work day to build and refurbish roofs, porches, and decks for homes and centers. The event generated a very positive response from numerous segments of the community who had seen news coverage of the event. As a result, the HBA decided to continue the program.

After the success of the first Saturday Work Day, several other projects were undertaken utilizing the same basic planning procedures.

In 1989, after several more work days directed at helping needy individuals, the committee chairman proposed a project be undertaken for a local school for mentally and physically handicapped children. A 30-foot gazebo was constructed for the children.

At present, the association is in contact once again with the school to construct picnic tables, a deck and planters for the gazebo; also with a needy family for an air conditioning system for their home that sustained major fire damage (this air conditioning system to make for a more comfortable life for one of the children who was severely burned in the fire); and a local organization that shelters abused and/or neglected children, to renovate a building to allow more children to be cared for.

CONTACT: Jerry L. Fulcher, (904) 784-0232

Starting Date: March 1988

Number of People Involved: 15-20 Members

Type of Program: Help for the Working Needy, Handicapped

LOCAL PROGRAM—DONATED PROFESSIONAL SERVICES

Lansing Mechanical Contractors Association, Inc.

Lansing, MI

Project HEAT'S ON stands for "Handicapped & Elderly Assistance: To Serve Our Neighbors." The Lansing Mechanical Contractors Association participated in the program on September 29, 1990 for the second time, providing free heating equipment safety inspections for people in the Lansing, MI, area. Member contractors donated the use of their trucks and tools for the project, and their employees, members of Local 388 of the United Association of Plumbers and Pipefitters, contributed their time and skills. There were a total of 52 homes inspected.

Project HEAT'S ON began in 1988 by the Service and Maintenance Bureau of the Mechanical Contractors Association of America. Through SMB, local chapter associations work cooperatively with local units of the United Association of Plumbers & Pipefitters to check and service the furnaces and heating units of people who are handicapped and/or elderly and who have a low income.

Lansing MCA worked with the Emergency Response Unit of the Ingham County Department of Social Services in Lansing to find people with low incomes who wanted the free safety inspection. They also worked with the Behler-Young Company, a wholesale supplier of heating parts and equipment, who provided replacement filters, belts, and other parts at cost to the association. Smoke detectors were also provided in each home inspected.

CONTACT: Michael H. West, (517) 485-7716

Starting Date: 1989, Annual

Number of People Involved: 67 Volunteers

Type of Program: Elderly & Handicapped Assistance

LOCAL PROGRAM—DONATED PROFESSIONAL SERVICES

Wisconsin Ready Mixed Concrete Association

Hales Corners, WI

The Southeastern Wisconsin members of the Wisconsin Ready Mixed Concrete Association (WRMCA) saw an opportunity to help enrich Southeastern Wisconsin with a varied range of financial aid to Channel 10, the Public Television station in Milwaukee.

Through a joint venture effort with more than 100 area tradesmen, builders and suppliers, WRMCA members helped construct a custom-built "Dream Home" that was donated to the annual Channel 10 auction. The building and sale of the Dream Home was coordinated by the Metropolitan Builders Association of Greater Milwaukee (MBA).

WRMCA members' primary objective was to give something back to the community where they derive their livelihood. Additional objectives were to promote the Ready Mix industry; to create and enhance relationships with members of the MBA; to create awareness of the benefits for builders and homeowners in specifying ready mixed concrete for driveways, patios, and basements; and to increase market share for ready mixed concrete in the patio, driveway, and basement construction markets.

WRMCA members donated 165 cubic yards of quality ready mixed concrete, including concrete for the footings, basement walls, basement and garage slabs, stoops, walkways, patio, and driveway. Members also donated employee time and labor and helped facilitate the donation of labor for the construction of the footings and basement walls and slab. Estimated cost of the WRMCA members' donation was \$9,000.

WRMCA members' efforts helped to raise more than \$85,000 for Channel 10. In the four years that the MBA has donated a Dream Home to the auction, they have raised more than \$250,000 for the station. (WRMCA members have donated to the Dream Home since 1988.)

CONTACT: Barbara Wesener, (414) 529-5077

Starting Date: 1988, Annual

Number of People Involved: Over 100 Volunteers
Through Joint Effort

Type of Program: Fund Raising

LOCAL PROGRAM—FUND RAISING

San Luis Obispo Board of Realtors

San Luis Obispo, CA

Each year, the San Luis Obispo Board of Realtors participates in a different project during the American Home Week in which at least 130 individuals are involved.

In 1990, the Board of Realtors held a St. Patrick's Day Bowl-A-Thon with individuals soliciting pledges for number of pins bowled. Upon completion of three games, the individuals collected the promised money for the project chosen. The proceeds went toward the building of the Children's Museum of San Luis Obispo.

The museum is geared toward youngsters who have unlimited curiosity of how "things" are made. The Board members sponsored the construction of a 1/2 built house and Architect's studio. Children can see the interior of walls including plumbing and have hands on experience with laying floor tiles or drawing plans for a home using a computer.

The \$8,500 raised was the largest single contribution given by any organization or individual.

Another project that the San Luis Obispo Board of Realtors participates in is the Christmas Cantree project which is now in its fifth year. The Board has 277 members and nearly all participate in one way or another. Participation level at its lowest is donating a few dollars and/or canned goods and, at the highest, collecting canned and packaged items in front of grocery stores during the holiday season. Additionally, funds are raised through raffles of prizes at the annual picnic and installation luncheon.

An annual golf tournament is held with proceeds going into the cantree fund (people getting together, having fun and, doing something worthwhile).

The money and the food collected are donated to the local Salvation Army who feed those in need throughout the year in the community. The 1990 goal is \$3,000.

CONTACT: Gail Smith, (805) 541-2282

Starting Date: 1985, Annual

Number of People Involved: Over 250 members

Type of Program: Fund Raising

LOCAL PROGRAM—SCHOOL CROSSING GUARD PROGRAM

The Fresno Life Underwriters Association, Inc.

Fresno, CA

The Guard-A-Kid Fundraiser is an annual public service project of the Fresno Life Underwriters Association, Inc., since 1981.

Over \$125,000 in net proceeds have been donated to the Adult Volunteer School Crossing Guard Program, administered by the Fresno Volunteer Bureau. These funds help to defray the cost of uniforms for the volunteer guards, administration of the program, insurance, and also special recognition of the school crossing guards and their families (Christmas party and summer picnic). This money accounts for one third of the funding for the guard program, with the balance from City and County governments.

The fund raiser is a barbecue beef tri-tip dinner, with a live and silent auction. Money is also raised through a drawing of donated prizes. Law firms, the Fresno Police Department, the Volunteer Bureau Board, and participating schools also donate auction items and cash to support this program. The average monies donated each year is over \$13,000, with the 1990 donation reaching over \$15,600.

Over 100 of our total membership of 450 were involved in the planning of this year's event. A total of over 500 members and guests attended the event, which was held on July 20, 1990 in a country ranch setting.

To our knowledge this local Volunteer School Crossing Guard Program is unique in the nation, and much needed for the protection of our school children in our City of over 350,000 and growing.

CONTACT: Dee Moody, (209) 439-4087

Starting Date: 1981, Annual

Number of People Involved: Over 100 members

Type of Program: Fund Raiser

LOCAL PROGRAM—VOLUNTEER EFFORT

Interfraternity Council
University of Texas
Austin, TX

The Greek system contributes significantly to this campus and this community. In the past year, Greek organizations have performed an estimated 75,000 hours of community service work in Austin. Fraternal organizations on this campus also contributed more than \$70,000 to charitable organizations.

Last Thanksgiving, the IFC and Panhellenic Council organized a dinner for the homeless in which the fraternities and sororities prepared and served over 700 meals to Austin's less fortunate.

At Christmas time, the Greek community donated more than 13,000 items of canned food to Austin's hungry. And in the first Greek Week held during Round-Up, Greek chapters performed 20 different service projects in this community.

CONTACT: Dan A. Medlin, (512) 476-8616

Starting Date: Ongoing

Number of People Involved: 2,700 volunteers

Type of Program: Help for the Homeless, Disadvantaged

STATE PROGRAM—AWARENESS

Arizona Cable Television Association

Phoenix, AZ

Arizona Cable Television Association's (ACTA) "No. 1 Without Drugs & Alcohol" Awareness Program is designed for junior high and high school-aged children. The program, co-sponsored by the Arizona Interscholastic Association (AIA), combines video PSAs featuring local high school graduates who are now student athletes at local universities with correlating posters. In addition, there is a spot that utilizes ACTA's president, and AIA's executive director. The posters, sponsored by ACTA and displayed in every junior high and high school in Arizona, feature graphic anti-drug and anti-alcohol abuse messages. All of the composition, production, etc., of the posters and video spots were done in-house.

The budget for this project is \$5,000 and comes from ACTA funds. All air time is donated. The budget includes the cost of production, posters, mailing, and ads in the AIA program. Production of the video PSAs was done by two Arizona cable companies. Athletes were arranged by the AIA.

Ads that duplicated the posters ran in every high school football program in the state as well as the AIA Football Championship Program. In addition, messages reminding students that ACTA and AIA wanted them to be "No. 1 Without Drugs & Alcohol" ran on high school scoreboards that had marquee capacity.

The third year of this program has been the best. Previous years campaigns have received a citation from the President's Citation Program for Private Sector Initiative and the Governor's Office of Substance Abuse. Local cable operators have received letters of thank you from high school principals. The combination of video messages from their peers and hard-hitting posters help re-enforce an important message, particularly to young people in rural Arizona where substance abuse problems among high school students have increased in the last several years.

CONTACT: Susan Bitter Smith, (602) 257-9338

Starting Date: 1988, Ongoing

Number of People Involved: 6 members who developed program, 90 cable companies participating

Type of Program: Drug Prevention

STATE PROGRAM—AWARENESS

Vermont Retail Association

Essex Jct., VT

In 1988, the Vermont Retail Association used its resources to help the homeless and needy during the winter months. Using the VRA newsletter, they asked for retailers to volunteer to place boxes in their stores for the collection of warm outerwear (parkas, coats, snowsuits, hats, mittens, gloves, scarfs). Twenty-four retailers responded and agencies working with the needy in the towns having collection sites were contacted.

A collection point was matched with an agency. The collection site then contacted the agency when a pick up was needed.

The Vermont Retail Association provided posters and publicity. They also arranged through a local trucking agency for shipment of excess clothing to areas without a collection site. The collection period ran for one month only, ending well before retailers went into their Christmas rush.

The number of coats, etc., collected varied. One store reported collecting over 1,000 items.

CONTACT: Nancy Schlieper, (802) 879-6999

Starting Date: 1988, Occurs during winter months

Number of People Involved: 1 staff, 24 members

Type of Program: Help for the Homeless, Disadvantaged

STATE PROGRAM—CONSUMER INFORMATION

Pacific Water Quality Association

Huntington Beach, CA

The goal of the Public Relations Committee of the Pacific Water Quality Association is to help the consumer get information from an unbiased resource as to water quality in their neighborhood, generic information about water treatment technology, technical information concerning water treatment, and help in locating service, replacement parts, and qualified companies.

In 1986, a consumer hotline was established to help the consumer receive this information. The audience for this 800 number is statewide, but calls are received from all over the west and Hawaii and Alaska on the regular number.

The EPA, health departments, water purveyors, and legislators regularly refer consumers to this hotline.

CONTACT: Carolyn J. Fahnestock, (714) 960-2428

Starting Date: 1986, Ongoing

Number of People Involved: 2

Type of Program: Consumer Information

STATE PROGRAM—DISADVANTAGED YOUTH

Nebraska Farm Bureau Federation

Lincoln, NE

The AgLink program was developed by a Nebraska Farm Bureau member who had observed how urban teenagers responded to life on his farm. Because he was also concerned about Omaha teenagers who encounter drugs, violence, and gangs in their environment, his idea was to bring rural and urban interests together to offer selected youngsters some time out of their regular environment.

He brought together representatives of Nebraska Farm Bureau, the Omaha Public Schools and Douglas County to determine their interest in putting together a program which would allow Omaha teens to spend a few weeks on a Nebraska farm. Farm Bureau was enthusiastic about the program and assumed responsibility for finding farm and ranch host families among its membership. The Omaha Public Schools worked with junior high guidance counselors to identify teens who could benefit from exposure to a different lifestyle and involvement with a strong family. Douglas County provided coordination. Later, the Boys Town organization, headquartered in Omaha, became involved and provided orientation training for both Farm Bureau host families and Omaha youngsters.

The result of these efforts was AgLink, launched June 16, 1990, with 24 Omaha youngsters aged 12 to 15 paired with 24 Farm Bureau member families scattered across Nebraska. The youngsters were to live with the farm and ranch families for three weeks, participating fully in the work of the family, as well as its social and recreational activities.

Youngsters were given time out from their daily pressures and exposed to a different lifestyle, and that there's more available to them than what they see in Omaha day to day. The program was not seeking to make the youngsters farmers.

Some of the teens stayed more than three weeks and many have revisited their Farm Bureau host families. One of the advantages for the host families was the opportunity to get to know someone from a different race well; Nebraska outside of the urban areas is not racially diverse.

The AgLink sponsors learned a great deal from the first year's program and will modify it for the second year. Yet they remain enthusiastic about the program and the long-term impact it can have on participating teenagers.

CONTACT: Cheryl Stubbendieck or Tom Beachell, (402) 421-4400

Starting Date: 1990, 3 Weeks during Summer

Number of People Involved: 24 Members

Type of Program: Youth Awareness

STATE PROGRAM—DISASTER ASSISTANCE

Consulting Engineers Council of Illinois Springfield, IL

The Consulting Engineers Council of Illinois (CECI), a statewide trade association of engineering firms, established a Professional Engineers Disaster Response Volunteer Program with the Illinois Emergency Services Disaster Agency (IESDA). The purpose of this program is to assist the State with engineering expertise in responding to emergencies resulting from disasters, such as an earthquake, tornado, or flood.

Following a disaster, IESDA, working with local emergency service agencies, responds by coordinating rescue, medical, damage assessment, clean-up, and financial assistance programs. Under certain scenarios, the emergency assistance of professional engineers would be needed to protect the public. As an example, professional engineers could be used to determine if a building is safe for occupancy, inspect bridges to determine if they are safe for the motoring public, assist in rescue efforts, inspect dams to protect the public, and assess financial losses necessary for applying for federal emergency aid. In essence, because professional engineers design our built environment, they can be instrumental in serving the public safety when a disaster strikes.

CECI has provided a list of professional engineers to IESDA who have volunteered to be on call to the Agency in the event of a disaster. To date, 91 professional engineers and six other firms have agreed to participate in the program.

In the event of a disaster, IESDA will contact volunteers based upon IESDA's needs. The volunteer, if available, would travel at state expense to the site and report to an IESDA Coordinator. IESDA volunteers are covered under the State's Worker's Compensation program and are also granted certain liability protection.

Luckily, the program has not been utilized to date. Nevertheless, CECI will continue to promote volunteerism from amongst its membership in anticipation of such a fateful event.

CONTACT: David E. Kennedy, (217) 528-7814

Starting Date: 1989, Ongoing

Number of People Involved: 91 Members, 6 Outside Firms

Type of Program: Disaster Response

STATE PROGRAM—DONATED PROFESSIONAL SERVICES

Illinois Optometric Association

Oak Brook, IL

The program offered free eye examinations and low cost glasses to the “working poor” of Illinois during “Save Your Vision Week 1989,” and again in 1990. Approximately 200 Illinois Optometric Association members were recruited by the IOA to participate for one day during a two-day program in March 1989. These doctors saw approximately 1,200 working poor patients who were screened on the basis of income by local agencies such as the Salvation Army, Catholic Charities, the Lyons Club, and local civic organizations. Screenings were based on guidelines provided by the IOA. The program was geared toward the employed not covered by Public Aid, Medicare, or insurance.

Individual OD participants were responsible for recruiting labs to supply glasses to those who were found to need them. Many individual doctors who have in-office labs donated that service as well. There was a \$20 fee for glasses in some areas. The fee covered lab expenses, where applicable. Many labs donated the service and the fee was waived in these cases.

The 1989 program was considered a success. Approximately 1,200 hours of optometric services were donated totaling \$43,200 in professional eye care services. This amount does not include extra time that each doctor donated to coordinate and promote the program, nor does it include the amount of money that the glasses would be worth if purchased by the general public. Approximately two-thirds of all patients receiving free eye exams required glasses.

Several IOA doctors decided to continue the program in their community by accepting pre-screened patients throughout the year. The number of patients seen by these doctors is not known as these doctors are basically doing the program on their own and not reporting to the IOA.

CONTACT: Kathryn A. Frankenberger, (708) 573-8012

Starting Date: 1989, Occurs 2 days annually

Number of People Involved: 200 Volunteer Optometrists

Type of Program: Wellness

STATE PROGRAM—DONATED PROFESSIONAL SERVICES

New Jersey Dental Lab Association

Parsippany, NJ

In cooperation with the New Jersey Foundation of Dentistry for the Handicapped, the New Jersey Dental Lab Association participates in the Donated Dental Services (DDS) Program which aids indigent, handicapped, and elderly people; people who previously considered dental care to be beyond their reach.

Since the program's inception, 1,645 applications have been requested and 801 have been returned requesting care. Approximately 350 have been approved for care; treatment has been completed for 220 patients and there are 120 patients under care. The total value of treatment rendered is over \$204,500 averaging \$900 per case. There are 634 dentists and 60 dental laboratories participating in the program.

These services have been accomplished by raising some \$52,000 in private funds from private companies and foundations.

The goals of the DDS are participation of 1,000 dentists, 100 dental laboratories, treatment for 1,500 patients annually, and delivering \$1 million in care annually.

This program is in the process of being implemented on a national scale and is on-going.

CONTACT: Jeanne O'Donnell, (201) 887-4920

Starting Date: 1987, Ongoing

Number of People Involved: 634 Dentists, 60 Dental Labs

Type of Program: Wellness

STATE PROGRAM—EDUCATION

The Kentucky League of Cities

Lexington, KY

In 1985, the Kentucky League of Cities Board of Directors established a scholarship program for deserving students pursuing a masters in public administration at the University of Kentucky's Martin School of Public Administration.

The annual appropriation of \$3,000 provides two, full-time scholarships to deserving students pursuing their masters program. The League selects one city official to sit on a selection committee, with two other representatives from the University, to make a determination as to the award winners. To date, recipients have graduated and pursued careers in public health, education, and other areas of public administration. Last year, the scholarship recipients were two League employees who were enrolled at the Martin School on a part-time basis. One League staff member is the Manager of Information Service and the other is the Assistant Director of Intergovernmental Services, responsible for the administration of applications through a \$170 million pool bond program.

The League's Board of Directors went on record in establishing the scholarship program by expressing strong interest in the future of public administration and the proper, professional management and planning for Kentucky's cities. While it is but a small representation of the funds necessary to support students interested in public service, it does demonstrate the commitment that current city officials have for assisting the leadership of the future.

CONTACT: Executive Director, (606) 277-2886

Starting Date: 1985, Ongoing

Number of People Involved: Committee of 3

Type of Program: Public Administration Scholarships

STATE PROGRAM—EDUCATION

Michigan Technology Council

Ann Arbor, MI

The Michigan Science and Technology Quest project of the Michigan Technology Council (MTC) was started in the Fall of 1987. The program is available for junior high school and high school age youth and is a private, not-for-profit educational program. The program is statewide—with planned participation of all of MTC's regional chapters: Ann Arbor, Detroit, Grand Rapids, Lansing, and Traverse City.

Michigan Science and Technology Quest has three objectives: 1) to motivate students to learn by showing them their future personal potential if they will stay in school and learn; 2) to give teachers the tools to motivate their students by using the 600 MTC member companies as a resource for experience with technologies used in the real world of business and industry; and 3) to improve the overall work-readiness of students entering the work force by making exposure to the real-world application of math, science, technology, and communication skills part of the teaching process.

Young people attend MTC technology briefing events, and are exposed to current and topical developments in science and technology. They participate in lively discussions and dialogue with current science and technology professionals, entrepreneurs, and managers.

Opportunities for internships and mentorships are made available for outstanding students. Continuing reinforcement of initial program opportunities is maintained through MTC student membership and by subscriptions to MTC's monthly newsletter, the *MTC Update*.

Seminars for parents reinforce the need for family support of math and science programs as stepping stones to future career choices. A special effort is made to include all minorities, women, and handicapped young people in this program.

Each program is run by a regional MTC action committee composed of leaders from local private industry, education, and government. Regional Science and Technology Quest committees enter into formal relationships with specific schools and other organizations, forming Science and Technology Quest clubs for the purpose of carrying on Quest activities.

CONTACT: William Cassell, MTC, (313) 763-9757 or
Albert Ward, Office of the Governor, (313) 256-1003

Starting Date: 1987, Ongoing

Number of People Involved: 65 member companies

Type of Program: Youth Education

STATE PROGRAM—FITNESS

Virginia Recreation and Park Society

Mechanicsville, VA

From concept to reality, Golden Olympics was nearly two years in the making. The concept was presented at a meeting of the Senior Citizen's Committee of the Virginia Recreation and Park Society in 1977. This group, now known as the Senior Citizen's Section of VRPS, is made up of professionals who work in leisure service programming for the elderly.

In May 1979, the first Golden Olympics began at the University of Richmond with 258 participants. Three-day events ranged from the non-physical (checkers, bridge, etc.) to the very physical (track and field, swimming, tennis, etc.). Fellowship and socialization were also considered a high priority, therefore, the first Golden Olympics and all since have included activities such as a talent show, wine and cheese reception, square dance, and a "big band" dance.

Media coverage on the local, state, and national level has been given to Golden Olympics since the first event was held. The publicity from this coverage has made the Golden Olympics a pioneer in senior adult olympic programs. Numerous requests have come from all over the nation concerning how to start a similar event.

The biggest change took place in 1985 when the committee was asked by Lynchburg's Bicentennial Commission to move Golden Olympics to Lynchburg for the 1986 games as part of its bicentennial celebration.

In June 1987, 67 senior athletes represented Virginia's Golden Olympics at the first U.S. National Senior Olympics in St. Louis, MO.

Due to the great response by participants, it was decided in 1987 that the Golden Olympics would continue to move around the state to provide greater access to the event. In 1988, Norfolk was the host site for the Golden Olympics with 777 people registered for the event. In addition, medal winners were once again qualified to compete in the U.S. National Senior Olympics to be held in June 1989.

CONTACT: James C. Stutts, (804) 730-9447

Starting Date: May 1979, Annual

Number of People Involved: Over 200 Volunteers

Type of Program: Fitness

STATE PROGRAM—FUND RAISING

Associated Builders and Contractors, Inc. Manheim, PA

The Building Wishes Run was started three years ago as a way for the Associated Builders and Contractors members to give something back to the community in which they live and work. The goal was to raise at least \$20,000 to be donated to the Make-A-Wish Foundation to be used to fulfill the wishes of children between the ages of 2-1/2 and 18 who are suffering from a life threatening illness, and to include their families in every aspect of the wish.

A Building Wishes Committee was established, which consisted of volunteers from member firms, which met monthly to discuss how to make the program better, generate company participation by donations of money or time, and to organize details for the race. A runner's application was developed and distributed to previous runners, fitness clubs, health spas, other races (in the area and out of state), and at sporting good stores. With the local TV station being a major sponsor, ideas were discussed on producing the Public Service Announcements using a Make-A-Wish child for the commercials.

Over 100 volunteers gave freely of their time by helping with set up, registration for the runners, directing the runners on the course, working at the food stand, handing balloons out to the children, calculating runners' times, and participating in the Awards Ceremony.

To get the ABC members more involved with the Building Wishes Run, an ABC Team Contest was added.

Another new event in 1989 was the wheel chair competition. The wheel chair participants were given a five minute head start from the runners so that the runners would not be in the way.

The Third Annual Building Wishes Run raised over \$21,000 to be contributed to the Make-A-Wish Foundation, which is their single largest contribution. The last three years over \$50,000 has been turned over the the Foundation and over 20 special children have been able to have their wishes granted.

CONTACT: Richard M. Honabach, (717) 653-8106

Starting Date: 1987, Annual

Number of People Involved: Over 100 Volunteers

Type of Program: Fund Raising

STATE PROGRAM—FUND RAISING

The Professional Insurance Agents Association of Virginia and the District of Columbia, Inc. Richmond, VA

The Professional Insurance Agents Association of Virginia and the District of Columbia, Inc. selected Special Olympics as their charity in 1983 and started having golf tournaments that year to raise money for them. Golfers pay a fee which includes their greens, cart, lunch, dinner, reception, and prizes, with the amount left over going to Special Olympics. In addition, insurance companies and agencies act as sponsors of the event. This year, the tournament is changing slightly and PIA is asking for sponsors of each hole as well as sponsors of the putting contest, lunch, etc. Hopefully, this will get more participation and, so far, it seems to be working well. Approximately, 100 golfers participate each year.

In 1987, PIA began having bowling tournaments to raise even more money for Special Olympics. The tournaments are held in four or five locations in Virginia and the District of Columbia and the number of bowlers range from 10 to 110. Bowlers get sponsors of 3 cents per pin, collect the money, and send it to PIA within a month of their tournament. PIA then has drawings for those who get 10, 20, and 30 sponsors.

Since these tournaments have begun, PIA has raised \$91,000 for Special Olympics. The amount collected is divided between Virginia Special Olympics and the District of Columbia Special Olympics according to the percentage of members PIA has in each jurisdiction. The funds are presented annually during PIA's convention to someone from Special Olympics.

CONTACT: Elsie Reamy, (804) 264-2582

Starting Date: 1983, Annual

Number of People Involved: Over 25 Volunteers

Type of Program: Fund Raising

STATE PROGRAM—FUND RAISING

Texas Association of Realtors

Austin, TX

The Texas Association of Realtors (TAR) has adopted fund raising to support the restoration of the Capital of Texas as a three-year statewide service project. The 71st Texas Legislature appropriated funds to support building an office extension and conducting structural work on the century-old building; however, private donations will be necessary to restore the late nineteenth century Victorian interiors and historical grounds. Because the restoration of buildings and revitalization of neighborhoods are both Realtor projects of long standing, the association adopted Operation Restoration as the first statewide project in its history.

TAR's Board of Directors voted in 1989 to allow Boards to put a statement on their 1990-1992 dues billing requesting an optional \$2 donation from individuals to go toward the fund. So far about one-third of the 118 local boards have put the statement on their dues and the results have been quite successful. Local boards also conduct various projects and accept individual donations at conventions and meetings.

The three-year plan includes a new activity each year in addition to the optional dues donation. During the first year, Operation Restoration buttons were introduced to raise moderate funds. Even more important, the buttons got the word out among the Realtors about the project. The second year project will be a junior high essay contest. Students will write about what the Capital means to them. TRA hopes to make families aware of the deteriorating condition of the Capital as well as show that Realtors care about their communities and young people. The Realtors' Community Service Committee (RCSC) is still formulating plans for the third year.

TRA has raised well over \$10,000, and with new Boards adding the optional statement to their dues billing for 1991, they hope to triple that by the end of next year. The funds to be presented at the end of the three-year period will help assure that the Texas Capital will remain a cherished cultural legacy and become an outstanding national example of historic preservation.

CONTACT: Gretchen Raiff and Panchita Garrett, TRA, (512) 480-8200 or
Daphne Hamilton, RCSC, (915) 592-8100

Starting Date: 1990, Three-year project

Number of People Involved: Approximately 40 Boards

Type of Program: Restoration Fund Raising

STATE PROGRAM—MEDICAL ASSISTANCE

Tennessee Medical Association

Nashville, TN

The TMA Tennessee Medicare Access Program (TMA-TMAP) is a voluntary Medicare assignment program designed to help increase the availability and affordability of medical care from medical doctors for approximately 65,000 senior citizens in the state who forego proper medical attention due to rising costs.

TMA-TMAP is for those senior citizens age 65 and over, who do not qualify for Medicaid or the Qualified Medicare Beneficiary Program but have yearly cash incomes less than \$9,000 for individuals, \$12,000 for couples. Most programs consider assets in regard to payment potential, but TMA-TMAP only looks at a patient's disposable income available to pay bills.

Senior citizens can fill out an application at any of 138 senior citizen centers or nutrition sites affiliated with the Tennessee Commission on Aging. At the registration sites, qualified applicants receive their TMA-TMAP Patient Care, written guidelines as well as verbal instructions fully explaining TMA-TMAP and its benefits, and have access to a list of all physicians in their area as well as statewide treating TMAP patients.

TMA-TMAP is free to qualifying Tennessee citizens. Physician participation is strictly voluntary and not restricted to TMA members.

Sponsors of the TMA-TMAP include the Tennessee Medical Association, the Tennessee Commission on Aging, and the State of Tennessee through the Department of Health and Environment.

To date, TMA-TMAP has enlisted 1,300 physicians to serve TMAP patients in all areas of medicine with the greatest emphasis on general/family practice, general surgery, internal medicine, and ophthalmology. TMA-TMAP has prepared centers in all of Tennessee's 95 counties as official registration sites and completed the training process for centers in April 1990.

CONTACT: Russ Miller, (615) 327-1451,
FAX: (615) 329-0004

Starting Date: 1989, Ongoing

Number of People Involved: 1,300 Physicians

Type of Program: Wellness

STATE PROGRAM—VOLUNTEER EFFORT

The Georgia State Association of Life Underwriters Dunwoody, GA

The National Association of Life Underwriters' (NALU) Million Hour Pledge campaign was designed by the Public Service Committee to express the unique contribution life underwriters make to their communities. This unprecedented pledge of one million hours of public service called for each local association member to commit to one day (8 hours) of volunteer service.

The response was overwhelming, with the final tally nationally exceeding the original goal by 60 percent and with most local associations surpassing their pledge two and three times over. The final total was 1.6 million hours of public service.

The 35 local associations in the state of Georgia pledged 39,480 hours of service and made 277 percent of their goal. Projects in which members participated were: The Georgia Society to Prevent Blindness—Vision Van screeners; The Brain Tumor Foundation—golf tourney; The Sunshine Foundation for critically ill children—golf tourney; Soup kitchens; Big Brothers & Big Sisters; Nursing home holiday parties; March of Dimes Walkathon, Atlanta Hunger Walk; Lions Club Eye Bank; Salvation Army bell ringers; Empty Stocking Fund; Special Olympics; Dreams Come True; and the Eagle Ranch boys' home.

The pledge lasted one year. Over 3,000 Georgia life insurance agents of their 4,800 members participated in at least one activity.

The golf tourneys raised large amounts of money. The rest of the projects involved long hours of hands-on community service.

CONTACT: Nancy Buchanan, (404) 455-4459

Starting Date: 1989

Number of People Involved: 35 Chapters

Type of Program: Community Involvement

STATE PROGRAM—YOUTH FITNESS EDUCATION

Illinois Park & Recreation Association

Palatine, IL

The Illinois Park & Recreation Association and several other organizations sponsor the Run to Fitness program. Run to Fitness is a running and fitness program designed for children 7-14 years old. The program encourages children to participate in a six week fitness training session and then enter a number of events to test their fitness levels.

The objectives of the program are to encourage children to develop good fitness and health habits; to provide children with a fun and positive experience in improving their fitness levels; and enable them to enter and complete any of the Run to Fitness events.

IPRA coordinates the True Value Fitness Fun Day which is a Run to Fitness event. This event brings over 3,000 children to participate in nine fitness exercises and games. This program will run throughout the summer.

CONTACT: Kay Forest, (708) 991-2820

Starting Date: 1990, Annual

Number of People Involved: 1 Staff, Committee of 15,
150 Volunteers

Type of Program: Fitness Education

NATIONAL PROGRAM—COMMUNITY PROGRAMS

The American Legion

Washington, DC

Each year more than 200 American Legion community service projects costing more than \$5 million touch the lives of millions of Americans. Special emphasis is placed on safety campaigns, the elimination of fire hazards, establishment of playgrounds, and the building of living memorials. Only a few are listed here.

Blood Donations—As members on the board of directors of the American Blood Commission, the Legion encourages posts to establish blood donor programs, especially during the holidays when accident rates are high and hospital blood stocks are low. Thirty of the 58 departments now have active blood donor programs. Legionnaires donated more than 2.5 million units of blood in post drives between 1985 and 1989, making The American Legion the largest identifiable blood donor group in America.

Oratorical Contest—Each year, thousands of high school students across the country address a vast audience of the American public, informing them about the substance and meaning of the U.S. Constitution. Hundreds win scholarship prizes at the post, district, and department (state) level. Department winners who compete in 12 regional contests receive \$1,000 to pursue their education beyond high school. At sectional semifinals, the eight non-finalists receive an additional \$3,000 each. The four finalists compete for scholarships of \$12,000, \$14,000, \$16,000, and a top prize of \$18,000 from the American Legion Life Insurance Trust Fund. In addition to this \$138,000 distributed at the national level, local American Legion posts gave more than \$1.5 million in other scholarships in the 1988-89 reporting year.

Educational Assistance—Every year the Legion publishes "Need-A-Lift," called by educators the most comprehensive and up-to-date handbook available on loan, scholarship, and career opportunities for high school students. The booklet is mailed free of charge by the National Headquarters directly to the guidance offices of more than 23,000 public and private high schools in the United States. Sample copies are distributed through Legion departments to local posts, which are urged to order more for libraries and youth-service organizations. 120,000 copies of the 39th edition (1990) are now available. Single copies can be ordered for \$2 each from The American Legion, National Emblem Sales, PO Box 1050, Indianapolis, IN 46206.

CONTACT: John Hanson, (202) 861-2790

Starting Date: Ongoing

Number of People Involved: Thousands of Volunteers

Type of Program: Community Programs

NATIONAL PROGRAM—COMMUNITY PROGRAM FOR ELDERLY, DISABLED, ILL

Delta Society

Renton, WA

As the leading international information clearinghouse and action center for human-animal interactions and animal-assisted therapy, the Delta Society responds to over 1,000 requests per month for information and assistance in developing people-animal programs to serve the needs of people that are ill, disabled, elderly, or institutionalized.

Volunteers of the San Diego Chapter of the Delta Society have participated in the Chapter's pet visitation program for over three years. Volunteers visit 15 different facilities including hospitals, nursing homes, and schools on a regular basis. The Chapter has provided a monthly vaccination clinic for low-income and elderly people for more than a year and features public education programs about the human-animal bond and animal-assisted therapy. More than 20 people volunteer their time and energy in these on-going programs. Expansion of all programs occurs as more volunteers are trained.

A volunteer coordinator for the Delta Dog program of the California Desert Chapter of the Delta Society trains volunteers and their dogs to provide visits to stroke centers, psychiatric hospitals, and rehabilitation programs. Over 10 volunteers have participated in this project which was started in May 1988. The project is being expanded to include animal-assisted therapy to selected patients. In this project, volunteers will be a member of the patient's treatment team to develop treatment goals. The Chapter also sponsors a pet loss support group for bereaved pet owners. Several therapists volunteer their time in an on-going basis to provide monthly group sessions.

Over 25 facilities receive visits from the human and animal volunteers of the San Antonio Chapter of the Delta Society. This two-year-old program is supported by the contribution of time and energy by more than 20 people. The program's coordinator says that there are more requests than they can fill. As many as 40 volunteers work in the program throughout the year. In addition, the Chapter facilitates a pet loss task force to educate the public and health professionals about the needs of bereaved pet owners.

CONTACT: Maureen A. MacNamara, (206) 226-7357,
FAX: (206) 235-1076

Starting Date: 1988, Ongoing

Number of People Involved: 50

Type of Program: Animal-Assisted Therapy

NATIONAL PROGRAM—DONATED PROFESSIONAL SERVICES

Alpha Omega International Dental Fraternity

New York, NY

Alpha Omega, in conjunction with the Jewish Family Services and the Council of Jewish Federations, has undertaken the responsibility for the dental care for thousands of Jewish refugees from the Soviet Union. Project D.A.R.E. (Dental Aid for Russian Emigres) has been instituted in all of the major cities in North America where there has been a large influx of Soviet immigrants. Members of Alpha Omega have volunteered to provide dental services to the emigres deemed to be "in need" at a reduced fee or at no cost. Presently, 22 chapters participate in Project D.A.R.E. with more chapters expected to adopt the program.

In conjunction with Project D.A.R.E., the students at Gamma Chapter (Tufts University) have spearheaded the D.E.S.K. Program (Dental Evaluation for Soviet Kids) which is a prototype program aimed at giving the children of Eastern Europe who have recently emigrated to America, the best dental care available at the absolute lowest cost.

Volunteers from Tufts and Alpha Omegans from Boston University performed tasks such as recording height and weight, organizing paperwork, oral hygiene instruction, and the dental exams themselves.

Immediate provisions were made for any child that was in pain and, within three weeks, appointments had been made for all of the children in need of immediate dental care at the Tufts University Pediatric Dental Clinic.

Not only have provisions been made for every child that was sent to the clinic, but a special program has been established for those children that are not eligible for any federal benefits. For these especially needy children, the Tufts Pediatric Clinic will treat them for \$10 per visit regardless of the amount of dentistry that they need.

More than 10,000 Soviet immigrants have been treated in some manner through these two programs.

CONTACT: Sheila Guston, (212) 683-4155,
FAX: (212) 683-0027

Starting Date: 1990, Ongoing

Number of People Involved: 22 Chapters

Type of Program: Wellness

NATIONAL PROGRAM—DONATED PROFESSIONAL SERVICES

American Society of Interior Designers

New York, NY

Shelter Resource Partners is a community service project founded by the American Society of Interior Designers (ASID) and Best Western International to benefit transitional homeless shelters throughout North America. ASID and Best Western work together to improve transitional homeless shelters for the economically disadvantaged, chronically disabled or those suffering severe personal crises, such as battered women and runaways, through the contribution of professional interior design services, furniture, fixtures, and equipment.

The Shelter Resource Partners project is designed to benefit tax-exempt, non-profit 501(c)3 shelters, as defined by the Internal Revenue Code. The National Alliance to End Homelessness, a non-profit membership organization dedicated to addressing the long-term problems of the homeless, identifies those shelters eligible to participate in the Shelter Resource Partners project.

As founding partners in this project, ASID and Best Western encourage other organizations to become involved. Individuals or organizations that provide goods or services to supplement or complement those contributed by Best Western and ASID are designated as "cooperating partners." Goodwill Industries of America, Inc. and SHR Design Communications of Scottsdale, AZ, were the first two organizations to be identified as cooperating partners.

Goodwill Industries of America, Inc. participates on a project-by-project basis, where opportunities exist for a local Goodwill to provide assistance with donations. In the event of Goodwill participation, Best Western hotels are encouraged to consider making additional materials available for contribution to the participating Goodwill.

Founding partners and cooperating partners may also individually contribute to homeless projects outside the scope of the Shelter Resource Partners project.

CONTACT: Jeff Bergman, (212) 944-9220

Starting Date: 1989, Ongoing

Number of People Involved: Over 100 Volunteers

Type of Program: Help for the Homeless, Disadvantaged

NATIONAL PROGRAM—EDUCATION

American Consulting Engineers Council

Washington, DC

SEE, or Students Engaged in Engineering, is an academic outreach program sponsored by the American Consulting Engineers Council. The program is designed to introduce middle school students to engineering through hands-on demonstrations, case histories, field trips, and other creative teaching techniques. Engineers visit students in a particular school at least once a month and work with them on a one-on-one basis. Those who participate in SEE activities experience personal rewards from serving their community, working one-on-one with students and helping the future of the profession by attracting our youth.

The objectives of the SEE program are two-fold: 1) to reverse the frightening trends that will result in a tremendous shortage of engineers; and 2) to enhance the image of the engineering profession.

ACEC expanded the program to the national level in October 1989. The first year (1989-90) of its existence, the SEE program had a budget of \$20,000. The second year (1990-91), it was funded by a dues assessment of \$1 per index number, which translates to \$23,500.

Currently, the primary objective is to encourage ACEC's 51 member organizations to adopt, operate, and fund programs in their local areas. So far, 10 member organizations have done so. Ten more are targeted for special promotional efforts this year. Once the SEE program is up and running at the state level, ACEC will act as a clearinghouse of information, advice, activity exchange, etc.

CONTACT: Sally Keene, (202) 347-7474,
FAX: (202) 898-0068

Starting Date: 1989, Ongoing

Number of People Involved: 10 Member
Organizations

Type of Program: Youth Education

NATIONAL PROGRAM— FUND RAISING AND SUPPORT FOR THE SEVERELY HANDICAPPED

Pi Kappa Phi Fraternity
Charlotte, NC

The members of Pi Kappa Phi support PUSH—People Understanding the Severely Handicapped. PUSH provides service and educational programs to create a greater understanding of people who have disabilities. Since 1978, more than 130 chapters across the country have raised more than 1.3 million dollars for PUSH—more than any other national fraternity has ever raised for a single charitable organization. Along with their fund-raising efforts, chapters gave thousands of hours to organizations and facilities serving people with disabilities in their areas. PUSH, in turn, offers a chance for fraternity volunteers to develop leadership through service.

One of its greatest resources, the “Give-a-PUSH Weekends” have become the big excitement in fraternity service. The first was held in October 1989 at Holy Angels, a residential facility outside of Charlotte, NC with more than 80 fraternity members from as far off as New Jersey and Florida drove in for a weekend of intense work and brotherhood.

In two days, the men were able to build a picnic shelter, refurbish outdated playground equipment, install new swings, landscape, and assemble an adaptive outdoor playground unit. At many times, they worked hand-in-hand with the children who would later enjoy the playground, funded in part by a \$20,000 PUSH grant. Local hotels and restaurants sponsored the event.

A new PUSH program gave collegiates the chance to put their love into action. The program, “Kids on the Block,” involved two collegiates giving up a semester of classes to travel with an innovative puppet show featuring disabled and non-disabled puppets. In 15 weeks, the interns traveled to seven states and 106 third-grade classrooms, helping 8,000 students better understand the challenges of life with a disability. There are several hundred “Kids on the Block” troupes across the nation, but the PUSH team is the first non-professional team to travel.

Through service, Pi Kappa Phi is offering the blueprint for the fraternities of the Nineties.

CONTACT: Ken Kaiser, (704) 522-7874

Starting Date: 1978, Ongoing

Number of People Involved: Over 130 Chapters

Type of Program: Fund Raising and Support for the Severely Handicapped

LOCAL PROGRAM—DONATED PROFESSIONAL SERVICES

Home Builders Association of Greater Columbia Columbia, SC

The Brown House is an abandoned 3,500 square foot home located on the grounds of Richland Memorial Hospital. The hospital will renovate the home for two primary purposes: (1) to house cancer patients and their families who are undergoing cancer treatment at any of the Columbia area hospitals, and (2) to hold educational programs for community cancer patients and community members at large.

The facility will be named "The Caring House" and will be a community project making it available to families from all community hospitals. The house is intended to be managed by a live-in resident manager. The structure is over 100 years old and the required renovations have been estimated at over \$350,000. The Brown House project is targeted to be complete in the spring of 1991.

The Home Builders Association of Greater Columbia, along with its Remodelers Council, has pledged to manage the renovation and solicit donations of funds, building materials, and labor. The Center for Cancer Treatment and Research at Richland Memorial Hospital has approved support of the project and will underwrite any costs incurred beyond donations from the Home Builders Association and We Care, Inc.

An advisory board consisting of members from community hospitals; the Home Builders Association; We Care, Inc., and the Center for Cancer Treatment and Research will oversee the renovation.

CONTACT: Earl E. McLeod, (803) 256-6238

Starting Date: 1990, One-time project

Number of People Involved:

Type of Program: Wellness

LOCAL PROGRAM—ENVIRONMENTAL AWARENESS

Brunswick-Glynn County Board of Realtors

Brunswick, GA

The benefits of recycling to the environment are generally known and accepted. Most Glynn County residents are unaware, however, of the problems facing the community in the near future. A system for recycling household waste is currently in place, operated by the Easter Seals Speech & Hearing Center. Most residents are unaware of this system or how to recycle at home.

The Brunswick-Glynn County Board of Realtors chose to aid the Easter Seals recycling project and the efforts of the city and county governments to promote recycling at home by sponsoring two activities within the school system: a newspaper drive and competition for elementary schools, and a sixth grade science project on recycling.

The purpose of the project was three-fold: (1) to raise funds to print a brochure on "How to Recycle at Home" to be included in local "Welcome Packages" for distribution to area residents; (2) to increase the awareness of the need to recycle at home; and (3) to create a reason for a large number of households to begin recycling at home.

April 1990 was targeted as the month to implement the project to coincide with the third anniversary of the recycling project, the 20th anniversary of Earth Day, and the beginning of American Home Week.

Over 31 tons of newspaper were collected in five days which generated enough revenue to print the brochures. Eight elementary schools participated in the newspaper drive involving over 5,200 students and their families. The sixth grade science project involved three middle schools and 800 students and their families. Many of the Realtors who committed to recycle during American Home Week have continued to do so.

Easter Seals asked the Board to sponsor the newspaper drive again next year. A commitment was made by the sixth grade teachers to continue the science project next year and the executive director for Glynn Clean & Beautiful agreed to spend time next year in the schools during the week of the recycling project and instruct each class involved.

CONTACT:

Starting Date: April 1990, Annual

Number of People Involved:

Type of Program: Environmental Awareness

LOCAL PROGRAM—FINANCIAL HOUSING ASSISTANCE

Traverse City Board of Realtors

Traverse City, MI

In 1988, the Traverse City Board of Realtors addressed the issue of families in various states of housing crises, due to low wages and a shortage of affordable rental housing and home ownership opportunities, with the formation of the Homestart! project.

Initially, Homestart! was funded entirely by donations and fund-raising activities within the Realtor membership. During the first year, \$5,000 was raised through these activities, and two families were assisted in finding housing. Families were referred to TCBR by the staff at the local Emergency Lodge. The criteria was that the prospect would be an employed family unit with the desire and motivation to achieve self-sufficiency. Homestart! then loaned the applicant the necessary deposit monies on an interest-free basis and structured a repayment program which met budget constraints.

During 1990, the Homestart! Committee refined the program, which now consists of the following components: 1) referral and screening; 2) housing availability; 3) Homestart! interview; and 4) follow-up support.

The objectives of the Homestart! program are: 1) to solve an immediate housing crisis for a family in need by providing funds and, if necessary, assistance in housing placement; 2) to assist an applicant in understanding budgeting and financial responsibility; and 3) to provide long term assistance and support (usually up to one year), enabling the applicant to avoid future housing crises.

CONTACT: Judith Lindenau, (616) 947-2050

Starting Date: 1988, Ongoing

Number of People Involved:

Type of Program: Financial Assistance

LOCAL PROGRAM—HOME BUYERS EDUCATION

Western Wayne Oakland County Association of Realtors

Farmington, MI

In an effort to provide a free service to the general public, while enhancing the image of Realtors, the Western Wayne Oakland County Association of Realtors sponsored a "Homebuyers Seminar" in May 1986, in conjunction with American Home Week. The Homebuyers' Seminar is a strictly generic, non-selling program.

The program includes a welcome by the current president, who serves as the moderator, followed by short (15-25 minute) presentations by a Realtor, a Lender, and an Attorney. Committee members then answer written questions from the audience. The moderator reads the questions and directs them to the appropriate speaker. The question and answer period is very popular.

Participants also receive a copy of the "Home Guide," a magazine produced by the National Association, which contains an abundance of information for the potential homebuyer. Other handouts include one outline sheet from each speaker, an equal housing pamphlet, a lending program pamphlet, a pad of paper and a pencil.

Promotion efforts include flyers sent to all members encouraging them to pass on the information to prospects or to people in their "farm areas"; press releases sent to all area print and broadcast media, and Public Service Announcements to all of the Detroit metropolitan area radio stations; and an article published in the local newspaper.

The Public Relations Committee, which coordinates the event, has recently begun holding an annual month-long Canned Food Drive in cooperation with the Salvation Army. As a kick-off to the Food Drive, each Homebuyers' Seminar attendee was asked to bring a canned food donation in lieu of any charge for the seminar. The result was over 400 cans of food collected for those in need, well-informed and knowledgeable future homebuyers, and a positive image of Realtors passed on to the general public.

CONTACT: Chris Sheldon, (313) 478-1700,
FAX: (313) 478-2849

Starting Date: May 1986, Annual

Number of People Involved:

Type of Program: Home Buyers Education

LOCAL PROGRAM—HOMELESS

Fredericksburg Area Builders Association

Fredericksburg, VA

The Fredericksburg Area Builders Association, in cooperation with The Board of Realtors and the Chamber of Commerce, planned and produced a fundraising auction and picnic for the purpose of helping the working homeless. The project was entitled "Lend-A-Hand" and the proceeds were given to the Virginia Housing Coalition for disbursement.

The funds were used as a starting point for those that could not come up with enough money for a security deposit for rent, or in some cases, a down payment on a house. The money was loaned, interest free, to get them into some type of housing, and administered by the Coalition.

The auction was produced by asking builders and suppliers to donate excess, or discontinued items, left in storage. These items were collected, centrally located, and sold at a community-held auction. The proceeds gathered \$4,000.

The picnic was a community event. Tickets were sold to raise money and businesses were asked to sponsor certain items, i.e., band, tend, food, etc. The picnic was a complete sellout and raised over \$11,000 for the Lend-A-Hand project.

The picnic seems to have become an annual event and other local housing charities have been added to receive the proceeds. This year, five organizations divided over \$9,000 to help them in their work in providing shelter for the needy.

CONTACT: Gary W. Parker, (703) 898-2730

Starting Date: Annual

Number of People Involved:

Type of Program: Help for the Working Homeless

LOCAL PROGRAM—HOMELESS

Third District Minnesota Nurses Association

Minneapolis, MN

The Nurses' Clinic at the Minneapolis Salvation Army Harbor Light Shelter was started in February 1986 by the Third District Minnesota Nurses Association. The Nurses' Clinic provided health care to persons who were homeless and staying at the shelter. The labor was provided by volunteer nurses and the supplies were donated. Third District Nurses provided the management via a task force that was responsible for the clinic.

In 1989, the Task Force on Health Care for the Homeless was instrumental in obtaining a McKinney Grant that funded public health nurses in all Minneapolis shelters. Once that system was firmly established, the Nurses' Clinic ceased operating.

The Task Force on Health Care for the Homeless now serves as a health care advisory board to the Salvation Army Harbor Light Shelter which is presently moving to a larger facility where they will be providing expanded services.

CONTACT: Ellen M. McVay, (612) 874-6480

Starting Date: February 1986, One-time Project

Number of People Involved:

Type of Program: Wellness for the Homeless

LOCAL PROGRAM—MULTIPLE COMMUNITY SERVICE PROGRAMS

Greenville Association of Realtors, Inc.

Greenville, SC

The Greenville Association of Realtors, Inc. is actively involved in a wide variety of community service programs. Only a few are listed here.

The Red Ribbon Campaign is a drug public awareness program. In 1990, approximately 100 volunteer hours were spent providing 150 large red ribbons for members to put on their office doors, 500 medium red ribbons for members to put on their real estate yard signs and their mailboxes, and 1,100 lapel ribbons for members to wear and/or give to their customers.

The Board also provided 612 "Sing NO to Drugs" kits to Greenville schools. This was one kit consisting of a cassette tape and song book for each kindergarten, first, and second grade class to use to promote National Red Ribbon Week, October 20-28. The association arranged for one school to sing at the Greenville Red Ribbon Kickoff ceremony on October 19 and another sang the songs for about 200 Realtors and U.S. Senator Fritz Hollings on October 25.

This part of the Greenville Association of Realtors' Red Ribbon program is reaching more than 20,000 children or approximately 80,000 people including their families.

For the fifth year, the association adopted the residents of Carolina Retirement Center (a Medicaid facility near the office) at Christmas. A party was held for them, complete with Santa Claus and entertainment. The residents were asked to prepare a "wish list" of two to three items that they needed or would like to have. The member companies adopted one or more residents and each resident had at least two brightly wrapped gifts under the tree.

The association purchased 5,000 pencils with the Realtor and Fire Department logos on them and the statement "I've Been Through the Greenville Fire Safety House" for firemen to give to children who participate in the fire safety training given through the Fire Safety House Program. This is also a continuing program with the Fire Safety House, the robot, "Hydro," and Puppet Show being funded by the association over the past four years.

CONTACT: Doris G. Bramlett, (803) 232-1810 or
(803) 232-1819

Starting Date: Ongoing

Number of People Involved:

Type of Program: Multiple Community Service
Programs

LOCAL PROGRAM—MULTIPLE COMMUNITY SERVICE PROGRAMS

San Jose Real Estate Board

San Jose, CA

Since its founding in 1896, the San Jose Real Estate Board has been very actively involved in promoting and supporting the health of the Santa Clara Valley through a wide variety of community service activities. Through the years, SJREB members have raised funds for many community needs, rehabilitated properties, sponsored educational programs, provided opportunities for minority homebuyers, and raised more food for hungry people in Santa Clara County than any other single organization.

Realtors Helping Their Community (RHTC) is a newly established fund comprising a portion of Realtors' commissions from closed escrows. Funds are directed to urgent needs in the community, currently the problem of homelessness. The Emergency Housing Consortium is receiving a portion of the fund's principal and interest to support their shelters and rehabilitation programs for the homeless in Santa Clara County.

The Santa Clara County Spelling Bee is sponsored by the Board each year to support and promote good education. Winners go to the State Spelling Bee (which is sponsored by the California Association of Realtors) and winners of the State competition go on to the National competition in Washington, DC (which is sponsored by the National Association of Realtors).

American Home Week is a week of community service activities, including rehabilitation of senior citizens' homes, group homes for children, and other residences in need of major rehabilitation. For American Home Week in 1990, members of the SJREB built a playground on Emergency Housing Consortium property for children of homeless families, and co-sponsored a fund-raising event for battered women and children.

CONTACT: Diane Brazil, (408) 998-7300,
FAX: (408) 920-0355

Starting Date: Ongoing

Number of People Involved:

Type of Program: Multiple Community
Service Programs

LOCAL PROGRAM—WELLNESS

Greater Cleveland Hospital Association

Cleveland, OH

The nation's first voluntary program to measure and compare the quality of patient care is a collaborative effort of the Greater Cleveland Hospital Association, representing over 60 area hospitals; the Academy of Medicine of Cleveland, representing 4,000 physicians; and the Health Action Council of Northeast Ohio, an association of businesses which represents over 350,000 Clevelanders.

The program, "Greater Cleveland Health Quality Choice Project," is a three-step process. First, it establishes agreed-upon criteria by which the quality of in-patient hospital care will be measured regardless of payor source. The second phase includes collection and interpretation of data; and the third step will be to provide that information to purchasers of health care. The first analysis will begin to be available in January 1992.

The goal of the Greater Cleveland Health Quality Choice Project is to raise the overall quality of health care.

Hospital services will be evaluated, including surgery, general medicine, intensive care, pediatrics, and obstetrics and gynecology. Within each service, there will be measurements related to specific groups of diagnoses and procedures.

The information gathered will be evaluated by an independent corporation, to be established by the project's organizing entities. It will analyze the data and issue the summary reports.

The project was initiated by the CEOs of 10 major Cleveland corporations. It has also been endorsed by Cleveland Tomorrow, whose membership includes the CEOs of the region's largest corporations.

CONTACT: Michael D. Tabris, (216) 696-6900

Starting Date: 1990, Ongoing

Number of People Involved:

Type of Program: Wellness

STATE PROGRAM—ALCOHOL EDUCATION

Oklahoma Malt Beverage Association

Oklahoma City, OK

In 1984, the Oklahoma Malt Beverage Association (OMBA) began to support the development of Students Against Drunk Driving (SADD) chapters in the metropolitan areas. Since then, the OMBA has continued to provide financial and public relations (materials, speakers, etc.) support to SADD for five years up until 1989.

During this time, chapters were developed statewide. These chapters and beer distributors have promoted alcohol-free graduation socials, extensive speaking engagements at school functions on alcohol abuse and personal responsibility, and loaned a film series to schools and churches. The programs have been considered very successful.

OMBA is presently developing a program to help prevent child abuse.

CONTACT: Oliver Delaney, (405) 232-6622

Starting Date: 1985, Five-year project

Number of People Involved:

Type of Program: Alcohol Education

STATE PROGRAM—CAMP FOR DISADVANTAGED YOUTH

The Kentucky Sheriffs' Association

Gilbertsville, KY

In 1975, The Kentucky Sheriffs' Association originated the Kentucky Sheriffs' Boys and Girls Ranch, a summer youth camp for disadvantaged children in Kentucky. They have successfully sponsored this camp for the past 15 years, providing some of the financial support to the camp for the operation. In addition to the financial help given, the county sheriffs are responsible for the selection of and transportation for the children attending camp.

The Kentucky Sheriffs' Association sponsors many fund-raising projects for the Boys and Girls Ranch such as softball tournaments, golf tournaments, country music shows, dances, car give-aways, calendar sales, and many other fund-raising projects.

They volunteer their time to work at the Ranch, doing everything from mowing grass to helping cook the meals and cleaning up afterwards. They are always working to obtain goods and services for the Boys and Girls Ranch, free of charge, and constantly promote the camp program.

The camp program is designed for 9-13 year-old children. They spend a week at the camp, coming in on Sunday afternoon and leaving on Friday. They are involved in all outdoor sports, swimming, arts and crafts, field trips to the Land Between the Lakes, movies, skating, nature hikes, water slide, and other group games. An excellent drug abuse and prevention program is offered with the Marshall County Sheriff's Department taking part in the program. The local Child Watch organization presents their program to the children and for the spiritual needs, puppet ministries presented by local area churches are scheduled.

The children are given three meals a day, plus snacks. Everything they will need at camp is provided for them free of charge including soap, toothpaste, shampoo, and other personal items the children may not be able to bring with them.

The Kentucky Sheriffs' Boys and Girls Ranch is now recognized as the largest summer youth camp of its kind in the nation. It serves over 1,000 children each summer at a cost of \$150 per child per week.

CONTACT: Ray H. Stoess, (502) 362-8660

Starting Date: 1985, Annual

Number of People Involved:

Type of Program: Camp for Disadvantaged Youth

STATE PROGRAM—DRUG AWARENESS

Florida Roofing Sheet Metal & Air Conditioning Contractors Assn., Inc.
Winter Park, FL

Under the direction of Florida Roofing Sheet Metal & Air Conditioning Contractors Association (FRSA), the FRSA Spouses formed a 1990 Spouse Red Ribbon Committee to get 100% membership participation in Red Ribbon Week, October 20-28.

The committee mailed approximately 700 Red Ribbon stickers for distribution to its members' employees. The Spouse Red Ribbon Chairwoman addressed the FRSA Board of Directors and encouraged all members to place the Red Ribbon stickers inside the windshield of their company trucks and those of their employees.

Also included in the membership awareness plan were several Red Ribbon ads which appeared throughout the year in Florida Forum, the FRSA's monthly magazine.

The committee organized a Red Ribbon Poster Contest for all FRSA member children attending their 68th Annual Convention. Those children who did not submit posters early were allowed to draw posters as part of the convention activities. Trade show attendees served as judges, voting on the posters with the best message. The theme for the contest was "My Choice Drug Free." First, second, and third prizes were given in three age groups.

The Spouses shared a trade show booth with the Drug Awareness Task Force and placed "My Choice Drug-Free..." stickers on the badges of those coming by the booth. The committee also sold "Just Say No" pins. After covering costs, the committee donated the remainder of the money raised (over \$500) to the Drug Awareness Task Force to fund their "Worker's At Risk Kits" (targeted to drug/alcohol-using employees).

To further the enthusiasm and participation in Red Ribbon Week, a drug-free proclamation was sent to all FRSA member companies to post in their offices. Members were also sent a "Tip Sheet" giving them several ideas on how their companies could participate in Red Ribbon Week.

CONTACT: Glenda Arango-Meekins, (407) 671-3772,
FAX: (407) 679-0010

Starting Date: 1990, One-time Project

Number of People Involved:

Type of Program: Drug Awareness

STATE PROGRAM—EDUCATION

The Georgia Pest Control Association

Duluth, GA

The Georgia Pest Control Association (GPCA) developed a program to teach school children, ages 7-8, about the safe use of chemicals and pesticides in their environment and the professionalism of the pest control industry. The program was established in July 1990 and, to date, there have been 50 inquiries and 30 programs set in place.

GPCA contacted 200 state school districts and arranged speakers from their community and from the industry to present a 20 to 30 minute program about the safe use of chemicals, the training and education required for the industry, and the entomology of certain insects which affect food fiber, health, and structure.

By involving many small businesses in the education of the school children, GPCA is able to acquire a better understanding among the consumers about the service that they provide. This enhances the businesses that GPCA represents as well as providing sound information to students in an area which relatively little information is provided.

CONTACT: Valera B. Jessee, (404) 476-0827

Starting Date: July 1990, Ongoing

Number of People Involved:

Type of Program: Education

STATE PROGRAM—FITNESS

The Professional Golfers Association of America North Florida Chapter Daytona Beach, FL

The PGA of America, through its member professionals, has been the primary promoter of Junior Golf in this country. One of the programs developed by the Association is called "First Swing," a ten week packaged curriculum for physical education teachers at the middle school level.

The North Florida Section of the PGA got serious about its Junior Golf promotion a little over a year ago with the first statewide Junior Golf Summit. The section Junior Chairman (who is also a PGA Professional) brought together the leaders of the 13 major junior associations in the state, and representatives from the PGA of America and the State of Florida Department of Education to establish a plan to coordinate junior golf activities statewide.

An off-shoot of that meeting was a call from the state inviting the chairman and his committee to make a presentation on "First Swing" to a convention of middle school physical education teachers in Tallahassee. The reception to this program has been phenomenal.

The committee is now in the process of creating an organization that will bring together the three separate PGA Sections in Florida and their 2,500 plus members and apprentices to introduce golf, "The Game of a Lifetime," to every seventh grade student in Florida with minimal or no cost to local schools or the county Boards of Education.

CONTACT: Jerry Porter, (904) 252-0557

Starting Date: 1989, Ongoing

Number of People Involved:

Type of Program: Fitness

STATE PROGRAM—FUND RAISING

Pennsylvania Restaurant Association, Inc.

Harrisburg, PA

→ The Pennsylvania Restaurant Association has, for the past 32 years, worked with the Easter Seal Society of Pennsylvania on the Buck-A-Cup Campaign. Participating restaurants sell the Buck-A-Cup pins, \$1 tab or \$10 gold sponsor, during two weeks in March. The purchasers of the pins can then redeem them for coffee or another drink (depending on the establishment) in any participating restaurant on Coffee Day. The PRA has collectively raised in excess of \$7 million over the years.

The Central Chapter alone, of the Restaurant Association, has raised nearly one million dollars for the Tri-County Easter Seal Society helping to make it the top Buck-A-Cup Society in the nation for the past six years. 1991 will be the year the \$1 million mark is achieved.

The Lancaster Chapter has had the top fund-raising restaurant in the nation for the past two years, The Bird-In-Hand Restaurant, in Bird-In-Hand, PA. The two Bird-In-Hand Restaurants in Lancaster County have combined to raise well over \$20,000 in the past two years alone.

The desire to help the kids of Easter Seals and the friendly competition among the restaurants to be the #1 fund raiser has led to very creative ways to raise money during the two weeks of the Buck-A-Cup Campaign, from car washes to 50's dances. All the hard work by participating restaurants has built a very successful campaign that has grown every year.

→ CONTACT: Michael L. McGovern, (717) 232-4433

Starting Date: 1968, Annual

Number of People Involved:

Type of Program: Fund Raising

STATE PROGRAM—MULTIPLE COMMUNITY SERVICE PROGRAMS

Wisconsin Automobile & Truck Dealers Association

Madison, WI

The Wisconsin Automobile & Truck Dealers Association is involved in three projects at this time.

One project is called AUTOCAP of Wisconsin is a free, consumer complaint mediation service set up by auto and truck dealer members to resolve disputes between owners, participating dealers, and manufacturers. The purpose of AUTOCAP is to give useful information and advice to consumers; and to advise the consumer on how to resolve questions and misunderstandings with the dealer, whom to talk to, and what to expect in response. AUTOCAP case decisions are binding upon members, not upon the consumer.

In 1987, WATDA endorsed a plan to help Rawhide Boy's Ranch, a nonprofit, rehabilitation home for troubled, court-referred Wisconsin juveniles. WATDA members are helping rebuild young men's lives by donating used cars and trucks that can be rebuilt through Rawhide's vehicle improvement program, and sold by Rawhide's wholesale dealer actions. Over 200 members are volunteering their dealerships as drop-off locations for publicly donated vehicles as well. Members also make cash contributions. WATDA has met over one-half of its \$300,000 commitment to build a home and counseling center in 1992 which will house more disadvantaged teenage boys.

In addition, WATDA and an ad hoc advisory committee, comprised of educators and dealership personnel, are working to solve the problem of a critical shortage of qualified, professional vehicle technicians by working with local high schools to recruit.

CONTACT: Gary D. Williams, (608) 251-5577,
FAX: (608) 251- 4379

Starting Date:

Number of People Involved:

Type of Program: Multiple Community
Service Programs

STATE PROGRAM—PRO BONO SERVICES FOR MILITARY

Kansas Bar Association

Topeka, KS

Military activation has been foremost on the minds of National Guard members and military reservists all across Kansas. As military call-ups to the Persian Gulf increase, lawyers are making a patriotic contribution to local service men and women.

The Kansas Bar Association introduced a new public service program called "Project Call-Up." Beginning in September 1990, the KBA began acting as a clearinghouse to lawyers who volunteered to prepare or update a simple will and/or power of attorney at no charge. Any member of a military reserve unit in the state is eligible to participate. Volunteer lawyers are available to be called by the Kansas National Guard to staff their nearest armories to provide legal services on-site in the event of a full mobilization.

The program was announced to the media statewide during a news conference and the KBA plans to maintain interest through public service announcements. More than 50 referrals were made through October.

As a Project Call-Up volunteer, lawyers are required to (1) carry liability insurance; (2) determine eligibility by examining active duty orders; (3) identify approximate activation date and schedule appointments so the legal work may be executed by that date; and (4) limit service to simple wills and powers of attorney at no charge.

Military activation provides a great opportunity for the profession to perform a valuable public service. It has shown the legal community's true patriotic colors.

CONTACT: Karla Beam, (913) 234-5696,
FAX: (913) 234-3813

Starting Date: September 1990, Ongoing

Number of People Involved:

Type of Program: Pro Bono Services for
Military

STATE PROGRAM—VOCATIONAL EDUCATION

Vermont Automobile Dealers Association

Montpelier, VT

More than 150 Vermont Automobile Dealer Association members and friends attended the Dedication Ceremony of the Vermont Technical College Automotive Technology Center in September 1990. The center was dedicated to the students of the Automotive Technology Program, a program designed to provide highly skilled service technicians who understand the increasingly complex mechanical, electrical, and computer systems on which today's automobiles depend.

VADA participated in every aspect of this program—from curriculum development to building design, and VADA members and friends donated the entirely new \$434,000 facility to Vermont Technical College. It is equipped with an array of state-of-the-art equipment. The first year class will consist of 25 students.

As the state's only public two-year technical college, Vermont Technical College is a logical choice for the proposed Automotive Technology program. VTC has ten programs which lead to associate in engineering and associate in applied science degrees, in addition to the preparatory pre-technology curriculum.

In addition, the VTC Center for Business and Industry works extensively with Vermont businesses to develop educational and training programs suited to the needs of the industry.

CONTACT: Marilyn B. Miller, (802) 223-6635

Starting Date:

Number of People Involved:

Type of Program: Vocational Education

STATE PROGRAM—WELLNESS

The Greater Houston Dental Society

Houston, TX

During February 1989, a liaison was formed between the Greater Houston Dental Society (GHDS) and the Big Brothers/Big Sisters of Houston to provide dental care for the children of the Big Brothers organization who are financially unable to obtain needed care.

The Houston Chapter of the Big Brothers and Sisters is a nonprofit United Way Agency, which has 499 children between the ages of 7-14, from all economic levels (most are poverty level), enrolled in the program. There are 400 qualified children on a waiting list. The GHDS Dental Program provides care for 148 children. Before the children are assigned to the dental program, they are screened for financial need as well as behavioral history.

In April 1989, the GHDS members were sent a letter announcing the program and the guidelines for the participants, accompanied by a return card for those dentists wishing to participate. There are 148 participating dentists, with more willing to participate if there is a need. From the first response for volunteers, 400 out of 1500 members offered their services.

Each volunteer dentist receives the name of a child, the parent's name, address, phone (if any), and the name of the attached case worker. The case worker helps to set up the initial exam appointment and work out transportation and supervision for the child. Routine treatment is performed in the dentist's own office during mutually agreeable hours. The dentist actually adopts a child for dental care and treats them as if they were his own. If specialty care is needed, a referral is made by the committee. Orthodontics is not routinely available, however, several especially needy children are being orthodontically treated. If, for any reason, the dentist cannot work with the assigned child, the child is reassigned.

The dental program has been working well in Houston for one year. Since there are component dental societies and Big Brothers Chapters in almost every major metropolitan area, the program is a natural for expansion. The program is almost self sufficient except for administrative costs and occasional laboratory fees for crowns and orthodontics.

CONTACT:

Starting Date: April 1989, Ongoing

Number of People Involved: 150 members

Type of Program: Wellness

NATIONAL PROGRAM—AIDS AND ILLITERACY EDUCATION

Public Relations Society of America

New York, NY

The Public Relations Society of America (PRSA) has a Public Service Committee which formulates ideas and guidelines for public service programs to be enacted by the 101 chapters.

The committee's 1990 public service program encompasses three categories: (1) literacy; (2) AIDS education; and (3) chapter's choice, in which individual chapters are encouraged to pursue public service campaigns to benefit local causes.

More than half of PRSA's chapters are carrying out at least one public service project, with 80% of those projects focusing on a cause of the chapter's choosing. The remainder concentrate their efforts on literacy and AIDS education.

The National Capital Chapter (Washington, DC) has undertaken five public service projects over the past year. Chapter members created a resource guide, listing drug treatment centers and commonly abused drugs, for use by journalists doing stories on substance abuse. Other projects include organizing annual workshops for local nonprofit organizations to learn public relations techniques, and working with local high schools to develop a public relations curriculum.

The Alaska Chapter produced a public service announcement aimed at educating teens about AIDS. Three Anchorage radio stations are airing the spot.

The Maryland Chapter continued its 1989 literacy campaign by working on a 10-minute video entitled "Making Baltimore the City That Reads" for use in combatting illiteracy.

CONTACT: Elizabeth Ann Kovacs (212) 995-2230

Starting Date:

Number of People Involved: Over 50 chapters

Type Of Program: AIDS and Illiteracy Education

NATIONAL PROGRAM—ENVIRONMENT

Telephone Pioneers of America

New York, NY

The Telephone Pioneers of America, a nonprofit association of active and retired telecommunications employees, initially began a program in March 1989 to plant one tree for each of the organization's 800,000 members as a long-term reminder of the benefits of volunteerism. The goal of the massive reforestation program was to commemorate the 20th anniversary of Earth Day with a celebration of volunteer environmental efforts everywhere.

Just four months later, however, Pioneer planters already had over 915,000 seedlings and trees in the ground. In September 1990, the Pioneers marked the achievement with the planting of a ceremonial one millionth tree in Atlanta, GA, where the organization held its 65th General Assembly.

The projected spring 1991 total of over 1,169,500 trees, according to the American Forestry Association, would constitute a "Pioneer Forest" collectively equivalent to some 1,800 acres or nearly 30 square miles.

The initial funding for the ESP effort came from a special one-time grant from AT&T of \$50,000. The Pioneer plan was to use the money to purchase and plant seedlings in such diverse areas as the plains states, where trees are used as windbreaks, and along the southern Atlantic coastline, where much needed sea oats destroyed by Hurricane Hugo required replenishing. The funds were also destined for use in planting trees in schoolyards and other municipal areas to further encourage environmental awareness and education.

Participating Pioneer chapters not only contributed another \$53,000 of their own funds, they also formed working relationships and obtained donations of thousands of additional seedlings from state agencies, local communities, businessmen, and private citizens.

CONTACT: Sue G. Saunders, (212) 393-2512

Starting Date: March 1989, On-going or One-time project (?)

Number of People Involved:

Type of Program: Environment

NATIONAL PROGRAM—ILLITERACY AWARENESS

Binding Industries of America

Chicago, IL

The Binding Industries of America (BIA), the international association of trade binderies and loose leaf manufacturers, initiated an illiteracy awareness program that included the development and distribution of a dramatic series of posters to its 340 member companies for display in plants across the country and in Canada. Each poster carries a 1-800 number that will lead an individual to a local outlet for help in overcoming illiteracy.

In addition to the creation and distribution of the posters, BIA created, in cooperation with ABC television, an equally dramatic videotape which was distributed to all member companies for internal use.

The BIA poster series has received wide circulation and has also been used as the subject for editorial material which appeared in a wide cross section of industry magazines, and several of the nationally circulated magazines ran the posters in their publications on a monthly basis as a public service.

A nationwide Governors program was also instituted where local BIA members contacted their respective Governors for a poster presentation photo opportunity. To date, a dozen Governors from coast-to-coast have participated and photos and captions have run in a number of newspapers in each of the respective states.

In addition to the visibility effort, a number of BIA companies have become very involved in their own communities and now sit on boards designed to eliminate countywide and statewide illiteracy problems.

The BIA poster series is now available to the entire spectrum of business and industry. The posters are now being displayed in plants and offices of large corporations and small businesses, as well as public places.

CONTACT: James Niesen, (312) 372-7606

Starting Date:

Number of People Involved:

Type of Program: Illiteracy Awareness

NATIONAL PROGRAM—IN-KIND DONATION

National Association of Hosiery Manufacturers

Charlotte, NC

Each year, hosiery manufacturers are faced with the problem of what to do with production overruns, out of season goods, returns, samples, and other items that are unsellable. Thousands of pairs of pantyhose and socks, including infants and childrens' goods, go to waste, many of them simply adding to the solid waste problem. Sound business practices dictate that firms should recoup as much of the costs of materials and production overhead as possible, and yet they are challenged to do it in a manner that does not negatively impact on the conventional price structure of the marketplace.

The answer is through the careful placement of donated, usable goods to a reputable organization in a tax deductible manner that will allow for some cost recoupment while helping the needy. But hosiery manufacturers have neither the time nor expertise to search out the proper avenues for such donations, or to investigate and monitor the activities of the many different organizations that claim to be there to help.

That is the purpose of The Hosiery Industry Cares Foundation. The Foundation, utilizing the staff of the National Association of Hosiery Manufacturers, has developed and will maintain a list of charitable institutions that need hosiery donations. And the systems developed by the Foundation provide the appropriate documentation for tax deductions.

Complete packets of information about how to make donations have been prepared and distributed to hosiery manufacturers, making the whole process simple and available throughout the year as opportunities arise. It also provides flexibility for the hosiery manufacturers to continue to pick and choose certain charitable organizations or geographic areas for the philanthropic efforts.

But most importantly, the Hosiery Industry Cares Foundation provides the vehicle for connecting the American hosiery industry's desire to help, with the desperate need to provide clothing for low income families who need appropriate clothes for school and work, and to encourage them to become and remain productive members of society.

CONTACT: Colleen Williams, (704) 365-0913

Starting Date: Ongoing

Number of People Involved:

Type of Program: In-Kind Donation



NATIONAL PROGRAM—PUBLIC HEALTH EDUCATION

American Association of Orthodontists

St. Louis, MO

The American Association of Orthodontists new public awareness program includes advertising, public relations, and special events. Advertising is targeted primarily toward adult women, while the remainder of the efforts will be directed at the general population. AAO hopes to encourage adults, in particular, to consider the health, psychological, and cosmetic benefits of orthodontic treatment.

A unique part of the program is based on computer imaging. The AAO has developed its own computer, "Smile Bank," which helps to demonstrate how effective orthodontics can be. Photographs of hundreds of finished cases were contributed by orthodontists across the U.S., creating a data bank that is believed to be the only one of its kind in existence today.

The Smile Bank enables the orthodontist to give a potential patient an idea of what their smile might look like after undergoing orthodontic treatment. Participants can receive a "before-and-after" color photograph, generated by the AAO's computer. While the resulting photograph is only an approximation of what orthodontics can accomplish, it can be useful for helping a patient to understand the possible results of treatment.

Orthodontics can accomplish far more than just straightening teeth. Orthodontists are helping patients improve self-esteem, help eliminate potential problems such as tooth decay or gum disease, and solve other health problems. The AAO hopes its new computer-imaging program will paint a more realistic picture of orthodontics for all Americans, regardless of their ages.

CONTACT: Terry Wolf, (314) 993-1700,
FAX: (314) 997-1745

Starting Date: 1990, Ongoing

Number of People Involved:

Type of Program: Public Health Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INTERGOVERNMENTAL AND INTERAGENCY AFFAIRS

91 FEB 25 P12:1

FAX COVER SHEET

DATE: 2/25, 1991

TO: Carolyn Cawley

ORGANIZATION: The White House

FAX #: 456-6218

TELEPHONE #: _____

FROM: Herraine Colville

FAX #: (202) 401-1971 ROOM: 3073 FTS FAX #: 8-441-1971

TELEPHONE #: (202) 401-

NUMBER OF PAGES, INCLUDING THIS COVER SHEET 5

MESSAGE:

Carolyn.

I hope this is the quote you wanted
It's the one Penickton used.

Juan



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INTERGOVERNMENTAL AND INTERAGENCY AFFAIRS

February 25, 1991

MEMORANDUM

TO : Carolyn Cawley
The White House

FROM : Dr. Lorraine Colville *Lorraine Colville*
Director, Regional Liaison

SUBJECT: Quote from Jefferson

Attached are the pages from "Eloquence" which contained the quote and the reference to the primary source (from the "Notes").

Please let me know if there is anything else you may need or want.

ELOQUENCE in Electronic Age



The
Transformation
of Political
Speechmaking

Kathleen Hall Jamieson

specifying grounds to which the community assents and by stipulating patterns of language whose use speaks the communal bond, they create a rhetorical community. Through synecdochic phrases, a community absorbs and transmits its interpretation of its own history. So, for example, the history of the United States can be captured in such phrases as "all men are created equal," "government derives its just powers from the consent of the governed," "government of the people, by the people, for the people," "Liberty and union, now and forever, one and inseparable." Presidencies also can be capsulized by synecdochic markers. "Make the world safe for democracy" is to Wilson's presidency what "Ask not what your country can do for you, ask what you can do for your country" is to Kennedy's.

The raw materials of which these statements are forged often pre-exist their memorable embodiment. Eloquent rhetors mine this material and fashion it to their purposes. So, for example, Jefferson's stature is enhanced by the felicitous phrases etched into the stone of the Jefferson Memorial and into the nation's consciousness even though the same ideas had been expressed, albeit in a more pedestrian form, by others before him. To appreciate Jefferson's genius we need only recall how incisively he reworked Mason's "Declaration of Rights" for Virginia. Mason had written: "all men are created equally free and independent, and have certain inherent natural rights, of which they cannot, by any compact, deprive or divest their posterity; among which are the enjoyment of life and liberty . . . happiness and safety . . . all power is by God and Nature vested in, and consequently derives from, the people."¹ Mason's cumbersome statements are transformed into grounding premises (*archai*) through the workings of Jefferson's pen.

Memorable phrases that serve as the premises from which other discourse is built often must wait for an eloquent rhetor to impress them in history and on the collective memory. When that occurs, they draw part of their stature as grounding premises precisely from the consent they merited before their felicitous expression. So John Adams' sharp-lipped observation that there were no ideas in the Declaration "but what had been hackneyed in Congress for two years before"² is to Jefferson's credit, not his shame. As Jefferson repeatedly noted, he had not intended to "invent new ideas" but rather to express "the American mind."³ Similarly, we mistakenly attribute Jefferson's "entangling alliances with none" to the first president while forgetting Washington's similar admonition because, to borrow criteria from Cicero, Jefferson's formulation is more *accommodatus, aptus, congruens*.

But the existence of an eloquent spokesperson does not of itself assure that the raw material will be fashioned into a remembered phrase.

NOTES

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74. Burgoon, Dillard, and Doran, pp. 283-94.
75. Benze and Declercq, pp. 278-83.
76. Swacker, pp. 76-83.
77. Gardiner, p. 185.
78. Bogan, p. 13.
79. Ruthven, p. 93.
80. Beutheheim, p. 153.
81. Guazzo, I, p. 69.
82. *Ibid.*
83. *Spectator*, 3, p. 376.
84. Bromberg-Ross, pp. 9-11. Bogan; Harding; Kalcik, pp. 3-11.
85. Sadker and Sadker, pp. 54-57.
86. Infante, pp. 96-103.
87. Johnson and Stanwick, Chapters 1 and 2.
88. Hedlund et al., p. 518.
89. Werner and Bachtold, pp. 79-83.
90. Constantini and Craik, p. 226.
91. Interview, September, 1987. Blakely is the Director of Advertising for Smith and Harroff.
92. Shabad and Andersen, pp. 18-35.
93. Nie et al., p. 319.
94. Quoted by Campbell and Jerry, in press.
95. Gehlen, p. 39.
96. Smith, pp. 384-96.
97. Cf. Baxter and Lansing, p. 57.
98. Campbell et al., p. 490.
99. Baxter and Lansing, p. 50.
100. Benze and Declercq, pp. 278-83.

Chapter 5

1. Reprinted in Miller, *George Mason*, p. 39.
2. *Works of John Adams*, II, 512.
3. *The Writings of Thomas Jefferson* (ed. 1869), VII, pp. 304, 407, quoted by Becker in *The Declaration of Independence*, pp. 25, 26.
4. *The Writings and Speeches of Daniel Webster*, vol. 4, pp. 244.
5. Lincoln, *Works*, vol. 2, pp. 466-67.
6. See Lincoln (February 14, 1860), vol. 3, p. 520, vol. 2, p. 461.
7. *Vital Speeches*, p. 611.
8. (February 15, 1973), *Vital Speeches*, p. 267. A campaign commercial of Nixon's in 1968 foreshadows Nixon's synecdochic repudiation of Kennedy's theme. In the commercial, Nixon stated: "I am asking not that you give something to your country, but that you do something with your country; I am asking not for your gifts, but for your hands."
9. Heffner, p. 109.
10. (September 30, 1917), *The Works of Theodore Roosevelt*, Memorial ed. vol. XX, p. 520.
11. (September 6, 1918), National ed., XIX, 270. See also Memorial ed., vol. XXI, p. 284.

The Case Against "Tokenism"

The veteran civil rights leader here argued that "token integration" would not satisfy African Americans, because "a new sense of somebodiness" had revolutionized blacks' self-conception about their role in American society.

A few weeks ago, I was convicted in the City Court of Albany, Georgia, for participating in a peaceful march protesting segregated conditions in that community. I decided, on the basis of conscience, not to pay the fine of \$178 but to serve the jail sentence of forty-five days. Just as I was about to get adjusted to my new home, Rev. Ralph D. Abernathy and I were notified that some unknown donor had paid our fines and that we had to leave the jail. As the *Atlanta Constitution* suggested shortly after, we have now reached a new landmark in race relations. We have witnessed persons being ejected from lunch counters during the sit-ins and thrown into jails during the freedom rides. But for the first time we witnessed persons being kicked out of jail. [Just over a week ago, while holding a prayer protest outside the city hall in Albany, Georgia, Dr. King was arrested again and returned to jail.]

Victor Hugo once said that there is nothing more powerful in all the world than an idea whose time has come. Anyone sensitive to the present moods, morals and trends in our nation must know that the time for racial justice has come. The issue is not *whether* segregation and discrimination will be eliminated but *how* they will pass from the scene.

During the past decade, some intelligent leaders in the South have recognized inevitability. Others, however, have tried vainly to stop the wind from blowing and the tides from flowing. These recalcitrant forces authored concepts like nullification and interposition, along with such uglier evils as bombings, mob violence and economic reprisals. But the idea whose time had come moved on. Over the rubble left by the violence of mobsters, many communities resumed their normal activities on a new basis of partial integration.

These changes have been unevenly distributed and in some communities may be barely perceptible, yet enough has been accomplished to make the pattern of the future sharply clear. The illusions of the die-hards have been shattered and, in most instances, they have made a hurried retreat from the reckless notions of ending public education and closing parks, lunch counters and other public facilities.

But in the tradition of old gauder, a new and hastily constructed of planned and institutionalized retreating to a position where to attend all-white schools or allow of one Negro to a thousand white places from all-out, unrestrained delaying tactics, embodied in the most difficult problems that the am confident that this strategem tempt to mobilize massive resist

What of the future? Will it be past? This is not easy to answer—be resistance—but I am convinced. Many of the problems to white South to maintain a system under a feudalistic plantation systematic age.

If the South is to grow economically Day after day, the South is receiving and with the growth of urban society will gradually pass away. The increasing power of the Negro and care, greater educational opportunities. And every such development segregation.

In spite of screams of "over much" changes that have come to the South not be overlooked. There are also action, court orders and executive are ineffective because they can that you cannot legislate morals. cannot be legislated, behavior can

The law may not change the heart. It will take education and religion but legislation and court orders. eral court decrees have, for example, and changed educational mores—people are being altered every day. social changes have a cumulative life.

More and more, the voice of the still true that the church is the America. As a minister of the gospel o'clock on Sunday morning—when

Against "Tokenism"

ler here argued that "token integration" would not because "a new sense of somebodiness" had revolution about their role in American society.

onvicted in the City Court of Albany, Georgia, peaceful march protesting segregated conditions ended, on the basis of conscience, not to pay the the jail sentence of forty-five days. Just as I was my new home, Rev. Ralph D. Abernathy and I unknown donor had paid our fines and that we the *Atlanta Constitution* suggested shortly after, new landmark in race relations. We have witted from lunch counters during the sit-ins and the freedom rides. But for the first time we witted out of jail. [Just over a week ago, while outside the city hall in Albany, Georgia, Dr. and returned to jail.]

that there is nothing more powerful in all the time has come. Anyone sensitive to the presents in our nation must know that the time for The issue is not *whether* segregation and disnated but *how* they will pass from the scene. le, some intelligent leaders in the South have Others, however, have tried vainly to stop the l the tides from flowing. These recalcitrant s like nullification and interposition, along with ings, mob violence and economic reprisals. But l come moved on. Over the rubble left by the any communities resumed their normal activi-rtial integration.

een unevenly distributed and in some communi-ceptible, yet enough has been accomplished to future sharply clear. The illusions of the die-d and, in most instances, they have made a hur-ckless notions of ending public education and nters and other public facilities.

But in the tradition of old guards, who would die rather than surrender, a new and hastily constructed roadblock has appeared in the form of planned and institutionalized tokenism. Many areas of the South are retreating to a position where they will permit a handful of Negroes to attend all-white schools or allow the employment in lily-white factories of one Negro to a thousand whites. Thus, we have advanced in some places from all-out, unrestrained resistance to a sophisticated form of delaying tactics, embodied in tokenism. In a sense, this is one of the most difficult problems that the integration movement confronts. But I am confident that this strategem will prove as fruitless as the earlier attempt to mobilize massive resistance to even a scintilla of change.

What of the future? Will it be marked by the same actions as in the past? This is not easy to answer with precision. Certainly there will still be resistance—but I am convinced the old South has gone, never to return. Many of the problems today are due to a futile attempt by the white South to maintain a system of human values that came into being under a feudalistic plantation system and that cannot survive in a democratic age.

If the South is to grow economically, it must continue to industrialize. Day after day, the South is receiving new, multimillion-dollar industries and with the growth of urban society the folkways of white supremacy will gradually pass away. The arrival of industry will increase the purchasing power of the Negro and with that will come improved medical care, greater educational opportunities and more adequate housing. And every such development will result in a further weakening of segregation.

In spite of screams of "over my dead body will any change come," the changes that have come to the South as a result of federal action must not be overlooked. There are always those who will argue that legislation, court orders and executive decrees from the federal government are ineffective because they cannot change the heart. They contend that you cannot legislate morals. But while it may be true that morality cannot be legislated, behavior can be regulated.

The law may not change the heart—but it can restrain the heartless. It will take education and religion to change bad internal attitudes—but legislation and court orders can control their external effects. Federal court decrees have, for example, altered transportation patterns and changed educational mores—so that the habits, if not the hearts, of people are being altered every day by federal action. And these major social changes have a cumulative force conditioning other segments of life.

More and more, the voice of the church is being heard—although it is still true that the church is the most segregated major institution in America. As a minister of the gospel, I am ashamed to say that eleven o'clock on Sunday morning—when we stand to sing "In Christ There Is

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CIVIL RIGHTS AND LIBERTIES. The terms "civil liberties" and "civil rights" have no fixed and uniform definition. Often they are used broadly and interchangeably. One way of distinguishing the two phrases is to say that a person enjoys a civil "liberty" when he is protected against some government action, but enjoys a civil "right" when the law confers upon him a positive power to do something. Thus the right to speak freely would be a civil liberty; the right to use public facilities on an equal basis would be a civil right.

In common usage "civil rights" often refers specifically to the rights of minority groups to equal treatment, and sometimes the phrase is used to mean nonpolitical rights granted by law, such as the right to own property. However the line is drawn between them, civil liberties and civil rights taken together encompass freedom of speech and religion, the rights afforded to criminal suspects, the rights of citizens to participate in the political process, and the right to equal treatment under law. Civil rights, in certain contexts, may also be meant to include basic economic and social rights.

Civil liberties and civil rights are considered a cornerstone of a free society. They indicate the ways in which a society protects individual freedom. But "freedom" also has many meanings. The word may be used to mean the absence of external restraint. In that sense, poor persons in the United States as well as rich ones are free to travel to Europe. A second meaning of freedom requires that a person have the opportunity to do something before he can be considered free to do it. In that sense, only those who can pay are free to go to Europe. A third sense of freedom is the freedom to do what is right. Some thinkers have reasoned that a person is genuinely free only when he or she believes what is true and does what is morally correct. They argue that the freedom to believe error and to do wrong is not true freedom. A fourth use of freedom refers to the absence of psychological problems that inhibit individual action.

The first two of these senses of freedom are associated with the relationship of individuals to government in a liberal democratic society, and they are the only senses in which the term will be discussed here. In a libertarian society preventing the dissemination of error and reducing immoral acts to a minimum are not considered central functions of government. Nor is eliminating, or reducing, psychological tensions—an end that might be accomplished best by a sharp limitation on freedom in the ordinary senses.

Although freedom—and the liberties and rights that protect it—is an important good, it may conflict with other goods. The speaker's freedom is maximized if he is allowed to incite a riot, but the peace of society may require restraint. In many circumstances different kinds of freedom conflict, as in the clash between a home owner's claim to rent to whom he pleases and the claim of a member of a racial minority to equal treatment. Another example is the taxation of the rich for the benefit of the poor; the freedom of the rich to spend their money in the way they choose is restrained, but the freedom of the poor, in the sense of broader opportunity, is enhanced.

The civil liberties and rights granted by the law of any particular society reflect how that society has accommodated the inevitable clashes

of values. While most discussion, and this article, focuses on how that adjustment is made by law, private institutions also play an important role in determining the practical bounds of individual freedom. If, for example, major private companies discharged employees who expressed unpopular opinions, many persons would hesitate to exercise their legal privilege to speak freely. More subtle influences, such as possible rejection by friends and acquaintances, also constrain uninhibited discussion.

THEORY AND HISTORY

The kinds of civil liberties and rights enjoyed in the United States and other democracies are the product of an essentially modern view of the nature of man and society. It is by no means the only modern view. Dictatorships, for example, whether Fascist or Communist, rest on other conceptions.

Liberal Democratic View. The liberal democrat believes that every person has inherent worth. Fulfillment of the individual may include participation not only in political and social life but also in religious, artistic, intellectual, and other activities that should not be subject to control by government. Individuals should have the chance to work out their own destiny, insofar as that is possible and consistent with the interests of others.

Because truth and justice in political and social affairs are difficult to ascertain, they are generally best arrived at by free and open discussion. Unrestrained discussion is not only a legitimate outlet for dissent, but it reduces the likelihood of more violent forms of social protest. Because government officers are sometimes arbitrary, and because the majority of the people may disregard claims of individual liberty in times of crisis or supposed crisis, the claims of individual liberty should be protected either by legal rules that bind the legislature and executive, as in the United States, or by historical traditions that restrain those in power, as in Britain.

Each person's interests are entitled to equal consideration. Some libertarians believe that the government should only avoid promoting inequality; others contend that the government should reduce inequalities, at least to the extent of positively trying to provide opportunities for those who are disadvantaged.

In the United States and to a lesser extent in western Europe there is considerable agreement on the tenets of freedom, but there is sharp dispute over their philosophic underpinnings, their meaning and application to particular problems, and the weight they should be given as compared with other social interests, such as the preservation of society from outside attack.

Historical Antecedents—Athenian Democracy. Although the civil liberties and rights of liberal democracies reflect a distinctly modern conception of man, important elements of that conception have been drawn from earlier periods, and members of older societies had rights and liberties that resembled in varying degrees those of the present. In Athens and other Greek city-states ordinary citizens participated in the processes of government. In fact, given ancient Athens' small size and population (probably somewhat more than 300,000 people), direct participation could be, and was, much more extensive than in the modern nation-state. In Athens all male citizens were entitled to attend the

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Assembly, which held the ultimate power to govern. Magistrates and officials who ruled as representatives of the people were selected by democratic means, had short terms, and could not be reelected. These election procedures and the large popular juries of the courts assured wide citizen involvement in governing. Although most of the important political powers rested with the Council of Five Hundred, the council was subject to control by the Assembly.

The democratic ideal of the city-state—that the government's good is inseparable from the citizens' and that both goods can be assured best by citizen participation—seems to liberal democrats a great advance from the autocratic forms of government existing outside Athens. But from the perspective of today the democracy of Athens appears flawed in important respects. About one third of the population were slaves with few rights. Furthermore, because Athens had no procedure for conferring citizenship on foreigners who had moved there or on their offspring, another considerable group of residents had no political voice.

Finally, the city-state was founded on the idea that fulfillment as a human being requires fulfillment as a citizen. In his *Funeral Oration*, which nobly summed up the ideals of Athenian democracy, Pericles said, "We . . . regard a man who takes no interest in public affairs, not as a harmless, but as a useless character. . . ." Both Plato and Aristotle adhered to the Athenian conception of the social nature of man and the organic nature of society, in which all human concerns are closely interrelated.

Roman Law. At periods in its history, Rome had democratic institutions, and Roman law reflected the idea of private right to a greater extent than the city-states did, but perhaps its most important contribution to the modern conception of individual rights was its recognition of the unity of the human race. The bases of Roman citizenship were broadened and by the Edict of Caracalla (212 A.D.) became worldwide.

The development of Roman institutions, particularly its law, was influenced by the theory of natural law, which originated with the Greek Stoics and was expounded by Cicero. According to this theory, the world is governed by a universal law of nature. In the light of this law, all people are equal. Human beings are obligated to obey this law, and legislation that contravenes it is morally wrong. By emphasizing the moral responsibility of rulers and the subjection of their acts to the judgment of a higher law, natural law doctrine provided at least a theoretical limitation on the powers of governors.

Christian Idealism. Christianity, in its early stages, had little effect on political principles. Although its basic doctrine asserts a radical equality, because God loves the poor and weak as much as the rich and powerful, neither Jesus nor the early church leaders tried to apply this principle to political goals.

Christians did, however, claim for their religion a paramountcy over earthly concerns that was quite different from the civic-oriented or mystical religions of the Greeks and Romans. The Christians' claim did not lead immediately to tolerance of religious diversity by the church, but it did conflict with the Greek idea that civic activity is the highest form of human fulfillment.

During the medieval period a synthesis of Christian doctrine and natural law was achieved. On a theoretical level rulers were subject to the moral limits imposed by natural law and the responsibility of the church for spiritual concerns. Practically, both the power of the church and the essentially contractual obligations of the feudal system prevented a monopoly of the exercise of secular power.

The Magna Carta of 1215, a landmark in the development of English liberties, was primarily the result of efforts of nobles to stop encroachments by the crown. Nonetheless, it contained the guarantee that free men could be condemned only by the lawful judgment of their peers and by the law of the land. The idea it reflects of orderly procedures and judgments that are not arbitrary is fundamental to any system of rights and liberties, because rights that are unsure are little better than no rights at all.

Humanism and Natural Rights. The Renaissance and the Protestant Reformation both emphasized human individuality. Although the original reformers were no more tolerant of what they thought was heresy than the Roman Catholic Church, the rapid development of religious pluralism in the 16th and 17th centuries demanded greater toleration in the interest of preserving the social order. In 1598, for example, after fratricidal wars between Protestants and Catholics, Henry IV of France issued the Edict of Nantes, which guaranteed unrestricted liberty of conscience, though not of worship, to the Protestant Huguenots.

One of the first Protestant sects to approve religious toleration as a desirable principle of government was the Independent, or Congregationalist, element of the English Puritans of the mid-17th century. Roger Williams, the Puritan founder of Rhode Island, took one of the most libertarian positions and established the first government based on general toleration.

English rights in the 17th century were expanded by both the Petition of Right (1628) and the Bill of Rights (1689). Writing in defense of the Glorious Revolution (1688), John Locke elaborated a theory of government that greatly influenced the development of civil rights in England and the United States.

Locke argued that natural law bestowed on men in the state of nature certain basic and infeasible rights. The formation of society, he said, could be viewed as a social contract in which some rights are given up so that fundamental rights may be protected. The existence of natural rights and the limited grant of power to government given by the social contract restricted, in Locke's view, the extent to which individual rights may be infringed. If a government oversteps these bounds, resistance is justified.

Somewhat similar principles were developed by thinkers of the 18th century French Enlightenment, and the Declaration of Independence of the United States drew from both these sources. Written by Thomas Jefferson, it declared ". . . that all men are created equal, that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. . . ." The same philosophy is expressed in the Declaration of the Rights of Man and of the Citizen (1789), issued by the National Assembly of France at the outset of the French Revolution.

The theory of natural rights is still widely

accepted in the United States as the basis for civil liberties and rights, though many American social philosophers tend to rely on the more utilitarian argument that individual fulfillment is best promoted by restricting the powers of government. John Stuart Mill made the best-known defense of freedom of speech on these grounds in his book *On Liberty*, published in 1859.

CIVIL LIBERTIES AND RIGHTS IN THE UNITED STATES

The basic charter of civil liberties and rights in the United States is the Constitution of the United States. As adopted in 1789, it contained important safeguards of liberty, such as prohibitions against ex post facto laws and bills of attainder and a guarantee of the right of habeas corpus (see *HABEAS CORPUS*). But the most significant protections were added in 1791 by the Bill of Rights, the first 10 Amendments to the Constitution. The Bill of Rights originally bound only the federal government, but most of the states adopted similar guarantees.

Originally the Constitution of the United States recognized slavery. The Emancipation Proclamation of 1863 declared all slaves within areas of rebellion free, but only ratification of the 13th Amendment in 1865 made slavery unconstitutional. The 14th Amendment, ratified three years later, was designed primarily to guarantee the rights of freed slaves. It provides that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The 15th Amendment, ratified in 1870, was passed to protect the right of blacks to vote. In 1920 the 19th Amendment, prohibiting voting discrimination against women, was ratified.

Constitutional provisions concerning individual rights and liberties are supplemented by federal and state statutes, but except in the area of racial discrimination these laws do not significantly add to the basic constitutional scheme. This scheme has been developed from the words of the Constitution itself by judicial decision. In the United States, but not in some other liberal democratic countries, the written Constitution is legally binding on the legislature, and a court will invalidate an improper legislative act if that act comes before it in a case. Because the words of the Constitution are short and simple, the courts, and particularly the Supreme Court of the United States, must decide how they apply to a variety of circumstances, and the body of constitutional law that has grown up is to be found by examining Supreme Court cases.

Freedom of Speech and of the Press. Probably the most fundamental liberty in libertarian democracies is freedom of speech. The framers of the Bill of Rights, concerned by the periodic suppression of dissent in 17th century England, prohibited Congress in the 1st Amendment from "abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The language of the amendment clearly does not protect every verbal expression. Words that are the essence of ordinary crimes for example, such as the words used in offering a bribe or inciting a riot, can be punished. Furthermore, even protected expression may be regulated without "abridging" the freedom provided for in the amendment. Speeches in the middle of

Main Street during rush hour may be prevented in the interest of effective traffic control.

First Amendment Guarantees. The Supreme Court decisions on freedom of expression deal with two basic inquiries: What kinds of expression can be prohibited altogether because of their content? And, what interferences are permissible with expression whose content is protected? In *Gitlow v. New York* (1925), the court assumed that freedom of speech and of the press "are among the fundamental personal rights and liberties protected by the Fourteenth Amendment from impairment by the States." Since that time, jurists have taken for granted that basic restrictions the 1st Amendment places on the federal government also apply to the states.

A central problem for the court in dealing with freedom of speech is the extent to which society can prohibit expressions that threaten social harm because they advocate illegal acts. In *Schenck v. United States* (1919), Justice Oliver Wendell Holmes formulated the "clear and present danger" test to deal with a conspiracy to obstruct the draft. In its modern version, that test allows advocacy to be punished only if it is directed to producing imminent lawless action and is likely to produce such action. If the evil is not imminent or its likelihood is slight, the state may not act. The test does not give simple answers to difficult cases, because judges will disagree about the likelihood and imminence of particular dangers. In *Dennis v. United States* (1951), a case involving leaders of the Communist party convicted under the Smith Act (1940), the test was revised to allow suppression of advocacy of illegal action when the danger is very serious—in that case a revolution—even if it is not imminent. This revision, severely criticized for giving insufficient protection to speech, has apparently been abandoned by the court, but something like it might be revived if the country fears a secret subversive movement again.

The clear and present danger test has also been employed in cases in which the press publishes appeals that are designed to influence judges or juries, or may have that effect. This is an area in which important liberties come into conflict. The right of the press to publish facts and opinion, which is from another perspective the right of the public to be informed, must be weighed against the right of litigants, particularly criminal defendants, to an impartial hearing. In the opinion of many jurists Lee Harvey Oswald could not have received a fair trial had he lived to stand trial for the assassination of President John F. Kennedy. Nevertheless, the question arises whether the preservation of that possibility was more important than giving the public the fullest available information about the assassination of the President, an event of grave concern to the entire country.

Although the Supreme Court has overturned convictions in which extensive and lurid pretrial publicity made a fair trial doubtful, it has indicated that the Constitution leaves little scope for restricting such publicity.

Obscenity Rulings. For many years, it was assumed that suppression of obscenity did not violate the 1st Amendment. It is still true that obscenity itself is not protected, but in *Roth v. Alberts* (1957), the Supreme Court decided that whether material is obscene is itself a constitutional question. The justices have differed over the proper standard, but in *Miller v. California*

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(1973) the Supreme Court finally arrived at a definition of obscenity. To be obscene a work must appeal predominantly to a prurient interest, be patently offensive, and lack serious social value. Almost everything that is not "hard-core pornography" is protected under this standard, and works of authors like Henry Miller and Edmund Wilson that were once banned in many states now enjoy constitutional protection.

Although states may take special precautions to prevent objectionable material from reaching young people, they may not ban material altogether for that reason. If the 1st Amendment is considered primarily as a means of assuring free and open discussion of important public issues, one can argue that artistic and literary works are outside the core of its concern, but the court's decisions in the obscenity area indicate that the amendment protects free expression concerning all subjects of human interest.

Libel Rulings. Another area to which the Supreme Court has extended the amendment is the common law of libel. In *New York Times Co. v. Sullivan* (1964), it rejected the traditional position that false and defamatory matter enjoys no protection. The court recognized that heavy judgments for libel might be imposed by unsympathetic jurors on newspapers that publish controversial matter. In the Alabama case before it a judgment of \$500,000 in damages had been rendered against the *New York Times* for its publication and distribution of an advertisement by civil rights leaders that contained inaccuracies. The court held that when material is published relating to the official conduct of a public officer damages cannot be recovered unless the publication is made with "actual malice"—that is, with knowledge that it was false or with reckless disregard of whether it was false or not. . . . This rule was extended in *Associated Press v. Walker* (1967) to cover discussion of public figures as well as officials. Current 1st Amendment doctrine holds that no defamation action may be maintained unless the plaintiff proves the defendant published the material with some degree of fault. *Gertz v. Robert Welch, Inc.* (1974) held that private figures need only prove the defamatory material was published negligently in order to recover. *Gertz* also made clear that a private figure does not become a public figure merely because he is involved in an issue of public importance.

One of the more troublesome problems in the free speech area is posed by group libel laws, which deal with defamatory statements made about whole classes of persons, usually racial or religious groups, rather than individuals. Sweeping denunciations of whites, blacks, Catholics, Protestants, or Jews do little to further intelligent social discourse and they may create or intensify social hostilities. They may, when directed against disadvantaged groups, interfere with the achievement of equal rights granted by the Constitution or by statute. Yet to permit punishment of the purveyors of racial and religious hatred is to inhibit free expression, and socially beneficial speech may be interfered with in the process. Moreover, the terms used in such laws are necessarily vague, and may be abused by those who wish to silence unpopular positions. In *Beauharnais v. Illinois* (1952), the Supreme Court sustained a conviction under a "group libel" law, but the continued authority of that decision has long been in doubt.

Commercial Speech. The once-accepted principle that commercial speech lies outside the ambit of the 1st Amendment was abandoned by the Supreme Court in a series of cases in the 1970's that elaborated standards for matters such as advertising by druggists and lawyers. Though commercial speech now enjoys significant constitutional protection, the range of its permissible regulation is much greater than for other kinds of expression.

Limitations of Prior Restraint. Of the various methods for curtailing unprotected speech, prior restraints are among the most severely condemned. Authorities have argued that the 1st Amendment was primarily intended to prohibit prior restraints, the traditional form of censorship. The absence of previous restraint is what William Blackstone meant by liberty of the press.

The usual prior restraint is a system in which all works are submitted to an executive official who decides whether they may be published. By placing the burden on the citizen to come forward with his work and by preventing the censored material from reaching the public, such a system is much more likely to discourage protected expression than penalties that operate after publication. States have not attempted to impose this sort of censorship on the press, and the cases with which the Supreme Court has dealt have generally involved more limited prior restraints.

The court's antipathy toward even limited prior restraints was most clearly illustrated in *New York Times Co. v. United States* (1971), which upheld the right of the *Times* and the *Washington Post* to publish excerpts from the Pentagon Papers, a collection of documents detailing the policies behind United States involvement in Vietnam. The court stated: "Any system of prior restraint comes to this court bearing a heavy presumption against its validity." While the material in the Pentagon Papers was classified, the court concluded it did not threaten the national security enough to justify its suppression.

The court has hesitated to uphold restraints on 1st Amendment rights even when imposed in the interests of protecting individuals' other constitutional rights. *Nebraska Press Association v. Stuart* (1976) held that 5th Amendment fair-trial guarantees do not justify gag orders on press reporting. *Stuart* struck down a state court order prohibiting the reporting of facts implicating the accused in a widely publicized mass-murder trial. Because the impact of even one movie showing is great, and because the considerable time between production and premiere makes submission to a "censor" feasible, the court has refused to hold that all prior review of the content of movies is forbidden. It has clearly stated, however, that movies are a form of communication to which the 1st Amendment applies, and it has laid down rigorous guidelines that must be met before a scheme of review will be upheld. The development of a voluntary industry scheme that involves movie ratings and restricted admissions to movies with highly explicit sex and graphic violence has almost entirely supplanted state censorship.

Time and Manner Restrictions. Speech whose content is protected may not be protected in all forms and at all times. In exceptional circumstances the police may silence a speaker whose

words incense his audience to the point of violence, although ordinarily they must shield the speaker and prevent the outbreak of violence by means other than stopping the speech. If police officers were allowed to halt any speaker who angered his listeners, the result would be a sharp limitation on the expression of unpopular views.

More commonly, difficulties arise over government attempts to regulate the time and manner of speech. Carefully drawn regulations to prevent interference with traffic or with the peace and quiet of residents are constitutional. Thus a city may regulate the times and places at which massive demonstrations will be permitted or forbid the use of sound trucks making loud and raucous noises. But it may not adopt limitations on speech or press that are too comprehensive. Ordinances prohibiting the distribution of all handbills and circulars have been held to be unconstitutional, for their interference with expression is regarded as much too high a price to pay for the limited social gain of reducing littering.

Similarly, any system for regulating the times and places of demonstrations or parades must set out clear criteria for officials and not leave unfettered discretion to municipal authorities. If officials could refuse applications on any grounds they choose, they could use their power to promote speech they agree with and prevent speech they disagree with.

Picketing as a form of communication poses a special problem. Though it is expression in the ordinary sense, it is often something more. It may be a signal to other union members to act in a particular way simply because a picket line has been formed. The Supreme Court has held that picketing is an activity covered by the 1st Amendment and has invalidated a complete ban on picketing, but it has allowed Congress and the state legislatures flexibility in deciding what kinds of picketing conflict with public interests. Legislatures may not, however, distinguish between lawful and unlawful picketing on the basis of its underlying subject matter.

Curtailement of Indirect Interference. Sometimes the threat to freedom of speech takes the form not of outright prohibition or regulation but of indirect interference. One form of interference is the legislative investigation. The legitimate scope of such investigation is very broad, and in the course of an inquiry a witness may be asked about his political activities and organizational membership. The 5th Amendment privilege against self-incrimination protects a witness from having to make incriminating statements, but often the danger to him is public ridicule and possible loss of employment, rather than criminal prosecution.

The court has stated that exposure for its own sake is not a legitimate legislative purpose, but establishing in court the existence of such a purpose is difficult. In a series of decisions the court has held that the authority of the committee must be clear, that questions must be pertinent, and that the witness must be clearly informed of the purpose of the investigation. In *Gibson v. Florida Legislative Investigation Committee* (1963), a case involving the refusal of the president of the Miami branch of the National Association for the Advancement of Colored People to turn over the local organization's membership list to a committee of the Florida legislature

investigating subversive activities, the court reversed his conviction. It declared, "it is an essential prerequisite to the validity of an investigation which intrudes into the area of constitutionally protected rights . . . that the State convincingly show a substantial relation between the information sought and a subject of overriding and compelling state interest."

Another form of indirect interference is denial of public employment to persons of particular political persuasions or those who refuse to sign loyalty oaths. Compelled to work out an accommodation between the government's need to assure that its employees are devoted to public service and the chilling effect on expression and association of tests of loyalty, the court has greatly circumscribed the permissible use of loyalty oaths.

Zoning and nuisance laws and other regulatory actions may also indirectly impede speech. The court has indicated that a law that confines particular forms of expression to a certain area of a town is valid, whereas one that zones that expression out of existence is unconstitutionally overbroad.

Right to Remain Silent. As this discussion has suggested, the right of free speech includes the right to remain silent about one's beliefs if one chooses. In *West Virginia Board of Education v. Barnette* (1943), the court held that a child could not be compelled to salute the flag if doing so was against his conscience and that of his parents. The right to refrain from speaking was reaffirmed in *Wooley v. Maynard* (1977), which upheld the right of a Jehovah's Witnesses couple to cover the motto "Live Free or Die" on their New Hampshire license plates. Another aspect of the 1st Amendment, also implied above, is the right to associate freely for legitimate purposes—that is, to organize for social, economic, or political goals.

Freedom of Religion and Separation of Church and State. The beginning of the 1st Amendment reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ." The amendment was supported both by those who believed in freedom of religion and church-state separation in principle and by those who simply wished to leave these matters to the states. A number of states still had established churches at the time of the Constitution's adoption.

Not until 1940 did the Supreme Court hold the free-exercise guarantee applicable against the states. In part, this was because relevant cases rarely arose. Most states have their own guarantees, and the idea that people should be free to worship or not in any way they choose is so generally accepted in this country that it is unlikely to be disregarded.

However, certain problems occur when the claim to free exercise takes the form of activity thought to be antisocial or self-destructive, such as polygamy, snake-handling, the use of illicit drugs, or the refusal to be vaccinated or accept a blood transfusion.

Passing on antipolygamy laws, the Supreme Court held, in *Reynolds v. United States* (1878), that such laws were supported by a valid secular interest and were constitutional. The same theory has also been used in cases involving vaccination.

A different approach was used by the California supreme court when it considered the use of

peyote by Navajo Indians in religious ceremonies. It weighed the secular interest in stopping the use of peyote against the importance of the use for religious purposes and held in favor of the users. The Supreme Court also used a balancing approach to find that the secular interest in educating minors was outweighed in the case of the Amish who had a clearly religious belief that high school education would be bad for their children.

Sunday closing laws do not prohibit the free exercise of religion by those who observe the sabbath on Saturday, but they do interfere with worship indirectly. The court has upheld these laws on the ground that a uniform day of rest is desirable. It has also held, however, that unemployment benefits may not be denied to someone who refuses to take employment that requires him to work on Saturday when his reasons for refusal are religious.

In regard to draft exemptions Congress has gone further than the Constitution requires and exempted from combatant military service those who conscientiously oppose participation in war because of their religious training and beliefs. No exemption is given to those who are opposed to particular wars, even when their reasons are religious, or to those who are opposed to all wars for nonreligious reasons. The Supreme Court has interpreted religious belief so broadly, however, that it is hard to conceive of anyone who is opposed to all war who is not "religious" for this purpose.

The guarantees of free exercise of organized religious worship and of freedom of speech assure that the public assertion of diverse religious beliefs will enjoy the same protection as private worship.

The requirement that there be no establishment of religion complements the free-exercise guarantee. If the government favors one denomination or sect, the free exercise of members of the others may be impaired. The establishment clause ensures that the institutions of government and religion do not become entangled and therefore in a position to corrupt each other. Because state involvement in religion has a coercive effect on people and provides legitimacy, entanglement of government and religion inevitably will lend prestige to some religions relative to others. Practices requiring continuing government supervision of religious bodies are more suspect than onetime government aid such as building grants.

On some points, the guarantees of free exercise and no establishment may seem to conflict. For example, if religious conscientious objectors are exempted from military service, is that a discrimination against nonreligious objectors and therefore an establishment of religion? If military chaplains representing major denominations are provided by the government, is that an establishment of those denominations?

Although the 1st Amendment originally left states free to establish churches if they chose, the Supreme Court unanimously held in 1947, in *Everson v. Board of Education*, that the "no establishment" clause was made applicable to the states by the 14th Amendment. Relying heavily on the authority of Thomas Jefferson and James Madison, it declared that the clause was intended to do more than forbid an established church and that it means at least:

"Neither a state nor the Federal Government

can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. . . . No tax in any amount, large or small, can be levied to support any religious activities or institutions."

Despite this broad language, the court sustained the payment of public funds for the bus transportation of children to parochial schools, on the theory that busing was part of a general program to help parents get their children to school. Since the *Everson* case, debate has been sharp, in Congress and the state legislatures as well as in public discussion, over the extent to which parochial institutions may benefit from the use of public funds for educational or other purposes. The Federal Elementary and Secondary Education Act of 1965 provided various types of aids to parochial and other private schools. In a series of cases involving state benefits that include parochial schools, the court has upheld some and invalidated others. It generally employs a test that asks whether the aid has a primary effect or purpose that is religious or unduly entangles the state in religion.

In accord with the principles of *Everson*, the court has invalidated religious instruction, Bible reading, and prayers in the public schools. Each of these decisions has met with considerable popular protest by persons who believe that limited forms of state encouragement of religion are desirable. In particular, the prayer decision has evoked serious efforts to amend the Constitution. But the context of schools remains one in which the court finds the dangers of establishment-clause violations to be particularly great.

Although *Everson* forecloses direct financial aid for religious purposes, churches in virtually every state are exempt from property taxes, private religious contributions are generally tax deductible, and parents may obtain tax credits for educational expenses in sending their children to religious schools. Other practices, such as the provision of chaplains in the armed forces and in jails, have been justified as a permissible accommodation to religious exercise.

Rights of Criminal Suspects. The Bill of Rights contains a number of guarantees for persons suspected of, or tried for, crimes. The necessity for fair and orderly procedures for ascertaining criminal guilt was recognized long before freedom of speech and religion in the modern sense were even conceived, much less put into practice. Most of the protections in the Bill of Rights were drawn out of the English common law, although in some instances they go beyond it.

Every society must balance the need for efficient apprehension and conviction of criminals against the need to protect citizens from arbitrary intrusions by the government. The protections in the Bill of Rights are designed to prevent undue interference with individual privacy and to minimize the possibility of unfair treatment of criminal suspects. For some time the court held that its specific guarantees applied only to federal government procedures, the states being bound only to meet standards "implicit in a concept of ordered liberty." During the 1960's, however, the court held most of the important provisions of the Bill of Rights applicable to state procedures.

Fourth Amendment Guarantees. The 4th Amendment forbids unreasonable searches and seizures. It is interpreted to mean that the police may ordinarily search a person or his prop-

erty only if they have a search warrant or if the search is pursuant to a valid arrest. A warrant may be issued only if there is probable cause to believe that specific relevant evidence will be found, and arrest must be based on probable cause that the arrested person has committed a crime. If something is seized in violation of this requirement, it may not be used in evidence against the person searched, even if it shows conclusively that he is guilty of a crime. This limitation on the use of evidence is not found in the amendment. It has been read into the amendment by judicial interpretation as the only effective way to enforce the amendment. This so-called exclusionary rule remains highly controversial. Its use has begun to be restricted, and its abandonment is a possibility.

Fifth Amendment Guarantees. The framers of the 5th Amendment, which contains the privilege against self-incrimination, were particularly wary of institutions like the English Star Chamber that compelled witnesses to testify against themselves. The 5th Amendment privilege may be invoked before legislative committees and administrative bodies as well as in criminal trials. In *Miranda v. Arizona* (1966), the court went beyond the practice of any state or the federal government and held in a highly controversial decision that no police questioning may take place unless a suspect has been warned of his right to remain silent and either has a lawyer present or has waived the right to counsel.

Among other protections in the 5th Amendment are a safeguard against double jeopardy—trying a person twice for the same crime—and the guarantee that no one shall be deprived of life, liberty, or property without due process of law. The latter is meant to assure fair proceedings in both criminal and civil cases.

Sixth and Eighth Amendment Guarantees. The 6th Amendment provides for a public trial and for trial by jury in criminal cases. Trial by a jury of one's peers has been considered a basic element of Anglo-American justice since Magna Carta, although the functions of the jury have changed considerably. The 6th Amendment also grants a right to counsel in criminal cases, and it has been held that the states must provide counsel for criminal defendants who cannot afford their own. The 8th Amendment forbids excessive bail, excessive fines, and cruel and unusual punishment. Under this amendment, the Supreme Court has greatly restricted permissible procedures for imposing capital punishment.

Right to Privacy. Privacy is generally regarded as a basic civil liberty, and the courts have assumed an important role in its defense. But, strictly speaking, there is no such right as a right to privacy in the sense of the rights just discussed. The 1st Amendment, the prohibition on unreasonable searches, the privilege against self-incrimination, and the due-process clause all protect aspects of privacy.

In an important case, *Griswold v. Connecticut* (1965), the Supreme Court responded to the interest in privacy and invalidated a state law forbidding doctors and others to give advice about birth control. It did so even though the state law was not obviously in conflict with any particular constitutional provision. In a much more important and controversial decision, the court extended *Griswold* in *Roe v. Wade* (1973) and held that a woman has a constitutional right to have an abortion up to the time that a fetus is viable (that

is, capable of sustaining life outside the womb). These and related cases establish that a state must establish a high level of justification before interfering with choices relating to childbearing.

Many states allow persons whose privacy has been invaded in ways defined by statute or decisions to recover damages in court.

Private Property and Economic Rights. The 5th Amendment contains one specific guarantee in favor of private property—that it cannot be taken for public use without just compensation. Just compensation has been held to mean compensation amounting to the full value of what is taken. The provision has been applied to state eminent-domain cases, and nearly every state has a parallel requirement. The Constitution also prohibits states from retrospectively impairing the obligation of contracts.

Together with due-process and equal-protection clauses of the 14th Amendment, the 5th Amendment clause prevents arbitrary deprivations of private property by any government agency in the United States. In the early 20th century these clauses were used by the Supreme Court to strike down state and federal schemes of economic regulation, but now the court defers almost completely to legislative judgments.

Political Rights. The right to speak on public questions and the right to participate in the political process by voting are fundamental in a democracy. The first of these has been discussed. The second, the right to vote, is not guaranteed in the federal Constitution, but states may not constitutionally withhold the franchise on the basis of race or sex, or from those 18 or older.

The states set voters' qualifications and commonly exclude minors, felons, and illiterates. Some states formerly had property qualifications. Today, however, the Supreme Court interprets the equal-protection clause of the 14th Amendment as requiring state laws that restrict participation in the electoral process to be necessary to advance a compelling state interest. Thus, in 1966, the court invalidated the poll tax. The court in the Reapportionment cases (1964) has also read that clause to provide substantial equality of representation for those who do vote. That holding has resulted in reapportionment of at least one house of the legislature in almost every state.

Equal Treatment of the Races. Often when people refer to "civil rights," they mean the guarantees of equal treatment for blacks and other minority groups. Inequality of treatment has been perhaps the most deep-seated problem in American democracy, and although legal guarantees have greatly expanded since 1950, the problem is still a long way from solution.

Although the disparity between slavery and the principles of the Declaration of Independence was obvious to some at the time, slavery was recognized in the Constitution. In the *Dred Scott* case (1857), a contributing cause of the Civil War, the Supreme Court held that Congress had no power under the Constitution to forbid slavery in the territories, as it had attempted to do in the Missouri Compromise.

The 13th Amendment (1865) abolished slavery. Some justices have read the amendment as prohibiting as well a variety of kinds of unequal treatment, on the theory that these are incidents of slavery. Although most jurists have not accepted that position, Congress, under its enforce-

ment power, can prohibit practices that it reasonably determines constitute badges or incidents of slavery.

The great majority of civil-rights cases have been decided under the 14th or 15th Amendments. The 14th Amendment guaranteed citizenship for ex-slaves and provided that states shall not deprive persons of due process of law or deny them the equal protection of the laws. The 15th Amendment prohibits denial of the vote on racial grounds.

The ineffectiveness of these amendments to promote genuine equality for nearly a century after their ratification was the result both of some narrowing judicial decisions and lack of acceptance of the decisions that did protect the rights of blacks. Even when the court made it clear in the aftermath of ratification that racial discrimination in voter registration and the selection of jurors was unconstitutional, systematic exclusion of prospective black jurors and voters continued in many Southern states.

Among the narrowing pronouncements was the Supreme Court's decision in the Civil Rights Cases (1883). These invalidated a federal law prohibiting racial discrimination by inns, hotels, and railways. It declared that the 14th Amendment applied only to "state action" and that in enforcing the amendment Congress could not forbid private acts of discrimination. Finally, in 1896, in *Plessy v. Ferguson*, the court upheld state-imposed segregation because laws requiring separation "do not necessarily imply the inferiority of either race to the other. . . ."

The pattern of racial segregation in the South was not significantly disturbed until *Brown v. Board of Education* (1954), in which the court declared separate educational facilities to be inherently unequal because they give black children a sense of inferiority and retard their educational and mental development. It has since struck down every kind of state differentiation of treatment on racial grounds that has come before it. At the same time it has expanded the concept of state action to encompass individual acts of discrimination that are supported by the state in some way. For example, it has held that a court may not enforce a private contract to discriminate on racial grounds.

Constitutionally guaranteed civil rights have been strengthened and supplemented by congressional and state legislative action, as well as by executive orders forbidding discrimination within the government itself. Overcoming vigorous Southern opposition, including extended filibusters, Congress passed the Civil Rights Act of 1964 and the Voting Rights Act of 1965. The former contains a public accommodations section proscribing discrimination by hotels and restaurants and a fair employment section forbidding businesses connected with interstate commerce to discriminate in choosing their employees. The Voting Rights Act, readopted and modified in 1970, 1975, and 1982, contains a complex scheme to circumvent devices for voting discrimination and to use the Department of Justice more fully in enforcing voting rights.

These acts, as well as a federal fair-housing law, represent a greater involvement of the federal government in promoting equal rights than any since Reconstruction. The public-accommodations section was approved unanimously by the Supreme Court as valid under Congress' power over commerce. Thus it over-

ruled in effect, though not in theory, the Civil Rights cases of 1883. In sustaining the Voting Acts, the court has expanded the remedial, and possibly the substantive, powers of Congress under the 14th Amendment.

By the 1970's, government was actively involved in remedying the effects of past discrimination. In the process, some laws and programs employed "benign," as opposed to "malign," racial classifications. Such "racial preferences," as they are sometimes called, raised important and controversial questions concerning the extent to which racial classifications may be used to benefit minorities. Although invalidating the use of a strict racial quota, the Supreme Court has indicated that race may constitutionally be considered a factor in the admissions decisions of state professional schools. In addition, in 1980, the court upheld congressional spending measures that contained a 10% set-aside for minority business enterprises on the ground that the program was an appropriate means to remedy prior constitutional or statutory violations. Although questions remain in this area, it is clear that under certain circumstances benign use of racial classifications is not unconstitutional.

Equal Treatment of the Sexes. In the 1970's the Supreme Court began invoking the equal-protection clause of the 14th Amendment with increasing frequency to invalidate government discrimination based on sex. Although complete gender neutrality is not required, a state must advance an important justification in order for a gender classification to be upheld.

In 1972, Congress proposed the Equal Rights Amendment to provide an express constitutional provision prohibiting the denial of "equality of rights" on account of sex. The amendment, however, was not adopted because the required three-fourths of the state legislatures did not ratify it within either the original or an extended ratification period.

CIVIL LIBERTIES AND RIGHTS OUTSIDE THE UNITED STATES

All of the Western democracies recognize freedom of speech, but in most the limits are not as broad as in the United States. In Britain, for example, certain kinds of criticism of the monarch and members of Parliament are forbidden, and censorship of the theater has been more extensive than in the United States. Although Communist countries recognize a right to free expression within limits, it must be exercised, in the words of the Czechoslovak constitution, only in a way "consistent with the interest of the working people." Freedom of speech, as most Westerners understand it, is absent in Communist countries.

The developing countries generally accept in principle the liberal approach to freedom of speech, but in many of them critics of the regime in power are suppressed. It may well be that the limited consensus on political values that exists in some of the countries of Africa, for example, precludes full freedom of speech.

The right to worship freely is now generally recognized, although it has evolved only slowly in Spain and some other countries. Few countries outside the Communist world, however, separate church and state as strictly as the United States does. Government aid to the institutions of the predominant religion, and sometimes minority religions as well, is common.

All countries have safeguards for criminal suspects, but the nature and flexibility of the safeguards vary. France, for instance, has no privilege against self-incrimination, and its system of criminal justice relies heavily on questioning the suspect. In some of the developing countries, as well as South Africa, there are "preventive detention" acts that allow the government to circumvent the ordinary safeguards in placing persons in jail. Enemies of the state have not always been afforded the usual protections in Communist countries.

The constitutions of the Communist and developing countries commonly place more emphasis on economic and social rights of a positive kind, such as the right to work and the right to be educated, than does the U.S. Constitution, which was formulated at a time when the function of government was considered to be largely negative.

With the exception of the Republic of South Africa, the major countries of the world consider racial discrimination wrong and in varying degrees forbid it by law.

Various attempts have been made to protect human rights internationally, but these have had much less practical significance than the efforts of particular states. The Universal Declaration of Human Rights, drafted by the United Nations Human Rights Commission and adopted by the General Assembly in 1948, covers both traditional civil and political rights and the newer economic, social, and cultural rights, but it is not legally binding. The Assembly has adopted more limited conventions that do bind signatories on such subjects as genocide, statelessness, refugees, slavery, nationality, marriage, and forced labor.

In December 1966 two United Nations covenants that would be binding on signatories were adopted and opened for signature by the General Assembly. One is the Covenant on Civil and Political Rights, the other the Covenant on Economic, Social, and Cultural Rights. These contain no effective enforcement mechanisms, however. Nonetheless they can help, as the Declaration and other efforts of the United Nations have helped, to create an international atmosphere in which observance of basic human rights is more consistent throughout the world.

On a regional level, under the Council of Europe, the European Convention for the Protection of Human Rights and Fundamental Freedoms has been widely adhered to. Its machinery includes a court that hears claims by individuals against member states. Similar institutions have been proposed for other multinational regions. In the foreseeable future, however, the primary guarantor of civil liberties and rights will continue to be the nation state.

See also CENSORSHIP; CHURCH AND STATE; CIVIL RIGHTS MOVEMENT; PRIVACY.

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CIVIL RIGHTS MOVEMENT, a campaign by a number of organizations, supported by many individual citizens, to achieve equality for American blacks. Informally, "the movement" was a term used to refer to the activities of organizations in the forefront of the struggle during the 1950's, 1960's, and later, when efforts to attain voting rights, access to public accommodations, and better educational and economic opportunities for blacks were intensified.

As a result of the adoption of the 13th, 14th, and 15th amendments to the Constitution (1865-1870), blacks were, in theory, free and equal citizens. Congress in 1866 and 1875 passed civil-rights acts aimed at guaranteeing rights in courts and equal access to public accommodations for blacks. But in 1883 the Supreme Court declared unconstitutional the 1875 act, contending that the 14th Amendment did not prohibit the invasion of civil rights by individuals. The ruling doomed hopes of Southern blacks for equality. In fact, the status of three fourths of the American blacks—those in the former slave states—tended to worsen as the Southern white conservative leadership adopted laws and supported policies that effectively circumvented constitutional guarantees. See BLACK AMERICANS.

Blacks migrated to the North to escape oppression and to seek greater economic opportunities, and the civil-rights leadership was assumed by the National Association for the Advancement of Colored People (NAACP) and the National Urban League (NUL). The NAACP, formally organized in 1910 and strongly committed to the ideals of democracy, sought through legal means to gain equality for all persons within the American political system. Many whites viewed the NAACP as radical and as a troublemaker because of the numerous litigations it brought; some blacks looked on it with suspicion, feeling it was manipulated by whites. Although the organization was not popularly based, it was for a half century the most important and most effective civil-rights agency. By its activities—and judicial acceptance of its position—a climate of opinion favorable to the growth of more activist organizations was created.

The National Urban League, one year younger than the NAACP, directed its efforts chiefly in behalf of working-class blacks, for it was designed to help them adjust to urban areas. It instructed the migrants in how to live in cities, found lodgings and jobs, developed training programs, led boycotts against businesses in an effort to have blacks employed, and provided leadership in relations with labor unions. The NUL and the NAACP were the best financed of the agencies; they were nonrevolutionary and "orderly" and did not arouse the opposition of a large portion of the white power structure.

The Congress of Racial Equality (CORE), founded in Chicago in 1942, was the seedbed for the growth of ideas and tactics widely employed after 1956. This group believed that legalism alone would not bring uncompromising equality. It sought to end discrimination through interracial, nonviolent, direct action. CORE staged sit-ins in Chicago in 1943, bus rides and stand-ins at the Palisades Park pool in 1947 and 1948, and the "Journey of Reconciliation" (the first Freedom Ride testing desegregation of interstate transportation) in the South in 1947.

By mid-century, gains had been made by a threatened "march" on Washington in 1941; by

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Civil rights for American blacks received a symbolic expression of popular support in the August 1963 march on Washington, D.C., where Dr. Martin Luther King and others addressed more than 250,000 marchers.



PICTORIAL PARADE

various state laws; through Supreme Court decisions on political primaries, graduate and professional education, transportation, and real estate covenants; by presidential appointment of a Civil Rights Commission; and executive ordering of integration of the armed forces. But Congress—like the public—seemed more interested in lip service to democracy than in the achievement of actual equality. Inequity of opportunity and treatment in the political, economic, educational, housing, and public accommodations areas amply demonstrated that blacks were still second-class citizens. Groups seeking to remove those inequalities were small, Northern-based, elitist, and inadequately financed (by whites chiefly).

World War II and its aftermath effected great changes. Large numbers of blacks moved west and north to share in the wartime prosperity, giving the minority problem a national rather than a sectional character; urbanization was rapidly accelerated; large numbers of blacks who fought in the armed services against tyranny and injustice abroad more keenly felt injustice at home; independence for colonial peoples made realization of the ideals of democracy a domestic as well as an international issue; and the successful use of nonviolence by Gandhi in India underscored the efficacy of "creative disorder" as a means of achieving certain goals. By the mid-1950's a new generation was coming to maturity that had known only the changing conditions of the war and postwar years. Even so, it is doubtful that a major breakthrough in the struggle to attain equal rights for blacks could have been achieved had not the U.S. Supreme Court handed down a watershed school desegregation decision in 1954.

School Desegregation and Its Aftermath. Although blacks were denied formal education while in slavery, they participated enthusiastically in public education for a brief period during Reconstruction. Then, as a result of a Supreme Court ruling (*Plessy v. Ferguson*), blacks after 1896 were confined to "separate but equal" schools in the South and in many other localities across the country. Manifestly unequal by every yardstick, these segregated schools provided an education far inferior to that offered whites. Disadvantaged in education, blacks were inevitably disadvantaged in almost every other area.

Beginning in the late 1930's, the Supreme Court chipped away at the 1896 doctrine as it

applied to higher and professional education, and in May 1954 it tore the wall down. In *Brown v. Board of Education*, the court cited psychological and sociological data of Kenneth Clark and others and declared separate schools inherently unequal. Clark, a black educator and psychologist, had contended that segregation was harmful to both black and white students. In 1955 the justices remanded all cases on tax-supported schools to the district courts, ordering that blacks be admitted to the public schools "on a racially nondiscriminatory basis with all deliberate speed." By then, some upper South and border states had moved toward desegregation, but in the deep South sentiment polarized around the "desegregation now" and "desegregation never" extremes. Many state and local authorities, mostly in the South, adopted numerous delaying schemes. Most Southern congressmen denounced the *Brown* decision, and White Citizens' Councils and other groups pledged to preserve white supremacy sprang up in many states. Slowly, painfully, with much litigation, considerable violence, frequent use of federal marshals and occasional use of federal troops (notably at Little Rock, Ark., in 1957), and with "any perceptible movement" often construed as "all deliberate speed," desegregation had been accomplished by 1965 in 1,160 of the 3,028 Southern school districts containing white and black pupils. Nearly 316,000 blacks—about 10%—were attending schools with whites.

The record in the publicly supported colleges and universities was better than in the secondary and elementary schools, but federal troops had to quell serious disorders at the University of Mississippi in the fall of 1962 and force the enrollment of James Meredith. The Civil Rights Act of 1964 required school districts to comply with its provisions against discrimination or lose federal funds provided for education.

Frontal Assault on Southern Discrimination. The Supreme Court decisions of 1954 and 1955 had a profound effect. Segregation, legal for more than 50 years, was suddenly illegal, and the machinery of the existing power structure would now be used to carry out the new legality. What, then, of the many things that had long been legal but long denied by existing local governments to so many citizens? If the central government had "changed the rules" in one area, would it permit change in other areas by new methods? Con-

gress in 1957 signaled its willingness to help effect change by passing its first civil-rights law in more than 80 years. The act dealt rather ineffectively with voting rights.

By 1957 a significant new organization and the most influential civil-rights leader of the decade had emerged. Continued discrimination on the Montgomery, Ala., buses was met by ministerial leadership in the formation of the Montgomery Improvement Association, and a successful boycott of the bus lines followed. The Rev. Martin Luther King, Jr., was catapulted to the front, and under his leadership the Southern Christian Leadership Conference (SCLC) was organized in Atlanta in 1957. The charismatic King was totally committed to nonviolent direct action that would "create such a crisis and foster such a tension" that a community which had constantly refused to negotiate would be forced to "confront the issue." King, a moderate, stood between the forces of complacency and the forces of hatred and bitterness that were close to advocating violence. His methods were Gandhian but with more emphasis on love of those guilty of injustice. In contrast to Gandhi, King and his followers were members of a minority group; the success of assertive nonviolence thus depended in great measure on the inherent goodwill of the white majority.

The SCLC tactics were adapted from CORE, which under the leadership of James Farmer began to expand rapidly in the late 1950's. But it took a new organization, the Student Nonviolent Coordinating Committee (SNCC)—which King helped organize—to inject a more zealous tone into the movement. Beginning with four students sitting in at a lunch counter in Greensboro, N.C., on Feb. 1, 1960, SNCC was formally organized at Shaw University in Raleigh the following April. The sit-ins, which SNCC was designed to coordinate, had already spread throughout the South, and those engaged in this activity were carefully selected and trained to endure all kinds of verbal and physical abuse without resorting to counterattack. The composure of the blue-denimed youth won much sympathy and admiration, and their actions were upheld by the Supreme Court in December 1961.

By that time a stronger civil-rights bill had been passed in 1960. John F. Kennedy—not yet fully committed to civil rights but providing more moral leadership than his predecessor—had become president, and the Freedom Rides had begun in early 1961. Started by CORE, this action to test segregation in bus terminals serving interstate passengers mushroomed when SNCC joined. It reached jail-overflowing proportions when hundreds of volunteers—white and black—reacted to the burning of one bus and the abuse and beating of the occupants of another. More than 600 federal marshals were sent into the area to protect the riders, and the Legal Defense and Education Fund saved CORE from financial disaster by providing bail bonds and counsel. The next summer, CORE successfully conducted its Freedom Highways campaign aimed primarily at desegregating accommodations in restaurant chains.

The summer of 1962 also saw several organizations form the Council of Federated Organizations (COFO), which sought to teach blacks in Mississippi what they needed to know to register to vote, to persuade them to try to register, and through orderly procedures to get officials to reg-

ister them. But rebuffs, reprisals, and dilatory tactics prevented significant numbers of blacks from joining the registration rolls.

Sit-ins, wade-ins, freedom rides, limited boycotts, demonstrations, marches, and other types of creative disorder were gaining public acceptance and convincing many white persons of the legitimacy and morality of the blacks' demands. But events in highly segregated Birmingham, Ala., in April and May 1963 probably did more than any other single thing to gain widespread public support for the civil-rights movement. Picketings and sit-ins at some stores resulted in the jailing of 2,400 persons. Dogs and fire hoses—by order of Police Commissioner Eugene "Bull" Connor—were directed at a large crowd of street demonstrators that included many high school and younger students. The photograph of a police dog leaping at the throat of a schoolboy outraged public sentiment, brought nationwide financial and political support, and fostered increased pressure for action by the federal government.

In June 1963, President Kennedy called for new legislation. More than 200,000 people marched in Detroit to demand immediate steps for equality. The degree of public support for civil rights was best exhibited by the march on Washington, D.C., on Aug. 28, 1963. More than 250,000 persons from all over the nation gathered in almost religious attitude at the Lincoln Memorial and demonstrated by their presence the intensity of the nation's "moral crisis."

Even as such nonviolent tactics received wide public support, white extremists in the South stepped up their reprisals. Medgar Evers, field secretary for the NAACP, was shot to death at his home in Jackson, Miss., on June 12, 1963. On September 15, four black girls were killed in a church bombing in Birmingham. The violence continued in 1964. For their "Mississippi Summer," COFO sent 1,000 students, teachers, and other persons into the state to encourage, train, and sustain blacks in registering and voting. Harassed in every way—even by bombings and beatings—the freedom workers endured much. On June 20 three of them were murdered near Philadelphia, Miss.

Congress Responds. The civil-rights bill had made no material progress in 1963. But then, after President Kennedy's assassination on November 22, President Lyndon Johnson called on Congress to pass his predecessor's legislative program. Administration pressure combined with public indignation finally proved effective. A Senate filibuster was broken, and the "Magna Carta" for black Americans, the Civil Rights Act of 1964, was passed and signed into law on July 2. The law forbade discrimination in the use of most public facilities. The government at long last had declared for equality.

A "white backlash" against the civil-rights movement developed during the presidential campaign in 1964. Black leaders closed ranks against Barry Goldwater, the Republican candidate, who was the beneficiary of the backlash sentiment. The backlash proved not so strong as many had anticipated, and President Johnson was reelected. But the civil-rights movement seemed to be making little progress. Blacks continued to have great difficulty registering in many places, and the situation in Alabama was especially bad. In March 1965 a march to dramatize the demand for voting rights was halted

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with bloodshed just outside Selma, Ala. President Johnson then went before Congress to make an impassioned plea for a voting-rights law, and Congress responded with the act of August 6, which permitted federal examiners to register blacks under certain circumstances. The salutary effect of the measure was undeniable; by the summer of 1967 more than half of the eligible blacks had been registered in Alabama, Mississippi, Louisiana, Georgia, and South Carolina.

To the casual observer, black Americans seemed closer to achieving equal rights than ever before. Then violence erupted again.

Violence and Fragmentation of the Movement. In the Watts (black) section of Los Angeles, an outburst of rioting between Aug. 11 and 15, 1965, resulted in 34 deaths, more than 1,000 injuries, about 4,000 arrests, and \$40 million in property damage. The riot was born of frustration that seemed rooted in urban ghetto conditions: high unemployment, stalling of poverty programs, miserable housing, exploitation by business establishments, ill health, lack of hope, and insufficient efforts to channel frustration into nonviolent directions.

To unskilled and poverty-stricken blacks the various provisions of the 1964 act were a mockery. Such blacks had no training that would enable them to share in a booming technological economy. Many were disheartened and frustrated by the slow results of nonviolence and social disorder; a large number were alienated from the values of middle-class America; communication between them and constituted authorities as well as with civil-rights leaders was poor.

A serious division among civil-rights organizations began to appear in 1966. In May a shake-up in SNCC resulted in the replacement of John Lewis as chairman by the more radical Stokely Carmichael. Carmichael sanctioned retaliatory violence as a legitimate weapon. One month later, James Meredith was shot and wounded while leading a "March Against Fear" in Mississippi. Carmichael, one of the leaders who then took up the march, began to talk of Black Power; he repudiated integration and directed more and more of his appeal to the masses in the ghettos. Many members of both races withdrew from the organization. SNCC gained some ideological identification with the Black Muslims, and Black Power seemed to move toward Black Nationalism. Burning, destruction, rioting, and guerrilla tactics were freely spoken of by Carmichael and H. Rap Brown, who succeeded him in 1967.

CORE, under the national chairmanship of Floyd B. McKissick, had become less conservative. In 1967 it made the first significant move toward becoming the unifying group for activist black organizations when it eliminated "multiracial" from its membership description. McKissick considered the civil-rights movement dead and the "black revolution" under way.

Efforts by King to end discrimination in housing and employment in Chicago through mass demonstrations and marches were unsuccessful in 1966. The SCLC leader found himself caught between the new legalism of NAACP and the growing radicalism of CORE and SNCC. His nonviolent philosophy and intellectualism impaired his chances of becoming a leader of the most alienated elements within the ghettos.

The more militant elements within the black community seemed close to a philosophy of ni-

hilism in the summer of 1967. Registering voters, desegregating lunch counters, and finding a few jobs for blacks had not made significant headway toward curing the ills of the cities. A summer of rioting in Newark, Detroit, and 30 other cities left nearly 100 persons dead and more than 2,000 others injured.

President Johnson appointed a National Advisory Commission on Civil Disorders, with Illinois Gov. Otto Kerner as chairman, to investigate the riots. On March 2, 1968, the commission reported that unemployment and underemployment constituted the most serious grievances, and that unfulfilled hopes and defiance of law helped create a climate that encouraged violence, but that white racism must bear the chief blame for the conditions that sparked riots. The commission denied the conspiracy theory of the riots and cited the strong desire of blacks for a cultural identity within a white society. It warned, however, of a trend toward the creation of two societies. The commission recommended sweeping programs for housing, job creation and training, education, and welfare. The proposals reflected the shifting of focus from guaranteeing rights to an assault on economic barriers.

Dr. King's Death and Its Impact. The assassination of Martin Luther King, Jr., on April 4, 1968, touched off new rioting in at least 46 cities. On April 11, President Johnson signed a measure providing penalties for those who attempt to interfere with an individual's exercise of civil rights and for those who use interstate and foreign commerce to incite, organize, participate in, or further a riot. The act forbade discrimination in most housing, but this provision was made obsolete in June. The Supreme Court, citing the 1866 Civil Rights Act, prohibited discrimination in the rental and sale of all housing.

Another act, signed on Aug. 1, 1968, authorized the construction or rehabilitation of more than 1.7 million housing units within three years. Federal subsidies would greatly reduce both rental and purchase costs.

The National Urban League took steps to help ghetto residents organize, choose leaders, identify grievances, and work out means of compelling merchants, city officials, and others to take corrective action. The emphasis on self-determination, pride, and self-respect indicated disillusionment with tactics that had led to violence. CORE was shaken in 1968 by dissension between advocates of reform and revolution.

Challenges and Change. The Rev. Ralph D. Abernathy succeeded King as president of SCLC and led the Poor People's Campaign that King had conceived. But a two-month encampment in Washington and marches on government offices failed to achieve ill-defined goals. Issues had changed, and the old strategies seemed less effective. However, a strike by sanitation workers in Memphis, Tenn., achieved employee demands. For the first time, in such a confrontation, city officials faced an effective coalition of labor, civil rights, and religious groups.

Dubious of Richard Nixon's commitment to civil rights, blacks overwhelmingly supported Hubert Humphrey for president in 1968. Charges of a "Southern strategy" appealing to whites gained credence when in 1969 the Nixon administration sought to delay integration of certain Southern school districts. Nearly 35% of Southern black students attended desegregated schools by 1970, but tempers flared in both the

North and South over the busing of students from their school districts to achieve integration.

Congress in 1970 rejected administration attempts to "water down" an extension of the Voting Rights Act of 1965, a law largely responsible for doubling black voters since 1960 and for electing 528 Southern black officials in 1969. But racial tension grew as black unemployment rose and as violence increased between blacks and police. Chicago police killed two leaders of the Black Panther party in 1969, and many persons supported Panther charges of a national conspiracy to eliminate their leaders. When police killed six blacks in Augusta, Ga., and two at Mississippi's Jackson State College in 1970, blacks accused the Nixon administration of creating an atmosphere of violent repression.

But one indication of growing success in the civil-rights movement was the increased number of blacks elected to public office and the formation in 1969 of the Congressional Black Caucus. Beginning with a membership of six in the House of Representatives, the caucus grew to more than 20 members over the next decade. The group stressed such issues as enforcement of the civil-rights laws, elimination of discrimination, support of voter registration, increased education and job training, and reforms in welfare.

As the struggle over access to public accommodations had been largely won by the early 1970's, attention increasingly turned to the promotion of educational and economic opportunities. Of crucial importance was a campaign for affirmative action as a means of overcoming lingering effects of past discrimination. The Equal Employment Opportunity Act of 1972 was enacted to encourage preferential hiring and promotion of ethnic minorities and women.

Key Supreme Court decisions in the 1970's condemned racially discriminatory hiring practices, supported awards of back pay to victims of job discrimination, and generally supported (*United States v. Weber*, 1979) the principle that race-conscious affirmative action by private employers was permissible. In 1980 (*Fullilove v. Klutznick*) the court ruled that Congress could make limited use of racial quotas in setting funding guidelines to support black businesses.

In the 1980s, however, Reagan administration policies generally ran counter to many of the trends viewed as progressive by civil-rights leaders. Administration programs called for limiting or ending school busing for the purposes of integration, supporting federal tax credits for parents who send their children to private and parochial schools, and putting curbs on affirmative-action initiatives. In 1984 the U.S. Commission on Civil Rights, with a pro-administration majority in control, denounced the use of numerical quotas in affirmative-action programs. It took the view that they "merely constitute another form of unjustified discrimination" and are contrary to the constitutional principle of equal protection for all citizens.

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CIVIL SERVICE, the organized body of paid, civilian government employees appointed to office rather than elected. It is often synonymous with the "merit system," under which employees are hired on the basis of their qualifications, as determined by examinations, and not because of their political affiliation.

The civil service is most typically viewed as an organ of a central government, but there are also state, provincial, local, regional, and international civil services. The precise categories of personnel officially included in a civil service vary somewhat from nation to nation. Also, popular and legal usages of the term may differ. However, custom and law everywhere exclude elected officials and members of the armed forces from civil service.

U.S. CIVIL SERVICE

Since World War II, the merit system has covered almost all federal full-time civil servants. In addition, more than two thirds of the states and many cities have full or partial merit systems. Employees in the civil service provide a vast range of services and include administrative officials, police officers, fire fighters, sanitation workers, technicians, social workers, and secretarial and clerical workers. Virtually every occupation can be found in the civil service.

Reform Act of 1978. Until 1978 the U.S. Civil Service Commission was responsible for the management of the federal civil service. It provided examinations for job applicants, established job classifications, and was responsible for personnel management. The 1978 reform act replaced the commission with two new agencies—the Office of Personnel Management and the Merit Systems Protection Board. The new law also made it possible to reward good performance with merit pay raises and permitted supervisors to fire incompetent workers if they could show substantial evidence to support their claims. Pay increases also were tied to performance for some managers.

Job Classifications. The most distinctive features of U.S. civil services lie in their complex systems of job classification and availability to persons seeking employment. Generally there is a very detailed classification of jobs based on relative difficulties of duties and responsibilities, to which commensurate pay is usually quite closely tied.

Federal civil-service employees are grouped according to jobs and pay scales into 18 General Schedule grades—GS-1 to GS-18. Salaries are comparable to those in private industry. The civil service is a career system, and employees may be promoted or transferred without any loss of their civil-service rights. There has been a tradition of "lateral entry," with persons entering the civil service at all ages and levels, and frequently moving back and forth between the government and private enterprise.

Merit System. Most applicants for federal jobs must take civil-service examinations, which vary according to the position being tested for. Examinations are required to be as practical as possible, and applicants may enter the civil service at any level for which they qualify. The exams may be oral or written, and some include a test of specific skills. For some occupations, applicants are evaluated on the basis of their education, training, and experience. All federal agencies have some positions not subject to civil-service

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laws, including department and agency heads who are politically appointed and thus likely to support administration policies.

Applicants who pass the examinations are placed on a list in the order of their grades. Armed forces veterans are given extra credits. The government investigates the background of applicants to determine their suitability, and there are loyalty and security requirements for positions involving national security. All but top policy makers are prohibited from taking an active part in partisan politics.

INTERNATIONAL CIVIL SERVICE

The United Nations Secretariat and its specialized agencies are staffed by a worldwide civil service. Personnel management in the Secretariat is conducted by an office of personnel headed by an undersecretary reporting directly to the secretary general of the United Nations.

A main problem in the staffing of the civil service is the need to balance UN charter requirements that personnel be selected on a basis of both competence and geographical representation. Therefore there are area quotas. Basically, the system is an open one and represents mixed U.S., British, and French experience. Careers are encouraged, but there is much fixed-term and temporary employment at all levels.

There is necessarily a complex system of pay and perquisites, generally based on the principle that such a body should receive pay in accordance with that of the highest-paid national services. There is a coordinating body to see that remuneration in the Secretariat and the specialized agencies is similar.

HISTORICAL BACKGROUND

The creation of national states in western Europe during the 15th and 16th centuries provided the preconditions and the impetus for the development of a civil service. But many modern practices can be traced to ancient and medieval times. Egypt, Greece, Rome, and China all contributed some of the elements of modern administration.

The evolution of the modern civil service in western Europe and in the United States took place in several stages. The first, or royal, stage saw the growth of the embryonic concepts of modern government, including a civil administrative system and personnel to manage it. This stage was largely complete by 1750 in Britain, France, and Prussia, and their experience was to have the greatest impact elsewhere.

The royal establishments were gradually converted into constitutional institutions responsive to the new authority of parliaments and politicians. The new institutions also served to meet the demands of a growing electorate for an impartial, economical service not limited to members of the aristocracy. They also provided the necessary professional skills to cope with new complexities.

Prussia and France. The development of civil services was most rapid in France and Prussia. By the mid-17th century, Frederick William, elector of Brandenburg, had established an efficient military bureaucracy. Its members were chosen on a competitive basis and were responsible for financial and economic matters, refugee settlement, and trade. The 18th century Prussian civil service is often considered the first modern civil-service system.

In France, the French Revolution and the Napoleonic administrative reforms replaced the royal service with a public service by the early 19th century. The Napoleonic features of hierarchy, centralization, and competence became models for the reform of other governments.

Britain. By the mid-18th century in Britain, much of the power of the throne had been transferred into the hands of factions and parties. In the process the civil offices and perquisites became open to the corrupting type of patronage manipulation that was soon to be known in the United States as the "spoils system."

However, by the middle of the 19th century there was so heightened a concern about corruption, economy, and efficiency, as well as popular rights to office, that modern civil service soon came full scale to Britain. The Civil Service Commission was established in 1855 to examine applicants nominated by the various departments. The merit system became a reality in Britain in 1870 with the requirement that there be open competition for most initial appointments to the civil service.

United States. The civil service in the United States has been deeply influenced by the democratic aspirations and social mobility of its people, and especially by the idea of equality of opportunity. At first, U.S. presidents made appointments on the basis of an individual's qualifications, regardless of party. But by the early 19th century it had become common practice for an incoming president to replace large numbers of government workers with members of his own party, regardless of qualifications.

The "spoils system," as this policy was known, was strongly supported by President Andrew Jackson. He fostered the growth of that system by his firm belief in personal and party loyalty as conditions for holding office. The system reached its peak in the years immediately after the Civil War, when corruption became a serious problem at all levels of government.

A movement for reform of the system led Congress to pass legislation in 1871 giving the president the authority to establish tests for persons applying for federal jobs. But the reform attempt was aborted in 1873, when Congress failed to provide additional funding. Public demands for reform intensified after the assassination of President James Garfield in 1881 by a disappointed office seeker.

Garfield's death led to passage of the Pendleton Federal Civil Service Act of 1883. The act created a Civil Service Commission and firmly established the merit system in the national government on a partial basis. A series of statutes and executive orders extended the system, eventually placing most jobs under civil-service regulations. Many state and local jurisdictions followed the federal example, so that merit system practices became similar nationwide.

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BROWN v. BOARD OF EDUCATION was a 1954 decision of the U. S. Supreme Court that voided state laws and state constitutional provisions requiring or permitting the segregation of white and black children in public schools on the basis of race. Chief Justice Earl Warren, writing for a unanimous court on May 17, 1954, held in *Brown v. Board of Education of Topeka* that such laws and provisions denied to black children the equal protection of the laws guaranteed by the U. S. Constitution.

The Topeka (Kans.) Board of Education had established segregated elementary schools. Attorneys for black children contended that the segregated schools were not equal and could not be made equal. A U. S. district court disagreed, but Warren wrote that to "separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority . . . that may affect their hearts and minds in a way unlikely ever to be undone." He added, "Separate educational facilities are inherently unequal." On May 31, 1955, the court asked local courts to require "a prompt and reasonable start toward full compliance" with the decision, and said that local administrative problems should be resolved "with all deliberate speed."

Opponents of desegregation criticized the court's reliance on psychological and sociological data. They contended that the court was in effect passing legislation and was encroaching on states' rights. In later years the Supreme Court struck down attempts by state legislatures and local school boards to avoid compliance.

BROWNE, Hablot Knight (1815–1882), English caricaturist, who is best known, under the pseudonym *Phiz*, as the original illustrator of many of Dickens' works. He was born at Kennington, Surrey, on June 15, 1815. He began drawing highly spirited caricatures at an early age, and in 1836 he succeeded Robert Seymour as illustrator of the serial publication of Dickens' *Pickwick Papers*. So successful was Browne's work that he was engaged to illustrate many of Dickens' novels, including *Nicholas Nickleby* (1838–1839), *David Copperfield* (1849–1850), *Bleak House* (1852–1853), and *A Tale of Two Cities* (1859). He subsequently illustrated novels by Charles James Lever and William Harrison Ainsworth. Browne died at West Brighton, East Sussex, on July 8, 1882.

BROWNE, Robert (c. 1550–1633), English Puritan leader, who was an early advocate of the right and the necessity of founding Separatist congregations. Browne was born in Toilethorpe, Rutland, and was educated at Corpus Christi College, Cambridge. There he was influenced by Thomas Cartwright and other Puritans who strenuously advocated further steps in the English Reformation that would bring the Elizabethan church more closely into conformity with the principles of Calvinistic Geneva. Though most Puritans hoped to gain their ends from within the church by Parliamentary reform, Browne was among the minority whose zeal outran their patience. By 1580 he and a number of his followers (later called Brownists) had formed an independent congregation, contrary to the statutes of Elizabeth I. Browne was briefly imprisoned for his defiance of the law and then fled to Holland.

There he published two books in 1582. His *Treatise of Reformation Without Tarrying* for Any defended the Separatist action, and *A Booke Which Showeth the Life and Manners of All True Christians* set forth the principles that were later associated with Congregationalism (see CONGREGATIONALISTS).

Browne was quarrelsome and unstable in his policies, and he was constantly embroiled in controversy with his friends as well as with his enemies. By 1585 his views had changed sufficiently to lead him to make his peace with the established church. In 1591 he was ordained in the Church of England and given a parish in Northamptonshire. There he remained for 42 years. Browne never wholly abandoned his earlier views, but he apparently felt that the gathered spiritual fellowship of "true Christians" could be maintained even within the established church. There is some indication that he occasionally ministered to secret Separatist congregations in the vicinity of his parish. He died in Northampton jail in 1633, having been committed as a result of a brawl with the parish constable.

POWELL MILLS DAWLEY

The General Theological Seminary, New York

BROWNE, Sir Samuel James (1824–1901), British general, who invented the "Sam Browne belt." He was born on Oct. 3, 1824, in India. A valiant officer in Britain's conquest of India, he lost an arm in a cavalry charge in 1858 and led a division to take the Khyber Pass in 1878. He died at Ryde, Isle of Wight, on March 14, 1901. His sword (or pistol) belt, used by officers in many armies, is a broad waist-belt supported at the left side by a narrow strap crossing the right shoulder.

BROWNE, Sir Thomas (1605–1682), English writer, physician, and antiquarian, who ranks as one of the most important figures in the literature of the baroque age. In both his thought and his distinctive style, Browne as a Renaissance man represents the transition from the religious world view of the Middle Ages to the world view characteristic of modern man—scientific, rational, and skeptical. In contrast to Sir Francis Bacon, whom he admired, Browne was neither willing nor able to give his whole intellectual allegiance to the emergent attitudes of secularism and specialization. He remains, to borrow the words in which he describes man, "that great and true *Amphibium*, whose nature is disposed to live . . . in divided and distinguished worlds." His writings, whether on religion, archaeology, or common superstitions, reveal an essentially religious temperament. There is a quality of wholeness, both psychological and artistic, in everything Browne wrote; it is this quality, perhaps, that explains the popularity he has enjoyed among literary intellectuals in the 20th century, an age of fragmentation and specialization. Equally important to Browne's reputation is his memorable and uniquely expressive prose style, which may account for the special love felt for him by such varied prose artists as Samuel Johnson, Herman Melville, and Virginia Woolf.

Life. Browne was born in London on Oct. 19, 1605, the son of a mercer. He was educated at Winchester and Broadgate Hall (now Pembroke College), Oxford. Subsequently he attended what were then the three great Continental centers for medical studies—the universities of Montpellier,

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Provision of emergency schooling for children of armed forces personnel in the event public schools were closed by integration disputes.

Other Proposals. Senate Majority Leader Johnson (D Texas) Jan. 20 introduced a bill (S 499) featuring: an anti-bombing provision; extension of the Civil Rights Commission; a grant of subpoena powers to the Justice Department in investigations of voting rights cases; and establishment of a Federal Community Relations Service to assist in the conciliation of disputes over segregation and integration.

A bipartisan bloc of Members in both chambers, including House Judiciary Committee Chairman Celler (D N.Y.) and Sens. Douglas (D Ill.) and Javits (R N.Y.), sponsored several bills that went beyond the other measures in providing: authority for the Federal Government to develop and enforce, through the courts, school desegregation plans; and Part III powers for the Justice Department.

Committee Action. In hearings on both sides of Capitol Hill, Administration and Republican witnesses generally opposed any proposals that went beyond the President's recommendations. Attorney General William P. Rogers held to the Administration position that Part III "might do more harm than good at this time."

Advocates of "strong" legislation, including the Americans for Democratic Action and the National Assn. for the Advancement of Colored People, continued to press for Part III.

House. The House Judiciary Subcommittee No. 5 June 17 approved an amended version of the Celler bill that contained, in essence, the Administration proposals plus Part III.

What emerged from the House Judiciary Committee Aug. 20 was a clean bill (HR 8601), deleting both Part III and the Administration's provisions for aid to areas desegregating schools and for establishment of the Commission on Equal Job Opportunity.

At the end of the 1959 session the House bill was still in the Rules Committee, and Celler had taken steps to bring pressure on the Rules Committee by filing a motion to discharge the bill from its jurisdiction.

Senate. Some leaders in the Senate conceded that trying to work a bill through the Senate Judiciary Committee, which had never reported a civil rights bill, was only a formality, that they had no hope that the Committee would act favorably.

But the Senate Judiciary Constitutional Rights Subcommittee held hearings intermittently from March 18 to May 8 and reported to the full Committee a two-part bill (S 2391) July 15. This would have required preservation of voting records and extended the Civil Rights Commission.

The full Committee began consideration of the bill Aug. 3 and was still considering it when Congress adjourned Sept. 15. While the bill was bottled up in the Judiciary Committee, several Senators threatened to bring up civil rights legislation on the floor by offering it as an amendment to other types of bills. To mollify this group and end the lengthy 1959 session, Majority Leader Johnson and Minority Leader Everett McKinley Dirksen (R Ill.) Sept. 14 announced that they planned to bring civil rights legislation up for debate about Feb. 15, 1960.

Commission Extension. With the Civil Rights Commission scheduled to go out of existence 60 days after filing its report Sept. 8 and the Senate Judiciary Committee sitting on extension legislation, Senate leaders turned to the Senate Appropriations Committee, which obliged by attaching a rider to the House-passed Mutual Security Program appropriation bill. The rider extended the Commission for two years, to Nov. 8, 1961, and appropriated \$500,000 to it. The Senate Sept. 14, and the House in the early morning hours of Sept. 15, approved the rider. Most of the debate on the rider consisted of Southern denunciation of the Commission's report.

Other Action. During consideration of the first housing bill of 1959, subsequently vetoed by President Eisenhower, the House rejected two attempts to add anti-discrimination requirements to the bill. The House first rejected, on a 48-138 standing vote May 20, an amendment by Adam Clayton Powell (D N.Y.) that would have added a new title requiring written assurances that all housing covered by the bill be available on a non-discrimination basis. The following day the House also rejected, on a 115-205 teller vote, an amendment specifying that there should be no discrimination in selecting occupants of public housing units.

The Senate Judiciary Constitutional Amendments Subcommittee Sept. 2 approved a proposed constitutional amendment (S J Res 126) to abolish the poll tax and other property qualifications for voting in federal elections. S J Res 126 was offered by Sen. Holland (D Fla.) and 66 co-sponsors, including the Senate's majority and minority leaders. Like its predecessors, S J Res 126 would have affected only federal elections and would not have removed restrictions against paupers and other persons supported at public expense or by charitable institutions. There was no further action on it in 1959.

1960 Passage of the Civil Rights Act of 1960 was a direct outgrowth of the 1957 Act. With a bipartisan majority prevailing over both those who wanted more federal intervention to protect constitutional rights and those who wanted none at all, Congress inched forward in 1960 with amendments to the earlier Act's voting rights provisions. The chief provision authorized judges to appoint referees to help Negroes register and vote. The 1960 Act also provided criminal penalties for bombings and bomb threats, and for mob action designed to obstruct court orders -- neither of these limited to racial incidents.

As in 1957, the bill enacted in 1960 was based on Administration proposals. A marriage of convenience between Republicans and Northern Democrats had to take place to pass any bill at all. The 1960 bill was first whittled down by the House; the Senate made a few more incisions; the House then approved the Senate version.

It was clear throughout the lengthy 1960 battle that the "moderate" civil rights group under the leadership of Senate Majority Leader Johnson (D Texas), Minority Leader Dirksen (R Ill.), House Speaker Rayburn (D Texas) and House Minority Leader Halleck (R Ind.) was in control. But this did not prevent attacks from both sides: Leaders of the "liberal" group tried to strengthen the bill but failed to unite a sufficient number behind alternative provisions; Southerners, working as a more organized unit, filibustered and moved to kill those

Registration Statistics

Voting registration statistics for 1960 published in the Civil Rights Commission report are shown below. They show the number of whites and non-whites of voting age and the percentage of voting-age persons actually registered. In some cases, the Commission's statistics were incomplete, or not available (NA) and are so indicated.

State	Voting-Age Whites			Voting-Age Non-Whites		
	Number	Registered	%	Number	Registered	%
Ala.	1,353,058	860,073	63.6%	481,320	66,009	13.7%
Ark.	850,643	517,897	60.9	192,626	72,604	37.7
Del.	233,250	211,867	90.8	33,999	18,814	55.3
Fla.	2,617,438	1,819,342	69.5	470,261	183,197	39.0
Ga.	Incomplete					
La.	1,289,216	993,118	77.0	514,589	159,033	30.9
Md.	1,561,161	1,146,211	73.4	283,906	168,199	59.2
Miss.	748,266	NA	NA	422,256	25,921	6.1
N.C.	2,005,955	1,861,430	92.8	550,929	210,450	38.2
S.C.	Incomplete					
Tenn.						
63 counties	1,114,272	930,198	83.5	235,199	150,869	64.1
State	1,779,018	NA	NA	313,873	NA	NA
Texas						
213 counties	3,880,461	1,973,217	50.9	517,048	174,387	33.7
State	4,884,765	NA	NA	649,512	NA	NA
Va.	1,876,167	866,794	46.2	436,720	100,499	23.0

provisions most distasteful to them and to broaden others so as to dilute their effect on the South.

A summing up shows that the South was the much more successful of the two minority groups. Two Administration provisions were removed from the bill; all of the remaining ones were modified. Observers generally agreed that Southern success was due in part to expert organization, in part to help given them by Republicans. The Southern Democrat-Republican coalition was effective in committees as well as in maneuvering and voting on the floors of both chambers. Southerners argued throughout that the bill victimized the South in order to provide political dividends in the North; however, many Southerners conceded that the final bill was one they could "live with."

During the August session following the Presidential nominating conventions, at which strong civil rights plank were adopted by both parties, President Eisenhower urged enactment of two provisions that had been dropped from the original Administration bill. However, Northern and Southern Democrats in the Senate joined in voting for a motion to table the two provisions, claiming they were offered in a move to block passage of other Democratic measures. The Aug. 9 tabling motion carried 54-28 (D 52-4; R 2-24) and threats to force further voting on civil rights in August never materialized.

Summary of 1960 Action. Soon after Congress reconvened Jan. 6, 1960, pressure increased on the House Rules Committee to release the bill reported to it by the Judiciary Committee Aug. 20, 1959. As the petition to discharge the Committee of the bill slowly gained more signatures, partisan statements were exchanged on the House floor. Republican leaders charged that a Democratic Congress was holding up the bill; Northern Democrats charged Republicans with cooperating with Southern

Democrats by not signing the petition and by holding the bill in the Rules Committee.

Jan. 26 -- Attorney General Rogers announced the Administration intended to add to its 1959 bill a plan for court-appointed referees to help Negroes register and vote.

Feb. 15 -- Majority Leader Johnson, as promised, began Senate debate on civil rights. Because no bill had been reported by the Senate Judiciary Committee, Johnson called up from the calendar a minor, House-passed bill (HR 8315) and invited Senators to offer civil rights amendments to it.

Feb. 18 -- The House Rules Committee granted the House bill (HR 8601) a rule covering debate on the bill. At that point, the discharge petition reportedly had received 211 signatures (over two-thirds from Democrats) and was within eight names of the 219 needed to put the petition on the House calendar.

Feb. 29 -- Southern speeches in the Senate against civil rights developed into a full-blown filibuster which lasted until March 8. During that time, the Senate met around-the-clock with only two breaks.

March 8 -- A bipartisan group of Senate liberals offered a petition to invoke cloture to end the filibuster. Johnson and Dirksen opposed the cloture move, Dirksen saying he preferred to wait for the House to pass its own bill, Johnson saying cloture should not be invoked until it was clear that two-thirds of the Senators (the number needed to invoke cloture) were agreed on the principal elements of a civil rights bill. Cloture proponents argued that they should not have to wait to vote on provisions until two-thirds had informally decided on what should be included and predicted that the House measure would be a "truncated bill."

March 10 -- The cloture move was rejected by a roll-call vote of 42-53 (D 30-33; R 12-20). With four of the 99 Senators absent (there was one vacancy), this was 22 votes shy of the necessary two-thirds of the Senators present and voting (64 in this case).

The House adopted the rule for debate on its civil rights bill by a 314-93 roll-call vote and began action on HR 8601.

March 24 -- The House passed HR 8601 by a 311-109 vote (D 179-94; R 132-15).

The Senate, which had accomplished little in the interim, abandoned its own bills and referred the House-passed bill to the Senate Judiciary Committee with instructions that the bill be reported back to the Senate no later than midnight March 29.

March 28-9 -- The Senate Judiciary Committee held hearings on the House-passed bill, with Administration and Southern spokesmen testifying. Following the hearings, the Committee voted amendments to every section of the bill.

March 30 -- The Senate began consideration of the House bill as amended and reported (S Rept 1205) by the Judiciary Committee. It quickly agreed to all but one of the Committee's amendments. The amendment on which action bogged down was to the referee plan.

April 8 -- The Senate passed HR 8601, by a vote of 71-18.

April 19 -- The House Rules Committee cleared the bill for House concurrence in the Senate's amendments.

April 21 -- The House, by a 288-95 (D 165-83; R 123-12) roll-call vote, agreed to the Senate's amendments to HR 8601, thus sending the bill to the President for his signature.

May 6 -- The President signed the bill into law (PL 86-449).

LATER ACTION

June 22 -- The Senate tabled, 58-29 (D 35-19; R 23-10), an amendment to the Independent Offices appropriation to prohibit use of funds in the bill for construction of airport terminal buildings that would contain segregated facilities.

July 12 -- The Democratic nominating convention in Los Angeles adopted, by voice vote, the strongest civil rights platform in the party's history after Southerners representing nine states presented a minority report.

July 27 -- The Republican nominating convention in Chicago adopted a civil rights plank almost as strong as the Democrats' after Vice President Richard M. Nixon prevailed on the platform committee.

Aug. 8 -- President Eisenhower called on the reconvened Congress to enact two provisions, originally in the Administration bill, to establish a Commission on Equal Job Opportunity and to provide federal funds to aid areas desegregating their schools. They had been rejected in the House and Senate.

Aug. 9 -- The Senate tabled on a 54-28 roll call a bill (S 3823) incorporating the two provisions. All but four Democrats voted in favor and all but two Republicans voted against.

ISSUES IN THE 1960 DEBATE

Voting Rights. The most difficult issue in the 1960 debate was the question of what kind of provision to add to the 1957 Civil Rights Act to further help Negroes register and vote. This developed into a three-sided controversy over proposals for federal registrars, as recommended by the Civil Rights Commission in its 1959 report; court-appointed voting referees, as recommended by the Eisenhower Administration; or federal enrollment officers, a compromise proposal originally proposed by Sen. Hennings Jr. (D Mo.). Congress finally enacted a modified version of the Administration plan.

REGISTRARS v. REFEREES

Under the registrar proposal, the Civil Rights Commission would investigate charges that state registrars had refused to register qualified voters because of their race, color, religion or national origin. Valid cases would be certified to the President, who would designate a federal officer or employee in the district to register voters until state officials were ready to resume the task on a non-discriminatory basis.

The basic idea of the Administration's referee plan, which was announced by Attorney General Rogers Jan. 26, was to place responsibility for guaranteeing voting rights in the courts.

The process would begin with a civil suit brought in a federal court by the Justice Department under the 1957 Act. The suit would seek an injunction against persons who had denied, or were about to deny, anyone his right to vote in a primary or general federal election because of race, color, religion or national origin. If this suit were successful, the Attorney General would ask the courts to make a separate finding, on the basis of another court proceeding, that there was a pattern or practice of such discrimination.

Poll Tax Ban

The Senate in 1960 for the first time approved a proposal, in the form of a constitutional amendment, to abolish the poll tax as a qualification for voting in federal elections. However, the House Judiciary Committee deleted the poll tax ban from the three-part package of constitutional amendments in which it was included (S J Res 39), lest it jeopardize approval of an amendment for District of Columbia suffrage.

The poll tax amendment was introduced in 1959 as S J Res 126 by Sen. Holland (D Fla.), perennial sponsor of anti-poll tax amendments, and 66 co-sponsors. It was offered as a floor amendment to S J Res 39 and approved by the Senate on a 70-18 (D 43-12; R 27-6) roll call Feb. 2, a two-thirds majority being required (59 "yeas"). Previously the Senate tabled, 50-37 (D 32-22; R 18-15), a substitute sponsored by Sen. Javits (R N.Y.) that would have eliminated the poll tax by direct statute. The House had approved the statutory approach five times between 1942 and 1949, but the measures had died each time in the Senate.

As in other years, the issue was whether or not the poll tax was a constitutional "qualification" for voting that the states could properly set. Both the advocates of a constitutional amendment and those who favored direct statutory action also feared a victory for the opposing method might set a precedent that would be followed in other civil rights legislation.

The House Judiciary Committee subsequently deleted the poll tax ban from S J Res 39 after Committee Chairman Celler (D N.Y.) announced he would join Holland in the fight to repeal the poll tax by constitutional amendment in the next Congress. (See 1962, below)

If the court made such a finding, Negroes in that area could turn to the court and ask to be registered. They would be heard either by the judge or by voting referees appointed by the judge, who would determine whether the Negroes were qualified under state voting laws. If the Negro were heard by the referee, the hearings would be *ex parte* (without cross-examination by opponents) and the referee would report to the court which Negroes he found qualified to vote. If the referee's report were not challenged by state officials within 10 days, the court would issue the Negroes certificates stating that they were qualified to vote in state as well as federal elections and those Negroes' names would be entered in a court decree, which would be served on state officials.

The court could authorize the referee or other persons to see that the qualified Negroes were allowed to vote and their ballots were counted. Any official who refused to comply with the court decree -- whether by refusing to register the qualified Negro, by refusing to let him vote or by refusing to count his ballot -- would be subject to contempt of court proceedings.

As offered on the House floor March 14, the Administration referee proposal was revised to require applicants to prove that they had attempted to register through regular channels since the court had made its "pattern or practice of discrimination" finding. The revised version also eliminated that part of the original proposal that

Provisions of Civil Rights Act of 1960

TITLE I

Provided that persons who obstructed or interfered with any order issued by a federal court, or attempted to do so, by threats or force, could be punished by a fine of up to \$1,000, imprisonment of up to one year, or both. Such acts could also be prevented by private suits seeking court injunctions against them.

TITLE II

Made it a federal crime to cross state lines to avoid prosecution or punishment for, or giving evidence on, the bombing or burning of any building, facility or vehicle, or an attempt to do so. Penalties could be a fine of up to \$5,000, or imprisonment of up to five years, or both.

Made it a federal crime to transport or possess explosives with the knowledge or intent that they would be used to blow up any vehicle or building. Allowed the presumption, after any bombing occurred, that the explosives used were transported across state lines (therefore allowing the FBI to investigate any bombing case), but stipulated that this would have to be proved before the person could be convicted. Penalties could be imprisonment of up to one year and/or \$1,000 fine; if personal injury resulted, 10 years and/or \$10,000 fine; if death resulted, life imprisonment or a death penalty if recommended by a jury.

Made it a federal crime to use interstate facilities, such as telephones, to threaten a bombing or give a false bomb-scare, punishable by imprisonment of up to one year or a fine of up to \$1,000, or both.

TITLE III

Required that voting records and registration papers for all federal elections, including primaries, must be preserved for 22 months. Penalties for failing to comply or for stealing, destroying or mutilating the records could be a fine of up to \$1,000, and/or imprisonment for one year.

Directed that the records, upon written application, be turned over to the Attorney General "or his representative" at the office of the records' custodian.

Unless directed otherwise by a court, the Justice Department representative must not disclose the content of the records except to Congress, a government agency, or in a court proceeding.

TITLE IV

Empowered the Civil Rights Commission, which was extended for two years in 1959, to administer oaths and take sworn statements.

TITLE V

Stated that arrangements might be made to provide for the education of children of members of the armed forces when the schools those children regularly attended had been closed to avoid integration and the U.S. Commissioner of Education had decided that no other educational agency would provide for their schooling. Amended the laws on aid to impacted school districts (PL 81-815, PL 81-874) to this effect.

TITLE VI

Provided that after the Attorney General won a civil suit brought under the 1957 Civil Rights Act to protect Negroes' right to vote, he could then ask the court to hold another adversary proceeding and make a separate finding that there was a "pattern or practice" of depriving Negroes of the right to vote in the area involved in the suit.

If a court found such a "pattern or practice," any Negro living in that area could apply to the court to issue an order declaring him qualified to vote if he proved (1) he was qualified to vote under state law; (2) he had tried to register after the "pattern or practice" finding; and (3) he had not been allowed to register or had been found unqualified by someone acting under color of law. The court would have to hear the Negro's application within 10 days and its order would be effective for as long a period as that for which he would have been qualified to vote if registered under state law.

State officials would be notified of the order, and they would then be bound to permit the person to vote. Disobedience would be subject to contempt proceedings.

To carry out these provisions, the court may appoint one or more voting referees, who must be qualified voters in the judicial district. The referees would receive the applications, take evidence, and report their findings to the court. The referee must take the Negro's application and proof in an *ex parte* proceeding (without cross-examination by opponents) and the court may set the time and place for the referee's hearing.

The court may fix a time limit of up to 10 days, in which state officials may challenge the referee's report. Challenges on points of law must be accompanied by a memorandum and on points of fact by a verified copy of a public record or an affidavit by those with personal knowledge of the controverting evidence. Either the court or the referee may decide the challenges in accordance with court-directed procedures. Hearings on issues of fact could be held only when the affidavits show there is a real issue of fact.

If a Negro has applied for a court certificate 20 or more days before the election, his application is challenged, and the case is not decided by election day, the court must allow him to vote provisionally, provided he is "entitled to vote under state law," and impound his ballot pending a decision on his application. If he applies within 20 days before the election, the court has the option of whether or not to let him vote.

The court would not be limited in its powers to enforce its decree that these Negroes be allowed to vote and their votes be counted and may authorize the referee to take action to enforce it.

The referees would have the powers conferred on court masters by rule 53(c) of the Federal Rules of Civil Procedure. (Rule 53(c) gives masters the right to subpoena records, administer oaths and cross-examine witnesses.)

In any suit instituted under these provisions, the state would be held responsible for the actions of its officials and, in the event state officials resign and are not replaced, the state itself could be sued.

would have authorized referees to oversee the actual counting of ballots.

ENROLLMENT OFFICERS PLAN

The basic idea of the Hennings proposal was that after the Attorney General brought a suit under the 1957 Act and the judge hearing the case found a pattern or practice of discrimination (without, as in the referee plan, involving a separate case), the Attorney General would so notify the President. The President would then appoint federal enrollment officers for that area to register all Negroes found qualified under state voting laws. If a Negro's qualification were challenged on election day, he could vote provisionally until the case was decided; if he were prevented from voting on or before election day, the Justice Department would ask for a temporary court injunction.

The Hennings plan was destined to become identified as a Democratic bill and never became the instrument of compromise he intended.

HOUSE ACTION

In the House, which acted first, the three-cornered nature of the controversy almost led to the rejection of the entire voting provision. But Northern Democrats finally threw their support from the enrollment officers to the referee plan, thus assuring passage. Before doing so, however, they pressed successfully for the adoption of a strengthening amendment sponsored by Rep. O'Hara (D Mich.). The O'Hara amendment provided for the provisional acceptance of ballots cast by persons who had applied for registration to a voting referee 20 or more days before the election and whose application had been challenged and was still pending. In cases where the application had been filed less than 20 days before the election, the applicant could be permitted to vote at the discretion of the court. The amendment also restored some measure of the referee's power to supervise voting and ballot counting.

After narrowly escaping an amendment that would have limited its effect to federal elections, the voting referee provision was formally adopted by the House March 23 on a 295-124 roll-call vote.

SENATE ACTION

The Senate also approved the referees plan, but with two substantive changes, both designed to temper Southern objections. All other amendments were rejected. They included efforts by the pro-civil rights "liberal bloc" to strengthen the plan and amendments by the 18-member Southern bloc to weaken it.

The first of these changes, sponsored by Sen. Estes Kefauver (D Tenn.) and adopted by the Senate Judiciary Committee by a 7-6 vote, deleted the language that required a Negro's appearance before a voting referee to be *ex parte* (without cross-examination by opponents) and added a provision to make the hearings public and to permit the appearance of the registrar or his counsel.

By a 69-22 (D 38-19; R 31-3) vote, the Senate April 1 accepted a substitute for the Kefauver amendment. The substitute restored the House language requiring that hearings before the referee be held *ex parte* and permitted the court to set the times and places of the hearings.

1960 Platforms

Democrats. The Democratic convention July 12, 1960 adopted the strongest civil rights plank in the history of the party. It proposed legislation to: eliminate literacy tests and poll taxes where they still existed as voting requirements; require school districts still segregated to submit plans for at least first-step desegregation by 1963 and provide technical and financial assistance to school systems going through desegregation; authorize the Attorney General to file suits seeking court injunctions against deprivation of any civil right; establish a federal Fair Employment Practices Commission; and strengthen and make permanent the Civil Rights Commission. The platform also pledged executive action to assure equal employment opportunities and end racial segregation in areas of federal activity, as well as to end discrimination in federal housing programs.

Republicans. The GOP platform, adopted July 27, proposed legislation to: make a sixth-grade education conclusive evidence of literacy for voting purposes; authorize the Attorney General to bring action for school desegregation; provide federal aid and technical assistance for schools attempting to desegregate; establish a permanent Commission on Equal Job Opportunity; and end "discriminatory membership practices of some labor union locals, unless such practices are eradicated promptly by the labor unions themselves." The platform also carried pledges to bar discrimination in federally assisted housing, oppose use of federal funds to build segregated community facilities, prohibit segregation in public transportation and "other Government authorized services." The GOP also pledged its "best efforts" to change the Senate cloture rule.

The other Senate amendment dealt with the provisional voting concept contained in the House-approved O'Hara amendment. This amendment, offered by Sen. Dirksen (R Ill.) and accepted April 7 by a 79-12 (D 52-8; R 27-4) vote, added to the section, stating that courts shall allow the Negro to vote provisionally, the words, "provided, however, that such applicant shall be qualified to vote under state law." Senators were split on the amendment's effects, and the liberal bloc divided in the voting, part of its membership casting the 12 negative votes.

Court Orders, Bombings. Two sections of the Administration bill were substantially broadened before final enactment. One Administration proposal would have made it a federal crime to obstruct the carrying out of court orders for school desegregation; the other would have permitted the Federal Government to prosecute instances of bombings of schools and churches. The final bill made the court order provision apply to obstruction of any kind of court order and the bombing provision apply to bombing or burning of any kind of building or vehicle. The result was that the provisions were more general in nature and less obviously directed at racial incidents in the South.

Desegregation, Job Aid. Two sections of the Administration bill -- those most vehemently opposed by

Southerners -- were scrapped entirely. There was substantial evidence that this action was not unexpected or entirely opposed by the Congressional leaders, and President Eisenhower throughout the 1960 action made no call for restoration of the provisions in the final bill.

The two provisions would have: (1) established a permanent Commission on Equal Job Opportunity Under Government Contracts to investigate and try to eliminate racial discrimination in companies working under Government contracts; and (2) provided federal technical assistance to school agencies going through a desegregation process; a prologue to this provision endorsed the Supreme Court's 1954 school desegregation decision and said state and local governments "are now obligated to take steps toward the elimination of segregation in their public schools."

Southerners gained votes against the proposed Commission by arguing that it would establish a precedent for a Federal Fair Employment Practices Commission and that the provision constituted an endorsement of Vice President Nixon, who headed the existing Government Contracts Committee.

Both provisions were deleted from the Administration bill by the House Judiciary Committee in 1959, and efforts to restore them on the House floor in 1960 were ruled out of order on grounds that they were not germane to the civil rights bill.

The provisions were rejected by the Senate Judiciary Committee and by the Senate itself, where the Commission provision was tabled on a 48-38 (D 27-27; R 21-11) roll call April 1. The desegregation assistance amendment was tabled on a 61-30 (D 37-20; R 24-10) vote April 4.

Part III, School Desegregation. Also rejected were amendments that provided for Part III or, more narrowly, for permission for the Attorney General at least to enter private suits for school desegregation. Part III was rejected by the House Judiciary Committee in 1959, and efforts to add it on the House floor in 1960 were ruled out of order as not germane. The Senate twice voted to reject Part III. The first vote came March 10, when the Senate tabled a Part III amendment by a roll call, 55-38 (D 34-28; R 21-10). The second vote on Part III took place April 4, when the Senate tabled, 56-34 (D 33-23; R 23-11), amendments to add Part III and to allow the Attorney General to enter private suits for school desegregation.

1961 The Kennedy Administration took office faced with the difficult problem of what to do with its own civil rights promises. The 1960 Democratic platform contained the most far-reaching pledges for legislative and executive civil rights action ever made by a major U.S. political party. But with a Congress narrowly divided on most of the President's "priority" welfare programs, Administration strategists decided not to irritate Southern Democrats by pressing for civil rights bills. In exchange, they hoped, Southerners would support other Administration measures.

The only civil rights legislation that received Administration support and was enacted by Congress in 1961 extended the Civil Rights Commission for two years. Other civil rights proposals, offered in the Senate as amendments to various bills, and an attempt to curb Senate filibusters received no White House support and were defeated.

The Administration was vigorous, however, in trying to promote racial equality through executive action in the fields of voting rights, discrimination by Government contractors and Government agencies and in transportation facilities.

Meanwhile, the Civil Rights Commission, buttressed by two Kennedy appointees, Spottswood Robinson III and Erwin N. Griswold, issued a five-volume report calling for a wide-ranging program of federal civil rights action (see p. 1609).

EXECUTIVE ACTIONS

Employment. President Kennedy March 6 issued Executive Order No. 10925 establishing the President's Committee on Equal Employment Opportunity to combat racial discrimination in the employment policies of Government agencies and private firms holding Government contracts. The Committee, headed by Vice President Johnson, replaced the earlier Committee on Government Employment Policy and the Committee on Government Contracts, headed by Vice President Nixon. Whereas the old Contract Committee had to wait for complaints to be filed, the new agency was authorized to make investigations on its own responsibility and had the resources of the Labor Department to aid it in enforcement. The order required regular compliance reports from contractors, and these were to include reports on unions with which the contractors dealt. The Committee was authorized to hold hearings and publicize the names of non-complying unions or companies. It also was authorized to cancel contracts of companies that continued to discriminate or bar them from future contracts. The Committee subsequently won agreements with several large Government contractors, including a broad anti-discrimination agreement from Lockheed Aircraft Corp., which the President called a "milestone" in civil rights.

Transportation. Attorney General Robert F. Kennedy May 29, 1961 petitioned the Interstate Commerce Commission to issue regulations banning segregation in bus terminals. He said "confusion" about existing rules had given rise to "unrest and civil disorder." The Commission Sept. 22 issued a new set of regulations prohibiting discrimination in interstate buses and terminals. The regulations were flouted in some Southern areas, and the Department then set out to enforce them.

The Department also moved against discrimination in airport facilities, bringing suits against some airports on the grounds that the Federal Airport Act barred any "unjust discrimination" in the operation of interstate air transport. (Meanwhile, the Senate July 31 tabled, 54-33 (D 37-19; R 17-14), an amendment to the Independent Offices appropriation that would have prohibited payment of obligated funds for construction of airport terminal buildings containing racially segregated facilities. The action came after Sen. Mike Mansfield (D Mont.) explained that the Federal Aviation Agency no longer helped construct terminals with segregated facilities, but that the funds involved in the amendment were an obligation of the Government pledged before FAA changed its policy.)

Voting. The Justice Department under the Kennedy Administration also more vigorously enforced the voting rights provisions of the 1957 and 1960 Civil Rights Acts. The Department under President Eisenhower filed nine suits between 1957 and Jan. 19, 1961. During the first

10 months of the Kennedy Administration the Department filed 14 suits.

Housing. President Kennedy did not make good on his 1960 campaign promise to issue "the long-delayed executive order putting an end to racial discrimination in federally assisted housing." Candidate Kennedy had said the President could do this "by a stroke of his pen," but the order was not issued for fear it would jeopardize enactment of key Kennedy legislation, including the 1961 housing bill and a measure to elevate the Housing and Home Finance Agency to Cabinet status. (See 1962)

Education. The Justice Department under the Kennedy Administration took a direct hand in school desegregation by acting as a "friend of the court" in New Orleans and being rebuffed in its attempt to act as a plaintiff in Prince Edward County, Va., where schools had been closed to avoid integration. The Department also was credited with some behind-the-scenes work to achieve smooth transition to desegregated schools in other Southern areas.

General Legislation. Candidate Kennedy Sept. 1, 1960 announced he had asked Sen. Joseph S. Clark (D Pa.) and Rep. Emanuel Celler (D N.Y.) to draw up civil rights legislation "embodying our platform commitments for introduction at the beginning of the next session." "We will seek enactment of this bill early in that Congress," he said. However, when the Clark-Celler bills were introduced in 1961, White House Press Secretary Pierre Salinger said they "are not Administration-backed bills. The President does not consider it necessary at this time to enact new civil rights legislation."

Commission Extension. Following the procedure it had used in 1959, the Senate Aug. 30 voted 70-19 (D 41-18; R 29-1) to attach a two-year extension, until Nov. 30, 1963, of the Civil Rights Commission to the House-passed State-Justice-Judiciary appropriation. The House Sept. 13 agreed to the two-year extension, 300-106 (D 161-82; R 139-24), and to an \$888,000 appropriation for the Commission.

Before the Senate added the two-year extension to the bill, Senate liberals offered and lost four amendments: to make the Commission permanent, tabled, 56-36 (D 33-28; R 23-8); to extend its life for four years, tabled 48-42 (D 31-29; R 17-13); to authorize civil suits for injunctive relief (tabled, 47-42); and to authorize federal aid to school districts seeking to desegregate, tabled, 50-40 (D 34-26; R 16-14).

1962 Despite increasing pressure, the Kennedy Administration in 1962 continued to sidestep demands for general civil rights legislation -- including the "Part III" authority so ardently sought by civil rights groups -- but gave its backing to two proposals in the voting rights field, already the subject of enactments in 1957 and 1960.

One of these proposals, a constitutional amendment outlawing the poll tax as a voting requirement in federal elections and primaries, won approval of both Senate and House. As a proposed constitutional amendment, it required a two-thirds majority of each chamber of Congress, as well as ratification by three-fourths of the states.

The other proposal was an Administration-sponsored measure to make anyone with a sixth-grade education eligible to pass a literacy test for voting in federal elec-

tions. This bill died in a Senate filibuster, with liberal civil rights forces variously laying the blame on the conservative Southern Democratic-Republican coalition, on indifference of civil rights organizations, and on lack of aggressive leadership by the Administration.

A third civil rights measure, an FEPC bill, was reported in the House but did not reach the floor.

Meanwhile, the Executive Branch continued its earlier activities in the civil rights field and expanded the scope of its efforts in education and housing.

Poll Tax. The General Services Administration Sept. 14 submitted to the Governors of the 50 states a proposed constitutional amendment (S J Res 29) barring the requirement of a poll tax as a qualification for voting in federal elections and primaries. This action followed passage by both houses of Congress. Bills to ban the poll tax by statute, rather than by constitutional amendment, were approved five times between 1942 and 1949 by the House but died each time in the Senate, with filibusters in 1942, 1944 and 1946. Sen. Holland (D Fla.), sponsor of S J Res 29, introduced an anti-poll tax amendment in every Congress since 1949, but it never was reported by the Senate Judiciary Committee.

The Senate March 27 approved amendment on a 77-16 roll call, 15 votes more than the necessary two-thirds majority. Passage followed a 10-day "friendly filibuster," during which no attempt was made to invoke cloture. Debate on the proposal began March 14 when Majority Leader Mansfield (D Mont.) called up a minor measure with the avowed purpose of permitting Sen. Holland (D Fla.) to offer his poll tax proposal (S J Res 58) as a substitute for it. The Holland substitute was adopted by voice vote March 27 after the Senate tabled, 59-34, a proposal by Sen. Javits (R N.Y.) to outlaw the poll tax by statute.

The debate, as in earlier years, concerned both the substance and the proposed method of eliminating poll taxes. Language in Article 1, Section 2 and in the 17th Amendment to the Constitution set the "qualifications" for voters in federal elections as those "requisite" for electors of the most numerous branch of the state legislature. The issue thus was whether or not the poll tax was a "qualification" that states could properly set.

Also under debate was the issue of whether poll taxes should be outlawed by statute or by constitutional amendment. On the theory that poll taxes were not specifically designed to keep Negroes from voting, Holland and most of his supporters argued that there was no language in the Constitution that barred a poll tax and therefore it had to be achieved by amending the Constitution. To do otherwise, they said, would open the states' entire control over their election machinery to attack by federal legislation.

Many civil rights advocates, on the other hand, argued that to accept the constitutional amendment approach would be to concede that Congress had no other method of eliminating abuses in voting laws, and this would set a bad precedent for other civil rights proposals.

President Kennedy, in a letter to Holland, assured him of "my continued support for the principles set forth" in Holland's amendment. The President's brother, Attorney General Robert F. Kennedy, endorsed the constitutional amendment approach but also said Congress could outlaw the poll tax by statute without violating the Constitution.

The House Aug. 27 approved S J Res 29 by a roll-call vote of 295-86 (D 163-71; R 132-15), which was 41 more than the two-thirds of those present and voting necessary

to approve the amendment. Because the resolution had not yet received a rule for floor consideration from the House Rules Committee, House leaders called it up under suspension of the rules, a procedure which also requires a two-thirds majority for approval, and which allows only 40 minutes of debate and no amendments. Chairman of the House Judiciary Committee Celler urged approval on the grounds that it was the only proposal which could get through the Senate. Some liberal Republicans protested against the "gag procedure" under which the amendment was brought up in the House.

Although only 40 minutes of debate was allowed, Southerners tied up the House for almost four hours with two procedural roll calls and three quorum calls.

As passed by Congress, the amendment -- a variation of earlier Holland proposals -- provided: "The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax."

The 24th Amendment was finally ratified by the required 38 states in 1964. Its only real effect was in the five states which still had a poll tax -- Alabama, Arkansas, Mississippi, Texas and Virginia. (See p. 1641.)

Equal Rights. Sole action on equal rights was approval Aug. 30 by the Senate Judiciary Committee of a joint resolution (S J Res 142) for a constitutional amendment to guarantee that "equality of rights" shall not be denied or abridged "on account of sex."

Literacy Tests. A Senate filibuster spelled defeat for the Kennedy Administration's literacy test bill in 1962. The measure (S 2750) provided that anyone with a sixth-grade education could not be flunked on a literacy performance test required of those registering to vote in federal elections. It did not outlaw the giving of such tests, nor did it preclude a state from setting any other level of education as a requirement for registering to vote. The proposal originated in the 1960 GOP platform, and a similar recommendation appeared in the Civil Rights Commission's 1961 report. The Democratic party also was pledged to literacy test action.

The measure reached the Senate floor April 24, when it was offered by Majority Leader Mansfield and Minority Leader Dirksen (R Ill.) as an amendment to a minor House-passed bill. (They earlier had agreed to do this if S 2750 was not reported by the Judiciary Committee.) There followed a rather leisurely Southern filibuster, which the leadership made two unsuccessful efforts to break by invoking cloture. The first cloture motion, rejected May 9 by a 43-53 (D 30-30; R 13-23) vote, was followed immediately by rejection, 33-64 (D 23-38; R 10-26), of another motion to table (kill) the bill. Voting for the cloture motion were 13 Republicans and 30 Northern Democrats. Voting against it were 23 Republicans, 7 Northern Democrats and 23 Southern Democrats. The second cloture motion, May 14, was rejected by a 42-52 (D 31-30; R 11-22) roll call -- 21 votes short of the necessary two-thirds majority. No Senators changed their position from the first cloture vote. The following day the Senate voted 49-34 (D 30-22; R 19-12) to shelve the bill, and it did not come up again during the 1962 session. There was no House action. Debate, like that on the poll tax proposal, was largely concerned with the constitutionality of the measure.

FEPC. The House Education and Labor Committee Feb. 21 reported a bill (HR 10144 -- H Rept 1370) to prohibit discriminatory employment practices by employers, labor unions or employment agencies. The bill called for establishment of a five-member, bipartisan Equal Opportunity Commission, with authority to initiate charges as well as investigate them and oversee enforcement. The measure never reached the House floor.

EXECUTIVE ACTIONS

Education. The Kennedy Administration adopted a new policy of using discretionary authority granted by Congress to deal where possible with desegregated rather than segregated school systems. Acting under this policy, Health, Education and Welfare Secretary Abraham A. Ribicoff March 30 announced that only desegregated schools would qualify as "suitable" under regulations for one section of the program of federal aid to "impacted" school districts -- those bearing extra burdens because of federal installations in the area. Starting with the 1963-64 school year, he said, the Federal Government would be prepared to establish desegregated on-base schools for children of parents living and working on federal property, when only segregated public schools were available off the base. Ribicoff announced at the same time that the Justice Department was considering a suit to compel desegregation of school districts receiving aid under the impacted areas program.

HEW in 1962 also adopted a new policy of contracting only with desegregated universities for summer training institutes authorized under the 1958 National Defense Education Act.

In another move, the U.S. Office of Education announced plans to establish an information clearinghouse to help local school districts plan for desegregation.

Hospitals. The Justice Department May 8 sought to intervene in a suit brought by the National Assn. for the Advancement of Colored People against a provision in the Hill-Burton Act of 1946, which authorized federal grants for hospital construction where the hospitals maintained segregated facilities, on a separate but equal basis, for Negroes. If won, the suit would not cut off the money but would force desegregation of the hospitals.

Housing. President Kennedy Nov. 24 issued Executive Order 11063 barring racial discrimination in federally assisted housing. The action, fulfilling a 1960 campaign promise, had been delayed for almost two years in the fear that it might jeopardize other parts of the Kennedy program in Congress.

Early in 1962, Congress killed another Administration housing proposal -- elevation of the Housing and Home Finance Agency to a Cabinet-level Department of Urban Affairs and Housing -- after the President Jan. 24 announced that HHFA Administrator Robert C. Weaver, a Negro and an advocate of "open occupancy," was his choice for Secretary of the proposed Department. The statement brought criticism from Republicans, who claimed that in an election year the President was maneuvering to make them appear anti-Negro if they did not vote for the Cabinet department.

Women in Government. President Kennedy July 24 issued a memorandum barring discrimination against women in federal service. In the future, he said, appointments and promotions must be made "without regard to sex except in unusual situations." The order overruled an opinion by Attorney General Homer S. Cummings in 1934 that gave Government agencies the right to limit certain federal jobs to one sex or the other.

1963 In 1963, the issue of Negro rights produced a national domestic crisis for the U.S. Discontented with the pace of their advances in all spheres of American life, and better organized than ever before, Negroes pressed for stepped-up activity on all fronts. Their drive resulted in a request by President Kennedy for new far-reaching legislation, and in Congressional action which paved the way for possible passage in 1964 of the Administration bill covering voting rights, school desegregation, employment, access to public accommodations, and use of federal funds without discrimination. The only legislation in this field enacted in 1963 gave the Civil Rights Commission a one-year extension.

The immediate impulse for the 1963 civil rights drive was a series of Negro demonstrations and boycotts which soon spread throughout the country, North and South. By the end of the year, demonstrations had taken place in 800 cities and towns, climaxed by a gigantic Aug. 28 "March on Washington for Jobs and Freedom" in which 200,000 persons participated. The peaceful Aug. 28 demonstration showed Negro groups united, and the Negro movement supported by whites, as never before.

The demonstrations in 1963 began with Negroes, but the year saw millions of white Americans -- most noticeably church groups and college students -- taking a new and deep interest in the lot of colored Americans. At the same time, however, many Northern whites, especially in low income groups, became hostile to the Negro rights drive which threatened existing de facto segregation in housing, employment and schools.

In light of the urgent Negro demand for action, and the possibility of heightened violence, the Kennedy Administration in June widened a relatively slim civil rights package which it had submitted to Congress earlier in the year, and moved civil rights legislation to the top of its priority list. On Feb. 28, President Kennedy had asked Congress for legislation dealing mainly with broadening the existing laws to protect Negroes' voting rights, and including provisions authorizing federal technical assistance to areas desegregating schools, and a four-year extension of the Civil Rights Commission, scheduled to go out of existence in late 1963.

On June 19, President Kennedy submitted a bill including all of the above requests, plus legislation to guarantee Negroes access to public accommodations, allow the Government to file suit to desegregate schools, allow federal programs to be cut off in any area where discrimination is practiced in their application, strengthen existing machinery to prevent employment discrimination by Government contractors, and establish a Community Relations Service to help local communities resolve racial disputes. The President's bill did not include a general section on fair employment practices, but the President's message expressed support for fair employment bills pending in Congress.

Before presenting the bill to Congress, President Kennedy, in a nationwide television address June 11, said "We are confronted primarily with a moral issue." "The fires of frustration and discord are burning in every city, North and South, where legal remedies are not at hand," he said. "Redress is sought in the streets, in demonstrations, parades and protests which create tensions and threaten violence -- and threaten lives."

The President then held a series of White House meetings with labor and religious leaders, with lawyers, and with representatives of women's organizations. In submitting the bill, Mr. Kennedy called on "all community

leaders, Negro and white, to do their utmost to lessen tensions and exercise self-restraint."

The public accommodations provision was often described as the "symbolic heart" of the President's bill. A focal point of the 1963 Negro demonstrations had been exclusion of Negroes from lunch counters, restaurants, amusement parks, theaters, hotels and other places open to the general public. This was also one of the two provisions which at first was considered the most difficult to get through Congress (the other being the federal funds section). Republican civil rights supporters argued that the provision should rest on the 14th Amendment's guarantee that Negroes should not be denied equal protection of the laws by any state, rather than on Congress' power to regulate interstate commerce, as the Administration bill did. Also, Senate Minority Leader Everett McKinley Dirksen (R Ill.) indicated that he would support only a voluntary public accommodations provision. Republican support would be essential for getting the bill through Congress over the opposition of Southern and border-state Members; yet many Republicans had deep misgivings about sections of the bill.

In the Senate, the Judiciary Committee, under the effective control of anti-civil rights Sen. James O. Eastland (D Miss.), its chairman, held hearings but took no further action. The Senate Commerce Committee, to which the public accommodations section had been referred as a separate bill, Oct. 8 approved a bill (S 1732) incorporating the Administration's request. For reasons of strategy, it was not formally reported in 1963. Once a bill is reported, it may be called up, and the Senate leadership did not want to get into the civil rights issue, and the expected filibuster, until the House had passed the civil rights bill first. S 1732 was reported the following year, but was set aside in favor of the omnibus bill.

The critical groundwork for 1964 action was laid in the House, where civil rights supporters of both parties and Administration officials worked towards finding a bill which would receive the necessary bipartisan support on the floor to overcome Southern opposition.

The House Judiciary Subcommittee No. 5 held hearings from May 8 through Aug. 2. The liberal-oriented Subcommittee then proceeded to draft a bill that went far beyond the scope of the Administration's proposal. Fearing that this measure would never enlist the support of enough Republicans to get it through the House, and wishing to avoid opening the bill up to widespread amending on the House floor, the Administration decided to take the political risk of publicly asking for a milder bill. Attorney General Robert F. Kennedy appeared before the full Judiciary Committee Oct. 15-16 and asked for modification of provisions which he said were either legally unwise or would provoke unnecessary opposition to the bill. Kennedy was especially critical of the wide scope of the public accommodations section and the new Title III (based on the old controversial Title II) which would have given the Justice Department almost unlimited powers in filing suits to stop civil rights deprivations.

A new bill was hammered out in crucial negotiations between McCulloch, Halleck and other House Republicans and the Administration in late October. The Republicans insisted on eliminating the temporary voting registrar formula in favor of special three-judge federal courts; making the Civil Rights Commission permanent; adding authority for the Commission to investigate vote frauds; adding a fair employment section with court (rather than

Civil Rights Groups and Leadership Conference

Old, established Negro civil rights organizations like the National Association for the Advancement of Colored People and the National Urban League found themselves competing in the 1960s with younger, more militant groups seeking to speak for American Negroes. Some of these newer groups, like the Student Non-Violent Coordinating Committee, eventually complemented the efforts of the older groups. But on the extremist wing stood the Black Muslims, who preached superiority of the Negro and called for segregation rather than integration.

A brief description of the major Negro civil rights groups follows:

National Association for the Advancement of Colored People (NAACP) -- founded in 1909 in New York City by Dr. W.E.B. DuBois, Mary White Ovington and others; headquarters in New York City with a Washington office headed by Clarence Mitchell; over 400,000 members; interracial in membership; leaders were Arthur B. Spingarn, president and Roy Wilkins, executive secretary; concentrated through the years mainly on legal and legislative matters but took part in demonstrations, boycotts and sit-ins in 1960s.

NAACP Legal Defense and Education Fund -- founded in 1938 as a tax-exempt (non-lobbying) organization not officially tied to the regular NAACP; headquarters in New York City; leaders were Dr. Allan Knight Chalmers, president; Thurgood Marshall, director-counsel until his appointment in 1962 as a federal judge; Jack Greenberg, Marshall's successor; maintained a full legal staff pressing litigation for Negro rights in the South.

National Urban League -- founded in 1910; headquarters in New York with a Washington bureau; over 100,000 members; interracial in membership; leaders were Henry Steeger, president and Whitney Young Jr., executive director; mainly interested in better housing, employment and educational opportunities and has participated very little in demonstrations, school boycotts and sit-ins.

Congress of Racial Equality (CORE) -- founded in 1941; headquarters in Chicago with a Washington chapter; over 83,000 members; interracial in membership; leaders were James Farmer, president and Floyd B. McKissick, national chairman; participated mainly in demonstrations, boycotts and sit-ins which it pioneered in the 1940s.

Southern Christian Leadership Conference -- founded in 1957 by Rev. Dr. Martin Luther King Jr. and a group of Negro ministers; headquarters in Atlanta, Ga., no Washington office; confines most of its activities to the South; small membership but many followers; interracial in membership; leaders were King, as president and Rev. Wyatt Tee Walker, staff director; concentrated on demonstrations, boycotts and sit-ins.

Southern Regional Council -- founded in 1942 by Dr. Gordon B. Hancock (of Virginia Union University) and Dr. P.B. Young (a Negro publisher); headquarters in Atlanta, no Washington office; confined to the South; small membership; interracial; led by Leslie C. Dunbar, executive director; a research and information

service devoted to improving the Negro's economic status and educational opportunities in the South.

Student Non-Violent Coordinating Committee (Snick) -- founded in 1960; headquarters in Atlanta, no Washington office; small membership compared to CORE and the NAACP; interracial in membership; led by John Lewis, 26, its chairman; participated mainly in demonstrations, boycotts and sit-ins, mostly in the South.

Negro American Labor Council -- founded in 1960 by A. Philip Randolph, its president, who was also president of the Brotherhood of Sleeping Car Porters union (AFL-CIO); headquarters in New York, no Washington office; membership made up of Negro and white union members; interested in obtaining equal opportunities for Negroes within the labor movement.

Black Muslims -- founded in 1933; headquarters in Chicago and Detroit with a Washington mosque; membership secret and restricted to Negroes; leaders were Elijah Muhammad and Malcolm X (until his defection in 1964); stated goal was to take over several states and establish an all-black community; unlike the other groups it advocated total segregation instead of integration and took no interest in civil rights legislation.

LEADERSHIP CONFERENCE

All major organizations backing civil rights legislation participated in the Leadership Conference on Civil Rights, formed in 1949 as a civil rights coordinating agency. The Conference mobilized support for the 1957 and 1960 Civil Rights Acts. The Leadership Conference started in 1949 with 20 participating groups and by 1963 had 79. It had a permanent Washington office, directed by Arnold Aronson, secretary of the Conference. Marvin Kaplan, on leave from the Industrial Union Department of the AFL-CIO, was the Conference's associate director.

Listed below are the organizations within the Leadership Conference which took an especially active role in 1963-64 in pressing for a new civil rights bill.

Civil Rights Groups -- All of those listed above except the Southern Regional Council and Black Muslims.

Labor Unions -- AFL-CIO, its Industrial Union Department and unions of autoworkers, electrical workers, butchers, steelworkers, clothing workers, retail and state and municipal employees, textile workers, newspapermen, rubberworkers, packing-house men, transport service employees; and the National Alliance of Postal Employees (Ind.).

Church Groups -- National Council of Churches of Christ, eight other Protestant groups; National Catholic Conference for Interracial Justice; National (Jewish) Community Relations Advisory Council and six other Jewish groups; National Student Christian Federation.

Other Groups -- Americans for Democratic Action, American Civil Liberties Union, Japanese-American Citizens League, Women's International League for Peace and Freedom, American Veterans Committee, four Negro professional organizations.

administrative) enforcement of decisions; and a modified Title III. Administration officials agreed to the terms. The resulting legislation was approved by the Judiciary Committee Oct. 29. President Kennedy said the Committee's approval of the bipartisan measure had "significantly improved the prospects for enactment of effective civil rights legislation" while Attorney General Kennedy said that without Halleck's and McCulloch's "support and effort, the possibility of civil rights legislation in Congress would have been remote." The new bill, he said, was a "better bill than the Administration's in dealing with the problems facing the nation."

The bipartisan bill went beyond the Administration's earlier requests by authorizing Justice Department suits to desegregate public facilities; by permitting the Department to enter any civil rights suit pending in federal court; by requiring (rather than exhorting) Government agencies to seek compliance with a nondiscrimination policy in federal programs; by establishing an Equal Employment Opportunities Commission; covering most companies and labor unions; by requiring the Census Bureau to collect certain voting statistics by race; and by making reviewable a federal court action remanding a civil rights case to a state court.

The bill (HR 7152) was formally reported Nov. 20, but was not cleared for floor action by the House Rules Committee by year's end. When liberals threatened to take the bill from the Committee by use of a discharge petition, Chairman Howard W. Smith (D Va.) promised action in January 1964.

In his first address to Congress following President Kennedy's assassination Nov. 22, President Johnson Nov. 27 named civil rights as a priority item for Congressional action. "No memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long," Mr. Johnson said.

Civil Rights Commission. The U.S. Commission on Civil Rights in 1963 was given a one-year extension by Congress. Under the 1961 law, the Commission was scheduled to file its final report Sept. 30, 1963 and go out of existence 60 days later. With 1963 action unlikely on any of the omnibus bills containing provisions extending the Commission's life, the Senate Oct. 1 added the one-year rider to a minor House-passed bill (HR 3369). The House Oct. 7 concurred and cleared the bill for the President. The Commission's 1963 report, as before, aroused protests from Southern Members of Congress. (See report, p. 1611.)

Senate Rules Change. Senate liberals were once more unsuccessful in an attempt to relax Rule 22, governing the shutting off of filibusters. (The rule required the affirmative votes of two-thirds of those present and voting to shut off debate.) By a 53-42 vote, the Senate Jan. 31 refused to take up the constitutional question of whether the filibuster rule could be suspended at the beginning of a session so as to make it easier to shut off debate on the question of changing that rule permanently. The Kennedy Administration declined to endorse the rules change.

On Feb. 7, the Senate refused 54-42 to invoke cloture on debate on a pending motion to take up a resolution to change Rule 22.

Pentagon Directive. The Defense Department July 26, 1963, issued a directive ordering the military services to issue regulations to protect the civil rights of servicemen on base and off base, and holding base commanders responsible for combatting on-base and off-base discrimination. It allowed a commander, with the approval of the civilian secretary of his service, to order a segregated establishment "off-limits." The order aroused stormy protests in Congress, landing as it did in the midst of the summer's heated civil rights fight and aimed as it was at the nation's military establishment, preponderantly located in the South. Southern Congressmen said the directive was being used as a club to force integration in communities near military bases. Defense officials went out of their way to deny that they had embarked on a general civil rights crusade or were using the military as instruments of social change. Said one: "We are not trying to change the life of a town, but the way they treat servicemen." Passage the following year of the Civil Rights Act of 1964, which contained legislation which would bring about many changes to ease the life of Negroes seeking public accommodations -- servicemen or no -- eased much of the sting of the 1963 directive.

1964 Congress in 1964 passed the most far-reaching civil rights legislation since the Reconstruction era. The Civil Rights Act of 1964, signed into law by President Johnson July 2, contained new provisions to help guarantee Negroes the right to vote; guaranteed access to public accommodations such as hotels, motels, restaurants and places of amusement; authorized the Federal Government to sue to desegregate public facilities and schools; extended the life of the Civil Rights Commission for four years and gave it new powers; provided that federal funds could be cut off where programs were administered discriminatorily; required most companies and labor unions to grant equal employment opportunity; established a new Community Relations Service to help work out civil rights problems; required the Census Bureau to gather voting statistics by race; and authorized the Justice Department to enter into a pending civil rights case. (See provisions, below.)

History was also made in the Senate, which for the first time voted to end a filibuster over civil rights.

The bill was passed in both chambers, and the filibuster was broken, through bipartisan work. Because a number of Senate Republicans, including Minority Leader Everett McKinley Dirksen (R Ill.), found the House-passed public accommodations and fair employment sections too strong, negotiations were entered into among Senate leaders of both parties and the Justice Department. The result was a "clean bill" which put greater emphasis on attempts to work out the problems by local agencies, where they existed, before the Justice Department brought suit. Southerners complained that this simply made the bill still more "sectional" in character. They were, however, outnumbered. The new bill provided the formula for breaking the filibuster and passing the bill in the Senate.

To avoid any further legislative pitfalls, the House accepted the Senate bill as amended and sent it to the President.

There was widespread compliance with the new law throughout much of the South. This progress, however, was offset by a number of tragedies growing out of tensions in race relations. Three student civil rights work-

ers in Mississippi for the summer were murdered, and the state was scarred by reports of other murders, church bombings, and threats against civil rights workers. In the North, where the bill would have little effect because it concentrated on rights already won by Northern Negroes, Negro tensions over poor living and working conditions ran high. Full-scale riots broke out in Harlem in July, followed by riots in other Northern cities. And there were indications that the "white backlash" to the civil rights movement, demonstrated by the high margins won by Alabama's segregationist Gov. George C. Wallace (D) in Democratic primaries in Indiana, Wisconsin and Maryland, would carry through the Presidential election. (See Political Chapter.)

House Passage -- HR 7152 was cleared by the Rules Committee for House floor consideration Jan. 30. It was debated by the House for nine days between Jan. 31 and Feb. 10. On Feb. 10, it was passed by a 290-130 roll-call vote (R 138-34; D 152-96 (ND 141-4; SD 11-92)). The bipartisan coalition of Republicans and Northern Democrats which negotiated the provisions of HR 7152 in the Judiciary Committee in 1963 held firm against any major changes despite a barrage of amendments. No amendment opposed by the bill's managers was adopted.

A major factor in holding supporters in line on key amendments was a carefully formulated campaign of the major legislative and lobby groups behind the bill -- the Democratic Study Group, the Leadership Conference on Civil Rights, major Negro rights organizations, top industrial unions of the AFL-CIO, Protestant, Catholic and Jewish church groups, the White House, the Justice Department, and groupings of pro-civil rights Republicans. By contrast, the Southern Democrats appeared to enter the battle with minimal organization and little gusto for the fight.

In all, 122 amendments were disposed of during debate on the bill. Of these, 28 were accepted, most of them technical in nature but a few of some significance. One amendment restricted somewhat the 14th Amendment application of the public accommodations section; another cut back the life of the Civil Rights Commission to four years; another required 30 days' notice to Congress before federal funds could be cut off from programs practicing discrimination. Two amendments tended to widen the scope of the bill: one of them adding discrimination in employment because of sex to the list of prohibited practices, and another reinstating the provision for the Community Relations Service included in the original Administration bill but dropped in committee.

Senate Passage -- The Senate Feb. 26 voted 54-37 to place the House-passed bill on the Senate calendar rather than refer it to the Southern-dominated Judiciary Committee. On March 9 the Senate began debate on a motion to take up the bill and on March 26, after 16 days of debate, voted 67-17 to take it up after voting 50-34 to table a motion to refer the bill to the Judiciary Committee until April 8.

At that point, the Southern filibuster was on. The 1964 filibuster was, however, different from its predecessors. The Northern forces, led by Majority Whip Hubert H. Humphrey (D Minn.) and Minority Whip Thomas H. Kuchel (R Calif.) were better organized than in the past. They worked out a system for having enough Senators on hand at all times to answer quorum calls, and sent out a newsletter to keep Senators informed on the debate.

Furthermore, the Northerners stayed on the floor to answer Southern charges about the bill, rather than allow the Southerners to do all of the talking. The Southerners were organized in their three-platoon system which had been used for earlier filibusters. While one team held the floor, the others could rest. Nineteen Senators conducted the filibuster: 18 Democrats from "deep South" states, and one Republican, John Tower (R Texas). The leadership avoided the around-the-clock sessions of 1960, both in order to guard Senators' health and to avoid a "circus" atmosphere.

During the long debate, Southerners made it clear that the two "most obnoxious" sections of the bill were those covering cut-off of federal funds and fair employment practices. The Johnson Administration, meanwhile, passed the word that it did not want any changes made in the bill as passed by the House.

It soon became clear, however, that changes would have to be made in order to win the necessary Republican support to close off the filibuster. Many of the GOP Senators were concerned about the effect of the public accommodations and fair employment provisions on private businesses. In May, Humphrey, Attorney General Kennedy and Dirksen and other interested Senators began negotiations on changes in the bill. On May 13, they reached agreement on a "clean bill" to be introduced as a substitute for the pending measure. The substitute made 70-odd changes in the House bill, but only a few of them were substantive. The major change was to provide, in both the fair employment and public accommodations sections, that the Government could sue only against a "pattern or practice" of discrimination. In other cases, the problem would be turned over for solution to local agencies set up to handle the problem; if this failed, the newly established Community Relations Service or Equal Employment Opportunities Commission would attempt to work out a solution; if this failed, the individual could bring suit in court. The Justice Department could, at the discretion of the court, enter the case on the plaintiff's side.

At the same time, outside pressures were being brought on uncommitted Senators to vote for cloture. The main problem was to reach Senators from primarily non-urban states who had no compelling reason to interest themselves in the civil rights problem. Most of these were the same Senators who were the traditional holdouts on voting for cloture. Church groups, working with the Leadership Conference on Civil Rights, were instrumental in stirring up interest in the civil rights issue in these rural states. At the end, President Johnson, who had been urging passage of the bill but playing a low-keyed role, brought pressure on cloture hold-outs.

During the entire filibuster, Southerners allowed the Senate to vote only on their proposals to broaden the bill's provisions for jury trials in criminal contempt cases. The bill provided for jury trials in contempt cases arising under the provisions for voting rights, as provided in 1957, and access to public accommodations, if the judge wanted to impose a sentence of more than \$300 or 45 days in prison. The Southerners wanted broader jury trial rights covering all titles of the bill where criminal contempt cases might arise. Majority Leader Mike Mansfield (D Mont.) and Dirksen responded to the Southerners by offering an amendment to provide for jury trials in all cases under the bill if the judge wanted to impose a sentence of more than \$300 or 30 days in prison. Southern alternatives were beat off in voting on

May 6. Southerners refused to allow further votes until the Northern forces scheduled a cloture vote for early June. Hoping to stave off the cloture vote, the Southerners then offered to allow some voting. But Humphrey and Mansfield refused unless the Southerners agreed to an over-all debate limit including passage of the bill. Southerners refused this.

Before the vote for cloture, conservative Republicans, led by Bourke B. Hickenlooper (R Iowa), chairman of the Republican Policy Committee, who was unhappy that Dirksen had not won more concessions from the Justice Department, demanded roll-call votes on three issues: jury trials, federal help to areas desegregating their schools, and the fair employment practices provision. Only an amendment concerning jury trials was accepted in two days of debating and votes June 8-9. The jury trial amendment, sponsored by Sen. Thruston B. Morton (R Ky.), entitled defendants in criminal contempt cases arising under all sections of the Act except Title I (voting rights) to a jury trial upon demand, with a limit on the sentences of six months in prison and a \$1,000 fine. For voting rights infractions, the amendment left intact the 1957 Civil Rights Act's jury trial provisions.

Then, on June 10, the Senate voted 71-29 to close off the civil rights filibuster. With all 100 Senators present and voting, 67 votes were needed. The vote ended debate 57 days after formal consideration of the bill began and 74 days after the bill was before the Senate. The cloture move was supported by 44 Democrats and 27

Republicans; it was opposed by 23 Democrats and 6 Republicans. The vote for cloture left each Senator with one hour of speaking time on the bill or pending amendments. Only amendments which had been submitted before the cloture vote were in order. Between June 10 and June 17, Southerners called up a string of amendments. Only those acceptable to the leadership were approved. All other amendments were rejected, most by lopsided margins, in heavy roll-call voting. Northerners dropped their plans to call up amendments to "strengthen" the bill. On June 17, the Senate by a 76-18 roll-call vote adopted the bipartisan substitute bill worked out in the off-stage negotiations, and on June 19 it passed the bill by a 73-27 roll-call vote. Six Republicans joined 21 Democrats in voting against passage. One of the Republicans was Barry Goldwater (R Ariz.), then the front-runner for the GOP Presidential nomination. Goldwater said that he thought that the public accommodations and equal employment provisions "fly in the face of the Constitution and...require for their effective execution the creation of a police state."

House Clearance -- The House Rules Committee June 30 reported a resolution (H Res 789) providing for House acceptance of the bill as amended by the Senate after a bipartisan coalition wrested control of the Committee and the resolution from Chairman Howard W. Smith (D Va.) and the Southern Democrats supporting him.

The resolution was brought up on the House floor July 2 and after the allotted one hour for debate, the House approved the Senate-passed bill 289-126: R 136-35; D 153-91 (ND 141-3; SD 12-88). The predicted slippage in House support of the bill failed to materialize. Only six Representatives changed their positions from when they voted on passage of the bill in February, and this split both ways. One Member who changed his position from one of disapproval to approval was Rep. Charles L. Weltner (D Ga.) of Atlanta. "I will add my voice to those who seek reasoned and conciliatory adjustment to a new reality," said Weltner, "and, finally, I would urge that we at home now move on to the unfinished task of building a new South. We must not remain forever bound to another lost cause."

Only a few hours after the bill was passed, President Johnson signed it into law in a nationwide television broadcast from the White House. In attendance were Members of Congress, several Cabinet members, foreign ambassadors and leaders of the civil rights movement. In a message to the country, Mr. Johnson asked all Americans "to join in this effort to bring justice and hope to all our people." "Let us close the springs of racial poison," the President told the nation.

Mr. Johnson also announced that he was taking several steps to implement the new law; including the nomination of former Gov. LeRoy Collins (D) of Florida, a moderate, to be director of the Community Relations Service established under the bill. (Collins' nomination was approved by the Senate July 20.) President Johnson and Administration officials had already spent much time quietly urging Southern officials and businessmen to comply with the new law. Negroes were ready to test the bill's effectiveness immediately. Compliance was, for the most part, immediate and peaceful.

The issue of civil rights became an important part of the 1964 Presidential campaign. GOP nominee Sen. Barry Goldwater (R Ariz.) had voted against passage of the bill. The Republican platform pledged "execution"

12th Cloture Attempt Succeeds

Of the 29 cloture votes taken since Rule 22 was adopted in 1917, 12 were on civil rights legislation. The first 11 failed. On only 4 of these were the supporters of cloture able to produce a simple majority in favor of the motion. The 12 civil rights cloture votes:

Issue	Date	Vote	Yea	Votes Needed
Anti-lynching	Jan. 27, 1938	37-51	59	
Anti-lynching	Feb. 27, 1938	42-46	59	
Anti-poll tax	Nov. 23, 1942	37-41	52	
Anti-poll tax	May 15, 1944	36-44	54	
FEPC	Feb. 9, 1946	48-36	56	
Anti-poll tax	July 31, 1946	39-33	48	
FEPC	May 19, 1950	52-32	64*	
FEPC	July 12, 1950	55-33	64*	
Civil Rights Act	March 10, 1960	42-53	64	
Literacy tests	May 9, 1962	43-53	64	
Literacy tests	May 14, 1962	42-52	63	
Civil Rights Act	June 10, 1964	71-29	67	

* Between 1949 and 1959 the cloture rule required the affirmative vote of two-thirds of the Senate membership rather than two-thirds of those Senators who voted.

In addition to these cloture votes on civil rights bills, the Senate had twice voted on cloture motions to stop filibusters against proposed changes in the filibuster rule. Each was rejected:

Rule 22	Sept. 19, 1961	37-43	54
Rule 22	Feb. 7, 1963	54-42	64

of the law, avoiding the word enforcement. The Democrats, led by Mr. Johnson, pledged "enforcement." Beyond this was the latent question of a "white backlash" against the Negroes' press for more economic as well as political rights, and of the impact of Northern Negro riots during 1964. (See Political Chapter, page 52)

1964 Civil Rights Act's Provisions

TITLE I -- VOTING RIGHTS

In voting for federal elections, HR 7152 added to the Civil Rights Act of 1957's provisions against denial of voting rights the following:

- barred unequal application of voting registration requirements;
- prohibited denial of the right to vote because of immaterial errors or omissions by applicants on records of application;
- required that all literacy tests be administered in writing, and that for a period of 22 months the individual may, on request, receive a copy of the papers within 25 days; gave the Attorney General authority to enter into agreements with state or local authorities that their literacy tests are fairly administered and need not be given in writing;
- made a sixth-grade education (if in English) a rebuttable presumption of literacy.

When the Attorney General, under authority granted by the 1957 Civil Rights Act, files a voting rights suit and requests a finding of a pattern or practice of discrimination against voters, HR 7152 authorized him, at the time he filed the suit, to request that it be heard by a three-judge federal court (decisions of three-judge courts are immediately appealable to the Supreme Court). One of the judges must be a member of a federal circuit court and another a district judge in the district where the complaint is brought. A defendant also was authorized to request a three-judge court within 20 days after the suit was filed.

In pattern or practice suits -- whether a three-judge court is requested or not -- or in suits against intimidation of those attempting to register, required the courts to expedite the cases.

TITLE II -- PUBLIC ACCOMMODATIONS

Barred discrimination on grounds of race, color, religion or national origin in public accommodations enumerated below, if discrimination or segregation in such an accommodation is supported by state laws or official action, if lodgings are provided to transient guests or interstate travelers are served, or if a substantial portion of the goods sold or entertainment presented moves in interstate commerce.

Covered restaurants, cafeterias, lunch rooms, lunch counters, soda fountains, gasoline stations, motion picture houses, theaters, concert halls, sports arenas, stadiums, or any hotel, motel or lodging house except owner-occupied units with five or less rooms for rent (the "Mrs. Murphy" clause). Also covered any public establishment within or containing an accommodation otherwise covered (for example, a store containing a lunch counter, or a barber shop in a hotel). Not specifically covered: barber shops, retail stores, bars, small places of amusement such as bowling alleys. Specifically

exempted were private clubs, except to the extent that they offer their facilities to patrons of covered establishments (such as hotels).

Made it unlawful to deny any person access to these facilities because of race, color, religion or national origin, to threaten or intimidate anyone seeking his rights under this title, or to punish any person for exercising his rights under this title.

Permitted anyone denied his rights under this title to sue in court for preventive relief through a civil injunction, and authorized the courts, in their discretion, to permit the Attorney General to intervene in the private suit; also permitted the court to appoint an attorney for the complainant.

If the alleged discriminatory practice takes place in a state or local area which has a law prohibiting such acts and establishing methods of seeking relief, prohibited the suit from being brought until the state or local authority has had 30 days' notice. Allowed the court to stay proceedings further, pending termination of state or local enforcement proceedings.

If the alleged action takes place in a state which has no public accommodations law, permitted the courts to refer the matter to the Community Relations Service (established in Title X) for 60 to 120 days, if there was a reasonable chance of obtaining voluntary compliance.

Authorized the Attorney General to bring a civil action when he "has reasonable cause to believe" that a person or group of persons is engaged in a pattern or practice of resistance to granting the rights under this title. (No waiting period was required.)

Authorized the Attorney General to request a three-judge court to hear the case, the request to be accompanied by a certificate that the case is of "general public importance."

Directed the courts to expedite suits by the Attorney General.

Permitted the courts to order the payment of the attorney's fee of the winning party, unless it is the Government.

TITLE III -- DESEGREGATION OF PUBLIC FACILITIES

Upon written complaint of aggrieved individuals, permitted Justice Department suits to secure desegregation of state or locally owned, operated or managed public facilities, when the Attorney General believes that the complaint is "meritorious" and certifies that the aggrieved persons are unable to initiate and maintain legal proceedings because of financial limitations or potential economic or other injury to themselves or their families.

TITLE IV -- DESEGREGATION OF PUBLIC EDUCATION

Required the U.S. Office of Education to make a survey and report to Congress within two years on the progress of desegregation of public schools at all levels.

Authorized the Office to give technical and financial assistance, if requested, to local public school systems planning or going through the process of desegregation. The assistance could be:

- technical assistance in the form of information on effective methods of coping with special problems arising out of desegregation, or making available Office of Education or other personnel equipped to handle such problems;

arrangements, through grants or contracts, with colleges and universities for special institutes to train school personnel to deal with desegregation problems, and payment of stipends to those who attend the institutes on a full-time basis;

grants to a school board to pay for the cost of giving school personnel special training or employing specialists.

Authorized the Attorney General to file suit for the desegregation of public schools and colleges if he receives a signed complaint, believes that the complaint is meritorious, and certifies that the aggrieved individuals are unable to initiate and maintain legal proceedings, and that the action would "materially further" orderly school desegregation; provided that the suit may be filed only after he has notified the local school board or college authority of the complaint and given them a reasonable time to adjust the conditions.

Made clear that this law did not authorize any U.S. officials or courts to issue any order seeking to achieve racial balances in schools by transporting children from one school to another, nor did it enlarge the courts' existing powers to ensure compliance with constitutional standards.

Made clear that this title did not prohibit classification and assignment of students for reasons other than race, color, religion or national origin.

TITLE V -- CIVIL RIGHTS COMMISSION

Wrote into law a number of requirements for Commission procedures, covering: the summoning and taking testimony from witnesses, giving notice of hearings, confidentiality of proceedings, and bipartisanship in its activities.

Broadened the duties of the Commission by authorizing it to serve as a national clearinghouse on civil rights information, and to investigate vote frauds as well as denials of the right to vote.

Barred the Commission from investigating the membership practices or internal practices of any fraternal organizations, college sororities and fraternities, private clubs or religious organizations.

Extended the life of the Commission for four years, through Jan. 31, 1968, and required it to file a final report at that time, with such interim reports as the Commission, Congress or the President deem desirable.

TITLE VI -- NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Barred discrimination, under any program or activity receiving federal assistance, against any person because of his race, color or national origin.

Directed each federal department or agency extending financial assistance to any program or activity through grants, loans or most kinds of contracts, except contracts of insurance or guaranty, to issue rules or regulations, to be approved by the President, to carry out the purposes of this title.

Required that to enforce the title, agencies must first seek voluntary compliance, but if it is not forthcoming, authorized the agencies, after making a finding on the record, and giving opportunity for hearing, and after giving the appropriate legislative committees 30 days' notice, to cut off the federal program involved from the particular recipient or political entity involved.

Made any action cutting off assistance subject to judicial review.

Made clear that this section was not to be used to enforce equal employment practices, except where a primary purpose of the federal program is to provide employment.

Stated that nothing in this title added to or subtracted from any existing federal authority.

TITLE VII -- EQUAL EMPLOYMENT OPPORTUNITY

Outlawed the following employment practices if based on grounds of race, color, religion, sex or national origin:

- failure or refusal to hire or fire any person, or discrimination against him with respect to pay or terms and conditions of employment; or, in the case of an employment agency or hiring hall, failure or refusal to refer a worker;

- segregation, classification or any limitation of an employee in a way that would deprive him of equal employment opportunities;

- exclusion or expulsion from union membership;

- segregation, classification or limitation in union membership, or failure or refusal to refer for employment;

- a union's causing or attempting to cause an employer to discriminate against a worker;

- discrimination in any apprenticeship or training programs;

- discrimination against employees or applicants for employment because they have challenged employment practices outlawed by this section;

- printing or publishing any job notices indicating preferences because of race, color, religion, sex or national origin, unless these are bona fide job qualifications.

Coverage: HR 7152 provided a one-year delay before any employees would be covered by this section and full coverage would not be in effect for five years. In the second year after enactment, employers in industries affecting commerce with 100 or more employees for 20 weeks in a year, unions in industries affecting commerce with 100 or more members, union hiring halls and employment agencies would be covered. In the third year, industries and unions with 75 workers would be covered; in the fourth year, those with 50; and in the fifth year and thereafter, those with 25 workers.

Exemptions: Made the following exemptions from coverage:

- employers' alien workers outside the U.S.;

- employment by religious groups of individuals to carry out their religious activities;

- hiring for educational activities by educational institutions;

- hiring or classification on the grounds of religion, sex, or national origin where these are bona fide occupational qualifications;

- hiring by schools supported, controlled, or managed by a particular religion or persons of that religion;

- discrimination against Communists or members of Communist-front organizations (as determined by the federal Subversive Activities Control Board);

- preferential treatment for Indians living on or near reservations in enterprises on or near reservations;

- refusing to hire, or firing those who do not meet Government security requirements;

the United States Government, and state and local governments, government-owned corporations, Indian tribes and nonprofit private membership clubs (fraternal organizations, social clubs, country clubs, etc.); however, the section stated that it shall be the policy of the U.S. to insure equal employment opportunities in federal employment.

Made it clear that this section did not outlaw seniority or merit systems, or the setting of different standards of compensation or terms of employment, or the giving of professionally developed ability tests, as long as such actions were not with intent to discriminate because of race, color, religion, sex or national origin.

Stated that this section was not to be used to require quotas in employment, unions, or training programs on the grounds of race, color, religion, sex or national origin.

EEOC: Created a five-member Equal Employment Opportunity Commission, with no more than three members of the same political party, and all members to be appointed by the President and confirmed by the Senate.

Required the Commission to report to Congress and the President at the end of each fiscal year.

Authorized the Commission to: work with state and local agencies, public and private; furnish technical assistance to those covered under this section, on request, to help them with compliance; assist in conciliation, on request; make technical studies; refer matters to the Attorney General for legal action, and advise and assist the Attorney General.

Enforcement: Authorized the Commission to investigate written charges of unlawful employment practices filed by an aggrieved individual or a member of the Commission, and to attempt to settle the problem by informal methods of conference, conciliation and persuasion.

Required that such proceedings remain confidential, and stipulated that an officer or employee of the EEOC who revealed any information would be guilty of a misdemeanor.

If the alleged act of discrimination took place in a state or local area with an equal employment law, covering the alleged unlawful practice, barred the filing of a charge with the EEOC until 60 days after the complaint was presented to the local agency (120 days in the first year of a state or local law).

Required that the individual must file his complaint with the EEOC within 90 days after the alleged unlawful practice took place, unless state or local agencies were handling the matter. In this case, he was given 210 days to bring the complaint (90 days plus the 120 days for local proceedings), or up to 30 days after receiving notice that the local agency's proceedings had terminated, whichever was earlier.

Gave the EEOC up to 60 days to seek voluntary compliance, and, if that failed, authorized the aggrieved individual to bring a civil suit.

Authorized the courts, at their discretion, to appoint an attorney for the complainant, and permit the Attorney General to intervene.

Allowed the courts, on request, to stay the proceedings for another 60 days if state or local proceedings were continuing, or the EEOC was still seeking voluntary compliance.

Permitted the suits to be brought in the judicial district where the alleged practice was committed, where

the relevant employment records were kept, or where the plaintiff would have worked but for the alleged practice. If the respondent was not to be found in any of these districts, suit could be filed in the district where he had his main office.

If the court found that the respondent had "intentionally" engaged in the unlawful act, the court was authorized to order cessation of the unlawful practice and to order reinstatement or hiring of employees, with or without back pay (payable by the employer, union or employment agency responsible for the practice).

Permitted the EEOC to commence legal proceedings if a court order was flouted.

Made these proceedings subject to appeal.

Authorized the courts to pay the attorney's fees of the prevailing party, other than the Government or the EEOC.

Authorized the Attorney General to file a civil suit whenever he had reasonable cause to believe that a person or group of persons was engaged in a pattern or practice of resistance to this title, with intent to deny the rights it guaranteed. (The Attorney General was not required to submit to the waiting periods prescribed for private suits.)

Authorized the Attorney General to request a three-judge court to hear these suits, if he certifies that the case is of general public importance; and required the courts to expedite the suits, whether or not a three-judge court is requested.

Miscellaneous: Gave the EEOC access to the evidence of any person being investigated or proceeded against that is relevant to the charge under investigation.

Authorized the EEOC to utilize the services of state and local agencies carrying out local employment practices laws, with their consent; and to enter into agreements with these agencies, specifying types of cases under their jurisdiction that will not be processed or prosecuted by the EEOC or taken to court by individuals.

Required those covered by the title to keep records as prescribed by regulations of the EEOC, to be drawn up after public hearing; if the requirements caused an undue hardship, anyone covered could seek an exemption from the EEOC or sue in court. Those in states with fair employment practices laws were exempted from keeping additional records, to the extent that the state or local requirements paralleled the federal regulations. Also exempted were Government contractors already required to keep similar records.

Required employers, employment agencies and unions to post notices prepared or approved by the EEOC setting forth the provisions of this title.

Directed the Secretary of Labor to study factors which result in discrimination in employment because of age and of the effects of such discrimination on the economy and the individuals involved, and to report to Congress with recommendations by June 30, 1965.

Directed the President, as soon as feasible, to convene one or more conferences of labor and business leaders and representatives of state and local and interested Government agencies to prepare for wide understanding and effective administration of this title.

TITLE VIII -- REGISTRATION AND VOTING STATISTICS

Directed the Census Bureau to gather registration and voting statistics based on race, color and national origin in such areas and to the extent recommended by

the Civil Rights Commission, both on primary and general elections to the U.S. House, since Jan. 1, 1960.

Required such information on a nationwide scale in connection with the 1970 Census.

Made clear that persons could not be compelled to disclose race, color and national origin, or questioned about party affiliation or how they voted.

TITLE IX -- INTERVENTION AND REMOVAL OF CASES

Made reviewable in higher federal courts the action of federal district courts in remanding a civil rights case to state courts.

Authorized the Attorney General to intervene in private suits where persons have alleged denial of equal protection of the laws under the 14th Amendment and where he certifies that the case is of "general public importance."

TITLE X -- COMMUNITY RELATIONS SERVICE

Created a Community Relations Service in the Department of Commerce to aid communities in resolving disputes relating to discriminatory practices based on race, color or national origin.

Authorized the Service to offer its services either on its own accord or in response to a request from a state or local official or other interested person; directed the Service to seek the cooperation of other agencies and to carry out its conciliation activities without publicity.

Stipulated that the Service be headed by a director, to be appointed by the President and confirmed by the Senate for a four-year term; and authorized the director to appoint whatever staff was necessary.

Required the director to file a report with Congress by Jan. 31 of each year.

TITLE XI -- MISCELLANEOUS

Provided that in any criminal contempt case arising under the Act, except voting rights cases, defendants are entitled to a jury trial upon demand, with a limit on any sentence of six months in prison and a \$1,000 fine. (Voting rights cases were still covered by the 1957 jury trial provision that a judge may try a case without a jury, but in that instance the sentences would be limited to \$300 and 45 days in prison, and in any case to six months and \$1,000.)

Prohibited any one person from being subjected to both criminal prosecution and criminal contempt proceedings in federal courts for the same act or omission under the Act.

Provided that no one could be convicted for criminal contempt under the Act unless it is proved that the act or omission was intentional.

Provided that nothing in the law was to restrict existing powers of the Attorney General or the Government or any of its agencies to institute or intervene in any action or proceeding.

Stated that it was not the intent of this law to preempt or invalidate state laws in the same field, unless they were inconsistent with any of the purposes of the Act.

Authorized appropriation of whatever sums necessary to carry out the Act.

Vote and Election Results Compared

The Nov. 3, 1964, election returns showed that one-third of the Republicans who voted against the Civil Rights Act lost their bids for re-election while none of the Southern Democrats who voted for the bill was defeated.

Eleven Southern Democrats voted for the bill Feb. 10: Reps. Pepper (Fla.), Perkins (Ky.), Albert, Edmondson and Steed (Okla.), Bass and Fulton (Tenn.), Brooks, Gonzalez, Pickle and Thomas (Texas). On the final House vote July 2, Rep. Weltner (D Ga.) of Atlanta cast the 12th Southern vote for the bill.

One of the four Northern Democrats who voted against the bill, Rep. Lesinski of Detroit, was defeated in a primary election where his vote was used against him.

Eleven Northern Republican and three Southern Republican opponents of the bill lost Nov. 3: Reps. Snyder (Ky.) Alger (Texas) and Foreman (Texas), the Southerners; and Reps. Martin (Calif.), Wilson (Ind.), Jensen (Iowa), Johansen, Knox and Meader (Mich.), Beermann (Neb.), Wyman (N.H.), Short (N.D.), Van Pelt (Wis.) and Harrison (Wyo.).

In the Senate six Republicans voted against the bill, but the only two of these six who ran in 1964 lost their races: Barry Goldwater (Ariz.), the GOP Presidential candidate, and Sen. Edwin L. Mechem (N.M.).

Negroes voted overwhelmingly against Goldwater Nov. 3. According to the Gallup Poll, he won only 6 percent of the non-white vote compared to 32 percent won by GOP candidate, Richard M. Nixon in 1960.

Poll Tax Amendment. The 24th Amendment to the Constitution, outlawing the use of a poll tax as a prerequisite for voting in federal elections, was ratified by the required three-quarters (38) of the states and became a part of the Constitution Jan. 23. The amendment went into effect immediately. At the time that it was ratified, five states still charged a poll tax as a prerequisite for voting: Alabama, Arkansas, Mississippi, Texas and Virginia. The Amendment had been submitted to the states by Congress Aug. 27, 1962. States ratifying:

	Date of Final Ratification		Date of Final Ratification
1. Ill.	11/14/62	20. N.D.	3/12/63
2. N.J.	12/ 3/62	21. Vt.	3/15/63
3. Ore.	1/25/63	22. Wash.	3/14/63
4. Mont.	1/28/63	23. Nev.	3/19/63
5. W. Va.	2/ 1/63	24. Conn.	3/20/63
6. N.Y.	2/ 4/63	25. Tenn.	3/21/63
7. Md.	2/ 6/63	26. Pa.	3/25/63
8. Calif.	2/ 7/63	27. Wis.	3/28/63
9. Alaska	2/11/63	28. Kan.	3/28/63
10. R.I.	2/14/63	29. Mass.	3/28/63
11. Ind.	2/15/63	30. Neb.	4/ 4/63
12. Mich.	2/20/63	31. Fla.	4/18/63
13. Utah	2/20/63	32. Iowa	4/25/63
14. Colo.	2/21/63	33. Del.	5/ 1/63
15. Minn.	2/27/63	34. Mo.	5/ 9/63
16. Ohio	2/27/63	35. N.H.	6/12/63
17. N.M.	3/ 5/63	36. Ky.	6/26/63
18. Hawaii	3/ 6/63	37. Maine	1/16/64
19. Idaho	3/ 8/63	38. S.D.	1/23/64

Civil Rights Responsibilities of the Federal Government

Following is an outline of the major civil rights responsibilities in departments and agencies of the Federal Government, as summarized in a report to President Johnson "On the Coordination of Civil Rights Responsibilities in the Federal Government," prepared by Vice President Hubert H. Humphrey and dated Jan. 4, 1965:

A. Department of Justice.

The Department, through civil law suits and criminal prosecutions, acts to protect certain rights guaranteed by Federal law. Prior to 1964, its major statutory responsibilities involved protection of voting rights, enforcement of the Civil Rights Acts of 1957 and 1960 and prior civil rights statutes, representation of other Federal agencies in law suits, and assistance in enforcement of court orders. In addition, the Attorney General serves as chief legal advisor to the President on civil rights as well as other matters.

The 1964 Civil Rights Act added the following responsibilities: initiation of suits to require desegregation of governmentally owned or operated facilities and public schools, upon complaint of individuals who themselves are unable to sue, initiation of suits to end discrimination in public accommodations or in employment, where such discrimination is part of a pattern or practice; intervention in private law suits involving discrimination in places of public accommodation and in employment or in suits alleging denial of equal protection of the laws.

B. U.S. Commission on Civil Rights.

Established by the Civil Rights Act of 1957, the Commission investigates denials of the right to vote, studies legal developments, and appraises Federal policies relating to the equal protection of the laws in such areas as education, housing, employment, the administration of justice, use of public facilities, and transportation. It makes recommendations to the President and Congress and serves as a national clearing house for civil rights information.

C. Community Relations Service.

The Service was established by the Civil Rights Act of 1964 as a unit of the Department of Commerce to assist communities in resolving disputes arising from discriminatory practices which impair rights guaranteed by Federal law or which affect interstate commerce. It conciliates complaints referred by Federal courts in law suits to desegregate public accommodations and seeks, through conferences, publications, and technical assistance, to aid communities in developing plans to improve racial relations and understanding.

D. Equal Employment Opportunity Commission.

Established by the Civil Rights Act of 1964, the Commission will investigate charges of discrimination and through conciliation seek to resolve disputes involving discrimination by employers, unions and employment agencies covered by Title VII of the 1964 Act. It will carry out technical studies, make assistance available to persons subject to the Act, and may refer matters for action by the Department of Justice.

E. President's Committee on Equal Employment Opportunity.

This Committee, established by Executive Order 10925, enforces the requirements of the Order and of Executive Order 11114 that there be equal job opportunities in Federal employment, in work performed under government contract, and in all Federally-assisted construction projects. It supervises the compliance activities of each Federal contracting agency subject to the Orders.

F. Housing and Home Finance Agency.

The Agency is responsible for securing compliance with Executive Order 11063 and other Federal laws which require non-discrimination in the sale and rental of Federal and Federally-assisted housing, including public housing, urban renewal, college housing, FHA-insured homes, and community facilities. It also has responsibility for insuring non-discrimination in employment under Executive Order 11114 in Federal and Federally-assisted housing construction projects.

G. President's Committee on Equal Opportunity in Housing.

Established by Executive Order 11063, the Committee coordinates the activities of departments and agencies in preventing discrimination in housing and also conducts educational programs designed to foster acceptance of the Federal policy of equal opportunity in housing.

H. Department of Health, Education, and Welfare.

Several constituent units of the Department have civil rights responsibilities.

The Office of Education is charged by the 1964 Civil Rights Act to conduct a survey on the availability of equal educational opportunity and to provide technical and financial assistance to school boards in carrying out plans for the desegregation of public schools and for assisting in resolution of problems incident to desegregation. The Office is also responsible for assuring non-

discrimination in Federal aid-to-education programs including aid to colleges and universities, elementary and secondary schools, and libraries.

The Public Health and the Welfare Administrations are responsible under Title VI of the 1964 Civil Rights Act for assuring non-discrimination in Federally-assisted health and welfare programs, including aid to hospitals, State and county welfare departments, health clinics, and community mental health centers.

I. Department of Defense.

The Department implements programs requiring equal opportunity in the recruitment, training, and promotion of military personnel in the Armed Forces, the Reserves, and the National Guard. The Department also carries out, through base-community relations committees, programs designed to secure equal treatment for military personnel and their families in such off-base facilities as public schools, housing, and public accommodations. Because of its volume of expenditures, the Department has substantial responsibility for implementing Executive Order 10925 requiring non-discrimination in employment by Government contractors, and is responsible for assuring that grants and loans made by the Department to colleges, universities, and other institutions are administered without discrimination. The President's Committee on Equal Opportunity in the Armed Forces has submitted reports on efforts to eliminate discrimination against members of the uniformed services and their dependents.

J. Office of Economic Opportunity.

Established in 1964 to administer anti-poverty programs under the Economic Opportunity Act, the Office is directly responsible for operating the Job Corps, the Community Action Program, and the VISTA volunteers program. It also supervises a number of delegated programs, including the Neighborhood Youth Corps, college work-study, adult literacy, rural loans, small business loans, and work-experience programs.

Activities of the Office are significant in the civil rights field not only because they will be administered on a completely non-segregated basis, but also because they seek to involve the disadvantaged in the planning and administration of the anti-poverty programs. With more than half of all Negro, Spanish-speaking and Puerto Rican families afflicted with poverty, this emphasis is likely to produce significant benefits in bringing these groups more into local community life.

K. Other Agencies with Civil Rights Responsibilities.

Education. In addition to the Department of Health, Education and Welfare, the Department of Defense, and the Housing and Home Finance Agency, several other agencies and departments are responsible for assuring non-discrimination in college and university programs for which they provide Federal financial assistance. These include the Atomic Energy Commission, the National Science Foundation, the National Aeronautics and Space Administration, and the Departments of Agriculture and Interior.

Employment. In addition to the President's Committee on Equal Employment Opportunity and the Equal Employment Opportunity Commission, other agencies having civil rights responsibilities in employment include:

- the Department of Labor, which is responsible for securing non-discrimination in Federally-financed recruitment, training, referral, employment service and apprenticeship programs;
- the National Labor Relations Board, which has held certain racially discriminatory practices to be unfair labor practices;
- the Department of Commerce which offers technical assistance to business through its Task Force on Equal Employment Opportunities and which has major responsibilities under Executive Order 11114 and Title VI of the 1964 Civil Rights Act through the Bureau of Public Roads, the Area Redevelopment Administration, and other programs;
- the U.S. Civil Service Commission, which carries out certain responsibilities for the President's Committee on Equal Employment Opportunity to eliminate discrimination within the Federal service;
- the General Services Administration which, through its letting of contracts for government buildings and facilities, is involved in implementation of Executive Order 11114 barring discrimination in employment by government contractors.

Federal Financial Assistance. Of course, all Federal agencies are responsible under Title VI of the 1964 Act for assuring non-discrimination in Federally-financed programs administered by them. Some have already been mentioned. Others include:

- the Department of Agriculture, which helps finance State Extension Services, and other agricultural programs;
- the General Services Administration, which is responsible for the disposal of surplus Government property;
- the Federal Aviation Agency, which assists in the construction and maintenance of airport terminal facilities;

In addition, the Small Business Administration operates a program of special services aimed at expanding business opportunities among minority groups.

**Secretary Jack Kemp
Offers
A Progressive-Conservative Prescription
For a New War on Poverty**

Federal City Council Annual Meeting
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Jack Kemp
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In the 1980's, the American economy experienced an unprecedented expansion, creating over 21 million new jobs -- more than Europe, Canada and Japan combined -- and more than 4 million new business enterprises. While the Nation's gross national product grew by 26.3 percent between 1983 and 1989, federal tax revenues expanded by 35.7 percent, twice as fast as they did in the 1970's. Federal income taxes paid by the top 1 percent of taxpayers surged by over 80 percent -- from \$51 billion in 1981 to \$92 billion in 1987.

The Reagan-Bush Administration rediscovered the classical prescription for noninflationary economic growth: sound money, income tax rate cuts across the board, and reductions in the growth of government spending and regulation. As a result, the world was lifted to a higher vision of what democratic capitalism could achieve in creating wealth and opportunity for people. By contrast, at the decade's end, the leader of the socialist world -- the Soviet Empire -- had become an economic basket case. The intellectual and political case for socialism had collapsed.

As we enter a tougher economic climate and experience slower growth, we must not choke off expansion with higher taxes, but instead stimulate the economy by enacting President Bush's proposed capital gains tax cut. This will free up investment capital for entrepreneurship and new job creation, generating billions of dollars of revenues for state and federal treasuries, and adding value to the financial assets of our Nation.

The creation of new businesses, the unleashing of innovative ideas, invigorates economies and markets. Economic growth in the 1980's confirmed that real wealth comes not from physical resources, but from human resources; not from mere things, but from the ideas, talents, and efforts of people. That's why the President and some courageous Republicans like Senators Bob Kasten and Connie Mack, House GOP Whip Newt

Gingrich, and Congressman Vin Weber want to add capital- and labor-based incentives to the tax code, such as the capital gains tax cut, Enterprise Zones, expanded Individual Retirement Accounts, and a higher earned income tax credit for the working poor.

While the 1980's were a period of unprecedented economic expansion, parts of our Nation and some of our people have been left behind, or worse, left out. Success has not been the only story of the 1980s; grinding poverty and homelessness, violent crime and drug abuse, and the growing numbers of broken families and mothers on welfare attest to the challenges that remain. These deeply disturbing problems signal the ongoing deterioration of many communities, especially minority communities.

In 1984, Governor Mario Cuomo was cheered at the Democratic Convention when he told his tale of America as two cities, one rich and one poor, permanently divided into two classes. With all due respect to his great rhetoric, the Governor got it wrong. America is not divided into two static classes with envy and redistribution the only answer. But our Nation is divided into two economies -- one is democratic capitalist, and based on private property; the other is near socialist, government-directed, and based on public ownership of property.

Our macro and mainstream economy is market-oriented, entrepreneurial, incentivized for working families; it rewards work, investment, saving and human productivity.

The second economy in our inner cities is similar in many ways to Eastern European, or Third World socialist economies. It is predicated on rules, regulations, and incentives that are directly opposite to those governing our mainstream economy.

The second economy almost guarantees poverty and dependency: -- it rewards welfare and unemployment at a higher level than working and productivity; -- it taxes and regulates the entrepreneur who

wants to succeed in the above-ground capitalistic system, while rewarding the underground economy of illicit capitalism; -- it rewards people who stay in public housing more than those who want to move up and out into private homeownership; -- it rewards the family that breaks up rather than the family that stays together; -- it encourages debt, borrowing, and spending more than saving, investing, and risk-taking. -- but worst of all, it weakens and, in some cases, destroys the link between effort and reward.

The irony is that the first war on poverty and much of our welfare system was created to help the poor, to alleviate suffering, and to provide a basic social safety net. But despite the noble intent, it has created dependency, welfare bureaucracy, and near pathological social conditions for some. Our country is now reaping this bitter harvest in terms of homeless women and children, unemployed fathers, and crack-addicted babies -- despair not hope, poverty not opportunity.

Examples abound of how disincentives have created poverty in inner cities. I recently read a **Wall Street Journal** article about a woman on welfare in Milwaukee, Wisconsin who tried to put away a few pennies, nickels, and dimes so that one day she could do what every mother wants to do -- send her daughter to college. She managed to build a savings account of just over \$3,000, but there was a catch: the welfare agency said she was violating welfare rules. She was taken into court, prosecuted for fraud, then fined \$15,000. But since she didn't have \$15,000, they took her \$3,000, gave her a year's sentence in jail, suspended it -- and in the process traumatized her life.

Guess what? She now spends every cent she gets, and relies on government subsidies to pay for just about everything. Incidentally, the story may have a happy ending for this woman. After I mentioned her story in a

speech, a man came forward from the audience and offered to finance a trust fund to cover the cost of a college education for the young girl.

The startling fact in America today is that the highest marginal tax rates are not paid by the affluent, but by welfare mothers or unemployed fathers who want to take a job. In most cities, a welfare mother must earn nearly \$18,000 in wages to equal her welfare payments. According to a study by Christopher Jencks and Kathryn Edin in the **American Prospect** magazine, a working mother with two children, employed at about \$5 an hour, would net **minus** 45 cents per hour. She would lose about \$4 a day after taking into account lost government benefits, taxes, and work-related expenses such as transportation and child care.

Eugene Lang, a wealthy New York businessman, also believes in the power of incentives to produce positive behavior. According to **The New York Times**, he told children in PS 121 elementary school in East Harlem that if they stayed in school, got good grades, and stayed drug free, he would personally pay for their college educations. Talk about results! Sixty percent of those children had been dropping out, but today 90 percent are in their first or second year of college.

Public housing is another example of government policies that perpetuate a poverty trap with disincentives to work and disincentives to build strong families. Because public housing authorities charge rents based entirely on a tenant's income, those rents actually can jump by 600 percent or more if the tenant gets married or takes a job. In some cases, rents exceed those charged in the private sector for similar dwellings.

We're instituting a new policy at HUD that sets "ceiling" rents at no higher than the market level. If a tenant takes a job or gets married, the rent increase will be put into an escrow or savings account, which will be

released to the family when they leave public housing, to pay, for example, for a downpayment on their first home. We want public housing -- indeed, all public assistance -- to become a platform for self-sufficiency, not a trap of dependency. HUD used to give awards for public housing residents who stayed in public housing the longest. We stopped that. Now, we're offering incentives to public housing tenants who move up and out into the private sector.

The heavily-regulated U.S. housing market is another example of government-created scarcity. Rent controls, exclusive zoning laws and building codes have crippled low-income rental housing markets in many cities. Ironically, rent controls often help the wealthy and hurt the poor. **The New York Times** recently editorialized that "Perversely, many poor families are the harshest losers from rent controls ... rent control has benefited the lucky, not the needy."

The real effect of rent control is to subsidize many upper and middle income families. Since rent controls create incentives for these families to stay in regulated apartments, these homes are not available for those with lower incomes. According to the **Times**, "some families in the highest income groups became even richer by buying apartments they rented, reselling them later at 10 and 15 times what they paid." Affordable housing is a real challenge, and the Administration is taking steps to solve it. State and local governments make the task difficult by imposing market-destroying regulations.

Another glaring example of counterproductive government policies is the way in which HUD subsidizes vacant public housing. It costs the taxpayer over \$1,300 per unit to support vacant public housing often used as crack houses for gangs and drug pushers. We've started a policy called Operation Occupancy to subsidize only homes actually occupied by low-income

people. But this important victory isn't yet won. Some House-Senate conferees on the Housing bill are trying to overturn our policy.

The good news is government policies can change. More important, people do respond to rewards. Productive human effort can be promoted; behavior can be modified; work effort can be unleashed. President Bush said making this happen means "giving people -- working people, poor people, all our citizens -- control over their own lives. It means a commitment to civil rights and economic opportunity for every American."

The Bush Administration is pursuing and expanding a national agenda to help low-income people combat poverty and despair. In his recent speech to Congress on the Persian Gulf crisis, President Bush mentioned this agenda -- the only domestic goal he spoke of not directly affected by that situation.

First, President Bush wants to cut the capital gains tax rate, not to help the rich, but to help the poor get rich in terms of opportunity.

As Abraham Lincoln said, "When one starts poor, as most do in the race of life, free society is such that he knows he can better his condition in life. I am not ashamed to confess that twenty-five years ago I was a hired laborer, mauling rails, at work on a flatboat -- just what might happen to any man's son! I want every man to have the chance ... in which he can better his condition -- when he may look forward and hope to be a hired laborer this year and next, work for himself afterward, and finally hire men to work for him. That is the true system."

In the spirit of Lincoln's vision, President Bush has asked Congress to cut the capital gains tax rate to 15 percent for the Nation -- and establish Enterprise Zones -- as a national policy to generate jobs, opportunities, and minority enterprise in our Nation's most distressed communities.

I believe we should set a goal of doubling or tripling the number of minority

business enterprises over the next decade. Earl Graves of **Black Enterprise** magazine has pointed out that black-owned firms still account for just 3 percent of all U.S. companies, with only 1 percent of gross receipts. This is not just a tragedy for the African-American community, but for all minorities. Worst of all, it hurts all of us when so many of our people lack access to capital, property, and resources.

Cutting the capital gains tax rate has worked before, and it can work again to powerfully stimulate minority businesses and job creation. In 1978, the Steiger amendment slashed the capital gains tax from more than 50 percent to 28 percent; in 1982, the Reagan/Bush tax cuts began to take effect, including our cut in capital gains to 20 percent. What happened?

Between 1977 and 1982, the number of black-owned businesses increased by 33 percent, and new Census Bureau figures show that, between 1982 and 1987, the number of black-owned companies jumped 38 percent -- growing two-and-a-half times faster than all new business formations in the same period.

While the 1986 tax reform lowered income tax rates across the board, Democratic leaders in Congress extracted a high price by demanding a 65 percent increase in the maximum tax rate on capital gains -- one of the largest increases in U.S. history!

Considering inflation, the real capital gains tax rate, according to a study by economist David Goldman, may easily be 75 percent or more. This punitive tax is staggering the entrepreneurial sector. Columnist Warren Brookes estimates that investment, which was growing at more than 7 percent annually before the tax hike, has slowed by 50 percent, and new business formation is actually declining for the first time in 10 years.

No one is hurt more by this than the poor and minorities who need access to the seed corn that a capital gains tax cut would

unlock. According to **Black Enterprise**, "The greatest deterrent to black economic advancement has been the lack of access to venture capital."

The refusal by Congressional leaders to cut the capital gains tax is counterproductive to our national goal of winning a war against poverty. The capital gains tax is not a tax on the rich; it's a tax on the creation of wealth. If the tax code taxes wealth at such a high rate that the wealth disappears, jobs will be destroyed and small business creation will drop. As jobs disappear, the poor will suffer the most. To make it worthwhile for people to innovate, to risk, and to create wealth, we've got to set a lower tax rate for risk income than for ordinary income.

Second on the President's agenda is resident management and urban homesteading in public housing to empower tenants to take control of their communities and achieve their dreams of homeownership. Under President Bush's leadership, we've recently set a goal of creating more than 1 million new homeowners by 1992 through FHA and our HOPE initiative, Homeownership and Opportunity for People Everywhere, which has passed the House and Senate and goes to conference this week.

Post columnist William Raspberry wrote recently "...when assets are present, people begin to think in terms of the asset. If a young mother owns her own home, she begins to pay attention to real estate values, property taxes, the cost of maintenance and so forth ... it is the assets themselves that create this effect, as opposed to just educational programs or exhortations toward better values."

Raspberry is right. Not only is homeownership and tenant empowerment a practical thing to do, it's a moral imperative.

Third, in order to create greater choice and independence, rental vouchers should be significantly increased and expanded. Low-income families should have greater

opportunity to live where they want and better access to affordable housing.

Fourth, tax reform is needed now to help remove more low-income families from the tax rolls and dramatically increase the net income of welfare mothers and unemployed fathers who get jobs. In 1948, a median-income family of four paid almost no income taxes, and only \$30 a year in direct Social Security taxes. This year, the same family's tax burden would be over \$6,000. To be as sensitive to families as in 1948, the personal exemption today would have to be well over \$6,000.

Fifth, it is essential to expand the earned income tax credit and pass the President's Child Care tax credit to roll back the huge burden on low-income families and unemployed parents. These can be paid for, in part, by the additional revenues gained from cutting the capital gains tax rate to 15 percent. The capital gains tax cut would expand tax revenues at all levels of government by spurring new economic growth.

Sixth, for homeless people, the Administration's new Shelter Plus Care plan will expand community-based mental health facilities, drug abuse treatment, job training, and day care. Shelter and support services are the key to helping homeless Americans re-enter the mainstream economy. If Congress passes HUD's budget request for 1991, including the Shelter Plus Care initiative, it will represent a 62 percent increase in homeless assistance over 1990 and nearly a 170 percent increase from 1989.

Seventh, to enhance education and opportunity, we must expand true choice and competition through magnet schools, education vouchers, tuition tax credits, and other policies which increase alternatives in education. Merit -- plus champions like State Representative Polly Williams in Wisconsin and Council Member Keith Butler in Detroit -- has rescued this idea from the partisan attacks of the past. Empowering parents with

choice in the education of their children deserves strong consideration.

Eighth, Congress should pass President Bush's HOPE legislation, which allows homebuyers to use IRA's to help purchase their first home, expands the low-income housing tax credit, and links housing vouchers to strategies for gaining self-sufficiency through a new program called Operation Bootstrap.

Today's debate over how to help low-income people is a debate between those who believe that people are a drain on resources and those who see that people are our greatest resource. It is a debate pitting hope and opportunity against the politics of envy. I believe that our greatest assets are not in the wealth we see around us but in the potential that is unseen -- minds yet to be educated, businesses yet to be opened, technologies yet to be discovered, jobs waiting to be created. Wealth is not what we've done, but what we have yet to do -- and we've got a lot to do.

I've travelled to hundreds of distressed communities and I know entrepreneurial capitalism and empowerment can work to create the wealth and opportunities of the future. As we approach the 21st century, let us resolve to make our legacy a successful war against poverty. Let's unleash the greatest wealth our Nation has, the pent-up talents and potential of our people.