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U.S. DEPARTMENT OF COMMERCE

12/22

To : Alex's

DEC 23 1993

From: Burger 482-4772

Public vetl on Arnowine.
She's quoted in 113 articles.
This went back 10 years.
Appears to be OK on
article/news reports we
selected to review

LEVEL 1 - 113 STORIES

1. The Recorder, November 11, 1993, Thursday, Pg. 2, 52 words, Celebrating 25 Years
2. The Recorder, November 10, 1993, Wednesday, Pg. 1, 1007 words, Civil Rights Leaders Scramble to Avert Guinier II; Aggressive lobbying benefits likely nominee for Justice post, DANIEL KLAIDMAN; Daniel Klaidman is a senior reporter at Legal Times, a Washington-based weekly affiliated with The Recorder. Legal Times managing editor Tom Watson and reporter John Murawski contributed to this report., WASHINGTON
3. Legal Times, November 8, 1993, Pg. 11, 1238 words, Remembering Guinier; Civil-Rights Groups Rally Around Payton for DOJ Job, BY DANIEL KLAIDMAN, Tom Watson and John Murawski contributed to this report.
4. Information Bank Abstracts, WALL STREET JOURNAL, November 1, 1993, Monday Section A; Page 17, Column 2, 14 words, VERNON JORDAN IS STILL CIVIL RIGHTS CHAMPION, BY BARBARA ARNwine and RONALD WALTERS
5. GANNETT NEWS SERVICE, September 24, 1993, Friday, 582 words, BLACK LEADERS QUESTION DELAY IN CIVIL RIGHTS NOMINATION, LACRISHA BUTLER; Gannett News Service WASHINGTON
6. The Legal Intelligencer, September 2, 1993, Thursday, Pg. 2, 428 words, Martin Luther King Remembered Through Special Internship
7. Radio TV Reports, C-SPAN 1 DAILY SCHEDULE; CSPN; Washington, DC, August 27, 1993, 8:00am; ET, CSP, Cable, National, 1333 words
8. Radio TV Reports, C-SPAN 2 DAILY SCHEDULE; CSPN; Washington, DC, August 27, 1993, 8:00am; ET, CSP, Cable, National, 746 words
9. The Washington Post, June 30, 1993, Wednesday, Final Edition, FIRST SECTION; PAGE A8, 930 words, Advocates Say Justices Muddy Voting Rights; Decision in North Carolina Congressional Redistricting Case Criticized as 'Utopianism', Lynne Duke, Washington Post Staff Writer
10. The Washington Post, June 28, 1993, Monday, Final Edition, FINANCIAL; PAGE F7, 1265 words, Civil Rights Activists Find a Welcoming White House, Sandra Torry, Washington Post Staff Writer
11. The Boston Globe, June 21, 1993, Monday, City Edition, METRO/REGION; Pg. 13, 1047 words, Lawyers celebrating for the rights reasons, By Gregg Krupa, Globe Staff
12. Legal Times, June 14, 1993, LOBBY TALK; Inside the Firms and Associations; Pg. 5, 1215 words, Black-Jewish Alliance Strains Under Pressure From Failed Lani Guinier Bid, BY T. R. GOLDMAN
13. The Boston Globe, June 9, 1993, Wednesday, City Edition, NATIONAL/FOREIGN; Pg. 10, 571 words, Black caucus plans to press Clinton, By Ana Puga, Globe Staff WASHINGTON
14. Copyright 1993 Federal Information Systems Corporation, FNS DAYBOOK, JUNE 8, 1993, TUESDAY, U.S. HOUSE OF REPRESENTATIVES, 360 words, EVENT: JOINT ORGANIZATION OF CONGRESS TIME: 2:00 pm, SUBJECT: Holds hearing on the



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application of laws to Congress. At 2 p.m., Sens. Charles Grassley (R-Iowa) and Don Nickles (R-Okla.) testify. At 2:45 p.m., Reps. Christopher Shays (R-Conn.), Dick Swett (D-N.H.), William Goodling (R-Pa.) and Harris Fawell (R-Ill.) testify. At 3:30 p.m., Hal Bruff and David Frederick of the American Bar Association, former House general counsel Steven Ross and Nelson Luns of George Mason University testify. At 4:30 p.m., National Women's Law Center Co-President Marsha Greenberger and Lawyer's Committee for Civil Rights Executive Director Barbara Arnwine testify. HC-05, the Capitol, LOCATION: HC-05, the Capitol, CONTACT: Maureen Grooge, 202-226-0650

15. The Reuter Washington Report, June 8, 1993, Tuesday, BC cycle, 10590 words
THE REUTER DAYBOOK

16. The Reuter Washington Report, June 7, 1993, Monday, BC cycle, 4859 words,
THE REUTER CONGRESSIONAL DAYBOOK

17. The Reuter Washington Report, June 7, 1993, Monday, BC cycle, 9251 words,
THE REUTER DAYBOOK

18. The Reuter Washington Report, June 7, 1993, Monday, BC cycle, 10263 words,
THE REUTER DAYBOOK

19. Los Angeles Times, June 5, 1993, Saturday, Home Edition, Part A; Page 1;
Column 5; National Desk, 1496 words, GUINIER ASSERTS CLINTON WAS WRONG; CIVIL
RIGHTS: SHE SAYS HER NOMINATION SHOULD NOT HAVE BEEN WITHDRAWN. SHE SUGGESTS THE
PRESIDENT, OTHERS MISINTERPRETED HER WRITINGS. BLACK LEADERS VOICE ANGER., By
SAM FULWOOD III and RONALD J. OSTROW, TIMES STAFF WRITERS, WASHINGTON, Main
Story

20. The Washington Post, June 5, 1993, Saturday, Final Edition, FIRST SECTION;
PAGE A12, 1089 words, White House Tends To Civil Rights Fences; Clinton Phones,
Meets With Black Leaders to Curb Damage From Guinier Controversy, Lynne Duke,
Washington Post Staff Writer

21. The Boston Globe, June 4, 1993, Friday, City Edition, NATIONAL/FOREIGN;
Pg. 2, 39 words, CORRECTION; For the record

22. The Reuter Transcript Report, June 3, 1993, Thursday, BC cycle, 4678 words
LEADERS OF WOMEN'S ORGANIZATIONS NEWS CONFERENCE

23. NPR, ALL THINGS CONSIDERED, June 2, 1993, Wednesday, 1045 words, Clinton
Starts to Back Away From Civil Rights Nominee

24. NPR, ALL THINGS CONSIDERED, June 2, 1993, Wednesday, 1045 words, Clinton
Starts to Back Away From Civil Rights Nominee

25. USA TODAY, May 14, 1993, Friday, FINAL EDITION, NEWS; Pg. 2A, 782 words,
Two Clinton nominees face tough sledding, Tony Mauro

26. New York Law Journal, April 7, 1993, Wednesday, Pg. 2, 148 words, NYU,
Black Students To Host Rights Panels

27. The MacNeil/Lehrer NewsHour, January 6, 1993, Wednesday, Transcript #4536,
8905 words, Parting Words; Advise and Consent; Interested Parties; 2 Great
Legends; Troubled Waters

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28. The Washington Times, December 25, 1992, Friday, Final Edition, Part A; NATION; Pg. A3, 1077 words, Selection of Baird wins praise based on her reputation, Joyce Price; THE WASHINGTON TIMES
29. The National Journal, December 12, 1992, LEGAL AFFAIRS; Vol. 24, No. 50; Pg. 2824, 4483 words, On the March Again, BY W. JOHN MOORE
30. The Washington Times, August 7, 1992, Friday, Final Edition, Part A; NATION; Pg. A6, 780 words, Jury system put under close study after King verdict, Nancy E. Roman; THE WASHINGTON TIMES
31. The Boston Globe, June 22, 1992, Monday, City Edition, METRO/REGION; Pg. 1 1428 words, Wilkerson touts black self-reliance; Says government must act as well, By Michael Rezendes, GLOBE STAFF
32. The National Law Journal, May 18, 1992, L.A. AFTERSHOCKS; Pg. 3D, 614 words, Federal Case Likely to Be Difficult, BY FRED STRASSER, National Law Journal Staff Reporter, WASHINGTON
33. NPR, ALL THINGS CONSIDERED, May 2, 1992, Saturday, 1075 words, KING VERDICT HITS HOME WITH BLACK ATTORNEYS KING VERDICT HITS HOME WITH BLACK ATTORNEYSTRMDECISIONS & VERDICTS, LAW & LEGISLATION, WASHINGTON
34. The Boston Globe, May 1, 1992, Friday, City Edition, NATIONAL/FOREIGN; Pg. 1, 967 words, Bush calls for calm; rights case weighed, By Elizabeth Neuffer, Globe Staff; John W. Mashek of the Globe staff contributed to this report., WASHINGTON
35. Black Enterprise, January, 1992, IN THE NEWS; Pg. 14, 730 words, CONFIRMATION SPURS CALL FOR NEW POLITICAL STRATEGY, Matthew S. Scott
36. The New York Times, November 23, 1991, Saturday, Late Edition - Final, Section 1; Page 8; Column 1; National Desk, 800 words, With Bush's Stand Uncertain, Lawsuit Is Threatened Over New Rights Law, By STEVEN A. HOLMES, Special to The New York Times, WASHINGTON, Nov. 22
37. The Financial Post, November 18, 1991, Monday, WEEKLY EDITION, SECTION 1; News; WASHINGTON NOTEBOOK; Pg. 2, 731 words, Senate humor: a slavery joke, ROD MCQUEEN
38. The Washington Post, November 13, 1991, Wednesday, Final Edition, FIRST SECTION; PAGE A17; THE FEDERAL PAGE, 554 words, A Senator's Stunning Reference to 'Slaves'; Burns's Remark Followed Rights Bill Passage, Ruth Marcus, Washington Post Staff Writer
39. The Recorder, September 25, 1991, Wednesday, Pg. 2, 1292 words, Thomas' Big Booster Turns to Civil Rights, TERENCE MORAN, and GARRY STURGESS, AN-LAW NEWS SERVICE; Terence Moran is an assistant managing editor and Garry Sturgess is a senior reporter at Legal Times in Washington, D.C., WASHINGTON
40. Daily Report For Executives, September 23, 1991, Monday, REGULATION, ECONOMICS AND LAW; DER No. 184; PG. A-16, 389 words, Employment, SEN. DANFORTH CANCELS NEWS CONFERENCE CALLED TO UNVEIL NEW CIVIL RIGHTS PROPOSAL



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41. Legal Times, September 23, 1991, Pg. 1, 1750 words, After Thomas, the Focus Shifts to Civil-Rights Bill; Danforth's Next Trick, BY TERENCE MORAN AND GARRY STURGESS

42. CURRENT DEVELOPMENTS SECTION. SEN. DANFORTH CANCELS NEWS CONFERENCE CALLED TO UNVEIL NEW CIVIL RIGHTS PROPOSAL. CURRENT DEVELOPMENTS SECTION. SEN. DANFORTH CANCELS NEWS CONFERENCE CALLED TO UNVEIL NEW CIVIL RIGHTS PROPOSAL., DLR No. 184; PG. A-8, September 23, 1991, 428 words, DAILY LABOR REPORT, Copyright 1991 The Bureau of National Affairs, Inc.

43. GANNETT NEWS SERVICE, September 19, 1991, Thursday, ANOTHER VOICE, 700 words, THOMAS CONFIRMATION WOULD PROVE LACK OF SELF-RESPECT, DeWAYNE WICKHAM; Gannett News Service WASHINGTON

44. CURRENT DEVELOPMENTS SECTION. BRIEFING SESSION SPONSORED BY BLACK CAUCUS URGES PHONE CAMPAIGN ON CIVIL RIGHTS BILL. CURRENT DEVELOPMENTS SECTION. BRIEFING SESSION SPONSORED BY BLACK CAUCUS URGES PHONE CAMPAIGN ON CIVIL RIGHTS BILL., DLR No. 179; PG. A - 2, September 16, 1991, 488 words, DAILY LABOR REPORT, Copyright 1991 The Bureau of National Affairs, Inc.

45. CURRENT DEVELOPMENTS SECTION. CIVIL RIGHTS ADVOCATES CRITICIZE ADMINISTRATION'S ROLE IN BIAS BILL DEBATE. CURRENT DEVELOPMENTS SECTION. CIVIL RIGHTS ADVOCATES CRITICIZE ADMINISTRATION'S ROLE IN BIAS BILL DEBATE., DLR No. 158; PG. A-3, August 15, 1991, 791 words, DAILY LABOR REPORT, Copyright 1991 The Bureau of National Affairs, Inc.

46. Federal News Service, JUNE 5, 1991, WEDNESDAY, CAPITOL HILL HEARING, 3448 words, PRESS AVAILABILITY LEADERSHIP CONFERENCE ON CIVIL RIGHTS MODERATOR: RALPH G. NEAS EXECUTIVE DIRECTOR OF THE LEADERSHIP CONFERENCE ON CIVIL RIGHTS REGARDING: REACTION TO THE HOUSE VOTE ON THE CIVIL RIGHTS BILL HOUSE RADIO/TV GALLERY WASHINGTON, DC

47. Copyright 1991 Federal Information Systems Corporation, FNS DAYBOOK, JUNE 3, 1991, MONDAY, GENERAL NEWS EVENTS, 200 words, EVENT: NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. news conference TIME: 11:00 am, SUBJECT: Response to President Bush's civil rights speech at West Point, and discussion on his threat to veto the Civil Rights Act of 1991, LOCATION: Independence and New Jersey Avenue, SE triangle East Front of The Capitol, Washington, DC -- June 3, PARTICIPANTS: -- Dr. Benjamin L. Hooks, NAACP -- John F. Jacob, National Urban League -- Dr. Joseph E. Lowery, Southern Christian Leadership Conference -- Dorothy I. Height, National Council of Negro Women -- Barbara Arnwine, Lawyers Committee for Civil Rights Under the Law -- Richard Hatcher, R. Gordon Hatcher Association -- Norman Hill, A. Philip Randolph Institute -- Hon. Unita Blackwell, Mayor of Mayersville, Mississippi, CONTACT: Steve Alschuler 212-489-6900, CAPITOL HILL EVENTS

48. Copyright 1991 Federal Information Systems Corporation, FNS DAYBOOK, JUNE 3, 1991, MONDAY, GENERAL NEWS EVENTS, 200 words, EVENT: NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. news conference TIME: 11:00 am, SUBJECT: Response to President Bush's civil rights speech at West Point, and discussion on his threat to veto the Civil Rights Act of 1991, LOCATION: Independence and New Jersey Avenue, SE triangle East Front of The Capitol, Washington, DC -- June 3, PARTICIPANTS: -- Dr. Benjamin L. Hooks, NAACP -- John F. Jacob, National Urban League -- Dr. Joseph E. Lowery, Southern Christian Leadership Conference -- Dorothy I. Height, National Council of Negro Women -- Barbara Arnwine,

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Lawyers Committee for Civil Rights Under the Law -- Richard Hatcher, R. Gordon Hatcher Association -- Norman Hill, A. Philip Randolph Institute -- Hon. Unita Blackwell, Mayor of Maversville, Mississippi, CONTACT: Steve Alschuler 212-489-6900, CAPITOL HILL EVENTS

49. The Associated Press, April 16, 1991, Tuesday, PM cycle, Washington Dateline 639 words, White House Accused of Trying to Scuttle Compromise Talks, By WILLIAM M. WELCH, Associated Press Writer, WASHINGTON

50. The Associated Press, April 15, 1991, Monday, AM cycle, Washington Dateline, 694 words, Rights Advocates Say Administration Trying to Sabotage Compromise Bill, By WILLIAM M. WELCH, Associated Press Writer, WASHINGTON

51. The Washington Post, January 21, 1991, Monday, Final Edition, METRO: PAGE B1, 1068 words, Civil Rights Lawyer Hopes to Put Luster Back in D.C. Corporation Counsel Office, Michael Abramowitz, Washington Post Staff Writer

52. The Associated Press, November 26, 1990, Monday, AM cycle, Washington Dateline, 902 words, Civil Rights Leaders Question Bush's Commitment to Fight Discrimination, By JAMES ROWLEY, Associated Press Writer, WASHINGTON

53. The Associated Press, November 25, 1990, Sunday, PM cycle, Washington Dateline, 902 words, Civil Rights Leaders Question Bush's Commitment to Fight Discrimination, By JAMES ROWLEY, Associated Press Writer, WASHINGTON

54. Legal Times, July 23, 1990, Pg. 2, 1430 words, Delving into the Details; In Rights Fight, Kennedy Aide Marshals Forces, BY ANNE KORNHAUSER AND TERENCE MORAN

55. The Washington Times, June 28, 1990, Thursday, Final Edition, Part A: Pg. A1, 981 words, Affirmative action win surprises many, Dawn M. Weyrich; THE WASHINGTON TIMES

56. The Washington Times, May 4, 1990, Friday, Final Edition, Part A: NATION; Pg. A6, 617 words, Members of Congress seek to block judges' ability to tax, Jay Mallin; THE WASHINGTON TIMES

57. The National Law Journal, April 30, 1990, WASHINGTON BRIEF: Pg. 5, 485 words, All Sides Claiming Victory in Segregation Cases, This column was written by NLJ Senior Writer Marcia Coyle and Staff Reporter Marianne Lavelle.

58. The Boston Globe, April 22, 1990, Sunday, City Edition, MAGAZINE; Pg. 17 p 8293 words, The Cardinal's Ambitions; Does Cardinal Bernard Law serve the pope or the president? Is he prelate or politician - or both?, By Daniel Golden, Globe Staff

59. Chicago Tribune, April 19, 1990, Thursday, NORTH SPORTS FINAL EDITION, NEWS; Pg. 1; ZONE: C, 1009 words, Desegregation tax hikes OK'd Rights advocates hail high court ruling on schools, From Chicago Tribune wires, Tribune Washington correspondent Glen Elsasser and reporter Karen M. Thomas contributed to this report, WASHINGTON

60. Los Angeles Times, April 19, 1990, Thursday, Home Edition, Part A: Page 20; Column 1; National Desk, 678 words, COURT LETS JUDGES ORDER TAX HIKES; JUDICIARY: IT RULES THAT U.S. JURISTS MAY NOT RAISE LEVIES THEMSELVES. BUT

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THEY CAN FORCE GOVERNMENTS TO DO IT AND CAN LIFT STATES' PROP. 13-TYPE CURBS.,
By DAVID G. SAVAGE, TIMES STAFF WRITER, WASHINGTON

61. USA TODAY, April 19, 1990, Thursday, FINAL EDITION, NEWS; Pg. 3A, 283 words, Court backs judge in bias case; Judges can order tax hikes, Debbie Howlett; Tony Mauro

62. The Washington Times, April 19, 1990, Thursday, Final Edition, Part A; Pg. A1, 933 words, Judges can order tax rises, court says, Dawn M. Weyrich; THE WASHINGTON TIMES

63. The Washington Times, March 27, 1990, Tuesday, Final Edition, Part A; Pg. A1, 690 words, Busing issue returns to court, Dawn M. Weyrich; THE WASHINGTON TIMES

64. The Washington Times, March 1, 1990, Thursday, Final Edition, Part E; LIFE; Pg. E1, 2248 words, Clarence Thomas: Here comes the judge; Next stop: The Supreme Court? Many say former EEOC chief, now a judge is a shoo-in, Dawn M. Weyrich; THE WASHINGTON TIMES

65. The Washington Times, February 8, 1990, Thursday, Final Edition, Part A; Pg. A1, 1024 words, New lines drawn in an old argument, Dawn M. Weyrich; THE WASHINGTON TIMES

66. Newsday, February 6, 1990, Tuesday, NASSAU AND SUFFOLK EDITION, NEWS; Pg. 15, 1029 words, Jury Out on Bush and Civil Rights; Marked change from Reagan, but more style than substance?, By Rita Ciolli, GEORGE BUSH; CIVIL RIGHTS; PRESIDENT; RONALD REAGAN

67. The Washington Times, January 26, 1990, Friday, Final Edition, Part A; NATION; Pg. A4, 662 words, President nominates New York lawyer for top civil rights post, Dawn M. Weyrich; THE WASHINGTON TIMES

68. Newsday, January 25, 1990, Thursday, ALL EDITIONS, NEWS; Pg. 15, 413 words Bush Set to Name Rights Nominee, By Susan Page. Newsday Washington Bureau. Rita Ciolli contributed to this story., Washington, GEORGE BUSH; CANDIDATE; JOHN DUNNE; APPOINTMENTS; CIVIL RIGHTS DIVISION; JUSTICE DEPARTMENT; UNITED STATES

69. The Associated Press, January 13, 1990, Saturday, AM cycle, Washington Dateline, 621 words, High Court Ruling Reopens Wounds for Many in Civil Rights Community, By RICHARD CARELLI, Associated Press Writer, WASHINGTON

70. Newsday, January 11, 1990, Thursday, ALL EDITIONS, NEWS; Pg. 4, 793 words, Court Rejects Individual Fines In Yonkers Case; 4 on city council not liable for housing-plan penalties, By Rita Ciolli and Paul Moses, YONKERS; HOUSING; BLACKS; DISCRIMINATION; QUOTE; WILLIAM BRENNAN; WILLIAM REHNQUIST; UNITED STATES; SUPREME COURT; DECISION; CONTEMPT OF COURT; OFFICIAL; FREEDOM OF SPEECH; CIVIL RIGHTS;

71. The Washington Times, January 10, 1990, Wednesday, Final Edition, Part F; COMMENTARY; Pg. F3, 960 words, Eroding true civil rights, Paul Craig Roberts; THE WASHINGTON TIMES

72. Copyright (c) 1989 The New York Times Company; The New York Times, December 30, 1989, Saturday, Late Edition - Final, Section 1; Page 11, Column 5;

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National Desk, 879 words, Rights Groups Work on Measure To Reverse Court's Bias Rulings, By SUSAN F. RASKY, Special to The New York Times, WASHINGTON, Dec. 29, LEAD: Civil rights organizations and their major Congressional allies are putting finishing touches on legislation to reverse recent Supreme Court decisions that have made it harder to show job discrimination and easier to challenge affirmative action programs.

73. Legal Times, December 4, 1989, INSIDE JUSTICE; Pg. 21, 170 words, BRIEFLY, BY RIFKA ROSENWEIN AND TOM WATSON; Rifka Rosenwein is a reporter at American Lawyer Media's Manhattan Lawyer.

74. The American Lawyer, December, 1989, LETTERS; Pg. 8, 1349 words, The Birmingham Fire Fight, Continued, Barbara R. Arnwine, Stephen L. Spitz, Lawyers' Committee for Civil Rights Under Law, Washington, D.C.

75. November 2, 1989, Thursday, City Edition, METRO/REGION; Pg. 34 p, 168 words, Georgia man picked to head lawyer's group

76. October 8, 1989, Sunday, City Edition, METRO/REGION; Pg. 29 p, 2053 words, NAACP housing suit settled, raising hope, By Peter J. Howe, Globe Staff

77. October 5, 1989, Thursday, City Edition, METRO/REGION; Pg. 56 p, 930 words, NAACP, city sign pact to pay victims of housing bias; Photo, Page 49., By Elizabeth Neuffer, Globe Staff

78. Copyright (c) 1989 The New York Times Company; The New York Times, September 17, 1989, Sunday, Late Edition - Final Correction Appended, Section 12WC; Page 27, Column 1; Westchester Weekly Desk, 2301 words, Fall Lectures: Archeology to Velazquez, By RHODA M. GILINSKY, LEAD: ART and architecture, politics and philosophy, science and sociology - it is all there to explore in lectures offered countywide this fall. The selection of lectures here, while not all-inclusive, suggest the range of topics to be explored in the coming months. Unless a fee is specified, the lectures are free and open to the public.

79. The Associated Press, August 1, 1989, Tuesday, PM cycle, Business News, 634 words, Justice Department Actively Defending Minority Set-Aside Contracts, By JAMES ROWLEY, Associated Press Writer, WASHINGTON

80. The Associated Press, June 18, 1989, Sunday, AM cycle, Washington Dateline, 771 words, Activists Call For Action to Avoid "Bottomless Pit of Agitation", By MIKE ROBINSON, Associated Press Writer, WASHINGTON

81. June 3, 1989, Saturday, City Edition, NATIONAL/FOREIGN; Pg. 3, 598 words, Political Notebook; R.I. congresswoman arouses Democrats' ire, By Michael K. Frisby, WASHINGTON

82. Manhattan Lawyer, May 2, 1989-May 8, 1989, Pg. 11, 1220 words, Civil Rights Groups Split over Nomination of Lucas, BY ANNE KORNHAUSER, AM-LAW NEWS SERVICE; Anne Kornhauser is a reporter at Legal Times in Washington, D.C.

83. Legal Times, May 1, 1989, Pg. 6, 1170 words, Civil-Rights Groups Split Over Lucas Nomination, BY ANNE KORNHAUSER

84. April 5, 1989, Wednesday, City Edition Correction Appended, METRO/REGION; Pg. 20, 497 words, Once torn over race, Boston honors leaders who help close

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wounds, By Jerry Thomas, Globe Staff

85. Legal Times, February 20, 1989, Playing Offense; Pg. 6, 1542 words, Civil-Rights Groups Hopeful, but Problems Loom, BY ANNE KORNHAUSER

86. February 13, 1989, Monday, City Edition, METRO/REGION; Pg. 1, 1510 words, Critics say Harbor Point renewal has split families, trampled rights, By Peter S. Canellos, Contributing Reporter

87. January 18, 1989, Wednesday, City Edition, METRO/REGION; Pg. 19, 660 words, No minority job screens done before '84, city says, By Peggy Hernandez, Globe Staff

88. January 17, 1989, Tuesday, City Edition, METRO/REGION; Pg. 17, 1206 words, Pupil-assignment criticism: more politics or real fears?, By Patricia Wen, Globe Staff

89. January 14, 1989, Saturday, City Edition, NATIONAL/FOREIGN; Pg. 1, 1014 words, Reagan assailed on race remark; Civil rights leader calls comment 'affront' to blacks, By Adam Pertman, Globe Staff, WASHINGTON

90. December 28, 1988, Wednesday, City Edition, METRO/REGION; Pg. 13, 777 words, Key advocate leaving for new post, Jonathan Kaufman, Globe Staff

91. December 28, 1988, Wednesday, City Edition Correction Appended, METRO/REGION; Pg. 13, 998 words, Public housing integration moving slowly; Progress for blacks delayed by terms of agreement, By Jonathan Kaufman, Globe Staff

92. Legal Times, December 19, 1988, 1988 THE YEAR IN FOCUS; Pg. 19, 1931 words QUIET LITIGATOR FIGHTS FOR RIGHTS, BY ANNE KORNHAUSER

93. November 1, 1988, Tuesday, City Edition, METRO/REGION; Pg. 61, 709 words, AG ripped for not probing black lawyer's charge, By Jerry Ackerman, Globe Staff

94. October 23, 1988, Sunday, City Edition, METRO/REGION; Pg. 33, 1262 words, Defining race a sensitive, elusive task; Boston's hiring probe brings system under fire, By Steven Marantz and Peggy Hernandez, Globe Staff

95. October 21, 1988, Friday, City Edition, METRO/REGION; Pg. 19, 412 words, NAACP head, Flynn aide differ on minority review, By Steven Marantz, Globe Staff

96. October 20, 1988, Thursday, City Edition, EDITORIAL PAGE; Pg. 14, 482 words, The hiring-fraud mystery

97. October 19, 1988, Wednesday, City Edition, METRO/REGION; Pg. 21, 653 words, City review turns up no racial fraud by police Some question finding, By Steven Marantz, Globe Staff

98. October 18, 1988, Tuesday, City Edition, METRO/REGION; Pg. 25, 593 words, City: 'Less than 12' police race-fraud cases, By Steven Marantz and Diego Ribadeneira, Globe Staff

99. September 30, 1988, Friday, City Edition, METRO/REGION; Pg. 1, 1042 words, Minority hiring review ordered, By John Ellement and Peggy Hernandez, Globe

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Staff

100. September 30, 1988, Friday, City Edition, METRO/REGION; Pg. 32, 528 words, City, NAACP agree on a way to help discouraged minorities gain housing, By Jonathan Kaufman, Globe Staff

101. September 29, 1988, Thursday, City Edition, METRO/REGION; Pg. 29, 1258 words, Two fight firing over disputed claim they are black, By Peggy Hernandez and John Ellement, Globe Staff

102. Proprietary to the United Press International 1988, August 27, 1988, Saturday, BC cycle, Regional News, Massachusetts, 353 words, BOSTON

103. The Washington Post, June 19, 1988, Sunday, Final Edition, FIRST SECTION; PAGE A3, 680 words, Boston Plans to Integrate City's Public Housing; Mayor Proclaims 'Clean Break With the Past', Michael Rezendes, Special to The Washington Post, BOSTON, NATIONAL NEWS

104. Proprietary to the United Press International 1988, United Press International, May 17, 1988, Tuesday, BC cycle, Domestic News, 365 words, Group alleges city violated housing rights, BOSTON, Discriminate

105. Proprietary to the United Press International 1988, May 17, 1988, Tuesday, BC cycle, Regional News, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, 509 words, Group alleges city violated housing rights, BOSTON

106. Chicago Tribune, March 8, 1987 Sunday, FINAL EDITION, NEWS; Pg. 6; ZONE: C, 889 words, EAGER LEGAL EAGLES GET AID FROM HARVARD, By Michael Coakley, Chicago Tribune., BOSTON

107. Copyright (c) 1987 The New York Times Company; The New York Times, February 22, 1987, Sunday, Late City Final Edition, Section 1; Part 1, Page 27, Column 1; National Desk, 660 words, Harvard to Help Some Law Alumni to Pay Loans, By FOX BUTTERFIELD, Special to the New York Times, BOSTON, Feb. 21, LEAD: Harvard Law School has announced a plan to help its law graduates who take low-paying jobs in public service to pay off their student loans.

108. Proprietary to the United Press International 1987, United Press International, February 20, 1987, Friday, PM cycle, Domestic News, 414 words, CAMBRIDGE, Mass., Harvard

109. Proprietary to the United Press International 1987, February 20, 1987, Friday, PM cycle, Domestic News, 413 words, CAMBRIDGE, Mass.

110. TEXT. DECISION OF FIRST CIRCUIT IN MASSACHUSETTS ASSOCIATION OF AFRO-AMERICAN POLICE v. THE BOSTON POLICE DEPARTMENT (TEXT)., DLR No. 5; PG. E-1 JANUARY 8, 1986 WEDNESDAY, 1129 words, DAILY LABOR REPORT, Copyright 1986 The Bureau of National Affairs, Inc.

111. TEXT. DECISION OF FIRST CIRCUIT IN CASE OF DEVERAUX v. GEARY (TEXT., DLR No. 142; PG. E-1, JULY 24, 1985 WEDNESDAY, 4586 words, DAILY LABOR REPORT, Copyright 1985 The Bureau of National Affairs, Inc.

112. Copyright 1985 The Times Mirror Company, Los Angeles Times, July 22, 1985, Monday, Home Edition, Part 1; Page 15; Column 1; National Desk, 685

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words, BOSTON POLICE GIRD FOR PROMOTIONS BATTLE, By PAUL HOUSTON and LEE MAY,
Times Staff Writers, BOSTON

113. The Associated Press, February 25, 1985, Monday, AM cycle, Domestic News,
435 words, Prosecutor Dismisses Charges Against 12 Protesters, By JANE SEAGRAVE,
Associated Press Writer, BOSTON

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113+
112.

47TH STORY of Level 1 printed in FULL format.

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FNS DAYBOOK

JUNE 3, 1991, MONDAY

EDITION: FINAL

SECTION: GENERAL NEWS EVENTS

LENGTH: 200 words

HEADLINE: EVENT: NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. news conference

TIME: 11:00 am

LEAD:

SUBJECT: Response to President Bush's civil rights speech at West Point, and discussion on his threat to veto the Civil Rights Act of 1991

LOCATION:

LOCATION: Independence and New Jersey Avenue, SE triangle East Front of The Capitol, Washington, DC -- June 3

PARTICIPANTS:

PARTICIPANTS: -- Dr. Benjamin L. Hooks, NAACP
-- John F. Jacob, National Urban League
-- Dr. Joseph E. Lowery, Southern Christian Leadership Conference
-- Dorothy I. Height, National Council of Negro Women
-- Barbara Arnwine, Lawyers Committee for Civil Rights Under the Law
-- Richard Hatcher, R. Gordon Hatcher Association
-- Norman Hill, A. Philip Randolph Institute
-- Hon. Unita Blackwell, Mayor of Mayersville, Mississippi

CONTACT:

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LANGUAGE: ENGLISH

LOAD-DATE-MDC: June 3, 1991

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The Associated Press

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August 1, 1989, Tuesday, PM cycle

SECTION: Business News

LENGTH: 634 words

HEADLINE: Justice Department Actively Defending Minority Set-Aside Contracts

BYLINE: By JAMES ROWLEY, Associated Press Writer

DATELINE: WASHINGTON

BODY:

With little fanfare, the Justice Department is departing from Reagan administration civil rights policies to actively defend federal programs requiring set-aside contracts for minority businesses.

"They are now, I'd say, aggressively defending the constitutionality of the DOT program," said John Payton, a Washington civil rights lawyer.

The department's defense of two affirmative action programs for highway construction financed with Transportation Department funds signals a shift from the days of President Reagan's civil rights chief, William Bradford Reynolds, according to lawyers familiar with the cases.

The department is distinguishing the federal programs from a Richmond, Va., set-aside law that was declared unconstitutional in January by the Supreme Court.

The Justice Department asked a federal appellate court in March to uphold Tennessee's highway set-aside program that it only half-heartedly defended during the Reagan years, said Payton, who is involved in the case.

And in July, the department continued efforts to defend a set-aside program for minority highway contractors in North Carolina.

"I think there is a shift," said Barbara Arnwine, director of the Lawyers' Committee for Civil Rights Under Law. "But fundamentally they are only doing what they should be doing - that is defending the federal law.

"It's not like this is a radical departure from expectation, they are fulfilling their obligation as the U.S. Justice Department to defend federal programs that have the endorsement and approval and the imprimatur of Congress."

The Reagan Justice Department opposed racial hiring quotas and pushed to overturn a number of affirmative action programs.

On the issue of federal set-asides, the Reagan administration was split between those who favored continuing affirmative action on government-financed

The Associated Press, August 1, 1989

projects and those who wanted to end such programs, notably Reynolds and his boss, Attorney General Edwin Meese III.

"They opposed them and did everything to undermine them," said Barry Goldstein, a private civil rights lawyer in Oakland, Calif., who worked for the NAACP Legal Defense and Education Fund Inc.

Former Labor Secretary Bill Brock and Secretary of State George Shultz, who pushed set-asides when he was labor secretary in the Nixon administration, supported the programs, Goldstein said.

Shortly before the 1984 election, Reagan supported federal set-aside programs.

But "Brad Reynolds never gave up," Goldstein said, noting that the Justice Department joined the challenge to a municipal set-aside law in Richmond, Va.

The Supreme Court overturned the Richmond law, which required 30 percent participation on city public-works contracts by companies that were half-owned by minorities. The court ruled that the law was unconstitutional and that there was no evidence of past discrimination to justify the set-aside requirement.

But the high court pointed out that Congress was empowered by the 14th Amendment to "identify and redress the effects of society-wide discrimination" with federal set-asides.

Once Congress determined there was a nationwide problem of racial discrimination, no further finding of a local condition was needed to justify a federal set-aside requirement in a particular location, the court said.

The Justice Department noted that distinction in its July 12 brief filed in the North Carolina case with the 4th U.S. Circuit Court of Appeal.

"Justice (Sandra Day) O'Connor's opinion (in the Richmond case) made clear numerous times that it was addressing a program established by a state or local government, and not by Congress," the department said, defending the set-aside program for socially and economically disadvantaged businesses required by the 1982 Surface Transportation Assistance Act of 1982.

LANGUAGE: ENGLISH

83RD STORY of Level 1 printed in FULL format.

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Legal Times

May 1, 1989

SECTION: Pg. 6

LENGTH: 1170 words

HEADLINE: Civil-Rights Groups Split Over Lucas Nomination

BYLINE: BY ANNE KORNHAUSER

BODY:

The nomination of William Lucas to head the Justice Department's Civil Rights Division has touched off an unusual rift among the nation's civil-rights leaders -- a split that could improve Lucas' prospects for confirmation.

On major national civil-rights matters, key leaders and organizations normally present a united front, either by mobilizing an all-out campaign to block or support a nominee or policy or by agreeing to remain silent.

Lucas' nomination, however, has thrown components of the liberal civil-rights community into disarray: Some leaders oppose Lucas, some support him, and others are waiting for more information to emerge.

The Lucas nomination is tricky for several reasons. Because Lucas is black, and so few blacks have received important federal posts, some civil-rights leaders are inclined to give Lucas the benefit of the doubt.

But his skimpy record on civil-rights issues, his lack of litigation experience, his defection from the Democratic Party, and a professional history that some say shows questionable judgment have led others to oppose his nomination.

The Rev. Joseph Lowery, head of the Southern Christian Leadership Conference (SCLC), is among those supporting Lucas.

"My feeling is that Bill Lucas is the best appointment we're going to get for that spot during this administration," says Lowery.

"His background as a black man would make him sensitive to civil rights," adds Lowery. "It is nice to have somebody there that we know we can talk to, that will listen to our perspective."

The Urban League's Detroit affiliate, Rep. John Conyers Jr. (D-Mich.), and Atlanta Mayor Andrew Young have also expressed support for Lucas.

Countering these supporters and helping to form the rare split among civil-rights leaders is the National Association for the Advancement of Colored People, the only organization that has thus far come out clearly opposed to Lucas.

"The assistant attorney general for civil rights is one of the most sensitive positions in government as it relates to minorities, and we do not believe Mr.

1989 Legal Times, May 1, 1989

Lucas is the person for this post," the group said in a statement issued last week by its executive director, Benjamin Hooks.

Other groups, like the NAACP Legal Defense and Educational Fund Inc., seem close to announcing their opposition. According to Julius Chambers, the head of the Legal Defense Fund, the group will decide whether to oppose Lucas after meeting with the 61-year-old Detroit lawyer over the weekend. Lucas was unavailable for comment.

Damning With Faint Praise

Chambers says that, so far, many of the arguments in support of Lucas coming from his colleagues have been weak.

"Just saying the president might pick someone worse is not a valid basis for supporting someone else," says the LDF's Chambers.

The LDF's main concern, he says, is whether Lucas has an adequate understanding and appreciation of civil-rights law.

Not every civil-rights group is as close to a decision on Lucas. The Lawyers' Committee for Civil Rights Under Law, whose leaders met with Attorney General Richard Thornburgh two weeks ago, told Thornburgh that they could not support Lucas until a more extensive record was developed, according to Executive Director Barbara Arnwine.

But two sources at the committee say that the group does not yet have enough information to oppose him either.

The key test as to where the majority of the civil-rights community will come out on the Lucas nomination will be the position of the Leadership Conference on Civil Rights. The conference is a coalition of more than 180 groups, including the NAACP, the LDF, the Urban League, People for the American Way, and the SCLC.

All but the SCLC are on the conference's executive committee, which plans to vote on the matter in the next few weeks.

Usually, the executive committee opposes a nominee only if there is consensus among its members. Civil-rights activists within the Leadership Conference say that the NAACP's move to oppose Lucas is likely to have a major influence on the conference's decision.

The Leadership Conference will also weigh the various ethical concerns that dot Lucas' record, but the focus will be on his commitment to civil-rights policy and enforcement.

Groups like the Leadership Conference may have a hard time measuring that commitment. Lucas, though a member of both the Detroit chapter of the NAACP and the Detroit affiliate of the Urban League, has not been a civil-rights activist nor has he practiced civil-rights law.

The Leadership Conference will base its reading of Lucas on conversations that its executive director, Ralph Neas, has had with the nominee as well as on discussions with those who know Lucas.

1989 Legal Times, May 1, 1989

Lucas, meanwhile, is not sitting by idly while his fate is being determined. Despite suggestions by Thornburgh that he should not lobby for his position, Lucas, a normally quiet lawyer at Detroit's Evans & Luptak, has been making the rounds at civil-rights groups, often requesting the meetings himself.

During some of these meetings, say participants, Lucas has vowed to enforce civil-rights laws and to pursue goals and timetables -- if not outright affirmative action -- in minority hiring.

But the results of such discussions have been mixed.

"He says he will vigorously enforce civil rights," says the SCLC's Lowery. "He assured me he will support affirmative action."

On the other hand, Neas says that many in the Leadership Conference still question whether Lucas would be an effective civil-rights advocate.

While most groups seem to be zeroing in on Lucas' lack of litigation experience and commitment to civil rights, others are looking for other ammunition, concentrating Lucas' professional judgment.

The Legal Defense Fund, for example, is researching discrepancies on Lucas' resume, his acceptance, as Wayne County sheriff, of trips to Las Vegas arranged by a man indicted for, but not convicted, of illegal gambling; and a 78-page contempt order slapped on Lucas when the county jail became overcrowded and devoid of adequate medical care.

N. Charles Anderson, president of the Urban League's Detroit affiliate, says that he is at least somewhat familiar with most of the charges now being leveled against Lucas, but that the Urban League did not consider them.

"We just didn't get into these discussions," says Anderson. "They did not get in the way of his being re-elected sheriff and of his being re-elected county executive. I don't know what the problem is now."

Unpleasant as any public opposition might be, Lucas may nonetheless be helped if the sniping among civil-rights leaders emerges during the Senate Judiciary Committee's confirmation hearings. The positions of the civil-rights leaders could then cancel each other out, giving mixed signals to such senators as Judiciary Chairman Joseph Biden Jr. (D-Del.) and Edward Kennedy (D-Mass.), who normally weigh heavily the views of civil-rights groups on such nominations.

GRAPHIC: Picture 1, Some civil-rights leaders have given William Lucas the benefit of the doubt because so few blacks have been nominated to top federal posts. RICHARD BLOOM/NATIONAL JOURNAL; Picture 2, The NAACP's Benjamin Hooks: We can do better.

LANGUAGE: ENGLISH

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April 5, 1989, Wednesday, City Edition
Correction Appended

SECTION: METRO/REGION; Pg. 20

LENGTH: 497 words

HEADLINE: Once torn over race, Boston honors leaders who help close wounds

BYLINE: By Jerry Thomas, Globe Staff

BODY:

Boston, whose racial strife during a turbulent period of school desegregation in the 1970s made headlines nationwide, has made significant improvements in race relations in the last decade, according to members of the Greater Boston Civil Rights Coalition, who yesterday honored individuals and organizations largely responsible for that change.

"Ten years ago, we talked in doubt whether we would overcome, but we have overcome," said Alex Rodriguez, chairman of the Massachusetts Commission Against Discrimination and one of the five recipients of the Champions for Justice award. "We have taken the responsibility for the elimination of civil wrongs and the progress of civil rights. But we have promises to keep and miles to go before we sleep."

During the 4 p.m. ceremony in Faneuil Hall, which celebrated the group's 10th anniversary and commemorated the 21st anniversary of the assassination of Rev. Martin Luther King Jr., many civil rights and civic leaders spoke openly about the city once racked with racial tension.

"When you think of the progress that has been made, you have to think of a major reason for it," said Mayor Flynn, who noted the top priority during his first mayoral campaign six years ago was improved race relations. "The coalition has worked more than ever to make Boston an open city - a city better than ever."

According to the civil rights coalition, the city has seen major gains in employing minorities and major decreases in the number of racially motivated incidents against minorities.

In 1980, for example, only 2,703 out of 14,124 city workers, or 19 percent, were minorities. By 1988, that number increased to 30 percent, with 4,323 minority workers on the city payroll.

In 1979, the Boston Community Disorders Unit, which investigates racially motivated incidents, monitored 482 cases. That number decreased to 152 cases in 1988.

Martin A. Walsh, a spokesman for the group and an official for the US Department of Justice, said the coalition has been effective and has "helped bring about change." But the challenge remains, especially in getting the private sector to follow the pattern of city and state government.

1989, The Boston Globe, April 5, 1989

"How do we get rid of all this racism?" Walsh asked.

Barbara Arnwine, the former cochairman of the group and a Champions of Justice award winner, said one way is for black, Hispanic and Asian communities to come together to address the issue from the "grass-roots level."

In addition to Arnwine and Rodriguez, recipients of the Champions of Justice Award were:

Phil Giffey, the director of the East Boston-based Neighborhood of Affordable Housing; Mary Ann Hardenbergh, described as one of the "most active and effective members of the coalition;" Robert Sherman, former director of the Lawyers' Committee for Civil Rights Under the Law of the Boston Bar Association; and the Asian-American Resource Workshop, a community advocacy group. The Boston Police Department received the Founders Award.

CORRECTION-DATE: April 8, 1989, Saturday, City Edition

CORRECTION:

Because of a reporting error, a newly-formed Massachusetts coalition concerned with the safety of the nation's nuclear weapons facility was incorrectly identified in a story in Wednesday's Metro/Region section. It is the Massachusetts Coalition for National Security.

LANGUAGE: ENGLISH

86TH STORY of Level 1 printed in FULL format.

Copyright 1989 Globe Newspaper Company;
The Boston Globe

February 13, 1989, Monday, City Edition

SECTION: METRO/REGION; Pg. 1

LENGTH: 1510 words

HEADLINE: Critics say Harbor Point renewal has split families, trampled rights

BYLINE: By Peter S. Canellos, Contributing Reporter

BODY:

Harbor Point, the sprawling waterfront community being built on the site of the Columbia Point housing project, appears to be fulfilling its vision: a mixed-income development of handsome buildings, plush apartments and diligent management.

But some tenants, housing activists and lawyers contend the pretty picture was brought to life by banishing some of the 356 Columbia Point tenants who had been promised new apartments and by enforcing unreasonable restrictions on others.

An unprecedented experiment in converting a troubled housing project into a community of 1,203 units - the size of a small town - Harbor Point has been developed at a heavy human cost, critics say.

Most hurtful, they say, was the breakup of families when Harbor Point, managed by developer Corcoran Mullins Jennison Inc. of Quincy, and a tenant task force, banned about 30 young adults living with their parents from the community for alleged offenses ranging from fighting to weapons possession.

Sixty additional friends or relatives of tenants have been given no-trespassing orders for allegedly causing disturbances.

Of the 90 people banned from the development, some are allowed to visit their families on special occasions, while others are subject to arrest if found in the compound.

In addition, at least nine families were evicted on charges that criminal activity was going on in their apartments. An undisclosed number of others settled eviction cases by agreeing to leave the development in exchange for money, according to Harbor Point officials.

"It's not the developer's prerogative to pick who can live in their little society out there," said Lizbeth Heyer, a tenant organizer. "I don't think kicking out a bunch of people who've been denied protection and good living conditions for years will help anyone. The reality is these people are going to become homeless, and they're not better off on the streets, and society isn't better off with them on the streets."

"Social engineering" is what Heyer and many other housing advocates call Harbor Point's efforts to prepare a low-income community to share a luxury apartment complex with wealthier tenants.

1989, The Boston Globe, February 13, 1989

But officials at Harbor Point argue that the complex is a self-managed community trying to better itself by taking a hard stand against drugs and violence.

"Prior to any of these people being evicted for drug or criminal activity, there was a long history of incidents involving these people," said Ruby Jaundoo, treasurer of the Tenant Task Force and a Columbia Point resident for 23 years. "People here were fed up. They didn't want these influences in their community."

Jaundoo, who also serves in the paid position of assistant director of the task force, said greater discipline has infused the tenants with a new sense of pride.

"I think attitudes have changed," she said. "They have something they're proud of. You have more people here who report negative incidents now. They've lived in despair for so long they don't want it to revert back to the way it was."

New rules of conduct were implemented recently and are vigorously enforced by the Harbor Point security force.

Pets were banned, prompting two elderly residents to leave.

Tenants are forbidden from hanging their wash out windows or taking apart their automobiles. Although these regulations were in place when the Boston Housing Authority ran Columbia Point, they were never enforced, tenants say.

One low-income resident reported that a Harbor Point official ordered her not to cook chitterlings - a dish made from pig intestines - because a market-rate tenant complained of the smell. Officials dispute the charge.

"Nobody was forbidden from cooking any chitlins," said Jaundoo. "People get ridiculous."

The 27-man security brigade, which has limited police power within the complex, arrived in 1986, two years after Corcoran Mullins Jennison won the right to develop the compound.

"We've made this a pretty nice place to live," said Edward Connolly, head of the security force. "We still have some wiseguys left. We have some people using dope and selling dope. We're going to arrest them and move them out of here."

But the security force itself has become the focus of many complaints.

Barbara Arnwine, head of the Lawyers Committee For Civil Rights Under Law, said she received "a massive number of complaints" charging that "people were harassed by the security force there that is more of an occupying force."

Two civil suits have been filed charging harassment by security guards, and several other tenants and former tenants have made similar complaints.

Attorney Michael Brown represents three clients against Harbor Point. Two are facing eviction. One was banned.

1989, The Boston Globe, February 13, 1989

Harbor Point management tried to evict Susan Coplin and her family after a police raid in their apartment netted \$ 50 worth of cocaine. Police dropped the charges against them, but Harbor Point continued eviction proceedings.

Soon after, the security force charged that Anthony Coplin, Susan's son, had assaulted a guard. Brown and the Coplins struck back with a suit alleging harassment.

"I've never heard of a case in which the police admit they have no criminal case and they still try to evict them," Brown said. He called the assault complaint "an attempt to ban Anthony because management thinks he's a bad guy."

Among other tenants who have been forced to leave the complex:

- Laura Gomez, a mother of four, was evicted and banned from returning. Her mother, Rose Jolley, said the eviction was because of an old shoplifting charge. A project administrator said it was because of "drug involvement." Gomez is currently homeless, living intermittently at Rosie's Place, while her children remain at Harbor Point with their grandmother.

- The late Jackie Funches, whose boyfriend died of a drug overdose in her apartment, was paid to leave the complex after she challenged an attempt to evict her for drug involvement. She admitted using drugs at one time but said she was rehabilitated. Her boyfriend's father, the grandfather of her two children, is Roger Taylor, now the paid executive director of the Tenant Task Force, who helped remove her.

Taylor, who no longer lives at the complex, lost his apartment for drug involvement by family members, including his son. Funches lived briefly with her children at her own father's apartment outside Harbor Point. She died there last fall, reportedly of a heart attack.

- Esther Nieves, her three daughters and two granddaughters were paid to leave after her 20-year-old son, who had once been arrested for drug possession and was known to carry firearms, violated a no-trespassing order and visited her.

- Gregg Rowell, a former Tenant Task Force member, was banned after he allegedly assaulted an assistant manager of the complex. Rowell contends that his opposition to some of the developer's policies played a role in his banning.

- Lamars Hughes, who was evicted for nonpayment of rent, was banned from visiting friends at the complex, he said, after a security guard picked a fight with him. He has filed a harassment complaint against the security force.

Harbor Point manager Arthur King declined to comment on the details of any eviction or trespassing case, calling them "private, personal matters."

He outlined the Harbor Point policy as follows: "It's against the law to be in possession of drugs and if we find people have drugs in their apartments we will evict them. If someone comes forward to get help, we'll support them."

"There's some misrepresentation that management is out to get rid of people," he said. "That's not true. The goal is to bring over every person from Columbia Point, if possible."

1989, The Boston Globe, February 13, 1989

King and Jaundoo point to the compound's youth center and antidrug referral service as evidence Harbor Point wants to work with troubled tenants rather than throw them out.

But even those efforts are the subject of controversy. Harbor Point refused to renew the lease on a counseling center run by two nuns. Sister Joyce McMullen said she received a letter from management accusing her of "being soft on drug dealers." A project administrator said last week the nuns were forced out because they interfered with management's counseling efforts.

Being tough on drugs is the centerpiece of the revitalization of Harbor Point. Connolly, who patrolled Columbia Point as a Boston police officer in the 1940s when it was veterans' housing, said, "The only way to make it a nice place is to get rid of the troublemakers. We have people paying a lot of money to move here and we have to protect them."

Waving toward the waterfront, where mint-fresh apartments overlook Dorchester Bay, Connolly said, "You're dealing with very poor people. They've been waiting 18 to 20 years for this. A mother will say, 'I love my son,' but will give him up rather than miss out.

"This is their dream. I've talked to these women. They've got it clean. No bugs. No rats. It may be sad, but you have to consider what these people have lived in for 18 or 20 years."

GRAPHIC: PHOTO, 1. Anthony Coplin, 23, and his family have filed a suit alleging harassment. / Globe photo / Yunghi Kim 2. Edward Connolly, security chief of Harbor Point and a former Boston police officer, patrols the waterfront community in his cruiser. / Globe photo / Yunghi Kim

LANGUAGE: ENGLISH

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January 18, 1989, Wednesday, City Edition

SECTION: METRO/REGION; Pg. 19

LENGTH: 660 words

HEADLINE: No minority job screens done before '84, city says

BYLINE: By Peggy Hernandez, Globe Staff

BODY:

The Boston police and fire departments might have been alerted to possible race misrepresentation by several recruits if they had had a process to screen abuses before 1984, according to a city report.

The report by the city's Office of Personnel found both departments "reduced the potential for willful misrepresentation of minority status" when they established recruit investigation units in 1984.

But, the report noted, 11 recruits suspected of misrepresenting their races were hired between 1976 and 1983, when there was no system for spotting abuses.

Questions about the 11 surfaced during a city review following the disclosure that two brothers, Philip and Paul Malone of Milton, allegedly misrepresented themselves as blacks to get jobs as firefighters.

The 11 are being investigated by the state Department of Personnel Administration, which has already dismissed the Malones from the fire department and began hearings on the other cases last week. The Malones are appealing the department's decision to the state's Supreme Judicial Court.

No police officers have been found to have misrepresented their race. The School Department is conducting an internal review of its employees.

The city's report on hiring practices by the police and fire departments was completed yesterday and released early last night. It was ordered by Mayor Flynn in the wake of the Malones' dismissals.

City officials released the report after the Globe requested a response to a civil rights attorney who criticized the city for failing to say how it had identified the cases involving the 11 firefighters and what system was in place to prevent abuses.

~~Barbara~~ Annwine, executive director of the Lawyers' Committee for Civil Rights Under the Law, said yesterday that lack of a report from the city following discovery of the 11 cases "hints strongly that there is something to hide. . ."

The city reported last night that it had discovered the 11 cases by reviewing all personnel files at the police and fire departments and comparing them with civil service lists and other records.

1989, The Boston Globe, January 18, 1989

The report emphasized that the recruit investigation units, created in 1984, demonstrate the city's resolve to prevent the hiring of applicants who lie about their race.

The units investigate employment histories, moral character and racial identification.

"It is worth noting that the recruit investigation units at the police and fire departments have proven to be a powerful screening device in the hiring process for uniformed personnel," the report read.

The report concludes that the unit's effectiveness is demonstrated by the fact that no additional review by the Department of Personnel Administration has been sought for individuals hired after its establishment in 1984.

The report included five recommendations for further reducing the chances of racial misrepresentation. It urged that a single centralized human resources division be responsible for personnel functions in both uniformed and civilian divisions of the police and fire department.

It also recommended that the personnel management office conduct quarterly audits of personnel files; that the departments establish quarterly minority employee lists; that recruits be required to sign affidavits attesting to their minority status; and that the fire commissioner establish a post office box for problems.

Meanwhile, the hearings will resume this week and will continue through the month, said Margaret Dale, attorney for the Department of Personnel Administration. David Haley, the department administrator, is expected to issue a decision on the cases next month, based on the findings of the hearing officer.

State and city officials have declined to identify the firefighters. One city official, speaking on the condition of anonymity, said most of the cases can be easily resolved in favor of the firefighters and that most of the firefighters have said they are Hispanic.

LANGUAGE: ENGLISH

104TH STORY of Level 1 printed in FULL format.

Proprietary to the United Press International 1988

May 17, 1988, Tuesday, BC cycle

SECTION: Domestic News

LENGTH: 365 words

HEADLINE: Group alleges city violated housing rights

DATELINE: BOSTON

A civil rights organization filed a federal class-action suit Tuesday for 'perhaps thousands' of minorities who were alleged victims of discrimination while applying for public housing in Boston, officials said.

The suit was filed in U.S. District Court by the Boston chapter of the NAACP and two black women who claim they were dissuaded by Boston Housing Authority officials from applying for housing in predominantly white developments.

Barbara Arnwine, executive director of the Lawyers Committee for Civil Rights, said the suit seeks unspecified monetary damages as well as new housing for all minorities steered away from predominantly white housing projects or discouraged from applying.

The suit also seeks a restraining order against the authority 'unless they are sure they will not violate civil rights and agree to redress past violations,' Arnwine said.

Neil Sullivan, an advisor to Mayor Raymond Flynn, said the city is negotiating with the federal Housing and Urban Development to clear up past problems with city housing discrimination cited by the federal government.

Sullivan also criticized the litigation for slowing the city and federal attempts to desegregate Boston housing.

'Despite legal challenges, we will continue to work hard for a tenant-assignment system which meets fairly the housing goals of the city,' Sullivan said.

One of the plaintiffs, Tanya Boman, applied for housing in 1985 in the largely white Charlestown project, but said she was discouraged by a Boston Housing Authority agent.

'She asked about the type of protection blacks would be given,' Arnwine said. 'The BHA employee giving the orientation told her that the BHA could not provide protection and that in the event of trouble, tenants would have to call the Boston Police.'

'The BHA employee further stated that a tenant who decided to move out of placement due to racial problems would have to reapply for BHA housing and would be put at the bottom of the list.'

Boman withdrew her request for the Charlestown project because of the housing officials comments, and remains on the waiting list for three other projects

Proprietary to the United Press International, May 17, 1988

that are largely minority, Arnwine said.

LANGUAGE: ENGLISH

109TH STORY of Level 1 printed in FULL format.

Proprietary to the United Press International 1987

February 20, 1987, Friday, PM cycle

SECTION: Domestic News

LENGTH: 413 words

DATELINE: CAMBRIDGE, Mass.

LEAD: Harvard Law School has announced a plan to help pay off loans of graduates who chose relatively low-salaried public service jobs, instead of the lucrative positions offered in the profession's top law firms, The Boston Globe reported today.

BODY:

Harvard Law School has announced a plan to help pay off loans of graduates who chose relatively low-salaried public service jobs, instead of the lucrative positions offered in the profession's top law firms, The Boston Globe reported today.

In a move hailed by public-interest lawyers as a major breakthrough, the law school announced Thursday a loan payment program that will cover all loan payment due for legal education for graduates choosing jobs that pay less than \$20,000 a year.

For jobs paying less than \$29,000 a year, graduates will pay 6 percent of their income toward loans, with the law school picking up the rest.

The plan goes into effect for those who graduate this spring.

Harvard Law President James Vorenberg said it is hoped the unique program will "relieve the pressure" for graduates who choose public service jobs.

"While most of our graduate enter high-paying positions in the legal profession and, with those salaries, can afford the repayment of loans, we want to help others pursue the legal careers of their choice regardless of salary," he said.

"Graduates may have a strong inclination to go into a public service job or work for the state or the government and we wanted to be able to relieve the pressure on that decision so that it will be based purely on professional rather than financial considerations," he said.

The average debt incurred by a Harvard Law graduate last year was \$27,200, school officials said. Most students also have debts from undergraduate studies and the average combined debt was \$32,800.

Ira Glasser, executive director of the American Civil Liberties Union, called the plan, "commendable, a terrific thing to do."

"This is a major breakthrough," said Barbara Arnwine, executive director of the Lawyers Committee for Civil Rights Under Law of the Boston Bar Association. "In the last five years we have seen a serious problem with people wanting to enter public service law and not being able to bear the cost."

Proprietary to the United Press International, February 20, 1987

'No one in my office, no matter how many years experience, earns what first-year lawyers earn at New York's most prestigious firms.'

New York corporate firms offer up to \$65,000 a year to starting lawyers, while public service jobs pay \$15,000 to \$25,000 a year.

Most of the top law schools, including Yale, Stanford, Chicago and Columbia, offer some breaks for students entering public service law, but Harvard's appears to be by far the most generous, according to analysts.

411TH STORY of Level 1 printed in FULL format.

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LABOR REPORT

DLR No. 142; PG. E-1

JULY 24, 1985 WEDNESDAY

LENGTH: 4586 words

SECTION: TEXT.

TITLE: DECISION OF FIRST CIRCUIT IN CASE OF DEVERAUX v. GEARY (TEXT.

TEXT:

United States Court of Appeals

For the First Circuit

No. 84-2004

ROBERT T. DEVERAUX, ET AL.,

Plaintiffs, Appellants,

v.

WILLIAM J. GEARY, ET AL.,

Defendants, Appellees,

and

PLAINTIFF-CLASS IN CULBREATH V. DUKAKIS,

Intervenors-Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

[Hon. A. David Mazzone, U.S. District Judge]

Before Campbell, Chief Judge, Bownes and Breyer, Circuit Judges.

Gabriel O. Dumont, Jr. with whom Grady, Dumont & Dwyer was on brief for appellants.

Charles J. Cooper, Deputy Assistant Attorney General, Michael A. Carvin and Mary E. Mann, Attorneys, Department of Justice, and Wm. Bradford Reynolds, Assistant Attorney General, were on brief for the United States, Amicus Curiae.

Despena Fillios Billings, Assistant Attorney General, with whom Francis X. Bellotti, Attorney General, was on brief for defendants-appellees.

Daily Labor Report, JULY 24, 1985

James H. Wexler with whom Herrick & Smith, Herman J. Smith, Jr., Boston University Legal Aid Program, Ilene Seidman and Ruth Diaz-Aguilar, Greater Boston Legal Services, were on brief for intervenors-appellees.

Jonathan M. Albano with whom John F. Adkins, Bingham, Dana & Gould, Marjorie Heins, Massachusetts Civil Liberties Union Foundation, Barbara Arnwine, Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association, William L. Robinson and Richard T. Seymour, Lawyers' Committee for Civil Rights Under Law, were on brief for the Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association, Civil Liberties Union of Massachusetts, and Lawyers' Committee for Civil Rights Under Law, Amici Curiae.

June 24, 1985

CAMPBELL, Chief Judge. Plaintiffs, five nonminority members of the Metropolitan District Commission ("MDC") police force, appeal from a judgment of the United States District Court for the District of Massachusetts dismissing their complaint for failure to state a claim upon which relief could be granted after finding their attempt to interevene in the case of Culbreath v. Dukakis untimely.

The issue, whose resolution will decide the procedural as well as the substantive question before us, is whether the Supreme Court's decision in *Firefighters Local No. 1784 v. Stotts*, 52 U.S.L.W. 4767 (June 12, 1984), requires us to read Title VII of the Civil Rights Act as prohibiting voluntary affirmative action efforts like those reflected in the Culbreath consent decree which benefit individuals who are not proven victims of actual discrimination. Arguing that *Stotts* compels such a reading, plaintiffs insist that they should be permitted to intervene in Culbreath in order to secure a modification of the consent decree.

We agree with the district court that *Stotts* (which dealt with a different situation) does not make it clear that the challenged consent decree is no longer lawful. The weight of circuit authority construes *Stotts* as not invalidating such a decree. Particularly as the challenged decree has only about two more years to run, and as the Supreme Court will soon hear a case that could clarify the issue, we decline to tamper with the Culbreath decree at this time. We affirm the judgment of the district court.

I.

This controversy has its roots in an action brought in 1974 by minority state employees against state officials. The minority employees, later certified as a class, sought to correct alleged historical and ongoing discriminatory hiring and promotional practices in the state civil service. See *Culbreath v. Dukakis*, 630 F.2d 15 (1st Cir. 1980) (action originally brought sub nom. *Jackson v. Sargent*, No. 74-24633-MA). After two years of negotiations, the parties submitted a proposed stipulation of facts and consent decree to the district court. The stipulation stated that there was a disproportionate underemployment of minorities in certain state agencies and that such underemployment had been caused by employment practices engaged in, or perpetuated by, defendants. The stipulation represented,

[t]he parties believe that the stipulation of facts set forth below and acknowledged by the Court constituted findings of past practices of

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discrimination of both a judicial and administrative nature, sufficient to sustain an action under Title VII of the Civil Rights Act of 1964, thereby providing sufficient grounds for the remedies set forth in the Decree. n1

n1 The plaintiff class in Culbreath originally grounded its claims on 42 U.S.C. §§ 1981, 1983, not on Title VII. About two years into the litigation, however, the Supreme Court ruled in *Washington v. Davis*, 426 U.S. 229 (1979), that in section 1981 and section 1983 actions, plaintiffs must prove intentional discrimination to recover. Since the Culbreath complaint did not contain allegations of intentional discrimination, the parties in Culbreath treated the action as one brought pursuant to Title VII. For purposes of this appeal, it is clear that the Culbreath consent decree was entered under Title VII and must be reviewed accordingly. See note 2, *infra*.

The Culbreath consent decree then set forth the terms of a negotiated settlement, including goals for the appointment and promotion of minorities in civil service job grades in the MDC for a period of eight years, beginning in January 1979 and ending in December 1987.

Between November 1978 and February 1979, more than four years after the action's commencement and contemporaneously with the submission of the proposed stipulation and decree, the Massachusetts Organization of State Engineers and Scientists, Locals 285 and 509, the Service Employees International Union, AFL-CIO, the Massachusetts Law Enforcement Council, and the National Association of Government Employees filed motions to intervene in Culbreath. After notice to the class, see Fed. R. Civ. P. 23(e), the district court held a hearing on the entry of the consent decree and the motions to intervene. In August 1979, the court denied the motions to intervene as untimely and entered the stipulation of facts and the consent decree.

This court upheld the district court's decision to deny the motions to intervene in Culbreath v. Dukakis, 630 F.2d 15 (1st Cir. 1980). We evaluated four factors that aid in determining whether intervention requests are "timely" under Fed. R. Civ. P. 24: (1) the length of time the potential intervenors knew or reasonably should have known of their interest before they petitioned to intervene; (2) the prejudice to existing parties due to the potential intervenor's failure to petition for intervention promptly; (3) the prejudice the potential intervenors would suffer if they were not allowed to intervene; and (4) the existence of unusual circumstances militating either for or against intervention. See *id.* at 20-24. See also *Stallworth v. Monsanto Co.*, 558 F.2d 257, 264 (5th Cir. 1977). After finding that the would-be intervenors reasonably should have known of their interest four years before they petitioned to intervene, that they would not be prejudiced by denial of intervention, and that the parties' interests could be severely hampered if intervention were permitted, we concluded that the district court correctly found the intervention petitions untimely.

In July 1984, the instant action was brought by five white, male police lieutenants against William J. Geary, the Commissioner of the MDC, and Thomas E. Keogh, Superintendent of the MDC police force. Plaintiffs challenge the promotion of a black officer, Donald E. Callender, to a provisional position as an MDC police captain pursuant to the promotion guidelines of the consent decree. Specifically, they contend that although they all scored higher than Callender on the competitive examination administered to determine promotion eligibility, they were denied the opportunity to be considered for the

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position of temporary MDC police captain because of their race. They also state that ultimately one plaintiff who would have received the position had the consent decree not required that this position be filled by a minority was denied the position because of his race. They claim that by making race "the determinative selection factor," defendants deprived plaintiffs of their fourteenth amendment equal protection rights and violated 42 U.S.C. § 1981.

On August 8, 1984, defendants filed a motion to dismiss. On August 16, 1984, the Culbreath class filed a motion to intervene as a defendant, which was unopposed, and a motion to dismiss. After all parties submitted briefs on the motions to dismiss, the district court granted the class's motion to intervene and allowed defendants' motions to dismiss.

The district court chose to treat plaintiffs' complaint as a motion to intervene in Culbreath, rather than as an impermissible collateral attack on the Culbreath consent decree. In addressing the timeliness of plaintiffs' attempt to intervene, the court found that but for the Supreme Court's decision in *Firefighters Local Union No. 1784 v. Stotts*, the situation before the court was the same as that before it when it denied the prior petitions to intervene in 1980. It ruled that absent *Stotts*, the Stallworth factors unambiguously required a denial of intervention and a dismissal of the case.

The issue, then, was whether the *Stotts* decision so changed the law of Title VII that it constituted an "unusual circumstance" militating for intervention and, ultimately, for revision of the consent decree. The district court rejected plaintiffs' argument that the *Stotts* Court meant to rewrite Title VII law to make all affirmative action plans improper absent a finding of actual past discrimination. It noted,

n2 Plaintiffs argue that the fourth Stallworth factor, the existence of unusual circumstances militating for intervention, applies here. See pages 4-5, *supra*. They contend that the Court's decision in *Stotts* changed the law of Title VII so as to render parts of the Culbreath consent decree invalid, and that the Court has expressly ordered that "when a change in the law [brings] the terms of a consent decree into conflict with the statute pursuant to which the decree was entered, the decree should be modified over the objections of one of the parties bound by the decree." *Stotts*, 52 U.S.L.W. at 4771 n.9 (citing *System Federal No. 91 v. Wright*, 364 U.S. 642, 651 (1961)).

[h]ad the Court intended to radically change its interpretation of Title VII law so as to require a finding of actual discrimination in any affirmative action case, I believe it would have said so. In the absence of clearer authority, I decline to read such an expansive meaning into an opinion limited to a discussion of layoffs made in violation of a bona fide seniority system. The plaintiffs here seek too broad a rule from too narrow a set of facts.

We concur in this analysis and accordingly affirm.

II.

In *Stotts*, a plaintiff class of black firefighters sued the Memphis, Tennessee, Fire Department and state officials alleging a pattern or practice of discrimination in hiring and promotion decisions in violation, among other provisions, of Title VII. A consent decree was entered into which had the stated purpose of remedying the Department's hiring and promotion practices with

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respect to blacks. The City, however, specifically indicated in the decree that it did not admit to "any violations of law, rule or regulation with respect to the allegations" in the complaint. *Stotts*, 52 U.S.L.W. at 4768. Providing that minority membership in the Fire Department would be increased to approximate the proportion of minorities in the county labor force, the decree set as an interim hiring goal the filling of 50 percent of job vacancies annually with qualified black applicants. The decree did not, however, provide against the possibility of future layoffs. *Id.*

Nearly a year after the district court approved and entered the decree, the City announced that due to budget deficits, it would have to lay off a number of city personnel. The City declared that it would base the layoffs on the "last hired, first fired" rule provided for in a seniority system adopted pursuant to an earlier city-wide consent decree with the United States. *Id.* The district court, however, at the request of the class and over the objection of the City, entered an injunction forbidding the seniority-based layoffs. The court found that the layoffs would have a racially discriminatory effect, which rendered the otherwise valid seniority system not a "bona fide" one protected under Title VII. In response to this order, the City proposed and the court approved a modified plan requiring that layoffs be made in accordance with a racial quota designed to preserve the advances made through the consent decree in increasing the proportion of black employees on the force. The layoffs were then carried out, and as a result of the court's order, certain non-minority employees with more seniority than minority employees were laid off or demoted in rank.

The Sixth Circuit affirmed the district court's order, although it held that the seniority system was a "bona fide" one. It concluded that the seniority-based layoffs would violate the terms of the consent decree by decreasing the percentage of minorities in the Department and that the district court therefore had the power to enforce the decree by ordering the modification of the seniority-based layoff system. Alternatively, the Sixth Circuit held that the district court's order was valid even if seen as a modification of the decree because new and unforeseen circumstances had created a hardship for one of the parties to the decree. *Stotts*, 52 U.S.L.W. at 4769. The court rejected the argument that any modification was improper because it conflicted with a bona fide seniority system immunized from Title VII attack by section 703(h) of that Act. *Id.*

The Supreme Court reversed, ruling that the district court's injunction could not be justified either as an effort to enforce the consent decree or as a modification of the decree that could be forced on the City without its consent. The Court saw "the issue at the heart of the case" as "whether the district court exceeded its powers in entering an injunction requiring white employees to be laid off, when the otherwise applicable seniority system would have called for the layoff of black employees with less seniority." *Id.* at 4770.

In resolving this question, the Court first pointed out that the "injunction does not merely enforce the agreement of the parties as reflected in the consent decree." *Id.* at 4771.

The Court then turned to the question of whether the district court's order could be sustained as a valid modification of the decree. *Id.* at 4771-73. The Court relied on *System Federal No. 91 v. Wright*, 364 U.S. 642 (1961) (a court, upon motion of a party, must modify a consent decree when a change in the law brings it into conflict with the objectives of the statute that authorized

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it), in ruling that a district court cannot modify a Title VII consent decree over the objection of one of the parties if the resulting order conflicts with the statute underlying the consent decree. *Stotts*, 52 U.S.L.W. at 4771 n.9. The Court then found that the proposed modification conflicted with Title VII and that the district court's authority to impose a new seniority system upon an unwilling employer in contravention of an existing bona fide seniority system is therefore limited to situations where this relief is appropriate under Title VII, i.e., when the individual plaintiffs can prove that they have been the actual victims of discriminatory practices.

In reaching this result, the Court relied upon its earlier decision involving section 703(h) n3 in *Franks v. Bowman Transportation Co.*, 424 U.S. 947 (1976). In *Franks*, the Court had held that section 703(h) merely states that the operation of a bona fide seniority system will not constitute an illegal discriminatory employment practice, and does not bar retroactive awards of seniority as relief appropriate under section 706(g). The Court also relied upon its ruling in *Teamsters v. United States*, 431 U.S. 324 (1977), that an individual had to prove that a discriminatory practice had an impact on him before a court could award him retroactive seniority. The Court went on to state that "[o]ur ruling in *Teamsters* that a court can award competitive seniority only when the beneficiary of the award has actually been a victim of illegal discrimination is consistent with the policy behind § 706(g) of Title VII, n4 which affects the remedies available in Title VII litigation." *Stotts*, 52 U.S.L.W. at 4772 (footnote omitted). The Court referred to statements made in the Title VII congressional debates in which the policy behind section 706(g) was "repeatedly expressed": "to provide make-whole relief only to those who have been actual victims of illegal discrimination." *Id.*

n3 Section 703(h) of Title VII, 42 U.S.C. § 2000e-2(h), provides:

Notwithstanding any other provision of this subchapter, if shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin

n4 Section 706(g) of Title VII, 42 U.S.C. § 2000e-5(g), provides:

If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include, but is not limited to, reinstatement or hiring of employees with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), or any other equitable relief as the court deems appropriate. Back pay liability shall not accrue from a date more than two years prior to the filing of a charge with the Commission. Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. No order of the court shall require the admission or reinstatement of an individual as a member of a union, or the hiring, reinstatement, or promotion of an individual as an employee, or

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the payment to him of any back pay, if such individual was refused admission, suspended, or expelled, or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex, or national origin or in violation of section 2000e-3(a) of this title.

The contention that Stotts controls this case must be based on inferences drawn from open-ended language in the Stotts opinion, as the facts and issues in Stotts are plainly distinguishable. Unlike the situation in Stotts, we are not concerned here with a district court's power, over objection of one of the parties to the decree, to order retroactive relief that the consent decree never provided. Rather, the present plaintiffs challenge provisions in the consent decree to which the original parties had voluntarily agreed. Additionally, the affirmative action ordered by the district court in Stotts was in direct conflict with a bona fide seniority system protected by section 703(h) of Title VII. Our case does not involve section 703(h) as there is no claimed conflict between a seniority plan and the remedies provided for in the decree.

A further distinction is that the parties to the Stotts decree had expressly disclaimed that the violations alleged in the complaint existed, whereas in this case the parties stipulated that discriminatory patterns and practices existed that were sufficient to support a Title VII action.

The above distinctions have been regarded as crucial by other circuits. See *EEOC v. Local 638*, 753 F.2d 1172, 1186 (2d Cir. 1985) (distinguishing Stotts because here there was no direct conflict with a bona fide seniority plan; the Stotts Court's decision involved the retroactive award of competitive seniority, not the prospective relief awarded here; and unlike Stotts, here there was a finding that plaintiffs intentionally discriminated against non-whites). *Vanguards of Cleveland v. City of Cleveland*, 753 F.2d 479, 486 (6th Cir. 1985) (distinguishing Stotts on the facts and rejecting plaintiffs' argument that Stotts controls where voluntary plan did not directly deal with seniority). *Diaz v. American Telephone & Telegraph*, 752 F.2d 1356, 1360 n.5 (9th Cir. 1985) (limiting Stotts to its facts). *Van Aken v. Young*, 750 F.2d 43, 45 (6th Cir. 1984) (distinguishing Stotts because the instant case involved an affirmative action plan voluntarily applied by city at point of hiring and unrelated to seniority rights). *Wygant v. Jackson Board of Education*, 746 F.2d 1152, 1157-58 (6th Cir. 1984) (Stotts does not affect affirmative action plan that "resulted from voluntary decisions in the collective bargaining process"), cert. granted, 105 S.Ct. 2015 (1985). *Kromnick v. School District of Philadelphia*, 739 F.2d 894, 911 (3d Cir. 1984) (distinguishing Stotts because here there is "no overriding of a bona fide seniority plan, and no requirement of race-conscious layoffs"), cert. denied, 105 S.Ct. 782 (1985). *Grann v. City of Madison*, 738 F.2d 786, 795 n.5 (7th Cir.) (distinguishing Stotts by stating that here, discrimination is acknowledged, the city defendant agreed to the relief provided, and this case involves promotions and pay, not seniority rights), cert. denied, 105 S.Ct. 296 (1984). See also *Hammon v. Barry*, No. 84-0903, slip op. at 29 (D.D.C. Apr. 1, 1985) (rejecting suggestion that Stotts precludes use of any race-conscious affirmative action plan and distinguishing Stotts on ground that this is a voluntary plan that does not directly affect vested seniority rights). *Turner v. Orr*, No. 84-3266, slip op. at 12-19 (N.D. Fla. Apr. 18, 1985) (distinguishing Stotts because this case did not involve infringement of a bona fide seniority system; no third party rights are involved here as no non-minority worker had to step down to accommodate a minority; and this case involves a consent judgment entered into by the parties). *NAACP v. Detroit*

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Police Officers Association, 591 F. Supp. 1194, 1202-03 (E.D. Mich. 1984) (distinguishing Stotts on ground that it dealt with court-imposed affirmative action plan that did not by its terms deal with layoff question whereas the plan at bar was voluntary and explicitly adjusted seniority rights).

Plaintiffs argue that although Stotts may be factually distinguishable, the clear implication of the Court's language in Stotts outlaws the use of any race-conscious affirmative action plan.

We are not so sure. It is not easy to determine from the plurality opinion in Stotts just how far a majority of the Court would want to go in the present situation. Moreover, the Court had earlier held in *United Steelworkers of America v. Weber*, 443 U.S. 193 (1979), that Title VII does not forbid private employers from voluntarily entering into affirmative action plans to eliminate manifest racial imbalances in employment categories. The expansive reading of Stotts urged by plaintiffs would require us to find that Stotts overruled Weber sub silentio. In view of the importance of any such action, it seems likely that the Court would have directly addressed Weber if it had intended to overrule that decision. All the circuits considering the issue have concluded, in the absence of any express pronouncement to the contrary, that Weber remains good law. n5 See *EEOC v. Local 638*, 753 F.2d at 1185-86; *Vanguards of Cleveland v. City of Cleveland*, 753 F.2d at 487-88; *Diaz v. American Telephone & Telegraph*, 752 F.2d at 1360 n.5; *Van Aken v. Young*, 750 F.2d at 45; *Wygant v. Jackson Board of Education*, 746 F.2d at 1158; *Kromnick v. School District of Philadelphia*, 739 F.2d at 911; *Grann v. City of Madison*, 738 F.2d at 795 n.5.

n5 Although plaintiffs do not specifically raise the point, the fact that one of the parties to the consent decree challenged in this case is the City, a public employer, does not alter our analysis. The Stotts Court expressly declined to consider whether Title VII would prohibit the City of Memphis from voluntarily achieving the same results as the district court's order by adopting an affirmative action plan. Stotts, 52 U.S.L.W. at 4773. In the absence of a definitive ruling from the Court, we adhere to the precedent upholding the validity of voluntary affirmative action programs instituted by public employers. See *Bushey v. New York State Civil Service Commission*, 733 F.2d 220, 227 n.8 (2d Cir. 1984) ("We reject Plaintiffs' contention that Weber, 443 U.S. 193. . . , is inapplicable because the employer in Weber was a private entity whereas here it is a public entity."). See also *Kirkland v. New York State Department of Correctional Services*, 711 F.2d 1117 (2d Cir. 1983) (applying Weber), cert. denied, 104 S.Ct. 997 (1984); *Bratton v. City of Detroit*, 704 F.2d 878, 884 n.18 (6th Cir. 1983) (applying Weber), cert. denied, 104 S.Ct. 703 (1984); *Local Union No. 35 v. City of Hartford*, 625 F.2d 416, 435 (2d Cir. 1980) (applying Weber), cert. denied, 453 U.S. 913 (1981). Cf. *Associated General Contractors of Massachusetts, Inc. v. Altshuler*, 490 F.2d 9, 17 (1st Cir. 1973), cert. denied, 94 S.Ct. 1971 (1974).

We recognize, of course, that this is a difficult and sensitive area in which we and the other circuit courts could be mistaken in our reading of current precedent. But this hardly seems the case or the moment for us to strike out in a new direction. The consent decree that plaintiffs wish to challenge has almost run its course, expiring by its own terms in 1987. Up to now people have relied on the decree as reflecting both the agreement of the parties and the command of a federal court. Unless we can say with greater certainty than is now possible that the decree, contrary to former assumptions, is invalid, it would seem better to leave it undisturbed, at least until the Supreme Court has shed more

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light in this area, which it quite possibly may do within the next term. See *Wygant v. Jackson Board of Education*, 746 F.2d 1152 (6th Cir. 1984), cert. granted, 105 S.Ct. 2015 (1985). n6

n6 In *Wygant*, the Sixth Circuit held that a collective bargaining agreement that, as part of the school board's voluntary affirmative action plan, limited layoffs of minority group teachers in the event of reductions in staff, did not, despite the absence of direct findings of discrimination against minority teachers, violate the equal protection clause or Title VII. See *Wygant*, 746 F.2d 1152. See also 53 U.S.L.W. 3692 (subject matter summary of case recently docketed). The Court granted certiorari to examine the question of whether the Constitution tolerates racial preferences for teacher layoffs adopted by a public employer, in the absence of findings of past discrimination, that are based solely upon the disparity between respective percentages of minority faculty members and students. Id.

Affirmed.

LANGUAGE: ENGLISH

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Los Angeles Times

July 22, 1985, Monday, Home Edition

SECTION: Part 1; Page 15; Column 1; National Desk

LENGTH: 685 words

HEADLINE: BOSTON POLICE GIRD FOR PROMOTIONS BATTLE

BYLINE: By PAUL HOUSTON and LEE MAY, Times Staff Writers

DATELINE: BOSTON

BODY:

Officer Eric Eversley, a black eight-year member of the Boston police force, knows why it needs affirmative action: "We've got only one black sergeant and three acting sergeants out of 200 black cops." He strongly supports a bitterly controversial court-supervised quota plan to overcome a long history of racial discrimination and move more blacks into the higher ranks.

The battle over the Boston police force foreshadows a new battle taking shape over affirmative action -- the issue not of who is hired but of who is promoted.

Minorities and women, traditionally consigned to low-ranking jobs by both governmental and private employers, are now calling for quotas and other special programs to help them climb up the promotional ladder. "I don't see any other way to get the numbers up," said Eversley, a soft-spoken college graduate with a degree in criminal justice.

But affirmative action promotion plans like the one in Boston are arousing intense resistance.

'Reverse Discrimination'

Boston's plan, vigorously opposed as "reverse discrimination" by many white officers, calls for promoting as many as 25 blacks to sergeant even if that means skipping over whites who score higher on an examination now in progress.

To white officer William McCarthy, the special advantage given blacks on Boston's new sergeant's exam is grossly unfair and demoralizing. McCarthy, who like Eversley holds a college degree in criminal justice, already considers himself a two-time "victim" of affirmative action: His hiring was delayed for five years and he was laid off once despite having more seniority than blacks who were kept on the job.

"I grew up in a mixed community and we all received the same education," McCarthy said. "Maybe our parents and grandparents discriminated, but our generation hasn't discriminated against anyone."

That is no consolation to black police officers. Six years ago, a group of blacks sued to block the appointment of a new batch of sergeants, charging that the exam used to determine eligibility for sergeant discriminated against them.

Los Angeles Times, July 22, 1985

Refused Score Results

Blacks "would take the exam and then be informed they had failed," said Barbara Arnwine, head of the Lawyers Committee for Civil Rights Under Law, which handled the suit. "The black officers would ask, 'What was my score?' 'Can't tell you.' 'Well, can I see my exam?' 'We destroyed all the exams.' It was pretty bad news."

In 1980, city officials and the group of black officers entered into a consent decree, supervised by a federal court, that provided for an independent organization to prepare a culturally unbiased examination and to score the results. The agreement, similar to ones reached in other cities, permitted the immediate appointment of 25 white sergeants but held open 25 other slots.

The plan specified a gradual increase in the number of black sergeants over a five-year period. A certain -- though still undetermined -- number of blacks would have to be promoted to sergeant even if that meant passing over some higher-scoring whites. City officials went ahead with the exam only after a federal court threw out a suit filed by a group of white officers seeking to block it.

25 'Acting' Sergeants

Meanwhile, pending the outcome of the exam, the city has filled the open slots with 25 "acting" sergeants -- 20 whites and five blacks. Blacks protested that the appointment of acting sergeants was a ruse to delay implementing the court-supervised quota program. And disgruntled whites complained that the appointments were made, in the words of Officer Kevin Foley, "strictly on a political basis -- no standards, no tests."

Despite the wrangling over promotions, the white-dominated Boston Patrolmen's Assn. has accepted a court-supervised affirmative action plan that requires the hiring of one black officer for every newly hired white.

"Minorities and women were held back, fine -- rectify that and get them on the job," said Robert Guiney, president of the Boston Patrolmen's Assn. "But once the job is secured, everyone should have a fair shot at promotion."

LANGUAGE: ENGLISH

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The Associated Press

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February 25, 1985, Monday, AM cycle

SECTION: Domestic News

LENGTH: 435 words

HEADLINE: Prosecutor Dismisses Charges Against 12 Protesters

BYLINE: By JANE SEAGRAVE, Associated Press Writer

DATELINE: BOSTON

BODY:

Saying that a courtroom is not the place to argue a political issue, prosecutors dropped trespassing charges Monday against 12 people who staged an anti-apartheid protest at the offices of a precious metals dealer that sells South African gold coins.

The 12, who included politicians, professors and clergymen, joined hands and sang, "We Shall Overcome," as Municipal Court Judge Charles Grabau concluded the session.

Prosecutors decided not to pursue the case after the defendants indicated they would use the trial as a forum to discuss their views against South Africa's policy of racial separation, said Paul Leary, first assistant district attorney for Suffolk County.

The defendants, who were arrested in December for refusing to leave the Boston offices of precious metals dealer Deak-Perera Inc., faced a maximum penalty of 30 days in jail and a \$100 fine for the misdemeanors, and Leary said the cost of the trial and the time involved was a poor use of county resources.

"We felt that in the best interest of the court system, if they were going to talk about the political matter ... then let them do it in some other forum rather than tying up the court system," he said.

The protesters said at a news conference later they would hold another demonstration at noon Tuesday at Deak-Perera, which sells the gold Krugerrands. They say the sale of the coins directly aids the South African government.

"We were not allowed to go through with our trial, but apartheid is still on trial," said Willard Johnson, a professor of political science at the Massachusetts Institute of Technology and the leader of the protesters.

The 12, who included Johnson, Harvard Nobel laureate George Wald and former Boston mayoral candidate Melvin King, are among about 1,800 people in 11 cities nationwide who have been arrested in demonstrations over the past three months organized by the Free South Africa Coalition to call attention to racial

The Associated Press, February 25, 1985

inequality in the African nation.

Barbara Arnwine, an attorney for the Lawyers Committee for Civil Rights, said the protesters had planned to use a "necessity defense," a legal claim that breaking the law was necessary because of the "imminent danger" apartheid poses in South Africa.

Singer and civil rights activist Harry Belafonte, who was to testify on behalf of the protesters, said at the news conference that demonstrations against apartheid were necessary to prevent violence in South Africa.

"We will carry our cause to the cities and the countries of the world," he said. "We hope we can do that before the bloodbath comes, as surely it will."

LANGUAGE: ENGLISH

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September 17, 1989, Sunday, Late Edition - Final
Correction Appended

SECTION: Section 12WC; Page 27, Column 1; Westchester Weekly Desk

LENGTH: 2301 words

HEADLINE: Fall Lectures: Archeology to Velazquez

BYLINE: By RHODA M. GILINSKY

BODY:

ART and architecture, politics and philosophy, science and sociology - it is all there to explore in lectures offered countywide this fall. The selection of lectures here, while not all-inclusive, suggest the range of topics to be explored in the coming months. Unless a fee is specified, the lectures are free and open to the public.

Perhaps the best known of the county's lecture series is the President's Leadership Forum at the State University of New York at Purchase, which will again present lectures by people in the vanguard of scientific, political, cultural and artistic thought and achievement. The 1989-90 series opens on Sept. 26, at 8:30 A.M., with Leonard Silk, economics columnist for The New York Times. Mr. Silk's lecture is entitled 'The Global Economy.'

The second speaker in the series, at 8:30 A.M. Oct. 31, is Freeman Dyson, professor of physics at the Institute for Advanced Study in Princeton, N.J. Dr. Dyson has, throughout his career, sought solutions for the problems that arise when technology and public policy collide. His lecture is entitled 'Six Cautionary Tales: Reflections on the Ecology of Science.'

Tickets are required and are available on a first-come, first-served basis. Call 251-6200 from 10 A.M. to 5 P.M. weekdays for reservations.

ARCHEOLOGY

Tonight at 7:30 Dr. Herbert C. Kraft, the anthropologist, will begin the lecture series of the Westchester Society of the Archeological Institute of America with a slide-lecture entitled 'Living Lenape-style: Reconstructing the Lifeways of the Metropolitan Area Indians.'

On Oct. 15 at 7:30 P.M., Dr. Leonard Lesko, Wilbour Professor of Egyptology and chairman of the department of Egyptology at Brown University, will speak on 'The Egyptian Fayum: Pyramids, Portraits and Papyri.' The Fayum is a large fertile depression about 65 miles southwest of modern Cairo with significant remains from the Middle Kingdom through the Roman period.

On Nov. 26 at 7:30 P.M., an archeologist who is deputy director of the British School at Rome, Amanda Claridge, will speak about 'When Ancient Rome 'Resorted' to the Beach: The Romans on the Laurentine Coast.'

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All of the lectures will take place at the Scarsdale Public Library. Admission is free to members of the Archeological Institute of America and students; \$3 for nonmember adults. 769-5389 evenings.

ARTS AND LITERATURE

'The Arts and Literature in the Age of Victoria' will be the subject of five lectures on Wednesdays from Oct. 4 through Nov. 1 at Marymount College in Tarrytown. The series will take place from 7:30 to 9 P.M. in Marian Hall 102. The fee is \$55 for the series. 332-7438.

The Caramoor Center for Music and the Arts in Katonah will offer slide lectures on three Wednesdays in November. On Nov. 1, 'Isabella D'Este, Art Patron Extraordinary' will be the title of a talk by Valerie R. Thornhill, distinguished British lecturer. On Nov. 8, 'Clothing the Court: Elegant Attire in the Late Middle Ages' is the topic, with Dr. Janetta Rebold Benton, professor of art history at Pace University and staff lecturer for the Metropolitan Museum of Art and the Cloisters. On Nov. 15, 'Velazquez: From Sevillian Painter to Court Painter' will be discussed by Dr. Eleanor Tufts, professor of art history at Southern Methodist University in Dallas. The series costs \$24 (\$18 for Caramoor members); single lectures, \$8. Seating is unreserved. 232-5035.

On Oct. 1 at 2 P.M., Doug Marlette, a Pulitzer Prize-winner for editorial cartooning when at The Atlanta Constitution, and now at Newsday, will discuss his work. The fee is \$3 for adults; \$2 for students and the elderly; \$1 for children younger than 12. The talk will be at the Museum of Cartoon Art on Comly Avenue in Rye Brook. 939-0234.

'In Search of the Master Builders' will be the subject of a slide-lecture by Robert Mark, professor of architecture and civil engineering at Princeton University. The lecture will be held on Oct. 18, at 8 P.M., in the West Room of Reid Hall at Manhattanville College in Purchase.

'An Evening With Robert Whitehead and Zoe Caldwell' will take place Nov. 30 at 7 P.M. at the Katonah Gallery, at 28 Bedford Road in Katonah. The producer and actress will speak about the collaborative process in the theater and reminisce about Boris Aronson, the designer. The event, held in conjunction with the gallery exhibition, 'Boris Aronson: Stage Design as Visual Metaphor,' will be co-sponsored by the Junior League of Northern Westchester. Admission is free but reservations are required. 232-9555.

Today at 3 P.M., Sid Glickman, an Irvington resident, professional musician and collector of unusual musical instruments, will lecture on 'Sights and Sounds of Antique Instruments' at the Greenburgh Town Hall in Elmsford. 993-1540.

'Transitions: Changing Concepts in 20th-Century Dance and the Visual Arts' is the title of a series to be given by Professor Emeritus Pauline Tish of the Pratt Institute on Oct. 3, 10, 17 and 24. The lectures, co-sponsored by the Westchester Dance Council and the Greenburgh Public Library, will take place at 7:45 P.M. at the Greenburgh Town Hall. 993-1540.

At the Neuberger Museum, at the State University of New York at Purchase, Daniel Robbins, who wrote the catalogue of the Neuberger collection, will give

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an illustrated lecture, "New Beginnings: A Community Celebration of the Reinstallation of the Neuberger Collection." It will take place Oct. 20 from 3 to 5:30 P.M. in the Humanities Building auditorium and will include a reception and viewing of the newly renovated gallery. Admission is \$6 for the general public; \$3 for friends of the Neuberger Museum; \$1 for Purchase faculty, staff and students.

Also at the college in Purchase, "Media and Power: The Politics of Representation" is a Thursday lecture series, starting Sept. 28 and continuing through Nov. 9. Offered at 11:30 A.M. in Room 1016 of the Visual Arts Building, the lectures will focus on sculpture, film makers, photographers and mixed-media installations. 251-6750.

POLITICS

"Update on the World: The Presidency" is the title of a series of five lectures to be given on Mondays from 8 to 9:40 P.M. starting Oct. 16 and continuing until Nov. 13 at the Center for Continuing Education of Mamaroneck High School. Cost of the series is \$50 (the elderly \$35). Information from 9 A.M. to 1 P.M. weekdays at 698-9126 or 698-9000, extension 303.

On Nov. 8 at 8 P.M., Susan Estrich, campaign manager for the 1988 campaign by the Democratic candidate Michael S. Dukakis, will speak on "Presidential Politics: The Campaign of 1988." The lecture will take place at the Emelin Theater, Mamaroneck. Tickets \$14. 698-0098.

Harrison Salisbury, former associate editor of The New York Times, will be the speaker for the Charles S. Horgan Memorial Lecture on Nov. 9 at the College of New Rochelle. He will discuss "Chaos in the Communist World" at 8 P.M. in the Sports Building.

"Law and Society" is the overall subject of a lecture series that begins in October at the State University at Purchase. The first lecture, "The Death of Fairness: The Arbitrary and Capricious Imposition of Capital Punishment in the 1980's," will be given at 8 P.M. Oct. 5 by Ronald Tabak, chairman of the Death Penalty Committee of the American Bar Association's section on individual rights and responsibilities. On Oct. 19 at 8 P.M., Ralph Stein, professor of law at Pace University, will speak on "The Limits of Free Speech." "Affirmative Action" is the subject on Nov. 2 at 8 P.M., with Barbara Arnwine, executive director of the Washington-based National Lawyers Committee for Civil Rights Under Law.

David J. Andrews, executive vice president of Planned Parenthood Federation of America, and Polly Rothstein, director of the Westchester Coalition for Legal Abortion, will give the final lectures in the series, at 8 P.M. Nov. 16. Mr. Andrews's address is "Abortion Rights: Legal, Political and Social Issues." Mrs. Rothstein will speak on "The Politics of the Abortion Controversy." The series is to be moderated by Dr. John Howard, professor of sociology at the State University at Purchase. The lectures take place in the Social Science Auditorium. 251-6600.

"Perspectives on China" is the title of a lecture by Arthur Rosen, director of the National Committee on U.S.-China Relations, on Oct. 5 from 8 to 9:30 P.M. at the Scarsdale Adult School. 723-2325. Fee: \$10.

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The Bronxville Adult School will hold its foreign affairs luncheons and lectures at the Bronxville Field Club starting Oct. 11, from 12:30 to 2:30 P.M. On that date, Michael E. Mandelbaum, senior fellow of the Council on Foreign Relations, will speak on "New Developments in U.S.-Soviet Relations." On Oct. 18, J. Owen Zurhellen Jr., visiting professor of diplomacy at Manhattanville College and former U.S. Consul General in Osaka, Japan, will speak on "The Student Revolution in China." William R. Rhodes, group executive and chairman of Citibank's restructuring committee, will discuss "Third World Debt: A Perspective" on Nov. 1. On Nov. 6, Zygmunt Nagorski, president of the Center for International Leadership, will speak about "Eastern Europe: A Challenge to U.S. Foreign Policy." The fee is \$90. 793-4435.

PHILOSOPHY

At 11 A.M. this morning, Swami Chinmayananda will speak on "Vedanta: The Knowledge of the Self" at the Ethical Culture Society of Westchester White Plains. Vedanta is the underlying philosophic principle of all the major religions of the world, which has its origin in the oldest scriptures known to man, the four Hindu vedas. The lecture is co-sponsored by the Wainwright House Interfaith Center, Arya Samas of Suburban New York and the Ethical Culture Society of Westchester. 948-1120.

Dr. Stanley Rosen, professor of philosophy at Pennsylvania State University, will discuss "Philosophy and Poetry in the City: Plato's Republic" on Wednesday, Sept. 27 at 7 P.M. in the Performing Arts Center of the State University at Purchase. His lecture is a part of a series, "Revolutions in Western Thought," that continues on Oct. 11 and 25, Nov. 8 and Dec. 13. All lectures take place in the Performing Arts Center at 7 P.M., followed by a question and answer period and a reception. Call the office of General Education, 251-6487.

The Wainwright House Institute for Spiritual Development and the American Teilhard Association will offer the Teilhard de Chardin lecture series on five Thursdays, starting Oct. 5 and ending Nov. 2. The series is an introduction to the life, thought and spiritual vision of Teilhard de Chardin. The lectures, to be held at Wainwright House from 7:30 P.M. to 9:30 P.M., will cost \$7 a session or \$30 for the series. 967-6080.

HISTORY

On Oct. 8 from 1 to 5 P.M., Roger Panetta, assistant professor of history at Marymount, will offer a slide lecture on the "History of the Hudson River." This will be followed by a field trip to the Tarrytown Lighthouse and a reception at the opening of the exhibition, "The Hudson River in Autumn," at Marymount. The lecture is at the Library Lecture Hall and the fee is \$14. 332-7438.

On Nov. 4 at 2 P.M., Spencer R. Crew, curator of the exhibition "Field to Factory: Afro-American Migration 1915-1940," will speak at the Hudson River Museum in Yonkers. The program is co-sponsored by the Westchester African-American Historical Society. 963-4550.

SCIENCE

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Science lectures sponsored by the division of natural sciences and the Friends of Natural Sciences at the State University at Purchase will begin Oct. 4 at 8 P.M. with a talk by Dr. Joel Tennenbaum, professor of Physics at the State University there. The talk is entitled, "It Won't Rain on Oct. 4, 1989: Weather and Climate Forecasting on the 32d Birthday of Sputnik." The series continues on Oct. 30 when Dr. Jorge Benach, a research scientist for the New York Public Health Department, discusses "The Natural History of Lyme Disease." On Dec. 4 at 8 P.M., Dr. Barbara Cornblatt, senior research scientist at the New York Psychiatric Institute, speaks about "The Role of Attention in Mental Illness." All lectures are in the college's Natural Sciences Building, Room 1001. 251-6630.

FAMILY LIFE

On Oct. 21, Ross D. Parke, developmental psychologist and an authority on fathering, will discuss "The Changing Faces of Fatherhood," exploring what it means to be a father in contemporary society. The lecture takes place at 11:30 A.M. in Reisinger Hall on the Sarah Lawrence campus in Yonkers. Call 395-2412 from 10 A.M. to 3 P.M. weekdays.

The Westchester County Office for Women and Legal Awareness for Women sponsor a lunchtime series on various aspects of divorce from noon to 2 P.M. in the lower-level conference room at 85 Court Street in White Plains. Topics include, "New York State Divorce: Expectations and Reality" on Sept. 26; "Preparing for Divorce: What You Need to Know About Your Marital Assets" on Oct. 24 and "Elements of Divorce: Grounds, Assets, Support, Custody," on Nov. 28. 472-2371.

A four-session course offered by Mainstream, the retirement institute of Westchester Community College, and co-sponsored by the Westchester Library System, is entitled, "Retired? Now What . . ." The series starts Oct. 10, from 10 A.M. to 12:30 P.M., and is given by Amy Leinwand, adjunct professor of human services at the Port Chester Library. 265-6793.

On three Mondays - Oct. 16, 23 and 30 - the Marymount College office of continuing education and the County Department of Community Mental Health will offer a series, "Managing Stress Creatively." The talks will be given by Enid Handler, a health-care consultant, and will take place from 7:30 to 9 P.M. at Marymount in Marian Hall 05. The fee is \$30. 332-7438.

CORRECTION-DATE: October 1, 1989, Sunday, Late Edition - Final

CORRECTION:

An article on Sept. 17 about fall lectures gave an incorrect date for a talk by Daniel Robbins at the Neuberger Museum in Purchase about the museum's collection. It is Oct. 29, not Oct. 20.

GRAPHIC: Photo of actress Zoe Caldwell; Dr. Freeman Dyson, professor of physics; Susan Estrich, 1988 Dukakis campaign manager; cartoonist Doug Marlette

SUBJECT: LECTURES AND LECTURING

NAME: GILINSKY, RHODA M

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The American Lawyer

December, 1989

SECTION: LETTERS; Pg. 8

LENGTH: 1349 words

HEADLINE: The Birmingham Fire Fight, Continued

BYLINE: Barbara R. Annwine, Stephen L. Spitz, Lawyers' Committee for Civil Rights Under Law, Washington, D.C.

BODY:

We are writing regarding the article in the September issue by Stuart Taylor, Jr. ["Second-Class Citizens"], on the Birmingham employment discrimination litigation. Unfortunately, the article is based on several important misconceptions and inaccuracies.

1) Taylor somehow missed the key reason for the remedial affirmative action contained in the 1981 consent decrees following seven-and-a-half years of litigation: The city of Birmingham does not have, and has never had, valid job-related nondiscriminatory selection criteria or procedures for hiring or promoting fire fighters and others. In the absence of such selection criteria, there is every reason to believe that there would be adverse impact on blacks and women, if not intentional discrimination against them.

In two trials in 1976 and in 1979 there was massive evidence that the tests and other devices used to select and promote fire fighters are not job related and that they do not measure fairly or accurately differences in job qualifications among the candidates tested and screened. There is no evidence that a person with a score of 86 on the tests used in Birmingham is better qualified than a person who scored 76. The tests simply do not test leadership, strength, bravery, agility, and other abilities necessary for supervision in the fire department. For the past several years, we have been urging the Personnel Board of Jefferson County to develop better ways of measuring the relative qualifications of fire fighters in Birmingham, but the board still uses the same invalid tests. Under Alabama state law, the city must hire and promote from among people certified to the city as qualified by the board.

2) Everyone promoted was well qualified. The consent decrees specifically provide that the city should not promote any unqualified person -- black or white. No one has shown that anyone unqualified has been hired or promoted in any position in the fire department or in any other city department as a result of the decrees.

3) Taylor also ignored the fundamental point that, before the decrees, virtually all blacks in the fire department were barred from even taking the promotional tests by subjective supervisory ratings by an all-white supervisory force. Taylor surely could not contend that these ratings fairly measured the qualifications of blacks to be promoted, given their gross subjectivity and their enormous adverse impact against blacks.

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4) Taylor ignored the basic purpose of the decree: to remedy egregious past discrimination by the city of Birmingham, not simply to provide a mechanism for future hiring and promotion. Until the late 1950s, blacks were prohibited from being fire fighters; the job announcements were restricted to whites only. After a lawsuit throwing out the formal racist restrictions, blacks were actively discouraged from applying for fire fighter positions. The all-white fire department was involved in the fire hosing of demonstrators, led by Dr. Martin Luther King, Jr., protesting rigid segregation of the races in 1963. The majority black city of Birmingham did not hire its first black fire fighter until 1968. The city did not hire another black fire fighter until 1974, the same year the Lawyers' Committee filed the lawsuit, although during that six-year period the city hired 170 white fire fighters. The discriminatory barriers to blacks seeking promotions were so severe that there had not been a single promotion of a black person in the history of the fire department until 1982 --after the consent decrees were entered.

5) Contrary to Taylor's suggestion, it is impossible to determine which individual black persons would have been hired and promoted in the fire department in the 1950s, 1960s, and 1970s if race discrimination had not prevailed in Birmingham. The Supreme Court specifically rejected, in several affirmative action cases, the argument of Taylor (and William Bradford Reynolds) that relief correcting past discrimination must be limited only to those individuals who were identified and proven victims of discrimination.

6) The white fire fighters who filed the "reverse discrimination" lawsuits are not the innocent victims of social policy, as Taylor would have your readers believe. All were hired during the period when blacks were essentially barred from the department. It is, of course, impossible to determine which of them would not have been hired if blacks had not been excluded from the department, but surely at least some of the white fire fighters would not have been hired or would have been hired at a later time. It is simply unfair to use the experience they gained at the expense of blacks to deny qualified blacks promotions today.

7) Contrary to Taylor's assertion that the Birmingham decree is a "typical Carter administration decree," it is important to note that each and every Democratic and Republican administration from Richard Nixon through Ronald Reagan specifically approved of the kind of remedies used in Birmingham. Indeed, the Birmingham consent decrees were sought by, and entered during the Reagan administration. Without any notice to Birmingham, the Justice Department suddenly switched sides and attacked its own decree. (Reynolds, the head of the Civil Rights Division of the Justice Department when the Birmingham decrees were entered in August 1981, stated the following, under oath, in hearings before the Senate Judiciary Committee in 1985, in response to a question by Senator [Howell] Heflin of Alabama: "I did not disagree with the decree in any way between the time that it was submitted to the court and the time the court entered the decree.")

8) Taylor unfairly impugns the law firm of Cravath, Swaine & Moore for seeking affirmative action in Birmingham. However, Cravath was not involved at all with the negotiations or the signing of the consent decrees in 1981. The Lawyers' Committee asked Cravath to be involved in defending the decrees only when, in 1984, the Department of Justice, contrary to its express obligation under the decrees to defend them against attack, instead started attacking the decrees. Cravath has done an outstanding job and has not received a penny for

1989 The American Lawyer, December, 1989

its services. Taylor's recounting of spurious allegations that Cravath attorneys, behaved improperly during the litigation is not only without foundation (no one ever complained to any court about any alleged improprieties nor were there any), but is totally irrelevant to the merits of the litigation. Instead of "jamming the courtroom at trial," Cravath had four lawyers -- the same number as the Justice Department -- at the trial, a most reasonable number given the number of witnesses and the complexity of the case.

9) As for the white fire fighters, they had every opportunity to be involved with the litigation prior to the entry of the consent decrees and, in fact, did state their position in front of the judge at the fairness hearing before the decrees were entered. When the judge asked if they had any evidence to produce, their attorney said no. This attorney was Ray Fitzpatrick, the same lawyer who, eight months after the decrees were entered, started to file "reverse discrimination" suits on behalf of the white fire fighters. The judge considered, and ruled against, Fitzpatrick's objections. If that were not sufficient, the judge held a five-day trial on the merits of the white fire fighter claims in 1985 and ruled against them. It is important to note that no court has ever agreed that their claims have any merit. The only issue the Supreme Court decided was that the white fire fighters can continue to litigate their claims.

10) Finally, it is truly unfortunate that Taylor missed the real story here -- which is the tremendous progress in equal treatment of its black and white citizens that has been made by the city of Birmingham since the rampant racism typified by Bull Connor in the 1960s and the incredible obstinacy of those who are fighting against this progress every step of the way.

EDITOR-NOTE:

Senior writer Stuart Taylor, Jr., replies: Barbara Arnwine and Stephen Spitz's letter is a disagreement with my article's conclusions and emphasis masquerading as a catalog of factual distortions. They identify no "misconceptions and inaccuracies" in the article except by taking what it says out of context and asserting that it ignores things it does not ignore. Most of the facts they recite are also recited in the article, in particular those detailing what the article called Birmingham's "legacy of brutal racial subjugation" and past discrimination within the fire department.

LANGUAGE: ENGLISH



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June 28, 1993, Monday, Final Edition

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LENGTH: 1265 words

HEADLINE: Civil Rights Activists Find a Welcoming White House

SERIES: Occasional

BYLINE: Saundra Torrey, Washington Post Staff Writer

BODY:

For the past 12 years, the only way they could have gotten into the White House was on a tourist pass.

Now they're back, and in force.

With a White House reception hosted by President Clinton and Hillary Rodham Clinton last Monday, the liberal legal heavyweights of the Lawyers' Committee for Civil Rights Under Law proclaimed their renewed Washington clout.

The committee, which has provided the legal firepower for 30 years of civil rights battles, now has six former members in top administration spots.

The list of prominent players is led by Secretary of State Warren Christopher and Solicitor General Drew Days III. It also includes Paul Dimond, a special assistant to the president, and the top legal advisers at three departments: Conrad Harper at State; Tom Williamson at Labor; and Judy Winston, the nominee as general counsel at Education.

"I'm tempted to say we've infiltrated from within," New York lawyer and committee co-chair Herbert Wachtell joked at the group's 30th anniversary gala Monday.

The lineup on the dais around him bespoke power, too: Attorney General Janet Reno; White House Counsel Bernard Nussbaum, one of Wachtell's former partners at Wachtell, Lipton, Rosen & Katz; and Brooksley Born, much-mentioned for a seat on the D.C. Circuit. Deputy Attorney General Philip Heymann was in the audience, and the dinner chairman was Clinton insider Vernon E. Jordan Jr. Need we say more?

Bush White House Counsel C. Boyden Gray showed up too, causing more than a few double takes. "I was feeling real liberal," said one lawyer, "until I saw Boyden Gray."

Gray said later, "I don't know why the positions I was arguing in one context [on the Civil Rights Act of 1991], mean that I have no interest in civil rights. It's just a difference of opinion."

Besides, his firm of Wilmer, Cutler & Pickering had taken two tables.

The Washington Post, June 28, 1993

At the gala, the group reminisced about the founding of the Lawyers' Committee, which pushed the organized bar from the sidelines of the civil rights battle to its center.

In June 1963, while protesters were beaten in Birmingham, and George Wallace, then governor of Alabama, resisted a federal court order to admit black students to a state university, "the sad fact is, the organized bar was doing almost nothing," Philadelphia lawyer Jerome Shestack recalled in a speech.

But Bernard Segal, one of Shestack's senior partners, was outraged at the bar's complacency and worked to form the Lawyers' Committee. It was officially born at a White House meeting, where President John Kennedy appealed to 244 lawyers to mobilize in the cause of civil rights.

Starting small, the committee sent volunteers to Mississippi, where ministers engaged in nonviolent protests could find no local lawyers to represent them. By 1965, the group opened its first office in Jackson, Miss., and by 1969 it had 61 cases pending in the federal courts.

Today, the committee has offices in eight cities, including the District, and runs civil rights projects that reach as far as South Africa.

But, as national executive director Barbara Arnwine tells it, the "last 12 years were hell." Banished from the center of power, the committee scrambled, sometimes futilely, to hang onto past gains.

But as the Clinton administration began to take shape, the signals for change were clear. Early on, a transition official called to get "our views" and "let us know they were accessible," Arnwine said. She remembers how taken aback she was. "They're calling us?" she thought. "They're really calling us?"

The Lawyers' Committee is not the only group whose influence has been reborn. In May, Hillary Rodham Clinton, a onetime legal aid lawyer herself, showed up for a reunion of sorts at the National Legal Aid and Defender Association's awards dinner. And the Leadership Conference on Civil Rights scored a threefold coup when Reno and both Clintons spoke at its big dinner.

Veteran civil rights lawyer William L. Taylor said there "is a certain sense of euphoria" around town, though it was tempered somewhat when Clinton pulled the nomination of Lani Guinier. That, said Taylor, "hit everybody hard." But bottom line "is the sense that people who share our values are in office again."

Not that long ago, the conservative Federalist Society was the spawning ground for administration talent. The group rated speeches from the Attorney General and an address via telephone by then-President Reagan at its first convention. Boyden Gray was a regular at meetings, and society co-founder Lee Liberman played judge-picker at the White House. Last year, President Bush spoke to the group's Philadelphia chapter.

Federalist stalwart Paul Cappuccino said the power shift could turn out to be a plus for the society. It may "weed out the chameleons" who only came to seek power, and bolster the society's position as "an important gathering place" for conservatives.

The Washington Post, June 28, 1993

"Bernie Nussbaum probably will not show up like Boyden Gray did," Cappuccio deadpanned. "But in Bernie's case, I will leave it up to you to decide if that is a good or bad thing."

This fall, the Society holds its annual convention in Washington again and, says director Eugene Meyer, it already boasts a White House presence on the program: David Doniger, an environmental staffer in the Executive Office of the President.

Oh, what a difference an election makes.

Grin and Bear It

Miller Lite has taken up where Dan Quayle left off in a favorite American sport: needling lawyers. The brewer is running commercials titled, "The Big Lawyer Round-Up," wherein a chubby, bespectacled, briefcase-toting attorney runs from a cowboy trying to lasso him at a rodeo. "Git 'em," a man yells.

Miller says it's all in good fun. No offense intended. Hey, their lawyers even told them the ad was fine. "We've taken two activities that don't go together and combined them in a humorous way to show that ... if you can combine great taste with less filling," as in Miller Lite's slogan, "you can combine anything," said Miller's Eric Kraus.

Some lawyers are not amused. The Florida Bar wrote to protest. The American Bar Association's president, Michael McWilliams, called Miller Chairman Warren Dunn, who also admits to being a lawyer. No one will give details, but it's safe to bet McWilliams was uncomplimentary.

Still, Miller must be loving all the free publicity. The commercial comes up wherever lawyers gather. "If [that commercial] was about women or minorities, it would have been pulled off the air," said John Pickering, the gray eminence of the D.C. Bar. "But lawyers? We're used to suffering in silence."

Honors at the D.C. Bar

The D.C. Bar, at its annual dinner Wednesday, honored Elaine Jones, director of the NAACP Legal Defense and Education Fund, and civil rights activist William L. Taylor with awards named for Justices William Brennan and the late Thurgood Marshall. Steptoe & Johnson was named pro bono firm of the year.

Mark Tuohey, who was installed as president, outlined his plans for the coming year, including a coalition to combat drug abuse and a pilot program to teach elementary school children to "mediate" their disputes. He called on lawyers to reach "beyond our parochial interests and serve the larger quarters of our city, our communities and our nation."

Before she turned over the gavel, outgoing Bar President Jamie Gorelick used Tuohey's legendary networking ability to raise money for the Bar's public service programs. At a cocktail party in Tuohey's honor, the Bar raised \$ 68,000. Now Gorelick is threatening to make it an annual event.

GRAPHIC: ILLUSTRATION, NURIT KARLIN FOR TWP

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June 30, 1993, Wednesday, Final Edition

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HEADLINE: Advocates Say Justices Muddy Voting Rights;
Decision in North Carolina Congressional Redistricting Case Criticized as
'Utopianism'

SERIES: Occasional

BYLINE: Lynne Duke, Washington Post Staff Writer

BODY:

With a ruling that opens the door to challenges of bizarrely shaped majority-black voting districts, the Supreme Court overreached its bounds and confused voting rights law for the foreseeable future, voting rights experts said yesterday.

In the case, *Shaw v. Reno*, five whites challenged a North Carolina redistricting plan that snakes through 170 miles of the state from Durham to Gastonia to create the majority-black 12th Congressional District. The whites said the redrawn district separated voters by race and thus violated their constitutional right to color-blind elections.

Voting rights advocates, however, said that those challenging the plan never alleged they were injured or in any way discriminated against by creation of the oddly shaped district. Typically, districts redrawn under the Voting Rights Act are subject to challenge when it can be proven that an individual's rights have been violated by the new boundaries. Without an injury, the complainants should not have been granted standing, advocates said.

"There's no injury at all, which is why it should have been dismissed," said Barbara Arnwine, executive director of the Washington Lawyers Committee for Civil Rights Under Law.

The court also created confusion, the advocates said, by basing its ruling on the bizarre shape of the North Carolina district, while offering no guidelines on what configurations it would consider acceptable. Justice Sandra Day O'Connor, who wrote for Monday's 5 to 4 majority, said the spindly shape of the district is "so irrational on its face that it can be understood only as an effort to segregate voters" by race. The ruling suggests that a more compactly drawn district, that takes into account more interests than skin color alone, would be acceptable to the court.

But voting rights advocates said they expect confusion to reign as state legislatures and lower courts consider whether redistricting plans conform to the court's ruling.

Political scientists have suggested numerous criteria for compactness in drawing a district, but there is no legal standard.

The Washington Post, June 30, 1993

North Carolina was forced to redraw its congressional districts after the Justice Department determined that voting rights of blacks were being abridged. North Carolina's population is 22 percent black. This term it sent its first blacks to the Congress since Reconstruction.

The O'Connor decision also was criticized yesterday for drawing what some view as a historically inaccurate portrait of America as a color-blind society.

O'Connor wrote that "racial gerrymandering, even for remedial purposes, may balkanize us into competing racial factions; it threatens to carry us further from the goal of a political system in which race no longer matters."

Dayna Cunningham, a voting rights litigator with the NAACP Legal Defense and Educational Fund, countered that O'Connor's view is "utopianism."

"This notion of color blindness is pure fiction," said Cunningham. "It doesn't exist. And what it says is we're going to ignore racism and racial prejudice. We're going to ignore the discriminatory impact of various so-called neutral practices. See no evil. And who gets hurt by that?"

But Donald E. Lively, a University of Toledo law professor and author of "The Constitution and Race," argued just the opposite, that race-conscious apportionment hurts minorities. He said the ruling was "not all that bad" and appropriately addressed the infringement of the equal protection guarantee.

The 12th District plan in North Carolina, he said, "bottles up minorities in single districts, minimizes their brokering power, possibly disables them from engaging with white people in multiracial coalitions. In effect, it puts a cap on minorities' representative potential."

His argument is in synch, to a degree, with that put forward by Lani Guinier, the scuttled Justice Department civil rights nominee whose writings were deemed too controversial by President Clinton. Guinier wrote that getting minorities elected is one thing; assuring they have equal power to represent their constituents is another.

"In a racially polarized environment, particular systems that improve the prospects of black electoral success, such as those that include majority-black, single-member districts, may perpetuate inequalities," she wrote, adding that such plans may wind up "isolating black constituents from the white majority, from other blacks who do not reside in the district and from potential legislative allies." Guinier could not be reached for comment.

The creation of so-called majority-minority districts -- where blacks, Latinos or other minorities are a majority of voters -- has been the outcome of voting rights legislation for a decade. Since the 1990 census, 26 such districts have been created around the nation.

But voting rights specialists, frustrated that such measures were not creating multiracial coalitions and true power sharing in lawmaking bodies, have begun looking at measures beyond redistricting to achieve those ends.

The ruling, said Bruce Cain, a political science professor at the Institute of Government Studies at the University of California at Berkeley, "is coming at a time when there were an increasing number of doubts in the voting rights

The Washington Post, June 30, 1993

community itself about the value of excessive reliance on majority-minority voting strategies."

Legislatures -- not the courts -- should determine the appropriate form of representation, Cain said. "This is outrageous for the court to weigh in and say what is the proper form of representation," he said.

GRAPHIC: PHOTO, REP. MELVIN L. WATT, ELECTED FROM NORTH CAROLINA'S MAJORITY-MINORITY 12TH CONGRESSIONAL DISTRICT, AND REP. EVA M. CLAYTON REACT TO COURT RULING. THEY ARE THE FIRST BLACKS ELECTED FROM THE STATE SINCE RECONSTRUCTION. ABOVE, LANI GUINIER, PRESIDENT CLINTON'S SCUTTLED NOMINEE TO HEAD THE JUSTICE DEPARTMENT'S CIVIL RIGHTS DIVISION, HAD SUGGESTED IN SOME OF HER WRITINGS THAT SUCH DISTRICTS "MAY PERPETUATE INEQUALITIES."; PHOTO, AP

LANGUAGE: ENGLISH

October 14, 1993

3RD STORY of Level 1 printed in FULL format.

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June 5, 1993, Saturday, Final Edition

SECTION: FIRST SECTION; PAGE A12

LENGTH: 1089 words

HEADLINE: White House Tends To Civil Rights Fences;
Clinton Phones, Meets With Black Leaders to Curb Damage From Guinier Controversy

SERIES: Occasional

BYLINE: Lynne Duke, Washington Post Staff Writer

BODY:

President Clinton yesterday tried to soothe angry civil rights leaders and black lawmakers who said they felt betrayed by his withdrawal of Justice Department nominee Lani Guinier and who questioned his commitment to civil rights.

But the move was applauded by some centrist Democrats, who described the decision taken late Thursday as a reaffirmation of presidential opposition to "quotas, group rights" and "special preferences" in civil rights law.

The contrasting reactions underscored the difficult balancing act Clinton faced in this controversy -- and undoubtedly will confront again -- in reconciling the differing interests of groups who were among his key supporters in the election.

The White House process of mending fences began yesterday morning with a round of phone calls to members of the Congressional Black Caucus, including an invitation for the caucus to meet with Clinton next week. Late in the afternoon, Clinton, Vice President Gore, Attorney General Janet Reno and Solicitor General Drew S. Days III met with seven members of the Black Leadership Forum, which includes leaders of major civil rights groups.

A "clearly pained" Clinton made it clear to participants that he withdrew Guinier's nomination in the interest of what he felt would be a positive civil rights policy, said Barbara Arnwine, executive director of the Lawyers Committee for Civil Rights Under Law.

The group impressed upon Clinton its deep disappointments and the concern that his Guinier decision suggested that anyone from the civil rights community would be disqualified from the Justice Department position. But after the "grim and serious" exchange, in which Clinton agreed to future meetings with the group, the forum members felt that civil rights leaders could work with the president. "Coming out of it, people felt so much better," Arnwine said.

On Capitol Hill, Rep. Kweisi Mfume (D-Md.), chairman of the black caucus, said yesterday that "wounds take time to heal. . . . The efforts of the president over the next day or week will determine to a large extent how quickly those wounds will heal."

The Washington Post, June 5, 1993

Clinton also telephoned Sen. Carol Moseley-Braun (D-Ill.), the sole black member of the Senate and its Judiciary Committee, where opposition to Guinier and her law review writings on voting rights helped sink the nomination. Braun, in a news release yesterday, did not criticize the president. "After 12 years of a divisive office of civil rights," she said. "President Clinton is seeking to appoint a nominee who will bring us together and bring about healing. It is his duty to do no less."

Sen. Patrick J. Leahy (D-Vt.), also a Judiciary Committee member, had expressed reservations about the nomination earlier, but yesterday an aide said the Senator felt the outcome was a missed opportunity for Guinier to be heard.

Guinier's forced withdrawal marked the end of a rancorous debate that was as much over her philosophical fitness for the job as it was an ideological debate over the direction of civil rights in general.

Guinier had advocated formulas of proportional representation and minority veto rights as remedies for underrepresentation.

Civil rights advocates portrayed her views as within the mainstream of voting rights law, noting that settlements reached during the Reagan and Bush administrations and affirmed by the courts incorporated the kinds of minority-protecting mechanisms that Guinier advocated.

While they believe Clinton's move was based as much on political calculations as substantive ones, some civil rights organization leaders said this important early signal of Clinton's leanings on civil rights issues suggests a far more narrow -- and therefore disturbing -- view than they had hoped.

"If in that one area [of voting rights], he has trouble, then I can see that he has trouble when it comes to employment discrimination, housing discrimination," said Mary Frances Berry of the U.S. Civil Rights Commission.

Guinier's critics called her views undemocratic for advocating voting rights remedies that go beyond equality of opportunity to "equality of results."

Clinton's action "reaffirms the stance he took during the campaign, which was unwavering support for civil rights and for the vigorous enforcement of anti-discrimination laws, but not support for quotas, group rights or special preferences based on race, gender or ethnicity," said Will Marshall, president of the Progressive Policy Institute, a centrist Democratic think tank affiliated with the Democratic Leadership Council, which Clinton helped found.

The manner in which the president treated Guinier also provoked criticism, with some of Guinier's supporters suggesting that gender and race had a lot to do with it.

Comparisons were drawn to another black female lawyer, Anita F. Hill, who was grilled in Senate hearings and in the press after accusing then-Supreme Court nominee Clarence Thomas of sexual harassment.

Like Hill, said NAACP Executive Director Benjamin F. Chavis, "Professor Guinier has been profoundly disrespected."

The Washington Post, June 5, 1993

Black leaders were already concerned about what some consider a lack of fight by the president as his economic stimulus package was defeated this spring. They had counted on the inner city jobs the package would have created. Clinton also stirred anxiety with his about-face on his promise to allow HIV-positive Haitian refugees into the country.

Roger Wilkins, the historian and former Justice Department lawyer, said that when the going got tough, Clinton "tossed a splendid African American woman overboard. His career has many such high points. Ricky Ray Rector, Sister Souljah and now Lani Guinier."

As governor of Arkansas and a presidential candidate, Clinton allowed the January 1992 execution of Rector, a mentally impaired black man convicted of murdering a police officer. Also during the campaign, Clinton accused black rap artist Sister Souljah of encouraging black violence against whites and scolded Jesse L. Jackson publicly for inviting the rapper to a conference.

"This is a rather consistent pattern," Jackson said after Clinton announced he had withdrawn Guinier. "It's unfair. It's not right."

One black caucus member, Rep. Craig A. Washington (D-Tex.), has said he would not support the president's Btu tax if the Guinier nomination were pulled. The black caucus, with 39 members in the House, is a potentially powerful voting bloc in close legislative fights.

Staff writers Ann Devroy and Ruth Marcus contributed to this report.

GRAPHIC: PHOTO, SEN. CAROL

LANGUAGE: ENGLISH

October 14, 1993

4TH STORY of Level 2 printed in FULL format.

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November 13, 1991, Wednesday, Final Edition

SECTION: FIRST SECTION; PAGE A17; THE FEDERAL PAGE

LENGTH: 554 words

HEADLINE: A Senator's Stunning Reference to 'Slaves';
Burns's Remark Followed Rights Bill Passage

SERIES: Occasional

BYLINE: Ruth Marcus, Washington Post Staff Writer

BODY:

Sen. Conrad Burns (R-Mont.) was leaving the Senate floor just after the passage of the civil rights bill when he paused to speak to a group of civil rights lobbyists and invited them to an auction. Asked what was being auctioned off, Burns replied, "Slaves," according to seven people present.

The civil rights lobbyists, black and white, said they were stunned and insulted by the nature of the comment, which they took to be a joke, and by its timing, moments after a bruising two-year battle over civil rights had ended.

"That this kind of comment would be made at this particular moment is inappropriate and tasteless, even if it were just a joke," said Barbara Arnwine, executive director of the Lawyers' Committee for Civil Rights Under Law, one of those present. "It was like somebody had slapped you in the face."

"We were floored," said Judith L. Lichtman, president of the Women's Legal Defense Fund (WLDF). "We couldn't believe it." Others who heard the comment included Wade Henderson, director of the Washington bureau of the NAACP; WLDF lawyer Claudia Withers; and Kerry Scanlon of the NAACP Legal Defense and Educational Fund.

Burns said in an interview yesterday that he did not specifically recall the encounter two weeks ago, but that he had been speaking to his 15-year-old son that day about how to raise money for his confirmation class at church. Burns said he suggested a "slave auction," a charitable function "rather common in Montana" at which "you have an auction and you sell the kids and they perform a day's work for whoever buys them."

Asked about the response of the civil rights lobbyists, Burns said, "If something was said that offended them, I would have to say it was taken out of context."

Burns, a professional auctioneer who has donated his services to run such functions, added: "I'm sorry about that. I'm sure that everybody said, 'Where are you headed now?' 'I'm headed home, got to talk about a slave auction' or something like that. . . . I sure wouldn't want anybody to be offended by this kind of an activity."

The Washington Post, November 13, 1991

Burns's press secretary, Bryce Dustman, said later that "the term slave is a very generic term . . . Moses was a slave" and that the civil rights lobbyists are "trying to take that generic term and make something out of it that it's not. . . ."

"I guess it comes down to a point of political correctness. . . . If the people were really upset, they know where Senator Burns is, they know his phone number, they know where his office is."

Henderson said Burns's explanation was also a problem in a country with a tragic history of enslaving blacks. "I'm deeply troubled by the notion that the theme of slavery would be developed as a charitable function," he said. "The very concept is offensive to me, this notion that we would have a slave auction where someone serves themselves as an indentured servant to another as part of a charitable program. I find that just unbelievable."

"I don't know how to respond to that," Burns said. "We've always just done that and never really put a lot of meaning into it . . . they've been called that a long time in our country. I guess maybe it would be rather sensitive to some folks, but I wouldn't want to undercharacterize it or overcharacterize it. We just don't think about those things, I guess."

GRAPHIC: PHOTO, SEN. CONRAD BURNS

LANGUAGE: ENGLISH

5TH STORY of Level 2 printed in FULL format.

Copyright 1991 The Washington Post
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January 21, 1991, Monday, Final Edition

SECTION: METRO; PAGE B1

LENGTH: 1068 words

HEADLINE: Civil Rights Lawyer Hopes to Put Luster Back in D.C. Corporation
Counsel Office

SERIES: Occasional

BYLINE: Michael Abramowitz, Washington Post Staff Writer

BODY:

John Payton didn't hesitate when the chief of Mayor Sharon Pratt Dixon's transition committee telephoned to inquire whether he would be willing to serve as D.C. corporation counsel.

"I answered yes right away," Payton recalled last week. "This is a tremendous job."

It is also one of the toughest jobs in D.C. government, many agree.

During the last two years, the Corporation Counsel's Office, the city's in-house law firm, has emerged as one of the most troubled agencies in a troubled city government.

Dozens of lawyers and support staff have quit in the wake of budget cuts that left the office strapped for resources.

Its remaining lawyers labor under crushing workloads, and on at least several occasions in recent months they have missed important court deadlines, causing legal setbacks for the city.

Morale in the office, lawyers say, has ebbed substantially.

But Payton, one of the first black partners at the prominent Washington firm of Wilmer, Cutler & Pickering, said he accepted the D.C. post in part to help overcome these hurdles.

"I think the city has gone through some dark days," he said last week, his first week in his new post. "I think it is a challenge to try to help the lawyers in this office, who are very good lawyers, regain something they have lost: some stature, some morale, some leadership."

Payton, 44, is well known in Washington legal circles as a first-class litigator with an intense, analytic mind.

Among his corporate clients were CIGNA insurance company and CapCities/ABC, and he did legal work to help the Nigerian government market natural gas to the United States in the early 1980s. He also has represented the D.C. lottery board.

The Washington Post, January 21, 1991

Payton's greatest legal passion, though, has been civil rights, dating to his student days. A Los Angeles native, Payton helped organize a student effort to start a black studies division and increase black enrollment within the Claremont Colleges, of which his alma mater, Pomona College, was a member.

Payton's interest in black studies was more than ideological. His college thesis was on W.E.B. DuBois and the Harlem Renaissance, and he spent a year in Ghana on a fellowship after graduation in 1973, studying the literature of West Africa.

"He had a thorough understanding of the scholarship, which a lot of the professors did not have at the time," said Barbara Arnwine, executive director of the Lawyers' Committee for Civil Rights Under Law, and a student organizer with Payton. "He was a very serious and analytic person."

After his fellowship, Payton arrived at Harvard Law School during the height of the Boston busing crisis, and he went to work taking legal affidavits from people injured in the violence.

While at Harvard, he became interested in the case of a group of Mississippi merchants who had successfully sued the NAACP for organizing a boycott of white businesses that discriminated against blacks.

The case threatened to wipe out the national civil rights group if upheld. Wilmer, Cutler was representing the NAACP in its appeal, and Payton joined the firm as a young associate after obtaining a promise that he could work on the case.

The case eventually was reversed by the U.S. Supreme Court, and Payton went on to a wide range of other civil rights matters. Perhaps his most prominent role was representing the city of Richmond in defending its law requiring that 30 percent of its construction contracts be awarded to minority-owned businesses.

Payton lost the case, although he gets high marks from other lawyers for making skillful arguments.

Ironically, that case may come back to haunt Payton in his new post.

One of the major tasks facing him is to defend the District against a pending challenge to its own minority contracting program. The high court did not totally wipe out such programs, but to justify the program states must demonstrate more clearly past discrimination against minority contractors.

Payton, whose nomination requires formal approval by the D.C. Council, declined to discuss cases under his jurisdiction. But it is clear that he will be the point person on several critical issues facing the District, not all of them legal in nature.

Last week, for instance, Dixon appointed Payton to coordinate the city's handling of events related to the Persian Gulf War, including how to cope with increased protests and security needs.

In an interview, Dixon also said she has asked Payton to review all of the city's contracts to determine which ones the government can legally abrogate

The Washington Post, January 21, 1991

to help reduce its budget deficit.

Another important task for Payton is to review court orders that require the District to provide services to the homeless, mentally ill, prisoners and other groups. Some D.C. officials argue that these orders also have played a major role in creating the city's projected \$ 300 million budget deficit.

"I do think it is fair for us to go back and take a look at these," Payton said, "to see exactly whether or not they all make sense, what the drain is on the government, whether or not the things they sought to have corrected have been corrected and therefore we ought to be released."

Already, there are signs that the change in administration may bring a change in heart among judges. Rather than issuing an injunction against the city, U.S. District Judge Stanley Sporkin this month told lawyers for a group of homeless people to negotiate with the city about problems they are having in obtaining food stamps.

Legal advocates for other groups say they are anxious to meet with Payton and gauge the city's responsiveness to issues under court order.

"I think everybody in the city is hoping the mayor will begin grappling with some of these problems," said Claudia Schlossberg, who monitors the city's compliance with a court decree on mental health services.

While dealing with these issues, Payton also has placed a high priority on restoring his office's lapsed stature.

The Corporation Counsel's Office recently was ordered to absorb another 4 percent reduction in its \$ 14 million budget this year as part of Dixon's deficit-reduction efforts.

But Dixon said that despite budget problems, she is committed to giving Payton the tools to succeed. "I'm going to work with him to give him what it takes," she said. "That [office] is an example of where we can make an investment and yield considerable savings."

GRAPHIC: PHOTO, JOHN PAYTON.

LANGUAGE: ENGLISH

6TH STORY of Level 2 printed in FULL format.

Copyright 1988 The Washington Post
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June 19, 1988, Sunday, Final Edition

SECTION: FIRST SECTION; PAGE A3

LENGTH: 680 words

HEADLINE: Boston Plans to Integrate City's Public Housing;
Mayor Proclaims 'Clean Break With the Past'

BYLINE: Michael Rezendes, Special to The Washington Post

DATELINE: BOSTON

BODY:

Acting under federal pressure, city officials here have unveiled a plan to end years of racial segregation in their public housing system, the country's fourth largest.

At a news conference last week, Boston Mayor Raymond Flynn (D) hailed an agreement with federal housing officials as "a clean break with the past" and appealed to residents to help end discrimination peacefully.

The city's announcement came eight months after the U.S. Department of Housing and Urban Development said the city had routinely passed over minority families awaiting public housing in predominantly white developments throughout the city, including two in South Boston, Flynn's home and a bastion of violent antibusing sentiment in the 1970s.

The new fair-housing plan leaves unclear, however, when blacks would move to South Boston. A lawyer representing the NAACP and two black families said she might proceed with a federal class-action suit to block it.

"The plan is fundamentally flawed," said Barbara Arnwine, executive director of the Lawyers' Committee for Civil Rights Under Law. "It's so convoluted and so designed for failure that I don't see how it will result in any significant integration."

Arthur Jones, Flynn's press secretary, could not say when blacks would go into the projects. "All the nuances are so uncertain," he said.

The agreement says the city must offer apartments to hundreds of minority families who, since 1983, have been segregated in minority projects or have been denied apartments because of their race.

After these families are identified under a process that could take more than three months, they may choose to stay where they are or move to one of two apartments in projects where their race does not predominate.

City officials estimate that, because no white families will be forced to move, it could take up to a year to house and transfer minority families.

The Washington Post, June 19, 1988

Robert W. Laplante, regional director of the federal Office of Fair Housing, said redressing past discrimination this way will "absolutely" result in more integration in the city's projects. "Eventually, there will be black families moving into South Boston," he said.

But, in part because the plan addresses minorities and not blacks specifically, he said he could not predict when that would happen. While officials seek the families who were passed over, vacant apartments will be made available to families at the top of a chronological waiting list, and a black family on that list could choose to move to one of the predominantly white projects in South Boston.

Then, after families victimized by past discrimination have been housed or transferred, the city will embark on a permanent system of assigning public housing apartments, Laplante said.

City officials favor a system in which those requesting public housing could choose to be placed on a citywide waiting list or on a list for a specific project. Vacancies at each of the city's developments would be filled alternately with families from the citywide list and the list of those seeking housing in that project.

Neil Sullivan, the city official who led negotiations with federal authorities, said the system is designed to preserve choice for whites and minorities alike and to minimize the kind of alienation found in white communities after court-ordered school desegregation here.

"That's very important for families and for communities," he said.

However, federal officials say they may force the city to adopt a single, citywide waiting list that would award public housing apartments to families on a first-come-first-served basis.

Over the next year, the Boston Housing Authority will survey the approximately 14,000 families waiting for public house here to find out where they would choose to live under an "alternate feed" program.

Using computer projections, federal officials will use the results to see whether the plan would continue patterns of segregation.

"The whole purpose here is to make sure that race, color and national origin are not factors in public housing," Laplante said.

LANGUAGE: ENGLISH

LEVEL 1 - 1 OF 4 STORIES

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November 23, 1991, Saturday, Late Edition - Final

SECTION: Section 1; Page 8; Column 1; National Desk

LENGTH: 800 words

HEADLINE: With Bush's Stand Uncertain, Lawsuit Is Threatened Over New Rights Law

BYLINE: By STEVEN A. HOLMES, Special to The New York Times

DATELINE: WASHINGTON, Nov. 22

BODY:

The confusion over President Bush's attitude toward the civil rights bill that he signed Thursday continued today, as civil rights groups threatened to go to court if the Administration did not enforce the newly enacted legislation.

The groups and their allies in Congress have accused the White House of attempting to undermine the new law by using the President's signing statement to instruct Federal agencies to ignore central provisions.

Critics also accuse the President of

political trickery, saying that even as he signed the bill, he was trying to mollify its conservative critics by taking steps to undercut it.

"President Bush wants to undermine the compromise he wrought," said Judith Lichtman, president of the Women's Legal Defense Fund. "It's so disingenuous. It's really ugly politics."

And Senator Edward M. Kennedy of Massachusetts, a leading proponent of the bill, told ABC News: "They just haven't given up. But I don't think there is any question of what the law is."

The White House insisted that it intended to enforce the law fully. "We support affirmative action, and we wouldn't make changes in anything that is consistent with the new law," said Marlin Fitzwater, the White House press secretary.

These exchanges followed the confused events that began Wednesday afternoon, when C. Boyden Gray, the President's counsel, circulated a draft of a statement in which the White House would call for the abolition of all Government affirmative action programs and regulations that have been built up since President Lyndon B. Johnson issued an executive order on affirmative action in 1965.

By Thursday morning, the White House had disavowed the statement, saying Mr. Gray had issued it without the President's permission. Later Thursday, Congressional sponsors of the bill from both parties became upset after reading a White House signing statement, also drafted by Mr. Gray, that seemed to undercut an important section of the law.

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Statement to Agencies

The second statement, which was not part of Mr. Bush's oral remarks at the signing ceremony, ordered all Federal agencies to enforce the new law on the basis of an interpretation written by Bob Dole, the Senate minority leader.

That interpretation declares that for the most part, the new law leaves intact the Supreme Court's hotly debated 1989 ruling in *Wards Cove v. Atonio*. Civil rights advocates have asserted that the Court's ruling made it too difficult to win suits charging that a company's job requirements disproportionately exclude women and members of minorities even if that was unintended.

As passed by Congress last week, the legislation specifically overturns the Court's decision.

"This isn't the President saying we are going to do away with all affirmative action," said a Republican Senate aide who was involved in drafting the bill. "If it was, we could pass a law saying you can't do that. This is just the President telling his own agencies this is what you have to do. We can't pass a law that says, no, Mr. President, you can't tell them that."

When agencies begin to act on the directive, supporters of the bill say, they will probably file suit.

Ralph G. Neas, head of the Leadership Conference on Civil Rights, said, "If the Bush Administration does attempt to defy Congressional intent, either in the regulatory process or in the courts, I am confident that either Congress or civil rights advocates will seek a legal remedy."

Mr. Gray acknowledged that the President's signing statement "is not binding on the courts and, in fact, can't be referred to by the courts," since the legislation includes a provision directing Federal judges to refer to specific memorandums drafted by lawmakers. The Dole interpretation is not among those memorandums.

But Mr. Gray said Federal agencies needed the signing statement for guidance on enforcing the law.

Civil rights supporters expect that the first legal challenge to the Dole memorandum's use will involve the Uniform Guidelines for Employee Selection Procedures. They are rules drafted by a group headed by the Equal Employment Opportunity Commission, to spell for business its rights and responsibilities under Federal job discrimination laws.

Last May, Evan J. Kemp Jr., the commission's chairman, wrote to John H. Sununu, the White House chief of staff, saying the guidelines needed to be revised. Passage of the civil rights bill now gives Mr. Kemp his opportunity to change them.

"Kemp is the most primed for it," said Barbara Arnwine, executive director of the Lawyers Committee for Civil Rights Under Law.

Mr. Kemp, a paraplegic, played a leading role in gaining passage of the Americans with Disabilities Act of 1990, a sweeping civil rights statute

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barring discrimination against the disabled.

SUBJECT: LABOR; LAW AND LEGISLATION; CIVIL RIGHTS; AFFIRMATIVE ACTION; QUOTAS;
SUITS AND CLAIMS AGAINST GOVERNMENT; HIRING AND PROMOTION; STANDARDS AND
STANDARDIZATION

NAME: GRAY, BOYDEN; BUSH, GEORGE (PRES) ; HOLMES, STEVEN A

GEOGRAPHIC: UNITED STATES

LEVEL 1 - 2 OF 4 STORIES

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December 30, 1989, Saturday, Late Edition - Final

SECTION: Section 1; Page 11, Column 5; National Desk

LENGTH: 879 words

HEADLINE: Rights Groups Work on Measure To Reverse Court's Bias Rulings

BYLINE: By SUSAN F. RASKY, Special to The New York Times

DATELINE: WASHINGTON, Dec. 29

BODY:

Civil rights organizations and their major Congressional allies are putting finishing touches on legislation to reverse recent Supreme Court decisions that have made it harder to show job discrimination and easier to challenge affirmative action programs.

The legislation, which is to be introduced shortly after Congress begins its new session on Jan. 23, is the product of months of negotiations and debate among the civil rights groups over whether to seek a narrow bill simply responding to the Court rulings or to seek an overhaul of the nation's basic civil rights laws. In the end, rights groups and Congressional staff members said, political strategy dictated the narrower approach.

The legislation will address three major cases, all decided by 5-to-4 margins in June, in which civil rights supporters believe the Court substantially undercut protection against job discrimination. These are the cases:

* *Patterson v. McClean Credit Union*, in which the Court ruled that an 1866 law prohibiting racial discrimination in contracts applies only to hiring agreements, not to on-the-job discrimination.

* *Wards Cove Packing Company Inc. v. Antonio*, in which the Court ruled that in cases brought under Title VII of the 1964 Civil Rights Act, the plaintiff has the burden of proving that an employer had no business reason for a practice with discriminatory effects.

* *Martin v. Wilks*, in which the Court held that court-approved affirmative action plans can be challenged as reverse discrimination, even years after they have been adopted, by groups that are not party to the plans.

"What we are trying to do is to reinstate the scope of coverage of the major employment rights statutes and the procedural rules governing these statutes that have been in place for the past 15 to 25 years," said Ralph G. Neas, executive director of the Leadership Conference on Civil Rights, the organization that coordinates civil rights lobbying in Washington.

Allies in Congress

What the civil rights groups are also trying to do is duplicate the bipartisan support they mustered in successful political battles to overturn

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Supreme Court decisions during the Reagan Administration. Their chief strategist and most influential ally on Capitol Hill is Senator Edward M. Kennedy, the Massachusetts Democrat who heads the Senate Labor and Human Resources Committee. Mr. Kennedy also holds a senior position on the Senate Judiciary Committee, which shares jurisdiction over civil rights issues.

Mr. Kennedy, the chief Senate sponsor of the legislation, says he is confident that the coalition will prevail. His committee staff has made plans for hearings on the bill in February and March, hoping to bring the measure to the Senate floor by late spring.

"This is no time for Congress to acquiesce in significant retreats in any area of civil rights," he said. "We still have too far to go."

But in the six months it has taken to fashion a legislative response to the Court's decisions, groups that support the Court's rulings have also been building their case. Senators Orrin G. Hatch of Utah and Charles E. Grassley of Iowa, both Republicans, say they will fight the legislation, and some business groups that have previously backed rights measures are not convinced the rulings have significantly weakened protection against discrimination.

White House Wants to Wait and See

Officials in the Bush Administration say that they want to wait and monitor the impact of the decisions but that so far they see no need for corrective legislation. The rights groups are countering with studies to show that scores of discrimination cases have been dismissed by lower courts on the basis of the Supreme Court's rulings.

Barbara Arnwine, executive director for the Lawyers Committee for Civil Rights Under Law, said she believes opponents "are going to attempt to tie this legislation up with a big ribbon marked affirmative action and reverse discrimination so they can avoid the substance of the debate."

Representative Augustus F. Hawkins, the California Democrat who heads the House Education and Labor Committee, plans to introduce an identical bill in the House.

But as always, it is the political arithmetic of the Senate that is key to the passage of civil rights legislation.

"We can always get a majority, but what we want is the broadest possible bipartisan coalition," Mr. Neas said, noting that 60 votes are needed in the Senate to shut off debate and that 67 are needed to guarantee the override of a Presidential veto.

But unlike previous fights to overturn Court rulings on narrow civil rights issues or the more symbolically significant 1982 fight to extend the Voting Rights Act and overturn a 1980 decision involving it, the current cases are complicated and difficult to dramatize in human terms. Civil rights groups see their biggest task as convincing lawmakers and the public that the statutes narrowed by the Court are as important today as they were two decades ago.

"I tell people it's the difference between putting termites at the base of a structure or dynamiting it, and this is clearly the termite approach," Ms.

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Arnwine said of the Court decisions. "The structure will fall if you don't take corrective action."

SUBJECT: LABOR; CIVIL RIGHTS; DISCRIMINATION; AFFIRMATIVE ACTION; LAW AND LEGISLATION

ORGANIZATION: SUPREME COURT (US)

NAME: RASKY, SUSAN F

GEOGRAPHIC: UNITED STATES

LEVEL 1 - 3 OF 4 STORIES

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September 17, 1989, Sunday, Late Edition - Final
Correction Appended

SECTION: Section 12WC; Page 27, Column 1; Westchester Weekly Desk

LENGTH: 2301 words

HEADLINE: Fall Lectures: Archeology to Velazquez

BYLINE: By RHODA M. GILINSKY

BODY:

ART and architecture, politics and philosophy, science and sociology - it is all there to explore in lectures offered countywide this fall. The selection of lectures here, while not all-inclusive, suggest the range of topics to be explored in the coming months. Unless a fee is specified, the lectures are free and open to the public.

Perhaps the best known of the county's lecture series is the President's Leadership Forum at the State University of New York at Purchase, which will again present lectures by people in the vanguard of scientific, political, cultural and artistic thought and achievement. The 1989-90 series opens on Sept. 26, at 8:30 A.M., with Leonard Silk, economics columnist for The New York Times. Mr. Silk's lecture is entitled 'The Global Economy.'

The second speaker in the series, at 8:30 A.M. Oct. 31, is Freeman Dyson, professor of physics at the Institute for Advanced Study in Princeton, N.J. Dr. Dyson has, throughout his career, sought solutions for the problems that arise when technology and public policy collide. His lecture is entitled 'Six Cautionary Tales: Reflections on the Ecology of Science.'

Tickets are required and are available on a first-come, first-served basis. Call 251-6200 from 10 A.M. to 5 P.M. weekdays for reservations.

ARCHEOLOGY

Tonight at 7:30 Dr. Herbert C. Kraft, the anthropologist, will begin the lecture series of the Westchester Society of the Archeological Institute of America with a slide-lecture entitled 'Living Lenape-style: Reconstructing the Lifeways of the Metropolitan Area Indians.'

On Oct. 15 at 7:30 P.M., Dr. Leonard Lesko, Wilbour Professor of Egyptology and chairman of the department of Egyptology at Brown University, will speak on 'The Egyptian Fayum: Pyramids, Portraits and Papyri.' The Fayum is a large fertile depression about 65 miles southwest of modern Cairo with significant remains from the Middle Kingdom through the Roman period.

On Nov. 26 at 7:30 P.M., an archeologist who is deputy director of the British School at Rome, Amanda Claridge, will speak about 'When Ancient Rome 'Resorted' to the Beach: The Romans on the Laurentine Coast.'

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All of the lectures will take place at the Scarsdale Public Library. Admission is free to members of the Archeological Institute of America and students; \$3 for nonmember adults. 769-5389 evenings.

ARTS AND LITERATURE

'The Arts and Literature in the Age of Victoria' will be the subject of five lectures on Wednesdays from Oct. 4 through Nov. 1 at Marymount College in Tarrytown. The series will take place from 7:30 to 9 P.M. in Marian Hall 102. The fee is \$55 for the series. 332-7438.

The Caramoor Center for Music and the Arts in Katonah will offer slide lectures on three Wednesdays in November. On Nov. 1, 'Isabella D'Este, Art Patron Extraordinary' will be the title of a talk by Valerie R. Thornhill, distinguished British lecturer. On Nov. 8, 'Clothing the Court: Elegant Attire in the Late Middle Ages' is the topic, with Dr. Janetta Rebold Benton, professor of art history at Pace University and staff lecturer for the Metropolitan Museum of Art and the Cloisters. On Nov. 15, 'Velazquez: From Sevillian Painter to Court Painter' will be discussed by Dr. Eleanor Tufts, professor of art history at Southern Methodist University in Dallas. The series costs \$24 (\$18 for Caramoor members); single lectures, \$8. Seating is unreserved. 232-5035.

On Oct. 1 at 2 P.M., Doug Marlette, a Pulitzer Prize-winner for editorial cartooning when at The Atlanta Constitution, and now at Newsday, will discuss his work. The fee is \$3 for adults; \$2 for students and the elderly; \$1 for children younger than 12. The talk will be at the Museum of Cartoon Art on Comly Avenue in Rye Brook. 939-0234.

'In Search of the Master Builders' will be the subject of a slide-lecture by Robert Mark, professor of architecture and civil engineering at Princeton University. The lecture will be held on Oct. 18, at 8 P.M., in the West Room of Reid Hall at Manhattanville College in Purchase.

'An Evening With Robert Whitehead and Zoe Caldwell' will take place Nov. 30 at 7 P.M. at the Katonah Gallery, at 28 Bedford Road in Katonah. The producer and actress will speak about the collaborative process in the theater and reminisce about Boris Aronson, the designer. The event, held in conjunction with the gallery exhibition, 'Boris Aronson: Stage Design as Visual Metaphor,' will be co-sponsored by the Junior League of Northern Westchester. Admission is free but reservations are required. 232-9555.

Today at 3 P.M., Sid Glickman, an Irvington resident, professional musician and collector of unusual musical instruments, will lecture on 'Sights and Sounds of Antique Instruments' at the Greenburgh Town Hall in Elmsford. 993-1540.

'Transitions: Changing Concepts in 20th-Century Dance and the Visual Arts' is the title of a series to be given by Professor Emeritus Pauline Tish of the Pratt Institute on Oct. 3, 10, 17 and 24. The lectures, co-sponsored by the Westchester Dance Council and the Greenburgh Public Library, will take place at 7:45 P.M. at the Greenburgh Town Hall. 993-1540.

At the Neuberger Museum, at the State University of New York at Purchase, Daniel Robbins, who wrote the catalogue of the Neuberger collection, will give

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an illustrated lecture, 'New Beginnings: A Community Celebration of the Reinstallation of the Neuberger Collection.' It will take place Oct. 20 from 3 to 5:30 P.M. in the Humanities Building auditorium and will include a reception and viewing of the newly renovated gallery. Admission is \$6 for the general public; \$3 for friends of the Neuberger Museum; \$1 for Purchase faculty, staff and students.

Also at the college in Purchase, 'Media and Power: The Politics of Representation' is a Thursday lecture series, starting Sept. 28 and continuing through Nov. 9. Offered at 11:30 A.M. in Room 1016 of the Visual Arts Building, the lectures will focus on sculpture, film makers, photographers and mixed-media installations. 251-6750.

POLITICS

'Update on the World: The Presidency' is the title of a series of five lectures to be given on Mondays from 8 to 9:40 P.M. starting Oct. 16 and continuing until Nov. 13 at the Center for Continuing Education of Mamaroneck High School. Cost of the series is \$50 (the elderly \$35). Information from 9 A.M. to 1 P.M. weekdays at 698-9126 or 698-9000, extension 303.

On Nov. 8 at 8 P.M., Susan Estrich, campaign manager for the 1988 campaign by the Democratic candidate Michael S. Dukakis, will speak on 'Presidential Politics: The Campaign of 1988.' The lecture will take place at the Emelin Theater, Mamaroneck. Tickets \$14. 698-0098.

Harrison Salisbury, former associate editor of The New York Times, will be the speaker for the Charles S. Horgan Memorial Lecture on Nov. 9 at the College of New Rochelle. He will discuss 'Chaos in the Communist World' at 8 P.M. in the Sports Building.

'Law and Society' is the overall subject of a lecture series that begins in October at the State University at Purchase. The first lecture, 'The Death of Fairness: The Arbitrary and Capricious Imposition of Capital Punishment in the 1980's,' will be given at 8 P.M. Oct. 5 by Ronald Tabak, chairman of the Death Penalty Committee of the American Bar Association's section on individual rights and responsibilities. On Oct. 19 at 8 P.M., Ralph Stein, professor of law at Pace University, will speak on 'The Limits of Free Speech.' 'Affirmative Action' is the subject on Nov. 2 at 8 P.M., with Barbara Arnwine, executive director of the Washington-based National Lawyers Committee for Civil Rights Under Law.

David J. Andrews, executive vice president of Planned Parenthood Federation of America, and Polly Rothstein, director of the Westchester Coalition for Legal Abortion, will give the final lectures in the series, at 8 P.M. Nov. 16. Mr. Andrews's address is 'Abortion Rights: Legal, Political and Social Issues.' Mrs. Rothstein will speak on 'The Politics of the Abortion Controversy.' The series is to be moderated by Dr. John Howard, professor of sociology at the State University at Purchase. The lectures take place in the Social Science Auditorium. 251-6600.

'Perspectives on China' is the title of a lecture by Arthur Rosen, director of the National Committee on U.S.-China Relations, on Oct. 5 from 8 to 9:30 P.M. at the Scarsdale Adult School. 723-2325. Fee: \$10.

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The Bronxville Adult School will hold its foreign affairs luncheons and lectures at the Bronxville Field Club starting Oct. 11, from 12:30 to 2:30 P.M. On that date, Michael E. Mandelbaum, senior fellow of the Council on Foreign Relations, will speak on "New Developments in U.S.-Soviet Relations." On Oct. 18, J. Owen Zurhellen Jr., visiting professor of diplomacy at Manhattanville College and former U.S. Consul General in Osaka, Japan, will speak on "The Student Revolution in China." William R. Rhodes, group executive and chairman of Citibank's restructuring committee, will discuss "Third World Debt: A Perspective" on Nov. 1. On Nov. 6, Zygmunt Nagorski, president of the Center for International Leadership, will speak about "Eastern Europe: A Challenge to U.S. Foreign Policy." The fee is \$90. 793-4435.

PHILOSOPHY

At 11 A.M. this morning, Swami Chinmayananda will speak on "Vedanta: The Knowledge of the Self" at the Ethical Culture Society of Westchester White Plains. Vedanta is the underlying philosophic principle of all the major religions of the world, which has its origin in the oldest scriptures known to man, the four Hindu vedas. The lecture is co-sponsored by the Wainwright House Interfaith Center, Arya Samas of Suburban New York and the Ethical Culture Society of Westchester. 948-1120.

Dr. Stanley Rosen, professor of philosophy at Pennsylvania State University, will discuss "Philosophy and Poetry in the City: Plato's Republic" on Wednesday, Sept. 27 at 7 P.M. in the Performing Arts Center of the State University at Purchase. His lecture is a part of a series, "Revolutions in Western Thought," that continues on Oct. 11 and 25, Nov. 8 and Dec. 13. All lectures take place in the Performing Arts Center at 7 P.M., followed by a question and answer period and a reception. Call the office of General Education, 251-6487.

The Wainwright House Institute for Spiritual Development and the American Teilhard Association will offer the Teilhard de Chardin lecture series on five Thursdays, starting Oct. 5 and ending Nov. 2. The series is an introduction to the life, thought and spiritual vision of Teilhard de Chardin. The lectures, to be held at Wainwright House from 7:30 P.M. to 9:30 P.M., will cost \$7 a session or \$30 for the series. 967-6080.

HISTORY

On Oct. 8 from 1 to 5 P.M., Roger Panetta, assistant professor of history at Marymount, will offer a slide lecture on the "History of the Hudson River." This will be followed by a field trip to the Tarrytown Lighthouse and a reception at the opening of the exhibition, "The Hudson River in Autumn," at Marymount. The lecture is at the Library Lecture Hall and the fee is \$14. 332-7438.

On Nov. 4 at 2 P.M., Spencer R. Crew, curator of the exhibition "Field to Factory: Afro-American Migration 1915-1940," will speak at the Hudson River Museum in Yonkers. The program is co-sponsored by the Westchester African-American Historical Society. 963-4550.

SCIENCE

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Science lectures sponsored by the division of natural sciences and the Friends of Natural Sciences at the State University at Purchase will begin Oct. 4 at 8 P.M. with a talk by Dr. Joel Tennenbaum, professor of Physics at the State University there. The talk is entitled, "It Won't Rain on Oct. 4, 1989: Weather and Climate Forecasting on the 32d Birthday of Sputnik." The series continues on Oct. 30 when Dr. Jorge Benach, a research scientist for the New York Public Health Department, discusses "The Natural History of Lyme Disease." On Dec. 4 at 8 P.M., Dr. Barbara Cornblatt, senior research scientist at the New York Psychiatric Institute, speaks about "The Role of Attention in Mental Illness." All lectures are in the college's Natural Sciences Building, Room 1001. 251-6630.

FAMILY LIFE

On Oct. 21, Ross D. Parke, developmental psychologist and an authority on fathering, will discuss "The Changing Faces of Fatherhood," exploring what it means to be a father in contemporary society. The lecture takes place at 11:30 A.M. in Reisinger Hall on the Sarah Lawrence campus in Yonkers. Call 395-2412 from 10 A.M. to 3 P.M. weekdays.

The Westchester County Office for Women and Legal Awareness for Women sponsor a lunchtime series on various aspects of divorce from noon to 2 P.M. in the lower-level conference room at 85 Court Street in White Plains. Topics include, "New York State Divorce: Expectations and Reality" on Sept. 26; "Preparing for Divorce: What You Need to Know About Your Marital Assets" on Oct. 24 and "Elements of Divorce: Grounds, Assets, Support, Custody," on Nov. 28. 472-2371.

A four-session course offered by Mainstream, the retirement institute of Westchester Community College, and co-sponsored by the Westchester Library System, is entitled, "Retired? Now What . . ." The series starts Oct. 10, from 10 A.M. to 12:30 P.M., and is given by Amy Leinwand, adjunct professor of human services at the Port Chester Library. 265-6793.

On three Mondays - Oct. 16, 23 and 30 - the Marymount College office of continuing education and the County Department of Community Mental Health will offer a series, "Managing Stress Creatively." The talks will be given by Enid Handler, a health-care consultant, and will take place from 7:30 to 9 P.M. at Marymount in Marian Hall 05. The fee is \$30. 332-7438.

CORRECTION-DATE: October 1, 1989, Sunday, Late Edition - Final

CORRECTION:

An article on Sept. 17 about fall lectures gave an incorrect date for a talk by Daniel Robbins at the Neuberger Museum in Purchase about the museum's collection. It is Oct. 29, not Oct. 20.

GRAPHIC: Photo of actress Zoe Caldwell; Dr. Freeman Dyson, professor of physics; Susan Estrich, 1988 Dukakis campaign manager; cartoonist Doug Marlette

SUBJECT: LECTURES AND LECTURING

NAME: GILINSKY, RHODA M

LEVEL 1 - 4 OF 4 STORIES

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HEADLINE: Harvard to Help Some Law Alumni to Pay Loans

BYLINE: By FOX BUTTERFIELD, Special to the New York Times

DATELINE: BOSTON, Feb. 21

BODY:

Harvard Law School has announced a plan to help its law graduates who take low-paying jobs in public service to pay off their student loans.

"It is an important contribution to the growing effort to face up to the issue" of the discrepancy between the high salaries paid by prestigious law firms and the low salaries offered by legal service agencies or local governments, said Norman Dorsen, president of the American Civil Liberties Union.

Under the new program, announced this week, Harvard will assume all loan payments due for education at the law school for graduates who pick jobs paying less than \$20,000 a year. Graduates who go into public service jobs that pay less than \$29,000 a year will have to pay only 6 percent of their income toward loans, with the law school picking up the rest.

'Forgiving' Some Loans

Harvard will begin "forgiving" loans for graduates in low-paying jobs in the first year after they finish law school. The plan goes into effect for those who graduate this spring.

"Most of our graduates enter high-paying positions in the legal profession and with those salaries can afford the repayment of loans," said James Vorenberg, dean of Harvard Law School. "We want to help other students who may wish to make career choices in lower-paying areas of the law but who are concerned about their high debt burdens and low salaries."

He added, "Graduates may have a strong inclination to go into a public service job or work for government and we wanted to be able to relieve the pressure on that decision so that it will be based purely on professional rather than financial considerations."

The average student loan debt among the 580 graduates of Harvard Law School in 1986 was \$27,200, said Susanne Davis, a spokeswoman for the school. Many students also have debts outstanding from their undergraduate years, and the average combined debt in those cases is \$32,800, she said.

Strong Incentive Is Seen

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Ms. Davis said she believed Harvard's new program was the most generous in the country. No firm statistics are available, but several other law schools, including those at New York University, Yale University and Stanford University, have similar programs but do not begin picking up students' debts for several years after graduation, nor do they assume such a high percentage of the loans.

In 1978 Harvard was the first law school in the nation to offer any compensation for students choosing low-paying jobs when it began its Law Income Protection Plan, giving such graduates a two-year moratorium on repaying loans.

Barbara Arnwine, executive director of the Lawyers Committee for Civil Rights Under Law in Boston, said of the new Harvard program: "I think it's a wonderful statement. It will be very helpful in providing an additional incentive for law school graduates to go into public interest law."

Ms. Arnwine said she believed there had been a decline in recent years in the number of law graduates going into public service work because of cutbacks in support by both the Federal Government and by foundations. "As a result, there are fewer jobs and the salaries are depressed," she said.

A survey of public service legal agencies in New England that she conducted last year showed declines of up to 100 percent in applicants, she said.

The problem of low salaries in public service practice and high student debt has been compounded by the "astronomical rise in salaries for starting lawyers in the best firms," she added.

The current average starting salary for a law school graduate with firms is \$65,000 a year in New York and \$55,000 in Boston, she said. By comparison, many public interest law firms offer starting salaries of only \$15,000 a year, Ms. Arnwine said.

"We have a lot of talented law students come in here for interviews who are serious about the work, but after they hear what our salaries are, they say they can't afford to work with us," she said.

SUBJECT: LEGAL PROFESSION; LAWYERS; WAGES AND SALARIES; CREDIT

ORGANIZATION: HARVARD UNIVERSITY

NAME: BUTTERFIELD, FOX; VORENBERG, JAMES (DEAN)