# **HEARING**

BEFORE THE

# UNITED STATES COMMISSION ON CIVIL RIGHTS

HEARING HELD
IN
MONTGOMERY, ALABAMA
April 27-May 2, 1968

# HEARING BEFORE THE UNITED STATES

# **COMMISSION ON CIVIL RIGHTS**

## HEARING HELD IN MONTGOMERY, ALABAMA April 27-May 2, 1968

### Members of the Commission

JOHN A. HANNAH, Chairman EUGENE PATTERSON, Vice Chairman FRANKIE M. FREEMAN REV. THEODORE M. HESBURGH, C.S.C. ROBERT S. RANKIN

WILLIAM L. TAYLOR, Staff Director HOWARD A. GLICKSTEIN, General Counsel

### CONTENTS

2E22ION2	Page
April 27, 1968, 9 a.m	1 7 80 140 250 366 413 476 589
Statements: Opening Statements: John A. Hannah, Chairman Statements on Rules: Frankie M. Freeman, Commissioner Statement: C. H. Erskine Smith, Chairman, Alabama State Advisory Committee to the U.S. Commission on Civil Rights	1,7 5,11 13
Witnesses: Mr. Francis G. Knorr, Social Science Analyst, U.S. Commission on Civil Rights Mr. Lamond Godwin, Research Assistant, Department of Economics, University of Kentucky Levington Kentucky	24 28
University of Kentucky, Lexington, Kentucky Mr. and Mrs. Bernard Shambray, Greenville, Alabama and Mr. and Mrs. Willie Smith, Prattville, Alabama Mr. Leon Kennedy, Ozark, Alabama; Mr. Levie Pettway, Boykin, Alabama; Miss Sharon Marie Pettway, Boykin, Alabama; Miss	34
Sadie Allen, Greenville, Alabama; and Mr. Eddie Browder, Selma, Alabama  Mr. Neil O. Davis, Member, President's National Advisory Commission on Rural Poverty. Auburn. Alabama	52 67
Rev. William Branch, President, Greene County Chapter, National Association for the Advancement of Colored People, Forkland, Alabama  Mr. Willie Hill, Eutaw, Alabama and Mr. and Mrs. Roy Thomas, Mitchell Village, Alabama	80 90
Mr. Jesse H. Hain, Sardis, Alabama Mr. Harold C. Culmer, Attorney, U.S. Commission on Civil Rights 12 Rev. Daniel Harrell, Jr., Project Director, Southwest Alabama Self- Help Housing, Camden, Alabama	111 1,477 124
Rev. Kenneth L. Buford, Alabama State Field Director, National Association for the Advancement of Colored People, Tuskegee, Alabama  Mr. John Chambers, Boligee, Alabama; Mr. Mike Johnson, Selma, Alabama; Mr. Hosea Guice, Macon County, Alabama; Mr. Nathan	133
Payne, Orrville, Alabama; and Mr. Charles Griffin, Sardis, Alabama—Mr. L. R. Haigler, Hayneville, Alabama—Mr. Calvin Orsborn, Business Manager, Southwest Alabama Farmers Cooperative Association, Selma, Alabama; Mrs. Clara Walker, Administrative Assistant, Southwest Alabama Farmers Cooperative Association, Marion Junction, Alabama; and Mr. William Harrison, President. Southwest Alabama Farmers Cooperative Association	141 163
Auburn, Alabama	172 192 195
	700

•	LOBC
Dr. Fred R. Robertson, State Director, Alabama Cooperative Extension Service, Auburn, Alabama	207
Mr. William C. Payne, Jr., Program Analyst, U.S. Commission on Civil Rights	225
Mr. Robert C. Bamberg, State Director, Farmers Home Administra-	227
tion, Montgomery, Alabama Mr. Joseph C. Doherty, Special Assistant to the Administrator,	
Farmers Home Administration, Washington, D.C	485
Dr. Albert Wolf, Professor of Medical Economics, University of Alabama Medical Center, Birmingham, Alabama	251
Alan C. Mermann, M.D., Assistant Clinical Professor of Pediatrics, Yale University Medical School, New Haven, Connecticut	255
Ira Myers, M.D., Alabama State Health Officer, Montgomery, Alabama and Robert B. Griffin, M.D., Fort Deposit, Alabama	261
Mrs. Helen Randale, Forkland, Alabama; Mrs. Elizabeth Hutton, Eutaw, Alabama; Mrs. Rebecca Ward, Akron, Alabama; Mrs. Mary	
Wade, Selma, Alabama; and Mrs. Pattie Mae Haynes, Shorter, Alabama	277
Dr. Moses Lukaczer, Program Analyst, U.S. Commission on Civil	
Rights 302, Mrs. Augusta L. Wilkinson, Director, Dallas County Department of	
Mr. Ruben King, Commissioner, State Department of Pensions and	304
Security, Montgomery, AlabamaMr. Peter W. Gross, Attorney, U.S. Commission on Civil Rights	321 337
Mr. Horace Hamby, Jr., Industrial Relations Manager, MacMillan- Bloedel Products, Inc., and MacMillan-Bloedel United, Inc., Pine	
Hill, AlabamaMr. Lee Duvall, Vice-President of Public and Industrial Relations;	339
Mr. George M. Heard, Director of Industrial Relations; and Mr. J. C. Niehuss, Director of Public Relations, Vanity Fair Mills, Inc.,	
Monroeville, Alabama	351
Alahama	361
Mr. Hosea L. Williams, Director, Voter Registration and Political Education, Southern Christian Leadership Conference, Atlanta, Georgia and Mr. Albert Turner, Alabama State Director, Southern	
Christian Leadership Conference, Marion, Alabama  Mr. Frank Fenderson, Bellamy, Alabama and Mr. John Lee Barnes,	367
York, Alabama	376
Mr. Hugh C. Sloan, Manager, Allison Lumber Products, American Can Company, Bellamy, Alabama and Mr. Owen Hansen, Resident	
Manager, Alabama Operations, American Can Company, Butler, Alabama	387
Mr. J. L. Cantrell, Plant Superintendent, Dan River Mills, Greenville, Alabama and Mr. Wendell F. Stevens, Mill Superintendent,	
Dan River Mills, Benton, Alabama Mr. Ernest S. Strong, Personnel Manager, Alabama Power Company,	401
Birmingham, AlabamaMr. William M. Hearn, Personnel Manager, Allied Paper Company,	413
Jackson, Alabama	427
Mr. Byron Harding, Associate General Counsel; and Mr. Robert J. Harlan, Contract Program Policy Officer; General Services Adminis-	
tration, Washington, D.C	436
Region, Defense Contract Administration Services, Atlanta, Georgia	
and Mr. James W. Dunkin, Defense Contract Administration Services, Contract Compliance Office, Birmingham, Alabama	452
Mr. Leonard Biermann, Senior Compliance Officer, Office of Federal Contract Compliance, Department of Labor, Washington, D.C	466
Mr. Harold C. Culmer, Attorney, U.S. Commission on Civil Rights Mr. Clyde Roberts, Livingston, Alabama	477 480

	Page
Dr. Moses Lukaczer, Program Analyst, U.S. Commiss	sion on Civil
Rights	302, 484
Miss Sara E. Green, Attorney, U.S. Commission on Civil Mr. Richard M. Quinney, Manager, Alabama State Emplice Office, Selma, Alabama and Mr. Robert Worlw Alabama State Employment Service Office, Greenville Mr. Edward B. Beis, Attorney, U.S. Commission on Civ Mr. O. B. Carter, Superintendent, City Schools, Eufau Mr. Arthur Jones, Coordinator of Vocational Industri Eufaula City Schools; and Mr. Theodore Gibbs, Day Tor. McCoo High School. Eufaula. Alabama	Rights 250, 486 loyment Serv-
ice Office, Selma, Alabama and Mr. Robert World	nd, Manager,
Alabama State Employment Service Office, Greenville	, Alabama 487
Mr. Edward B. Beis, Attorney, U.S. Commission on Civ	ril Rights 498
Mr. O. B. Carter, Superintendent, City Schools, Eulau	la, Alabama;
Mr. Arthur Jones, Coordinator of Vocational Industri	al Education,
Eufaula City Schools; and Mr. Theodore Gibbs, Day 1	rade Instruc-
tor, McCoo High School, Eufaula, Alabama	500
Mr. Gene Stroud, Superintendent, Butler County School	ls, Greenville,
Mr. Gene Stroud, Superintendent, Butler County School Alabama and Mr. Charles Newton, Director, Vocation	al Education,
Butler County Schools, Greenville, Alabama	520
Mr. George C. Bradley, Attorney, U.S. Commission on C	Civil Rights 533
Mr. J. F. Ingram, Director, Division of Vocational Educa	tion, Alabama
State Department of Education, Montgomery, Alabam	na 534
Dr. Ernest Stone. Alabama State Superintendent of Edit	ICAGIOII, MIOIIC
gomery, Alabama	546
Rev. Henry Floyd Fortner, Livingston, Alabama	562
Mr. Warren Grant, Mayor, York, Alabama	568
gomery, Alabama  Rev. Henry Floyd Fortner, Livingston, Alabama  Mr. Warren Grant, Mayor, York, Alabama  Mr. Louis Quedeweit, Plant Manager, McGregor Printing  York Alabama and Mr. H. P. Martin, Vice-Preside	Corporation,
York, Alabama and Mr. H. P. Martin, Vice-Preside	nt, McGregor
Printing Corporation, Washington, D.C.	576
Printing Corporation, Washington, D.C.  Mr. Lewis Black, Director, Rural Advancement Project	t of the Ala-
bama Council on Human Relations, Greensboro, Alaba	ma 589
Mr. Frank R. Parker, Attorney, U.S. Commission on Civ	vil Rights 594
Mr. John Hulett, Chairman, Lowndes County Freedom	Party. Hayne-
ville. Alabama	596
Mr. Lucius D. Amerson, Sheriff, Macon County, Tuskege Mr. Barry Strejcek, Staff Member, U.S. Commission on	ee, Alabama 603
Mr. Barry Streicek, Staff Member, U.S. Commission on	Civil Rights 617
Mr. John T. Bagwell, Field Coordinator, Economic Dev	velopment Ad-
ministration, Montgomery Alahama	619
ministration, Montgomery, Alabama	dministration.
Rirmingham Alahama	628
Birmingham, Alabama Dr. John F. Kain, Professor of Economics, Harvard Un	iversity Cam-
bridge, Massachusetts	638
EXHIBITS ENTERED INTO THE HEARIN	G RECORD
Exhibit No. 1 Notice of Hearing	648
Exhibit No. 1 Notice of Hearing Exhibit No. 2 (a) Statement of C. H. Erskine Smi	th. Chairman.
Alabama State Advisory Committee to	the U.S. Com-
mission on Civil Rights, April 27, 196	8 648
(b) "The Agricultural Stabilization a	and Conserva-
tion Service in the Alabama Black Bel	t" a report of
the Alahama State Advisory Committee	e 655
the Alabama State Advisory Committe Exhibit No. 3 Staff Report: A Population, Employme	nt and Income
Profile of Negroes in a 16-County A	rea of South
Central Alabama	688
Exhibit No. 4 Staff Report: Summary of Housing	Conditions 722
Exhibit No 5 Ismag T Ponnon "Programs and	Poverty: The
Exhibit No. 6 Staff Report: Alabama Agriculture	734 741
Exhibit No. 7 Staff Report: Employment in Agriculture	ure Programs_ 745
Exhibit No. 8 Staff Report: Negro Participation in De	are a rograms_ 140
Bodies of Agriculture—Related Progra	ams
Exhibit No. 9 Statement submitted by Mr. William	Horrison on
Exhibit No. 9 Statement submitted by Mr. William behalf of the Choctaw County Civic L	ongrio 775
Exhibit No. 10 Staff Report: Cooperative Extension	eague 755
	Service 757
Exhibit No. 11 Staff Report: Farmers Home Admini Exhibit No. 12 Staff Report: Health	stration 768
Exhibit No. 13 Stan Report: Health Exhibit No. 13 TICEP Health Survey for Lowndes Cou	779
Exhibit No. 13 TICEP Health Survey for Lowndes Cou Exhibit No. 14 Staff Report: Public Assistance in Ala	nty, Alabama. 780
Exhibit No. 14 Staff Report: Public Assistance in Ala	ıbama 785

	<u>,</u>	Pag
Exhibit No. 15		80
Exhibit No. 16	Assurances of Compliance with the Department of	
	Commerce Regulations Under Title VI of the Civil Rights Act of 1964	80
		80
		81
		81
Exhibit No. 17	Letter to Chairman and Court of County Commis-	
		81
Exhibit No. 18	Statement of Vanity Fair Mills, Inc., Regarding	
	Minority Group Employment in Choctaw, Marengo, Clarke, and Monroe Counties, Alabama by Mr. Lee	
	Duvall and Mr. George M. Heard	81
Exhibit No. 19	Comparison of Prices Charged by Sherer Bros., with	-
	those at the I.G.A. Store in Livingston, Alabama	81
Exhibit No. 20	Copy of check stub for Frank Fenderson	81
Exhibit No. 21	Statement by Hugh C. Sloan to employees at Amer-	04
Exhibit No. 22	ican Can Company, Bellamy, Alabama(a) Letter written by William L. Taylor, Staff	81
EXHIBIT NO. 22	Director, U.S. Commission on Civil Rights, to E. T.	
	Klassen, President, American Can Company	81
	(b) Reply from Mr. Klassen to Mr. Taylor	82
	(c) Letter to William L. Taylor, Staff Director, U.S.	
	Commission on Civil Rights, from Jerome Ackerman,	
	Attorney for American Can Company, and Statement	82
	of American Can Company(d) Statement of American Can Company, dated	84
	July 3, 1968	82
Exhibit No. 23	"Contracts Compliance Program"	84
Exhibit No. 24	Staff Report: Main Street Survey	85
Exhibit No. 25	Staff Report: Public Employment in the 16-County	
T31-11-11 3T - 00	Hearing Area	85
Exhibit No. 26 Exhibit No. 27		86 86
Exhibit No. 28	Testimony of George W. Dorsey Letter to Commission from Herman Chemell, Presi-	ou
HAIIDIU 140. 20	dent, Dixie Tomato and Produce Company, Inc	86
Exhibit No. 29	Staff Report: Vocational Education in the 16-	
	County Hearing Area and in Alabama	87
Exhibit No. 30	Catalogue from the Harper Council Trenholm State	0.5
Erchibit No. 21	Vocational Technical School, Montgomery, Alabama_	88
Exhibit No. 31	Statement by H. P. Martin, Vice President, McGregor Printing Corporation	92
Exhibit No. 32	Staff Report: Voting and Political Participation by	92
	Staff Report: Voting and Political Participation by Blacks in the 16-County Hearing Area	92
Exhibit No. 33	Staff Report: Economic Development in the Rural	_
T3-1:1:1:37 C:	South	94
Exhibit No. 34	Statement of Paul R. Brunson	95
Exhibit No. 35	Copy of letter from Paul R. Brunson to Congressman George Andrews, House of Representatives, Wash-	
		103
Exhibit No. 36	Statement of John F. Kain 1	108
Exhibit No. 37	Statement of Joseph C. Doherty, Special Assistant	
	to Administrator, FHA	103
Exhibit No. 38	(a) Letter to Howard A. Glickstein, General Counsel,	
	U.S. Commission on Civil Rights, from John J. Cole-	
	man, Jr., counsel for MacMillan-Bloedel Products, Inc., and MacMillan-Bloedel United, Inc.; (b) Letter	
	from Howard A. Glickstein, to John J. Coleman, Jr.;	
	(c) Letter from Hon. Ross D. Davis, Assistant	
	Secretary for Economic Development, Department of	
	Commerce, to William L. Taylor, Staff Director, U.S.	
T 1 11 11 27	Commission on Civil Rights	104
Exhibit No. 39	Supplement to the testimony of Paul R. Brunson,	10
	Regional Director, Small Business Administration :	106

# UNITED STATES COMMISSION ON CIVIL RIGHTS

#### SATURDAY, APRIL 27, 1968

The U.S. Commission on Civil Rights met at 9 a.m. in Building 519, Maxwell Air Force Base, Montgomery, Alabama, John A. Hannah, Chairman of the Commission, presiding.

PRESENT: John A. Hannah, Chairman; Eugene Patterson, Vice Chairman; Frankie M. Freeman, Commissioner; Dr. Robert S. Rankin, Commissioner. Also present: William L. Taylor, Staff Director; Howard A. Glickstein, General Counsel.

#### PROCEEDINGS

CHAIRMAN HANNAH. We will come to order and the first item is the swearing of the Clerk.

(Whereupon, Miss Gay Johnson was sworn in as Clerk.)

CHAIRMAN HANNAH. The next item is the swearing in of the Reporter.

(Whereupon, Mr. Robert Monick was sworn in as Reporter.) CHARMAN HANNAH. Now I should like to introduce the members of the Commission. On my left is Mr. Eugene Patterson of Atlanta, the Vice Chairman of the Commission, and on my right is Mrs. Frankie M. Freeman of St. Louis, Missouri, member of the Commission, and on her right is Dr. Robert Rankin of Durham, North Carolina, who is a member of the Commission.

And I shall now proceed to read the opening statement.

This public hearing of the U.S. Commission on Civil Rights has been called to order, and I am John Hannah of East Lansing, Chairman of the Commission.

The other members of the Commission I have just introduced. Rev. Theodore M. Hesburgh, President of the University of Notre Dame in South Bend, Indiana, the other member of the Commission, is unable to be with us at this hearing because he is head of the Vatican delegation to the United Nations Conference on Human Rights now in session in Teheran.

In addition to the Commissioners present, William L. Taylor, Staff Director of the Commission, is seated next to Mr. Pattersor and Howard A. Glickstein, General Counsel of the Commission, i seated beside Mr. Taylor.

As the first order of business I wish to express the Commission's appreciation to the Commandant of Maxwell Air Force Base and his staff for making these facilities available for this hearing. The Commission also appreciates the cooperation of the officials of Alabama and the officials of the 16 counties covered by this hearing and the many private organizations and citizens who have cooperated with us in the preparatory stages of the hearing.

This hearing is being held under the authority of the Civil Rights Act of 1957, as amended. As required by law, notice of the hearing was published in the Federal Register on March 27, 1968. A copy of this notice will be introduced in the record as Exhibit No. 1. That's now introduced into the record. (The document referred to was marked Exhibit No. 1 and received in evidence.)

The Commission on Civil Rights is an independent, bipartisan agency of the United States Government established by the Congress in 1957. Its duties are:

- 1. To investigate sworn allegations that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin;
- 2. To study and collect information concerning legal developments which constitute a denial of equal protection of the laws under the Constitution;
- 3. To appraise Federal laws and policies with respect to the equal protection of the laws;
- 4. To serve as a national clearinghouse for information with respect to denials of equal protection of the laws because of race, color, religion, or national origin; and, finally,
- 5. To investigate sworn allegations of vote fraud in Federal elections.

Under the law, the Commission submits reports to the President and the Congress containing its findings and its recommendations for corrective legislative or executive action.

To enable the Commission to fulfill its duties, the Congress has empowered the Commission to hold hearings and issue subpensa for the attendance of witnesses and the production of documents.

I know of no better way to explain the functions and limitations of this Commission than to quote briefly from a decision of the United States Supreme Court issued early in the Commission's life. The Court said, and I quote: "This Commission does not adjudicate; it does not hold trials or determine anyone's civil or criminal liability. It does not issue orders. Nor does it indict, punish or impose any legal sanctions. It does not make determinations depriving anyone of life, liberty or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights. The only purpose of

its existence is to find facts which may subsequently be used as the basis for legal or executive action."

In carrying out its legislative mandate the Commission has had hearings throughout the country including Arizona, California, the District of Columbia, Georgia, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Mississippi, New Jersey, New York, Ohio, and Tennessee.

The Commission's first hearing was here in Montgomery on December 8 and 9, 1958 when it investigated voting complaints in certain counties in Alabama. In the nine years that have elapsed, significant changes have occurred in voting and in other areas, in Alabama and throughout the South. Some of the progress that has been made undoubtedly will be reflected in testimony during this hearing.

At the same time it is clear that this Nation is still a great distance from having reached its goal of equal opportunity for all citizens. And during this period it has become clear to almost everyone in this Nation that as the Commission pointed out in its first Statutory Report, discrimination and deprivation are not confined to any one region of the Nation—that what we are dealing with is a national problem.

The subject of this hearing is different from that of the Commission's first hearing in Montgomery. Our objective is to collect information concerning equal economic opportunity for Negroes in rural and nonmetropolitan areas of Alabama. We will focus on 16 counties running in a belt from the Georgia State line through Montgomery to Mississippi on the west. The population of these counties is for the most part predominantly Negro. In 1964 more than 360,000 persons lived in these 16 counties and 62 percent of the population was Negro.

As stated in the notice published in the Federal Register, the purpose of this hearing is "to collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin which affect the economic security of persons residing in the counties of Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox and in the State of Alabama; to appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin as these affect the economic security of persons in the counties above and in the State of Alabama; and to disseminate information with respect to denials of equal protection of the laws because of race, color, religion, or national origin in the State of Alabama in the field of voting, housing, employment, public facilities, education, administration of justice, and related areas."

The issues that we will explore at this hearing are of importance, we believe, not only to the citizens of Alabama or the South but to the entire Nation. For the past three years the Commission's program has focused primarily on problems in the urban centers of our Nation. Now we are looking into rural areas. But in a Nation whose people have always been on the move, the problems of the cities and the rural communities are inseparable. If young people do not receive adequate education or training in rural areas, their problems soon will become the problems of the cities. If Government policies fail to provide incentives for the development of jobs and economic growth in rural areas where technology is displacing people from the farms, the consequences will be felt by the Nation.

Members of the Commission staff began visiting Alabama several months ago to interview citizens; Federal, State, and local officials; and representatives of community organizations. During the course of our staff investigation, a number of problems were brought to the Commission's attention. The restrictions of time, however, will allow us to hear from only a limited number of witnesses. During the next four days we will be taking testimony from about 80 witnesses, among whom will be citizens who have grievances; public officials who are responsible for the administration of relevant Government programs; representatives of the business and industrial community; and representatives of private organizations, which have programs designed to help alleviate the problems of the rural poor. They will provide us with information so that the facts pertaining to civil rights problems in this area can be appraised objectively and in context. The testimony we will hear will help us and the citizens of this areas to identify the barriers to equal opportunity in the economic life of the 16-county area. At the same time we will learn of the steps being taken by Government and the community to provide equality of opportunity for all citizens. As we secure information, we hope that the testimony will stimulate discussion and increase the understanding of problems among responsible community leaders and Government officials.

This hearing in Alabama will be followed by investigations in rural and nonmetropolitan areas of other States. When we have completed our investigations, we expect to issue a report with recommendations for corrective action.

This session of the hearing will be concerned with the human impact of changes in the economy of the 16 counties I enumerated earlier. Between now and 5:30 we will hear persons who will tell us about their efforts to share in the developing economy of the area.

There will be no session on Sunday. We will resume the hearing in this room at 9 o'clock Monday as we devote our attention to the economic and human impact of agricultural change and the Federal response to that change. The Monday session will continue until about 6 o'clock with an appropriate break for lunch.

There will be an evening session on Tuesday. We get underway at noon that day when we begin with witnesses in the areas of welfare, food, and health. That afternoon and evening we will hear from witnesses about employment opportunities in this area. The Tuesday night session of the hearing will begin at 6:45 p.m. and continue until 10 p.m.

On Wednesday, we will begin at 9 a.m. as we continue our inquiry into the employment situation in the area covered by the hearing. On Wednesday afternoon we will consider the areas of education, job placement, and training. The Wednesday session will end at about 6:30 p.m.

The hearing ends on Thursday. Beginning at 9 a.m., we will hear witnesses in the area of community organization and political participation, and economic development. The hearing will end at noon on Thursday.

The testimony we will hear here in Montgomery will consist not only of facts and information but also of opinion and comment about civil rights issues and problems in the 16 Alabama counties covered by this hearing. We urge that those who follow this hearing give careful consideration to all points of view, even those points of view with which they may disagree because at this hearing we will be dealing with issues which can determine the survival of human beings. We can only arrive at just solutions to our problems if people of differing points of view are able to talk to each other with understanding.

I will now ask Commissioner Freeman to explain the Commission's rules and procedures. Mrs. Freeman.

COMMISSIONER FREEMAN. Thank you, Dr. Hannah.

As the Chairman has said, this hearing will be divided into two parts after this opening session this morning. First, there will be an executive session which will be held in this room and which will begin in a few moments. Then, beginning at 1:30 this afternoon, testimony will be received in public in this room. The public hearings will resume in this room next Monday and continue through Thursday morning.

At the outset, I should emphasize that the observations I am about to make on the Commission's rules are only an outline of the significant provisions. The rules themselves should be consulted for a fuller understanding. Staff members will be available to answer questions which arise during the course of the hearing.

In outlining the procedures which will govern this hearing, I think it important to explain in some detail why the Commission is holding an executive session.

Section 102(e) of our statute provides as follows: If the Com-

mission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony or summary of such evidence or testimony in executive session. The Commission shall afford any person, defamed, degraded, or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session with a reasonable number of additional witnesses requested by him, before deciding to use such evidence or testimony.

The executive session to follow this morning is being held to comply with this statutory requirement.

Several weeks ago, the Commission met in Washington and received the material which had been collected in preparation for this hearing. It was then determined that certain individuals were entitled to a hearing in executive session. Accordingly, these individuals were notified of their right to appear at this session. Each also was sent a copy of the Commission's rules which explained this right and was invited to communicate with the Commission in the event he wished to appear or had any questions concerning the executive procedure. Although some of these persons have been subpensed by the Commission to appear during the public session of this hearing, none of them has been subpensed to appear at this executive session. The executive session is for their benefit alone and if they determine to forego this opportunity that is their privilege.

Copies of the rules which govern this hearing may be secured during any recess from a member of the Commission staff. Persons who have been subpensed and persons who have been afforded the opportunity to appear in executive session have already been given their copies.

All testimony at the executive and public sessions will be under oath and will be transcribed verbatim by the official reporter.

All witnesses at the executive and public sessions are entitled to be accompanied and advised by counsel. Counsel may subject his client to reasonable examination. He may also make objections on the record and argue briefly the basis for such objections.

Persons subpensed to the public session and persons who have been afforded the opportunity to appear in executive session may request that witnesses be subpensed in their behalf. All requests for such subpenses must be in writing and must be supported by a showing of the general relevance and materiality of the evidence sought.

Additionally, persons who have been afforded an opportunity to appear in executive session may be accompanied by a reasonable number of witnesses who need not be subpensed. They must also submit statements prepared by themselves or others for inclusion in the record provided these are submitted within the time

required by the rules. All witnesses at the public sessions have a similar right to introduce statements into the record.

At the public sessions, there is a limited right of cross examination which is spelled out in detail in the rules.

Finally, I should point out that in many cases the Commission has gone significantly beyond Congressional requirements in its rules to provide safeguards for witnesses and other persons. We have done this with the intent of insuring that Commission hearings be conducted in the fairest and most impartial manner.

CHAIRMAN HANNAH. Thank you, Mrs. Freeman.

As Mrs. Freeman has indicated, we will now go into an executive session, to hear the witnesses one at a time that have been subpensed and that have chosen to appear before us this morning. So it is necessary for us to clear the room of all but the Commission staff.

The witnesses—where will they go during this period? Is there a room?

MR. GLICKSTEIN. Yes, there is a room. Go to the rear and turn to the left in the direction of the trailer. There is a room there and members of the staff will provide schedules to the witnesses of the order in which they will appear.

CHAIRMAN HANNAH. The witnesses will be brought in one at a time during this executive session.

#### SATURDAY AFTERNOON SESSISON

#### APRIL 27, 1968

CHAIRMAN HANNAH. This public hearing of the U. S. Commission on Civil Rights will come to order.

Ladies and gentlemen, I am John A. Hannah of East Lansing, Michigan, Chairman of the Commission. The other members of the Commission are Eugene Patterson, editor of the Atlanta, Journal-Constitution and Vice Chairman of the Commission, who is on my immediate left; Mrs. Frankie M. Freeman, Associate General Counsel of the St. Louis Housing and Land Clearance Authorities, is at my immediate right, and Dr. Robert S. Rankin of Durham, North Carolina, a professor of political science at Duke University, who is at the far right.

Rev. Theodore M. Hesburgh, President of the University of Notre Dame in South Bend, Indiana, the other member of the Commission, is unable to be with us at this hearing because he is head of the Vatican delegation to the United Nations Conference on Human Rights in Teheran.

In addition to the Commissioners present, William L. Taylor, Staff Director of the Commission, is seated next to Mr. Patterson, and Howard A. Glickstein, General Counsel of the Commission, is seated beside Mr. Taylor.

As the first order of business, I wish to express the Commission's appreciation to the Commandant of Maxwell Air Force Base and his staff for making these facilities available for this hearing. The Commission also appreciates the cooperation of the officials of Alabama and the officials of the 16 counties covered by this hearing and the many private organizations and citizens who have cooperated with us in the preparatory stages of the hearing.

This hearing is being held under the authority of the Civil Rights Act of 1957, as amended. As required by law, notice of the hearing was published in the Federal Register on March 27, 1968.

No. 1

No. 1.

The Commission on Civil Rights is an independent, bipartisan agency of the United States Government established by the Congress in 1957. Its duties are:

- 1. To investigate sworn allegations that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin;
- 2. To study and collect information concerning legal developments which constitute a denial of equal protection of the laws under the Constitution;
- 3. To appraise Federal laws and policies with respect to the equal protection of the laws;
- 4. To serve as a national clearinghouse for information with respect to denials of equal protection of the laws because of race, color, religion, or national origin; and finally,
- 5. To investigate sworn allegations of vote fraud in Federal elections.

Under the law, the Commission submits reports to the President and the Congress containing its findings and its recommendations for corrective legislative or executive action.

To enable the Commission to fulfill its duties, the Congress has empowered the Commission to hold hearings and issue subpensa for the attendance of witnesses and the production of documents.

I know of no better way to explain the functions and limitations of this Commission than to quote briefly from a decision of the United States Supreme Court issued early in the Commission's life. The Court said, and I quote: "This Commission does not adjudicate; it does not hold trials or determine anyone's civil or criminal liability.

"It does not issue orders. Nor does it indict, punish or impose any legal sanctions. It does not make determinations depriving anyone of life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights. The only purpose of its existence is to find facts which may subsequently be used as the basis for legal or executive action."

In carrying out its legislative mandate the Commission has had hearings throughout the country, including Arizona, California, the District of Columbia, Georgia, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Mississippi, New Jersey, New York, Ohio, and Tennessee.

The Commission's first hearing was here in Montgomery on December 8 and 9, 1958, when it investigated voting complaints in certain counties in Alabama. In the nine years that have elapsed, significant changes have occurred in voting and in other areas, in Alabama and throughout the South. Some of the progress that has been made undoubtedly will be reflected in testimony during this hearing.

At the same time, it is clear that this Nation is still a great distance from having reached its goal of equal opportunity for all citizens. And during this period it has become clear to almost everyone in this Nation that, as the Commission pointed out in its first Statutory Report, discrimination and deprivation are not confined to any one region of the Nation-that what we are deal-

ing with is a national problem.

The subject of this hearing is different from that of the Commission's first hearing in Montgomery. Our objective is to collect information concerning equal economic opportunity for Negroes in rural and nonmetropolitan areas of Alabama. We will focus on 16 counties running in a belt from the Georgia state line through Montgomery to Mississippi on the west. The population of these counties is for the most part predominantly Negro. In 1964, more than 360,000 persons lived in these 16 counties, and 62 percent of the population was Negro.

As stated in the notice published in the Federal Register, the purpose of this hearing is "to collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin which affect the economic security of persons residing in the counties of Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe. Perry, Sumter, and Wilcox and in the State of Alabama; to appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin as these affect the economic security of persons in the counties above and in the State of Alabama, and to disseminate information with respect to denials of equal protection of the laws because of race. color, religion, or national origin in the State of Alabama in the field of voting, housing, employment, public facilities, education, administration of justice, and related areas."

The issues that we will explore at this hearing are of importance, we believe, not only to the citizens of Alabama or the South, but to the entire Nation. For the past three years, the Commission's program has focused primarily on problems in the urban centers of our Nation. Now we are looking into rural areas. But in a Nation whose people have always been on the move, the problems of the cities and the rural communities are inseparable.

If the young people do not receive adequate education or training in rural areas, their problems soon will become the problems of the cities. If Government policies fail to provide incentives for the development of jobs and economic growth in rural areas where technology is displacing people from the farms, the consequences will be felt by the Nation.

Members of the Commission staff began visiting Alabama several months ago to interview citizens; Federal, State, and local officials; and representatives of community organizations. During the course of our staff investigation, a number of problems were brought to the Commission's attention.

The restrictions of time, however, will allow us to hear only from a limited number of witnesses. During the next four days we will be taking testimony from about 80 witnesses, among whom will be citizens who have grievances, public officials who are responsible for the administration of relevant government programs, representatives of the business and industrial community, and representatives of private organizations which have programs designed to help alleviate the problems of the rural poor.

They will provide us with information so that the facts pertaining to civil rights problems in this area can be appraised objectively and in context. The testimony we will hear will help us and the citizens of this area to identify the barriers to equal opportunity in the economic life of the 16-county area.

١

At the same time we will learn of the steps being taken by Government and the community to provide equality of opportunity for all citizens. As we secure information, we hope that the testimony will stimulate discussion and increase the understanding of problems among responsible community leaders and Government officials.

This hearing in Alabama will be followed by investigations in rural and nonmetropolitan areas of other States. When we have completed our investigations, we expect to issue a report with recommendations for corrective action.

This session of the hearing will be concerned with the human impact of changes in the economy of the 16 counties I enumerated earlier. Between now and 5:30 we will hear persons who will tell us about their efforts to share in the developing economy of the area.

There will be no session on Sunday. We will resume the hearing in this room at 9 a.m. Monday as we devote our attention to the economic and human impact of agricultural change and the Federal response to that change. The Monday session will continue until about 6 o'clock with an appropriate break for lunch.

There will be an evening session on Tuesday. We get underway at noon that day when we begin with witnesses in the areas of welfare, food, and health. That afternoon and evening we will hear from witnesses about employment opportunities in this area. The Tuesday night session of the hearing will begin at 6:45 p.m. and continue until 10 p.m.

On Wednesday, we will begin at 9 a.m. as we continue our inquiry into the employment situation in the area covered by the hearing. On Wednesday afternoon we will consider the areas of education, job placement, and training. The Wednesday session will end at about 6:30 p.m.

The hearing ends on Thursday. Beginning at 9 a.m., we will hear witnesses in the areas of community organization and political participation, and economic development. The hearing will end at noon on Thursday.

The testimony we will hear here in Montgomery will consist not only of facts and information but also of opinion and comment about civil rights issues and problems in the 16 Alabama counties covered by this hearing. We urge that those who follow this hearing give careful consideration to all points of view, even those points of view with which they may disagree, because at this hearing we will be dealing with issues which can determine the survival of human beings. We can only arrive at just solutions to our problems if people of differing points are able to talk to each other with understanding.

I will now ask Commissioner Freeman to explain the Commission's rules and procedures. Mrs. Freeman.

COMMISSIONER FREEMAN. Thank you, Dr. Hannah. As the Chairman has said, the hearing has been divided into two parts. First, there was an executive session which was held this morning; this afternoon we begin the public session which will continue next week.

At the outset I should emphasize that the observations I am about to make on the Commission's rules constitute nothing more than brief summaries of the significant provisions. The rules themselves should be consulted for a fuller understanding. Staff members will be available to answer questions which arise during the course of the hearing.

In outlining the procedures which will govern the hearing, I think it is important to explain in some detail the differences between the public session and the executive session concluded this morning.

Section 102(e) of our statute provides, and I quote:

"If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade or incriminate any person, it shall receive such evidence or testimony in executive session. The Commission shall afford any person defamed, degraded or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session, with a reasonable number of additional witnesses requested by him, before deciding to use such evidence or testimony."

Such an executive session was held this morning. Notice was given to individuals inviting them to appear in conformity with the statute where it was determined that testimony might tend to defame, degrade, or incriminate them. These persons had the right to be represented by counsel, to bring a reasonable number of witnesses, and to request that the Commission subpena additional witnesses on their behalf.

The public hearing which begins today is somewhat different; almost all persons who are scheduled to appear have been subpensed by the Commission.

All testimony at the public sessions will be under oath and will be transcribed verbatim by the official reporter. Everyone who testifies, submits data or evidence is entitled to obtain a copy of the transcript on payment of costs. In addition, within 60 days after the close of the hearing, a person may ask to correct errors in the transcript of the hearing or his testimony. Such requests will be granted only to make the transcript conform to testimony as presented at the hearing.

All witnesses are entitled to be accompanied and advised by counsel. Counsel may subject his client to reasonable examination. He also may make objections on the record and argue briefly the basis for such objections.

If the Commission determines that any witness's testimony tends to defame, degrade, or incriminate any person, that person or his counsel may submit written questions which in the discretion of the Commission may be put to the witness.

Persons subpensed to the public sessions may request that witnesses be subpensed in their behalf. All requests for subpenses must be in writing and must be supported by a showing of the general relevance and materiality of the evidence sought.

In addition, all witnesses have the right to submit statements prepared by themselves or others for inclusion in the record provided they are submitted within the time required by the rules. Any person who has not been subpensed may be permitted in the discretion of the Commission to submit a written statement at this public hearing. Such statements will be reviewed by the members of the Commission and made a part of the record.

.Witnesses at Commission hearings are protected by the provisions of Title 18, U.S. Code, Section 1505, which make it a crime to threaten, intimidate, or injure witnesses on account of their attendance at Government proceedings.

Copies of the rules which govern this hearing may be secured during any recess from a member of the Commission's staff. Persons who have been subpensed have already been given their copies.

Finally, I should point out that these rules were drafted with the intent of insuring that Commission hearings be conducted in a fair and impartial manner. In many cases the Commission has gone significantly beyond Congressional requirements in providing safeguards for witnesses and other persons. We have done this in the belief that useful facts can be developed best in an atmosphere of calm and objectivity.

We hope that such an atmosphere will prevail at this hearing.

CHAIRMAN HANNAH. Thank you, Mrs. Freeman. Now I will call upon the Staff Director of the Commission, Mr. William Taylor, for any announcements or comments he would care to make.

Mr. TAYLOR. I think we have none, Mr. Chairman. I think we are ready to proceed with the witnesses.

CHAIRMAN HANNAH. Mr. Glickstein, the General Counsel of the Commission, will you call the first witness?

MR. GLICKSTEIN. The first witness is Mr. Erskine Smith.

(Whereupon, Mr. C. H. Erskine Smith was sworn by the Chairman and testified as follows:)

#### TESTIMONY OF MR. C. H. ERSKINE SMITH, BIRMINGHAM, ALABAMA

MR. GLICKSTEIN. Mr. Smith, what is your position and relation to this Commission?

MR. SMITH. I am the Chairman of the Alabama Advisory Committee to the U.S. Commission on Civil Rights.

MR. GLICKSTEIN. Mr. Smith, I understand that you have a statement to deliver on behalf of the Commission, but I was wondering, before you do that, would you like to introduce to the Commission the members of the Alabama State Advisory Committee that are present here today?

Mr. Smith. Yes, Mr. Glickstein, I would like. Present today for this hearing are the following members of the Alabama Advisory Committee, and I would like them to stand.

Dr. John Cashin, dentist, from Huntsville.

Dr. Mary Pandawe, chemist, from Huntsville.

Mr. J. Murphy, law professor, Tuscaloosa.

Mrs. Vera Foster, Tuskegee.

Dr. Roger Hansen, professor, of Birmingham.

The Rev. Francis Walter, minister, from Tuscaloosa.

Mr. Glickstein, the other members of our Committee are Dr. Lucius Pitts, president of Miles College—and many of these will

be present throughout the hearing from time to time—Mr. John LaFlore, from Mobile.

Mr. Joseph L. Reed, from Mobile.

Dr. C. G. Gomillion, from Tuskegee.

Rev. Albert Foley, from Mobile.

Rev. Edward Gardiner, from Birmingham.

Mr. Ozelle Billingsley, from Birmingham.

Dr. E. B. Goode, from Mobile.

Mr. Fred Gray, from Montgomery.

Judge Edward McLaughlin, from Anniston.

Mr. Allen Parker, from Tuskegee.

And Mr. James Head, Sr., from Birmingham.

Mr. GLICKSTEIN. Would you please proceed with your statement.

# STATEMENT OF C. H. ERSKINE SMITH, CHAIRMAN, ALABAMA STATE ADVISORY COMMITTEE TO THE U.S. COMMISSION ON CIVIL RIGHTS

MR. SMITH. Yes sir. Mr. Chairman and members of the United States Commission on Civil Rights, Mr. Glickstein, Mr. Taylor, members of your staff: let me begin by saying it is nice to have you in Alabama.

On behalf of the 19 members of the Alabama State Advisory Committee to your Commission, I would like to welcome you on behalf of the thousands of Alabamians, to the State of Alabama, black and white, who agree with the views of this Commission. While some persons in high places who purport to speak for the citizens of this State may express sentiments to the contrary, we are convinced that they are voices out of a dark and shameful past that will represent an ever-shrinking portion of our population.

We are equally convinced that we speak for a large and everexpanding segment of our population, the voices of today and of brighter tomorrow, when we say that we hope your stay here will be pleasurable and that as a result of your deliberations here, you will contribute to the elimination of racial discrimination and to the creation of a society where all citizens may walk in dignity, eat a wholesome diet, sleep in a decent house, live in economic and social freedom, and finally to die a timely death, unhurried by malnutrition and the lack of adequate medical services.

Mr. Chairman, as you know, the members of the Alabama State Advisory Committee serve without pay. Each has his or her own occupation and unfortunately each can give only a small share of time to the work of the Committee. Nonetheless, over the years we have carried out as vigorous a program as time and limited resources would permit. We are sure that much of what we have learned will be presented to you in graphic and detailed form by the many witnesses who are to follow me, so I will be as brief as possible in summarizing our work.

I will report to you on our activities over the last three fiscal years—since July 1, 1965. I would like to first summarize the projects conducted by our Committee, then make a few observations, and finally end with some recommendations from our Committee.

In July of 1965 the Committee held an open meeting in Demopolis, Alabama covering developments in three Black Belt counties—Greene, Hale, and Marengo—all counties which you are considering at this hearing. The Committee heard testimony, sometimes under rather tense circumstances, from public officials and citizens on registration and voting, hospitals and health services, programs of the Department of Agriculture, employment, and the administration of justice.

A year later, in July 1966, the Committee held an open meeting in Dothan, Alabama covering Barbour, Henry, and Houston Counties. We considered school desegration, the effect of antipoverty programs, and employment.

A third open meeting, or informal hearing, was held in Selma, Alabama in May 1967, on the operation of the Agricultural Stabilization and Conservation Service (ASCS) of the Department of Agriculture. This inquiry covered the counties of Dallas, Greene, Hale, Lowndes, Sumter, and Wilcox, with staff reports on 20 other counties.

The report of this inquiry, which is titled "The Agricultural Stabilization and Conservation Service in the Alabama Black Belt," is being released today. I am pleased to present copies of the report to the members of the Commission. The Committe requests that the report be made a part of the record of this hearing and that the members of the Commission give careful attention to the conclusions and recommendations contained therein.

In addition to the three open meetings, the Committee has carried out a number of other factfinding and factdissemination projects. Shortly after the effective date of Title VII of the Civil Rights Act of 1964, July 2, 1965, the Committee held a series of three closed meetings with employers, labor officials, and educators to gauge the impact of the new law on equal employment opportunity for Negroes of this State.

Meetings were held in Birmingham in October 1965, in Mobile in November 1965, and in Huntsville in January 1966. A total of 69 representatives of private employers, Federal agencies, and labor unions met with the Committee. In addition, eight representatives of vocational schools reported on training opportunities for Negroes.

The Committee has long been concerned with the effectiveness of the HEW guidelines in producing school desegregation in Alabama. In June 1966 the Committee held a statewide conference to provide information on the guidelines. Approximately 1,300

civil rights and community leaders heard the Commissioner of Education and members of his staff explain the guidelines. More important, the Office of Education officials were able to hear from the citizens on the many problems they were experiencing at the local level.

In 1967 the Committee sponsored six conferences or information meetings on the school desegregation guidelines. From February 17 to February 24, the Committee held one statewide conference in Montgomery and five area meetings in different parts of the State. Area meetings were held in Demopolis, Luverne, Tri-Cities area of Florence, Tuscumbia and Muscle Shoals, Anniston, and Huntsville. For each of these area meetings, invitations were sent to public officials, educators, civil rights, and community leaders in a 4- to 10-county area surrounding the site of the meeting.

During the current fiscal year the Committee has been primarily concerned with urban problems and with job training and employment discrimination. Last summer two meetings were held with ghetto residents in Mobile and Birmingham to get their assessment of the nature of the problem.

Police-community relations and employment emerged as the major problems in the ghetto. Because of the greater Federal leverage, the Committee decided to concentrate on training programs of the Department of Labor and employment discrimination.

Since Birmingham has one of only three Concentrated Employment Programs (CEP) in the South, and CEP is the Labor Department's newest tool for aiding the hard-core unemployed, we began our inquiry in that city. During February and March of this year, the staff, in cooperation with the Jefferson County Committee on Economic Opportunity, held five neighborhood-level meetings in poverty areas of Birmingham to enable the poor and poverty workers to relate their experiences with CEP and the job market. Earlier this month the Committee held a 2-day closed meeting to receive testimony from citizens and CEP officials on the operation of the program. Although this inquiry is still in process, we have some tentative conclusions to present.

Lastly, I would like to report that while our factfinding process has not proceeded very far to date, the Committee has a strong interest in the operation of the Selective Service System in this State. We have received a number of allegations, and our Committee members report, that there is widespread discontent in the black communities of this State with the administration and operation of the draft and related programs in Alabama.

Mr. Chairman, this completes my summary of the Committee's activities over the last three fiscal years. Now I would like to make a few observations based on our work.

I would like to begin with one general observation and then move to several specific areas. It has been the Committee's observation that, for the most part, the Federal programs which are designed to aid the poor have had little impact on the black poor of rural Alabama. These people, who are among the poorest and most disadvantaged in the Nation, have had their hopes raised again and again as they were told of the many Federal programs which were supposedly written with them in mind; only to find that in reality they were empty promises and a cruel hoax. There are many reasons for this situation and we hope the Commission will explore them thoroughly and come up with remedies. Among the reasons we have discovered, however, are:

- 1. The people do not know about the programs or how to apply for them.
- 2. The legislation and/or agency regulations contain provisions which block their application to the poorest of our community.
- 3. The persons who administer the programs do not share their goals and do not assist the poor black people in utilizing them.
- 4. The programs are controlled by the white power structure which is not interested in helping the black poor.
- 5. The funds provided are not adequate to really make a dent in the problems.

We have found in the Black Belt areas and the counties vou're going to be covering that the whole society and structure were created by the white man, for the white man, and run by the white man for his benefit at every level and that the Negro community was totally excluded. This goes for legal services, health services, welfare programs, mail delivery, and all systems in society as it was structured. And the breakdown that has taken place has been very little to date. We have told you of our many meetings on school desegregation and we're greatly interested in education and our inclusion of education as a field of inquiry in open meetings. Everywhere we went in the State we were told repeatedly by local citizens, "Freedom of Choice must go"—and we reported it repeatedly to Washington officials. Your own report, "Southern School Desegregation, 1966-67," gives a number of examples of the ineffectiveness of the freedom of choice system. Also, we were told in numerous meetings that Title I programs (under the Elementary and Secondary Education Act) were being used to further entrench segregation. The very Federal programs were being used to perpetuate the system that were meant to destroy it. As far as we could determine, there was no effective Federal enforcement program related to the granting and expenditure of Title I funds, for it was left largely to the State departments of education. Now we are told that the State departments will have even greater control over Federal education funds. Gentlemen and lady of the Commission, in Alabama this gives us cause to wonder truly about the Federal intent. Finally, let us consider the quality of education provided in the Negro schools throughout the State of Alabama where the overwhelming majority of Negro students still attend—14 years after the Brown decision, after several sets of HEW guidelines, and after the Jefferson decision. Again and again our Committee was told that the Negro schools were not turning out graduates who were equipped to compete in this modern technological society. They cannot pass employers' tests, or the Federal Government's civil examinations. At our Dothan open meeting the Committee was told that the Civil Service Clerk-Typist Examination had been given to 54 graduates of Negro high schools with commercial departments. These are high school graduates. The Federal personnel officer reported, "However, we were much discouraged to note that from five schools with 54 students, none of the students passed any portion of the examination, including the clerical aptitude test." That's a quote from our transcript. Likewise, I refer you to pages 338-340 of the Dothan transcript for a description of a Negro school in former Governor George Wallace's own home county of Barbour—a ramshackled, no indoor plumbing, no water facilities, a deplorable description. After you read it you will not question why the score was 54 to nothing on the Civil Service examination.

In March of this year HEW issued another set of guidelines, with another set of target dates. Freedom of choice is still permitted, but districts are told it must work. It states that school systems have "the affirmative duty under law to take prompt and effective action to eliminate such a dual school structure and bring about an integrated unitary school system." And it says that all shall be completed by "the opening of the 1968-69 school year or, at the latest, 1969-70 school year." Mr. Chairman, members of this Commission, the black people of Alabama don't believe these words, and they told us so in countless and numerous meetings across the State. We say it is a serious thing when people have lost faith in their Government's words. Anything which you can do to correct this situation, any recommendation you can make will be appreciated, not only by the members of our Committee but by the black people of this State and the white.

A few words about anti-poverty programs. What we have seen of community action programs (CAPs) in rural counties, gives us little hope that they will help break "the cycle of poverty" for rural Negroes. Too often they are controlled by the local white power structure, and have no meaningful program. This just provides jobs for people on the staff and payroll. With the exception of Head Start, which is a very useful program for preschool children, but does little to help adults get out of poverty, a review of the programs of rural CAPs will reveal little that offers prom-

ise of fulfilling the objectives of the Economic Opportunity Act of 1964. In fact, the only anti-poverty programs which offer a real promise are those which are funded directly from Washington and have by-passed the local CAP and the local power structure. We understand that you will hear testimony on SWAFCA and on some of the programs funded by the Migrant Division of OEO in Washington. Without belaboring the point further, we suggest that the Commission compare the programs funded directly from Washington with those that must go through local CAPs and the local power structure. We think that such a comparison might prove significant and revealing.

Now to registration and voting. It is true, of course, that things have improved considerably since we considered this subject at our Demopolis open meeting and since you considered it here in Montgomery. The Voting Rights Act was of considerable help in those counties where Federal examiners were assigned and we suppose that their effect in counties where they were assigned also had an effect in adjoining counties. But we were disappointed that the Attorney General chose to send examiners to only 12 Alabama counties. For even in those counties where local registrars agreed to register Negro citizens, there are strong deterrents to registration and voting. The Federal pressure in such counties would help to minimize fear.

It is generally the opinion of our Committee that because of the status structure of the rural areas of Alabama that it takes massive outside force to move this system. These people have been here and lived this way for centuries. And they don't plan to change unless someone makes them.

We know that the Commission is just completing a study of the barriers to political participation in the South, so we shall not stay long on this point. Suffice to say that there are still many barriers to the full political participation of Negroes, that the problem did not end when local registrars agreed to register Negroes. The "rules of the game" are being changed constantly to maintain white supremacy. Fear is still a formidable enemy and the lack of economic security among rural Negroes remains a serious obstacle. You register to vote and lose your job and your farm. Again we have a vicious cycle, the lack of economic security leads to the lack of effective use of the franchise and political power, which contributes to the lack of economic security. It goes on and on. Force has to come to bear on the cycle somewhere to break this chain of events.

In the area of administration of justice, again we can report that some progress has been achieved. However, while the worst manifestations of this problem have reduced markedly, the problem has not disappeared. The events of private and official violence reported at the Demopolis open meeting were once an almost daily event in so many Alabama Black Belt counties. Today it is as exception rather than the rule. But intimidation still goes on in more subtle forms. But also much reduced are the civil rights workers, the "outside agitators," so-called, SCLC, SNCC, and the others—reduced direct confrontation with the white power structure which produced so many of the violent acts. So the subtle acts, the subtle degradation, goes on from day to day.

In spite of the election of one Negro sheriff and the appointment of deputies in some counties, the face of justice in Alabama is still basically white! We commend to you the Southern Regional Council report on administration of justice in the South. Furthermore, we are inclined to believe that if there were an increase in direct confrontation there would be a parallel increase in acts of violence. The Civil Rights Act of 1968 should or may be of some value in this area in cutting down acts of violence, if it is vigorously enforced by Federal authorities. But that's all a question and problem—how to enforce these acts.

In the area of employment, the Committee found in its three meetings in Alabama cities that indeed employers were aware of Title VII and its provisions. In some cases, employers had hired one or two Negroes in non-traditional jobs just before or just after the effective date of the law. For the most part, employers reported that they could not find qualified applicants among Negroes. The Committee found that a number of companies began using preemployment tests and tests for upgrading near the time of the effective date of Title VII or whenever separate lines of progression or other discriminatory provisions were eliminated. The Committee found that the Negro high schools, de facto Negro vocational schools in Mobile and Huntsville and a Negro college were not turning out graduates who could meet the employers' qualifications, or were largely training students for traditional menial occupations formerly assigned to Negroes. On the other hand, the Committee found little evidence of really affirmative action on the part of employers to recruit, train, and employ Negroes. Few Negroes were found in white collar or upgraded positions. Some of the space age industries of Huntsville were an exception to some of these generalizations. However, it would appear that many of the Negroes employed in professional or upgraded positions with these industries were from outside of Alabama.

A few additional comments on the employment situation will be made in connection with the Committee's report on its urban activities.

In the area of agriculture, most of the Committee's comments can be found in the ASCS Report being presented to you. At the Demopolis open meeting information was received on the operation of the Farmer Home Administration and the Extension

Service as well. Since the Demopolis data are now out of date at the present time and the Commission, as I understand it, will be hearing information on all three programs, I will keep my comments brief.

In our Committee's judgment, although Department of Agriculture regulations have been changed a number of times, and although token advances have been made, the overall conclusion of the Commission's 1965 Report, "Equal Opportunity in Farm Programs," remains unchanged as far as Alabama is concerned, namely that Negroes have not shared equally in the benefits of millions of dollars spent annually by the Federal Government supposedly to aid farmers.

For instance, in Demopolis in 1965 the Committee was told by a Negro farmer that he, acting for a group of Negro farmers in Greene County, had considerable difficulty merely finding out about procedures for utilizing the Department of Agriculture programs. Two years later in Selma a witness told the Committee, "information . . . has not really been given at all. It is sort of coerced out of the officials. If you don't know the right question, you don't get the information you need." This is just one way in which the system works against the Negro farmer and rural citizen. Our ASCS Report comments on several others.

The Commission's 1965 Agriculture Report created considerable discussion and resulted in a number of changes in Federal policy, but as our report reveals, the job is largely unfinished. We hope that, as a result of these hearings, the Commission will continue the battle it started in 1965 and will not cease until some fundamental changes have been made.

Before completing my observations, Mr. Chairman, I would like to tell you something about the Committee's recent work in urban centers. While the subject of this hearing is economic security for Negroes in rural Alabama, the problems of the cities and the problems of the rural areas are inextricably interwoven. At the Selma open meeting a Committee member asked a witness where did persons go who were being forced from the land. His reply was, "They go to Detroit, Chicago, New York, Birmingham, the next county." At the Dothan open meeting and at our several area school desegregation meetings the Committee was told repeatedly of the exodus of high school graduates and others to the cities in search of the opportunities which were denied them in the small towns and rural areas.

Our meetings with ghetto residents of Mobile and Birmingham produced results similar to those heard in big cities outside of the South—that police mistreatment, unemployment, and underemployment are the major problems. In our review of the Concentrated Employment Program (CEP) in Birmingham, which is continuing, we think we see another example of an ineffectual

Federal program. This time the structure and the operating personnel appear to be capable, but the program is hamstrung by other factors which prevent it from realizing its potential. A huge structure is created for finding and training the hard core unemployed and the underemployed, but there is little money for skill training provided, or the period of time allotted to the adult basic education courses and the skill training is too short to complete the job adequately. The most serious problem of all is the lack of cooperation by private and public employers in eliminating discriminatory hiring and upgrading practices. Our Committe will have more to say on the Birmingham CEP when we have completed our investigations.

Finally, I come to the recommendations of our Committee. No attempt will be made here to make detailed specific recommendations to you. Instead, we wish to make five general recommendations for your consideration. We tried to distill our thinking into these generalities.

- 1. We know that there are many pressures on the Commission to devote all of its energies to the pressing and complicated problems of the urban centers of our Nation; and our Committee shares a concern that most of the Commission's resources be devoted to such problems; but we recommend that the people of rural Alabama and the rural South not be forgotten, and that a small task force or a portion of the services of this Commission be concentrated on rural problems because they are interlinked directly with the urban problems.
- 2. We are convinced that the problems of the rural poor cannot be solved by patching up existing problems through changes in existing regulations and playing games with the power structure. We think new structures and new personnel who are sympathetic to the needs of the people are needed, along with new programs. Therefore, we recommend that your recommendations, once you have studied the problems adequately, be bold and truly try to chart new courses for new programs for these forgotten people.
- 3. We are deeply troubled by the Federal Government's compliance program, by the countless number of compliance forms and assurances which flow between Alabama and Washington and regional offices—but which really signify nothing. This is the age of "paper compliance." To remedy this situation, we recommend that you call for a result orientated compliance program, for new standards which say "the proof of the pudding." The proof is in the fact that Negroes are in the program which is not true in many cases today.
- 4. Although we have alluded only briefly to our concern with the Selective Service System as it operates in Alabama, we consider it one of the most serious problems ever to confront our

Committee, your Commission, and this Nation. At a time when citizens are being called upon to die for their country, and many are doing so bravely, any hint of discrimination in the selection of those citizens is intolerable. Therefore, we recommend that the Commission review the operation of the Selective Service System including employment practices, the National Guard, the Reserve forces and related services in the 16 counties and in other counties. There are no members on draft boards in these counties you're talking about. There are over 500 members on the boards in the State of Alabama and in the last few months we've been told that three Negroes have been appointed which is a token insignificant number making a lasting impression.

5. Lastly, our Committee is indebted to our staff which is assigned to our Committee. They have done fine work for us. Without them we would not have been able to accomplish that which we have done. We realize the shortage of staff representatives and we share our representative with other States. There are more things we would like to do if we had the staff support to aid us in holding additional hearings and information sessions. Therefore, we recommend that, in order to make the work of this Advisory Committe more effective, that more staff be assigned to the Southern Field Office so that our Committee can do a more effective job.

In closing, Mr. Chairman, let me say once again how pleased we of the Alabama State Advisory Committee are to have you in our State. We know that you are not unmindful of the fact that you are meeting in the city in which the martyred Martin Luther King, over 12 years ago, launched his career for freedom and justice; and in the State where he fought so many battles—Montgomery 1955-56; Birmingham 1963; and Selma 1965. And we know that you realize that in his famous "I Have a Dream" speech in Washington 1963, many of the people in urban areas—and in urban areas in Alabama—have really lost faith in Dr. King's dream and the American dream, but I think in our rural counties and counties you have studied, there are still people who hold to the dream:

"I have a dream that one day the state of Alabama . . . will be transformed into a situation where little black boys and girls will be able to join hands with little white boys and girls and walk together as sisters and brothers."

This is our fervent hope for all the people of Alabama, black and white. Now, perhaps my comments have not been delivered with sufficient passion, but I'll tell you: The members of our Committee and the people of these counties that you have studied feel strongly about these issues—and passionately about them—and we are so appreciative of your being here. And I thank you for the opportunity to present this testimony.

CHAIRMAN HANNAH. Thank you very much, Mr. Smith, for this report delivered on behalf of the State Advisory Committee.

I think we must publicly state our appreciation to you and all the members of your Committee for the assistance that you continue to give us. We are grateful indeed.

Shall we proceed with the next witness?

MR. GLICKSTEIN. Mr. Chairman, may we formally introduce into the record the report that Mr. Smith prepared for us and the Alabama State Advisory report be referred to?

CHAIRMAN HANNAH. They are received.

(The documents referred to were marked Exhibit No. 2 and received in evidence.)

CHAIRMAN HANNAH. You are excused, sir. Call the next witness, please.

MR. GLICKSTEIN. The next witness is Mr. Francis Knorr, who is a social scientist, employed by the Research Division of this Commission.

(Whereupon, Mr. Francis Knorr was sworn by the Chairman and testified as follows:)

# TESTIMONY OF MR. FRANCIS KNORR, STAFF MEMBER, U. S. COMMISSION ON CIVIL RIGHTS

Mr. GLICKSTEIN. Mr. Knorr, I show you a copy of a document entitled, "A Population, Employment and Income Profile of Negroes in the 16-county area of South Central Alabama."

Is that a report that you prepared?

Mr. Knorr. Yes it is.

MR. GLICKSTEIN. Mr. Chariman, may this be introduced in the record as Exhibit No. 3?

CHAIRMAN HANNAH. It is received.

(Whereupon, the document refererd to was marked Exhibit No. 3 and received in evidence.)

MR. GLICKSTEIN. Could you summarize that report for the Commission, please?

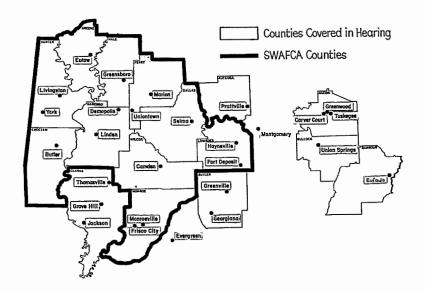
Mr. Knorr. Yes, I would.

The area studied by the Commission is comprised of 16 counties lying astride the south central part of the State of Alabama. These counties are Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox. The area is predominantly rural; only one city, Selma, has over 10,000 residents. Montgomery County, however, which intersects the eastern part of the 16-county area, provides much of its urban needs. All 16 counties are similar in that each has an extremely large Negro population, each is predominantly rural, and each has a large number of poor inhabitants.

The population of the 16-county area in 1964 was 362,000 or about 11 percent of Alabama's total population. A distinctive

# ALABAMA AND HEARING AREA





demographic feature is its high proportion of black inhabitants. More than three-fifths of the population in the 16-county area was Negro in 1964, one of the highest percentages for any area of equivalent size in the United States.

The population was once over 80 percent Negro; however, it has declined as cotton farming has been displaced by more diversified agricultural activities. Most of the persons who have left the farm have departed from the 16-county area entirely. In all counties the largest losses have been sustained by the Negro population. Lack of employment opportunity is probably a major reason accounting for this exodus.

Severe economic and social problems characterize the 16-county area. Poverty is prevalent particularly among nonwhites. Median nonwhite family income in 1959 was very low, only \$1,279 compared to \$4,259 median family income for whites. The level of living index for farm operative families was among the lowest in the United States. Educational achievement is also low. In 1960 nonwhites 25 years old and older in the 16-county area had a median level of education of 5.5 years. The median level for whites was 10.8 years.

Though the economy of the study area has lagged badly behind the rest of the State, important economic changes are beginning to transform it. In agriculture, cotton largely has been superseded by livestock and dairy farming and by the raising of crops such as vegetables, soybeans, and peanuts.

Farms on the whole are fewer but bigger and more productive. New manufacturing and service industries such as those that manufacture paper, machinery, fabricated metals, and chemicals have moved into the area and provided new job opportunities. Transportation and other utilities have expanded and there has been steady growth in the number of Government employees.

In general, these changes portend the beginning of better times for an area that long has been economically depressed. But this picture has a basic flaw. Most of the inhabitants of the area are not benefiting from the changes being made, nor does it appear that the opportunities to do so will be available to them in the near future. These inhabitants are black.

The changes in the agricultural economy have, on the whole, not benefited the black farmer, laborer, or small farm owner.

Although there has been a general shift away from the cotton farming, the Negro is still largely confined to this activity. If he is a tenant, or laborer on a cotton farm, his work is fast being replaced by the machine. The white landowner may allow him to stay on the farm but often without any visible means of livelihood. More often he must vacate the land, frequently becoming part of the stream of migration out of the area. If the Negro

(

# NONWHITE POPULATION OF ALABAMA AS PERCENT OF TOTAL POPULATION BY COUNTY: 1960



farmer is an owner he usually lacks the land, equipment, and know-how to be a prosperous one. Bare subsistence is the rule.

In addition, the Federal Government's agricultural programs have often contributed to his economic difficulties. For example, Negro tenants, and farm owners as well, are disadvantaged by their lack of influence on the decisions of local agricultural administration. This is particularly true in regard to allotment of cotton acreage and benefit payments. In the 16-county area in 1967, the counties receiving the lowest acreage allotments and benefit payments per farm operator had Negro farm operator majorities.

Only a small number of Negro farmers, probably less than 10 percent, have moved from cotton production to livestock farming or such other types of agriculture as vegetable growing or soybeans. One group of about 2,000 have formed a cooperative called the Southwest Alabama Farmers Cooperative Association, SWAFCA, that has benefited them economically. Members grow corn, greens, okra, cucumbers, and peas, as well as some cotton.

To date, SWAFCA, which operates in 10 of the 16 counties, has been largely able to market crops at more favorable prices than farmers have received individually.

In manufacturing, Negroes generally have the lowest paying and least desirable jobs. Although they have obtained jobs in industries from which they were once formerly excluded, e.g., paper, apparel, and textile mills, most of those who are hired usually are employed as laborers and menials. In few cases are they able to obtain employment as white collar workers; and even in these situations, they are still relegated to the lowest paying office jobs.

MR. GLICKSTEIN. Thank you very much. Mr. Knorr.

CHAIRMAN HANNAH. Thank you, sir. You are excused. Call the next witness.

Mr. GLICKSTEIN. The next witness is Mr. Lamond Godwin.

(Whereupon, Mr. Lamond Godwin was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. LAMOND GODWIN, LEXINGTON, KENTUCKY

MR. GLICKSTEIN. Mr. Godwin, for the record, would you please state your full name and address?

Mr. Godwin. My name is Lamond Godwin, currently residing at 710 South Limestone Street, Lexington, Kentucky.

Mr. GLICKSTEIN. What is your educational background?

MR. GODWIN. I was educated in Mobile, Alabama, received my elementary and high school training there, received a B.A. degree from Clark College in Atlanta, Georgia and I did my graduate work at the University of Illinois, Institute of Labor and Indus-

trial Relations at the masters' level, and I am currently research assistant to Professor Ray Marshall, Department of Economics, University of Kentucky.

Mr. GLICKSTEIN. And you are a candidate for a Ph.D. degree?

Is that correct?

Mr. Godwin. That is correct.

MR. GLICKSTEIN. Mr. Godwin, based on your experience and studies in the areas of economics that we are concerned with here, what do you believe to be the significance for Negroes of changes that have taken place in the farm economy, some of the changes, for example, that were described in Mr. Knorr's report a few minutes ago?

MR. GODWIN. These changes have very profound significance for the economic status of Negroes in the area. As the staff report indicates, a revolution is taking place in agriculture. I will just reiterate some of these basic changes and note their specific impact on Negroes in the area.

In the first place, farming is becoming more capital intensive and less labor intensive. In the second place, farming is becoming more diversified. The third place, the size of farms is increasing, and ownership is being more and more concentrated.

Now, the successful mechanization of farming, particularly cotton farming, has had a more profound impact on the economic status of the Negro population in the area than any other single event. Because over the years Negroes in the 16-county area have developed a heavy dependence on farming and particularly on cotton farming.

As machines are replacing hand labor on the farms, Negroes and especially tenant farmers, are being forced to leave the 16-county area in large numbers in order to acquire employment security.

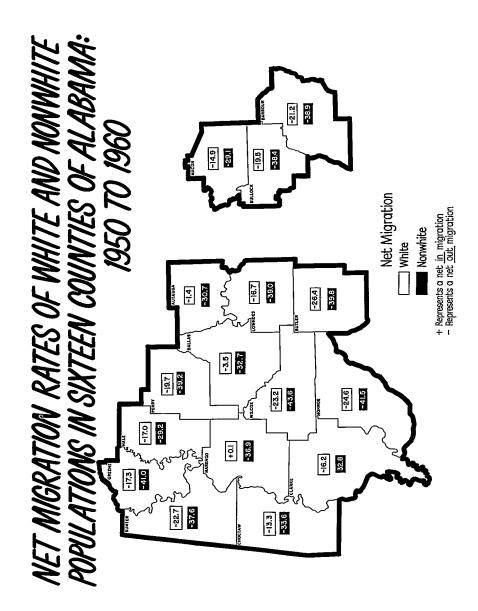
Statistics show that in 1930 there were 43,000 Negro tenant farmers. In 1960 there were only 6,000. That is a decrease of 85 percent

Moreover, those who are leaving are relatively young. These are people in the working age bracket.

Now, this mass exodus has meant that those who are left behind are worse off than before, partly because too many children and too many old people are left behind for the working age population that remains; those of the working age category who remain have the additional burden of supporting a large concentration of children and older people.

Now, those farmers who do not abandon the 16-county area are finding it increasingly difficult, almost impossible, to compete with the large farmers in the area.

Now the staff report has indicated that increasing diversification is occurring in the agricultural sector of the 16-county area.



Now this has had a very profound adverse impact on the Negro population. What we mean by diversification here is that there is a shift away from the cotton production to other forms of production, chiefly livestock and animal products, as well as soybeans and vegetables.

Now, in the first place, the forms of agriculture resulting from this diversification typically do not use the tenant system. So there is no demand, a very rapidly decreasing demand, for tenant farmers.

Secondly, the new types of farming require more land than the average Negro farmer has or can acquire. In the first place, most Negroes cultivate very small acreages. In 1964, the average size of farms operated by whites in the area was 462 acres. The average size of a Negro farm in that year was only 54 acres.

Moreover, Negroes have found it difficult to purchase land, or to obtain credit to do so. Land is in the hands of white owners who often will not sell to Negroes, and the credit structure, local credit structure in the area, is dominated by whites.

In addition, the most feasible way to make the transition from cotton production to the new types of agriculture production, is through cooperatives, for a variety of reasons.

The black farmers have not been welcome in the cooperatives that are already in existence in the area. As the staff report indicates, Negro farmers have established their own organization, which is referred to as SWAFCA, the Southwest Alabama Farmers Cooperative Association, which is making it possible for them to improve their conditions. SWAFCA operates in 10 of the counties in the target area, and a similar organization called SEASHA, Southeast Alabama Self-Help Association, which is not yet in operation, will undertake the same types of cooperative in two of the counties.

MR. GLICKSTEIN. I understand that part of your present work does involve cooperatives: Is that correct?

Mr. Godwin. That's correct.

MR. GLICKSTEIN. Will you tell the Commissioners what you have been doing with cooperatives, what sort of work you have been doing?

Mr. Godwin. I am a consultant to the National Affairs Division of the Ford Foundation. I am responsible for evaluating the activities of the Southern Cooperative Development Project, which is an experimental rural demonstration project designed to show that poor people, with proper technical assistance, can organize around self-needs to work on the common problems.

Mr. GLICKSTEIN. Has this work created some optimism on your part?

MR. GODWIN. Yes. I have much faith in the cooperative approach. I think the cooperative idea is completely defensible. The

incipient cooperative movement we are working with in the South has much promise as a means of making it possible for poor farm families to improve their conditions. Indeed the cooperative approach is ideally suited for the multi-purpose function of education and improvement which face the poor people in the rural South.

For example, cooperatives can make it possible for farmers who are no longer able to compete with large scale cotton producers, to switch to crops that can be produced on small acres. Cooperatives can also secure expert help and provide economies in the sale and processing of vegetables that will make it possible for them to compete effectively in the market.

It can also make it possible for cooperatives—for low-income individuals to organize and get help in securing improvements in public facilities, utilities and other community conditions, and at the same time the cooperatives' organizational structure, democratic organizational structure, is ideally suited for involving poor people in the planning of their own needs.

MR. GLICKSTEIN. Mr. Godwin, there are some people who believe that the success of the cooperatives depend on the development of expert management. What has your experience indicated?

MR. GODWIN. My experience indicates that this is a basic problem, and the specific program I referred to, which was funded by the Ford Foundation, as well as other programs which are beginning to be put into effect, are designed specifically to deal with this problem.

MR. GLICKSTEIN. And these are privately funded programs? MR. GODWIN. Mostly privately funded programs.

Mr. GLICKSTEIN. Mr. Godwin, I understand that you have done a great deal of work in the labor area. That you worked with Professor Marshall in the preparation of his recent work on the Negro in the apprenticeship field. In your work, did you make findings about the ability of Negroes who have moved out of farm work to enter an apprenticeship program?

Mr. Godwin. Yes, our work did involve some findings related to those questions. Although we did not study many Southern cities, we were able to detect that those who migrated from the farm areas were less well prepared to meet the qualifications for apprenticeship training as well as other forms of skilled training. We also discovered that in our study of the Northern areas, that those who had migrated from the Deep South areas, and particularly areas like the 16-county target area, were much less well prepared for advanced training, particularly apprenticeship training.

Mr. GLICKSTEIN. So even in the case of apprenticeship programs that were open to all people regardless of race, Negroes

coming from the rural areas were at a disadvantage. Is that correct?

Mr. Godwin. Yes. At a distinct disadvantage.

Mr. GLICKSTEIN. Mr. Godwin, do you believe that there is a relationship between equality of opportunity and economic development?

Mr. Godwin. Yes, I think there is a very definite relationship between the two. In the first place, I think the more equal opportunity you have, the more economic development you will have. The more economic development, the more equal opportunity.

So there is a very direct relationship between the two. Now, we have been talking about the South, and in general we have concluded it is a relatively undeveloped section of the country, and that the 16-county area is one of the least developed and most slowly growing areas of the South.

Now, the major index which is used to determine the level of economic development of one region relative to another, is usually per capita income, and the statistics show that the per capita income in the South has consistently lagged behind that of the rest of the Nation, and that the per capita income in the 16-county area has lagged behind that of the rest of the State of Alabama, as well as the South, and therefore the Nation.

The South's status as the most undeveloped region can be attributed in large measure to past forms of social and economic organization that have stifled development of its manpower resources, human resources. The immediate cause of the low-income of Southern people, and people in the 16-county target area, has been the low productivity which, in turn, stems from over-specialization and declining industry, using technologically backward types of production, characterized by low utilization of capital.

Therefore, in order to raise per capita income, and in order to attract rapid growing, high wage industries, the South and the target area will have to increase investment, not only in capital in the form of plants, equipment, and this sort of thing, but also in education, training, health, and related services to improve the productivity of the people, all the people, black as well as white.

The lack of equal opportunity will cause qualified and highly skilled Negroes, the few there are, to seek jobs in other regions. Moreover, the South will lose some of its most talented and educated manpower to the extent that unskilled and uneducated Negroes are not given equal opportunity to develop their potentials. This will impede progress of Southern growth by placing a burden of supporting an unproductive population on the urban areas.

The future rate of increase in the Southern per capita income therefore will be greatly influenced by the extent to which economic opportunity is extended to the black residents of the area and the South.

Mr. GLICKSTEIN. Thank you. Mr. Godwin. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. No questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. I have no questions.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. No, sir.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. Taylor. No, sir.

CHAIRMAN HANNAH. Thank you very much, Mr. Godwin. We appreciate your statement. You are excused. Mr. Taylor, I wonder if it wouldn't be a good idea for us to take a few minutes recess, and see if we can get the ventilation or air conditioning adjusted in this room before we proceed?

Let's take about a 10-minute recess and see if we can get some air conditioning underway.

CHAIRMAN HANNAH. Ladies and gentlemen, this hearing will please come to order. Will you please resume your seats.

Because of the noise caused by the air conditioners, some of us have turned them off and then it becomes unbearably warm. We would like to suggest that if you're adjacent to an air conditioner and it interferes with your hearing, let's leave the air conditioners on and move into a central area, away from the air conditioners. Because I think we are going to try and maintain a certain degree of temperature, or we are not going to be able to pay close attention to the witnesses. Mr. Glickstein, will you call the next witness?

Mr. GLICKSTEIN. The next witnesses are Mr. and Mrs. Bernard Shambray and Mr. and Mrs. Willie Smith.

(Whereupon, Mr. and Mrs. Bernard Shambray and Mr. and Mrs. Willie Smith were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. AND MRS. BERNARD SHAMBRAY, GREENVILLE, ALABAMA

Mr. GLICKSTEIN. Would each of you please state your full name and address for the record?

Mr. Shambray. My name is Bernard Shambray. I live at 517 South Park Street, Greenville, Alabama.

MRS. SHAMBRAY. My name is Jean Shambray. I live at 517 South Park Street, Greenville, Alabama.

Mrs. Smith. My name is Jean Smith. I live at 976 North Chestnut Street, Prattville, Alabama.

Mr. Smith. My name is Willie James Smith. I live at 976 North Chestnut Street. Prattville. Alabama.

MR. GLICKSTEIN. I think perhaps we will proceed in alphabetical order, and I will first address some questions to Mr. and Mrs. Shambray.

How long have you lived in Greenville, Mr. Shambray?

Mr. Shambray. All my life I have been there.

MR. GLICKSTEIN. How old are you?

Mr. Shambray. Thirty-one

MR. GLICKSTEIN. Where did you go to school and how many grades did you complete?

Mr. Shambray. My elementary school was known as the Greenville Elementary school, 6 years. I went to Lomax Hannon College 6 years and I completed 12 years of school.

MR. GLICKSTEIN. How about you, Mrs. Shambray?

MRS. SHAMBRAY. I attended Greenville Training School. I finished 12 grades.

Mr. GLICKSTEIN. Where do each of you work?

MRS. SHAMBRAY. I am now employed at Boss Manufacturing at Greenville, Alabama.

Mr. Shambray. I am now employed at General Telephone Company, Greenville, Alabama.

Mr. GLICKSTEIN. What do you do there, Mr. Shambray?

Mr. Shambray. I am a janitor.

Mr. GLICKSTEIN. Janitor?

Mr. Shambray, Yes.

Mr. GLICKSTEIN. How much do you earn there?

Mr. Shambray. \$1.64 an hour.

MR. GLICKSTEIN. And where do you work, Mrs. Shambray?

MRS. SHAMBRAY. I work at Boss Manufacturing. I earn \$1.60 an hour.

MR. GLICKSTEIN. How long have you worked there?

MRS. SHAMBRAY. Almost 2 years.

Mr. GLICKSTEIN. Are there many Negro employees at that company?

MRS. SHAMBRAY. There are many now.

Mr. GLICKSTEIN. Now? Is this something new?

Mrs. Shambray. Well there have been a lot hired within the last, you know, 2 years.

MR. GLICKSTEIN. Within the last 2 years?

MRS. SHAMBRAY. Yes.

Mr. GLICKSTEIN. Mr. Shambray, have you ever worked away from Greenville?

MR. SHAMBRAY. Yes, I have. I worked for approximately 3 months for Bulova Watch Company in Flushing, New York.

Mr. GLICKSTEIN. Why did you return to Greenville?

Mr. Shambray. I don't know the answer myself.

Mr. GLICKSTEIN. What did prompt you to came back? Did that job run out?

MR. SHAMBRAY. No, the job didn't run out. It is a variety of reasons, and really I haven't been able to come up with a real conclusion, with the exception of the fact that I find by leaving Greenville it solves some problems and some it didn't.

Mr. GLICKSTEIN. Which ones did it solve?

Mr. Shambray. Well, as far as the jobs are concerned I feel like New York had better jobs to offer, better than Greenville. I feel like employment was better in New York. That was one of the advantages.

Mr. GLICKSTEIN. What were the disadvantages?

MR. SHAMBRAY. Well, I guess I'm just a country boy for one thing and I was just, I would say that was my main reason, that I really liked country life rather than city life.

MR. GLICKSTEIN. Mr. Shambray, did you ever apply for a job with Dan River Mills in Greenville?

MR. SHAMBRAY. Yes, I applied for a job with Dan River Mills in Greenville and received a job, worked there for approximately 6 or 7 months.

MR. GLICKSTEIN. When was that you started there?

Mr. Shambray. I would think it was around October or September in 1966, to April in 1967.

Mr. GLICKSTEIN. When you applied to Dan River, did you have any idea how many Negroes the company employed?

Mr. Shambray. Yes. When I applied at Dan River, they had three Negroes employed.

MR. GLICKSTEIN. Do you know what they were employed as? MR. SHAMBRAY. Yes, there was one as—I don't know what his title be called, but he cleaned the floors. There was one who worked in the warehouse department handling bales of cotton, there was one other whose job was to clean the restrooms and mow the lawn and keep up with things of that nature.

MR. GLICKSTEIN. What were you hired to do?

MR. SHAMBRAY. I was hired as a weaver, which was very unusual because of the fact I was the first Negro that I know of that was hired as a weaver at Dan River.

MR. GLICKSTEIN. Were you actually a weaver, or were you just learning the job?

MR. SHAMBRAY. I was a learner, a weaver learner.

Mr. GLICKSTEIN. Did you complete your training as a weaver learner?

Mr. Shambray. I was at times assigned a full-time weaver job. However, when I left I was still classed as a weaver learner.

Mr. GLICKSTEIN. You were still classed as a weaver learner?

Mr. SHAMBRAY. Right.

MR. GLICKSTEIN. While you were there did you work on looms, or were you assigned other duties?

Mr. Shambray. No, that was one of the main reasons why I left. I was hired as a weaver, but somewhere along the line I got to be floor sweeper, light bulb cleaner, and what have you.

MR. GLICKSTEIN. Were you told why this had happened? Was

this explained to you?

MR. SHAMBRAY. Yes. In the beginning it was explained that I was sweeping floors and doing things because of the fact they were taking out a number of looms and they didn't need all the weavers they had, that was one of the reasons for that.

Mr. GLICKSTEIN. Were you told that whenever additional looms were put in or at some future time you would be again permitted

to learn the weaving trade?

Mr. Shambray. I asked these questions, and they said, at first they did say yes I would, and after the looms were put back in, it was still sweeping the floor and blowing off looms, and I never did get back to weaving before I quit.

MR. GLICKSTEIN. Were you given any reason to believe that you weren't going to become a weaver because you were a Negro?

MR. SHAMBRAY. Yes, I definitely think so. I talked with my supervisor, and I felt like from his conversation that I would never get a chance to weave under the present—at that particular time, the administration that was there, I felt like I definitely wouldn't get a chance to weave again.

MR. GLICKSTEIN. And you left, you say, because you felt that if you stayed with the company you would continue as a sweeper and you would never get to do the sort of work you were hired to do.

MR. SHAMBRAY. That's right. For this reason, there was other white employees that came in and they were promoted, some as dolphers, making at that time \$2.25 or \$2.35 an hour, and I was there before they, and they were being transferred to better jobs and I never did get back to that type of job.

MR. GLICKSTEIN. What were these white employees hired as, that you say were promoted ahead of you?

MR. SHAMBRAY. To be exactly frank, I know—I can't really say what they were hired for, but I can say this, one particular employee, I suppose that she was hired as a weaver learner because that is what she was doing, and when I left, she was still as a weaver learner. She was weaving.

There was one more that came there, I don't know what his reason was, or what his job classification was, but I do know that he was promoted to a higher paying job. He was at this time, he was sweeping and blowing the looms; before I left he was promoted upstairs to a better job.

Mr. GLICKSTEIN. Are there also people at the Dan River Mill that are called spinners, dolphin spinners?

Mr. SHAMBRAY. Yes.

Mr. GLICKSTEIN. Is that a higher paying, more skilled job than a sweeper?

Mr. SHAMBRAY. Of course. Yes, it is.

MR. GLICKSTEIN. Do you know if people were hired into that position after you became employed by Dan River?

Mr. Shambray. Well, this one employee who stated that—I know that he was out of the weaving department, was downstairs, I know that he left and went upstairs and he said this was his job, to be a spinner, going upstairs.

MR. GLICKSTEIN. Were you ever told, Mr. Shambray, by the company, that your work as a weaver trainee was deficient or inferior or below standards in any respect?

MR. SHAMBRAY. No, as far as I know, my job was handled well. MR. GLICKSTEIN. Were you allowed, or did you use all the same facilities in the factory as white employees used?

Mr. SHAMBRAY. Definitely not.

Mr. GLICKSTEIN. In what respect?

Mr. Shambray. First of all, let me explain it this way. In a weaver room, in this particular weaver room, since this is the only one I have been in, it is very hot and you perspire a lot. And white restroom facilities was on the inside of the building, they didn't have to get out in the cold air, but myself, I had to go out the door in order to get to the restroom.

Mr. GLICKSTEIN. And you were told that you had to do this?

Mr. Shambray. Well, not in the words you're saying now. This restroom was pointed out to me when I began, when I started to work there. This supervisor that carried me around, he showed me the restroom and he told me that was the restroom I was supposed to use.

MR. GLICKSTEIN. Were there any other facilities that you were told you couldn't use?

MR. SHAMBRAY. I was not told that I couldn't use any of the facilities. I was just pointed out the one to use.

Mr. GLICKSTEIN. What other facilities besides the restroom did they point out to you that you could use that white employees were not using?

MR. SHAMBRAY. Well, the only thing that I can think that really made a difference was the drinking fountain. I was told—it wasn't but one drinking fountain, by the way—and I was told that the other Negro employees always got a coke bottle to drink out of. However I brought me a thermos bottle.

Mr. GLICKSTEIN. Mrs. Shambray, do you have children?

MRS. SHAMBRAY. Yes, I do.

MR. GLICKSTEIN. How old are they?

MRS. SHAMBRAY. The oldest is eight, the next is seven, and the baby is two.

MR. GLICKSTEIN. And what school do the oldest children attend? MRS. SHAMBRAY. They attend Gregory Elementary School in Greenville, Alabama.

MR. GLICKSTEIN. Is Gregory Elementary School a predominantly Negro school?

MRS. SHAMBRAY. Yes, it is.

Mr. GLICKSTEIN. Is it just predominantly, or is it all?

MRS. SHAMBRAY. Oh, I guess it is all. I guess.

MR. GLICKSTEIN. Would you want your children to attend a white elementary school?

MRS. SHAMBRAY. I beg your pardon?

MR. GLICKSTEIN. Would you want your children to attend a white elementary school?

Mrs. Shambray. Well, I wouldn't mind if they chose to.

MR. GLICKSTEIN. They have been given an opportunity to choose, I assume?

MRS. SHAMBRAY. Yes, they have. We have this freedom of choice thing. We are mailed letters every year, and you can choose the school that you wish your children to attend.

MR. GLICKSTEIN. And your children have not chosen to go to the white school?

MRS. SHAMBRAY. Well, my oldest son would like to have gone to the elementary or white school, but his father saw it different. He wouldn't let him attend. Now, however, he doesn't seem interested in going.

Mr. GLICKSTEIN. Why did you disagree with your son, Mr. Shambray?

Mr. Shambray. Well, to be honest, it was—I felt like it might be to his disadvantage as well as my disadvantage by attending the white school.

Mr. GLICKSTEIN. In what respect?

Mr. Shambray. Well, first of all let me say this, Greenville is a small community, and we somewhat depend on the white people for our living. And we sometimes—well most of us have feel that we don't want to do anything that might jeopardize us in any way.

Mr. GLICKSTEIN. And you felt if you allowed your son to go to the white school this might in some way jeopardize you?

Mr. Shambray. I did.

MR. GLICKSTEIN. Perhaps I could ask Mr. and Mrs. Smith a few questions. Mrs. Smith, where were you born?

MRS. SMITH. In Autauga County.

Mr. GLICKSTEIN. And how many children do you have? Mrs. Smith. Two.

Mr. GLICKSTEIN. What are their ages?

MRS. SMITH. Four and five.

Mr. GLICKSTEIN. Where are you living now?

MRS. SMITH. I am presently living with my in-laws, 976 North Chestnut Street.

Mr. GLICKSTEIN. With your in-laws?

MRS. SMITH. Yes.

Mr. GLICKSTEIN. Are you presently employed?

MRS. SMITH. Yes, I am a supply teacher at the Autauga County Training School.

Mr. GLICKSTEIN. You are what?

Mrs. Smith. A supply teacher.

MR. GLICKSTEIN. Is that a predominantly Negro school?

Mrs. Smith. Yes, it is.

Mr. GLICKSTEIN. No white children attend that school at all? Mrs. Smith. No white students at all.

Mr. GLICKSTEIN. Where were you born, Mr. Smith?

Mr. Smith. I was also born in Autauga County.

Mr. GLICKSTEIN. How much schooling did you get?

Mr. Smith. I got 12 years of schooling.

MR. GLICKSTEIN. Did you graduate from high school?

Mr. SMITH. Right.

MR. GLICKSTEIN. What did you do after high school?

MR. SMITH. Well, after high school I went to work in yards, peoples' yards, cutting grass and different odd jobs like that. I worked that for about a year and after that I went to work at a motor company, a traveler motor company, washing cars.

MR. GLICKSTEIN. Then what happened?

Mr. Smith. Oh, then I went on and got a job after that, I believe it would be about 1960, I got a job at Armour Meat Packing Company, and I worked there for about a year and 6 months before I was drafted into the Army of course.

Mr. GLICKSTEIN. Then you were drafted while you were working?

Mr. Smith. Right.

Mr. GLICKSTEIN. And how long did you spend in the Army?

MR. SMITH. I spent 6 years total in the Army.

Mr. GLICKSTEIN. Did you have a first hitch?

MR. SMITH. Right. I had on the first 2-year hitch—I was in for 2 years and I got out.

MR. GLICKSTEIN. You got out after 2 years?

Mr. SMITH. Right.

Mr. GLICKSTEIN. What happened then?

MR. SMITH. When I got home, my wife and both kids were ill, which I think they probably had a cold, and I managed to look for one—I would say about one job, before I made up my mind, I'd better go back in the Army for security reasons.

MR. GLICKSTEIN. You just looked for one job?

Mr. Smith. Right.

Mr. GLICKSTEIN. What happened there?

Mr. Smith. On this particular job, it happened in Birmingham, and it discouraged me a great deal. That is why I made up my mind to go back into the Army. I asked for a job, I think it was driving some truck for—I can't recall.

Mr. GLICKSTEIN. You don't have to tell us the name of the

company.

MR. SMITH. O.K. Anyway, I asked this man for a job, and he told me to ask Dr. Martin Luther King for a job, and tension was high at that time, it happened in 1963. Well I was kind of skeptical about looking for a job in the first place, because those four little girls hadn't too long gotten killed and everybody was upset over that.

So I decided just to go back into the Army for security reasons

and forget about looking for any job.

MR. GLICKSTEIN. And the second time you went back in for 4 years?

Mr. Smith. Right.

Mr. GLICKSTEIN. What was your rank when you were discharged?

Mr. Smith. I was discharged as a Staff Sergeant, E-6.

Mr. GLICKSTEIN. When was this?

MR. SMITH. This was November 1967, November 21st.

Mr. GLICKSTEIN. Just a little over 6 months ago. Did you seek

employment when you got out of the Army?

MR. SMITH. I did. I came home, and I got what you call leave pay, and well, it averaged about a month's pay. I got that and I came home, and you know, in November, it's almost around Christmas, so I decided to go out and look for a job right away and not take any break whatsoever, and look for a job and go to work.

Well, I run into some problems looking for a job, because I found that I could go seek a job and put in an application, but that is as far as it would go. You put in an application and the man would tell you or some of them would tell you, "We'll call you." "You call me back," or something like that.

Well, either way, I remembered sometimes I couldn't get in touch with them, they would never call me. And it took me 4 months to get employed. And the only reason I think I got employed where I am now is because my father was known by this particular person that hired me.

Mr. GLICKSTEIN. Did you also look for work during this period of time outside the State of Alabama?

Mr. Smith. Right. I looked for work from Autauga County, Montgomery County, all up through Alabama. Ì even went as far as Chicago seeking employment.

Mr. GLICKSTEIN. You weren't successful in finding anything in Chicago?

Mr. Smith. Well, I thought I was successful at the Ford Motor Company of Chicago. I put an application in there and the man told me to come back. And I went back and they give me a physical, and I failed a physical because he said I was having hearing problems, I couldn't hear.

Well, I just had got out of the Army about a month, I would say a month and a half before that time, and took a physical, and they let me out and I thought I was in perfect condition.

MR. GLICKSTEIN. But in any event, after that one experience did you continue looking for jobs in Chicago or did you—

MR. SMITH. I looked for other jobs—I did, I looked for one other job there. I seeked employment at one of the transit bus lines, and put in an application there and didn't hear from them.

Mr. GLICKSTEIN. Did you like Chicago? Did you feel inclined to stay there?

Mr. Smith. Actually, I don't think I liked Chicago. It seemed to be—well, it is too fast for me.

MR. GLICKSTEIN. Were there too many people?

MR. SMITH. It's fast living, and there's lots of peoples there, and also being in Chicago, is just like being home to me because everybody from down here is up there. Actually, now I know more peoples in Chicago than I do at home since I been back home, because all my friends and classmates, I can't think of but one classmate that is here now that graduated from high school with me.

MR. GLICKSTEIN. Do people from your town tend to settle in the same area in the city when they go to Chicago?

Mr. Smith. I don't think so. I wouldn't say that. They are all over Chicago.

Mr. GLICKSTEIN. What work are you doing now, Mr. Smith? Mr. Smith. Well, I was hired as a stock clerk, but I would consider it being a handyman.

Mr. GLICKSTEIN. How much do you earn?

Mr. Smith. I earn \$2 an hour.

MR. GLICKSTEIN. \$2 an hour. What is your monthly take-home pay?

Mr. Smith. It would be \$280 a month.

Mr. GLICKSTEIN. \$280? What was monthly take-home pay in the Army?

Mr. Smith. \$554.

Mr. GLICKSTEIN. \$554?

Mr. SMITH. Right.

MR. GLICKSTEIN. Of course, in the Army you had all the benefits that servicemen get?

Mr. Smith. Right. I had medical, along with the other benefits that the Army gives.

Mr. GLICKSTEIN. Mrs. Smith, when your husband got out of the Army, did you want to return to Alabama to live?

MRS. SMITH. Definitely no.

MR. GLICKSTEIN. You did not?

MRS. SMITH. No.

Mr. GLICKSTEIN. Why didn't you?

MRS. SMITH. Well, it's this way. We're from Autauga County, and I just—I know how the people are, and when I'm away I feel more like a person, you know, people treat—most of the posts we have been, we were treated not as a Negro, but as a person. But here, around our home town, they all, most of the people look at you as a Negro, and you're this or that.

So when I was away, I always felt more secure in everything. I just didn't ever want to come back here. But we did come.

MR. GLICKSTEIN. Mr. Smith, did you feel differently when you were in the Army? Did you feel different personally, than you do now?

Mr. Smith. Yes, I do. Here in Alabama I don't feel like I'm living. I am only existing, it seems, you know. In other words, this is the way I feel. And also, to be demoted from a Staff Sergeant E-6 down to a boy, that is kind of hard to take. After being 30 years old, that's something hard to live with. And I'm still trying to seek and trying to plan an escape to the whole situation.

Mr. GLICKSTEIN. You felt that you had more dignity when you were in the service?

Mr. Smith. I sure did. I had more.

Mr. GLICKSTEIN. Mr. Shambray, let me ask you another question. We understand that you are a member of the board of directors of Dunbar Park, in Greenville. What is Dunbar Park?

Mr. Shambray. Dunbar Park is a recreation center for Negroes.

Mr. GLICKSTEIN. It is a public park?

Mr. Shambray. Yes.

Mr. GLICKSTEIN. It is owned by the city?

Mr. Shambray. Yes.

MR. GLICKSTEIN. That's the one that the Negroes use?

Mr. SHAMBRAY. That's right.

Mr. GLICKSTEIN. Is there also a white park in Greenville?

Mr. Shambray. Yes, it is.

MR. GLICKSTEIN. Have they built any new recreational facilities in the white park?

Mr. Shambray. Yes, they have built to my understanding a \$250,000 recreation building.

Mr. GLICKSTEIN. Are there any proposals to build a recreation facility in Dunbar Park?

MR. SHAMBRAY. There are some proposals—supposed to build a building, not in Dunbar Park, but for Negro recreation. However, the plans have not been completed as yet.

Mr. GLICKSTEIN. They have not been completed yet?

Mr. Shambray. No.

MR. GLICKSTEIN. Were you, as a member of the board of directors of Dunbar Park, informed of what these plans were? Are you acquainted with them?

Mr. Shambray. Yes, I am.

Mr. GLICKSTEIN. Would you tell us?

MR. SHAMBRAY. We had a meeting with the mayor of the city of Greeenville, and he outlined the building that was supposed to be built for the Negro recreation. However, the majority of the members of the board was not pleased with their particular building that he had offered us, and we suggested to him that—or rather we told him what we would like to have, and he told us that he would try to see the rest of the city councilmens and draw up another building to our liking. As of yet, we haven't heard from this plan.

Mr. GLICKSTEIN. How much was that facility going to cost?

MR. SHAMBRAY. Around \$100,000, or \$125,000.

MR. GLICKSTEIN. And the white facility I believe you said it cost about a quarter of a million dollars?

Mr. Shambray. Yes, \$250,000.

MR. GLICKSTEIN. Why weren't you pleased with the facilities that were offered to you?

Mr. Shambray. Well, first of all, this committee—let me explain this, and maybe you will have a better understanding.

This committee is more or less, was designed for the purpose of having a mediator between the races. In other words, we were more or less picked to sort of keep our people quiet, more or less.

And once a year we meet with the people of the community of Greenville to discuss their problems and what have you, and of course all along the people come to us and tell us some of their complaints and dislikes.

So we knew that the majority of the people wanted a duplicate building of what was happening in building the park. However, we didn't ask for a duplicate building. We more or less just—we felt better by just—we didn't like the idea of somebody bringing us a plan and saying: "Now here, this is yours."

We more or less just wanted to let them know that we had ideas of our own.

MR. GLICKSTEIN. I gather, Mr. Shambray, from some of the things that you just said, that you are considered in the Negro community in Greenville to be a community leader?

Mr. SHAMBRAY. Yes.

Mr. GLICKSTEIN. Is that correct?

Mr. Shambray. Yes, I would think so.

MR. GLICKSTEIN. Do you think that your experience at Dan River had an effect on the Negro community in Greenville?

Mr. Shambray. Would you ask that again?

MR. GLICKSTEIN. Did the Negro community in Greenville know of your experiences at Dan River? Were they aware of the problems there?

Mr. Shambray. Yes, they are. But then again, we have this problem in places like Greenville. Our community don't afford any real Negro leadership. Actually, if I had to go out, and this is hard to say, and bad to say, but it is true, if I had to go in my community and pick five real Negro men who believe in a cause, and wouldn't be persuaded by anybody else, I'm afraid I couldn't find five.

Mr. GLICKSTEIN. Mrs. Shambray, why do you think that situation exists in Greenville?

MRS. SHAMBRAY. Why do I think that problem exists in Greenville? I think it exists because the men of Greenville, Negroes, are afraid to let people know how they really feel about anything. I mean everybody seems to have an inferiority complex when it come down to white people.

MR. GLICKSTEIN. Very odd complex?

MRS. SHAMBRAY. Inferiority complex. They always feel that I may lose my job if I let Mr. Somebody know how I feel, or well, you don't have anything anyway, so I don't feel like you have anything to lose. But that's the way they are. They're afraid to, if they think something. They'll get together, everybody has ideas. When you get two or three together, but once the conversation ends with two or three together, then that's it. They don't have the nerve to express to the opposite race how they really deep down within feel.

MR. GLICKSTEIN. Mrs. Shambray, do you think that conditions in Greenville have changed in any way in recent years?

MRS. SHAMBRAY. In some instances, yes. Because I remember only a few years ago, there were—well the place that I work now, there were not one Negro working there at all. There were about, I guess, it's about 800 employed there. But there were not any Negroes whatsoever there.

Mr. GLICKSTEIN. And today you said that a sizable portion of the employees are Negroes?

MRS. SHAMBRAY. Yes.

MR. GLICKSTEIN. Mr. Chairman, I don't have any further questions at this time.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. No questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Shambray, how long does it take to learn to become a weaver?

Mr. Shambray. I don't know, really. From the way it was explained to me, it is sort of left up to the person, how much initiative and ability that he has.

However, in these 6 months that I worked there, whenever Dan River couldn't get any white weavers, I say white, because there wasn't any Negro weavers, I always filled in whenever they couldn't get anybody else.

COMMISSIONER FREEMAN. That was my next question: in your opinion, did you learn to become a weaver at the time you were terminated?

Mr. Shambray. Yes, I think so.

COMMISSIONER FREEMAN. Had anybody told you that you were not qualified as a weaver?

Mr. Shambray. Definitely not.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Are there other textile mills in Greenville?

Mr. Shambray. No, I don't think so. No.

COMMISSIONER RANKIN. And to the best of your knowledge there are no Negro spinners or weavers or dolfers in Dan River? Is that correct?

Mr. Shambray. No, there are not any there.

COMMISSIONER RANKIN. And do you know of any attempt of any Negro to seek employment as a weaver or a dolfer?

Mr. Shambray. I don't know about any Negro attempting to seek employment as a weaver or dolfer, direct, but I heard of several occasions where Negroes did put in applications for employment, and they was filed in the city dump.

COMMISSIONER RANKIN. What makes it so difficult for the Negroes to break into the textile industry in your opinion?

MR. SHAMBRAY. First of all, I feel like I'm speaking in terms of Dan River now, because I have had experience with Dan River. I feel like one of the reasons why it is so difficult for Negroes to get in as a weaver dolpher is because these are jobs that pay a little better than the normal jobs in my community. And I feel like this is the main reason why it is so hard for Negroes to break into these kinds of places.

CHAIRMAN HANNAH. Mrs. Smith, I think you said you were a supply teacher?

MRS. SMITH. Yes.

CHAIRMAN HANNAH. How much education do you have? MRS. SMITH. Three and a half years.

CHAIRMAN HANNAH. Three and a half years of what?

MRS. SMITH. Of college years.

CHAIRMAN HANNAH. College?

MRS. SMITH. Yes. I had 12 years of high school and three and a half years in college.

CHAIRMAN HANNAH. Where did you go to college?

MRS. SMITH. Alabama A&M in Huntsville.

CHAIRMAN HANNAH. You said that you weren't very happy, or you would have been happier, you would have been happier if your husband had gotten a job in Chicago or somewhere else? MRS. SMITH. Yes.

CHAIRMAN HANNAH. Now that you are back here in Alabama, if you could get a job at a reasonable income, would you like to have things change in Alabama so that you could be happier here, or would you rather go back North?

MRS. SMITH. Well, if things were changed, I would love living here, because living in Chicago, or when I was in New York, they are so crowded there, and I like living in a house to myself, where I could have a big yard for my children to play in. So living in Chicago, I don't think I would be able to find a big yard and I don't like living up over each other.

So I would prefer living here in Alabama where I could have a lot of air, fresh air, and a big house to myself. But if things would change, I would love living here.

CHAIRMAN HANNAH. The 6 years that your husband was in the Army, did you generally have pretty satisfactory housing wherever he was located?

MRS. SMITH. Yes, I would say so.

CHAIRMAN HANNAH. Where was he stationed when you were with him?

MRS. SMITH. First we were at Fort Benning, Georgia, next we were at Fort Stewart, Georgia, and we left there and went to Fort Greely, Alaska. And then, leaving from Alaska we came to Fort Hood, Texas and from Fort Hood back to Alabama.

CHAIRMAN HANNAH. How long were you in Alaska?

MRS. SMITH. Two years.

CHAIRMAN HANNAH. Do you think you would rather be in Alabama than in Alaska?

MRS. SMITH. No. No, I just loved that place. It's marvelous. I think this was one of our most enjoyable trips. I nearly cried when I had to come home.

CHAIRMAN HANNAH. And I will ask the same question of you, Mr. or Mrs. Shambray. Either of you can answer it. You tried living elsewhere and you returned and you weren't quite sure why, but here you are.

Would you rather live in Alabama if you couldn earn a decent living and live as you would like to live, rather than back in the North?

MR. SHAMBRAY. Yes, I definitely would prefer living in Alabama. It seems if, even with these different choices, I'm still here. But I feel like Alabama would be a better place for a person like me to live in if we could have decent jobs with decent income.

CHAIRMAN HANNAH. You appreciate the reason I'm asking the question, because this is one of the fundamental reasons for this hearing. We have these problems in the big cities in the South and in the North, and they are very real problems. And it is certainly clear that if we can't make it possible for Negroes and other poor people to live satisfactorily and happily where they are, they don't have much alternative but to move into the big cities, and add to the problems of the big cities.

That is one of the problems that our society is going to have to face up to, if we are going to solve this problem long range. Whether we want to solve part of it by keeping people where they are happy and where there is more room and where there are more facilities, or whether we want to move in the direction of pushing more and more of them into big cities with all the problems that come with those migrations. Mr. Taylor, do you have any questions?

MR. TAYLOR. Mr. Shambray, during the period that you were with Dan River, I think you stated that your work was satisfactory, and that your supervisor believed it was satisfactory. Is that right?

MR. SHAMBRAY. Yes.

Mr. Taylor. When you left, did you tell them the reason that you were leaving?

Mr. Shambray. Yes, I did.

MR. TAYLOR. Did anybody say anything to you at that time which indicated that you had a future of any kind with the company?

Mr. Shambray. Let me state this, because I find it hard to answer your question direct without making references to some past experiences. I had talked with my present supervisor on a number of occasions, telling him that I was dissatisfied with sweeping the floor, because of the fact that I was hired for weaving. And not that I minded sweeping a floor if I were hired for sweeping a floor, I would have been fine, I would have been expecting to sweep the floor.

And, of course, he told me that as soon as the loom was fixed this would happen and that would happen, and of course I waited patiently for this to happen. And still it didn't happen. And I was on the verge of quitting. Matter of fact, I went to my supervisor and gave him a 2-weeks notice, which is the common thing to do in my section of the country, and he told me that he was going to tell me that morning I was working the 10 to 6 shift, that he was going to dismiss me the following morning.

Of course, when I found out, I was thinking of quitting around 2 or some time in the morning, he decided instead of firing me, he would wait and let me quit.

Mr. TAYLOR. So when you left, you believed you had no future?
Mr. SHAMBRAY. I definitely felt like I had no future with Dan
River.

MR. TAYLOR. Mr. Smith and Mr. Shambray, in the course of looking for employment, did you ever use the facilities or did you ever visit your employment office, State Employment Office?

MR. SMITH. Yes, sir. I visited the State Employment Office. As a matter of fact, I visited them about, I would say, about 3 days after I got home, because in the Army, they brief you on where to go to seek employment. And this was the first place they told me to go visit. And so about all you can do is file for employment and wait on them.

So I waited 4 months on them, and nothing happened, so I even went back and asked them for employment, because I figured that maybe I didn't go about it right, so I went back and asked them again. And they asked me what type of employment was I seeking. I said, well, any type of employment that makes a pretty good living, and I only have a 12th grade education and no apprentice or anything of such.

And I asked if they could find me some type of job where you have on the job training. And then the man asked me, he asked me why did I get out of the Army. Well, I wanted to kind of sass him out but—That's something, to ask a man why did you get out of the Army. You come here to look for a job—why did you get out of the Army?

MR. TAYLOR. In other words, you were not referred either to training or to jobs by the people in the employment service?

MR. SMITH. No.

MR. TAYLOR. Did you use the employment office at all, Mr. Shambray?

MR. SHAMBRAY. No, Mr. Taylor, I didn't. I found that you get better service from the employment office if you don't seek employment.

MR. TAYLOR. Could you explain that?

MR. SHAMBRAY. Well, here recently I did experience this. I haven't gone to the employment office looking for work, nor have I filed any cliam for unemployment. All of a sudden when they find out I'm supposed to appear at this hearing, they looked me up. So I feel like it is best not to seek employment there, and then perhaps they will look you up and find something for you.

Mr. Talor. Mrs. Smith, during the period since you have returned to Autauga County, have you noticed any difference or any changes that have occurred during the period?

Mrs. Smith. Well, I thought about it and I looked around. But

I can say there is a little, just a little, because I know the REA Electric Company has one colored lady working there, and she's a secretary or something, I don't know. But I think there is just a little bit, not much, but just a little, because the Negroes, they don't go in the lunch room, I mean in the drug store, and they don't eat, or go to the restaurants, and things like that. Things are still the same way.

Mr. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mrs. Smith, like you, I am Southern, but I gather that I have not had some of the problems that you have encountered.

You said that you like to live here, but some things would have to change. Could you tell me what those things are? What is it that you most want to see changed, and if they were changed, would convince you to stay in Alabama?

MRS. SMITH. Well, first I would like to see more job opportunities for Negroes. I know that some Negroes aren't eligible. Well, they should be trained for a job. After they are trained, they could be more successful. If they would give us more job opportunities, then in having more jobs opportunities, we would have better housing conditions, and more food to eat, and then we would be happy people.

VICE CHAIRMAN PATTERSON. Is that all?

MRS. SMITH. There are a lot of other things that I could name; I have to think about it. But make it easier for us to go to some more places that we would like to go. For instance, some restaurants, and movies, or theaters or things like that. And make it easier for us to have more recreational activities for the Negroes.

VICE CHAIRMAN PATTERSON. Thank you. Mr. Shambray, would you answer that question? What change do you most want to see happen?

Mr. Shambray. Well, first of all, I think that the most important issue would be for better job opportunities. Second, I find this to be one of my biggest problems too, as far as your social life is concerned. I don't mean that I want to just socialize with the white people. I mean when I find myself downtown, if I would like to have a cup of coffee or a soda, I would like to feel free to go into a place of business to get this.

As you know, I'm a poor man because I stated my salary. But I find myself, when I want a malt, I have to come 45 miles to Montgomery, Alabama to enjoy that malt.

VICE CHAIRMAN PATTERSON. To enjoy what?

Mr. Shambray. A malt.

VICE CHAIRMAN PATTERSON. A malted milk? Mr. Shambray. Yes.

VICE CHAIRMAN PATTERSON. You have to come 45 miles to get a malted milk?

MR. SHAMBRAY. That doesn't mean we don't have any in our hometown.

VICE CHAIRMAN PATTERSON. The law says that you can go in and get that malt.

MR. SHAMBRAY. Yes, but.... That is true and perhaps I could, but I don't think that would be too wise.

VICE CHAIRMAN PATTERSON. Do no Negroes go into the drug store and drink?

MR. SHAMBRAY. Well, our drug stores abolished their soda fountains when this law was passed. And we have our Dairy Queens and Dairy Dreams, and the law says you shouldn't have those signs, and they are still there.

VICE CHAIRMAN PATTERSON. What signs?

Mr. Shambray. This white signs and colored signs, and you go here and I go there. Those things are still taking place in my hometown. We still have certain windows that we have to go to, to the back door to get a sandwich. This, that, and the other thing. Those are some of the things that I would like to see eliminated.

COMMISSIONER FREEMAN. Mr. Shambray, let us suppose that some Negro was brave enough to go to that \$250,000 white recreational center. What do you think would happen?

Mr. Shambray. Well, that is kind of hard to answer. But let me put it this way. Let's suppose some local Negro, I mean a Greenville Negro, decided that he wanted to go to that \$250,000 —

COMMISSIONER FREEMAN. That's what I'm talking about. Mr. Shambray. Well, he would, I feel personally, I feel like he

would suffer the consequences.

COMMISSIONER FREEMAN. Physically?

MR. SHAMBRAY. Maybe not physically. There is a strong possibility, but even if not physically, perhaps when he went to the bank to get a loan, perhaps on his job, like mine, for instance, for testifying here. Perhaps other things of that nature.

COMMISSIONER FREEMAN. About how much of the total population of Greenville do Negroes constitute?

MR. SHAMBRAY. If I'm not mistaken, I believe that it is 47 percent Negro, and 53 percent white, or either it's 43 Negro and 57 percent white.

COMMISSIONER FREEMAN. And this fear is all over the community?

Mr. Shambray. Yes, it is.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Smith, I have one final question: I think you said that when you were applying for the job in Chicago, that you took a physical examination and they said that your ears weren't functioning right or something of that sort, and they didn't give you the job. Is that what you told us?

Mr. Smith. That's correct, sir.

CHAIRMAN HANNAH. But you thought your ears were all right? Mr. Smith. When I got out of the Army I thought they were all right.

CHAIRMAN HANNAH. Do you think they are all right now?

MR. SMITH. Right. I think they are all right now. I haven't taken another physical yet, and I plan to soon. As a matter of fact, I take a physical next Wednesday, and that is going to be one of the things that I am going to have checked, is my hearing.

CHAIRMAN HANNAH. You suspect this particular employer was using some of the same type of gimmickry that you might find back home if you are looking for a job, is that right?

MR. SMITH. No sir. I couldn't suspect that, because anything that I suspect, I always like to have proof of what I'm talking about. I would hate to say that this man didn't hire me because he don't like colored people, unless I proved it. Anything I say, I would like to have proof.

CHAIRMAN HANNAH. Dr. Rankin, any further questions? COMMISSIONER RANKIN. No more questions.

MR. GLICKSTEIN. If I might, I would just like to emphasize something you said in your opening statement. Mr. Shambray has suggested that maybe as a consequence of testifying here, something will happen to him. And I would just like to emphasize that witnesses who testify before this Commission are protected by Federal law, and any attempt to intimidate you is a Federal crime, and if you run across any instances of that sort, or have any such experiences, I wish you would immediately report them to us.

CHAIRMAN HANNAH. And on behalf of the Commission, Mr. and Mrs. Shambray, and Mr. and Mrs. Smith, thank you very much for being here, and we appreciate your appearing. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. Mr. Chairman, we next have a group of five witnesses: Mr. Levie Pettway, Miss Sharon Pettway, Miss Sadie Allen, Mr. Leon Kennedy, and Mr. Eddie Browder.

Would they please come forward?

(Whereupon, Mr. Leon Kennedy, Mr. Levie Pettway, Miss Sharon Marie Pettway, Miss Sadie Allen, and Mr. Eddie Browder were sworn by the Chairman and testified as follows:)

TESTIMONY OF MR. LEON KENNEDY, OZARK, ALABAMA; MR. LEVIE PETTWAY, BOYKIN, ALABAMA; MISS SHARON MARIE PETTWAY, BOYKIN, ALABAMA; MISS SADIE ALLEN, GREENVILLE, ALABAMA; AND MR. EDDIE BROWDER, SELMA, ALABAMA.

Mr. GLICKSTEIN. Would you first please state your full names and addresses for the record? Start with Mr. Kennedy.

MR. KENNEDY. Leon Kennedy, Ozark, Alabama.

MISS PETTWAY. Sharon Marie Pettway, Boykin, Alabama.

Mr. Pettway. Levie Pettway, Boykin, Alabama.

MISS ALLEN. Sadie Allen, Greenville, Alabama.

Mr. Browder. Eddie Browder, Selma, Alabama.

Mr. GLICKSTEIN. Perhaps we can start by asking some questions to the two of you who come from Boykin.

As I understand it, although both of you have the same last name, you are not related. Is that correct?

Mr. Pettway. Yes, sir.

MR. GLICKSTEIN. What school do you attend?

Mr. Pettway. I attend Boykin High.

MR. GLICKSTEIN. You attend Boykin High School?

Mr. Pettway. Yes, sir.

MR. GLICKSTEIN. And, Miss Pettway, which school do you attend?

MISS PETTWAY. Boykin High, also.

MR. GLICKSTEIN. How many students are in your class?

MISS PETTWAY. There are 23 on the roll, but only 22 will graduate.

MR. GLICKSTEIN. Are you in the graduating class?

MISS PETTWAY. Yes, I am.

MR. GLICKSTEIN. How have your grades been in school?

MISS PETTWAY. They are good.

MR. GLICKSTEIN. How good are they?

MISS PETTWAY. I am a B average and also a valedictorian of the senior class.

MR. GLICKSTEIN. What do you intend to do when you graduate? MISS PETTWAY. I intend to go to a trade school and take up typing and become a secretary.

MR. GLICKSTEIN. You intend to go to a trade school in Alabama? MISS PETTWAY. If I can.

Mr. GLICKSTEIN. And have you applied for trade school?

MISS PETTWAY. Not yet. My counselor is helping me to find a school, a trade school to go to.

MR. GLICKSTEIN. And if you are unable to go to a trade school in Alabama what are your plans?

MISS PETTWAY. To leave with my uncle this summer and go to Chicago and try to find a trade school there.

Mr. GLICKSTEIN. Mr. Pettway, what do you plan to do when you graduate?

Mr. Pettway. I plan on going into the Army.

Mr. GLICKSTEIN. Plan on going into the Army?

MR. PETTWAY. Yes.

MR. GLICKSTEIN. What do you hope to do after you get out of the Army? What sort of career would you like to follow?

MR. PETTWAY. Well, if I like the Army when I get there, it might be my career.

MR. GLICKSTEIN. That might be your career?

Mr. Pettway. Yes.

Mr. GLICKSTEIN. Have you given any other thought to other types of careers?

MR. PETTWAY. Yes, sir.

Mr. GLICKSTEIN. Well, what other types of careers?

MR. PETTWAY. I was thinking about heavy machinery, heavy equipment.

MR. GLICKSTEIN. Did you take any courses in high school which would prepare you for entering that sort of work?

MR. PETTWAY. No, sir.

Mr. GLICKSTEIN. What kinds of courses are offered in your school?

MR. PETTWAY. Most of them nothing but the classes that you take, English, science and all that you take.

Mr. GLICKSTEIN. Are there any courses, any vocational courses that are offered?

Mr. Pettway. No, sir.

MR. GLICKSTEIN. There are no courses that are offered to students who are not planning to go to college that would help them find a job when they got out?

MR. PETTWAY. Nothing but the typing they give and vocation for agriculture.

Mr. GLICKSTEIN. Typing and vocational agriculture?

Mr. Pettway. Yes, that is the only course you get.

MR. GLICKSTEIN. Did you take either of these courses?

Mr. Pettway. I took vocational agriculture for 3 years.

MR. GLICKSTEIN. Are there many students that take that course? MR. PETTWAY. Yes, sir.

Mr. GLICKSTEIN. Do they plan to become farmers?

Mr. Pettway. Most of them don't.

Mr. GLICKSTEIN. Most of them don't?

MR. PETTWAY. No.

Mr. GLICKSTEIN. Miss Pettway, do you know whether many of the students graduating with you plan to go to college?

MISS PETTWAY. The majority of the class plan on going to trade school, and there are a few of them planning on going to college, at least try to get in on the first semester.

MR. GLICKSTEIN. At least try to get in the first semester?

MISS PETTWAY. Yes, sir.

MR. GLICKSTEIN. Is your school an all-Negro school?

MISS PETTWAY. Yes, sir, it is.

MR. GLICKSTEIN. Is there a white high school in the vicinity?

MISS PETTWAY. No, the closest one is Camden High.

MR. GLICKSTEIN. How far away is that?

MISS PETTWAY. Around about 40 miles.

MR. GLICKSTEIN. Is that because you have to take a roundabout route because there is no bridge across the river?

MISS PETTWAY. We used to have a ferry there but it has been abolished.

MR. GLICKSTEIN. The ferry has been abolished?

MISS PETTWAY. Yes, it has.

MR. GLICKSTEIN. Do any of the Negro students from your community go to the school in Camden?

MISS PETTWAY. No, but they have tried to enter it. When they tried they said that they were all filled out.

MR. GLICKSTEIN. They were all filled out?

MISS PETTWAY. That is what they said.

MR. GLICKSTEIN. Levie, do you plan to settle in Boykin?

Mr. Pettway. No, sir, I ain't planning on settling in Boykin.

MR. GLICKSTEIN. Why not?

MR. PETTWAY. Because I can't get the right kind of job I want in Boykin.

MR. GLICKSTEIN. You can't get the right kind of job. If you could get the right kind of job, do you think you would?

Mr. Pettway. Yes, sir.

MR. GLICKSTEIN. Let me ask you a couple of questions, Miss Allen. Where do you attend school?

MISS ALLEN. I presently attend school at Southside High School.

MR. GLICKSTEIN. In what city?

MISS ALLEN. Greenville, Alabama.

MR. GLICKSTEIN. And where did you attend elementary school? MISS ALLEN. Well, for the first 6 years I attended Citizens Chapel which is a small country school with two grades in each classroom. There were three classrooms; first and second in one room, and the third and fourth in another, and fifth and sixth in another.

Mr. GLICKSTEIN. Any members of your family ever attend that school?

MISS ALLEN. Nearly all of them did.

MR. GLICKSTEIN. Did your father?

MISS ALLEN. No.

MR. GLICKSTEIN. Your elementary school I mean.

MISS ALLEN. No, my father and mother didn't attend that school.

MR. GLICKSTEIN. When will you graduate?

MISS ALLEN. I graduate in May.

Mr. GLICKSTEIN. You are from the same town as Mr. Shambray who just testified?

MISS ALLEN. Yes, I am.

Mr. GLICKSTEIN. I suppose you heard Mr. Shambray's testimony about Dan River Mills. What sort of reputation does that company have in the Negro community in Greenville?

MISS ALLEN. Well, most of the Negroes know they aren't going

to be hired for anything but sweeping the floor so they just don't go out there.

Mr. GLICKSTEIN. There is a white high school in Greenville also. Is that correct?

MISS ALLEN. Yes, there is.

Mr. GLICKSTEIN. Did you have an opportunity to go to the white high school?

MISS ALLEN. Yes, I did. But my mother and father didn't feel that I should go there because they know me, and they know that if some of the kids hit me I am going to hit them back, and so they felt it would be best if I stayed where I was.

MR. GLICKSTEIN. What about other students from your high school, do many of them go to Greenville High School?

MISS ALLEN. Not many, but there are some that do go there.

MR. GLICKSTEIN. There are some that do?

MISS ALLEN. Yes.

MR. GLICKSTEIN. What are your plans after graduation?

MISS ALLEN. Well, I tried to get into St. Margaret's School of Nursing but I didn't get accepted, so I sent an application to Alabama State College.

MR. GLICKSTEIN. You were accepted but didn't pass the admission tests?

MISS ALLEN. This is what I am told.

MR. GLICKSTEIN. At Southside High School do you find that there is a high rate of absenteeism during the school year?

MISS ALLEN. Yes, there is.

MR. GLICKSTEIN. What do you attribute this to?

MISS ALLEN. Well, most of the kids, they have to get out and really almost work for themselves, so in order to stay in school at all, they have to get out and work, so they work and they try to go to school, too.

MR. GLICKSTEIN. And do you find that students stay out particularly during farming seasons?

MISS ALLEN. Yes. Most of the kids, they stay on the white man's land, so when cotton picking time gets in or time to chop cotton they have have to stay out and go to chop cotton, or else they will have to find some place else to live.

MR. GLICKSTEIN. You said that you didn't pass the test for nursing school. Do you feel that your preparation at Southside High School let you down?

MISS ALLEN. Well, I feel that we could have a lot more improvement over at Southside. And I don't really know whether I passed the test or not because they didn't send me anything showing how much I did make or how much I didn't make. They told me I didn't do well on the pre-entrance examination.

MR. GLICKSTEIN. They told you what?

MISS ALLEN. That I didn't do well on the pre-entrance test.

Mr. GLICKSTEIN. Did you take part in any civil rights demonstrations in Greenville?

MISS ALLEN. Yes, I have taken part in nearly all of them that has been going on down there.

Mr. GLICKSTEIN. And how did the demonstrations affect the conditions in the town?

MISS ALLEN. Well, I would say like Mrs. Shambray had said, before we had gotten out and demonstrated there were no Negroes in the factories at all, and by us getting out and demonstrating we have been able to get some Negroes in the factories, and we have got two Negro policemen, but I would say they are handpicked. I can't think of the name that I was trying to think of, but anyway there are some improvements. And by us demonstrating we have gotten a trade building where carpentry, brick masonry, auto mechanics, and cosmetology is being given.

MR. GLICKSTEIN. That is at your high school?

MISS ALLEN. Yes.

Mr. GLICKSTEIN. They put in a trade center?

MISS ALLEN. Yes, they put in a trade center.

MR. GLICKSTEIN. Did participating in the demonstrations affect you personally in any way?

MISS ALLEN. Yes, it did. Well, my father had been trading at this country store, buying most of our groceries, and one day after this man had heard that I was in the march, he told my father that he couldn't use his business any more and that he would appreciate if he didn't come back in the store any more. And well, I am labeled down there in Greenville as a biggety nigger, because you know I feel that anything you do to me, I am going to do it back to you if I have a chance to.

Mr. GLICKSTEIN. How about in high school itself, the fact that you demonstrated? Has this affected your status there?

MISS ALLEN. Yes. Our teachers, they treated the kids that demonstrated much different than they did the ones that didn't demonstrate. In fact, I am an honor student, and we got suspended from school for demonstrating, and when I went back to school, all the teachers, I got an F the first 6 weeks in every class that I went into. And the teachers, they treat you different as if you are bad, or something, when really, you are trying to help all of the people, you are not just trying to get out there trying to do something for the kicks of it, you are just trying to help everybody.

Mr. GLICKSTEIN. Do you think there is a difference between your generation and the older generation?

MISS ALLEN. Oh, yes. I do. Because the things I get up and say my mother wouldn't attempt to say 20 years ago. And my mother believes in waiting on the Lord. And I believe on waiting on the Lord true enough. But I also feel that you have to help yourself.

Because I mean the Lord isn't going to come down here and tell this white man who is beating your head to stop. I think He gave you enough common sense to stop him from beating your head by hitting him back.

MR. GLICKSTEIN. How about you, Miss Pettway, do you think there is a difference between the younger generation and the older generation?

MISS PETTWAY. Yes, I do.

MR. GLICKSTEIN. In what respect?

MISS PETTWAY. Well, some of them down where we live, the older folks there are afraid to express their ideas because if they do they think that they are half crazy, or something. If you try to show them the right way they are going to stick with the old way, thinking the old way is always the sure way of doing things.

MR. GLICKSTEIN. You say the older people think the old way is the surer way?

MISS PETTWAY. Yes.

MR. GLICKSTEIN. Are the older people in your community outspoken, do they express their views, or how does that compare to what younger people do?

MISS PETTWAY. Express their views to whom?

Mr. GLICKSTEIN. To the white people.

MISS PETTWAY. Most of them down there are afraid—like in your buying this land from this white man, and then you think that he is paying too much, he is not going to say anything because he is afraid if he does, he wouldn't be able to get the land, because a lot of them down there are renting the biggest part of their land now.

MR. GLICKSTEIN. Do you think that there is a lot of fear among older people toward the white man?

MISS PETTWAY. I know there is.

MR. GLICKSTEIN. Is there anything other than fear, do people just think this is the way things should be?

MISS PETTWAY. Some of them fear him, and some of them think that the white man knows everything and should tell them what to do and what not to do.

MR. GLICKSTEIN. And they just take these directions?

MISS PETTWAY. They do.

MR. GLICKSTEIN. Mr. Kennedy, how old are you?

MR. KENNEDY. Twenty-one.

MR. GLICKSTEIN. Where were you born and raised?

Mr. Kennedy. I was born in Enterprise Hospital and raised in Ozark, Alabama.

MR. GLICKSTEIN. Did you attend high school there?

Mr. Kennedy. Yes.

MR. GLICKSTEIN. Graduate from high school there?

Mr. Kennedy. Yes.

MR. GLICKSTEIN. Did you go to secondary school elsewhere besides in Ozark?

Mr. Kennedy. Yes, I went to Cornwall Academy.

MR. GLICKSTEIN. Cornwall Academy?

Mr. Kennedy, Yes.

Mr. GLICKSTEIN. What were the circumstances under which you went there?

Mr. Kennedy. My mother borrowed some money from people that had it, and I was recommended by the mayor of Ozark to go.

MR. GLICKSTEIN. Was this in order to help you prepare for college?

Mr. Kennedy, No.

Mr. GLICKSTEIN. Was it in order to help you get better grades

Mr. Kennedy. I was out of school during that time, just in order to get in school.

Mr. GLICKSTEIN. To help you get into school?

Mr. Kennedy. Help me get into a school.

MR. GLICKSTEIN. Did you go on to college?

MR. KENNEDY, Yes.

Mr. Glickstein. Whereabouts?

Mr. Kennedy. Tuskegee.

MR. GLICKSTEIN. Are you attending there now?

Mr. Kennedy, Yes.

MR. GLICKSTEIN. You are attending?

Mr. Kennedy, Yes.

Mr. GLICKSTEIN. There has been much in the newspapers recently about student dissatisfaction at Tuskegee. Will you tell us what the origin of that is and how prevalent it is?

Mr. Kennedy. The students—well, the things in the newspaper that you have been reading about, the trustees, and the Dorothy Hall incident and everything leading up to that.

Mr. GLICKSTEIN. What is the general feeling of the students of your age at Tuskegee about their condition, and their life at college?

Mr. Kennedy. Well, most of the seniors just want to graduate and sophomores and juniors aren't that well informed, and the freshmen do just what they think is the most exciting thing to do. And that is all I know. I don't know about the political attitudes of everybody on Tuskegee campus.

Mr. GLICKSTEIN. To be more specific, there have been some demonstrations at Tuskegee. Why did the students feel they had to demonstrate?

Mr. Kennedy. Well, they felt by demonstrating they would get some of the demands that they offered the trustees, and they haven't. And the attitude now is nobody cares, and everybody is afraid to do anything.

MR. GLICKSTEIN. What sort of demands are you talking about? MR. KENNEDY. Well, for instance, like compulsory ROTC, they want that abolished, make it just by mere choice. Some African courses made compulsory, like Western Civilization is made compulsory. African foreign languages, like Swahili, Ibo; considerations in administration, how the administration deals with students and relationships with faculty and students. A black university concept. Something that we could relate to instead of going out in the world, in the white world, so we could relate to our own society and our own communities.

MR. GLICKSTEIN. When you say a black university concept, Tuskegee is predominately Negro, or all-Negro. Isn't it a black university?

MR. KENNEDY. Well, Tuskegee administration is predominately black, I guess Tuskegee's faculty is predominantly black, people say. The trustees are white. But that is not the point. It is run by a system that we cannot control. And like our Negro schools are run by a system where they can be headed by the black people, it doesn't mean they are controlled by the black people, and doesn't mean that they are teaching for the best interest of the black people.

MR. GLICKSTEIN. What are your plans for the future?

MR. KENNEDY. If I am readmitted back into Tuskegee, I am in Tuskegee now, but we are having hearings and if I am readmitted, I guess I will finish this semester and try to go to art school.

MR. GLICKSTEIN. Try to what?

MR. KENNEDY. Try to go to art school.

MR. GLICKSTEIN. You hope to be an artist and study something in the field of art?

Mr. Kennedy. Yes.

MR. GLICKSTEIN. Do you plan to stay in the South?

Mr. Kennedy. Yes.

MR. GLICKSTEIN. Do you feel that black people are better off in the South or in the North?

MR. KENNEDY. It all depends on the degree of black people you are talking about. Some Negroes live very well in the North. The mass of Negroes don't due to conditions that we both know about. I want to live in the South because I think it is where I want to live, the tropical area, the heat, geographical locations and everything, I just dig the South period.

I don't like the North. It is too congested with big factories and

that type of thing.

MR. GLICKSTEIN. Do you think you have a future as an artist in the South.

MR. KENNEDY. I doubt very seriously to have a future as an artist in the South.

Mr. GLICKSTEIN. But you still hope to make a try for it.

Mr. Kennedy. I just want to be an artist.

Mr. GLICKSTEIN. What do you feel is the basic problem in this country between blacks and whites?

Mr. Kennedy. Basic what?

Mr. GLICKSTEIN. The problem in this country between blacks and whites?

MR. KENNEDY. The problem is just that, black and white. The solution to the problem is to give us something in a hurry—I don't know what.

MR. GLICKSTEIN. Do you have hopes that some day we are going to be able to achieve an integrated society?

Mr. Kennedy. I doubt it very seriously.

MR. GLICKSTEIN. You haven't really told us what you think the obstacle is of getting there.

MR. KENNEDY. First of all, you have to integrate two entirely different cultures into one. And it is proven already that you can't do that.

Secondly, a black revolution I think is going on in the minds of a lot of people and a cultural revolution is going on now and it can't be stopped and everybody is very aware of the white man's tricks and the white man's ways of dealing with problems, and I think that everybody is a little fed up with it now, and nobody is going to fall for the tricks no more, nobody wants to integrate any more, nobody wants to sit next to a white people to eat or sleep. It is not that at all any more.

MR. GLICKSTEIN. Even if you are very pessimistic about achieving an integrated society, do you think the country's racial problems ever will be solved?

Mr. Kennedy. Yes, if somebody commits complete genocide out of the black race it will be solved very easily, and they can integrate the rest of the Negroes that's left.

MR. GLICKSTEIN. Is there any other solution besides that, that one?

Mr. Kennedy. Unless there be a total revolution for the black people in general and we win.

MR. GLICKSTEIN. You are very pessimistic?

MR. KENNEDY. I don't consider that pessimistic. But you can say that is pessimistic.

Mr. GLICKSTEIN. Mr. Browder, where were you born?

MR. BROWDER. I was born in Dallas County.

MR. GLICKSTEIN. Dallas County?

Mr. Browder. Yes.

MR. GLICKSTEIN. How old are you?

Mr. Browder. Nineteen.

Mr. GLICKSTEIN. Did you go to school in Dallas County?

Mr. Browder. I did. I went to the 11th grade.

MR. GLICKSTEIN. You went to the 11th grade?

Mr. Browder. Yes.

Mr. GLICKSTEIN. How many people are there in your family?

Mr. Browder. Eight.

Mr. GLICKSTEIN. Eight?

Mr. Browder. Yes.

MR. GLICKSTEIN. And how old are they?

Mr. Browder. Eight of them?

MR. GLICKSTEIN. Are these older brothers and sisters or younger?

Mr. Browder. I have one older brother and the rest of them are under me.

Mr. GLICKSTEIN. Under you?

Mr. Browder. Yes.

Mr. GLICKSTEIN. Where are they now?

MR. BROWDER. I have a sister and brother in Massachusetts.

Mr. GLICKSTEIN. In Massachusetts?

Mr. Browder. Yes.

Mr. GLICKSTEIN. And all your other brothers and sisters are in Dallas County?

Mr. Browder. Yes.

MR. GLICKSTEIN. Do you help support your family?

Mr. Browder. When I was working but not now.

MR. GLICKSTEIN. You are not working now?

MR. BROWDER. No.

Mr. GLICKSTEIN. Why did you leave school in the 11th grade?

MR. BROWDER. Well, I had to help support, my mother got sick, and I had to quit school.

MR. GLICKSTEIN. You had to quit school to find a job to bring in some income?

Mr. Browder. Sure did.

MR. GLICKSTEIN. And did you make efforts to seek employment at that time?

MR. BROWDER. Yes.

MR. GLICKSTEIN. And what kinds of jobs did you manage to get?

Mr. Browder. I had a job-

MR. GLICKSTEIN. Pardon me?

MR. BROWDER. I went to the employment office and they didn't have anything here in Selma, so they had something out in New York, I went on that.

Mr. GLICKSTEIN. They offered you—the employment office offered you a job up in New York?

Mr. Browder. Yes.

MR. GLICKSTEIN. Was it a temporary job that they offered you?

Mr. Browder. No.

MR. GLICKSTEIN. Was it a permanent job that they were offering to get you in New York, or just a seasonal job?

Mr. Browder, Kind of seasonal.

MR. GLICKSTEIN. What sort of a job was it?

MR. BROWDER. Working in a frozen food plant.

MR. GLICKSTEIN. And when did you work at that job?

Mr. Browder. About 10 months ago.

Mr. GLICKSTEIN. Ten months ago?

Mr. Browder. Yes.

MR. GLICKSTEIN. How long were you in New York?

Mr. Browder. About 9 months.

MR. GLICKSTEIN. You were there 9 months?

Mr. Browder. Yes.

Mr. GLICKSTEIN. How did you do financially while you were up there?

MR. BROWDER. You mean rate?

Mr. GLICKSTEIN. Did you make good money in New York?

Mr. Browder. Sure, a little.

Mr. GLICKSTEIN. Why did you return to Dallas County?

Mr. Browder. Well, I had a mother here and a family, so I decided to come back home.

MR. GLICKSTEIN. Do you feel that you prefer to live in Alabama and Dallas County than New York, or elsewhere in the North?

Mr. Browder. Well, sure. This is my home.

Mr. GLICKSTEIN. Do you feel that you are wanted here in the South?

MR. BROWDER. No, not exactly.

MR. GLICKSTEIN. What do you mean by that?

Mr. Browder. Well, you never can get a job in the South as far as that is concerned. We go to places, they always want to send you away from home, and not giving you a job at home.

MR. GLICKSTEIN. You went to the employment office and they offered to get you a job away from home. Did you ask them if they had anything available here in Alabama or in Dallas County where you could be trained for a job?

Mr. Browder. Yes, I did.

MR. GLICKSTEIN. And what did they tell you?

Mr. Browder. They told me they didn't have anything not as right then. They had this job over up in New York and they needed men, so I was in a tight spot, so I just went.

Mr. GLICKSTEIN. Do you intend some day to finish high school?

Mr. Browder. If I could actually I would.

Mr. GLICKSTEIN. Would you like to go to one of the trade schools that are available here in Alabama?

MR. BROWDER, Sure.

MR. GLICKSTEIN. At the moment is it a financial problem that is preventing you from doing this?

Mr. Browder. Repeat the question.

MR. GLICKSTEIN. At the moment is it a financial problem that is preventing you from taking the full time to go to trade school?

Mr. Browder. Yes.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman, do you have questions? COMMISSIONER FREEMAN. Yes. I would like to ask a question of Miss Allen.

Would you state what you think should happen to make things change where you live?

MISS ALLEN. Well, for the first thing, the white man in the South, he is going to have to learn that a Negro is human, just like everybody else. And that is the very first thing. And after that, the Negroes are going to have to prepare themselves for these jobs that are opening up, because I mean, I know nobody is going to hire you if you can't do the job. But still, in some parts of our State you can't get a job if you are the best typist in the world, you couldn't get a job in Greenville as a typist, not in some of the offices downtown, and the very first thing that is going to have to happen is that the white man has got to put himself in the Negro's place, because if he doesn't, this United States is just going to vanish because the Negroes of today are not like the Negroes of yesteryear, they are going to fight and they are going to demand things that my mother never did think about demanding.

COMMISSIONER FREEMAN. Mr. Browder, did I understand you to say that you are still employed?

Mr. Browder. Yes, I am.

COMMISSIONER FREEMAN. Do you have any knowledge of any companies in your county or city that have any Government contracts?

Mr. Browder. Sure. Yes, I have.

COMMISSIONER FREEMAN. Have you made any application to any of those companies?

Mr. Browder. Yes.

COMMISSIONER FREEMAN. And what were you told?

MR. BROWDER. Well, there I have been told to come back, they tell you to come back, and if you go back, they tell you to come back, they tell you to come back the next 2 weeks.

COMMISSIONER FREEMAN. Do you know if any of those companies have any training programs?

MR. BROWDER, No.

COMMISSIONER FREEMAN. Is there any place in your county that you can go for help that you believe will help you now?

Mr. Browder. I don't quite understand you.

COMMISSIONER FREEMAN. If these companies are not employing you, let's say, let's assume that they are not giving you a chance because you happen to be black, is there any place that would help you to help change that?

MR. BROWDER. Well, not as of now that I know of.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH, Dr. Rankin?

COMMISSIONER RANKIN. I have been listening to your testimony, and would it be fair to summarize it this way: That all of you would like to continue to live in Alabama, but you would prefer or you think that Alabama needs some way, either business or schools, to give you some sort of training so you could take a job and at least there must be job opportunities for Negroes in Alabama? Am I correct in that or not?

SEVERAL WITNESSES. Yes.

Mr. Kennedy. No.

COMMISSIONER RANKIN. Okay.

Mr. Kennedy. I wouldn't just like to live in Alabama with just job opportunities. That wouldn't change anything if you had every Negro in Alabama, and I think that everybody is well aware of the fact that if everybody in Alabama was hired the conditions would still be the same. There would be a lot of exploitation and a lot of degradation and a lot of depression for our people, if you had every black man in this room and every black man in every county of Alabama the conditions would be the same if you don't change the system, the source, the source of discrimination, and the source of exploitation.

COMMISSIONER RANKIN. Well, go ahead and explain about the source.

MR. KENNEDY. What I am saying is that racism, everybody says racism is a thing on the hands for large, very large cruel hands, beastly hands like the white man against our people. He has all kinds of tricks to use against our people like you have got these people up here right now believing that the Commission is going to do something about this problem. And that is not going to happen.

You cannot make a law and expect that law to be followed, the laws have been broken for years and years, well, like practically 200 years, you cannot just in one day pass a law in Congress and expect everybody in the United States to follow that law. And you cannot have a marshal at every white man's door in Greenville, Alabama, or Greenville County. You can't have a marshal at every mill that a black man wants to be hired. And if you get discriminated—shot tonight, who are you going to call, the Commission? He is dead.

I mean the problem, I think, that everybody overlooks, and everybody tries to sidetrack is that you are in a fix. You got 20 million people up here that are tired, very, very tired of all of this trickery up and down, and something is going to come out of it one way or the other. Give us half of the country, all of it, or put us out of the country or kill us all.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. What do you think the outcome will be?

Mr. Kennedy. Well, I hope the outcome will be that I will be living for the next 50 years, and if that is the case, the outcome is evident where I will be living. I will be living so, therefore, everything will be all right. That is the only way I would answer that.

VICE CHAIRMAN PATTERSON. But do you see us having to separate this society or can we integrate it?

MR. KENNEDY. I think it would be better if you did put more energy in trying to separate it, than you would integrating it.

VICE CHAIRMAN PATTERSON. You think that system would work? MR. KENNEDY. I think if you gave us Alabama, Georgia, Mississippi, Florida, and Louisiana, we will do very well by ourselves.

CHAIRMAN HANNAH. Unfortunately we can't settle the kind of question that we are talking about now through argumentation, this isn't the appropriate place. I should only remind Mr. Kennedy when he talks about laws and their immediate effectiveness that for 100 years, up to 1957, there was not a single law of any consequence that passed the Congress of the United States that had anything to do with civil rights. That since 1957, much progress has been made although there isn't any question of course that we have a long way to go and certainly, a great many people recognize the reasons, or the impatience on the part of the young people and older people like Mr. Kennedy.

But I think when we rationalize and try to figure out how we are going to move America into a situation that will make it possible for skin color to become unimportant, admittedly with 80 percent of the people of the country white, and less than 20 percent of them black, this notion that has had wide visability that it is a black man's problem, is not true. It is the white man's problem because the black man can't solve it but, unpalatable as the idea may be to some, there is no other solution but for us to move toward, and continue in the direction of an integrated society that makes it possible for society to make the changes that must be made, to take out of it the inhibitions and the discriminations and the lack of opportunity, and the bad treatment that has been accorded to Negroes and to some other minority races.

Now we never settle this by argumentation. The problem is not going to be solved until more than half of the white people of the United States want to do something about it. And as the Chairman of this Commission, since its inception more than 10 years ago, I am just as certain as I am that I am sitting here in Montgomery, Alabama this afternoon, that there are a large fraction of the white people of America that have reached the point where they recognize that this civil rights problem as it pertains to Negroes

is a white man's problem, and it is going to be solved in pieces, and unevenly, but it is going to have to be solved and pretty darn soon. And I am a little regretful when we start down the line of questioning that we have had the last few minutes, because it makes no useful contribution. Mr. Taylor?

Mr. TAYLOR. I have no questions.

CHAIRMAN HANNAH. Are there any other questions?

MR. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Thank you very much, ladies and gentlemen. We are happy to have had you here. Call the next witness, please.

MR. GLICKSTEIN. The next witness is Mr. Neil O. Davis.

(Whereupon, Mr. Neil O. Davis was sworn by the Chairman and testified as follows:)

### TESTIMONY OF MR. NEIL O. DAVIS, AUBURN, ALABAMA

MR. GLICKSTEIN. Mr. Davis, would you please state your full name and address for the record?

Mr. DAVIS. My name is Neil O. Davis, 241 Kerry Drive, Auburn, Alabama.

Mr. GLICKSTEIN. What is your occupation, Mr. Davis?

MR. DAVIS. I am a country newspaper editor.

MR. GLICKSTEIN. Country newspaper editor?

Mr. Davis. Yes.

MR. GLICKSTEIN. What newspaper?

Mr. Davis. The Auburn Bulletin and Tuskegee News.

MR. GLICKSTEIN. How long have you been in the newspaper business?

Mr. DAVIS. Since I graduated from college in 1935.

MR. GLICKSTEIN. Are you a native of Alabama?

Mr. Davis. Yes, I am.

MR. GLICKSTEIN. Mr. Davis, I understand that you were a member of the President's National Advisory Commission on Rural Poverty, and in fact you were the only member on the Commission from Alabama. What was the purpose of that Commission?

MR. DAVIS. I could best give it to you in a very few words, if I refer to this report here, that did not gain very wide circulation, entitled, "The People Left Behind," which is a report of the Commission.

For some reason best known to some of the Secretaries of the President's Cabinet who received the Commission's report and then passed it on to him, it has not received very wide publicity, or dissemination, but the President's Executive order, Number so and so, in September 1966, at the time he established the Commission, he charged it to make a comprehensive study and appraisal of all conditions having to bear on poverty in rural Amer-

ica, economic, social, cultural, health, education—well, the whole gamut of conditions having to bear on rural poverty.

MR. GLICKSTEIN. And as a result of that directive you produced the report that you have in front of you?

Mr. Davis. That's correct.

Mr. GLICKSTEIN. Could you tell the Commission, Mr. Davis, what, from your experience on the Commission, were the facts of rural poverty that most impressed you?

Mr. Davis. Golly, well, let me say this. I began with the rather naïve assumption that the solution to all the problems of rural poverty had to do with education, that is formal education, and so did many of the academicians on the Commission. There were two or three college and university presidents and an assortment of other people in the professional establishment.

This notion was torpedoed in a hurry, as we talked to people. We were in a meeting as you are here, and we would ask the people, the poor, what would you order, if you could order right now anything, just one thing, and you were certain it would be given to you. And they would sit back thinking, they would say, "high school education," or "trade school education," maybe even a college education or maybe a professional education.

But in most instances they said, "A decent place to live." Housing immediately came up as the thing that most of the rural poor seemed to want above anything else. I don't mean just farm poor. There are more rural poor off the farm than on the farm. In the villages and in the small towns.

Mr. GLICKSTEIN. So the housing situation was the fact——

MR. DAVIS. It is interesting for me to read the report of the Commission on Civil Disorders, the things that bugged the people in the ghettoes are the same things that bugged the people in rural towns, beginning with housing, jobs, you name it.

MR. GLICKSTEIN. Mr. Davis, many people say that poor people are the object of unprecedented give-away programs. What is your opinion based on your experience in Alabama, and with the Rural Poverty Commission?

MR. DAVIS. Well, I would like to see the same amount of money that the Department of Agriculture dispenses every year for farmers for various practices, or even for not planting the land, I would like to see the same amount of money go into rural housing in Alabama. I think it would make a real dent in it.

What do you mean by "give-away"? I guess it is give-away if it goes to the poor, but it is not give-away if it goes to somebody else. If it's a business—I have a subsidy, I have a second class mail subsidy. I mail the two newspapers I own at a very nominal cost. They are delivered by postal and rural mail carriers. The taxpayers subsidize that. I have a second class mailing permit. That is not give-away though.

No, I think there is less money being spent on programs designed to alleviate rural poverty in Alabama than there is in some of the Department of Agriculture programs that somehow never get around to dealing with the problems of the poor.

MR. GLICKSTEIN. Do you think that many of the Federal programs are misdirected, or the focus of the programs are incorrect?

MR. DAVIS. Yes sir.

MR. GLICKSTEIN. Give us an example of that.

Mr. Davis. I just don't think that they have been updated. I think the programs were good 25, 30, 35 years ago, but they don't take into account the technological changes. They don't take into account the movement of population from the farm.

As I recall, from 1950 to 1965, about 45 percent of the jobs for farm workers were abolished, no need of them any more. And some agriculture economists predict in the next 15 years another 45 percent will go by the board.

And not that the Agriculture Department programs haven't shifted gears to deal with this at all. We just go on and on, the Agricultural Stabilization Program, these things that Dr. Hannah is a lot more familiar with than I am, being a land-grant university president. But I don't see very much being done in housing for the poor, for instance.

I know that the FHA is supposed to be doing something about this, but how does a man who has a cash income of \$1,200 or \$1,500 a year qualify under the rules to participate in an FHA housing program? He doesn't. Or if he makes \$3,000 a year, how does he participate? He doesn't. He can't qualify if he doesn't meet the ground rules. He doesn't have enough money.

We hear a lot about unemployment, and underemployment, but some of the statistical information that is in this report here, "The People Left Behind," is a statement that—well, I guess the last report we had was that unemployment in the country was about 4 percent of the workers. In rural America it was 18 percent. In some areas of rural America last September, it hit 38 percent.

More than 70 percent of the rural people the year before last earned less than \$3,000. You hear about \$3,000 being the cut-off point, separating the economically poverty or above poverty level of income for families—70 percent of rural Americans earned less than \$3,000. Twenty-five percent of them somewhow existed on incomes of less than \$1,000.

But these people are not organized. They don't have any spokesmen. They are not congregated in the ghettos where they talk to each other, and the dissatisfaction such as that expressed by this young man in Tuskegee Institute a while ago begins to take hold and in a few minutes they got a spokesman and they go and say some of the things that he was saying.

I don't concur with his black separatist point of view, but all I mean is that he is spokesman for a point of view. These people don't have any. The Farm Bureau speaks for the big farmer. Nobody speaks for the wage earner or the really poor farmer.

Mr. GLICKSTEIN. You mentioned that some of the Federal programs were not keeping step with changing times, and were not doing what today's needs require.

Do you also find that some of these programs are administered unfairly?

Mr. Davis. Well, in my view, you want a general opinion, you don't want me to try to document it in specific terms, I can tell you I have, in going around the country, yes, we saw a lot of instances where people at the local level, take any Government, any Department of Agriculture program that was dealing with the rural people—the rural people would go in and they would read, or they would hear over the radio or somebody would tell them by word of mouth, "Look, you're eligible for this." And they would go in and make application, and were told that they weren't eligible.

In some instances I took the trouble to read the Acts under which the programs were established to see if the information that was given people who were denied participation was correct, and I couldn't find that it was. And I came to the conclusion that this was not always the fault of the local agent or the local man, the man in the field in Georgia or Tennessee or Arizona or Kentucky, that oftentimes it was due to policies that were made even as high as the Washington level. Sometimes they were regional. Sometimes they were Federal. Sometimes it was due to just plain lethargy.

I made an observation to an official in the Department of Agriculture one time, and we were having a hearing in Washington, that I couldn't understand why so many people got so much bad information. You know, when they went to apply, and he just threw up his hands and said, "Well, this is such a labyrinth bureaucracy in the Department of Agriculture," he said, "I couldn't tell you myself." And I won't mention his name, but he was pretty high.

I asked him if it ever occurred to him—the thought ever occurred to him that one reason for a lot of the difficulty in the field, the reason a lot of people were denied the benefits of some of these programs, is there is no real push from the top. He doubted that.

But I am convinced, Dr. Hannah, that the man who is serving the Department of Agriculture in Greenville, Alabama, is going to be very happy to do what he is told to do by his superiors. So often the monkey is on his back, but he likes his job. it is one of the best jobs in the county, just take the crossroads of America. These Department of Agriculture supervisory positions are just about as good as any in the county. These men are not about to do anything that is out of step with official decrees that have been handed down from the regional level or from the Washington level.

Mr. GLICKSTEIN. You mean if Washington were to direct the local official to carry out some policy that was clearly contrary to the community feeling, nevertheless that local official would carry it out?

Mr. Davis. He would carry it out, yes, sir.

Mr. GLICKSTEIN. Are you suggesting —

MR. DAVIS. We have seen that in all elements of the desegregation picture in the country. These things are unpalatable, but somehow people find a way to do them if somebody high enough says it.

MR. GLICKSTEIN. You are suggesting that people at the local level just haven't been pushed hard enough?

Mr. Davis. Yes, sir.

MR. GLICKSTEIN. Mr. Davis, I am not sure whether you were here to hear Dr. Hannah's opening statement, but he commented on what we were doing here and how it relates to conditions in our cities today. What do you view as the relationship between rural poverty and problems the country is having in some of its urban areas?

MR. DAVIS. Well, we have been exporting our problems to the urban ghettos for many years, and I don't think that we are ever going to deal effectively with the problems of urban America. That is, of poverty and discrimination, separate and apart from action in rural America.

Well, Mr. Glickstein, I would continue by recalling again the exodus of people from the farms, 45 percent of the jobs in 15 years have dried up, and another prediction of another 45 percent in the next 15 years will suffer the same fate.

These people have got to go somewhere. And they all go seeking the Holy Grail or the Promised Land. As we know, they go to the large cities. And they are finding that performance doesn't match promise, or hope. And it seems to me that—I don't see how you come at this problem nationwide without making life more attractive in rural America and holding people in rural America who are now trying to find fulfillment of their hopes in the teeming cities.

MR. GLICKSTEIN. When you talk about making life more attractive to people in rural America, are you suggesting that we should keep people on the farms?

Mr. Davis. No, I don't buy the myth of the old sentimental family-size farm. I wish I did. I did for a long, long time. I was one of the workers for the old Farm Security Administration.

I thought it did a great deal in the 30's to keep people, marginal farmers on family-size farms. But with agricultural technology being what it is today, it just seems to me that it is inevitable, it is just unrealistic to talk about keeping them on the farm. They are not needed. They served the farm needs. But I think if you keep them in rural America, I think you could keep them in the villages, I think you could keep them in the small towns, I think people have a real love of rural America, rural life, who have an identity with life, like to maintain their identity with the soil.

I think that there ought to be provisions for jobs in rural America to provide an income for people who want to stay there and don't want to go to New York and Chicago and Detroit.

MR. GLICKSTEIN. You would advocate, then, attracting more industry in some of the rural areas?

MR. DAVIS. It has a lot to do with it. I think service type jobs, the population is growing, it pays, if it was growing in the rural areas as it is in the cities, well there would be all kinds of jobs, of course. Separate and apart from industry, service type jobs. Rather sophisticated ones, plumbing, electrical, television repair, radio repair, all sorts of things.

MR. GLICKSTEIN. Are you familiar with the law in Alabama, Mr. Davis, that permits communities to sell industrial bonds, the interest of which is tax-exempt and permits money to be used to attract industry?

MR. DAVIS. Yes.

Mr. GLICKSTEIN. Do you think this has had an effect of bringing industry into the rural areas?

MR. DAVIS. It is debatable. Some of our public officials are certain that this is the case—that Alabama would never have attracted any industry had it not been for this type of financing. I am not too sure.

I think industry is looking for people, first. I think we would have attracted more industry had we been able to upgrade our education some years ago, had the very small communities been able to provide more in the way of recreation, cultural opportunities for people connected with industry.

An interesting thing happened not long ago. The West Point Pepperel Manufacturing Company built in Chambers County, which is over by the Georgia line by the Chattahoochee River, a \$25 million plant, and it is—this big company is an amalgam of West Point Manufacturing Company and Pepperel in Boston, New England. The people in charge are principally Georgians and Alabamians. The headquarters are at West Point, Georgia a small town. They elected to borrow their own money. They were just opposed, the board of directors, to this type of thing, they thought that they ought to build their own plant. That they ought not to

have any tax advantages. And that they would pay for the money that they got just like anybody else would.

I think there is considerable room for debate about this. My own feeling is, well, if you could believe the economists, it is bad business. If you believe the politicians, it is good business.

I would like to think that industrialization of rural America would proceed a pace, and that as it did, that the industrialization would mean a bigger tax digest to support education, public health, and all the things that rural America needs.

Now, if the plant is going to be built in a way you mentioned and if they are to be given tax exemptions for 20 years, this won't mean there won't be some benefits because people will have jobs. But they won't bring the benefits they could if they were purely a private enterprise by design and by operation.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mr. Davis, we are talking about the future of the rural South, and the Negroes that have largely been displaced from the farms. If the Nation is going to understand this problem, don't you believe that it is necessary that we differentiate between the problems in the South, where the displaced people are largely folks with little capital, with little in the way of developed skill, as contrasted to the situation of the Midwest, which is a great agricultural area?

Mr. Davis. Oh, yes.

CHAIRMAN HANNAH. And, of course, this same technological change is taking place there, the family farm is gone, the 80-acre farm, the 120-acre farm. The farm has been sold into a much bigger unit, but the house is still there and there is still a family in it. And those people living in that house with the advantage of a few acres of ground and open areas are driving to town for a job. It is possible to drive 40 or 50 miles on good roads, back and forth.

MR. DAVIS. It is the case all over the Southeast.

CHAIRMAN HANNAH. But the difficulties when we are talking about these agricultural problems that are hatched in Washington and administered from Washington, the emphasis has been the agricultural problem, the maintenance of food supply and fiber supply and all the rest of it.

And we are inclined to criticize the Department of Agriculture that is given the job of administering these programs because they aren't interested in human beings. But the only programs that they have that have any reference to human beings are those in the field of Extension, 4-H Clubs, and all the rest of it, and these programs can't get the job done, you see, like you talk about your housing problem.

Mr. Davis, FHA-

CHAIRMAN HANNAH. FHA and all the rest of it. This is a different kind of problem and takes money for a different purpose.

Now we can't settle it here this afternoon. The only reason I bring it up and ask you the question, is that there needs to be recognition of the people in Washington that when they are talking about solving the rural problem in Iowa, and the rural problem in Alabama, they are talking about two completely different situations.

Mr. Davis. That's right. And we are also talking, when we talk about some of the Federal agricultural programs, about solving problems that no longer exist. We passed them years ago, and we keep on dealing in the same terms with them. I can buy a good bit of the American Farm Bureau opposition to some—to the continuation of some of these programs. I sit on the opposite side of the fence in many other areas, because we are just continuously going down the same old road.

CHAIRMAN HANNAH. Wasn't Ed O'Neal in Alabama?

Mr. Davis. Yes, he was.

CHAIRMAN HANNAH. And he played a key role in hatching the old Farm Bureau.

MR. DAVIS. Yes he did. And these were very effective programs, 20 or 30 years ago. But, as you say, they don't deal with the problems of rural poverty at all. And none of the agricultural programs has, since the days of the Farm Security Administration.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Going back to the industrial revenue bonds financing business, I share your worry about this scheme on many grounds, not the least of which I hear people politically, usually business men, praising private enterprise and its obligations to go ahead and paddle its own canoe in this society. And I think well of this. But then I turn around and find them using the municipal bond route.

MR. DAVIS. They argue they have to do it in self-defense. If you put it out here on the table and people start coming and they are takers, they have to go along and do the same thing or else they are at a disadvantage.

VICE CHAIRMAN PATTERSON. This leads me to my political question. Some 30-odd States now have this thing authorized. If this be true, aren't the poor Southern States like Georgia and Alabama losing their advantage now that this can happen in the rich States, and, therefore, shouldn't it simply just wither away and die as a bad practice which is driving up interest on municipal bonds by misusing them for the advantage of private enterprise?

If this be true, and if the competition be vanishing, then why is it that this year, in recent months, Congress itself overwhelmingly voted to continue to authorize this industrial bonds financing? What is the politics behind it? Mr. Davis. All of the politicians are for it. When the National Advisory Commission on Rural Poverty debated this thing in a hearing in New Orleans, all day long, it took longer than anything else. The reason was that the Governor of Kentucky, Ed Bradford, was Chairman of the Commission. And we were just about to vote a very strong statement on this thing, and he had been late getting away from Frankfort, and he got in just in the middle of the argument. So the result was that we adopted a watered down statement because he is a very ardent advocate of this point of view.

But two or three of the Southern States started it, as you know, and pretty soon the next State did and the next State over did, and finally, as you say, there are 31 States that do.

And if it doesn't go by the board as a bad practice, I would guess that it will be true in 50 States in self-defense. But the pathetic thing about it is that it drives the—as you know, as you said, it drives the rate of bonds up, and when the municipality or the county goes to float bonds for a needed school or public health concern or something like that, they find themselves paying  $1, 1\frac{1}{2}$ , 2 percent premium interest rates. So, have they really gained anything?

CHAIRMAN HANNAH. Any further questions?

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Davis, you said 70 percent of the rural poor receive incomes of less than \$3,000. Can you give a guess as to how many people that represents?

MR DAVIS. Well, there are 14 million rural Americans below the poverty line. So if 14 million constitute—well, there are 14 million, because they are below. But of the 14 million, 25 percent, in 1966, earned less than \$1,000. Most of these were white. Most of the rural poor in this country are white. Those of us who live in Alabama and Mississippi and Georgia think of rural poverty in terms of Negroes entirely. But this is not the case. More than 52 percent of the rural poor are white. A lot of them of course do live in the South and in Appalachia.

COMMISSIONER FREEMAN. Mr. Davis, I would like to pursue this with respect to the point that you made about the industrial expansion, whereby some of these companies have come down South. Is it then, if these are people who are still making \$3,000 or less, are these companies exploiting cheap labor?

MR. DAVIS. Well, I suppose it is what we might call fringe type industrial enterprise would be doing this, but not the big ones, not the major ones, not the big ones in chemistry. There is a great deal of this that has moved back to rural America, of course. Automobile rubber plants. There is one in my county, for instance, it came there 3 years ago. I think rather than looking for cheap

labor—of course, the union is going to take care of that pretty quickly anyway—I mean this rubber plant that came to Lee County, Alabama was nonunion just long enough for the United Rubber Workers to get in and organize it, which they did in a hurry.

I think rather than looking for the kind of people that they find in so many small Southern and Southwestern towns, that are hungry to do a job. You know, the greatest myth about the poor is that they don't want to work. Well, I talked to a man who started a plant in Southwest Arizona, where he was employing Indians, Negroes and whites—poor. He put it in a place, by design, on purpose, one of the poorest counties in the State, and this company manufactures a very sophisticated little gizmo about this big. about as big as a big hen egg, that goes into the space capsules, that has hundreds and hundreds of miles of wiring in it, and what these people do is wind these things by hand, just so. And he has a plant, or his company does in—two in New Jersey, three in New York State and one in Connecticut, and they were going to expand, so he went out there. And he pays the same wage there as he does in the East. So he wasn't looking for cheap labor. But his production is so much higher, his absenteeism is so much lower in this rural area, that he ever dreamed was possible. And I think the word is getting around.

This might be naïve on my part, but I think the word is getting around, that the rural poor really want to work, and that they are very "loyal" people. They will give it all they've got.

The reason they are poor is not that they are lazy, the reason that they are poor is that they are born in a culture of poverty and their families have been in it for four or five generations. Everywhere they turn they find it impossible to get out.

COMMISSIONER FREEMAN. We have heard testimony that some of these companies would not hire Negroes in skilled jobs. And they have also said that some of them have said that they are in a bind, there is nowhere to go. There is no help for them. Would you state your opinion whether this condition is getting worse, and what could be done about it to change it?

Mr. Davis. Well, mine would be an unexpert opinion, but I would guess that since the passage of the Civil Rights Law, the 1965——

Mr. GLICKSTEIN. '64.

Mr. Davis. —1964, that it is getting better. I mean I don't—I'm not so naïve as to sit here and say that there are not many cases of discrimination, and hanky panky and that there haven't been ways found to circumvent the purpose of the law, because I guess there are. But the fact remains that there are Negroes working in industrial plants today who were not working in industrial plants before the passage of the Civil Rights Act, and had it

not been for the Civil Rights Act they still wouldn't be working in those plants.

If I were a 21-year-old Negro living down here, I would be very impatient, just like this boy from Tuskegee who was speaking, I guess. But on the other hand, I am thankful for small favors when I see them, and the situation is not what it was 5, 10, 15 years ago.

There is some improvement, and I would guess as the Department of Justice moves to enforce compliance with the law, that there will be more and more, and not less and less.

CHAIRMAN HANNAH. Dr. Rankin? Mr. Taylor?

Mr. Taylor. Mr. Davis, you said education was only one of a number of problems, and I tend to agree with that. But I was interested in hearing a couple of the witnesses who preceded you tell us that the courses in their school were predominantly vocational agriculture. Now, the course: are you familiar with this? Do the courses in vocational agriculture prepare people for anything that is particularly useful?

MR. DAVIS. It prepares them for jobs that don't exist on the farms. However, let me say this. I don't know what it is doing, the direction it is moving in most States, but in Alabama, the State Department of Education, Vocational Education section of it, has begun to move this year to introduce more and more mechanical technical courses that have nothing to do with farming into this program. They have been slow in getting around to it. But they are beginning to do this.

Now, the question arises, what is the future of vocational education in the high schools with all of these trade schools cropping up all over the States, this State in particular. We have what, 19 I believe, that have been strategically located around the State. Well, as poor a State as Alabama is, with limited a budget as we have for public education, are we going to be able to afford the luxury of duplication of the trade schools in the vocational programs in the high schools?

Of course the thing that concerns me is the same thing that concerns the Commission, I'm sure. Let's assume that in the next few years States such as Alabama and Georgia develop a very fine vocational education program. And they turn out a lot of young people, black and white, with job skills, sophisticated job skills. Where are they going to work? Where are the jobs?

CHAIRMAN HANNAH. Well, on this score, again I don't know the Alabama situation, but we have been doing a lot of talking of agriculture in the Middle West, as we reduce the number of people on farms, we greatly increase the amount of farm equipment and the investment in farm equipment. One of the most difficult things to come by are people that can repair and keep in operation these great 65, 75, and 100 horsepower diesel tractors, and this is the living factor in a great many communities.

And so they are beginning to recognize vocational training in rural areas, in this kind of economy it takes people with a little different kind of skill to repair and maintain and operate these kinds of technological devices.

But I think this is part of the same thing which I thought you answered very well, when you said that the old fashioned vocational agricultural training program, and this is true in many other programs, is still training people for jobs that are disappearing.

MR. TAYLOR. We could pursue some political questions that you raised for some time, I just want to get into a little bit. One of the things that impressed you about the administration of the agricultural programs and impressed me to a great extent, is the decisions on the local level are apparently delegated to the people outside of the governmental structure, and these generally turn out to be larger landholders. Is that correct?

Mr. Davis. Yes.

MR. TAYLOR. Is that a significant problem in the administration? MR. DAVIS. That is correct. The Department of Agriculture, though, is beginning to move in on that. I notice several places this past year, where there have been elections of County Agricultural Stabilization and something committees to make certain that small farmers and, in some instances, farm labor, is represented on these committees.

But up until just about now, these committees usually have been constituted with the big farmers in the counties. No representation, usually, for the small——

MR. TAYLOR. I just wanted to clarify and see if my understanding was correct of what you said about directives from Washington. You aren't just saying that there should be directives from Washington, but the people at the local level, their jobs should depend on whether they carry out those directives?

MR. DAVIS. Whether they carry out the directives. This is the case. You carry out the directives or you don't hold your job. Sometimes they don't get very strong directives.

Mr. Taylor. Then you figure people who are unsympathetic on the local level will say nobody ever explained it to me that way?

MR. DAVIS. That's right. Of course, the real poor rural American gets the short end of the stick all the way around. The poverty program never has dealt with it—the OEO so-called poverty program has not addressed itself very broadly to the problems of the rural poor.

Oh, there's—some programs on birth control. This is important, but this is the extent of the poverty program in many counties, teaching housekeeping, how the keep a house clean, in some instances like the Head Start project, there might be one in the

county seat, and this takes care of all of the little children right there. But not out over the county.

And this is the extent of the poverty program in the average rural county in America. But we are talking about 14 million rural poor. That's a lot of them.

CHAIRMAN HANNAH. Thank you very much, Mr. Davis. We are very grateful to you. You were finished with this witness?

Mr. GLICKSTEIN. Yes, sir.

CHAIRMAN HANNAH. That is the last witness for the day. We are now adjourned until 9 o'clock Monday morning, in this same place.

(Whereupon, at 5:10 p.m., the hearing was adjourned, to reconvene at 9 a.m., Monday, April 29, 1968.)

## U.S. COMMISSION ON CIVIL RIGHTS

#### MONDAY MORNING SESSION

#### APRIL 29, 1968

CHAIRMAN HANNAH. Ladies and gentlemen, the hearing of this session of the Commission on Civil Rights will come to order. Mr. Glickstein, will you call your first witness.

MR. GLICKSTEIN. The first witness is Rev. William Branch.

(Whereupon, Rev. William Branch was sworn by the Chairman and testified as follows:)

#### TESTIMONY OF REV. WILLIAM BRANCH, FORKLAND, ALABAMA

Mr. GLICKSTEIN. Reverend Branch, would you please state your full name and address for the record?

REV. BRANCH. My name is William McKinley Branch, Box 134, Forkland, Alabama.

MR. GLICKSTEIN. What county is that in?

REV. BRANCH. Greene County.

MR. GLICKSTEIN. How long have you lived in Greene County? REV. BRANCH. All of my life.

MR. GLICKSTEIN. Are you involved in any organizations that are attempting to help rural residents?

REV. BRANCH. Yes, I am.

MR. GLICKSTEIN. What organizations are they?

REV. BRANCH. I am president of the Greene County Branch of the NAACP also the president of the Greene County Civic Organization. President also of the Alabama Rural Development Program.

MR. GLICKSTEIN. And are you engaged in any political activity at the present time?

REV. BRANCH. Yes, I am.

MR. GLICKSTEIN. What is that?

REV. BRANCH. Number one, I am aspiring for the U.S. House of Representatives from the Fifth Congressional District of Alabama. Also, I am affiliated with the election of two members of the Greene County Board of Education and the Greene County Commissioners' Board.

MR. GLICKSTEIN. Reverend Branch, what is the racial composition of Greene County?

REV. Branch. You mean as relative to the voting strength?

MR. GLICKSTEIN. No, the percentage of Negroes and the percentage of whites that live in the county.

REV. BRANCH. Well, we have approximately 81 percent Negro, and 19 percent white.

Mr. GLICKSTEIN. Has the percentage of Negroes been growing or falling over recent years?

REV. BRANCH. Oh, I would say it is on a slight decline.

Mr. GLICKSTEIN. On a slight decline?

REV. BRANCH. Yes.

MR. GLICKSTEIN. Have people been shifting from farms to other types of occupations in Greene County?

REV. Branch. Many of the people have been evicted from farms and were forced into looking for other avenues of livelihood.

MR. GLICKSTEIN. Has this happened recently, these evictions? REV. BRANCH. Over the last few years.

Mr. GLICKSTEIN. Has this been occurring in neighboring counties as well?

REV. BRANCH. Most of the Black Belt counties.

Mr. GLICKSTEIN. What do you think the reasons for these evictions are?

REV. BRANCH. Oh, I think reason number one is participation in the civil rights movement. That is the number one cause. Secondly, political reasons in areas where the Negros outnumber the whites. Then we had all types of strategy used to force Negroes out of the area because of fear of political domination by Negroes.

Mr. GLICKSTEIN. You think those are the principal reasons?

REV. BRANCH. Oh, yes.

MR. GLICKSTEIN. Are there also economic reasons?

REV. BRANCH. I think economic reasons I would rate as number three, which would be—which came in almost simultaneously as a good alibi for eviction.

MR. GLICKSTEIN. And by "economic reasons" you mean mechanizing farms?

REV. BRANCH. By "economic reasons," I say not so much mechanizing farming, but I say—let's say soybeans, let me use that specifically. When the soybean program began to be initiated in our county, it was a very good excuse to say that, well, we are going to turn this land over into soybeans, and you have got to go.

Mr. GLICKSTEIN. You think the economic reasons were interrelated with the other political reasons that you mentioned?

REV. BRANCH. Yes, thirdly, in my estimation.

Mr. GLICKSTEIN. How do the people that have been evicted earn their living now?

REV. BRANCH. Some have small jobs, such as working in kitchens and so forth. And there are some who have been able to

be employed in some of the industrial institutions there, what few we have. And then some commute from one county to another.

MR. GLICKSTEIN. Are most of the people that have been evicted still living in Greene County or have some of them moved out?

REV. BRANCH. Well, I would say approximately 2 percent have moved from the county to other States, like Detroit, New York, California, et cetera. And then there is about 5 percent that have moved from Green County to another county within the State of Alabama.

MR. GLICKSTEIN. I see.

REV. BRANCH. And of course I think that makes it two and five—seven—about 93 percent remain in Greene County.

MR. GLICKSTEIN. You mentioned that some of the land that these people were living on and have been evicted from is now being used for soybeans. What other purposes is this land being used for?

REV. Branch. Soybeans, wheat, and corn. And in some instances cattle.

Mr. GLICKSTEIN. Any of it used for timber as well?

REV. BRANCH. Well, we don't have too much. We notice also in a few instances we have—or certain paper mill companies who have planted large tracts of trees for future use.

MR. GLICKSTEIN. Now, you mentioned that you were a candidate for political office. When was it that Negroes first ran for office in Greene County?

REV. BRANCH. Well, if—I think it was in 1966, yes, 1966.

MR. GLICKSTEIN. That was the year after the Voting Rights Act was passed?

REV. BRANCH. Oh, yes.

MR. GLICKSTEIN. And what success did Negroes have?

REV. BRANCH. We were able to elect one Negro to the Board of Education of Greene County, one Negro to the Greene County Democratic Executive Committee. We have the sheriff case now tied up in court, and we will be in court on Thursday of this week to determine whether or not we will have another sheriff election, and also the date.

MR. GLICKSTEIN. That was Reverend Gilmore?

REV. BRANCH. Yes, and Mr. Lee. Mr. Lee was the incumbent. Mr. GLICKSTEIN. The Negroes who have run for political office in Greene County, what do most of them do for a living?

REV. BRANCH. Well, quite a few, I mean maybe 95 percent of the Negroes who run for public office are homeowners, and some farm, and others have other public jobs, such as, you know, some industrial jobs.

MR. GLICKSTEIN. Is it fair to say that Negroes who do run for public office are fairly secure economically—they don't have to worry about being evicted or fired?

REV. BRANCH. Well, we would be safe in saying that.

MR. GLICKSTEIN. Do you think that people dependent on a landowner, for example, are more reluctant to engage in political activity than someone who owns his own farm or works in a factory?

REV. BRANCH. I would venture to say further, not only are they reluctant in aspiring for political office, but also all people are reluctant even to go to the polls and registering to vote, because in many instances we have had—or our white landlords tell us if you vote, you go—you got to move.

So until they are able to improve their economic status, then, the political picture in Greene County, most of the counties, will not be what it should ordinarily be.

MR. GLICKSTEIN. Reverend Branch, in some parts of the country people feel that the Voting Rights Act of 1965 has solved all problems for Negroes in the South. How would you evaluate that belief as it affects Greene County?

REV. BRANCH. Well, I would say that the 1965 Voting Rights Act, if you say a statement like that, has opened the door. But yet, you know, sometimes in the doorway you see some little—or maybe a broom lying across the way, or a little brick. We still have obstacles.

MR. GLICKSTEIN. Do you think people still have difficulty registering to vote?

REV. BRANCH. Yes, I do.

MR. GLICKSTEIN. You mentioned that some people are just afraid.

REV. BRANCH. Yes, that is correct.

MR. GLICKSTEIN. What about difficulties in seeking office and becoming candidates or being active in party affairs? Does such difficulty exist?

REV. BRANCH. Not much difficulty in seeking office.

MR. GLICKSTEIN. How about participating in the affairs of the Democratic Party in Greene County?

REV. BRANCH. We have one man in that particular department.

Mr. GLICKSTEIN. Right now?

REV. BRANCH. Yes.

MR. GLICKSTEIN. In fact, I understand that you are going to be a delegate, is that right——

REV. BRANCH. Yes.

Mr. GLICKSTEIN.—to the Democratic National Convention in Chicago?

REV. BRANCH. Exactly. That is right.

MR. GLICKSTEIN. Do Negroes in Greene County generally feel that their votes are counted fairly on election day?

REV. BRANCH. Well, it depends on the outcome of this court case. I think that we have quite a few people who are of the

opinion that they have been cheated at the polls so far as the counting of the ballots is concerned.

Mr. GLICKSTEIN. When did you first personally become active politically?

REV. BRANCH. Well, I taught school for about 16 years, and I have always had a political inclination. And after we were able to get a sizable number of registered voters, then I figured it was my time to try to hit it hard.

Mr. GLICKSTEIN. Why are you running for office? What do you expect to accomplish if you should be elected to the House of Representatives?

REV. Branch. Well, I'll tell you: I expect to help change the image of America. I just want them to know that although I am from the Deep South, I mean people of the other countries, that I do have a political advantage. I do have my political privileges. I have the right to aspire for any office of the United States, including the Presidency of the United States.

MR. GLICKSTEIN. Do you have any particular program in mind that you would advance if you were elected to the House of Representatives?

REV. BRANCH. Well, I will give you a few, you know, because I don't know whether my opponent is here. If I have opposition, I don't want to give them a stick to crack me over the head with. But I will say this, that I would represent all the people in my district, whether they are white or black. I will let you know that much.

MR. GLICKSTEIN. Thank you. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions?

VICE CHAIRMAN PATTERSON. Mr. Branch, what is the number of Negro voters as opposed to white voters in the district where you are running for Congress?

REV. BRANCH. Oh, I think we are working on that. You see, we cannot say exactly, because people are still registering. But my research committee is working on that, but I think that we have, percentage-wise, 43 percent Negro registered voters in my district, and then of course the balance would be white.

VICE CHAIRMAN PATTERSON. You mentioned that in your own county of Greene, you estimated an 81 percent Negro population.

REV. BRANCH. Yes.

VICE CHAIRMAN PATTERSON. Is this county paired with other counties inside that Congressional district that are white majorities—

REV. BRANCH. We have Greene County, Sumter County, Marengo County, Hale County, and I believe Precincts Nos. 33 and

53 of Jefferson County, where I think we have quite a number of registered Negro voters. I think we are in the majority there. But we have some counties, like Shelby, Bibb, and I believe Tuscaloosa County that have more white voters.

But may I say this, that I plan to get some white votes.

VICE CHAIRMAN PATTERSON. Do you believe you could win this race?

REV. BRANCH. I do. If I didn't believe it, really, I just wouldn't go into it.

VICE CHAIRMAN PATTERSON. How did you happen to be selected as a delegate to the Democratic National Convention?

REV. BRANCH. Well, I will be nominated in June. I have already qualified, and I have got the sanction, too, that I most likely will be nominated in June at the State convention.

VICE CHAIRMAN PATTERSON. Then there will be a vote at the State convention?

REV. BRANCH. Oh, yes.

VICE CHAIRMAN PATTERSON. Whether you are to be a delegate?

REV. BRANCH. Oh, yes.

VICE CHAIRMAN PATTERSON. Have you been subjected to any intimidation as a result of your candidacy for Congress?

REV. BRANCH. Well, yes.

VICE CHAIRMAN PATTERSON. Would you describe that?

REV. BRANCH. Well, I have received threats like—or this is right in my locale, too, that we are going to "get that nigger—he's trying to play smart." And two confidential men came to me and told me on two different occasions, said this particular person, this particular faction said, "We are going to kill him."

VICE CHAIRMAN PATTERSON. Were these threats made to you directly or by roundabout ways?

REV. BRANCH. Well, as I say, as I told you, indirectly.

VICE CHAIRMAN PATTERSON. What do you mean by "indirectly?"

REV. BRANCH. I mean this man, the man told me—two men who told me the man who said—who threatened me, told them. Do you understand that? For example, John Doe told me that John said that he is going to kill me. Well, the point is that John Doe told me that John said he is going to kill me.

VICE CHAIRMAN PATTERSON. But it was hearsay, no direct threat to you?

REV. BRANCH. Of course it was hearsay. Of course it was hearsay.

VICE CHAIRMAN PATTERSON. Has this caused you to fear for your life in this race?

REV. BRANCH. No. You see, when I entered the movement, you know, the first thing—I am a Christian; secondly, I am a minister,

and when I entered the movement, well, I got sanction from God, and I have lost my fear, because I know this is one thing, I have got to die one way or another and I would rather die for a good cause.

CHAIRMAN HANNAH. Mrs. Freeman, do you have questions?

COMMISSIONER FREEMAN. Yes, I do. Reverend Branch, I would like to ask you concerning the condition of the families that were evicted from the farms with respect to the large percentage of Negroes that live in Greene County. I would like to know what resources are available to help those people, what programs are available, and the extent to which, because of the large population, you can work together and probably develop some new tools to help improve the condition.

REV. BRANCH. May I speak to that. What we have been doing—many of the people who were evicted, through the churches and other benevolent societies, and we have been able to pool a little money and help them to buy maybe a lot 50 x 150, or maybe an acre of land, and in some instances we have gone there and helped them to build their house, you know, furnish the labor.

And if they could get hold of the material, we would help them to build their house. And we also—one thing that has helped us quite a bit there was the—one of the Federal programs called the food stamp. Now, many of these people had no jobs, they were kicked out, many of them lived on these places all of their lives, and they just couldn't realize, they just couldn't at first get adjusted to it that their good old boss would tell them to get out.

Therefore it left them all shook up. And then those of us who are already fairly well set, we had to go to their rescue, and because of the food stamp program they have been able to eat something, but yet I don't feel that the Federal programs have really done what they could have done, or should have done for these displaced people.

For example, they went to—many of them went to the FHA there in the county to try to secure some help in building these houses. But due to the small acreage or the small lots, and due to having no income whatsoever, they were not approved, their loan was not approved. Therefore, we are still out there figuring and wondering what is the next best thing to do.

COMMISSIONER FREEMAN. When the Federal people, or Federal officials at the local level, have denied it, have you taken any appeal beyond this State?

REV. BRANCH. Washington knows it.

COMMISSIONER FREEMAN. What has Washington done about it?

REV. BRANCH. They have written us letters saying that they are going to investigate and, incidentally, they have sent in some

investigators and they have made their reports, and in some instances, you know, the thing is so tied up there that when they sent in the Federal representatives, they have such a beautiful picture turned toward them that they sometimes go back to Washington thinking that everything is all right.

At the time they leave, then hell starts being raised again.

COMMISSIONER FREEMAN. When these people come in, do they talk to you and the people who are complaining?

REV. BRANCH. Oh, yes. Yes.

COMMISSIONER FREEMAN. And yet they have gone back with the other side?

REV. BRANCH. Well, I don't know whether they have gone back on the other side, but we haven't gotten the result that we should have gotten.

COMMISSIONER FREEMAN. Now, I would like to ask you about the statement that you made about the possibility of being cheated at the polls.

REV. BRANCH. Yes.

COMMISSIONER FREEMAN. You are using, or going to use, your people as poll watchers, aren't you?

REV. BRANCH. Oh, yes. But here is another complication, here is a thing that is going to perpetuate what's been happening unless you're mighty careful. You know, at the polls you have your poll watchers and your inspector and your clerk. Well, now, there the ones who inspect are the ones who can help the voter if he is illiterate—he is white.

For example, if I couldn't read, I might go there and, say, vote for John Doe—how would I know John Doe when I see it? You might mark your favorite candidate. So we have those complications.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin.

COMMISSIONER RANKIN. Reverand Branch, how long have you been a registered voter?

REV. BRANCH. Maybe about 15, about 15 years or more.

COMMISSIONER RANKIN. You didn't have a difficult time?

REV. BRANCH. Oh, yes, I did.

COMMISSIONER RANKIN. Tell us about it.

REV. Branch. Listen, I had to answer a stack of questionnaires about that tall, and after I got through answering those questions I had to go out and find a white man to come in and approve it.

COMMISSIONER RANKIN. Which was more difficult?

REV. BRANCH. Finding a white man.

COMMISSIONER RANKIN. That was the hard job?

REV. BRANCH. Oh, yes, I say that without reservation.

COMMISSIONER RANKIN. Now, you are running for Congress in the Fifth District?

REV. BRANCH. Yes.

COMMISSIONER RANKIN. How many counties in that district? REV. BRANCH. I think about 11 counties.

COMMISSIONER RANKIN. Eleven counties?

REV. BRANCH. Yes.

COMMISSIONER RANKIN. Let me ask you a hypothetical question. Say you are elected to Congress and once you get there a matter comes up which has racial overtones, and the white people have one side and the Negroes have another side, but in this particular —you being a minister, and in this particular case you think the whites are right. What are you going to do?

REV. BRANCH. You say the whites are what?

COMMISSIONER RANKIN. Are right and your Negro constituency is wrong. Now, you are representing all the people in your district? REV. BRANCH. Oh, yes.

COMMISSIONER RANKIN. What are you going to do in a situation like that?

REV. BRANCH. I am obligated, I am dedicated to justice, blind justice, and whatever side is right, I go along with that side.

COMMISSIONER RANKIN. And you don't think that you have let your Negro constituency down?

REV. BRANCH. I don't care if my dear sweet wife or mother is wrong, I believe in doing that which is right.

COMMISSIONER RANKIN. Hooray for you.

REV. BRANCH. Yes, sir.

CHAIRMAN HANNAH. Mr. Branch, I would like to ask you another question. You were telling us about the efforts that are being made by yourself and others to provide opportunities for these Negroes that are dispossessed to help them build their houses and so on.

What is your view with reference to the desire of the Negroes in your county to stay in Alabama if they can? Would they rather stay in Alabama if there is an opportunity for them to get a job and make a living, or would they rather go North?

REV. BRANCH. Very many of those people have come to my house, crying, saying, "We do not want to leave our county, the county—the county which we helped to build, we helped to make it what it is. We don't want to leave this county, we want to stay here. And we want you to get out and try to help us relocate ourselves."

And we have spent many, many nights calling people together who already have land. We couldn't buy land from the whites, and calling these people together who had land and had to sit down and sometimes had to reflect on the Scripture, saying, "When the Master came, we said, when you were outdoors you took me in, when you were naked you gave me clothes."

And we used that statement, and we have converted a lot of the people who owned land to be willing to permit those people to either live on their land free of charge, until they can do better, or sell them a portion of that land.

CHAIRMAN HANNAH. Do you think that a great number of them would like to stay in Greene County or Alabama?

REV. BRANCH. Yes.

CHAIRMAN HANNAH. Mr. Taylor.

MR. TAYLOR. Reverend Branch, just to get an idea of the numbers involved, about how many people would you say have been evicted over the past 2 years in Greene County?

REV. BRANCH. I believe I could give it to you family-wise. Is that all right?

Mr. TAYLOR, Yes.

REV. BRANCH. I think that we have between 85 and 90 families that have been evicted, and do you not know some of them are in the process of being evicted now.

Mr. Taylor. So it is continuing?

REV. BRANCH. Oh, yes.

MR. TAYLOR. Now, I wanted to ask you something else. You told Mr. Patterson, I believe, that you plan to get some white votes. Does that mean that you think that there are white people in your county, or in your Congressional District, who are sympathetic to the objectives that you have to improve conditions for Negroes?

REV. BRANCH. Oh, yes. Or may I say now, I will not give you their location, but I have already gotten some commitments from some whites who are willing to help me work in my county.

MR. TAYLOR. But they don't want their names used, is that right?

REV. BRANCH. I will not tell them, not at this time. Remember, they didn't tell me not to tell it. But I know where I live, and I have lived where I live for a long time.

Mr. TAYLOR. Would it be possible to form a coalition with whites who are sympathetic, a political coalition?

REV. BRANCH. In some areas we have already.

Mr. Taylor. But it is not an open kind of coalition?

REV. BRANCH. I better reserve that.

Mr. Taylor. You said there is some fear in the Negro community. Is there fear in the white community too? What are the white people—I am sorry, go ahead.

REV. BRANCH. Re-phrase your question.

MR. TAYLOR. What are the white people afraid of?

REV. BRANCH. I don't know, but I think that, or maybe it is a possibility that, they might be afraid of the same thing that the people are afraid of in New York, in Chicago, Washington, and

in other places. I think that they really don't understand, really, what the Negro in Greene County wants.

We do not want violence, by any means, but we want what they want economically, politically, socially, and every other thing. That is all.

CHAIRMAN HANNAH. Any further questions? Mr. Glickstein? Mr. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Do any Commissioners have further questions? Thank you very much, Reverend Branch. We are grateful to you. You are excused. Your next witness, Mr. Glickstein?

Mr. GLICKSTEIN. The next witnesses are Mr. Willie Hill and Mr. and Mrs. Roy Thomas.

CHAIRMAN HANNAH. They are appearing together?

Mr. GLICKSTEIN. Yes, sir, as a panel.

(Whereupon Mr. WILLIE HILL AND Mr. AND Mrs. Roy Thomas were sworn by the Chairman and testified as follows:)

# TESTIMONY OF MR. WILLIE HILL, EUTAW, ALABAMA AND MR. AND MRS. ROY THOMAS, MITCHELL VILLAGE, ALABAMA

Mr. GLICKSTEIN. Mr. Hill, will you please state you full name and address for the record?

Mr. HILL. My name is Willie Hill.

MR. GLICKSTEIN. And your address?

Mr. Hill. Route 3, Box 127, Eutaw.

MR. GLICKSTEIN. Mr. and Mrs. Thomas, would you please state your full names and addresses for the record?

MR. THOMAS. My name is Roy Thomas, and my address is Mitchell Village, Route 2, Box 87D.

MR. GLICKSTEIN. And Mrs. Thomas, would you state your full name?

MRS. THOMAS. My name is Anne Florence Thomas, and I live at Tuskegee, Alabama, Mitchell Village, Route 2, Box 87D.

MR. GLICKSTEIN. Mr. Hill, how many children do you have?

Mr. HILL. Seven.

MR. GLICKSTEIN. And how long have you lived at your present location?

Mr. Hill. Where I am living now, I have been living since the the last of February.

Mr. GLICKSTEIN. February of 1967?

Mr. HILL. That's right.

MR. GLICKSTEIN. And where did you live previously?

Mr. Hill. Before then I was living on the Jones place in Greene County.

MR. GLICKSTEIN. Also in Greene County?

Mr. HILL. Greene County.

MR. GLICKSTEIN. How long did you live there?

MR. HILL. I lived there 37 years.

MR. GLICKSTEIN. Is that all your life?

Mr. HILL. Yes.

Mr. GLICKSTEIN. You were born there?

MR. HILL. Born there.

Mr. GLICKSTEIN. How about your parents, had they lived there most of their lives?

Mr. Hill. The parents were born there in Greene County.

Mr. GLICKSTEIN. They were born there?

Mr. Hill. Born there and raised there, and grandfather.

MR. GLICKSTEIN. Your grandfather was born there?

Mr. Hill. Yes.

Mr. GLICKSTEIN. And he lived on the same plantation that you lived on?

Mr. HILL. Same plantation.

MR. GLICKSTEIN. What did you do on that plantation? How did you earn your living?

MR. HILL. Well, where I was living, I farmed there.

MR. GLICKSTEIN. And you were farming?

Mr. Hill. Yes, I was farming.

MR. GLICKSTEIN. How many acres did you farm?

MR. HILL. I farmed 30 acres of cotton.

Mr. GLICKSTEIN, 30 acres of cotton?

Mr. Hill. Yes, 30 acres of cotton.

MR. GLICKSTEIN. How much rent did you pay for your farm?

Mr. Hill. Last year I was there I paid 1,013.60 some cents for the 30 acres of cotton.

Mr. GLICKSTEIN. In addition to cotton, did you farm anything else?

MR. HILL. A little small corn farm.

MR. GLICKSTEIN. Corn farm?

Mr. Hill. Yes. Sweet potatoes, vegetables, things like that.

MR. GLICKSTEIN. Primarily to feed you and your family?

Mr. HILL. That's right, my family.

Mr. GLICKSTEIN. How about livestock, did you have any livestock?

Mr. Hill. I had a pair of mules and two cows.

MR. GLICKSTEIN. You are living elsewhere now. What led up to your leaving the plantation that you were born on?

Mr. Hill. Well, where I am living now is in Lewiston.

Mr. GLICKSTEIN. What got you there, what forced you to move from where you had been born?

Mr. Hill. I was evicted from the land I was living on.

Mr. GLICKSTEIN. You were evicted?

Mr. Hill. Yes.

Mr. GLICKSTEIN. What was the reason you were evicted?

Mr. HILL. Mostly I think because of the voting.

MR. GLICKSTEIN. Voting?

Mr. Hill. Yes, sir.

MR. GLICKSTEIN. And had you been active in voting?

MR. HILL. Yes, I was active in the voting. I transported people back and forth to the polls. They had no other way to go there and asked me to carry them in my car.

Mr. GLICKSTEIN. How about other people that lived on that plantation? Were other people evicted as well?

MR. HILL. It was 21 families that had received eviction letters, back along the same date I received mine. It was 23 families that had to leave there in 1966.

Mr. GLICKSTEIN. You farm at the present time?

Mr. HILL. No, I don't farm now.

Mr. GLICKSTEIN. Do you own your home or the land that you live on?

Mr. HILL. I own 2 acres.

MR. GLICKSTEIN. You own 2 acres?

Mr. Hill. Yes, 2 acres.

MR. GLICKSTEIN. From whom did you buy that land?

MR. HILL. I had to buy that from Mr. Walter Barnes at Lewiston.

Mr. GLICKSTEIN. Is he white or Negro?

Mr. HILL. He is a Negro.

MR. GLICKSTEIN. Did any of the other families that were evicted also buy land from this gentleman?

Mr. Hill. Yes, sir, six families bought their land from Mr. Barnes.

MR. GLICKSTEIN. How many families, I'm sorry?

Mr. HILL, Six.

Mr. Glickstein, Six?

Mr. Hill. Yes, about six.

MR. GLICKSTEIN. And how about your house? Did you build that, or was that on the land that you bought?

Mr. Hill. My house wasn't on the land, the house I was living in was on the Jones plantation.

Mr. GLICKSTEIN. The same house?

Mr. Hill. Yes.

Mr. GLICKSTEIN. How did you get your house from the Jones plantation to where you are now living?

MR. HILL. A moving truck moved it there for me.

Mr. GLICKSTEIN. Did you pay for it yourself?

Mr. HILL. Yes.

MR. GLICKSTEIN. Did you try to get any loans to help you move your house?

MR. HILL. I did. I tried the Farmers Home Administration Office. I tried to borrow money from them to help me out with the moving of my house, and failed to get a loan through them.

Mr. GLICKSTEIN. What was the result of that?

Mr. HILL. The man at the Farmers Home Administration told me the house wouldn't qualify, it wouldn't stand moving.

Mr. GLICKSTEIN. Wouldn't stand moving?

Mr. HILL. Wouldn't stand moving.

Mr. GLICKSTEIN. But you moved it?

Mr. HILL. I did.

Mr. GLICSTEIN. And it is still standing?

MR. HILL. It is still standing.

Mr. GLICKSTEIN. How did you raise the money to help you move your house?

MR. HILL. I had a little money come out of the crop which I farmed that year, very little, and the rest of it I got from working, which I am now doing.

Mr. GLICKSTEIN. You got it from the job you are now doing?

Mr. HILL. Yes.

MR. GLICKSTEIN. How about the land? How did you pay for your land?

Mr. Hill. I paid some down on the land. Mr. Barnes let me pay him when I moved in there and got a job working in a little box factory.

Mr. GLICKSTEIN. Again did you try to get a loan to try to pay for the land?

Mr. HILL. I did.

MR. GLICKSTEIN. From FHA?

Mr. HILL. From the FHA.

Mr. GLICKSTEIN. What happened with that?

MR. HILL. They turned me down on the money. They wouldn't let me have the money.

Mr. GLICKSTEIN. Did they give you a reason for that?

Mr. Hill. The one reason they give me was—they said the land was too high, they couldn't afford—they wouldn't approve it.

MR. GLICKSTEIN. They thought you were being charged too much for it?

Mr. HILL. Yes, they thought I was paying too much for the land. They said it wasn't worth \$150 dollars an acre.

Mr. GLICKSTEIN. What sort of work are you doing now, Mr. Hill?

Mr. HILL. I am working now at the box factory in North Fork.

Mr. GLICKSTEIN. Box factory?

Mr. HILL. Yes.

Mr. GLICKSTEIN. What sort of work is it that you actually do?

MR. HILL. I am running a machine there which is called a baling machine, which we make boxes for ammunition.

Mr. GLICKSTEIN. And how much do you earn per hour?

Mr. Hill. I earn \$1.75 an hour.

Mr. GLICKSTEIN. \$1.75?

Mr. Hill. Yes, \$1.75.

Mr. GLICKSTEIN. You said that some of the persons that were

evicted with you were also living on Mr. Barnes' land? Where are some of the other persons living?

MR. HILL. Some of the other people evicted at the time I was, some of them are living in Clinton. That is still in Greene County.

Mr. GLICKSTEIN. Still in Greene County?

Mr. HILL. Yes.

Mr. GLICKSTEIN. Did any people leave Greene County?

Mr. HILL. There are about five families left and went to Pickens County.

Mr. GLICKSTEIN. Pickens County?

Mr. HILL. Yes.

Mr. GLICKSTEIN. Any families go out of the State?

MR. HILL. Not that I recall that went too far out.

Mr. Glickstein. Most of them stayed?

Mr. HILL. Most of them stayed around about the county.

MR. GLICKSTEIN. Round about where they were?

Mr. HILL. Yes.

Mr. GLICKSTEIN. What kind of work are these families doing now?

MR. HILL. Most of them working at the box factory at North Fork and some of them in a small plant out in Eutaw, called Bruce Products.

Mr. GLICKSTEIN. How old were the people that headed these families that left? Were they young couples, or were they older people that were evicted?

MR. HILL. Most of the people evicted at the time I was, was from 30 some years old and some of them up to 85 years.

MR. GLICKSTEIN. Did many of them have children?

Mr. Hill. A lot of them had children.

MR. GLICKSTEIN. Very young children?

Mr. HILL. Yes.

Mr. GLICKSTEIN. And perhaps I can ask Mr. and Mrs. Thomas some questions now.

You indicated, Mr. Thomas, that you were now living in Tuskegee, in Macon County in Mitchell Village. Where did you live before that?

Mr. THOMAS. Sumter County.

MR. GLICKSTEIN. And how long had you lived there?

Mr. Thomas. In Sumter County?

Mr. GLICKSTEIN. Yes.

Mr. Thomas. All my life.

Mr. GLICKSTEIN. All your life?

MR. THOMAS. Yes.

Mr. GLICKSTEIN. You were born in Sumter County?

MR. THOMAS. That's right.

MR. GLICKSTEIN. Do you have any dependents?

Mr. Thomas. Nobody, just my wife.

MR. GLICKSTEIN. Why did you leave Sumter County?

MR. THOMAS. Well, I was forced—I wasn't forced to leave Sumter County, but I was forced to get out of the house and off the land I was in.

Mr. GLICKSTEIN. You lived on a plantation?

Mr. Thomas. Yes.

Mr. GLICKSTEIN. And you were a farmer?

Mr. Thomas. Yes.

Mr. GLICKSTEIN. How much land did you work?

Mr. Thomas. Well, some years, I worked 12 acres of cotton; some years, 18; and one year, 14. Just up and down.

MR. GLICKSTEIN. And this land you rented?

Mr. Thomas. I rented the land.

MR. GLICKSTEIN. In addition to cotton, were there any other crops that you grew?

Mr. Thomas. No, just corn and cotton.

Mr. GLICKSTEIN. What lead up to your being forced to leave?

MR. THOMAS. Well that is kind of a hard question. I just really don't know. We had a hearing in Livingston concerning this check that the Government paid for cutting acres in '66.

MR. GLICKSTEIN. This is a diversion check?

Mr. Thomas. Yes.

MR. GLICKSTEIN. And the reason that you were evicted had something to do with this diversion check?

MR. THOMAS. That is what I say, because when we had the hearing, maybe 2 weeks or 3—it might have been a little longer than that—the owner wrote a letter that he could no longer rent me no house nor land.

Mr. GLICKSTEIN. This was after the hearng?

Mr. Thomas. That's right.

MR. GLICKSTEIN. And you had protested the way that your diversion check was given to you?

MR. THOMAS. That's right. I didn't get it.

MR. GLICKSTEIN. You didn't get it?

Mr. Thomas. Yes.

MR. GLICKSTEIN. As I understand the law, under the law you are supposed to get it unless you assign the check to the land owner. Is that right?

Mr. Thomas. That's right.

Mr. GLICKSTEIN. Were you asked to sign a paper to give him the check?

MR. THOMAS. Yes. Let me go into that now. Well, I don't know how many tenants is on his place—and he had us all meet there one Saturday—met him down at his store—he had an office in the back of the store. Well, I got there that morning, he was in there, and some older people too, and I stood out there, I reckon an hour, waiting until some of them came out, to go in.

Nobody ever come out and he finally sent one man out—I don't remember who it was—and told him to tell me to come in there. And I come in and I asked him what was he doing, and I said I was outside there for an hour, and you all ain't doing nothing it don't look like.

He said I was just explaining how the program goes. So he started talking to me and telling me how it went. So he talked on and he said I want you all to sign these papers that you agree to cut 35 percent of your cotton acres.

I said, well you got the cotton acres in a joint contract, it ain't our place to sign.

He said you all have to sign it.

I said, all right.

Mr. GLICKSTEIN. Did you-

MR. THOMAS. I asked him then, I said after he got through talking, I said, well I will tell you what I heard about these papers. He said what.

I said I heard that you want us to sign it so you get that payment check.

And he said no, that is a lie. He said I don't have to sit here and tell you why.

And I said you sure don't, so I went on and was the first man to sign.

MR. GLICKSTEIN. Had you read what you were signing?

Mr. Thomas. What?

Mr. GLICKSTEIN. Did you read the paper that you were signing? Mr. Thomas. No, I didn't read the paper. I was just so sure that what he was saying was true.

MR. GLICKSTEIN. You mean you didn't have a lawyer with you? MR. THOMAS. No, no lawyer. And when I signed the paper, about three weeks later, that same question I asked him about, signing for him to get the check that is what it was. But I still didn't say nothing to him about it.

MR. GLICKSTEIN. So as a result of what you signed, your diversion payment check went to the landowner instead of to you?

MR. THOMAS. That's right.

MR. GLICKSTEIN. And this is what you protested, and objected to this and there was a hearing held and you were one of the people that testified at the hearing?

Mr. Thomas. That's right.

MR. GLICKSTEIN. And it was shortly after that that you received a notice evicting you from the land?

Mr. Thomas. That's right.

MR. GLICKSTEIN. How much time were you given before you were evicted?

Mr. Thomas. I just don't know what month I got that letter. Mrs. Thomas. It was November 27.

MR. GLICKSTEIN. When were you told to leave?

Mrs. Thomas. January 1st.

Mr. GLICKSTEIN. January 1st?

MRS. THOMAS. Yes.

MR. GLICKSTEIN. So you had to spend New Year's Eve packing? MRS. THOMAS. That's right.

MR. GLICKSTEIN. How much money did you normally make per year when you were on the farm?

MR. THOMAS. Maybe sometimes \$100 or \$200.

MR. GLICKSTEIN. You cleared \$100 or \$200?

Mr. Thomas. Sometimes none—most times.

Mr. GLICKSTEIN. Where did you get your fertilizer from, and seed?

Mr. Thomas. I got it from him.

MR. GLICKSTEIN. From him?

Mr. Thomas. Yes, Mr. Rogers.

Mr. GLICKSTEIN. And then he charged that to your credit or credited to your account?

Mr. Thomas. That's right.

MR. GLICKSTEIN. And at the end of the year, the accounts were balanced and sometimes you got some money and sometimes you didn't get any?

Mr. Thomas. That's right.

MR. GLICKSTEIN. Did you also have other jobs while you were farming?

MR. THOMAS. Yes, I worked for a company in Birmingham, the Woodward Iron Company. They owned a hunting camp down there. Well, I worked with them. I don't know, maybe 17 years, I reckon.

Mr. GLICKSTEIN. And this is where you earned some additional money?

MR. THOMAS. Yes, that's right. If it hadn't been for that, I guess I would have been left out.

MR. GLICKSTEIN. Do you have any notion of about how much money you had invested in equipment on your farm?

MR. THOMAS. Yes. In the equipment, now I bought a tractor from him, and I give him \$2,000 for it. Then I bought a bush hoe.

MR. GLICKSTEIN. When you say you gave him \$2,000 for it, you didn't actually give him cash?

MR. THOMAS. No, here one and here the other, and I did pay him for that, for that \$2,000.

Well, I bought a wagon from him, a tractor wagon. I gave him \$200 for that.

I bought a hay press, and a rake.

Then from over in Pickens County, that is from Martin Truck and Tractor. And I paid him \$800 for the press, \$250 for the rake. I bought a fertilizer spreader. I gave him \$85 for that.

I bought a bush hoe from Martin Truck and Tractor, and I gave him \$600 for that.

Mr. GLICKSTEIN. So you had quite a bit of equipment?

Mr. Thomas. Yes.

Mr. GLICKSTEIN. Are you farming now?

Mr. Thomas. No, I am not farming now.

MR. GLICKSTEIN. Where is all that equipment?

Mr. Thomas. Right there where I left it.

Mr. GLICKSTEIN. Right there where you left it?

MR. THOMAS. Some of it is, because it just where I parked it. Some of this on these people's place where I told you I worked for—I left some of the equipment there. The tractor is sitting there now, I guess. The last time I was down there, it was sitting there.

MRS. THOMAS. It was there before Sunday, I saw it.

MR. GLICKSTEIN. When?

MRS. THOMAS. Before Sunday last month, because I was down there.

Mr. GLICKSTEIN. Were you helped in your farm operations at all through any loans from government agencies?

Mr. Thomas. No.

Mr. GLICKSTEIN. Did you ever apply for an FHA loan?

Mr. Thomas. Yes, once.

Mr. GLICKSTEIN. What happened?

MR. THOMAS. Well, the way the fellow talked, that I couldn't get nothing out of it, you had to mortgage or put your furniture in, and I told him that wouldn't work with me.

MR. GLICKSTEIN. Why wouldn't that work with you?

Mr. Thomas. I ain't going to mortgage no furniture. I will mortgage something else, I ain't mortgaging no furniture. And if they had approved the loan, I still couldn't have the money.

MR. GLICKSTEIN. Where would the money be?

Mr. THOMAS. It would be in the bank.

Mr. GLICKSTEIN. And you-

MR. THOMAS. But if I bought something from you, then I have to go back to him, get a check from he, he has got to make a check out for me to bring back to pay you for whatever I got.

That is the way he explained it to me and I told him no, I wouldn't take it up. So we didn't do no good.

MR. GLICKSTEIN. Would it have been satisfactory if you had just been given all the money?

Mr. Thomas. As long as he is looking for it back.

MR. GLICKSTEIN. You would have preferred if they gave you the money and told you that it is up to you to decide how to spend it?

MR. THOMAS. He is going to let me to have it to farm with—that is, I know—that is what I am getting it for. So I don't see no reason why he has to issue me a check, just so long as I am bor-

rowing it and have to pay it back. That is the way I saw it, but I don't know how he saw it, but I didn't go into it.

MR. GLICKSTEIN. Mrs. Thomas, when you lived in Sumter

County, were you active in civil rights activities?

Mrs. Thomas. I was.

MR. GLICKSTEIN. What type of activities were you engaged in? MRS. THOMAS. Well, I wrote up amendments for the NAACP.

MR. GLICKSTEIN. You wrote up what? What did you do?

MRS. THOMAS. Write new amendments for the NAACP.

Mr. GLICKSTEIN. Were you active in voting drives?

MRS. THOMAS. That's right.

MR. GLICKSTEIN. Help people get out to vote and to register? MRS. THOMAS. That's right.

MR. GLICKSTEIN. Did you ever participate in any demonstrations?

Mrs. Thomas. Sure did.

MR. GLICKSTEIN. Well, weren't you reluctant or afraid to do these things?

Mrs. Thomas. I was not. I wasn't afraid.

Mr. GLICKSTEIN. Was the fact that you didn't have any dependents—did that affect your ability to do these things?

MRS. THOMAS. Yes, I didn't have no dependents and I know I was colored and I wanted to get out and let them know what side I was on.

MR. GLICKSTEIN. Mr. Thomas, what are you doing now?

Mr. Thomas. What am I doing?

MR. GLICKSTEIN. What are you doing now?

Mr. Thomas. Oh, I work with a construction company in Tuskegee.

MR. GLICKSTEIN. Is this a job that you foresee as a fairly permanent one or do you have other plans for the future?

Mr. Thomas. Well, I had to do something. So I really don't know yet, to tell you the truth.

Mr. GLICKSTEIN. You said that you lived in Mitchell Village?

Mr. Thomas. That was an airbase there once.

Mr. GLICKSTEIN. Was an airbase?

Mr. Thomas. Yes.

MR. GLICKSTEIN. And it is being used for housing now?

Mr. Thomas. Yes.

Mr. GLICKSTEIN. Are there other families that were evicted at the same time that you were living in Mitchell Village as well? Mr. Thomas. Yes.

Mr. GLICKSTEIN. Who helped you get from Sumter County to Macon County?

Mr. Thomas. Well, Reverend Buford.

MR. GLICKSTEIN. Who is Reverend Buford?

Mr. Thomas. That is all I know, K. L. Buford, he lived in Tuskegee. That is all I know of. He is the president of the NAACP. Mrs. Thomas. He is.

Mr. Thomas. And Reverend Nixon in Sumter County. I don't know whether he is the president or not.

MRS. THOMAS. He is the president of the NAACP.

MR. THOMAS. That is how we got over here.

MR. GLICKSTEIN. And they helped you and the other families to move from Sumter to Macon County?

Mr. Thomas. That's right.

MR. GLICKSTEIN. Do you think that you are going to continue in this construction work, or would you like to get back to farming?

MR. THOMAS. Well, I will tell you the truth, about that farming, I am really not decided about that. I don't know whether I ever want to farm any more.

MR. GLICKSTEIN. You prefer the type of work that you are doing now to farming?

MR. THOMAS. Yes, I guess I would rather do this other job.

MR. GLICKSTEIN. Do you hope to receive any training of any sort to permit you to get a more skilled job?

Mr. Thomas. Well, that was the plan, but it hasn't come through yet.

MR. GLICKSTEIN. There was a plan for the people that had been displaced from the land to receive some sort of training?

MR. THOMAS. That is right.

Mr. GLICKSTEIN. Mr. Hill, you are working in a factory now, and you have been a farmer all your life. Do you prefer farming over your present work?

Mr. HILL. I guess I liked farming myself.

MR. GLICKSTEIN. You liked farming?

Mr. HILL. Yes.

MR. GLICKSTEIN. Which sort of work, factory work or farming, gives you a greater feeling of accomplishment and satisfaction?

MR. HILL. Depending if I am working my own land I would like farming better than working in a factory, unless it was a pretty good skilled job where I could make a pretty good living out of it. I don't think this \$1.75 an hour would be too good for a family as large as mine.

Mr. GLICKSTEIN. How many children do you have?

Mr. HILL. Seven.

Mr. GLICKSTEIN. Seven children?

MR. HILL. Yes.

MR. GLICKSTEIN. Have you given any thought at all to moving North?

Mr. Hill. No. I don't plan on moving North at all.

MR. GLICKSTEIN. You don't plan on moving North?

Mr. HILL. No.

Mr. GLICKSTEIN. You say \$1.75 isn't a satisfactory hourly wage. I am told in the North salaries are higher than that. Why isn't that attracting you North?

MR. HILL. \$1.75 an hour is a kind of low rate for me when I think about it, for the work that you have to do for \$1.75 an hour.

MR. GLICKSTEIN. If you could earn more up North, why wouldn't

you be interested in going up North?

Mr. Hill. Well, I have a large family, and I have my grand-father and my mother and I wouldn't see them as often as I would like to. I would like to stay around where I could see my grand-father every once in a while. He is about 85 years of age, and I don't want to go North, because I couldn't carry him along with me.

Mr. GLICKSTEIN. Have you ever been up North?

Mr. HILL. I have.

Mr. GLICKSTEIN. Where to?

Mr. HILL. I have been up Washington.

Mr. GLICKSTEIN. Washington?

MR. HILL. Yes, around about.

MR. GLICKSTEIN. What have you thought about the cities up there that you visited?

MR. HILL. I think Washington is kind of a swell place, but I think you have to have a pretty good education to get around in a city like that.

Mr. GLICKSTEIN. You would like to visit it, but you wouldn't like to live there?

Mr. HILL. No, not to live there.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. Mr. Thomas, I believe you said your landlord's name where you used to live was Mr. Rogers?

Mr. Thomas. Owen Rogers.

VICE CHAIRMAN PATTERSON. I want to get clear in my mind what this diversion check is that you are talking about. Is this money that the Government pays you for not raising cotton on some of your cotton acreage?

MR. THOMAS. That's right.

VICE CHAIRMAN PATTERSON. Was that money supposed to come to you or was it supposed to come to Mr. Rogers, or were you all supposed to split it?

Mr. Thomas. It was supposed to come direct to me.

VICE CHAIRMAN PATTERSON. Because you rented the land from Mr. Rogers?

Mr. Thomas. That's right.

VICE CHAIRMAN PATTERSON. And you could raise whatever cotton, or not raise whatever cotton you wanted to?

MR. THOMAS. Well, whatever allotment they give you. I rented the land and I could raise cotton on it. In the 4 acres—I cut out 4 acres and had 18 acres and cut four of them out. And they pays me for them 4. And that is what the money that I signed that paper, and he got.

VICE CHAIRMAN PATTERSON. When you signed that paper what you did was agree to let—you and the other tenants agreed to

let the check come to him instead of to you.

Mr. Thomas. Well, he had ought to be fair in his doing. He said sign for the cut in acres, he didn't say a check.

VICE CHAIRMAN PATTERSON. Sign for cutting acres. In other words, 35 percent you weren't going to plant?

Mr. THOMAS. What?

VICE CHAIRMAN PATTERSON. You were signing—you thought you were signing a piece of paper that said you were not going to plant 35 acres of your acreage, 35 percent of your acreage?

Mr. Thomas. That's right.

VICE CHAIRMAN PATTERSON. And did you know—

Mr. Thomas. That is the way he outlined it to me.

VICE CHAIRMAN PATTERSON. But you didn't know that you were signing a piece of paper that would let your check go to him?

MR. THOMAS. That's right. No.

VICE CHAIRMAN PATTERSON. When the check did go to him, as you say it did----

MR. THOMAS. That's right.

VICE CHAIRMAN PATTERSON.—did you talk to him about it?

MR. THOMAS. I didn't say nothing to him until that fall. Then he told me, I still didn't ask him, he said, I got your check.

VICE CHAIRMAN PATTERSON. What did he say he was going to to do with that check?

MR. THOMAS. He said he was going to put it on my rent or account. I said well, if you have got it, it don't matter what you put it on.

VICE CHAIRMAN PATTERSON. He was going to credit it to what you owed him?

Mr. Thomas. That's right. But I asked him how much was it? He said it was \$201.60.

VICE CHAIRMAN PATTERSON. Did he ever give you that \$201.60? Mr. THOMAS. Did he ever give it back?

VICE CHAIRMAN PATTERSON. Yes.

Mr. Thomas. I got it back.

VICE CHAIRMAN PATTERSON. How did you get it back?

Mr. Thomas. It was sent through the mail to me last week.

VICE CHAIRMAN PATTERSON. Was that after this hearing that you referred to?

Mr. Thomas. It was last week.

VICE CHAIRMAN PATTERSON. Last week?

Mr. THOMAS. Yes.

VICE CHAIRMAN PATTERSON. And then you went, you said you testified at a hearing?

Mr. Thomas. Yes, that's right.

VICE CHAIRMAN PATTERSON. What kind of a hearing was that? MR. THOMAS. Well on this money business. He had all of us to sign a blank, he went around, him and—him and a lawyer, McCullen, wanted us to sign a blank, but he never would say for what. So I didn't sign it.

I saw him later and I told him I wanted to talk with him. So me and him got in his car, and drove down to the river, and we sat there and talked.

I said: "You want me to sign this paper? What for? What is it?"

He said: "Well, if all of you don't sign this paper, I am going to have to return that money."

I said: "That is what it is?"

And he said: "Yes."

So I asked him, I said: "One thing I've been wondering, how did you get a check of mine, and I didn't sign for you to cash it?"

He said: "It wasn't made out to you."

I said: "It wasn't?"

He said: "No, your check and the rest of them, just combined it and figured it up and whatever it was." He said it was \$4,000 some, and he just made him a check for Rogers and Son and my name wasn't on it.

So that is the way he did that.

VICE CHAIRMAN PATTERSON. But he said he was going to credit this to what you owed him?

MR. THOMAS. That's right, or the rent.

VICE CHAIRMAN PATTERSON. But then you say you got the check from him last week?

MR. THOMAS. I got it from the ASC office.

VICE CHAIRMAN PATTERSON. Did you owe Mr. Rogers money when you left his land?

MR. THOMAS. That's right.

VICE CHAIRMAN PATTERSON. Why did you leave your farming equipment there?

Mr. Thomas. You say why did I leave?

VICE CHAIRMAN PATTERSON. Yes.

MR. THOMAS. I thought maybe he might object. And that is why I left, because I owed him.

VICE CHAIRMAN PATTERSON. Because you owed him?

Mr. Thomas. That's right.

VICE CHAIRMAN PATTERSON. Do you expect him to take some of that farm equipment in repayment for what you owed him? Mr. Thomas. If he wants to.

VICE CHAIRMAN PATTERSON. Thank you.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Thomas, how long have you lived on the land of Mr. Rogers? How many years?

Mr. Thomas. Well, there where I moved from over here, I was there about 21 years, I believe, but I have been on the land all my life, just changed places.

COMMISSIONER FREEMAN. During these years when the question came up as to how much land that you would work, did you have any written paper, or how was this decided each year, whether you had 12 or 14 acres?

Did you receive any letter from Mr. Rogers over this period of time?

Mr. Thomas. No. It was just like he was going to rent me land, let's say this year, for 2 years. Maybe he would—you know—give you a rent, what you have to pay him for the rent.

Is that---

COMMISSIONER FREEMAN. That is the only thing that you got? Mr. THOMAS. Yes.

COMMISSIONER FREEMAN. When was the first time that you ever got a letter from Mr. Rogers, or did you ever get a letter from Mr. Rogers?

MR. THOMAS. Yes, I got two letters from him.

COMMISSIONER FREEMAN. When was the first time?

Mr. Thomas. It was in last year.

COMISSIONER FREEMAN. After the 20 some years?

Mr. Thomas. After which?

COMMISSIONER FREEMAN. The first time in 20 some years that you got it was last year that you got a letter from him?

Mr. Thomas. That's right.

COMMISSIONER FREEMAN. With respect to this check, how had you received your money before last year?

Mr. Thomas. How had I received it?

COMMISSIONER FREEMAN. Had you ever received any money for not raising cotton before?

MR. THOMAS. In 1966, that is when he got the first check, they called it the spring check. That was for cutting acres.

Well in that fall they paid another check, and I got that.

COMMISSIONER FREEMAN. You got the check in the fall of 1966? MR. THOMAS. That's right. But from 1966 back, I hadn't received no check at all, from nothing, if that is what you are referring to.

COMMISSIONER FREEMAN. Yes, that is what I am talking about. MR. THOMAS. Uh, huh, from '66 back I hadn't received no check at all. I hadn't heard of the man.

COMMISSIONER FREEMAN. Mr. Hill, you stated that you were

evicted after you started voting activities. How long after you registered to vote were you given a notice of eviction?

Mr. Hill. That was sometime after—I was helping the people out—I had been a registered voter for about 10 years—that happened after I was helping the people to the polls.

COMMISSIONER FREEMAN. When you started helping the other people?

Mr. HILL. That's right.

COMMISSIONER FREEMAN. Were the other persons who were evicted also registered to vote and active in voter registration campaigns?

MR. HILL. I didn't get your question.

COMMISSIONER FREEMAN. The other farmers who were put off the land——

Mr. HILL. They were registered voters.

COMMISSIONER FREEMAN. They were all registered to vote? Mr. HILL. Yes.

COMMISSIONER FREEMAN. Did I understand you to say that somebody spoke to you and told you that you shouldn't do this? Mr. HILL. Someone spoke to me?

COMMISSIONER FREEMAN. Yes, somebody told you not to register or not to vote?

MR. HILL. You didn't understand me to say that, no.

COMMISSIONER FREEMAN. Did I understand you to say that you felt that your voting activities were responsible for your eviction? MR. HILL. That's right.

COMMISSIONER FREEMAN. What do you mean by that?

MR. HILL. I feel that the time I was starting to helping the people around from the poll, that that was the cause of it. Simply because I didn't get anyone definitely come to me and tell me what the people said, while we was having a meeting, you know, telling the people how, where to go, about these things.

Like the people didn't have a car or automobile to get out, who live out in the country on the Jones plantation, we told them they shouldn't stay at home until the poll closed down before they make some effort to get toward the road if they didn't have no transportation. Come on out close toward the highway and I would give some of them a lift.

COMMISSIONER FREEMAN. You were helping them get to the polls?

MR. HILL. That's right.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Mr. Hill, you say you were denied a loan by FHA when you acquired this property. Am I correct in that?

Mr. HILL. That's right.

COMMISSIONER RANKIN. And it was denied that the house could not be moved and the land was too expensive? Is that right?

Mr. HILL. That's right.

COMMISSIONER RANKIN. But the house could be moved, is that correct?

MR. HILL. That's right.

COMMISSIONER RANKIN. What is your land worth today?

MR. HILL. What is it worth today?

COMMISSIONER RANKIN. Is it worth as much as you paid for it, do you think?

MR. HILL. I think it is worth more.

COMMISSIONER RANKIN. You would not sell it except for more? MR. HILL. No, I wouldn't sell it now for about four times as much.

COMMISSIONER RANKIN. So the FHA was wrong in both respects, is that correct?

MR. HILL. They was wrong all the way.

COMMISSIONER RANKIN. Is this true of many instances of FHA loans, or do you think that yours was an exception?

MR. HILL. I don't understand you quite clear. Say it again? COMMISSIONER RANKIN. Do you think that you were badly treated, or were others refused similar FHA loans?

MR. HILL. I think that I was very badly treated, certainly, because I had borrowed money from them over the years when I was farming on the Jones plantation. I borrowed money—about \$2,000 per year from them.

And when the time got where I had to move, received eviction notice, I went to them to borrow \$700 to get by house moved and had to get it moved in less than 30 days, I couldn't get no help out of them. I think that was unfair.

COMMISSIONER RANKIN. Mrs. Thomas, could I ask you a question?

MRS. THOMAS. Yes, sir.

COMMISSIONER RANKIN. You went back and saw this tractor out there, is that right, where it had been?

MRS. THOMAS. That's right.

COMMISSIONER RANKIN. Did you still feel that was your tractor? Mrs. Thomas. I did.

COMMISSIONER RANKIN. Isn't it too bad to see it out there taking the weather, nobody using it?

MRS. THOMAS. Well, it is under a shed.

COMMISSIONER RANKIN. It is under a shed?

MRS. THOMAS. Yes.

COMMISSIONER RANKIN. So you still think it is in good shape? MRS. THOMAS. I don't know if it is in good shape or not. I wouldn't say. But it is right where we left it—it was before Sunday of last month.

COMMISSIONER RANKIN. You do not want the landlord to use this machinery and say I am taking this to pay the debts or something like that?

MRS. THOMAS. I beg your pardon?

COMMISSIONER RANKIN. That he claims that your husband still owes him some money. Am I correct in that?

MRS. THOMAS. Well. I guess so.

COMMISSIONER RANKIN. Well, I just wondered if we were balancing one against the other. Would you be willing for that to take place or not?

MRS. THOMAS. Well, no, I wouldn't be willing. No, I wouldn't, I definitely wouldn't.

COMMISSIONER RANKIN. Do you enjoy living in Alabama?

MRS. THOMAS. I enjoy living in Alabama.

COMMISSIONER RANKIN. If good jobs would come North, say in Iowa, you wouldn't want to go North?

MRS. THOMAS. I wouldn't go, I don't want to go, I will not go. COMMISSIONER RANKIN. Well, Mr. Thomas, you heard that, didn't you?

MR. THOMAS. That is answering your question and mine, too. CHAIRMAN HANNAH. Is that all. Dr. Rankin?

COMMISSIONER RANKIN. Yes.

CHAIRMAN HANNAH. Mr. Hill, how much schooling do you have?

Mr. HILL. I got to 10th grade.

CHAIRMAN HANNAH. And how old are your oldest children? You say you had seven children?

MR. HILL. My oldest child is 13 years old.

CHAIRMAN HANNAH. And he or she is in school?

Mr. HILL. She is in school.

CHAIRMAN HANNAH. All of your children are in school?

MR. HILL. All but one, I got one at the house not going to school —not school age.

CHAIRMAN HANNAH. And are the schools pretty good? Do you feel that the schools that your children are in are pretty good schools?

MR. HILL. I think they are.

CHAIRMAN HANNAH. Are the schools where you are now living as good or better?

MR. HILL. They are still going to the same school.

CHAIRMAN HANNAH. Same school as before, no change?

Mr. HILL. No change.

CHAIRMAN HANNAH. And you said very definitely that you do not want to go North, you want to stay here?

MR. HILL. No, I just don't want to go North.

CHAIRMAN HANNAH. The Thomases want to stay here, too? Mr. Thomas. Well, I had a chance to go North. I got a nephew

living there and he tried to get me to move up there with him when I had to leave. So I didn't give no definite answer about going North, but I did write him later, after I had left and moved to Macon County, that I like it where I was in Macon County and didn't believe that I wanted to move North.

So when a reporter out at my house wanted to know about me going North and I told him no, I don't believe I like North, and he said why?

I said well these particular people that I work with at Woodward Iron Company.

He said people in the North were just as bad as the weather, so I didn't think I wanted to get mixed up in that.

CHAIRMAN HANNAH. Thank you very much. Mr. Taylor, do you have some questions?

MR. TAYLOR. Yes. Mr. Thomas, what was the agreement that you had with Mr. Rogers in terms of how much rent you would pay him for the use of the land?

Mr. Thomas. Let me see. In '66, I believe the rent was \$500. That was the rent in '66.

Mr. TAYLOR. Did the rents change every year?

MR. THOMAS. Well, in '66—let me see—in '66 for \$500 and the next year it was \$400.

He goes up and down on rents. I started out paying him a bale of cotton, and he just kept raising it.

MR. TAYLOR. How was it decided, he just decided what the rent would be each year, and he told you what it would be?

Mr. Thomas. Yes.

MR. TAYLOR. You also said that you bought your seed and fertilizer from him and all that was deducted at the end of the year. Did he keep any records that you know of?

MR. THOMAS. Did he keep any records?

Mr. TAYLOR. Did he keep any records?

MR. THOMAS. He just put it on his books.

Mr. TAYLOR. Did he show you the records so that you could see what?

MR. THOMAS. No, no, he didn't do that.

MR. TAYLOR. Now, were you the only one who protested the handling of this diversion check?

Mr. Thomas. In that hearing?

Mr. Taylor. I'm sorry-

MR. THOMAS. Are you talking about the hearing?

Mr. TAYLOR. Were you the only one in the hearing?

MR. THOMAS. No, no, I wasn't the only one.

Mr. Taylor. How many people were involved in that?

MR. THOMAS. I really couldn't tell you. A good number of them. It was me, and my sister, and five brothers, and one sister in that hearing testifying.

Mr. TAYLOR. So it was people in your family who were doing the protesting?

Mr. Thomas. Well, some without the family.

Mr. TAYLOR. About how many all told were doing the protesting?

Mr. Thomas. Well, I wouldn't want to say, because I don't know. But I know it was seven brothers and one sister. I mean seven of us—six of us.

Mr. Taylor. But you took, am I correct, you took the lead, you had the courage to protest and some people of your family were the lead people who were leading the protest. Is that right?

Mr. Thomas. I didn't get you there.

Mr. Taylor. You were a witness at the hearing and some of your brothers were witnesses at the hearing, too. Is that right? Mr. Thomas. That's right.

Mr. TAYLOR. Now what happened to your brothers? Are they still on the land?

MR. THOMAS. No, they had to go too. He said the Thomases definitely had to leave his land.

MR. TAYLOR. And are there people who have stayed on the land?

MR. THOMAS. They have been there all their lives.

Mr. TAYLOR. Are there still people who are living on-

MR. THOMAS. Some that testified in this same hearing, they are still there. But I don't know why he got so hot with the Thomases.

Mr. TAYLOR. Do you have any idea why he might have decided to tell you to leave?

MR. THOMAS. Well, I just told the facts, and I guess he didn't like it. That is the only thing I can say.

MR. TAYLOR. Mr. Hill, what are your hopes for your children? MR. HILL. I hope for my children for a better education than I had.

MR. TAYLOR. What would you like them to be able to do? Do you hope they will be able to go on to college?

Mr. Hill. Yes, I would like for my children to get a college education, be engineers and take out certain jobs which they like best. But I wouldn't like for them to be 10th grade students such as I am, because trying so hard for them to get along.

Mr. TAYLOR. Thank you.

CHAIRMAN HANNAH. Do any of the Commissioners have any other questions? Mr. Glickstein?

MR. GLICKSTEIN. I have one further question to clear up something Mr. Thomas said.

Mr. Thomas, you said that in the fall of '66 you got a diversion payment check, but prior to that you hadn't gotten checks. It was

in the fall of '66 the check was made out to you and it came to you?

Mr. Thomas. That's right.

MR. GLICKSTEIN. If I am not mistaken, it was about that time the regulations were changed, which required that the checks go directly to the tenant, unless the tenant assigned the check to the land owner?

MR. THOMAS. That's right.

MR. GLICKSTEIN. So the reason that you hadn't gotten the checks before the fall of '66 is because the law didn't provide for that, and it was in the fall of '66 that the law was changed and you got your check, and it was after that that you assigned that check back to Mr. Rogers and you stopped getting it. Is that correct?

MR. THOMAS. Would you mind repeating that?

MR. GLICKSTEIN. I said in the fall of '66 you got a check.

MR. THOMAS. That's right.

MR. GLICKSTEIN. And it was after that that you signed this paper and you stopped getting the checks?

MR. THOMAS. No, he got the first one, and then I got the second one, in '66.

Mr. GLICKSTEIN. I see.

MR. THOMAS. That is what I said.

MR. GLICKSTEIN. After that check, the second one, when did you receive that check? In the fall of '66?

MR. THOMAS. That's right.

MR. GLICKSTEIN. And after that?

Mr. Thomas. I got one in '67.

MR. GLICKSTEIN. That came to you?

MR. THOMAS. That's right. Two in '67, I got one in the spring of the year and one in the fall in '67.

MR. GLICKSTEIN. Then it was after that that you were asked to sign something?

Mr. Thomas. No, he didn't ask me to sign nothing after that.

Mr. GLICKSTEIN. When was ——

MR. THOMAS. That was when we had—just before the hearing we had in Livingston that's when he wanted us to sign that paper.

MR. GLICKSTEIN. That's right.

MR. THOMAS. To keep from having to turn that money back, what I told you about that he sent last week.

MR. GLICKSTEIN. Yes. And that is the check that you got back last week?

MR. THOMAS. That's right. That first check that raised so much stir.

MR. GLICKSTEIN. And you just got that last week, after the hearing that you told us about?

MR. THOMAS. That's right.

CHAIRMAN HANNAH. Thank you very much, Mr. and Mrs. Thomas and Mr. Hill. You are excused.

We are now going to take a recess, and we will reconvene at 10:30.

CHAIRMAN HANNAH. Ladies and gentlemen, will you please resume your seats. Ladies and gentlemen, may we have order, please. Will the audience please come to order, and be quiet so we can resume the hearing. Mr. Glickstein, will you call the next witness.

Mr. GLICKSTEIN. The next witness is Mr. Jesse H. Hain.

(Whereupon, Mr. Jesse H. Hain was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. JESSE H. HAIN, SELMA AND SARDIS, ALABAMA

MR. GLICKSTEIN. Mr. Chairman, Mr. Hain is accompanied by counsel. Would you please identify yourself for the record?

MR. Hobbs. My name is Sam E. Hobbs. I am counsel to Mr. Jesse H. Hain and, as counsel, I would like to respectfully object, and I believe by your rules, his testimony being televised, filmed, or photographed, or to his having his testimony broadcast. I would like to enter that request.

Mr. GLICKSTEIN. That is an appropriate objection under the rules.

CHAIRMAN HANNAH. It will be granted. Turn off the lights, and no photographing. Proceed, Mr. Glickstein.

MR. GLICKSTEIN. Mr. Hain, would you please state your full name and address for the record?

Mr. Hain. Jesse Hardy Hain.

MR. GLICKSTEIN. Where do you live, Mr. Hain?

MR. HAIN. I live on—I have two addresses. Selma Rural Route 1, Box 99, and I also live at Sardis, Alabama.

Mr. GLICKSTEIN. What is your occupation?

Mr. HAIN. We are merchants and planters, and ginners, cotton ginners.

MR. GLICKSTEIN. Cotton ginners?

Mr. HAIN. And commercial cattle.

Mr. GLICKSTEIN. Cattle, also.

Mr. HAIN. Yes.

Mr. GLICKSTEIN. And how many acres of your land are allotted—do you plant cotton?

MR. HAIN. Yes. The entire contract, I believe when you were there, I answered at about 1,200 acres, but since then we have

got a little more acreage from the State, and I was answering from memory, and didn't go to the records, but the cotton allotment on the entire place this year is 1,402 acres. Plant 911.3 and divert 490.7.

Mr. GLICKSTEIN. What is the total acreage of your land holdings?

Mr. HAIN. Approximately 11,000 acres.

Mr. GLICKSTEIN. This is land that you own with brothers and sisters?

MR. HAIN. Yes, sir.

MR. GLICKSTEIN. You have tenants on your property?

MR. HAIN. Yes, sir.

MR. GLICKSTEIN. How many of them rent farms?

Mr. Hain. Again, when you were at our place, I think I answered that 29, remember you were a little late, and I jotted down a little memorandum from memory while we were waiting. But I went to the books, and it was 42 colored, and 11 white that we rent.

MR. GLICKSTEIN. Rent farms?

MR. HAIN. Rent land to. Ten of those that are renting land are drawing social security that I know of. And there's nine that work, nine families that work for a salary, or nine men that work for a salary, and their wives work, most of them, in town as maids, or some of them don't work at all.

Mr. GLICKSTEIN. That is including—

Mr. HAIN.—and seven families that work that are hired by some white tenants on the place that work for them. I don't have anything to do with them.

MR. GLICKSTEIN. You don't have anything to do with them? MR. HAIN. No.

Mr. GLICKSTEIN. The people that you rent to, do all of them farm?

MR. HAIN. How's that?

Mr. GLICKSTEIN. Do all of them farm that you rent to, are all of them farming cotton?

Mr. Hain. No. I rent 17 houses that are not farming, that draw Social Security. Twelve are on the welfare, that is families. Eleven that is not farming that work in industry, work in town.

Mr. GLICKSTEIN. About how much----

MR. HAIN. It's more than that that works in town, but I mean it's that many that I rent to, sometimes there are two or three members of a family working.

Mr. GLICKSTEIN. Working in town?

Mr. HAIN. I don't know how many.

MR. GLICKSTEIN. Do you have any idea of how much rent you receive from the people who are not doing any farming, just rent

the houses? Do you have those figures broken down, or is it all lumped together?

MR. HAIN. Well, we have just a few houses, not very good, two or three of them that pay \$10 a month, and the rest of them pay \$15 a month house rent.

Mr. GLICKSTEIN. Do you have any idea what your total—

Mr. Hain. No, sir.

MR. GLICKSTEIN. —receipts are from that?

MR. HAIN. No, sir. It wasn't kept separate.

MR. GLICKSTEIN. Well, you have to multiply that by 52 or so.

Mr. HAIN. That's right.

MR. GLICKSTEIN. Is that what your monthly intake is?

Mr. HAIN. Yes.

MR. GLICKSTEIN. Did you have many more people living on your lands some years ago?

Mr. HAIN. I remember I answered that question when you were there, it was 270 families, but that was, according to the records, that was 25 or 26 years ago. But in '49, we had 91 families.

MR. GLICKSTEIN. So it went from 270; 25 or 30 years ago—

MR. HAIN. I also explained that there were five heirs to the estate and two-thirds had been taken away, so that would leave the other, I mean three-fifths would be approximately 162 families.

MR. GLICKSTEIN. Then in '49 there were 91 families?

MR. HAIN. Yes, sir. Now, before that, I was going to say that some left in '39, because they were living in overflow land and they moved and didn't go back, but that was prior to that.

Mr. GLICKSTEIN. They moved where?

Mr. HAIN. I say they moved away and didn't go back after the waters receded. But that was prior to that.

MR. GLICKSTEIN. What accounted for the decrease in the number of your tenents in the last 10 years?

MR. HAIN. How's that?

MR. GLICKSTEIN. What accounted for the decrease in the number of tenants since '49 until today?

Mr. Hain. We have 10 new industries in the county and a paper mill in two adjoining counties, and they have gone to work for larger salaries, and can make more.

Mr. GLICKSTEIN. So some of the people left you for that reason?

Mr. HAIN. Yes.

MR. GLICKSTEIN. Have there been any changes in the techniques of farming that have led you to the conclusion that renting land to tenants wasn't such an economically sound idea any more?

MR. HAIN. Well, there has been a changeover. It doesn't take as much labor because of the changeover to machinery, mechanizing.

MR. GLICKSTEIN. So you don't really need as many tenants and farmers as you did in 1949 and before?

Mr. HAIN. No.

MR. GLICKSTEIN. Can a tenant rent land from you and put his cotton land in some other crop if he wants to?

MR. HAIN. Put his cotton in what?

Mr. GLICKSTEIN. Instead of growing cotton, can you grow cucumbers or okra?

Mr. Hain. Well we insist that they plant the cotton acreage because we lose it if they don't plant it.

MR. GLICKSTEIN. Your allotment is determined on your average production over the years?

Mr. HAIN. Yes.

MR. GLICKSTEIN. Where do your tenants get their fertilizer and seed and other similar supplies from?

Mr. HAIN. I let some of them get it at other places, wherever they want to, and I let most of them have it.

Mr. GLICKSTEIN. Most of them get it from you?

MR. HAIN. That's right.

MR. GLICKSTEIN. You don't require them to do that?

MR. HAIN. No.

MR. GLICKSTEIN. It is up to them?

Mr. HAIN. That's right.

MR. GLICKSTEIN. Where do most of your tenants have their cotton ginned?

MR. HAIN. With us.

Mr. GLICKSTEIN. Is that required?

Mr. Hain. Yes. It is required.

MR. GLICKSTEIN. They are required to do that?

Mr. Hain. Yes, sir.

MR. GLICKSTEIN. If your tenants don't have cash at the time they need fertilizer and seed, do you advance that to them?

Mr. HAIN. Yes sir.

MR. GLICKSTEIN. In other words, you have a system of book-keeping that you keep, credit for the tenants, and after their crops come in——

Mr. HAIN. We have a double entry set of books that is properly audited by a finance bond company who are reputable accountants.

MR. GLICKSTEIN. Where do you purchase the fertilizer that you sell to your tenants?

MR. HAIN. Mostly from a co-op, Centralia Farmers Co-op, and I get some from the Capital Fertilizer here in Montgomery.

MR. GLICKSTEIN. When you purchase from a co-op as a co-op member, you get a rebate at the end of the year. Is that right?

MR. HAIN. That's right.

MR. GLICKSTEIN. Do your tenants get the advantage of this rebate?

MR. HAIN. No, sir, they do not.

Mr. GLICKSTEIN. So in other words, the cost of fertilizer to you from Centralia comes to less——

MR. HAIN. We do not charge any profit on it, when it's charged out. They get it at the same price I do, and if I get a rebate——

MR. GLICKSTEIN. That is your rebate, you keep that?

MR. HAIN. That's right.

MR. GLICKSTEIN. I understand that there is a co-op, farmers co-op, that includes your county, the Southwest Alabama Farmers Cooperative Association, SWAFCA. Do you have any tenants who sell their cotton through SWAFCA?

MR. HAIN. No, sir. Not that I know of.

MR. GLICKSTEIN. I take it from what you said that if a tenant came to you and said that he wanted to turn his cotton over to SWAFCA and let them sell it and gin it for him, that your tenants wouldn't be able to do that.

MR. HAIN. Some of them sell their own cotton.

MR. GLICKSTEIN. But they have it ginned, you gin it for them? MR. HAIN. When I rent to them I have it understood that I want to gin it, because I have a big investment in this gin, and I want to gin it.

Mr. GLICKSTEIN. Mr. Hain, over the last 4 years or so, there has been quite a bit of civil rights activity in your county, in Selma. Do you think that this activity has changed the attitudes of your Negro tenants?

MR. HAIN. I think so.

Mr. GLICKSTEIN. In what way?

MR. HAIN. Well, they are more or less unsettled. A good many of them that we could depend on, on his word, not 100 percent, but a lot of them you could depend on, you can't any more.

MR. GLICKSTEIN. How do you think-

MR. HAIN.—he comes along and borrows \$50 and if you don't have security, well, you lose it. "Accommodate me to lend me fifty to the first of the month or till next week," and you hate to say, "Well, where is the security?"

But eight times out of 10, where it's always been customary they made a short loan or a quick loan that way—what my experience is, I talked to one last week about his brother-in-law, I told him I had been lending his family, and his brother-in-law's family for 50 years, and my father did and I did, without any questioning or anything and now, I said, he rolled me, what is getting a matter with him, and he said he didn't know, he would talk to him.

Mr. GLICKSTEIN. Why do you think that civil rights activities have produced this situation, made people less reliable?

MR. HAIN. Well, I can't swear to it, but there is a good deal of talk around there that some people are telling them not to pay them, roll everybody they can, every white man they can, to roll them. But I don't know that, I can't swear to that being true.

MR. GLICKSTEIN. Do you think there is any relationship to the fact that some of your tenants have moved off the land, and civil rights activities?

Mr. HAIN. I didn't get that.

MR. GLICKSTEIN. I say, is there any relationship between the fact that some of your tenants in recent years have moved off the land and the civil rights activities that we have been talking about?

MR. HAIN. Not that I know of.

MR. GLICKSTEIN. Do you think people have been encouraged by civil rights workers to move off the land?

Mr. Hain. I think there was to start with, there was some encouragement. I couldn't actually pin it down that they advised them to leave. I had a man and his children went to school down there and he came to me and he said they had a teacher down there that was advising them in the colored school as fast as they got their diploma to go North and he asked me if I could help him do something about it. And I said, No, I didn't know of anything I could do. They wanted to remove that teacher.

Mr. GLICKSTEIN. Do you think it is undesirable for Negro residents of your county to move North?

MR. HAIN. I think if they want to go North, it's all right. But I think there are a lot of them doing mighty well in my section down there where they are.

MR. GLICKSTEIN. Do you think the county and the leaders of the county ought to seek ways to encourage people to remain in the county, rather than moving North? Leaving for the North?

MR. HAIN. I think so.

MR. GLICKSTEIN. You mentioned a lot of new industry has come in. Have you personally in any way been involved in helping to attract that industry?

MR. HAIN. Yes, I have. I have a good many people hiring people up there that called me and put in a good deal of time with them, about hiring some people in my section.

MR. GLICKSTEIN. You advised them about sources of labor, and where the labor supply was?

Mr. HAIN. Yes.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Hain, after hearing your testimony, I'm sure that you are concerned as all of us in the South are concerned about what happens to the people who are having to leave the land for one reason or another, and machinery is certainly as you testified, one of those reasons. In view of the magnitude of the problems as you have seen it here in Alabama, would

you say that the private enterprise sector can't do everything to meet their needs, and that some of these Federal programs are necessary?

MR. HAIN. I think so.

VICE CHAIRMAN PATTERSON. From your experience, do the Federal programs that you have observed in action, attempting to help reestablish the people who left your land, operating effectively in your judgment?

MR. HAIN. I really don't know about those programs. I know at the price of farm products we couldn't operate without this Government subsidy of some kind.

VICE CHAIRMAN PATTERSON. Even you couldn't operate in cotton without this Government subsidy?

MR. HAIN. No, sir.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Commissioner Freeman?

COMMISSIONER FREEMAN. Mr. Hain, you stated that you have a cotton allotment of 1,402 acres. And I would like to know what happens to the rest of this land which is about 9,500 acres. What happens to the rest of it?

Mr. Hain. Half, a little better than half of it is in timber. Just about half of the 11,000 acres is in timber. We have a corn allotment of 1,668 acres. And we have some hay, and pasture land. I have several hundred head of cattle.

COMMISSIONER FREEMAN. The 1,688 acres of corn allotment, is that harvested by tenants also?

MR. HAIN. We personally have 322.9 allotment of cotton, and 371 acres of corn. And we plant 209.9 acres of cotton, 222.6 acres of corn, and divert 113 acres of cotton, 140.4 acres of corn, and the other is divided among those tenants, according to the amount they want, and what they have got to work it with.

COMMISSIONER FREEMAN. You also stated that for about 50 years you had been lending money to tenants and they hadn't asked any questions.

Mr. HAIN. That wasn't as a whole now—that was several individuals.

COMMISSIONER FREEMAN. Are you objecting for the right of the tenants to ask any questions?

MR. HAIN. Not at all, I mean we didn't ask any questions, when he was going to pay it or how he was going to pay it. We had several of them, whatever he asked for, he got it.

COMMISSIONER FREEMAN. Have the tenants ever asked for any improvements in the housing, or anything on the land that they live on?

MR. HAIN. Yes, they have, and they have usually gotten it too. COMMISSIONER FREEMAN. And you have given them all of the improvements that they have asked for?

Mr. HAIN. No, I couldn't give all the improvements that they have asked for. I pay all the improvements that I could with the amount of rent that they are paying, yes.

COMMISSIONER FREEMAN. Do you provide the houses—do you own the houses in which they live?

Mr. HAIN. I do.

COMMISSIONER FREEMAN. Will you describe for us these houses? MR. HAIN. Well, I think you all have that information, I don't know whether Mr. Glickstein or one of them has it.

COMMISSIONER FREEMAN. I would like for you to tell me.

MR. HAIN. Two lawyers and one white woman have been, I understand were in every house we have, and made a house to house canvass getting the information. Most of them, I don't know——

MR. GLICKSTEIN. That wasn't us, Mr. Hain.

COMMISSIONER FREEMAN. I would like to know if you will tell the Commission.

MR. HAIN. Most of them are four-room houses, they vary. But most of them are just four-room houses. Two bedrooms and a kitchen and a dining room. Some of them usually make three bedrooms out of them.

COMMISSIONER FREEMAN. What about the toilet facilities?

MR. HAIN. There is no running water in the house.

COMMISSIONER FREEMAN. Do any of your tenants have running water?

MR. HAIN. Only two.

COMMISSIONER FREEMAN. Are they white or black?

MR. HAIN. They are white, and they pay \$60 a month rent, they don't pay \$15.

COMMISSIONER FREEMAN. Have any of the tenants, Negro tenants, asked for running water?

Mr. HAIN. Never have.

COMMISSIONER FREEMAN. Have you ever offered them any running water?

Mr. HAIN. Never have.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Mr. Hain, I'm another Southerner. Do you believe in encouraging industralization down South? Do you not?

Mr. Hain. Sir?

COMMISSIONER RANKIN. Do you believe in bringing industry to our area of the country? Am I correct in that?

Mr. HAIN. Well, I think it has helped our part of the country a good deal, yes.

COMMISSIONER RANKIN. Does it make it harder on planters? Mr. Hain. Yes, it does.

COMMISSIONER RANKIN. Is it harder to get good help then? Mr. HAIN. Yes, sir.

COMMISSIONER RANKIN. Well now, what is going to be the solution? Is it possible to raise the percentage that the tenant gets, or what is going to be the solution to this problem in getting people to work on the farms?

MR. HAIN. I don't know, it gets harder and harder each year. They are making more money, they are paying them more, and having to pay them more, we are on the wage and hour business and paying the minimum wage.

COMMISSIONER RANKIN. So in effect you are really hurting your situation as a planter when the area becomes industrialized. Is that correct or not?

MR. HAIN. Am I doing what?

COMMISSIONER RANKIN. It makes your position much more difficult——

MR. HAIN. Certainly does.

COMMISSIONER RANKIN. —as a planter, and yet you are willing to go ahead and encourage industrialization. Am I correct?

MR. HAIN. Yes.

COMMISSIONER RANKIN. Thank you.

CHAIRMAN HANNAH. Mr. Hain, I would like to ask another question or two along the same line. Of course the Commission is primarily concerned with people, with making it possible for Negroes and other people to live reasonably well, and one of the purposes of this hearing is to try to determine whether or not there is some obligation on the part of the total society to do something to make it possible for people being displaced from farms to live in Alabama, rather than to go into the big cities and so on.

But now let's leave all of that and let's talk about management of 11,000 acres. If you were going to start from scratch and had no tenants and had only the 11,000 acres, the necessity of paying taxes and hopefully having something left for yourself, would you duplicate the present system or would you buy the machinery and operate it as an industrial operation?

Mr. HAIN. I would have a few tenants, and I would work the other with machinery. I think a few would be necessary in our operation.

CHAIRMAN HANNAH. You would have to have some people on the land?

Mr. HAIN. Yes.

CHAIRMAN HANNAH. Could you operate 11,000 acres economically with many fewer tenants than you have now?

MR. HAIN. Yes, sir. We could operate it with fewer tenants by putting on more machinery.

CHAIRMAN HANNAH. Well, I don't think I want to prolong the

questioning, but I think there are two problems that get intertwined here. One, the problems of agriculture that are concerned with the maintenance of agricultural production and the maintenance of reasonable prices and so on. And then there is the larger problem of how you provide for a decent livlihood for people that used to live on farms and that are being displaced as the farms become industrialized, and a good many of the agricultural programs were not designed at all with any thought for the people, they were concerned with the maintenance of agriculture, whether it was economically feasible. That was the reason for my question.

If you have any comments along this general line I would appreciate your views. If not——

MR. HAIN. No, sir, I don't have any comments.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. What will happen to the tenant eventually, to the tenants that still are on your lands? Will they remain, or do you think this process is going to continue?

MR. HAIN. Well, the last 4 or 5 years, there has been about anywhere from five to 17 a year, I think 17 has been the largest number come up and turn in their place. They're hunting employment to make more money doing something else.

Mr. TAYLOR. Am I correct, Mr. Hain, that not every tenant who leaves the land gets a good job in industry? You say some of the tenants do. Not every one does, does he?

Mr. Hain. I wouldn't think so.

Mr. TAYLOR. Do you know what happens to those who don't get jobs in industry?

MR. HAIN. No, sir, I don't. Some of them come back, some of them go away and come back and join in the neighborhood. Some of them get employed locally. Some of them in town,—get jobs.

MR. TAYLOR. Are you aware whether the

MR. HAIN. Quite a building program going on down there. I have several now that live on the place, and their wives and children farm and they work for a contractor. They tell me they make good money. I have two or three of them.

MR. TAYLOR. Do you know the extent to which any Government agencies assist tenants who are leaving the land to relocate, to get good jobs, to get better housing?

MR. HAIN. No, sir, I don't. There's a home administration branch of the Government, two or three of them lend some of them money around there to farm. I don't know whether—I'm not too familiar with the buying of the land. I just hear a lot about agencies buying some lands and building them some houses, those that want to stay.

Mr. TAYLOR. Mr. Hain, you may have said this, about how many acres of your lands are diverted, that you receive diversion payments for?

Mr. HAIN. On the part that we presently work, 113 acres of cotton and 140.4 acres of corn, and the other is diverted to the tenants. It's 490 acres of cotton in all, 490.7 and 667.2 of corn is diverted.

MR. TAYLOR. Could you just give me a rough idea of the extent of the diversion payments you receive from the Government, and other payments?

MR. HAIN. Well, it has been cut considerably this year. Of course, the checks come to them, unless some of them I have an assignment on, it comes to me. And then when you have an assignment, you don't get the cotton check until fall. Now they've all gotten a feed grain check already, and I understand that they're getting another check this fall. That comes direct to them. I haven't had any assignment on it.

MR. TAYLOR. I was just concerned about general payments to you, just getting a general idea of what that might amount to.

MR. HAIN. It is paying so much an acre and I think it is according to how much you made per acre, and I think each contract is different according to your past record, so much an acre on your cotton, so much an acre for your corn. And our corn is low, because we haven't had much corn.

MR. TAYLOR. Could you give me a figure for your own-

MR. HAIN. For the entire place?

MR. TAYLOR. For yourself, either for this year or prior years. If you don't want to——

MR. HAIN. No, sir, I don't remember what it was last year, and I haven't—I know I received a check for about \$1,600 last week.

Mr. TAYLOR. \$1,600 last week?

MR. HAIN. Personally, and I really don't remember whether it was for the feed grain or whether it was for cotton. But I think it was half of the cotton check.

MR. TAYLOR. That would cover what period of time? A year? MR. HAIN. No, half. Pay half of it now and the other half in October.

Mr. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Do any of the Commissioners have any further questions? Mr. Glickstein, do you have further questions? Mr. GLICKSTEIN. No. sir.

CHAIRMAN HANNAH. Thank you very much, Mr. Hain. We appreciate you coming here very much, and you are excused. Call the next witness.

Mr. GLICKSTEIN. The next witness is Mr. Harold Culmer, who is an attorney on the staff of this Commission.

(Whereupon, Mr. Harold Culmer was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. HAROLD CULMER, ATTORNEY, OFFICE OF GENERAL COUNSEL, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Culmer, I show you a copy of a report entitled Staff Report, Summary of Housing Conditions. Were you responsible for preparing this report?

Mr. Culmer. Yes, I was.

MR. GLICKSTEIN. Mr. Chairman, may we introduce this report into evidence as Exhibit No. 4?

CHAIRMAN HANNAH. The report is received.

(The document referred to was marked Exhibit No. 4 and received in evidence.)

MR. GLICKSTEIN. Mr. Culmer, would you please summarize that report for the Commission?

MR. CULMER. Yes. The economic security of persons is directly affected by the inadequacy as well as the absence of housing. Further, both outmigration and health problems can be traced to the lack of suitable shelter.

An examination of 11 cities for which figures are available in the 16-county area reveals that nonwhites have significantly less sound housing, more deteriorating housing, and significantly more dilapidated housing. These cities are Prattville, Eufaula, Union Springs, Greenville, Jackson, Eutaw, Greensboro, Demopolis, Monroeville, Marion, and York. For the cities indicated, white sound housing in 1960 averaged 73.7 percent while nonwhite sound housing averaged 35.8 percent. Nonwhite deteriorating housing averaged 34.6 percent for the entire area while white deteriorating housing averaged 21 percent. Nonwhite dilapidated housing averaged 29.6 percent while white dilapidated housing averaged only 5.2 percent.

In rural nonfarm areas of Alabama between 1950 and 1960, whites recorded a 13.8 percent increase in sound housing "with all plumbing facilities," while nonwhites registered an increase of 3.1 percent. In rural farm housing "with all plumbing facilities," white occupancy increased 20.2 percent while nonwhite occupancy increased only 2.2 percent.

A comparison of Negro housing conditions in Alabama with those generally prevailing in the State shows that Negro housing is substantially more crowded, Negroes own fewer owner-occupied dwelling units, and there is a noticeable disparity between the median dollar value of white and nonwhite owner-occupied units. Only in urban areas was the median dollar value of nonwhite owner-occupied units above \$5,000 in 1960.

No community in Alabama participates in the rent supplement program. A number of rural communities and small towns have low-rent public housing. As of January 9, 1967, of the 32,504 public housing units for Alabama, 4,518 were in preconstruction, 1,162 were under construction and 26,824 were under management.

In the 16-county area, the total number of units was 1,736—256 in preconstruction and 1,480 under management. In addition, low-rent housing for senior citizens totaled 136 units—74 in preconstruction and 62 under management.

Despite Executive Order 11063 issued November 20, 1962, requiring nondiscrimination in federally assisted housing, and Title VI of the Civil Rights Act of 1964, requiring nondiscrimination in programs receiving Federal financial assistance, the public projects in the 16-county area are segregated in fact.

Of the 31 projects in the 16-county area, 10 are all nonwhite, 10 are all-white and six are segregated within the project by site. Of the remaining five, four are under development, and there is no racial data available for the remaining project in Eufaula, Alabama, Project No. 118–3. All senior citizens housing projects are located in cities which have segregated occupancy patterns in low-rent public housing.

One result of declining agricultural employment is that the former tenant or farm worker not only loses employment, but he also loses a place in which to live. The Department of Agriculture has predicted that 2,000 farms will go out of operation in Alabama this year. This will mean an increased need for housing.

The 1964 Agricultural Census indicates that in the 16-county area, the highest tenancy rates among nonwhites were in Dallas, Sumter, Bullock, and Lowndes Counties, all over 57 percent of the total nonwhite farm population, and that farm tenants in these counties are losing their farms at a rapid rate. Housing data show Lowndes County has no public housing units.

Titles II and III-B of the Economic Opportunity Act of 1965 provide funds for nonprofit corporations to assist low-income families in building their own homes. OEO funds are available for technical assistance and Farmers Home Administration credit for building materials. Under Title III-B, 100 percent grants for technical assistance are available where the potential participants derive at least 50 percent of their income from seasonal agricultural work. Under Title II, grants of up to 90 percent for technical assistance can be obtained to aid low-income families, regardless of their types of employment. Where OEO funds for technical assistance are not available, the Farmers Home Administration may provide a construction supervisor to an organized self-help housing group.

Participating families who are approved by the Farmers Home Administration may obtain rural housing loans to buy materials to pay for any skilled labor and contract costs required for work on their own homes and if necessary buy a building site. Basic construction labor is performed by families mutually helping each other, after forming an unincorporated or incorporated association for this purpose. This exchange of labor, without a cash cost to the families, is the key to the mutual self-help housing program. In this way the houses can be built for less cash cost than by customary methods.

These insured loans are at an interest rate of 5 percent for up to 33 years for families living in rural communities with a population of not more than 5,500. No down payments are required.

Farmers Home Administration credit requirements appear to be too high for most of the rural poor. There is presently only one Self-Help Housing Project in Alabama. It is an all-Negro project located in Wilcox County. Thirty-nine families are participating in this venture which was supported by a \$38,000 technical assistance grant from the Office of Economic Opportunity. Guidance and technical assistance have been furnished by the Office of International Self-Help Housing Associates of Washington, D.C.

The pending Housing and Urban Development Act of 1968, Senate Bill 3209, an administration bill introduced by Senator Sparkman, would authorize the Secretary of Agriculture to reduce the interest rates for low and moderate-income families so they can borrow under existing rural housing loan programs and broaden the eligibility for credit under the rural housing loan program, and make low-income nonrural residents who have jobs in rural areas eligible for housing loans. The President also has directed the Secretary of Housing and Urban Development to insure that the rent supplement program has maximum impact in rural as well as urban areas.

That is the summary.

CHAIRMAN HANNAH. Thank you very much, Mr. Culmer. Mr. Glickstein, will you call the next witness.

MR. GLICKSTEIN. The next witness is Rev. Daniel Harrell.

(Whereupon, Rev. Daniel Harrell, Jr. was sworn by the Chairman and testified as follows:)

## TESTIMONY OF REV. DANIEL HARRELL, JR., CAMDEN, ALABAMA

MR. GLICKSTEIN. Reverend Harrell, will you please state your full name and address for the record?

REV. HARRELL. My name is Daniel Harrell, Jr., resident of Wilcox County, Post Office Box 511, Camden, Alabama.

MR. GLICKSTEIN. Reverend Harrell, what is your occupation? REV. HARRELL. I am a project director for Southwest Alabama Self-Help Housing.

MR. GLICKSTEIN. That is the project that Mr. Culmer referred to a moment ago in his oral report. Is that correct?

REV. HARRELL. Yes, it is.

MR. GLICKSTEIN. Would you describe to the Commissioners,

please, in somewhat greater detail what the nature of that project is?

REV. HARRELL. Well, the project is designed to build homes for low-income farm families. The mechanics of this particular program is that the Southwest Alabama Self-Help Housing furnishes what we call technical assistance, the know-how in building housing. The families furnish the labor. We call it sweat equity, that will be placed in the house, and Farmers Home Administration supplies the money necessary to buy the materials, and of course the land.

MR. GLICKSTEIN. How many people are participating in this project right now?

REV. HARRELL. We have 39 people participating in one phase or the other. We have at present about—we have loans approved on eight persons now.

MR. GLICKSTEIN. You say 39 people. Is that 39 families or 39 persons?

REV. HARRELL. These are 39 families.

Mr. GLICKSTEIN. And you have loans approved on eight of them?

REV. HARRELL. Right. We have money back on eight of them. We have loans approved on approximately 30 people, and these are in kind of stages now. But it is 39 families altogether in stages, you know, with the State approved and non-State approved people.

MR. GLICKSTEIN. In order to participate in this program, in order to get the money, the individual families have to apply to the FHA for a loan?

REV. HARRELL. Right, they do.

MR. GLICKSTEIN. And then Mr. Culmer mentioned that you have a \$38,000 OEO grant, and that money is used to pay your salary, and the salary of other technical people who assist in promoting this project?

REV. HARRELL. This is true.

Mr. GLICKSTEIN. What are the other technical people that you have?

REV. HARRELL. We have construction supervisors, construction assistants, secretary, bookkeeper and of course community developer, construction supervisor, and of course the director.

MR. GLICKSTEIN. Of course a director?

REV. HARRELL. Right.

MR. GLICKSTEIN. What is the average size of the loan that the participating families have been getting or seeking?

REV. HARRELL. The average loan that the families have been getting from FHA has been about \$5,200. Now this varies with reference to the amount of land that the people need, if they need any land, they may not need any land.

MR. GLICKSTEIN. And what type of a structure are you building? REV. HARRELL. At present we are building board structures. We do hope to get into concrete blocks later on. But right now we are dealing with wood construction.

MR. GLICKSTEIN. This project is located in Wilcox County. Is

that correct?

REV. HARRELL. Yes, it is.

MR. GLICKSTEIN. The advantage of a self-help project such as this, as I understand it, or at least one advantage is that you are able to purchase the construction material at a wholesale rate?

REV. HARRELL. Right, this is true.

MR. GLICKSTEIN. And make savings that way. Is that correct? REV. HARRELL. Right, this is true.

MR. GLICKSTEIN. How do the people actually go about putting

up the houses? What is the system?

REV. HARRELL. Well, we take plans of the particular housing that we want to build, we submit these plans to pre-fab companies and get bids on them. And then we take the lowest bid really. We have found Kingsbury and Mitchell to be so close together, one is almost \$100 more than the other, but I don't think it is enough, you know, to worry about there. So we order a pre-fab package. This is to minimize the amount of loss in material that unskilled families would probably use, you know, during the construction of the house. And of course to get a sound house, you know, a much sounder house in a shorter rate of time.

So we therefore get Mitchell, Kingsbury to bring in a pre-fab unit.

MR. GLICKSTEIN. And how is the house put up?

REV. HARRELL. The families themselves erect the house. The house comes in little sections, you know. Some walls may have three sections, a particular wall, others may be two and some may be four. The families erect the wall sections and of course the partitions, the roofing—we also use struts rafters and they put these in place and do the decking and of course all the other necessary work for completion of the house.

MR. GLICKSTEIN. Is most of the work done in the evening and weekend?

REV. HARRELL. At present mostly in the evening.

Mr. GLICKSTEIN. Most of the people have jobs during the day? REV. HARRELL. Right.

MR. GLICKSTEIN. About how long does it take to put up an average house?

REV. HARRELL. That is a good question. We don't know yet. We originally estimated it would take approximately 6 months. However, we have been doing construction on these houses a little longer than that. But the average house is done, in other areas—however where the people are a lot more experienced than we

are, because they have years. It takes about 6 months. This one we have been working on five houses up until last week, and it is just taking us a little bit longer and I understand that the people who are taking 6 months now took a little longer on the first ones too, so I guess we are running about even.

MR. GLICKSTEIN. How great would you say the need for housing is in this area of Wilcox County, or in Wilcox County?

REV. HARRELL. Goodness, have you been to Wilcox County? Mr. GLICKSTEIN. I have, yes.

REV. HARRELL. Anyone who has gone to Wilcox County finds that the need as for housing in Wilcox County is grave, and it's a tragedy that we don't have the kind of legislation, or the kind of sources for finances for all of the people who probably, you know, are in the gravest need, you see.

Now through Self-Help Housing we can reach only certain groups of people. Because they have to have the ability to repay the loan. And a lot of people in Wilcox County are not making over \$500 a year, and if you are making only \$500 a year you don't have too much to put in housing. However, these people are left out. And I don't know what you can do about it. But I think that, you know, you take HUD and cities and areas like that, they have all of these subsidy housing programs, and of course the people on the farm are not doing this. And I don't like to be real critical of people with comments at this point, but when you take housing for the people that I am talking about and believe it or not, when you talk about people needing housing in Wilcox County you are talking about Negroes. This is what it boils down to. And we can get all of these good subsidy programs, you know, if you don't plant cotton. I was listening to this man here, just before—just before Mr. Culmer. He just received a \$1,600 check for not planting cotton or peas or corn or something. You know, so this is not giveaway, this is subsidy.

But if we ask for some money for people who are outdoors, some of these people living on this place that this man was talking about who don't have inside toilet facilities, no running water, this is a giveaway. I don't want to get into that kind of an argument. But what I am saying is that I think Farmers Home should develop within its operations a subsidy program for housing for the poor people of the rural areas.

MR. GLICKSTEIN. In other words, you are saying that the present standards are such that a lot of people are just excluded.

REV. HARRELL. Most of the people that we want to reach are excluded, really.

MR. GLICKSTEIN. You asked before whether I had been to Wilcox County, and there are some pitcures that Mr. Culmer has given you that had been taken in the 16-county area, and I wonder

if you would indicate whether you think these are representative of the type of housing that you find in Wilcox County.

REV. HARRELL. That's a good house there.

CHAIRMAN HANNAH. Let the Commissioners see it.

REV. HARRELL. We have log cabins in Wilcox County. We have houses like that, too. But we have log cabins, also. Yes, this is kind of representative. I would say so, yes.

MR. GLICKSTEIN. I assume that the houses that your project is building are going to look considerably better than these.

REV. HARRELL. Oh, much better.

MR. GLICKSTEIN. How helpful has technical assistance from FHA been to you in your projects?

REV. HARRELL. Well, we have been working very well with the FHA. We have had the person of Mr. LeCroy attend most of our meetings. It has been all right. I think FHA is okay, but I am kind of questioning FHA's committee. I do know of a case down in LeCroy, where Mr. Lee and I sat down in his office. I took into him 14 applications, we discussed them and he knowing most of the people because he had been in the county for maybe 15 or 16 years, maybe more than that. He and I came to the conclusion that nine of these said persons would pass. However, out of the whole group after the committee meeting, out of the total group of 14 persons, only one passed. And so I kind of question the committee a little bit.

MR. GLICKSTEIN. So what you are saying, it is not just the FHA representative that has the say on these loans, but there is a committee that rules on the loans.

REV. HARRELL. Right, I don't know what is happening. I kind of feel that out of 14 persons, maybe more than one should have passed. Other than that, I, you know, we have been getting along pretty good.

MR. GLICKSTEIN. Reverend Harrell, you have told us about some very concrete material benefits people participating in this self-help project are going to gain. Obviously they are going to gain decent housing. Are there any other benefits that a self-help project brings the participants?

REV. HARRELL. Yes, you see not only are we just trying to build housing for people. Now their first concern is housing. So that is good for them. But our concern is to develop the individual himself, to give him self-confidence, you know, and to teach him some of the building crafts, you see. So that if he did seek employment in construction, building, that is, he may not go on as a good apprentice, or carpenter, but he could go on as a good helper. In some cases—well, we have Mr. Murray, who could be an apprentice right now, and he is one of our participants, you see.

MR. GLICKSTEIN. So there are perhaps three purposes of your project: one to provide housing; second one, from what you say,

the development of human beings; and the third is to help people obtain skills that they will be able to use to find employment.

REV. HARRELL. Right. And another thing I would say, is to teach people leadership ability. You see each one of these groups organize into association. They learn parliamentary procedures, they learn how to solve problems, et cetera. So this is another thing that they learn that they probably didn't know at first.

MR. GLICKSTEIN. Mr. Culmer in his report indicated that yours was the only self-help housing project in Alabama. How would you account for that?

REV. HARRELL. Well, I guess we were the only ones at this point that was really interested enough to apply. This is the only way I could reason for it. Well, Lowndes County applied for self-help housing, and of course they did it up approximately the same time that Wilcox County did. However, we were funded. Lowndes County this year has been added to the Wilcox County program.

I have given other areas of the State copies of our application, you know, proposal. However, they haven't worked out a program yet in housing. I think we applied first. I think this is what it really boils down to.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. Mr. Harrell, I am interested that you represent a Government financed agency which is in business to make another Government agency work, FHA. Isn't this about the size of it?

REV. HARRELL. This is about the size of it.

VICE CHAIRMAN PATTERSON. OEO is paying you to make FHA work?

REV. HARRELL. I guess this is the way you can explain that.

VICE CHAIRMAN PATTERSON. Why is this? I am serious in the question. Does it result from any failure of FHA, or does it result from a failure of lack of leadership among these people who need the housing, who do need to be informed of the availability of such housing?

REV. HARRELL. That is a good question. Let's see.

Number one, I think you ought to ask that question again so I can get it clear.

VICE CHAIRMAN PATTERSON. Do you feel that the very existence of your agency represents a failure of the FHA to go out and make itself available to the people, or do you think it primarily rests on the lack of Negro leadership which could lead the people to the FHA as you are doing?

REV. HARRELL. I think it is both, really. FHA, I understand, is not permitted to go out and seek applicants in housing. I know the Negro leadership in our area, with reference to the extension services, hadn't acquainted the poor families of Wilcox County

with the available sources of finance for housing. And FHA hadn't gone out and done it either, really.

VICE CHAIRMAN PATTERSON. Did you have anything more? REV. HARRELL. I think that is it.

VICE CHAIRMAN PATTERSON. You say that you have loans approved on some 30 families for housing.

REV. HARRELL. This is State approved. What we do is organize groups into associations and submit applications. And we will have meetings while we are waiting for the applications to come back, before they are finally approved. And you get a tentative approval on them, and they go from there to the State for the State approval, and after the State approves them you know that you are okayed then to get them financed.

VICE CHAIRMAN PATTERSON. My question is, what will most of these people do provided they get this new house? Will they work on farms, or are these houses close to towns where they have jobs?

REV. HARRELL. They will be working on farms.

VICE CHAIRMAN PATTERSON. Do they have their farms in some instances?

REV. HARRELL. In some instances—we have a lot of tenants. We have a few people—to be exact, we have one person who owns a farm. No, two people who own a farm, this is Bridges and Collier.

VICE CHAIRMAN PATTERSON. You mentioned that you took 14 people in and one was approved by the committee.

REV. HARRELL. Right.

VICE CHAIRMAN PATTERSON. Do you feel that the FHA is being too conservative on this and that it should take higher risks, or do you feel that it is simply being businesslike in its judgments?

REV. HARRELL. Well, anything I could tell about this particular group would be hearsay. But let's off the record, or on the record, or whatever you want to say, let's throw it out for whatever it is worth. Okay? There was a tract of land in Coy that we were planning to get for these 14 persons. To get to this land, we had to go across the property of——

Mr. GLICKSTEIN. It is not necessary to mention any names.

REV. HARRELL. We had to go across another man's property. This man didn't want us to get this property. He wouldn't give us a right of way, he didn't want us to get to the property. So we went another way to get to the property, we crossed some colored people's property. And I was informed that this person who refused to give us a right of way, who was white, talked with one of the committee members and, as a result, the whole group was flunked. It was as simple as that.

VICE CHAIRMAN PATTERSON. This is only hearsay, you don't have any direct knowledge?

REV. HARRELL. I don't have the records. But I think we prob-

ably could investigate this, maybe at another hearing if you want to subpena other people.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH, Mrs. Freeman?

COMMISSIONER FREEMAN. I am also interested in how these sites are selected. First of all we've talked about FHA several times here. Will you say, when you say FHA, whom we are talking about? Are we talking about the Federal Housing Administration or the Farmers Home?

REV. HARRELL, Farmers Home.

COMMISSIONER FREEMAN. We are still talking about the Farmers Home?

REV. HARRELL. Yes.

COMMISSIONER FREEMAN. These loans that you are talking about, are they direct loans from the Farmers Home Administration?

REV. HARRELL. Yes, they are.

COMMISSIONER FREEMAN. How are the families selected that participate in the program?

REV. HARRELL. Oh, actually, they are selected because of number one, they have got to be a farmer and work, you know, with other people on the farm. And of course they in many cases they also have other kinds of sources of income. This is why I mentioned earlier that people we really want to reach we can't because their repayment ability is too low to get the loan necessary.

VICE CHAIRMAN PATTERSON. How do you mean too low?

REV. HARRELL. Well, let's put it like this: When you take a person, let's say he's making \$2,000 a year, and his obligation, present obligation that will keep him tied up for the next 10 years is \$2,100, then this person can't make a loan with FHA.

COMMISSIONER FREEMAN. How many families need housing and don't have enough money to qualify for these loans? About how many families in your county?

REV. HARRELL. Well, really I couldn't say about how many families, I would say it is over—well, it's hundreds.

COMMISSIONER FREEMAN. Hundreds?

REV. HARRELL. Yes, hundreds.

COMMISSIONER FREEMAN. What kind of program would you think the Federal Government should have to remedy this situation?

REV. HARRELL. I think—we get to the point of subsidy again, I think that a subsidized housing program with references to payment. HUD is doing it all the time. I think Farmers Home should do it.

Number one, we got this paper mill into the county, and it is replacing a lot of people with trees. People who used to farm last year, can't farm this year because trees are there. You see. And some of the people had to move off of these places, these farms. And some were given the right to live on the farms as long as they live but don't plant an acre of cotton, or a garden, or anything like that.

I think not only a subsidy program for housing but I think a subsidy program for a small plot of land for farming should also be included. Because these people—you heard what happened, these people don't want to go North. If they go North you send them into the ghetto and you are stuck with the problem there already. Why not let them stay at home, and instead of using the subsidy money in Chicago, in the ghetto in Chicago, use it there in Chicago, but also use it in Wilcox County, Alabama, too.

COMMISSIONER FREEMAN. Are you saying then that the existing Federal program is not now reaching the needs of the persons who are most in need?

REV. HARRELL. Right. This is true.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Reverend Harrell, you said that you attended a training program, is that correct, for this position?

REV. HARRELL. Yes, I did.

COMMISSIONER RANKIN. Where did you do this?

REV. HARRELL. Fort Meyers, Florida.

COMMISSIONER RANKIN. Were there others taking this training program?

REV. HARRELL. Yes, Duane Manzell has a self-help housing program there, and of course we had ISHHA which is International Self-Help Housing doing the training program for the two groups.

COMMISSIONER RANKIN. Were you the only one from Alabama? REV. HARRELL. I was the only one, right. We were funded at the time.

COMMISSIONER RANKIN. And no one has taken that program since you did, that you know of?

REV. HARRELL. That is right.

COMMISSIONER RANKIN. Your program is unique in Alabama? REV. HARRELL. It is the only one.

COMMISSIONER RANKIN. Is it being watched by other counties in other areas?

REV. HARRELL. Yes, we have had camp directors from other areas come down, and I am hopeful and hoping that the program will spread out over the total State.

COMMISSIONER RANKIN. But nobody as yet has adopted a similar program?

REV. HARRELL, No.

COMMISSIONER RANKIN. Thank you.

CHAIRMAN HANNAH. Reverend Harrell, tell me something about the education that you had before you got into this program? Were you educated entirely in Alabama? REV. HARRELL. No, a little bit in Alabama and a little bit in Marshall, Texas.

CHAIRMAN HANNAH. How much formal education do you have? REV. HARRELL. Oh, well—if you add it all together, I guess you would call it about 7 years of college.

CHAIRMAN HANNAH. Seven years of college.

REV. HARRELL. Seven. I have several diplomas.

CHAIRMAN HANNAH. Were you a student at Marshall College in Texas?

REV. HARRELL. No. Bishop College.

CHAIRMAN HANNAH. There was a good deal of conversation today about the difficulties on the part of Negroes to purchase land because of its cost and so on. What is the going price of land in your county of the kind that Negro farmers would like to buy for farming purposes? How much an acre does such land cost?

REV. HARRELL. I would say the average cost per acre in Wilcox County would be about \$200. Now this would vary with reference to location. At the paper mill site, they are \$500 an acre. In quarry, you get it for \$150.

CHAIRMAN HANNAH. I am talking about farm land, in the farming community. About \$200 an acre?

REV. HARRELL. Yes, about \$200 an acre.

CHAIRMAN HANNAH. Mr. Taylor, do you have any questions? Mr. Taylor. No, sir.

CHAIRMAN HANNAH. Mr. Glickstein, do you have further questions?

Mr. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Thank you very much, Reverend Harrell. We are very grateful to you. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witness is Rev. K. L. Buford.

(Whereupon, Rev. Kenneth L. Buford was sworn by the Chairman and testified as follows:)

## TESTIMONY OF REV. KENNETH L. BUFORD, TUSKEGEE INSTITUTE, ALABAMA

MR. GLICKSTEIN. Reverend Buford, would you please state your full name and address for the record?

REV. BUFORD. Kenneth L. Buford, 105 Johnson Street, Tuskegee Institute, Alabama.

MR. GLICKSTEIN. What is your occupation, Reverend Buford? REV. BUFORD. I am the Alabama State Field Director for the National Association for the Advancement of Colored People.

MR. GLICKSTEIN. Have you held that position for some time?

REV. BUFORD. Approximately 20 months.

MR. GLICKSTEIN. What did you do prior to that?

REV. BUFORD. I was a minister.

MR. GLICKSTEIN. What has been your experience in the civil rights field? Have you been an active civil rights leader for some time?

REV. BUFORD. For approximately 30 years.

MR. GLICKSTEIN. You have been active in Macon County all of that time?

REV. BUFORD. No, I have been a resident of Macon County for 12 years.

MR. GLICKSTEIN. We heard some testimony this morning from Mr. and Mrs. Roy Thomas about their eviction from a farm in Sumter County. Did you or your organization play a role in assisting the Thomases and similar people, assisting them in relocating out of Sumter County?

REV. BUFORD. Yes, we did.

Mr. GLICKSTEIN. Would you describe that to the Commissioners, please?

REV. BUFORD. When this matter was brought to our attention, I think it was first in November of 1966, we received the intelligence that the owner of the land previously rented by the families from Sumter County would not be available to them for purposes of cultivation during the year of 1967.

They were told that they could live in the houses for a rental of \$15 per month, they could not have gardens, nor chickens, cattle, they could not cut wood on the land.

And during the year of 1967, through a special fund, we helped pay the rent and buy food for the families on this plantation. At the end of 1967, at the end of November, they were informed that they would have to vacate the premises as of the first day of January, 1968. We immediately sent a team of students from Tuskegee Institute over to Sumter County, where they interviewed the persons who presented themselves at the appointed time and place.

There were representatives from 41 families. The schedule, or the questionnaire, was designed to determine what was needed in the way of housing, and to attempt to develop a program, a long range program to help these people in their dilemma.

As of the first of January we began to move the families from Sumter County to the site of the old Tuskegee Air Base, just outside of Tuskegee Institute.

MR. GLICKSTEIN. That move took the people across a good portion of the State?

REV. BUFORD. Approximately 230 miles. We were able to, by negotiating with the city of Tuskegee who owns the air base, to get living quarters for the families there.

MR. GLICKSTEIN. And how many families were involved?

REV. BUFORD. Initially 41 families presented themselves. The first of January, we moved seven families. By negotiating with

a paper firm which had leased land adjacent to the property occupied by the other 34 families, we were able to get an extension of time for them until May 31.

MR. GLICKSTEIN. Of this year?

REV. BUFORD. Of this year.

MR. GLICKSTEIN. And do you expect that more people will be moving—that some of those people will be moving to Mitchell Village?

REV. BUFORD. I expect they will, yes.

MR. GLICKSTEIN. What assistance is being given to the people that have been relocated in Mitchell Village?

REV. BUFORD. Well, we were able to get them qualified for participation in the Commodity Food Distribution Program.

We have gotten all the children in school, and at last report they were participating in a free lunch program. Our Association set up a special fund out of which we have been paying the rent, the utility bills, furnishing the families with funds, such as were needed to take care of their other needs.

MR. GLICKSTEIN. And is any provision being made to train these people for new jobs?

REV. BUFORD. Yes, As a result of the information obtained through the questionnaires we were able to write a proposal, and there has been a retraining program funded through the Department of Labor.

This program is supposed to be conducted at Tuskegee Institute. The people will be retrained in carpentry, brick masonry, operation of large farm machinery and so forth.

MR. GLICKSTEIN. And this is a program that the Department of Labor has for displaced rural workers. Is that correct?

REV. BUFORD. Yes.

MR. GLICKSTEIN. Where will the people being trained obtain employment when the training program is finished? What is the plan?

REV. BUFORD. Well, an offer will be made, this is being done under the Labor Department's mobility program. If they wish to take jobs, or accept jobs in Iowa, there are openings there, if not, then we will have to try to find jobs for them elsewhere.

MR. GLICKSTEIN. And these jobs in Iowa are farming jobs? REV. BUFORD. They are.

MR. GLICKSTEIN. Do you think that the people living in Mitchell Village now and the ones that are to come there, possibly in the next few weeks, have a bright future before them?

REV. BUFORD. I think it is much brighter than it was January 1st. At least they tell me that they have better housing now than for the most part than they have ever had in their lives. They are receiving medical care. I think they are eating better than they had previously. And they have an opportunity to learn some

sort of trade which will fit them to get jobs that will pay them some money, instead of working for nothing as they have in the past.

MR. GLICKSTEIN. Reverend Buford, let's go back to your previous statements about your activities in the civil rights field. I understand one area that you have been especially active in is in the voting area. Is that correct?

REV. BUFORD. Yes.

MR. GLICKSTEIN. Do you feel that increased Negro political participation in Macon County over the last few years helped to improve the economic conditions of Negroes in that county?

REV. BUFORD. Yes, I do.

MR. GLICKSTEIN. Could you give us some examples as how you think that has happened?

REV. BUFORD. Well, if in no other way, at least there is money coming into the Negro community now, as nominal as it may be, from salaries, formerly received only by whites as members of the city council, as members of the county board of revenue, and in terms of job opportunities which have been opened to Negroes in the police department, the sheriff's department, tax collectors office, well the gamut.

MR. GLICKSTEIN. And has the increased political participation and membership on these various boards that you have mentioned helped the Negro citizens of Macon County get such things as paved roads, or better sanitation service and so forth?

REV. BUFORD. Yes, it has, very definitely.

MR. GLICKSTEIN. You have been a registered voter for some time?

REV. BUFORD. I think it was in 1962 in Alabama.

Mr. GLICKSTEIN. And you had, I assume, difficulty getting registered to vote?

REV. BUFORD. Yes, the Macon County Board of Registrars said that I was not intelligent enough to be a registered voter.

MR. GLICKSTEIN. And if I recall you were ultimately ordered registered by a Federal court. Is that correct?

REV. BUFORD, Yes, I was.

MR. GLICKSTEIN. And you were a minister at that time?

REV. BUFORD. Yes.

MR. GLICKSTEIN. Did you find that people such as you who were more or less economically self-sufficient were in a better position to try to register to vote than people who were economically insecure?

REV. BUFORD. No, we were not.

MR. GLICKSTEIN. I am not asking you about how successful you were, I realize you were unsuccessful, but because you were a minister, and because you had your own income, were you less

afraid to go down and try to register to vote than somebody who was not as economically secure as you were?

REV. BUFORD. I understand your question now. Yes, I did not have the fears that some persons had because of my independence.

MR. GLICKSTEIN. Would you say there was some relationship between a person's economic security and the extent to which he participates in political activities?

REV. BUFORD. Definitely.

Mr. GLICKSTEIN. Can you give us any illustrations of how you think this might be?

REV. BUFORD. Reports have come to our office to the effect that Negroes have been intimidated. They have been told if they registered to vote or participated in any civil rights activities, they would lose their jobs, they would have to move off farms. And there have been all sorts of intimidations and harassments throughout the State in an attempt to discourage Negroes from becoming registered voters.

MR. GLICKSTEIN. And obviously from what you say, if a person is dependent upon a person who instructs him how to vote this does affect what he does.

REV. BUFORD. Certainly.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson.

VICE CHAIRMAN PATTERSON. We have heard testimony that some Federal programs such as those in housing have helped some people but that hundreds were too low to qualify. What are we going to do about those hundreds who are too low? Can the private enterprise economy as manifested in Alabama now do this, absorb this number of people who are too low to qualify now for a decent standard of living or it is going to require Federal programs?

And, if so, from your experience in the field, what Federal programs to reach the people who are too low?

REV. BUFORD. Well, Mr. Patterson, a lot of reference has been to the people that are in the low income bracket that cannot qualify for participation, and before answering your question, I would like to say that on the other side of the coin, for some peculiar reason, especially under Farmers Home Administration, for the most part Negroes are either too poor or too rich to qualify. I think that the first thing that needs to be done is that someone needs to take a close look at some of the personnel in the—who staff the governmental agencies in the local counties in Alabama.

Secondly, I do not personally think that a welfare program is really desirable. I think that we need job opportunities. We need retraining programs. We need to train these people so that they, after building a house, can maintain that house. I think this is the answer to our problem.

VICE CHAIRMAN PATTERSON. So you see the need for Federal programs lying mainly in the area of training for jobs?

REV. BUFORD. I think so.

VICE CHAIRMAN PATTERSON. Do you think the jobs then can be produced in Alabama at this stage of history to employ those people?

REV. BUFORD. They could, yes.

VICE CHAIRMAN PATTERSON. Thank you.

CHAIRMAN HANNAH. Mrs. Freeman.

COMMISSIONER FREEMAN. Reverend Buford, are large numbers of families being displaced from the land in Alabama?

REV. BUFORD. Yes, there are.

COMMISSIONER FREEMAN. Do they include black and white people?

REV. BUFORD. I am not very familiar with the problems of white people. Ours is the Association for the Advancement of Colored People. We have very few white people bring their problems to us.

I cannot speak with any degree of authority on how many whites are included.

COMMISSIONER FREEMAN. Do you know of any State programs that are in existence now with respect to giving assistance to persons who are displaced from the land?

REV. BUFORD. No, I don't.

COMMISSIONER FREEMAN. Would you tell the Commission what you would like to see from the State and Federal Government to serve the people who are being displaced? What kinds of programs would help?

REV. BUFORD. Well as I just indicated, I think that we need jobs. I think that we need retraining programs. I do not favor the welfare programs as such.

COMMISSIONER FREEMAN. We have heard some testimony that there are various cities and localities in this State that have adopted programs to encourage industry to come into the State. Now, theorectically, this would mean jobs. Is there equality of opportunity with respect to the training programs or with respect to jobs in the counties? What has your experience been?

REV. BUFORD. Are you asking me are there equal employment opportunities?

COMMISSIONER FREEMAN. Yes, I am asking you that.

REV. BUFORD. According to the complaints that cross my desk, there are a number of industries coming into the State of Alabama that are not equal employment opportunity firms. And we have had to file complaints in order to get Negroes in lines of progression with the whites. I think that last year we filed somewhere

in the neighborhood of a thousand complaints against various industries in the State of Alabama from our office alone.

There is definitely, I would say, a gap. There is not equal opportunity in employment for Negroes, even in these new firms that are coming into the State.

COMMISSIONER FREEMAN. Do you know whether any of these firms have Government contracts?

REV. BUFORD. Yes, they do.

COMMISSIONER FREEMAN. What, if anything, is the Government doing to try to assure that these firms will employ Negroes without discrimination?

REV. BUFORD. When complaints are filed, usually investigations are made. Admittedly, progress has been rather slow. However, we were successful very recently in having contracts cancelled by a large manufacturing firm in the State of Alabama because of the unequal employment opportunities.

COMMISSIONER FREEMAN. Are there any people in the State that are working with the NAACP, any predominantly white organizations to help change the situation?

REV. BUFORD. No, there are no predominantly white organization working with us in the State of Alabama.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin.

COMMISSIONER RANKIN. Reverend Buford, you have been explaining how you have been helping people who have been evicted to get located. Is that correct?

REV. BUFORD, Yes.

COMMISSIONER RANKIN. Are you a land owner?

REV. BUFORD. I own some land, yes.

COMMISSIONER RANKIN. Did you ever rent lands or rent houses? REV. BUFORD. Yes.

COMMISSIONER RANKIN. Do you think the eviction laws of Alabama are fair?

REV. BUFORD. I, from my personal experience—I wouldn't know. I haven't had to have any one evicted from my property.

COMMISSIONER RANKIN. I am trying to get your views.

REV. BUFORD. I have enjoyed a very nice working relationship with the people who rent lands from me.

COMMISSIONER RANKIN. Could you go ahead and tell me about what you think of the eviction laws of Alabama? Would you say they are fair?

REV. BUFORD. I would say that the laws of Alabama as they affect Negroes for the most part are unfair.

COMMISSIONER RANKIN. Are they unfair because they affect Negroes or because they are basically unfair in themselves?

REV. BUFORD. They are unfair in that Negroes in Alabama do not receive equal protection under the law nor before the courts.

COMMISIONER RANKIN. Then it is not the laws, it is the application of the laws?

REV. BUFORD. It is the application of the laws.

COMMISSIONER RANKIN. That is the difficulty, is that correct? REV. BUFORD. Yes.

COMMISSIONER RANKIN. Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. Taylor. Reverend Buford, if my information is correct, you were a witness before this Commission when it held its first hearing in Montgomery in 1958.

REV. BUFORD. Yes, I was.

MR. TAYLOR. You have already done this to some extent, but could you look back over that nine and a half years and say what are the major changes that have taken place in the State since this time?

REV. BUFORD. I would say that some improvements have been made. I hesitate to use the word progress, but I would say that there has been some improvement.

MR. TAYLOR. You noted a few minutes ago that in Macon County there has been some progress, there was some progress in people obtaining public office in jobs and in industry.

Would you say that Macon County has made more progress in that respect than a great many other counties in the State?

REV. BUFORD. I would say that Macon County has made more progress than any other county in the State of Alabama.

MR. TAYLOR. And this you attribute to the exercise of the franchise and to political organizations?

REV. BUFORD. Yes, I would.

Mr. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein, do you have any further questions?

MR. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Thank you very much, Reverend Buford, and we are grateful for you being here.

REV. BUFORD. Thank you.

CHAIRMAN HANNAH. We will now recess until 1 o'clook in this room.

(Whereupon, at 11:55 a.m., the hearing was recessed for lunch to reconvene at 1 p.m. the same day.)

## MONDAY AFTERNOON SESSION

## APRIL 29, 1968

CHARMAN HANNAH. Ladies and gentlemen, may we have quiet in the room as we resume this hearing of the United States Commission on Civil Rights. Mr. Glickstein, will you call the next witnesses.

MR. GLICKSTEIN. We next have a group of witnesses, Mr. John Chambers, Mr. Mike Johnson, Mr. Hosea Guice, Mr. Nathan Payne, and Mr. Charles Griffin.

(Whereupon, Mr. John Chambers, Mr. Mike Johnson, Mr. Hosea Guice, Mr. Nathan Payne, and Mr. Charles Griffin were sworn by the Chairman and testified as follows:)

TESTIMONY OF MR. JOHN CHAMBERS OF BOLIGEE, ALABAMA; MR. MIKE JOHNSON OF SELMA, ALABAMA; MR. HOSEA GUICE OF MACON COUNTY, ALABAMA; MR. NATHAN PAYNE OF ORVILLE, ALABAMA; AND MR. CHARLES GRIFFIN OF SARDIS, ALABAMA

MR. GLICKSTEIN. Could we please start with Mr. Guice and would each of you gentlemen please state your full name and address for the record?

Mr. Guice. My name is Hosea Guice. I am from Macon County, Alabama, Route 1, Box 194.

Mr. Griffin. My name is Charles Griffin, Sardis, Alabama, Route 1, Box 238A.

Mr. Johnson. Mike Johnson, Selma, Alabama, Route 3, Box 64. Mr. Payne. Nathan F. Payne, Orville, Alabama, Route 1, Box 60.

Mr. Chambers. My name is John H. Chambers, Route 2, Box 149, Boligee, Alabama, Greene County.

MR. GLICKSTEIN. Mr. Chambers, perhaps I can address some questions to you. You are a farmer?

MR. CHAMBERS. I am.

Mr. GLICKSTEIN. And would you tell us again where your farm is?

MR. CHAMBERS. My farm is located six miles north of Boligee on the low Gainsville Road.

MR. GLICKSTEIN. What county is that in?

MR. CHAMBERS. That is Greene County.

MR. GLICKSTEIN. How old are you, Mr. Chambers?

MR. CHAMBERS. Around 50 years old.

MR. GLICKSTEIN. How much land do you own?

Mr. Chambers. Do I own?

Mr. GLICKSTEIN. Yes.

MR. CHAMBERS. I owns 2 acres and 33 hundredths of an acre.

MR. GLICKSTEIN. Do you rent some land also?

MR. CHAMBERS. Sure, I rents the place where I lives.

MR. GLICKSTEIN. You rent farm land also?

MR. CHAMBERS. I rent other land also.

Mr. GLICKSTEIN. How many acres do you rent?

MR. CHAMBERS. At this particular farm where I am living, I believe it is 76 acres in that particular plot, and I also rent some

other farm, I believe it is about 18 acres in that one.

Mr. GLICKSTEIN. And for how many years have you rented this land?

MR. CHAMBERS. Well now, these two contracts that I am talking about, now, the fact this one where I am living, I have been living there all of my life. I have never moved, never moved out of one house to another.

MR. GLICKSTEIN. What about the land that you are renting, that you are farming on, have you rented that for many years also?

MR. CHAMBERS. You are talking about this other contract?

MR. GLICKSTEIN. Yes.

Mr. Chambers. I have been renting that about 4 or 5 years.

MR. GLICKSTEIN. And how many acres do you have in cotton?

MR. CHAMBERS. All total, this year, I have 19 acres in cotton, but now I have another additional contract that I have been working that was added to my farm this year.

Mr. GLICKSTEIN. You also grow corn or vegetables?

MR. CHAMBERS. I do.

Mr. GLICKSTEIN. You have a lease on some of the land you said? Mr. CHAMBERS. Well, sure, I have a lease. I thought I had a lease on the place where I lived but it wasn't properly witnessed.

Mr. GLICKSTEIN. You had a lease for a number of years, and—

Mr. Chambers. Five years.

Mr. GLICKSTEIN. What happened?

MR. CHAMBERS. Well, two brothers owns this, did own this property where I lived. One of them passed in January. And when the one passed, well they had promised to let me, to sell me this particular place, to give me the first chance, since I had been there all the time.

MR. GLICKSTEIN. How many acres were involved?

Mr. CHAMBERS. Around 76.

Mr. GLICKSTEIN. Seventy-six?

MR. CHAMBERS. Yes, but anyway, after this brother passed I went back to his widow, and also the living brother, that was in January. And they also promised me that they would give me the first offer at the place, but when I knew anything another fellow had bought the place out from under me.

Mr. GLICKSTEIN. So you weren't able to buy the land as you had hoped to do?

Mr. CHAMBERS. That is right.

MR. GLICKSTEIN. Did this affect the amount of rent that you were paying?

Mr. Chambers. It do so.

MR. GLICKSTEIN. How much did it go up to?

Mr. Chambers. I had been paying a 500 weight bale of cotton all the time.

MR. GLICKSTEIN. And that got you what, about \$150 or so?

MR. CHAMBERS. How is that?

MR. GLICKSTEIN. How much money did a 500 weight bale of cotton bring?

Mr. Chambers. Somewhere between \$150 depending on, well, between \$150 and \$170.

MR. GLICKSTEIN. That was your rent?

MR. CHAMBERS. That is right.

Mr. GLICKSTEIN. Now what is your rent?

MR. CHAMBERS. \$400 for that particular place.

MR. GLICKSTEIN. Do you borrow any money to maintain your farm operations?

MR. CHAMBERS. I do.

MR. GLICKSTEIN. Who do you borrow it from?

Mr. Chambers. FHA.

MR. GLICKSTEIN. About how much are you borrowing at the present time?

MR. CHAMBERS. Well, around \$1,000.

MR. GLICKSTEIN. About how much?

Mr. Chambers. \$1,000.

MR. GLICKSTEIN. \$1,000?

MR. CHAMBERS. Yes.

MR. GLICKSTEIN. Are you seeking additional money or is that enough to help you finance your operations?

MR. CHAMBERS. Well after taking this other contract that has 6 acres of cotton, and approximately 5 acres of corn, I think I am going to have to make a substitute loan to the FHA, which I have already, you know, hinted to them that I think I would need it.

MR. GLICKSTEIN. Get some more funds for operating?

MR. CHAMBERS. That is right.

MR. GLICKSTEIN. Are you a member of SWAFCA?

Mr. Chambers. I am.

MR. GLICKSTEIN. Do you hold any office with SWAFCA?

Mr. Chambers. I am one of the board members for Greene County.

MR. GLICKSTEIN. Mr. Chambers, what do you think that SWAFCA can do for the small farmer?

MR. CHAMBERS. Well, I think if SWAFCA is given a chance, I think it really can help the situation by all of these farmers being evicted off of these large plantations, and some of them probably can rent a small acreage where they couldn't get a large acreage to grow corn or cotton, if they could plant a few acres of vegetables, and can sell it at a fair price, they can be able to make—realize more clear profit out of these vegetables than they could realize out of the cotton.

MR. GLICKSTEIN. So you think that SWAFCA provides a certain amount of hope for small farmers?

Mr. Chambers. Do I think what?

MR. GLICKSTEIN. SWAFCA provides a certain amount of hope for small farmers?

Mr. CHAMBERS. Hope, I really do.

MR. GLICKSTEIN. Perhaps I could ask Mr. Payne some questions now. How much land do you farm, Mr. Payne?

MR. PAYNE. Four acres and two-tenths of cotton, divert 2 acres and two-tenths. Farming, around 17 acres of corn. Planting 1 acre of cucumbers, and about 3 acres of peas. Watermelons, sweet potatoes.

Mr. GLICKSTEIN. And your farm is located in Dallas County. Is that correct?

Mr. Payne. That is correct.

MR. GLICKSTEIN. In Orville?

Mr. Payne. In Orville, that is correct.

MR. GLICKSTEIN. You said that you have a cotton allotment of 4.2 acres, and you divert 2.2 acres.

MR. PAYNE. That is right. It is six acres and 4 tenths. I divert 2 acres and two-tenths, and I farm 4 acres and two-tenths.

MR. GLICKSTEIN. A total of over 6 acres.

MR. PAYNE. Six acres and four-tenths.

MR. GLICKSTEIN. How much of your crop were you able to market last year?

MR. PAYNE. Very little cotton. I didn't make any cotton. We have had for the past two years a failure in cotton. I marketed cucumbers. We did pretty good on cucumbers some to SWAFCA and some to Whitfield Pickle Company.

MR. GLICKSTEIN. Do you have a recollection of how much money you earned last year, cleared after paying your expenses?

Mr. PAYNE. I didn't make any money last year. I was left in debt last year.

Mr. GLICKSTEIN. You were left in debt last year?

Mr. PAYNE. That is right.

Mr. GLICKSTEIN. And your total property holdings are 115 acres? Is that correct?

Mr. Payne. What?

Mr. GLICKSTEIN. How much property do you own in total?

Mr. PAYNE. How much property do I own?

MR. GLICKSTEIN. In total?

MR. PAYNE. Me and my mother own 115 acres all total.

MR. GLICKSTEIN. And on that property you didn't make any money at all last year?

MR. PAYNE. I didn't make any money.

MR. GLICKSTEIN. Mr. Payne, I understand that you are associated with an organization known as the Orville Farmers Cooperative.

Mr. PAYNE. That is right.

MR. GLICKSTEIN. Would you tell us what that is, please?

MR. PAYNE. The Orville Cooperative was organized by small farmers in Dallas County who got together after having failure on cotton, we got together, planning some way for a better way of life for us. We got together and formed the Orville Farmers Cooperative. Then after that we, working through the county agent or the university, we started a pig cooperative, and I am thinking and hoping that we are going to do quite well in the pig cooperative, which will add a lot of income to the small farmers in Dallas County which doesn't have very much cotton acres, and very little chance to make a decent living. And these pigs, they are quality pigs. A lot of us have already received them from the Southwest Coastal Experiment Station, down near Camden. And I am thinking that they are a fine breed, and I am thinking we will do quite well there.

MR. GLICKSTEIN. About how many members are there in your cooperative?

Mr. Payne. There is approximately 60 members of this Orville Farmers Cooperative.

MR. GLICKSTEIN. Have members of the Cooperative received loans from FHA to help them in this activity?

Mr. Payne. I couldn't give you a name, but a number of them have. And I myself have received a loan from the Farm Home Administration for farm operation help this year.

Mr. GLICKSTEIN. Mr. Payne, your farm is very near Selma. Is that correct?

MR. PAYNE. It is about 21 miles from Selma.

Mr. GLICKSTEIN. Were you active in the civil rights movement that was so active in Selma about 3 or 4 years ago?

MR. PAYNE. I sure was.

MR. GLICKSTEIN. In what way?

Mr. PAYNE. Seeking for social justice.

Mr. GLICKSTEIN. Were you active in the demonstrations about the right to vote?

Mr. PAYNE. That's right.

MR. GLICKSTEIN. You participated in those demonstrations?

Mr. PAYNE. I did.

MR. GLICKSTEIN. Do you feel that a great deal of progress has been made since those days?

MR. PAYNE, I really do. A lot of progress can be made and a lot has been made.

MR. GLICKSTEIN. Do you think it is the result of Negroes voting in larger numbers?

MR. PAYNE. Absolutely. They really is voting in larger numbers and it's meaning a lot to the South.

Mr. GLICKSTEIN. When you were participating in those demon-

strations, were you fairly confident that you were going to succeed and that people would be accorded their rights?

Mr. PAYNE. I was. And I was praying that they would. And it did happen that we do see some changes, and some progress along the way now.

MR. GLICKSTEIN. Perhaps I could ask Mr. Guice some questions now and skip to the other end of the table. Where did you say your farm was, Mr. Guice?

MR. GUICE. In Macon County.

Mr. GLICKSTEIN. And how many acres do you have?

MR. GUICE. I have 115 acres now. I sold 2 acres, it was 117 at all at first but I sold 2 acres.

MR. GLICKSTEIN. How old are you, Mr. Guice?

Mr. Guice. Sixty-six years old now.

MR. GLICKSTEIN. How many children do you have?

MR. GUICE. I have three children. Of course they are not at home, nobody there now but me and my wife. My children are all grown and I raised one other boy, my wife's brother's boy which makes four, but individually I only had three children.

MR. GLICKSTEIN. Have your children gone North or are they still in this area?

Mr. Guice. Two of them has gone North and one at Tuskegee now.

MR. GLICKSTEIN. How were you able to purchase land, Mr. Guice?

MR. GUICE. I was able to purchase land through FHA. I started buying it in '42, when I put my application in I think it was '41, and in '42 my application passed and they set me up to buy a home through FHA.

Mr. Glickstein. How much was the size of your loan?

MR. GUICE. The size of my loan was \$4,130 to buy my land and build me a house at that time.

MR. GLICKSTEIN. Was that the amount of the loan that you had wanted? Is that what you had requested from FHA?

Mr. Guice. That wasn't so much the amount of money requested, but I did, I filled out the application to buy the home, and that is the amount of money that it had taken to do it.

MR. GLICKSTEIN. And the number of acres that you purchased, did you find that yourself, or did somebody help you find the farm?

MR. GUICE. Somebody helped, I had help to find that. They found the land was available and notified me of it, carried me and let me look at it to see whether or not I would like it.

MR. GLICKSTEIN. Since that FHA loan, which you said you got back in 1942, have you received other FHA loans?

MR. Guice. Sure, I have received other FHA loans to do some house repairing, for operating expenses, all things like that, every year.

MR. GLICKSTEIN. What was the size of your largest loan?

Mr. Guice. Since I bought the home?

MR. GLICKSTEIN. That's right. Since you bought the home.

MR. GUICE. The largest I had to repair my house was about \$900 at—that is the most I have borrowed since I started out buying the house.

Mr. GLICKSTEIN. Are you managing to keep up your payments on these loans fairly well?

Mr. Guice. I did. I paid \$218 yearly, and I managed to keep up with that very well. Now that wasn't an easy job, farming to keep up with it. Some years I fall a little behind, some years I was able to pay over my payments, you see, up and down, I managed to get through.

Mr. GLICKSTEIN. Did you have to make some sacrifices?

Mr. Guice. Oh, Lord, lots of sacrifices. Lots of doing without. But all that is in it.

MR. GLICKSTEIN. What crops do you have on your farm?

Mr. Guice. What's that?

MR. GLICKSTEIN. What crops do you have?

MR. GUICE. What crops? Cotton, corn, cucumbers. vegetable crops, things like that.

MR. GLICKSTEIN. How much is your cotton allotment?

MR. GUICE. My cotton allotment is 7 acres and six-tenths. That is all I have got now. But I only plant 4.9 acres, the amount between 4.9 up to 7.6 is what I rented to the Government.

MR. GLICKSTEIN. You rent to the Government?

Mr. Guice. That is right.

MR. GLICKSTEIN. You get a diversion payment?

MR. GUICE. That is right.

MR. GLICKSTEIN. Has your allotment recently been changed?

Mr. Guice. Recently it has been changed. Now my allotment, not the acreage yield, my allotment was changed the year before last, they have given me one more tenth.

MR. GLICKSTEIN. What about your acreage yield? Was that changed?

MR. GUICE. My acreage yield of course it was gradually coming down for the last 2 or 3 years, gradually coming down. So last year I made an appeal on that, and got some consideration.

MR. GLICKSTEIN. You were successful in your appeal?

Mr. Guice. I was, I was successful.

Mr. GLICKSTEIN. You were able to demonstrate that your land was producing more cotton?

MR. GUICE. That is right and I proved that to them and I got some consideration. In fact I had been making at least a bale of cotton to the acre on what I had planted, but by some cause I don't know why, they claimed they were cutting them all down. Mine was cut down to about 290 pounds. But I made an appeal, and I

proved that I was entitled to more than that. And they give me 500 pounds per acre and I talked for it and I worked for it.

MR. GLICKSTEIN. What was your income last year, Mr. Guice? MR. GUICE. My income last year, of course we all understand that last year was an unfavorable farm year. Crops were poor last year, and I didn't make no cotton last year, worth anything. I think I went to gin four times, but the bales were very light, no cotton hardly last year.

MR. GLICKSTEIN. So last year was a poor year for you?

MR. GUICE. That is right, poor year for farmers.

MR. GLICKSTEIN. Did you come out ahead at the end of the year? MR. GUICE. I was able to pay my indebtedness last year with what I drawed with the Government on the land that I rented them, from what little I made I wasn't left in debt.

MR. GLICKSTEIN. You weren't left in debt?

Mr. Guice. That is right.

Mr. GLICKSTEIN. Do you receive visits from the Extension Service?

Mr. Guice. From the—oh, sure, yes, sir.

Mr. GLICKSTEIN. Do they come to you regularly or do you have to request that the extension agent come out?

MR. GUICE. Oh, they just come out, voluntarily comes out sometimes looking over things and see how you are getting along.

MR. GLICKSTEIN. They have been helpful to you?

MR. GUICE. Sure. They have been very helpful. Very helpful, yes. MR. GLICKSTEIN. They have shown you new and improved ways of doing your farming, and——

MR. GUICE. That is right. And you said Extension Service, that means the county agent's office?

MR. GLICKSTEIN. Yes, sir.

MR. GUICE. Yes, sir, they come out and give you advice, to the best of their opinion, about what would be of improvement or helpful in my farming.

MR. GLICKSTEIN. Do you believe that you have been a successful farmer?

Mr. Guice. Well, in other words I will put it like this. When I was set up in '42 on my farm there were seven farmers set up on this same tract. Seven of us. And it so happened and I thank God for it, at the present time I paid for mine and they have not been lucky enough to pay for theirs. I don't know whether I was successful or say I was thankful, one or the other.

Mr. GLICKSTEIN. What advice would you give to somebody going into farming now? Would you advise them to do things the way you did it?

MR. GUICE. No, sir, I believe they could be done better than the way I taken it. My way was hard. But I believe I have experienced some ways of a man starting out, with FHA now, to buy

a home like I bought it, I believe that I could give him some advice. That he could make a better go of it than I had.

Mr. GLICKSTEIN. What advice would you give him?

MR. GUICE. Well, first of all, you see, I did mine the hard way, plowing a mule, making it a lot of sweat there, but it could be made better than that. Why if I had bought more land and had more pasture for cows. They would have helped me to pay my payments without so much hard work. And for that cause, I believe that more pasture would help to pay for more land, quicker than I paid for the few acres that I paid for hard working and tugging in the beginning.

MR. GLICKSTEIN. You would advise a new farmer to get live-stock?

Mr. Guice. That would be my advice right there, not try to sweat it all out, not to try to hard work it all out, but think first and do it otherwise and I think it could be done otherwise without so much hard work.

Mr. GLICKSTEIN. Mr. Guice, are you a registered voter in Macon County?

Mr. Guice. I am.

MR. GLICKSTEIN. How long have you been a registered voter?

MR. GUICE. I think it was '62 when I became a registered voter.

MR. GLICKSTEIN. And you were ordered registered by the court? MR. GUICE. I was registered by the court.

Mr. GLICKSTEIN. Have you noticed changes in Macon County since Negroes have been voting in larger numbers?

MR. GUICE. Well, I have. I have noticed some change in Macon County since the Negroes have become registered voters in a large number. In fact in Macon County there are about six Negroes to one of the other race in Macon County.

MR. GLICKSTEIN. What kinds of changes have you noticed?

Mr. Guice. Well, in other words, the ways the Negro in Macon County, when they gets together on a thing there and votes together, that's what goes.

Mr. GLICKSTEIN. Mr. Johnson, perhaps I could ask you a few questions. Do you own your own land?

Mr. Johnson. Yes.

MR. GLICKSTEIN. How many acres do you own?

Mr. Johnson. Twelve acres.

MR. GLICKSTEIN. And your land is located where?

Mr. Johnson. About 9 miles from Selma.

MR. GLICKSTEIN. Nine miles from Selma?

MR. JOHNSON. Yes.

Mr. GLICKSTEIN. How did you obtain the money to buy your land?

MR. JOHNSON. Well. I went to the FHA to borrow it, but he didn't let me have it so I made other arrangements.

Mr. GLICKSTEIN. About how long ago was this?

Mr. Johnson. That's been about 4 years ago.

MR. GLICKSTEIN. And the FHA people told you you weren't qualified for a loan?

Mr. Johnson. Well they didn't tell me, he just told me he couldn't do it.

MR. GLICKSTEIN. He didn't give you any specific reason?

Mr. Johnson. No. sir.

MR. GLICKSTEIN. Where did you get the money?

Mr. Johnson. Borrowed it from Mr. Holly.

MR. GLICKSTEIN. That was a private citizen that you borrowed the money from?

Mr. Johnson. Yes, sir.

MR. GLICKSTEIN. And that person charged you interest on the loan?

Mr. Johnson. Yes, sir.

MR. GLICKSTEIN. Are you in the process of paying it back now or have you paid it all back?

Mr. Johnson. Well I ain't done quite paying it back yet.

MR. GLICKSTEIN. What crops do you grow on your land?

Mr. Johnson. Cotton and corn; peas and potatoes.

Mr. GLICKSTEIN. Have you planted any of your vegetables for sale to SWAFCA?

Mr. Johnson. Yes, I did.

MR. GLICKSTEIN. What crops?

Mr. Johnson. I planted some peas, and some okra, and some turnips.

MR. GLICKSTEIN. How do you tend your land, Mr. Johnson. Do you have a tractor, or mules?

Mr. Johnson, Mules.

MR. GLICKSTEIN. Is that a picture of you and your mule on the board over there?

Mr. Johnson. Yes, sir.

MR. GLICKSTEIN. That is the way you plow up your land?

Mr. Johnson. Yes, sir.

MR. GLICKSTEIN. Do you have any children?

Mr. Johnson. Yes.

MR. GLICKSTEIN. Where are they?

MR. JOHNSON. In the North.

MR. GLICKSTEIN. They are in the North?

Mr. Johnson. Yes.

MR. GLICKSTEIN. Why did they go to the North instead of becoming farmers like you?

MR. JOHNSON. Well, they went up there looking for a better job.

MR. GLICKSTEIN. Have they found better jobs?

MR. JOHNSON. Yes, sir. They seem to be doing all right, they says.

Mr. GLICKSTEIN. Do they send you money or help or support you?

Mr. Johnson. Sometimes they do.

Mr. GLICKSTEIN. Do you get to see them very often?

Mr. Johnson. Well, one of my sons was down here last summer visiting from Cincinnati.

MR. GLICKSTEIN. Cincinnati?

Mr. Johnson. Yes.

MR. GLICKSTEIN. Do you have any desire to go North?

Mr. Johnson. No, sir.

Mr. GLICKSTEIN. No?

Mr. Johnson. No, sir.

MR. GLICKSTEIN. Do you prefer being a farmer?

Mr. Johnson. Yes, sir.

MR. GLICKSTEIN. Perhaps I could ask Mr. Griffin some questions.

Where is your farm, Mr. Griffin?

Mr. Griffin. About 14 miles west of Selma.

MR. GLICKSTEIN. And how long have you lived there?

Mr. Griffin. One year.

Mr. GLICKSTEIN. One year?

Mr. Griffin. Yes.

MR. GLICKSTEIN. Do you own the land that you live on?

Mr. Griffin. Now I do.

MR. GLICKSTEIN. How many acres do you have?

Mr. Griffin. Twenty-four.

Mr. GLICKSTEIN. Where did you get the money to buy these 24 acres?

Mr. Griffin. From FHA Home Administration.

MR. GLICKSTEIN. How did you learn about the availability of loans from FHA?

MR. GRIFFIN. I was looking at an old card I saw in a building there, and I went up there one day and read it and it said you could borrow money for a small farm.

MR. GLICKSTEIN. Where had you been previously before you bought this farm, where were you living?

Mr. GRIFFIN. Mr. Hain's place.

MR. GLICKSTEIN. How long did you live there?

Mr. Griffin. Fifty-four years and 9 months.

MR. GLICKSTEIN. Were you born there?

Mr. Griffin. Sure was

Mr. GLICKSTEIN. Had your parents lived there?

Mr. Griffin. Sure was.

MR. GLICKSTEIN. And you were told to leave?

Mr. Griffin. Sure was.

MR. GLICKSTEIN. What reason were you given?

MR. GRIFFIN. He didn't tell me.

Mr. GLICKSTEIN. How much notice were you given?

MR. GRIFFIN. Well I don't know whether it was a week or days. I went down there one morning to his store and he just saw me and told me he wanted his house and wanted me to move away off his place. So I didn't move then. I was to be out in November and I didn't move until January.

MR. GLICKSTEIN. It took you two months, and during those two months you were looking for the place that you eventually bought?

MR. GRIFFIN. That is right. When I went down there I stayed there a year and didn't bought it. They had it up for sale and we bought it about a month ago.

MR. GLICKSTEIN. So you rented it for a while and then you bought it?

Mr. Griffin. Yes, sir.

MR. GLICKSTEIN. Were there other farmers in similar circumstances as you were?

Mr. Griffin. I beg your pardon?

MR. GLICKSTEIN. Are there other farmers who bought land near where you are located now?

MR. GRIFFIN. There are 12 of us.

Mr. GLICKSTEIN. Twelve of you?

Mr. Griffin. Twelve of us.

Mr. Griffin. And were the other 11 farmers assisted by FHA loans?

MR. GRIFFIN. That is right.

Mr. GLICKSTEIN. Have you applied for any other loans from FHA?

Mr. GRIFFIN. Operating loans.

MR. GLICKSTEIN. Operating loans?

Mr. Griffin. Yes.

Mr. GLICKSTEIN. Have you been getting those loans?

Mr. Griffin. Yes.

MR. GLICKSTEIN. Has FHA also given you technical assistance of one sort or another in running your farm?

Mr. Griffin. Well, not yet, because we just started out with it.

MR. GLICKSTEIN. Do you expect to ask them for assistance?

Mr. GRIFFIN. That is right.

MR. GLICKSTEIN. Do you plant cotton?

Mr. Griffin. Cotton, corn, cucumbers, peas, sweet potatoes, okra.

Mr. GLICKSTEIN. What did you plant when you lived on the Hain place?

Mr. Griffin. I planted all of that.

Mr. GLICKSTEIN. All of that?

Mr. Griffin. Yes.

MR. GLICKSTEIN. Did you receive diversion payments?

MR. GRIFFIN. I sure didn't.

MR. GLICKSTEIN. Did you assign these payments?

Mr. Griffin. I signed up in the ASC office.

MR. GLICKSTEIN. I mean the payments—when you lived on the Hain place, the diversion payments. You didn't get those yourself?

MR. GRIFFIN. I didn't get them myself, I signed not to get them. MR. GLICKSTEIN. You signed not to get them. Were you told how much you were entitled to that you were signing away?

Mr. Griffin. Sure didn't.

MR. GLICKSTEIN. Have you been happy owning your own farm and doing your own farming?

Mr. Griffin. So far.

MR. GLICKSTEIN. Has this changed your outlook on life since you have become a farm owner rather than a farm renter?

Mr. Griffin. Sure is.

MR. GLICKSTEIN. In what way?

MR. GRIFFIN. In every respect, because when I was on the Hain place, I was just blind, didn't know nothing but work, make it, and give it to him, but now if I make anything I know which way it went, I know what I made and know what it brought and everything. That's a lot better. Just 25 or 30 years too late. I hope it ain't though, I hope I have some more years to live and get some enjoyment out of it.

Mr. GLICKSTEIN. How did you do financially last year?

MR. GRIFFIN. I didn't make no money, I was late starting and getting help. I made some but I didn't pay all my debts off. I have a large family.

MR. GLICKSTEIN. How many children do you have?

Mr. Griffin. I have 11.

MR. GLICKSTEIN, Eleven?

Mr. Griffin. Yes.

Mr. GLICKSTEIN. Were you able to make enough to support them adequately?

Mr. Griffin. Sure didn't.

MR. GLICKSTEIN. How did you make ends meet?

Mr. Griffin. Just somehow.

Mr. GLICKSTEIN. Just somehow. Do you have hopes of making more money this coming year?

Mr. Griffin. That is right.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Do you have any questions, Mr. Patterson? VICE CHAIRMAN PATTERSON. Mr. Guice, you bought your farm in 1942?

MR. GUICE. Yes, sir.

VICE CHAIRMAN PATTERSON. With a Government loan from the Farmers Home Administration?

MR. GUICE. That is right.

VICE CHAIRMAN PATTERSON. Before that what did you own?

Mr. Guice. I owned a little one-eyed mule and a little piece of a one-horse wagon, that's all I had.

VICE CHAIRMAN PATTERSON. And you couldn't have bought that farm unless there had been this Government program?

Mr. Guice. That is right. I couldn't have bought it, unless I had the assistance that I did have through FHA.

VICE CHAIRMAN PATTERSON. Do you have a tractor now?

Mr. Guice. I do not. I don't have a tractor.

VICE CHAIRMAN PATTERSON. You still plow mules?

Mr. Guice. Still farm mules now.

VICE CHAIRMAN PATTERSON. Why don't you buy a tractor? You own the farm outright.

Mr. Guice. Well, I have thought about that many times, and I have been offered the privilege of buying a tractor, but I never had thought that my small farm now would justify the larger debt that a tractor would cost me, since my cotton allotment, my corn allotment, was so small, and the price of a tractor, and its equipment, is so costly, my little farm wouldn't justify the debt.

VICE CHAIRMAN PATTERSON. Do you turn your land with a mule?

MR. GUICE. Well I hires a little of it turned first of the year with a tractor but I do my cultivating on a riding cultivator with my two mules.

VICE CHAIRMAN PATTERSON. Are you happy staying on the land?

Mr. Guice. Yes, sir. I am happy on the land, on my country home. I am happy over there. I love it, maybe because I don't know any better, but I am happy on my country home.

VICE CHAIRMAN PATTERSON. Do you have milk cows, chickens? Mr. Guice. Yes, I do, I have milk cows, chickens, a few turkeys, a few pigs, things of that sort.

VICE CHAIRMAN PATTERSON. Do you think that your children

-would you want your children to live on the farm?

MR. GUICE. Well, I would desire for them to do it, but the possibility of it seems pretty dark. I don't know whether they would like it or not. It don't look like they would. Although I have told them many times in case they wanted to build them a country home all they have to do is come down and build it and all it would cost them is to pay the tax. I have been that lucky for my children.

VICE CHAIRMAN PATTERSON. Why do you think they don't want to come back to the farm?

MR. GUICE. I don't know. They is looking higher—it looks to me like than the farm, or else looking otherways. I don't see no signs about them that they want to come back and farm. I don't. That doesn't show up in them.

VICE CHAIRMAN PATTERSON. Thank you.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Payne, you said that you raise pigs. I believe you received these from the Southwest Coastal Experimental Station. Will you tell us something about that program?

Mr. Payne. This Coastal Experiment Station is located down near Camden, and they really have some of the finest breed. They breed the meat type, lean type hogs, and the experts from Auburn University selected these pigs for us through the county agent in Selma. We get technical assistance, it is not our own judgment that we get these hogs. These pigs are selected as brood sows and the generation of them is checked back. And I am thinking that we got some of the finest breed through the county agent and Auburn University. Mr. C. D. Scott of Selma is always working closely with us with these pigs and I am thinking it is going over big. There are about five of us that received pigs from this station and we expect some more pigs to be in in 2 weeks.

COMMISSIONER FREEMAN. You have 115 acres. Do you think that possibly you could purchase and grow enough that you would at least have a greater income than you have had in the past? Is this a profitable venture?

Mr. Payne. I hadn't had the privilege to make a sale yet, but I am hoping this pig cooperative with my farm supplemented with the farm will make an adequate income for me, I am hoping that with the vegetables, and I raise my own feed. And I have lots of feed now. I only have to buy supplement, and I am hoping that will increase my income.

COMMISSIONER FREEMAN. You say that you harvested an acre of cucumbers. Do you sell that on the open market?

MR. PAYNE. I sell that. I sell that. Whitfield and SWAFCA.

COMMISSIONER FREEMAN. To the cooperative?

MR. PAYNE. That is right.

COMMISSISONER FREEMAN. Mr. Guice, you said that you would tell the young farmer to go into livestock breeding. You have 115 acres. Is this farm that you have now large enough for you to go into livestock breeding?

MR. GUICE. If I had to advise another farmer to go into it, I would try to encourage him to start out with more than that, if the circumstances would allow it. Now it may be he couldn't get any more, but I am talking what my advice would be. Because through my judgment, or what I think I have experienced, he could pay for more acres faster by having pasture help with cattle than he could pay for a few acres plowing it with a mule.

COMMISSIONER FREEMAN. Does the State government or the Federal Government give advice to farmers on how to get involved in this kind of farming operation, and how to make it work?

MR. GUICE. Well, they give advice, they do give advice. But what I am telling now is one that I have experienced. I have never had that exactly advised to me like that from the county agent, and my official in farm security, but through what I have experienced.

COMMISSIONER FREEMAN. They have never advised you about this, this is based on your own personal experience?

MR. GUICE. This statement I am making is concerning my idea about it is my own. Of course I have been—they have tried to advise me to buy cattle all right enough, but then they never have put it to me as plain as I think I see it.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin.

COMMISSIONER RANKIN. Mr. Guice, you testified before this Commission back in '58, did you not?

MR. GUICE. I did. I see Mr. Hannah's name there, I think he was one of them if I am not mistaken.

COMMISSIONER RANKIN. I think he was, too.

Mr. Guice. Yes, I was there.

COMMISSIONER RANKIN. Do you think things are better off for the Negro in Alabama today than back in 1958; have we made any progress at all?

Mr. Guice. Not overall. Not in all angles. But in some angles it is better

COMMISSIONER RANKIN. Tell us the angles where you think it is better.

MR. GUICE. Well, as I stated before, a few minutes ago, when it comes to voting, things like that, I think they have made a big change, and I do think again that there is a lot of power in becoming a registered voter, and since so many has become registered voters since that time, there is a lot of power in existence now on the Negro side that wasn't in operation before I met this Commission.

COMMISSIONER RANKIN. Well I have one other matter I wanted to take up with you. You say living on the farm is a good life, isn't it?

MR. GUICE. I think it is, yes.

COMMISSIONER RANKIN. But now here you have worked and in your '60's, what is going to happen to your farm? It is not good enough for your children to come back to it, is that right?

MR. GUICE. I don't know what the future will be. But it is their problem, and I feel like my life hadn't been wasted if I made that possibility for them. Whether they accept it or not, it is their fault. And I feel like my life has meant that much.

COMMISSIONER RANKIN. If they had the opportunity to come back and get additional acres, rather than just the 115, it would make possible a better economic situation for them?

MR. GUICE. Yes, sir. Yes, sir.

COMMISSIONER RANKIN. But having a very small farm it is going to be very hard to make money in the future. Is that correct?

MR. GUICE. That is right, that is right.

COMMISSIONER RANKIN. Okay, thank you.

MR. GUICE. Very hard to make money in the future.

CHAIRMAN HANNAH. Mr. Guice, I am very favorably impressed with your practical advice. Let me ask you another question or two.

You have 115 acres that you bought 25 or 26 years ago?

MR. GUICE. Yes, sir.

CHAIRMAN HANNAH. How much more would the same kind of land cost in your community now than it did then? Could you buy another 115 acres now?

MR. GUICE. No, sir. Not for that money. I couldn't do it. In other words, when I bought this, it cost me around \$18, not over \$20 an acre, at that time. That is what it cost me at that time. And now today, I have had many offers for \$100 an acre, that is the value of it today. I couldn't buy it now.

CHAIRMAN HANNAH. Could you buy land like yours for \$100 an acre, do you think?

Mr. Guice. I would be scared I couldn't, I wouldn't take it even if it were offered to me.

CHAIRMAN HANNAH. But if you were a younger man you wouldn't hestitate to pay \$100 an acre or more. You think you could pay it back if you had enough land and had some cattle, and some pasture and from what you learned?

MR. GUICE. If I had enough land to do it with cattle help, without having to sweat for it, rather just think for it, I believe it could be done.

CHAIRMAN HANNAH. Let me ask the other gentlemen, without asking them individually, in general, do you agree with what Mr. Guice has been saying or do you disagree with it?

PANELISTS. I agree. I agree wholeheartedly.

CHAIRMAN HANNAH. Mr. Chambers, what is your feeling?

MR. CHAMBERS. I will go along with that. But at the same time, he said he had 115 acres of land already. I definitely think that this 115 acres that he already have, if it was improved, if you take part of that money since you can't buy any land now at a reasonable price, if he could have that particular land improved, maybe cleared up with a bulldozer, that part that could be, you know cleared up, and plant some kind of a grass on that, and fertilize it, he could raise some cattle on that particular ground that would really count a long ways. With what he has. If he said he couldn't buy any more.

CHAIRMAN HANNAH. Let me ask you one more question, Mr.

Guice. You said you had three children, you raised a fourth one, one of your three is in Tuskegee. Where are the other two?

MR. GUICE. In Ohio, in Dayton, Ohio.

CHAIRMAN HANNAH. Dayton, Ohio.

MR. GUICE. Dayton, Ohio, and they are girls.

CHAIRMAN HANNAH. And you think there is not much likelihood that any of the three will return to the farm?

MR. GUICE. I don't think the possibility is very good for returning to the farm for farming, no, sir.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Have you ever applied to FHA for an operating loan, Mr. Johnson?

Mr. Johnson. No, sir, not unless I wanted to buy some land.

Mr. TAYLOR. You have not applied for an operating loan? Mr. JOHNSON, No.

Mr. TAYLOR. Why not?

MR. JOHNSON. Well, I went up there, and he didn't let me have the money to buy the land and I didn't go back any more.

MR. TAYLOR. You didn't think you could get it, is that it?

Mr. Johnson. That is what I believed.

Mr. TAYLOR. Why did you believe that?

MR. JOHNSON. Well, I didn't get it on the first. I didn't figure he would let me have it.

Mr. Taylor. Mr. Chambers, you almost had a little bit more land, you thought you were going to have some more land. As I understand what you said, you thought—first of all you thought you had a lease on the land and then you discovered you did not. And why did they tell you that your lease was no good?

MR. CHAMBERS. Well, you see, when you do business with the FHA, you have to have some kind of agreement even if it is a 1-year agreement. And this happened to be a 5-year agreement. And at the time that the agreement or the lease was made, it was sent to these two brothers to sign, which they did sign, but it was supposed to be witnessed by two other people and it wasn't done. So I don't know it myself, and I don't know, the FHA didn't catch it until it was too late.

MR. TAYLOR. So as a result of that fact, not only did you not get the option you had to purchase land, but your rent was increased when the land changed hands?

MR. CHAMBERS. That is right.

Mr. TAYLOR. Do you think that you were treated unfairly?

MR. CHAMBERS. Well, sure I do.

MR. TAYLOR. Is there any lawyer that you know of that you could go to in your county, in Greene County, to inquire as to your rights?

MR. CHAMBERS. Well, now, the thing that is about it, now, you know some things are done wrong but you can't do anything about

it, and this happens to be one of them I think. Now nobody, as I told the gentleman when they was talking to me and I think you happened to be one of them, that nobody can hinder a man from selling his property when he gets ready. But now where the wrong was, the land owners promised me that they was going to let me have the land, since I had been there, and they didn't do it. Well now, there is nothing that we can do about that, I don't think.

Now you might know something, but I really don't know.

Mr. TAYLOR. But you know of no lawyer or no person you could turn to for help?

Mr. CHAMBERS. No.

Mr. TAYLOR. In that kind of a situation?

Mr. Chambers. No. I don't.

MR. TAYLOR. Mr. Guice, you said that from some angles things have improved since 1958. What about the other angles? Where do they still need to improve?

MR. Guice. Well, some of the things are not where they should be. I won't go into the details of it, but some things are not up to what they should be. However, other things are doing quite well.

Mr. TAYLOR. What are some of the things that should be a little bit better?

MR. GUICE. Well, a few weeks ago I hear a lot of grumbling among the colored people about they don't believe, or they don't think that they are fairly treated when they come to ASCS office in Macon County. Some of you might have read a writeup that I had in the paper some time back, concerning how they could improve the farming ability, which would bring more money to them. That is one of the things that is not come up to what it should and ought to be. And when I had it published in the paper, I thought I was showing them how, that that could be brought up, which would be more money to them, stop the grumbling, but work for what he wants.

MR. TAYLOR. You mean by standing up for your rights?

Mr. Guice. That is right, standing up for it. In other words, I was fairly treated when I went there with the necessary proof, they couldn't deny me. They treated me very nice when I went there with that. And I appreciated that. And if the others that is grumbling would go up with the necessary proof, they could get the same consideration.

MR. TAYLOR. Who was on the Committee—you were talking about an ASCS Committee, who is on the committee? I don't mean the names of the committee, but how does that committee get selected, the people who are on it?

MR. GUICE. The county committeemen elect the other committeemen, you know, that is over them. The county committeemen.

MR. TAYLOR. And they make the decisions on things like your acreage yield?

MR. GUICE. That is right, they make that decision.

MR. TAYLOR. Are there any Negroes on that committee?

MR. GUICE. No, there are no Negroes on that committee. However, there is one colored lady that works in the ASCS office, but no Negroes on this committee. Now there is one Negro has been elected as a county committeeman out in the county.

MR. TAYLOR. As a community committeeman?

MR. GUICE. As a community committeeman, the head of the community committee in one beat that is a Negro.

Mr. TAYLOR. And the community committeemen elect the county committeemen?

MR. GUICE. That is right.

MR. TAYLOR. And the county committeemen make those decisions?

MR. GUICE. That is the way I understand it.

MR. TAYLOR. But there are no Negroes who are members of that county committee?

MR. GUICE. Not as I know of, I haven't seen any acting on it.

MR. TAYLOR. And this is despite the fact—am I correct—that most of the farmers and most of the people who live in Macon County are Negroes?

MR. GUICE. Yes, most of the farmers in Macon County are Negroes. Now some of them are small farmers but yet they qualify to be farmers.

MR. TAYLOR. Do you think that perhaps people's feeling about fairness on the part of ASCS might be improved if there were some Negroes on that county committee?

MR. GUICE. I feel like the Negro side of the affair could be improved if they would take the necessary steps to help themselves, and not stand out and grumble all the time but do something about it.

CHAIRMAN HANNAH. Mrs. Freeman.

COMMISSIONER FREEMAN. Mr. Chambers, I would like to ask you first about the lease that you said where the land owner had promised that you would have a chance to buy. Was this statement in writing, or was this a part of the lease?

MR. CHAMBERS. No, it wasn't. That wasn't part of the lease. That is the reason why I was talking like I did. The lease only read for 5 years from a certain—from the year it began until 5 years hence. And I did have 3 more years on this particular land, as working it for a bale of cotton rent. That was all that was considered in the lease.

COMMISSIONER FREEMAN. This was an oral agreement, oral promise that the landowner had made to you?

MR. CHAMBERS. That is right. That is right.

COMMISSIONER FREEMAN. Now, I have a question I would like

to ask about the membership of the committees that Mr. Guice was referring to.

Is it generally true, with respect to all of these counties, that there are no Negroes who are members of the committees?

Is there any county in which there are Negro members?

Voice. No Negroes in Dallas County.

MR. JOHNSON. There are no Negroes in Dallas on the committee. COMMISSIONER FREEMAN. Do Negroes constitute the majority of the population in each of the counties in which you live?

MR. CHAMBERS. They do in Greene County.

COMMISSIONER FREEMAN. Another question to be addressed to each one of you: do the Agricultural Department Extension Service programs which they offered give the white farmer a better break than the Negro farmer?

VOICE. I suppose they do.

MR. GUICE. Miss, you said extension work, you didn't say FHA, you said extension work, which means under the supervision of the county agent, that is the extension side of it.

COMMISSIONER FREEMAN. Yes.

Mr. Guice. I wanted it clear.

MR. CHAMBERS. Well, quite naturally I would think that they would get more advantage of the extension service than the colored people, because they own more property in Greene County than the colored people do. But generally speaking, I just don't know how much they get. But I would think so.

MR. PAYNE. I am quite sure they get or receive better benefit because they have more to get. But from my standpoint, so far as the acres and our ability, as far as I got to say, we receive benefits through the county agent, if that is what you mean.

benefits through the county agent, if that is what you mean.

COMMISSIONER FREEMAN. Yes. And advice, technical assistance?

MR. PAYNE. And assistance, they have a chance to get more because we have less. But as far as the little 4 acres, and 17 or 18 acres, that I work, I get the same assistance that the white farmers do get down in that part on that small amount. But what I would like to see, the small farmers get more land, larger machinery, so they can enlarge in their farm for better income. But as far as I am concerned, I feel like we small farmers on the small property we have, we get approximately the same service down in Dallas and West Dallas where I am, as the whites.

COMMISSIONER FREEMAN. Do you know of anything that the Department of Agriculture can do, or should do to help the small farmers get more land?

MR. PAYNE. I would recommend as there is a part I know, that some of the small farmers have land that is not tillable soil that could be cleared. I feel like in a cooperative if we could get a loan in the cooperative with a bulldozer and cottonpickers to

go around to the small farmers and gather their crop in time, that it would increase the income, then we all, a lot of us have land that could be cleared. But we don't have the finances, what it takes to clear this land, to pay a bulldozer \$14 or \$16 an hour to do the clearing. And if we could buy that machinery, we could be of service to a lot of small farmers in cooperative, it wouldn't be adequate for one farmer to buy it, but since we have a cooperative down there, if we could get this loan to buy cotton-pickers and bulldozers and machinery to gather these small farmers' farms, it would increase the small farmer's income and if there is land available, that we would like to buy more land and get loans to buy more land to better our income.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Glickstein, do you have questions? Mr. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Thank you very much, gentlemen. We are very grateful to you for being with us this afternoon. Mr. Glickstein, call the next witness.

MR. GLICKSTEIN. Dr. Hannah, at this point perhaps I could introduce some documents into the record. We have a report prepared by Professor James Bonner of Michigan State University entitled "Progress And Poverty: the People Left Behind", which I would like to introduce into the record as Exhibit No. 5.

CHAIRMAN HANNAH. It is accepted.

(The document referred to was marked Exhibit No. 5 and received in evidence.)

MR. GLICKSTEIN. We also have three reports prepared by Mr. William Payne of our Commission, the first entitled "Alabama Agriculture," the second entitled "Employment in Agriculture Programs," and the third entitled "Negro Participation and Decision-Making Bodies of Agricultural Related Programs."

CHAIRMAN HANNAH. They are received.

(The documents referred to were marked Exhibit Nos. 6, 7, and 8 and received in evidence.)

MR. GLICKSTEIN. I would just like to point out briefly that in one of these papers, one of Mrs. Freeman's questions is answered. The paper indicates that there are no Negroes on any ASCS county committee in Alabama. Of over 4,100 regular county committeemen in the South, not one is Negro. Of over 2,700 alternates, only three are Negro.

CHAIRMAN HANNAH. Any further exhibits?

MR. GLICKSTEIN. No, sir, not at the moment.

VICE CHAIRMAN PATTERSON. Mr. Chairman, I wonder if I may ask Mr. Glickstein if this report also shows the meaning of Mr. Guice's testimony as to why he lost money because of the ASCS's low estimate of his cotton yield. This was not made clear in the testimony. Why did this cost him money?

Mr. GLICKSTEIN. I believe that each year the committee reaches a judgment based on the records that they have before them, about the expected yield from each lot of land. The farmer is told what this is, and has an opportunity to contest it.

Now, Mr. Guice availed himself of that opportunity. He went before the committee and he demonstrated that his yield was greater than what they assumed it was.

VICE CHAIRMAN PATTERSON. I recognize that, but my question is why did this mean money for him? The diversion payments for that acreage held out of production figuring on the previous year's yield.

MR. GLICKSTEIN. Yes, sir.

VICE CHAIRMAN PATTERSON. Therefore his diversion payment check would have been lower if that committee's estimate were lower.

MR. GLICKSTEIN. That's right, sir.

VICE CHAIRMAN PATTERSON. I see.

CHAIRMAN HANNAH. Will you call the next witness?

MR. GLICKSTEIN. The next witness is Mr. L. R. Haigler who will be questioned by Assistant General Counsel Jonathan Fleming.

CHAIRMAN HANNAH. We will take a recess after this witness. Mr. Haigler.

(Whereupon Mr. L. R. Haigler was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. L. R. HAIGLER, HAYNEVILLE, ALABAMA

MR. FLEMING. Mr. Haigler, would you please state your name and address for the record?

Mr. HAIGLER. L. R. Haigler, Hayneville, Alabama.

MR. FLEMING. Mr. Haigler, are you in business?

Mr. HAIGLER. Yes, sir.

MR. FLEMING. What business are you in?

MR. HAIGLER. In the cattle business and the gin business, and fertilizer.

MR. FLEMING. The business that you are in is usually called in this area a furnishing merchant. Is that correct?

MR. HAIGLER. Yes, sir.

MR. FLEMING. Will you explain what a furnishing merchant is, please?

MR. HAIGLER. Well, he just finances these farmers to make a crop, fertilizer, tractors, mules, et cetera, most anything they want.

Mr. FLEMING. Do you furnish goods in kind or do you supply cash to a man to buy goods?

MR. HAIGLER. No, back up his cash. We are not in the mercan-

tile business. Fertilizer is about the only thing, or commodity, that we let him have.

MR. FLEMING. The only commodity that you let farmers who do business with you have is fertilizer. Is that correct?

MR. HAIGLER. That is the main thing, yes, sir.

MR. FLEMING. And where do you purchase your fertilizer, Mr. Haigler?

MR. HAIGLER. Montgomery, Selma, and we also get some down through Mississippi Chemical Company down in Mississippi. We get most of this fertilizer from Selma, the cooperative, Montgomery.

Mr. Fleming. The cooperative that you mentioned is the Centralia Farmers?

MR. HAIGLER. That's right.

MR. FLEMING. And you were a member of that co-op?

MR. HAIGLER. And also Southern Cotton Oil Cooperative of Montgomery. And we get most of our nitrates from down in Mississippi, Mississippi Chemical Company.

MR. FLEMING. As a member of Centralia Farmers Cooperative, do you receive a rebate from the cooperative on the purchases that you make?

MR. HAIGLER. Yes, sir.

MR. FLEMING. Do you charge a profit to the farmers to whom you sell fertilizer?

MR. HAIGLER. I beg your pardon? Say that again, please.

MR. FELMING. Do you sell the fertilizer at cost to your clients, or do you charge them a profit?

MR. HAIGLER. The same what it costs me, that is right. The only thing I get——

Mr. Fleming. And you look to your rebate in the Centralia Farmers Cooperative as your profit?

MR. HAIGLER. We buy these fertilizers as I told you from various and sundry places and it is at the going price, whatever the going price is.

MR. FLEMING. Do you re-sell it to farmers at the going price for which you purchased it?

MR. HAIGLER. That's right, the going price, whatever it is. It varies, of course, from year to year.

Mr. Fleming. Where do you make your money on the deal?

MR. HAIGLER. What is that?

Mr. Fleming. Where do you make your profit on the deal?

MR. HAIGLER. The only thing I can make out of it is my rebate I get off of it. But in order for me to be—avail myself of that, you see, we have to take out a certain amount of stock with these various and sundry companies.

Mr. Fleming. So you own stock in various and sundry fertilizer companies?

Mr. HAIGLER. That's right.

MR. FLEMING. And through membership and ownership of stock in these cooperative fertilizer companies you receive rebates which are income to you?

Mr. HAIGLER. Income to me, did you say?

Mr. Fleming. Yes, sir.

Mr. HAIGLER. That's right, yes.

Mr. Fleming. Approximately what are your total annual purchases from Centralia Fertilizer, for example?

Mr. HAIGLER. Well, I would just have to give you an approxi-

mation. I would say a few hundred tons.

Mr. Fleming. A few hundred tons, figured out at about how much money—that would be?

Mr. HAIGLER. I would say that rebate runs maybe \$2 or \$3 a ton on mixed goods.

Mr. Fleming. The rebate to you would be \$2 or \$3 a ton?

MR. HAIGLER. That's right, runs 5, 6, 8 percent. That's round figures.

Mr. FLEMING. Do you own a cotton gin, Mr. Haigler?

MR. HAIGLER. That's right.

MR. FLEMING. Do farmers who are financed by you gin their cotton with you?

Mr. HAIGLER. I would say most of them do, yes, sir.

MR. FLEMING. Is this a condition of the loan agreement you work out between your clients and yourself?

MR. HAIGLER. That's no stipulation about that, no. They just—I never had no difficulty with them asking people to come and gin with us. It is just a part of the deal. I guess they all understand it, I imagine.

MR. FLEMING. It is part of the deal?

MR. HAIGLER. It is no pressure deal, I will say that. It is no pressure deal.

Mr. Fleming. It is no pressure deal?

Mr. HAIGLER. No, sir.

MR. FLEMING. But it is part of the custom of the business?

MR. HAIGLER. That's right. Well, you see, we let people have seed, furnish seed for them, and no interest charges on them, and they cover most any kind of concession that it takes to put the deal over.

MR. FLEMING. I see. How much interest do you charge on the loans you make, Mr. Haigler?

Mr. HAIGLER. We adhere pretty close to 8 percent down. If they get in bad shape we don't charge them anything.

MR. FLEMING. You charge 8 percent?

Mr. Haigler. Yes.

Mr. Fleming. How high are some typical balances owed you, Mr. Haigler?

Mr. HAIGLER. What is the balance they owe me?

Mr. Fleming. Yes, sir.

MR. HAIGLER. You mean individually or the whole deal?

MR. FLEMING. Well, individually, what are some of the outstanding balances of various individual farmers who do business with you?

MR. HAIGLER. It would be a pretty hard thing for me to answer. You mean the total balance we do with all these folks that we do business with? Is that what you are asking?

Mr. Fleming. Yes, sir.

Mr. Haigler. I wouldn't know. I am just going to guess at it. Maybe \$100,000 or \$150,000. It has been more than that, but we don't have many people that we do business with. It used to run considerably more than that. Some of them we finance the land deal for, that is what runs the figure up, not just fertilizer.

MR. FLEMING. So people who do land deals with you have individually higher debts that they owe you than people whom you just finance as an operator?

Mr. HAIGLER. I don't think I understood you.

MR. FLEMING. What I am getting at, what is the average individual debt owed you by a farmer who is not purchasing land that you are financing?

MR. HAIGLER. You say what is the average that each one of them would owe? Is that what you are asking me?

MR. FLEMING. Yes, sir.

Mr. Haigler. We never had—one may owe us \$100 and one may owe \$4,000 or \$5,000. I couldn't break that figure down for you as an average.

MR. FLEMING. And the 8 percent interest is charged on the outstanding balance of the debt that is not repaid at the end of the year?

MR. HAIGLER. Naturally, yes, sir, we charge them interest, if that's what you're talking about, unless he gets in bad shape and we think he can't pay it, and we won't charge any to him. We have had a lot of instances like that.

Mr. Fleming. I see. Do you own farmland, Mr. Haigler?

Mr. HAIGLER. Yes, sir.

MR. FLEMING. How many acres, approximately?

MR. HAIGLER. Approximately 4,000 or 5,000.

Mr. Fleming. Do you have tenants on your land?

MR. HAIGLER. Yes, sir.

Mr. Fleming. How many tenants do you have?

Mr. HAIGLER. Not many now. I would say about 25 or 30, 35.

Mr. Fleming. Do you finance your tenants?

MR. HAIGLER. Yes, sir.

MR. FLEMING. Is this a condition of their rental agreement with you?

Mr. HAIGLER. Condition? I don't believe I understand that fully. Mr. FLEMING. Do you require your tenants to do business with you?

Mr. HAIGLER. No, sir. Indeed not. I should say not, sir.

MR. FLEMING. Do any of your tenants do business with FHA, for example?

MR. HAIGLER. Yes, sir. We have some.

MR. FLEMING. Do you have any white clients, Mr. Haigler?

MR. HAIGLER. White what?

Mr. Fleming. White farmer clients. Do you finance white farmers?

Mr. Haigler. No, sir. No. Used to, some time ago. We don't have any white farmers around us.

MR. FLEMING. Why do Negro farmers on small farms, small acreage, come to you rather than go to banks for financing?

Mr. HAIGLER. Well, just been doing business with us so long. I reckon that would be the answer. We have been in business down there—my father did this business and my grandfather did it. So I just imagine that's the reason they did it, so some of them come and go, you know.

Mr. Fleming. Would local banks in Hayneville finance these farmers?

MR. HAIGLER. I think that they do some, yes. They will do it if they go to them, I am pretty sure. If they have security enough. The banks don't—wouldn't get out on the end of a limb like I would, naturally, because they don't know too much the history of these people like we do, see?

MR. FLEMING. The Farmers Home Administration has been refinancing a number of farmers who used to do business with you. Is that correct?

Mr. HAIGLER. Yes, sir.

MR. FLEMING. Is this a relatively recent development, Mr. Haigler?

MR. HAIGLER. Relatively recent, relatively speaking, right.

Mr. Fleming. Do you have any idea why FHA did not finance farmers with whom you did busines until relatively recently?

Mr. HAIGLER. The question was asked why did they—did you say why they do more business? Is that what you are asking?

Mr. Fleming. Yes, sir.

MR. HAIGLER. It looks like to me that they are pretty well engulfed with the amount of business they are doing. I think they are doing an enormous business.

MR. FLEMING. Are they buying out your business?

Mr. Haigler. Buying out what?

Mr. Fleming. Are they buying out your business?

MR. HAIGLER. Buying out my business, right. Yes, sir.

Mr. Fleming. Have you financed land purchases for Negro farmers?

Mr. HAIGLER. You say, have I?

Mr. Fleming. Yes, sir.

MR. HAIGLER. Yes, sir.

MR. FLEMING. And I believe you told me once that you and your father had purchased large tracts of land, subdivided and re-sold them to Negro farmers. Is that correct?

MR. HAIGLER. Going back about 40 years ago.

MR. FLEMING. In effect you were your own Farmers Home Administration, is that correct?

Mr. HAIGLER. You said—I didn't get the last part.

Mr. Fleming. I said in effect you were operating as your own Farmers Home Administration, is that correct?

MR. HAIGLER. That's right, yes, sir.

Mr. Fleming. I have no more questions, Dr. Hannah.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. I have no questions, Mr. Chairman.

COMMISSIONER FREEMAN. Mr. Haigler, I believe you said that the interest which you charge is 8 percent, and that you don't have any white farmers who have borrowed money from you. All of these are Negro.

You also said, I believe, that you have been lending money in these families going all the way back to your grandfather. Have any of these people ever gotten out of your debt?

MR. HAIGLER. Any of these people ever done what?

COMMISSIONER FREEMAN. Gotten out of your debt.

MR. HAIGLER. Have they gotten out of my debt? I should say they have. Most of them have.

Are you talking about these people that we financed to buy this land? Is that what you asked me?

COMMISSIONER FREEMAN. Yes.

MR. HAIGLER. Most of them have paid for it. I would say 90 percent of them.

COMMISSIONER FREEMAN. So this \$150,000 that is outstanding is not delinquent?

MR. HAIGLER. Do we still have any outstanding?

COMMISSIONER FREEMAN. I understood you to say that you had \$150,000 outstanding. Is that correct?

MR. HAIGLER. I would say that is an approximate figure, yes.

COMMISSIONER FREEMAN. This is not a delinquent—they are not past due in payments?

MR. HAIGLER. Sure. A lot of it is delinquent. We go along with them if they become delinquent. Any time you fool with anybody for 35 or 40 years, on the same paper and in some instances they are bound to be delinquent. COMMISSIONER FREEMAN. Thirty-five or 40 years on the same paper at 8 percent interest?

MR. HAIGLER. We have some cases like that. Mighty few of them. If they can't pay it we just go along with them. We have been through some mighty rough years with these people. Last year, for instance, was a mighty rough year. If they couldn't pay it they just couldn't pay it.

COMMISSIONER FREEMAN. You have 35 tenants. Will you tell us, do you own the houses in which they live?

Mr. HAIGLER. Right.

COMMISSIONER FREEMAN. Will you describe the houses in which they live?

MR. HAIGLER. Describe the houses?

COMMISSIONER FREEMAN. Yes. How large are they?

MR. HAIGLER. Anywhere from isolated cases—I don't guess we have any farmers that have less than four or five room houses.

COMMISSIONER FREEMAN. What is the largest?

Mr. HAIGLER. What?

COMMISSIONER FREEMAN. What is the largest house?

MR. HAIGLER. The largest house?

COMMISSIONER FREEMAN. Yes.

MR. HAIGLER. I don't know. I would say six or seven rooms.

COMMISSIONER FREEMAN. Do they pay rent?

MR. HAIGLER. Pay me rent?

COMMISSIONER FREEMAN. Yes.

MR. HAIGLER. Indeed they do.

COMMISSIONER FREEMAN. What is the rental?

Mr. HAIGLER. What is the rental?

COMMISSIONER FREEMAN. Yes.

Mr. HAIGLER. No set figure. Depends how much land they work.

COMMISSIONER FREEMAN. Who decides how much-

MR. HAIGLER. They operate a lot of it on the old basis called one-horse farm and two-horse farm.

COMMISSIONER FREEMAN. One-horse farm?

MR. HAIGLER. Yes. Some of it goes back to the old deal when you used to talk about one-horse farms and two-horse farms and three-horse farms and four-horse farms.

COMMISSIONER FREEMAN. Is this what is sometimes called by

people a plantation?

MR. HAIGLER. Depends on how much land he has. Some of them have a certain amount of cotton and corn and some have livestock. What they do—they need pasture land, they need more land, a lot of them pasture with us and put their cattle in our pasture, or the mules or what-have-you.

COMMISSIONER FREEMAN. And you said that there is no requirement by you that they gin the cotton or anything with you?

MR. HAIGLER. We don't have to deal that severely with people

to make requirements on them. We have a great pretty good relationship with these people and we don't have to bear down on them to pressure them to make them do anything.

COMMISSIONER FREEMAN. Have any of these people come to you and tell you and made any objections to the way things are?

MR. HAIGLER. I didn't get that last word you said.

COMMISSIONER FREEMAN. Have any of these people come to you and said they needed something to be made better, like maybe does the house have inside plumbing?

MR HAIGLER. Oh, no. No. You bet it doesn't. No.

COMMISSIONER FREEMAN. Do you think this is a good life for these people?

MR. HAIGLER. You couldn't rent a house to somebody—I mean a farm, for \$100 or \$150 and put all of that kind of stuff in it, you see. The rents are actually neglible, \$100 or \$150 a year. So there is no profit or income out of renting property.

COMMISSIONER FREEMAN. Do you think this is a good life for these people?

MR. HAIGLER. What is that?

COMMISSIONER FREEMAN. Do you think this is a good life for them?

Mr. HAIGLER. Well, that is just more or less depends on your outlook, your attitude, I imagine. That answer could be—you could answer so many different ways. I don't know if I could give you—I think that they are well satisfied. I think that they are as well satisfied as I am. I mean just about as happy as I am.

What I mean by that, I don't mean to be antagonistic. What I mean is most of these people have been with me all their lives and their folks and their parents. If they weren't satisfied they wouldn't be staying there.

COMMISSIONER FREEMAN. Do you know if they are registered to vote?

MR. HAIGLER. What is that?

COMMISSIONER FREEMAN. Do you know if they are registered to vote? Do you know if your tenants are registered to vote?

MR. HAIGLER. You bet they are. Most of them are registered.

COMMISSIONER FREEMAN. Do they vote?

MR. HAIGLER. Vote? I understand they do, yes. I haven't had to question these folks too much about the voting part of it.

COMMISSIONER FREEMAN. You have never questioned them?

MR. HAIGLER. We haven't had any question about that. We haven't had anything too much important about the voting business. Most of them—we encourage these people to qualify. I mean to register to vote.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. No questions at this time.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Yes, sir.

Does your house have inside plumbing?

Mr. HAIGLER. My house?

MR. TAYLOR. Your house?

Mr. HAIGLER. You bet it does.

Mr. Taylor. And you say that-

MR. HAIGLER. I don't live on a farm, Mr. Taylor.

Mr. TAYLOR. Even if you had a house on a farm, could you have inside plumbing?

MR. HAIGLER. Yes, sir. You bet I would. I would try to have it if I had enough money to put it in there.

Mr. Taylor. And you think that the people are satisfied as you are, even though they only have outdoor——

Mr. Haigler. Well, I don't know if anybody is 100 percent being satisfied. I am not 100 percent satisfied myself. I don't know what you call being satisfied. I think everybody wants to help themselves as much as they can. And everybody likes a certain amount of conveniences and luxuries, and I am sure these people like it as much as I do and as much as you do.

MR. TAYLOR. Mr. Haigler, if a Negro happened to come to me and asked me whether he should borrow money from you or from the bank or FHA, could you think of any good reason that I could give him for saying that he should come to you to borrow the money?

MR. HAIGLER. I don't know. We don't solicit any of these people's money, Mr. Taylor. We don't solicit anybody. We get money owning this business and we wish everybody would knock off with us. I am the last man in my family running this business and I'm just about reached the retirement age and I don't know what to do about these folks. I am a bit apprehensive about it, I don't mind telling you.

MR. TAYLOR. Do you think maybe that part of the business will terminate after a while? Will end?

Mr. Haigler. Let's assume it will. It is a business that is fast going by the board anyway, the small farmers. I mean that's obvious, I think.

Mr. Taylor. Is there any reason why Negroes can't go directly to the Centralia Co-op instead of going through you and getting their fertilizer through the cooperative and get rebates? Why do they have to go through you? What advantage is that?

Mr. HAIGLER. Did you ask me if any of these Negroes were directors in this company? Do you ask me that?

Mr. TAYLOR. I said can they belong to the cooperative and can they purchase?

MR. HAIGLER. Yes, sir. I think-I am a director down in that

plant in Selma and I am pretty sure we have a number of—I am pretty sure we have a number of Negro stockholders.

MR. TAYLOR. Then is there any advantage that they have going through you, other than the fact that that is the way it has always been done?

MR. HAIGLER. It would be advantageous to get it through there, but they have to put up some money to buy the stock to qualify them.

Mr. Taylor. So if they have the money, if they could obtain the money——

Mr. HAIGLER. You say they haven't done it.

MR. TAYLOR. I say if they had enough money to buy the stock it would be more advantageous for them to go through the cooperative than to go through you.

MR. HAIGLER. You mean would they sell it to them?

MR. TAYLOR, Yes.

MR. HAIGLER. Yes, sir. You bet they would. They would sell them a barrel of it. All they want them to do is to be a stockholder and pay for it.

MR. TAYLOR. No further questions.

CHAIRMAN HANNAH. Mr. Fleming, any further questions? Mr. Fleming. No. sir.

CHAIRMAN HANNAH. Thank you very much, Mr. Haigler. We appreciate your being here this afternoon. We will now take a recess for 10 minutes.

CHAIRMAN HANNAH. Ladies and gentlemen, may we quiet down in the room, as the hearing resumes. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witnesses are Mr. Calvin Orsborn, Mrs. Clara Walker, and Mr. William Harrison.

(Whereupon, Mr. Calvin Orsborn, Mrs. Clara Walker, and Mr. William Harrison were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. CALVIN ORSBORN, SELMA, ALABAMA; MRS. CLARA WALKER, MARION JUNCTION, ALABAMA; AND MR. WILLIAM HARRISON, AUBURN, ALABAMA

MR. GLICKSTEIN. Would each of you please state your full name and address for the record?

MRS. WALKER. Mrs. Clara Walker, Southwest Alabama Farmers Cooperative.

MR. GLICKSTEIN. Is that your official address?

MRS. WALKER. Route 2, Box 31-I, Marion Junction.

Mr. Harrison. William Harrison, office is 303 Foster Street, Auburn.

MR. ORSBORN. Calvin Orsborn, 1302 Franklin Street, Selma.

Mr. GLICKSTEIN. Mr. Orsborn, how are you employed?

Mr. Orsborn. I am employed now by the Southwest Alabama Farmers Cooperative.

MR. GLICKSTEIN. Would you please tell the Commission what the Southwest Alabama Farmers Cooperative is? Just to shorten that, I believe you refer to it as SWAFCA, as it is generally known.

Mr. Orsborn. SWAFCA is a cooperative of small farmers, a marketing and selling cooperative, in 10 counties of Alabama's Black Belt. An organization that is a self-help organization, to help develop people, and help develop people's conditions.

MR. GLICKSTEIN. How many members do you have?

MR ORSBORN. Currently I think we have in the neighborhood of 2,000.

Mr. GLICKSTEIN. When were you organized, Mr. Osborn?

Mr. Orsborn. Officially in January 1967.

Mr. GLICKSTEIN. And how many people did you start with in January of 1967?

Mr. Orsborn. Around 850.

Mr. GLICKSTEIN. And now you have more than doubled your membership?

Mr. Orsborn. Yes, sir.

MR. GLICKSTEIN. You just said that SWAFCA has purposes other than merely being connected with farming. Would you expand on that a little bit?

Mr. Orsborn. Well, the theory behind SWAFC's organization is this, I think, it is to test and demonstrate the fact that low-income farmers, with assistance from all the agencies, the Federal and State and local agencies and individuals, can organize, and operate and run a business of co-ops just like any other group of people in the country.

MR. GLICKSTEIN. Well, I suppose that among other things you hope that your organization is going to increase the income of these people that are members?

MR. ORSBORN. This is primarily——

MR. GLICKSTEIN. Do you think the effect of working together is important for the people that are members?

Mr. Orsborn. Working together, the members themselves?

Mr. GLICKSTEIN. That's right, as part of a larger organization.

MR. ORSBORN. This is the sort of motivation of it, really. The idea that these people, working together, and run their own business, set their own standards, find their own markets, seek out their own sources of credit, spend their own money, determine

how they will pay themselves a dividend or rebate, this is the whole idea of the cooperative.

MR. GLICKSTEIN. Are you pretty familiar with the members, people who are members of SWAFCA?

Mr. Orsborn. Yes. Very.

MR. GLICKSTEIN. Let me ask you a rather difficult and vague question. Have you noticed any change in the people who are members during the period of time that they have been members?

Mr. Orsborn. Quite a bit.

MR. GLICKSTEIN. For example?

MR. ORSBORN. The members and the staff, I say the staff and employees, of SWAFCA, I have to sort of get into the structure if you don't mind, to tell you how this thing came about.

MR. GLICKSTEIN. Go right ahead.

MR. ORSBORN. One of the basic ideas is that the employees of SWAFCA, the technical staff, would use lay people, local farm people, as assistants and helpers so that they could get training aside from the fact that they were members of the co-op and they could get training in different positions that the organization needs.

We have a category called field specialists. The field specialist has to be a trained farm person. He has to have some formal farm education. He in turn works very closely with what we call a farm liaison man, and through that association as a team, the liaison man also learns some of the—he benefits, he gets some of the technical knowledge that this trained person has. This is the way our group is organized. So that the farmers, aside from benefiting directly by buying and selling through the cooperative, if they are so interested during the off season, they can have part-time jobs and eventually maybe some of them full-time jobs.

MR. GLICKSTEIN. Mrs. Walker, what is your role with SWAFCA? MRS. WALKER. I'm the administrative assistant of SWAFCA.

MR. GLICKSTEIN. Are you also a farmer?

MRS. WALKER. That's right.

MR. GLICKSTEIN. And how did you become a member of SWAFCA?

MRS. WALKER. Oh, that goes way back. In the beginning of SWAFCA there was a bunch of people that we would come together and have meetings and try to decide what could we do to help one another. And in talking together, we came up with the idea of a co-op.

And this co-op we named the Southwest Alabama Farmer's Co-op, SWAFCA, for short. And I guess I was a member because I was one of those poor farmers, and I was just there with them in the beginning up until now.

Mr. GLICKSTEIN. Mrs. Walker, how much land do you own? Mrs. WALKER. I have 173 acres.

MR. GLICKSTEIN. Why have farmers such as yourself decided to stay in the farming business, in view of the increasing difficulty in earning an adequate income?

MRS. WALKER. Well, we could see there wasn't anything any better. And if we left the farm and went to the cities, we would be in just as bad a shape or probably worse. So we just decided to stay on where we are and use what we have best.

MR. GLICKSTEIN. And do you think that by banding together in this co-op you are going to materially affect your circumstances?

MRS. WALKER. Sure, I know that. I can see from what we have done, and feel that if we continue what we can do, if we continue together.

MR. GLICKSTEIN. Mr. Orsborn, how much produce did SWAFCA market last year?

Mr. Orsborn. SWAFCA last year marketed somewhere in the neighborhood of a million pounds of produce last year.

MR. GLICKSTEIN. And how much do you anticipate marketing this year?

Mr. Orsborn. Somewhere in the neighborhood of 240 million. Mr. GLICKSTEIN. Now, do you, SWAFCA, gin the cotton of members?

MR. ORSBORN. We do. Some members, not all of them, some. The ones who are not obligated, who don't have liens where they cannot gin or sell through the cooperative, we do. Yes.

MR. GLICKSTEIN. And do you supply your members with seed?

Mr. Orsborn. We do.

MR. GLICKSTEIN. Sell it to them?

Mr. Orsborn. Right.

MR. GLICKSTEIN. And are they able to get it at a lower rate by buying it through SWAFCA?

MR. ORSBORN. So far they have been.

Mr. GLICKSTEIN. How about fertilizer?

MR. ORSBORN. Same thing.

Mr. GLICKSTEIN. And they also get savings on that?

Mr. Orsborn. Right.

Mr. GLICKSTEIN. Where does SWAFCA get its fertilizer?

MR. ORSBORN. Well, from the best bidder, really. This year we were able to take bids from I guess seven or eight major fertilizer companies, and we got the fertilizer that gave us the best price and the best quality. We have two suppliers now, really.

MR. GLICKSTEIN. Do you buy from a cooperative—the fertilizer?

Do you get a rebate on what you bought?

Mr. Orsborn. They are not from a co-op this year. Last year we bought from a co-op.

MR. GLICKSTEIN. And you got a rebate?

MR. ORSBORN. We got some certificates.

Mr. GLICKSTEIN. There was some testimony this afternoon that

individual Negro farmers would have no difficulty in buying fertilizer from a co-op. Has that been your experience?

MR. ORSBORN. Are you talking about a specific co-op?

MR. GLICKSTEIN. Well, in general.

MR. ORSBORN. I understand that a co-op in Selma that is a fertilizer co-op, Centralia, that Negroes can buy from on a retail basis. I don't think they can be members of this co-op.

MR. GLICKSTEIN. And if they are not members then they are not entitled to the rebate?

Mr. Orsborn. No, sir. I know of no Negroes in that area getting a rebate, in Centralia. I know of no Negroes in our area who are on the board of directors of Centralia or who are even members of Centralia, or certified members.

MR. GLICKSTEIN. Mr. Harrison, would you tell us how SWAFCA is set up to service its farmer members who are scattered throughout these 10 counties?

MR. HARRISON. Basically, SWAFCA is a 10-county thing and the whole idea behind it is that two members from each county serve on the board.

MR. GLICKSTEIN. Your board is made up of 20 people?

Mr. Harrison. Twenty persons, those 20 persons make up the board. And they represent the interests of the farmers.

MR. GLICKSTEIN. How are these two people selected?

MR. HARRISON. They are elected on a democratic-open meeting.

Mr. GLICKSTEIN. Open meeting, once a year?

Mr. Harrison. Once a year.

Mr. GLICKSTEIN. People are nominated and elected?

Mr. Harrison. Right.

MR. GLICKSTEIN. And then there is a board of directors of 20 people that runs the operation?

Mr. Harrison. Right.

MR. GLICKSTEIN. Are there also governing bodies within each county?

Mr. Harrison. Well, each county is broken down where every—twice a month there is a meeting. Some have meetings maybe once a month. For the sole purpose of having meetings, of changing ideas and the board relates their ideas back as a group and comes to some kind of a decision based upon the representation that the ideas as expressed by members of the 10 counties.

Mr. GLICKSTEIN. So you feel that the ideas and suggestions of your members are able to filter up to the board of directors?

Mr. HARRISON. Yes. Very much.

MR. GLICKSTEIN. Do you have field representatives in each of the 10 counties?

Mr. Harrison. Right.

MR. GLICKSTEIN. These are people who are employed by SWAFCA?

Mr. HARRISON. Right.

MR. GLICKSTEIN. And they are not farmers?

Mr. Harrison. Some are.

MR. GLICKSTEIN. Do they work as farmers, work as farmers on their own farm as well as assisting other people?

Mr. Harrison. Right.

Mr. GLICKSTEIN. But they are paid a salary to do your field work?

Mr. Harrison. Yes.

MR. GLICKSTEIN. What is their function?

Mr. Harrison. Their function is basically to give technical assistance and this is the whole idea behind the co-op, is to give technical assistance to low-income persons. The general feeling has been—not necessarily the general feeling, the evidence has been itself that Extension has not given the kind of service it should have. As a matter of fact, it has given very little or none.

Mr. GLICKSTEIN. You are talking about the Extension Service? Mr. Harrison. Right, their service more or less has been prone to give to plantation owners, persons with money; individuals who have a half acre of land they get no kind of assistance. So the whole idea behind the co-op was to give these persons some technical assistance.

MR. GLICKSTEIN. By technical assistance, you mean telling people what the best methods of farming are?

Mr. Harrison. Right.

Mr. GLICKSTEIN. And instructing them on how they could improve their output, things of that sort?

Mr. Harrison. Right.

Mr. GLICKSTEIN. You have access to other sources of technical assistance? Do you get some help from the Extension Service now? Has the Extension Service helped your field representatives?

Mr. Harrison. By and large I think they are supposed to help, and I can't very well say that they are volunteering any assistance. I think you go on your own right now. We may get it. Prior to now we haven't been able to get it other than on a very limited basis.

Mr. GLICKSTEIN. Mrs. Walker, has SWAFCA had problems in coordinating the farming practices of nearly 2,000 farmers?

MRS. WALKER. Well, yes. SWAFCA has had no problems, because SWAFCA had to take the people that were—the poor farmers that were in SWAFCA and carried SWAFCA on their back for a long time, because we didn't have any help. Say for instance, the Extension Service, there's a lot of our members didn't even know what a soil test was, they hadn't heard about it. And we had to do that. We had to get the assistance of some volunteer people to help us to do that. We had to take the soil tests and do everything else, because we didn't have anybody to help.

Mr. GLICKSTEIN. Do you have a comment on that, Mr. Orsborn?

Mr. Orsborn. I sure would, sir. As has been said, one basic idea or the reasons why SWAFCA was necessary, is the fact that there is a large element of people in our area, farming people who are not reached by Extension. And there are several reasons that the Extension does not reach these people.

Number one, we figure that the Extension has already admitted that it is short-staffed.

Number two, the arrangement by which Extension is staffed, and Number three, the fact that to help a fellow, tell him what he needs to do, and not open any doors to helping him do these things, is not really doing much good.

Now, SWAFCA believes this, that in order to give technical assistance——

MR. GLICKSTEIN. What do you mean by that last remark?

Mr. Orsborn. In order to give technical assistance, which we have on our staff horticulturists and marketing specialists and 10 agricultural field specialists, these people specialize in farming. They can determine how many pounds or tons of fertilizer a man needs or what variety of seeds he needs and all this. How much insecticide and fungicide he needs on his crop. That is all well and good, to tell this man this. But now, if this man cannot follow recommended practices, if he doesn't have the finances, if he doesn't have the means to get finances to follow recommended practices, your telling him does him no good.

I think Extension realizes this, and if they are short-staffed, then why bother with these little people who can't follow recommended practices anyway. We don't have time, you're spinning your wheels really, so Extension has to concentrate I think on people who can follow recommended practices so their program will be successful, so they can prove that practices are right.

SWAFCA has intended to, and it has done so this year, I think, open credit avenues for its members, so when we tell a fellow he needs 2 tons of fertilizer on his cucumbers we also say we can get your cucumbers, your crop, financed through an FHA arrangement that we helped to bring about. Which I think is one thing, if SWAFCA does nothing else, it has opened a door for people without established credit to get what we call an O.E. loan.

MR. GLICKSTEIN. What does O.E. stand for?

Mr. Orsborn. It is E.O.

MR. GLICKSTEIN. Economic Opportunity?

MR. ORSBORN. Yes, sir. Now this loan is for the small farmer, it is Economic Opportunity money set aside for FHA to administer. Now, prior to this time, prior to this year, for a farmer without security, these were the requisites that a man had to have if he wanted to get an individual loan from FHA.

First of all, security. Secondly, have some history of production,

and thirdly, he had to have, he had to show some means by which he could repay this loan.

Well, a segment, a large segment of our people don't have even one of these basic requirements. And the reason being, you talk to five or six men up here just a while ago and all of these men I would say are 50 years old or better. And most of these fellows have worked 30 or 40 years in a plantation type setup. All of the production that they made, everything that they did for 30 or 40 years, the credit did not go to him, the credit went to the plantation, which means when this fellow is put off of this place or when he decides to move, he has no history. He can show no basic method of repaying this loan and he has no security nine times out of 10.

So we think this is one of the things that SWAFCA has done. This E.O. loan this year, is a crop loan, a man mortgages his crop, FHA has allowed SWAFCA to act as sort of a collecting agency and use the same system that we used last year.

This is another thing. The custom has been down here when a man produces a crop, if he owes a thousand dollars on that crop he gets no money out of that crop until his note is paid. The SWAFCA system last year worked a little different. We allowed the man to pay 50 percent on his note, out of his daily sales, whatever he sold that day, if he sold \$10 worth of peas he got \$5 and paid \$5 on his note. This enables the man to go back and carry on his expenses. He has to pay somebody to help him pick it or to haul it in.

So the FHA this year has allowed SWAFCA to collect this money for them, in the same method that we collected from members last year.

We also helped FHA with the filling out of the applications which is a new thing. SWAFCA personnel in each county filled out the loan applications, and presented them to FHA, and in nine cases out of 10, I think the loans were approved.

If SWAFCA does nothing else, it has done this much. I think if this practice can continue——

MR. GEICKSTEIN. Have you any plans for the future to meet whatever difficulties you have encountered in operating in this 10-county area?

Mr. Orsborn. We do, sir. We have plans to meet the difficulties, and they are many. One of the difficulties, I think, is to create a harmonious spirit here in the local area with the agencies that represent the Federal Government, FHA, the Extension, to create with them a working relationship whereby there is no fear, and mistrust in your dealings with them.

One of the other difficulties I think is newspaper misrepresentation. Every time something comes out in the paper it is totally biased against the SWAFCA organization, unless it's a paper from another area.

We have a difficulty with finances. We don't see why we can't establish ourselves like any other business and be able to use local credit as any other enterprise would use. This has not been done yet.

MR. GLICKSTEIN. Mr. Harrison, Mr. Orsborn just mentioned opposition to SWAFCA, locally. What do you attribute that opposition to?

Mr. Harrison. I attribute much of it to the fact that the whole idea behind SWAFCA is to create some kind of economic basis by which people will be able to think for themselves. I kind of get the feeling that the power structure opposes SWAFCA by virtue of the fact if a man is able to feed himself he votes the way he wants to. Not only is this true, but he does anything else he wants to, and my feeling is that basically the power structure, especially in the South here, wants to continue to create that master-servant relationship. As long as it exists, you can control the very destiny of people.

This, too, is one of the ideas of SWAFCA that people can think for themselves, and I have seen a lot of this develop within the last couple of months, that individuals are very proud of the fact that they are part of an organization, not only are they proud of it, but their whole outlook on life is different.

So this is one of the basic reasons for it.

Another basic reason for so much opposition to it is because it is totally operated by black folks. And this doesn't sound good in the South. People in general just don't want this to happen. I think we are one of the few organizations that everybody fights in the South in a sense. A very good example of this: GAO auditors have been down there for months.

Mr. GLICKSTEIN. GAO, the Government Accounting Office?

Mr. Harrison. Right. And I suspect they will be down there another month auditing less than \$200,000 that we have spent.

Mr. GLICKSTEIN. How many people are auditing your books?

Mr. HARRISON. Four individuals.

MR. GLICKSTEIN. How long have they been there?

MR. HARRISON. About five weeks, at least.

MR. GLICKSTEIN. How much longer do they expect to stay there?
MR. HARRISON. I talked to the guy the other day and said,
"You're carrying people away from working; how long do you
expect to be here?" "Well, I think we just might be here until
June, I don't know for sure." I said, "What the hell are you looking for?" He said, "Well, we are just doing a job we have to do."

Mr. GLICKSTEIN. Mr. Orsborn, have you found these GAO people

get in your way in carrying out your business?

MR. ORSBORN. Very much.

MR. GLICKSTEIN. Between them and us, I guess you don't get a chance to get much work done.

Mr. Orsborn. It—I don't know if it is coincidental or not, but these things always happen at the busy time. We have just recently opened the 10 field stations in each county. We have a field station in each county now that serves now as a distribution point. which is going to make it better and more convenient for the farmers, say, 80 miles from Selma to pick up supplies than to drive all the way to Selma for a half ton of fertilizer. We have distributed fertilizers to all of these stations this year. And the operation is going very well, except for the fact that during the height of this thing, with the few people that we do have on the staff now, and the various records that you have got to keep, we keep a record on each individual, what he buys and what he sells—it entails a lot of work. And we got about eight people in our office to try to do these things, to serve the fellows and to keep their records and to order supplies, to make arrangements for hauling and all. And on top of that, all day long you have to call your staff and get somebody to take off from doing something that is essential right now to go back to last year when we had three people maybe doing this kind of work, and hustling up papers and records that have been filed away and put out of the way and the clutter and the commotion that is down there, it doesn't help you at all.

MR. GLICKSTEIN. Are these GAO people interested in things other than adding up columns of figures? Are they also interested in what you have done for human beings?

Mr. Orsborn. This is a question I asked one of the agents. I asked him what kind of a yardstick would he use to measure a program like SWAFCA, have they ever done an audit of a program like this before. And he told me no.

We are not a sophisticated co-op, we don't plan to be. We don't have computers yet. Maybe 20 years from now we will. But we think this, that for the past 30 years, farming has moved ahead. The agencies who have to do with farming have moved ahead. But they have left behind a big segment of people who were not able to move ahead as fast. And we hope that an organization like ours would be sort of a vehicle by which these people can gradually catch up to the times.

Both of the horticulturists we have on the staff at one time mentioned the fact that one of the basic needs of our program is for the horticulturists and the field specialists to have meetings and get together on the information that is printed by USDA, and translate it so the uneducated farmer can understand it.

The material is in technical terms that many of us couldn't understand really, but one of our projects is to translate the material that comes from USDA and from Extension, into language that the ordinary farmer out there can understand.

MR. GLICKSTEIN. Mr. Harrison, I think there is one thing that

the General Accounting Office is conducting this audit is because you have received Federal funds.

Mr. HARRISON. That's right.

MR. GLICKSTEIN. And as I understand it, you received a \$400,000 loan last May from the Office of Economic Opportunity. And you've spent about \$100,000 of that?

Mr. HARRISON. Right.

MR. GLICKSTEIN. And you spent about \$100,000?

Mr. HARRISON. Right.

MR. GLICKSTEIN. And it is this \$100,000 that is being audited? MR. HARRISON. Well, not only this, I think that you find that most everything that happens in the State, the State tell lies about it. No other newspaper in the country will carry the same lie, just the State lies.

As a very good example, I think the audit came about as a result of Bill Nichols who kind of pushed this kind of thing to make sure that we were no longer funded, that the co-op itself would go out of business and that would be the end of it.

MR. GLICKSTEIN. I understand, however, that the additional \$800,000 loan has been approved.

Mr. HARRISON. Right.

MR. GLICKSTEIN. Where are those funds now?

Mr. Harrison. Now, I assume they are still in Washington.

MR. GLICKSTEIN. They haven't been released to you yet?

Mr. Harrison. Well, the board has not gotten together yet on whether or not they will accept those funds.

MR. GLICKSTEIN. Why wouldn't the board accept those funds? MR. HARRISON. Well, one question that has been really very, very important is the fact that the strings attached, the restrictions, we have discussed it over and over again, we have never come to a definite conclusion as of now, but the kinds of restrictions that are attached to the loan would simply destroy the whole philosophy behind the co-op. The philosophy behind the co-op is to develop individuals, that individuals will learn and do for themselves.

As I view the restrictions, it simply means that FHA will have a co-op in Southwest Alabama, rather than a board of directors running the co-op, as I view it.

MR. GLICKSTEIN. What sort of restrictions?

MR. HARRISON. One restriction, to give you an example, is the fact that at all board meetings an FHA representative will be there, we must notify him. They countersign all checks, and they set priorities as to sites, buildings, size, and this kind of stuff. Not only this, but they set aside so much money must be put in separate accounts, not on a percentage basis, but on a flat dollar and cents basis. These kinds of restrictions.

MR. GLICKSTEIN. I also understand that they are placing some restrictions on the lawyers you can hire.

Mr. Harrieson. Well they have to approve that along with the approval of—we can't change by-laws unless we get their consent.

MR. GLICKSTEIN. They have to approve your lawyers?

Mr. Harrison. Right.

MR. GLICKSTEIN. Now are these restrictions that FHA has placed on you or proposes to place on you Office of Economic Opportunity restrictions? It is their money, isn't it?

Mr. Harrison. The only restriction OEO placed was the fact they set money up in broad categories. If the money was used outside of those categories, you had to get permission. Any money could be used, moved, 10 percent, without their permission. But not beyond that point.

So this is the kind of stuff that we try to get FHA to do the same thing. If you are setting aside \$500,000 for fixed capital and earmark it and say it goes to fixed capital, and give the board a chance to decide what is best for those individuals. This was the total idea behind the co-op. And thus far, we have not made any headway with that this year.

MR. GLICKSTEIN. Do you want to comment on that, Mr. Orsborn? MR. ORSBORN. Very little. One of the points Mr. Harrison missed, I'm sure he is familar with it, is a stipulation in the loan agreements, in the loan conditions, that the co-op cannot finance any of its members for a period any longer than 30 days. Now, we are a farm co-op and a 30-day financial arrangement with a farmer is just sort of nil. We feel that this would be fine so long as we have the assurance that the OEO loan would remain available to our members. But this fund may give out next week or next year, we don't know this, we don't have this assurance.

And it's one of our obligations, one of our underlying purposes, to seek some avenues of economic easement for farmers. And when push comes to shove, if we can't find adequate credit anywhere else to help the individual farmer, then we think it is SWAFCA's obligation to its members to find this money itself, and distribute the credit to the farmers. Certainly this condition is not pleasing and is totally objectionable. SWAFCA last year would not have been here this year if it had not been able to finance its members. And we feel that this thing may come again.

One of the things we have always said too is this—that ordinarily, under ordinary circumstances, all loans carry conditions. We know this. Under ordinary circumstances, I wouldn't hesitate one minute to take this loan. But SWAFCA, being as controversial as it is, being a whipping boy for politicians, having all of the difficulties that it does have, there is a possibility that this loan, the conditions of this loan, would be carried out to the letter. Ordinarily, or as an individual, if I was making a loan like this,

I wouldn't hesitate one minute. But I'm afraid that the controversy that this thing has caused, the stimulation that it has aroused, in this area, and the good that it has done, I think makes us subject to any type of litigation that somebody may deem necessary to sort of slow us down.

MR. HARRISON. In addition to that, another thing that is highly not acceptable is the fact that the co-op couldn't get any other credit from any other sources as long as we have money from FHA. Which, in itself, is very much of a handicap because the

co-op anticipates going into other projects.

Not only that, to me this is a demonstration project. And the idea is to demonstrate a lot to the world, to the United States in particular, and it can't be done if somebody else has to make the decision—not only that, as Mr. Orsborn already pointed out, because of the controversial nature of it, there won't be any more SWAFCAs for sure, because the Green Amendment has made sure of that. Congress has seen to that, who says that any other programs of that nature has to be approved by the Governor or the local power structure, which in itself is the very essence of the end of those kinds of programs.

And this is one of the things that the board is kind of worried about as well. Political pressure, the fact that people who will directly say what the co-op must do, native residents, here again, who we somewhat question whether or not their intentions are always good.

MR. GLICKSTEIN. What we are talking about here, Mr. Harrison, is \$800,000.

Mr. Harrison. Right.

MR. GLICKSTEIN. Do you have any idea how much money is spent in the State of Alabama by the Department of Agriculture every year for price support and diversion payments?

Mr. Harrison. No, I don't.

MR. GLICKSTEIN. According to one of our reports, that was submitted in the record before, that's \$195 million a year. Does that strike you as a—

Mr. Harrison. I couldn't say for sure, I just don't know.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. Mr. Orsborn, were any Negro farmers in Alabama members of white, predominantly white, cooperatives before SWAFCA was born?

MR. ORSBORN. I don't know of any, Mr. Patterson. There may

be. In our area, I don't know of any.

VICE CHAIRMAN PATTERSON. Are the white cooperatives with which you are familiar barring Negro farmers?

MR. ORSBORN. I would think that would be the case, because I do know of some instances where Negroes have tried to join, in

our local area, and they have been turned down, even though they had the money.

VICE CHAIRMAN PATTERSON. Do you have white farmers as members of SWAFCA?

Mr. Orsborn. We have just a few. We are hoping that we can expand this. We tried, we have white patrons who come in during the season that the—you see, SWAFCA has established something in our area that has not been before. Most of the farmers down here can grow vegetable crops, but the sophistication of marketing has gotten so complex lately, that the men can't peddle 2 or 3 bushels of butterbeans, or 4 or 5 bushels of okra to the local stores and all. Most of the stores buy—you know they got their own marketing system. SWAFCA has established a ready market during the season for vegetable crops by accumulating 2 or 3 bushels from each member, or each patron who comes in, and making up a bulk order. Now we can sell 600 bushels of cucumbers without any trouble, or 600 bushels of okra. But we can't sell 2 or 3 baskets of okra.

And we have had this past year, several white farmers to come in who have sold peas or okra through the co-op.

VICE CHAIRMAN PATTERSON. So far as your co-op goes, the more members, the better for all of you?

MR. ORSBORN. The better.

VICE CHAIRMAN PATTERSON. And you have no segregation in your co-op?

Mr. Orsborn. Not a bit, sir.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Orsborn, either you or Mr. Harrison or Mrs. Walker may want to answer this. The programs that you have described, or the farm programs, I would like to know if you have a judgment as to whether SWAFCA is having to do something for its members that the Department of Agriculture is supposed to be doing, or is also doing, with respect to some of the predominantly white cooperatives?

MR. HARRISON. I couldn't necessarily say predominantly cooperatives, but I can very well say that more of this kind of stuff is done for white people generally than for Negroes.

A good example of this, if we are permitted to go back to some ASCS stuff, where they use diversion payment, I think it worked out on a scale of a person gets so much money per equal time projected yield. Macon County is a very good example of a county that worked pretty good, I thought. It must not, it didn't win. Anyway, we couldn't find any Negroes who had projected yields far beyond 300 pounds of cotton per acre.

On the other hand, there were whites who had as much as 800 pounds of cotton per acre. This is a good example, and those people could use the same money to farm with, and if Negroes can't get

that kind of money, then how could you use this kind of money to farm with? Here is a good example of a lot of things that USDA has not done anything about. They know about the programs, they know how discriminatory they are, but they refuse to deal with the issues of trying to correct them. They always give excuses that we don't believe this kind of stuff happens.

But it does happen, yet by all chances of the word you try to correct them by maybe getting people on the committee, who may do something about it. You can't even win those elections. So you can just even forget the elections and try to correct those types of things.

COMMISSIONER FREEMAN. Will you describe for me the process of the election and getting elected to a committee?

Mr. Harrison. Last year we worked Macon County, as a very good example. They sent ballots out. The ballot goes out and they either bring them in or they may mail them in. The way it was done in Macon County is a very good example. They stayed in the office approximately a week. Our finding in Macon County is a very good example. They put them in a paper box which means the guy who is going to count the ballots saw them as they came in every day. Not only do they do this, we kind of found records to almost prove that they kind of kept up with them as they came in, and knew exactly how people were voting.

We also were able to determine that they recruited the white wives discriminatorily and did not recruit Negro wives, and as a result we lost the election by 25 votes.

I told the guy who was working with me, I said I will bet you that we lost by 10 or 15 votes, just enough so that they will say, make us believe, or want us to think, that, well, if you work a little harder, you would have won.

And that's in all the cases, exactly the same way. Well, anyway, if you win so many communities, then a majority of the communities would have been eight out of 15, then those persons would decide who would be elected to be a committeeman—not as a committeeman, as a delegate to the convention, I think is the way to use it. Three persons was on that committee, then you could have elected a person there. But it can't be done unless you win communities first.

But the ballots are basically sent out or picked up or sent in, mailed in, and this kind of stuff.

COMMISSIONER FREEMAN. Where are the ballots received? In what office?

Mr. Harrison. The ASCS office receives the ballots.

COMMISSIONER FREEMAN. Who are the employees? Who do they work for?

MR. HARRISON. United States Department of Agriculture. COMMISSONER FREEMAN. Are there Negroes employed there? MR. HARRISON. No. they're white.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Mr. Harrision, you were mentioning the expansion of your organization. Do you mean expansion in the number of participants within the county area or additional counties?

MR. HARRISON. Well, within the county area itself.

COMMISSIONER RANKIN. You don't want to get any larger as far as the number of counties?

MR. HARRISON. We have no objection to it growing as large as it wants to as long as it helps people.

COMMISSIONER RANKIN. Do you think that you could manage it irrespective of how large it might become?

MR. HARRISON. The volume is the thing we would really appreciate having, the volume of business.

COMMISSIONER RANKIN. I see.

CHAIRMAN HANNAH. Mr. Harrison and Mr. Orsborn, in the beginning when the question was asked about the volume, as I understood, the answer was that last year you handled a million pounds of produce, and that this year you hope to handle 240 million pounds of produce. Did I understand that correctly?

Mr. ORSBORN. I may have said that, Mr. Hannah. Mr. Harrison called it to my attention. Twenty-four million this year.

CHAIRMAN HANNAH. Twenty-four million?

Mr. Orsborn. Twenty-four million. We hope, from survey sheets that we have taken, and from estimated acreages, we are going to, our production should increase this year by about 24 times.

CHAIRMAN HANNAH. Now you have put a good deal of emphasis on the services you are going to render these farmers with their small acreages so that they can use the right amount of fertilizer and the right kind of seed and use the right pesticides and so on. You haven't put in much discussion, in fact not at all, about the control of the quality of the produce that comes to you. I assume that your experience is the same as agriculture cooperatives that handle vegetables and fruits elsewhere, that in the end the success of your marketing efforts are going to depend pretty largely on the satisfaction of your customers. You've got to be able to control the quality so that if you sell 600 baskets or whatever, it meets the description that you give. I assume that is part of the program too?

Mr. Orsborn. This is, Mr. Hannah, this is basically the responsibility of the horticulturist and the field specialist, and also the marketing specialist. In the 10-county area, that is why we are so proud this year that we were able to break this thing out. Last year we operated all in one county. Everything was done at one place which was an inconvenience and really hazardous. But it would give the field specialist in each county a chance to hire, or

employ a person who we call a quality control man under the supervision of the marketing specialist and the horticulturist.

Also field inspections, they are planned to be made periodically to see if the crops need dusting, if they need spraying. There are training sessions to be conducted like last year on the various sizes of the product and the various colors that the buyers want.

All of these things we did to a limited degree last year, that we intend to expand this year.

CHAIRMAN HANNAH. You have facilities, or will have them, so that this material can be graded and paged and processed and refrigerated until it will get to the customer in good shape?

MR. ORSBORN. Yes, sir. We have been lucky enough to arrange this. This is a part of the FHA loan, we have requested these things in the FHA loan, there is what the loan is for, for the establishment of these field stations, to actually build the buildings and buy the land. The loan was dragging, so we had to get out and we rented some buildings. They are not adequate right now, but we are going to make them do. We are going to make them do until we get adequate buildings.

We also had in the loan a request for refrigerated trucks, which is a tremendous item on us. We use this thing about 90 days a year and you have to keep them on the road. It's terrifically high.

Also the proposal for two main, what they call cool rooms; if you get overloaded you do have a place where you can put it and keep it refrigerated for a while.

CHAIRMAN HANNAH. You deserve commendation for what you are undertaking and I'm sure you know that you're undertaking a very difficult problem. You are dealing with very perishable produce that is hard to get to your hands in good shape, and then you have got only a little time to get it and distribute it, and a brief period to carry your whole overhead. Good luck to you.

MR. ORSBORN. Thank you. Last year we got a taste of what this thing was all about.

CHAIRMAN HANNAH. Mr. Taylor, do you have questions?

MR. TAYLOR. I hate to come in as a city boy, after the good discussions between some farmers, so I will restrict mine to non-agricultural type questions.

I was just interested in this GAO audit. And I don't, at the risk of having GAO on us, I think we need to inquire as to a number of—why it requires such a large number of auditors for such a small loan. We have had a lot of testimony here today about diversion payments, with respect to tenants. And, Mr. Harrison, you were just talking about determination as to acreage yields. You may not know, but I was just wondering, are you aware of any GAO audit with respect to any of those problems?

MR. HARRISON. Well, personally, I think that the purpose—well the purpose of the audit itself was to see what could they find wrong. If you want my personal opinion, I don't think, we are

not hiding anything, and if they want to make an issue of what we have done and it is right, that's up to them to do it. But we don't have anything to hide.

The loan was for \$400,000 and at this point we have spent less than \$200,000 of the money, and it is all supposed to have been spent around June 1. You can determine from there, as any sound businessman could, that the money has been pretty well handled right. I don't think there is any need of it. They could have called OEO in Washington and asked them how much of the money had been spent and give us a breakdown how it was spent if they really wanted that. I don't think they really wanted that at all.

MR. TAYLOR. No further questions.

MRS. WALKER. Could I say something?

CHAIRMAN HANNAH. Mr. Patterson has a question.

VICE CHAIRMAN PATTERSON. Did you have something to say?

MRS. WALKER. I was going back to the question that was asked by Mr. Orsborn about Negroes joining the white co-ops. If I could go back to that. It is just as good a chance in the Negroes joining the white co-op there now, as there is a snowball down there. The Negroes used to be a member of the Centralia and they were during the time they had the Government loan, that was back in 1930 something. And when they got where they could swim themselves, they just sent the Negroes their money that they had put into it and that was it.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. A question to Mr. Harrision. We have heard testimony earlier today that estimates of yield on cotton acreage for Negro farmers were low as estimated by the ASCS committee in Macon County, Alabama. And as I understand it, not only the subsequent year's acreage, but the size of the subsequent year's diversion check is determined by this estimate of yield. Is this correct?

Mr. HARRISON, Right.

VICE CHAIRMAN PATTERSON. Now, did I understand you correctly to be alleging a dual standard in Macon County, whereby to your knowledge——

Mr. Harrison. Yes.

VICE CHAIRMAN PATTERSON—white farmers have received higher estimates of yield than Negro farmers?

MR. HARRISON. Yes, sir.

VICE CHAIRMAN PATTERSON. Did you find an isolated case of this, or did you establish a pattern of this?

MR. HARRISON. Well, during the election we had an opportunity, we spent maybe two months over in Macon County trying to win an election.

VICE CHAIRMAN PATTERSON. An ASCS election?

Mr. Harrison. An ASCS election. As a result of that we found cases; we even encouraged people to go in and to even write letters

requesting that their yields be changed. Hosea Guice is a good example of a person who actually went in, after bothering those people so many times, his yield increased. It is a very good example of what happens. There are other persons in the county who, as a result of some hearings, not necessarily hearings, but as a result of an appeal, and the expectation of a law suit against USDA, which I'm pretty sure will still happen anyway, that some yields were changed and they were increased in yield.

VICE CHAIRMAN PATTERSON. It seems to me that we are dealing with a crucially important committee here, whose word on these estimates can vitally affect the economic outlook of all farmers. Yet, in Macon County I believe the Negro population is more than 80 percent of the county.

Mr. Harrison. Right.

VICE CHAIRMAN PATTERSON. And the committee is all-white? Mr. HARRISON. Right.

VICE CHAIRMAN PATTERSON. How, in a county with that racial breakdown, can you lose elections to this committee?

Mr. Harrison. That is the thing, we spent about \$2,000 in money that was spent, insofar as gas and this kind of stuff. The way it was done, we went out and recruited the ballots. We picked them up ourselves. Then we mailed them to different places. And we pretty much know that we got more votes for Negro candidates.

One thing happened, and this is a general pattern that the South uses in ASCS elections. They will put 10 or 15 Negroes, you can't put this many, but nine for sure, on a ballot, and one white. You automatically split the vote. That is the sole purpose of it.

VICE CHAIRMAN PATTERSON. Who put these people on the ballots?

Mr. Harrison. The committee will do it, providing you don't petition them.

VICE CHAIRMAN PATTERSON. The incumbent committee?

Mr. Harrison. Right. Providing you don't petition them. I could beat any of you up here running for anything you want to, if I had the choice of putting all eight of you running against me, I would win, baby, I would win strong, for this is the only thing that happened in Macon County. It is a very good example of what happened in Macon County. It not only happened in Macon County, it happens throughout the South. The same type of stuff happens.

If I'm the manager, or the office manager who sits in here every day, if I know a vote and know where it came from, I could pretty much determine how you vote. I don't have to worry about that. Just scratch him off, then I know how much work I have to do to beat you. I count them as it comes in, 500 Negro votes come in,

I'm pretty sure 400 went right. I have to go out and recruit some white votes.

VICE CHAIRMAN PATTERSON. And you are not alleging fraud?

MR. HARRISON. Well, I'm sort of doing that. Well, the thing about it, we took the thing, you have to carry it to an administrative procedure. We started at the county with it, the county turned us down. Naturally, they are going to turn us down, who's going to pass judgment on themselves? We carried it to the State, the same thing, and to the USDA in Washington. They turned the appeal down. The same thing. Who said it just didn't happen? The only mistake they made, they permitted us to go into the office, use our books and we found out what was happening to their books, being Negro, they thought the least—we were able to determine a lot of things that happened in that office.

VICE CHAIRMAN PATTERSON. You would characterize this as manipulation?

MR. HARRISON. Exactly, right, administrative manipulation.

MR. TAYLOR. One point of clarification. In addition to the question of manipulation, did I understand you to say that the nominations for the committee are made, can be made. by members of the committee, and that in fact they will nominate a large number of Negroes in some instances for the purposes of diluting Negro votes?

Mr. HARRISON. Exactly right.

CHAIRMAN HANNAH. Let me ask one question that has really nothing to do with the testimony.

There hasn't been anything said about the possibility of their being some Negroes with large farms. Are there no large Negroowned farms in these 16 counties?

MR. HARRISON. There are some, and by and large, and there is a very strange thing—if you can go in any ASCS office and know exactly what you want, chances are you may get it, but you better make sure you know what you want. If you don't know what you want, you don't get anything. So if you know and you are kind of atypical, then you can speak pretty good to the man, you'll get what you want. But you have got to know what you want.

CHAIRMAN HANNAH. Again, the question I was asking, not so much with reference to the ASCS, 2 or 3 years ago we had a hearing in Jackson, Mississippi, where, as I recall, there was testimony that one of the very largest landowners, a farmer in Mississippi, was a Negro, and that there were many, not very large landowners. Are there no very large Negro landowners, in Alabama?

Mr. Harrison. Depending on how you interpret large.

CHAIRMAN HANNAH. Well, many hundreds of acres under cultivation.

MR. HARRISON. No, not that I know of.

CHAIRMAN HANNAH. Thank you very much, gentlemen, we are very grateful to you.

MR. GLICKSTEIN. Mr. Chairman, I would just mention that the Macon County ASCS election that Mr. Harrison was talking about is discussed in the report that Mr. Erskine Smith submitted into the record with his statement the other day.

CHAIRMAN HANNAH. It is already in the record?

MR. GLICKSTEIN. Copies of the report are available in the back of the room if people are interested in it.

CHAIRMAN HANNAH. Thank you very much. Call the next witness.

MR. GLICKSTEIN. Mr. Harrison has an additional statement that he would like to be submitted into the record.

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 9 and received in evidence.)

MR. HARRISON. I would like a chance to talk about this.

MR. GLICKSTEIN. We will consider that request.

The next witnes is Mr. William C. Payne, Jr. who is a member of the Office of Federal Programs of this Commission.

(Whereupon, Mr. William C. Payne, Jr. was sworn by the Chairman and testified as follows.)

## TESTIMONY OF MR. WILLIAM C. PAYNE, JR., STAFF MEMBER, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Payne, I show you a copy of a report entitled "Cooperative Extension Service, Staff Report." Is this a report that you prepared?

Mr. PAYNE. Yes. sir. it is.

MR. GLICKSTEIN. Mr. Chairman, may this be introduced into the record as Exhibit No. 10?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 10 and received in evidence.)

MR. GLICKSTEIN. Would you please summarize this report for the Commission, Mr. Payne?

Mr. Payne. Yes, sir.

This Commission's 1965 study of Department of Agriculture operations in the South, entitled "Equal Opportunity in Farm Programs," concluded that:

"As the group most depressed economically, most deprived educationally, and most oppressed socially, Negroes have been consistently denied access to many services, provided with inferior services when served, and segregated in federally financed agricultural programs whose very task was to raise their standard of living."

Three years have passed since that report was published. Almost

four years have passed since Title VI of the Civil Rights Act of 1964, which forbids discrimination in federally assisted programs, was enacted.

Today in Alabama the facts are these: many black farm and nonfarm rural residents still are not reached by the services of the Alabama Cooperative Extension Service, and if served, the chances are that those services will be segregated, unequal and inferior. This is in contrast to the needs of the black people of rural Alabama.

Although black people constitute slightly less than 30 percent of the Alabama rural population, they account for over 45 percent of the rural poor.

Eighty-five percent of the rural Negroes in Alabama are in poverty.

Ninety-eight percent of the Negro-operated commercial farms in Alabama are inadequate according to the standards of the U.S. Department of Agriculture.

Ninety-six percent of the rural housing units in a 17-county economic subregion which includes 10 Alabama Black Belt Counties, which are occupied by black people, are either dilapidated, deteriorating, lack indoor plumbing, or have a combination of all these conditions.

The basic purpose of cooperative extension work is to help rural people identify and solve their farm, home, and community problems. But the Alabama Cooperative Extension Service, which last year received over \$2.5 million in Federal funds—over 40 percent of the total funds expended for extention work in Alabama—today remains almost totally segregated in its services to rural black people.

Commission staff undertook a special analysis of the weekly activities reports of extension workers in 12 Alabama Black Belt counties for the months of April and October last year. The results of this survery are shown on the chart before you now.

As you see, 91 percent of the office and field visits made by white extension agents were to other whites and 97 percent of the office and field visits made by Negro extension agents were to other Negroes.

In Marengo County, for example, where 71 percent of the rural population is black, the three white male agents visited 350 whites, but only 12 Negroes—a segregation factor of 97 percent. The single Negro male agent visited 124 Negroes and only six whites—a segregation factor of over 95 percent.

None of the 88 visits of the two white female agents was to Negroes, and of 51 visits made by the single Negro female agent, only one was to a white.

In Wilcox County, where 78 percent of the rural population is black, the two white male agents visited 399 whites, but only 21

Negroes—a segregation factor of 95 percent. The single Negro male agent visited 153 Negroes and only five whites—a factor of 97 percent.

The two white female agents visited 127 whites and no Negroes. The single Negro female agent visited 44 Negroes and no whites.

In these 12 counties studied there are 46 white extension agents and only 26 Negro extension agents to serve a rural population of over 72,000 Negroes and only 27,000 whites. In view of the degree of segregation in services that exists as demonstrated by the second chart before you now, each Negro agent has a potential workload almost five times that of the white agent.

In Greene County, for example, there are over 2,400 Negro farm operators and young men of 4—H Club age who would be potential recipients of extension services by the single Negro male agent in that county, but there are only approximately 400 white farm operators and young men of 4—H Club age to be served by two white male agents in the county.

In Hale County there are nearly 3,100 Negro women and girls of home economics club and 4–H Club age who would be potential recipients of extension services by the single Negro female agent, but there are only approximately 1,100 white women and girls of home economics club and 4–H Club age to be served by two white female agents.

The programs of the Alabama Cooperative Extension Service for rural youth and homemakers also are largely segregated.

Alabama has one of the highest 4-H Club enrollments of any State in the Nation. Yet as a Commission analysis of club enrollments revealed, over 80 percent of its members attend segregated 4-H Clubs, and of the rural people who attend integrated 4-H Clubs, less than one out of 10 is Negro.

In interviews with Negro extension workers, Commission staff members were told that white young people are enrolled in more 4-H projects than are Negro young people.

An analysis of project enrollment in 12 Black Belt counties where Negro club enrollment outnumbers whites by more than two to one revealed that white youths averaged 60 percent more projects per person than Negro youths.

An analysis of the 4-H awards system in eight of these counties revealed that 96 percent of the white youths but only 36 percent of the Negro youths compete for awards.

Very few of the rural homemakers in Alabama are members of home economics clubs. But of those that are, 99 percent attend clubs that are segregated. Of the less than 200 women who attend integrated clubs, only 43 are Negro.

There is discrimination in the employment practices of the Alabama Cooperative Extension Service. There are separate titles for Negro extension workers in the Alabama State Extension Office at Auburn, and Negro extension workers at all levels, regardless of their education or experience, are subordinate, universally, to white extension workers.

Although Negro extension workers in 19 counties have higher educational degrees than white workers, and in 28 counties have longer service than white workers, in no county in Alabama does a Negro hold the chief county extension position.

That concludes my summary.

CHAIRMAN HANNAH. Thank you very much, Mr. Payne. You are excused? Mr. Glickstein, will you call the next witness?

Mr. GLICKSTEIN. The next witness is Mr. B. B. Williamson, Jr.

(Whereupon, Mr. B. B. Williamson, Jr. was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. B. B. WILLIAMSON, JR., LIVINGSTON, ALABAMA

MR. GLICKSTEIN. Mr. Williamson, would you please state your full name and address for the record?

MR. WILLIAMSON. B. B. Williamson, Jr., Livingston, Alabama.

Mr. GLICKSTEIN. And what is your occupation, Mr. Williamson?

Mr. Williamson. I work for the Cooperative Extension Service.

Mr. GLICKSTEIN. What is your title?

Mr. WILLIAMSON. County Extension Chairman.

MR. GLICKSTEIN. How many other agents are employed under you?

Mr. WILLIAMSON. Six.

MR. GLICKSTEIN. And do you have an Assistant County Extension Chairman?

MR. WILLIAMSON. Associate.

MR. GLICKSTEIN. Associate. And if I understand that, that is a woman. Is that correct?

Mr. WILLIAMSON. Yes.

MR. GLICKSTEIN. And of the six people, what are their races?

MR. WILLIAMSON. Four white, two Negro.

MR. GLICKSTEIN. One Negro man and one Negro woman. Is that correct?

MR. WILLIAMSON, Yes.

MR. GLICKSTEIN. Mr. Williamson, the testimony that preceded yours discussed the percent of work across racial lines in 12 Alabama counties. What is the picture in your county?

Mr. WILLIAMSON. I don't have the records with me. I am sure that it has been studied. I don't know the exact figures.

Mr. GLICKSTEIN. Mr. Williamson, our analysis indicates that in your county, in Sumter County, 95 percent of the service offered by your agents was to persons of the same race as the agents,

approximately 95 percent. Why is that situation? Why aren't the Negro agents serving whites and the white agents serving Negroes? Why are these services being accorded on a racially segregated basis?

MR. WILLIAMSON. These services are by request.

MR. GLICKSTEIN. They are by request?

Mr. WILLIAMSON. Yes, sir.

Mr. GLICKSTEIN. And some of these services are in the office and some of them are in the field. Is that correct?

MR. WILLIAMSON. Yes, sir.

MR. GLICKSTEIN. And when a Negro comes to the office he generally requests the services of your Negro agent?

MR. WILLIAMSON. I don't know. I can't answer whether he does generally or not. If he knows the agent, probably he does. But if he just wants assistance in a certain area, why, then, he is directed to the agent assigned to this area.

MR. GLICKSTEIN. But in your county, 95 percent of the services offered by your white agents went to white people, so I assume that very few Negroes asked for the services of the white agents? Would that follow?

MR. WILLIAMSON. That must be the case.

MR. GLICKSTEIN. Now the services rendered in the field are also by request?

MR. WILLIAMSON. With the exception of enrolled activities, or result demonstrations, these are enrolled in our service, specifically. But visits other than that are by request.

MR. GLICKSTEIN. By enrolled activities you mean 4–H Clubs and programs such as that?

MR. WILLIAMSON. Yes.

MR. GLICKSTEIN. So again it would seem from these figures that Negro farmers, if they want services in the field, generally request the services of your Negro agent and white farmers, if they want services in the field, generally request the services of white agents? Is that a fair conclusion?

MR. WILLIAMSON. This is what your records show, yes, sir.

MR. GLICKSTEIN. What is the Negro population of Sumter County?

MR. WILLIAMSON. I am not familiar with the latest census report. I don't have it at hand.

MR. GLICKSTEIN. Well, it is well over 50 percent, isn't it, 60, 70 percent?

Mr. WILLIAMSON. Yes, sir.

MR. GLICKSTEIN. And you have two white agents and one Negro male agent. Isn't that correct?

MR. WILLIAMSON. Right.

MR. GLICKSTEIN. Well, the arithmetic that we have done indicates that the potential workload for the Negro agents is 12 times

—for the Negro agents, your Negro male agent and your Negro female agent—is 12 times the potential workload for your four white agents. Is that providing equal services to the people in your county?

Mr. WILLIAMSON. Well, we work by request. We don't serve people that haven't requested, or have a need for this service.

MR. GLICKSTEIN. Well, assuming that the Negro population of Sumter County requested services in proportion to their numbers in the population, your Negro agents would be swamped with work, wouldn't they?

Mr. WILLIAMSON. If the requests were in the areas that they are assigned to work in.

MR. GLICKSTEIN. I am not sure I follow what you mean when you say if the requests are in the areas in which they are assigned to work in. What you are suggesting is that it just so happens that the vast majority of the Negro people who request services just happen to request services in the areas in which your Negro agents are assigned to work, and they don't happen to request services in the areas in which your white agents are assigned to work?

MR. WILLIAMSON. No, sir, I didn't intend to say that, or infer that.

Mr. GLICKSTEIN. Well, why aren't Negroes then being referred to white agents for services, for servicing?

MR. WILLIAMSON. They are when they request assistance in the area that the agents are assigned to.

MR. GLICKSTEIN. That is my point. I assume then most of the Negroes are requesting services in areas that your Negro agent is assigned to, but not in areas that your white agents are assigned to, because Negroes are not being served by whites.

MR. WILLIAMSON. Well, I would like to point out that all of the work is not in the form of office visits, telephone calls, or field visits. That time is spent in other areas, mass media.

MR. GLICKSTEIN. Mr. Williamson, until when, what point were your Negro, your two Negro agents assigned to the same building in which you work?

Mr. Williamson. July 1, 1965, I believe.

MR. GLICKSTEIN. And where had the two agents been located prior to that?

Mr. WILLIAMSON. In another building in Livingston, the county seat.

Mr. GLICKSTEIN. When they were assigned to your building in 1965, where were they located?

Mr. WILLIAMSON. In Rooms 201 and 203, I believe.

Mr. GLICKSTEIN. What rooms are you located in?

Mr. WILLIAMSON, Room 214.

MR. GLICKSTEIN. Where were rooms 201 and 203, at the other end of the building?

MR. WILLIAMSON. Down the hall.

MR. GLICKSTEIN. And are the Negro agents now located in your offices—in the same suites that you are in?

MR. WILLIAMSON. One of them is.

MR. GLICKSTEIN. When did this happen?

Mr. WILLIAMSON. October 16, 1967.

Mr. GLICKSTEIN. And why did that happen?

MR. WILLIAMSON. We were advised that we were not in compliance as far as housing goes.

MR. GLICKSTEIN. You have two white male agents, is that right?

Mr. WILLIAMSON. Yes.

Mr. GLICKSTEIN. And one Negro male agent?

MR. WILLIAMSON. Yes.

MR. GLICKSTEIN. How is office space assigned to those three people?

MR. WILLIAMSON. Now?

Mr. GLICKSTEIN. Yes.

Mr. WILLIAMSON. They are assigned in Rooms 201 and 203, across the hall from each other.

MR. GLICKSTEIN. Do they share offices with each other?

MR. WILLIAMSON. The two white agents are in the larger office.

MR. GLICKSTEIN. And the Negro agent has an office to himself?

Mr. WILLIAMSON. Adjoining.

MR. GLICKSTEIN. And you have three female agents. Is that correct?

Mr. WILLIAMSON. Right.

MR. GLICKSTEIN. And how are their offices assigned?

Mr. WILLIAMSON. The two of them share an office and the other one an adjoining office in this 214 suite.

Mr. GLICKSTEIN. One of these women is the woman Assistant County Extension Chairman. Is that right?

MR. WILLIAMSON. Associate.

MR. GLICKSTEIN. Is she the one that has her private office?

Mr. WILLIAMSON. No, sir.

MR. GLICKSTEIN. She doesn't have a private office?

Mr. Williamson. No, sir.

MR. GLICKSTEIN. She shares an office with one of the other agents?

Mr. WILLIAMSON. Yes, sir.

MR. GLICKSTEIN. Who has the private office?

MR. WILLIAMSON. Mrs. Threadgill.

Mr. GLICKSTEIN. She is a Negro?

MR. WILLIAMSON. Negro.

MR. GLICKSTEIN. Isn't it unusual that your assistant should share her office with somebody else, your associate should share

her office with somebody else, while the Negro agent has a private office?

Mr. WILLIAMSON. She has always shared her office.

Mr. GLICKSTEIN. Your associate has?

Mr. WILLIAMSON. Yes.

MR. GLICKSTEIN. She has never asked for her own office?

Mr. Williamson. No, sir.

Mr. GLICKSTEIN. She is not disturbed that the Negro agent, who I understand makes considerably less money than she does, has her own office and she shares an office with somebody else?

Mr. WILLIAMSON. She hasn't indicated to me.

MR. GLICKSTEIN. When our people in our agency—when Mr. Fleming became the Assistant General Counsel, he came in and demanded his own office, wouldn't share it with anybody else. But your associate has never demanded her own office, she was content to share it with somebody else?

Mr. WILLIAMSON. She hasn't requested it.

Mr. GLICKSTEIN. Mr. Williamson, you corrected me before when I was referring merely to field visits and to office visits, and you said that you have other programs besides those that reach farmers in your county. Do you have any programs that are aimed at low-income people in your county?

Mr. WILLIAMSON. Not specifically.

Mr. GLICKSTEIN. Do you have any demonstration programs that are designed to reach people that aren't operating as large establishments as other people?

Mr. WILLIAMSON. Yes, we have result demonstration programs. Mr. GLICKSTEIN. Would you tell the Commissioners what those programs are?

MR. WILLIAMSON. These special result demonstrations for low-income people are in the areas of commercial vegetables, cotton, hogs, family foods supply, and poultry.

MR. GLICKSTEIN. And how do you educate people about these programs?

MR. WILLIAMSON. Well, our idea is to pick these people in geographic areas of the county who want to do better, who are interested in cooperating and following recommendations, to set them up and work closely with them, to try to apply the recommendations based on research with the idea that if they do well with their demonstration that their neighbors in turn can see and others can be brought to visit, and then the results of these demonstrations can be shared through mass media to teach others.

Mr. GLICKSTEIN. Do you have any programs in which you gather people together to instruct them, or speak to them about innovations in the agricultural field?

Mr. WILLIAMSON. Yes.

MR. GLICKSTEIN. Would you tell us about those, please?

MR. WILLIAMSON. Well, we have this spring had a round of community meetings, we call them community farm meetings, with the theme of these meetings being to make more dollars in 1968. At these meetings various members of the staff, as their assignments were, spoke to the people assembled about the latest recommendations in research, shared bulletins, publications and information, all the way from soil testing to marketing, and offered assistance and guidance and help, and at these meetings we were fortunate to be able to share the results of the special demonstrations that were conducted last year in these crops to show that their neighbors right at home had been able to apply research and get results and make more money.

MR. GLICKSTEIN. Some of the services that you have described sound slightly similar to the services that the people from SWAFCA were telling us about a little while ago. To the extent that SWAFCA is providing that type of service, do you think it is performing a useful function?

Mr. Williamson. SWAFCA?

MR. GLICKSTEIN. Yes.

MR. WILLIAMSON. I am not familiar with their services in our county, sir.

MR. GLICKSTEIN. Have you had any contact with their office in Selma to find out what they are doing and what their program is in your county?

MR. WILLIAMSON. Not in Selma I haven't, no.

Mr. GLICKSON. Have you had any contact with their field representatives in Sumter County?

Mr. WILLIAMSON. Yes, sir.

MR. GLICKSTEIN. What was the nature of those contacts?

MR. WILLIAMSON. Their director contacted me by telephone and requested assistance in an educational program in growing vegetables. Then their field director visited the office last December and discussed the program. These are the only contacts I have had.

MR. GLICKSTEIN. In addition to the agents that work for you, do you have any clerical employees?

Mr. WILLIAMSON. Yes.

MR. GLICKSTEIN. How many do you have?

MR. WILLIAMSON. Three.

MR. GLICKSTEIN. What are their races?

MR. WILLLIAMSON. Two whites and one Negro.

MR. GLICKSTEIN. And where are they located?

Mr. WILLIAMSON. In 214, the suite of offices.

MR. GLICKSTEIN. Are they all in the same room?

MR. WILLIAMSON. No.

MR. GLICKSTEIN. Which girls are in which rooms?

MR. WILLIAMSON. Well, the two white are in the outer reception

room where they have been all through the years, and the other is in an adjoining room.

MR. GLICKSTEIN. Is the room that the Negro secretary is in, was that used for some other purpose before she was brought to your offices from Room 214?

MR. WILLIAMSON. Yes.

MR. GLICKSTEIN. What had it been used for?

MR. WILLIAMSON. It was a storage area, and machinery equipment room.

MR. GLICKSTEIN. And did you have to move some of the storage out, and machinery?

Mr. WILLIAMSON. Yes.

MR. GLICKSTEIN. Where did you put that?

MR. WILLIAMSON. To the front part of the reception room.

MR. GLICKSTEIN. Where the two white secretaries are?

MR. WILLIAMSON. Yes.

MR. GLICKSTEIN. You mean you couldn't have put the Negro secretary in with the two white secretaries? Instead you put the storage material in there? I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have some questions?

VICE CHAIRMAN PATTERSON. Mr. Williamson, do whites and Negroes attend these demonstration meetings that you put on to teach them how to make more dollars out of farming than they did before?

MR. WILLIAMSON. They are all invited, and both attend at some time, yes, sir.

VICE CHAIRMAN PATTERSON. Is there a pretty good attendance of both races at these meetings?

MR. WILLIAMSON. No, sir.

VICE CHAIRMAN PATTERSON. Which comes and which stays away in bulk?

Mr. Williamson. The meetings this spring were predominantly Negro attendance.

VICE CHAIRMAN PATTERSON. Predominantly Negro?

MR. WILLIAMSON. Yes.

VICE CHAIRMAN PATTERSON. Was the attendance what you would have wanted it to be? In other words, was it a mass meeting?

Mr. WILLIAMSON. No, sir. We would have liked to have reached more people.

VICE CHAIRMAN PATTERSON. Why do you suppose they did not attend? Do you have any evidence or any reason as to why you think they did not attend?

MR. WILLIAMSON. No, sir, I don't really have a concrete reason as to why we didn't have more.

VICE CHAIRMAN PATTERSON. The use by this cooperative, about

which we have heard testimony earlier, SWAFCA, the use by them of technical people to parallel the work that your own people are doing, does this suggest to you that perhaps the extension service in your county might be more aggressive in going out to the people instead of waiting for them to come to demonstration meetings?

I am asking this question in a friendly way, and in a most serious way, because you do obviously have a problem of depressed agriculture in this area, and I know that you are extremely interested in whatever solutions you can find.

I wondered if you could just tell us what you think the Extension Service might do that it has not done, and how your mind is working on this particular problem.

Mr. WILLIAMSON. Well, true, this is a concern. We are interested in it and working on it, and the one thing that we have tried in the last 2 years that we had hoped would get results—and we think it has already—is a special result demonstration program. There are just so many hours in the day, as being able to reach the masses and the numbers of people, and we felt that if we could involve leaders in the county, people to help us teach, that this would be the most effective approach that we could use to reach more people.

VICE CHAIRMAN PATTERSON. But you are not yet satisfied with the results?

MR. WILLIAMSON. No, sir.

VICE CHAIRMAN PATTERSON. That is all I have, Mr. Chairman. CHAIRMAN HANNAH. I would like to ask a question or two. How many people do you consider are farmers in Sumter County, blacks and whites?

MR. WILLIAMSON. About 1,400. Farm families, sir.

CHAIRMAN HANNAH. And in working in Sumter County, you make service available to people in towns, small towns, and cities, if they want to know how to take care of their lawn or their rosebush, that is part of the service given by the Extension Service?

Mr. WILLIAMSON. Yes, sir.

CHAIRMAN HANNAH. I think you started to say and didn't quite finish a while ago that some fraction of the time of your people was put in preparing visual aids and articles for the county newspapers and so on. Is that true?

MR. WILLIAMSON. Yes, sir.

CHAIRMAN HANNAH. What fraction of the time is involved in preparing and getting out this material that is available to anyone that wants to read it?

MR. WILLIAMSON. Well, it is not an item on the report. It would be an estimate. I suspect it would be at least 15 percent of the time with radio, newspapers, circular letters, and visuals.

CHAIRMAN HANNAH. Are these articles, and is this material directed to Negro farmers the same as to white farmers, small

farmers and large farmers, or is it pretty largely oriented to the commercial white farmer?

MR. WILLIAMSON. We try to make an effort to make it appropriate for all citizens of the county.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Williamson, I believe you said that the population which is served by you is 70 percent Negro? Mr. WILLIAMSON. Yes.

COMMISSIONER FREEMAN. You also stated that an agent is sent out on a basis of the areas that are to be served. Will you describe what areas you are talking about?

Mr. WILLIAMSON. Do you mean my reference to assignment areas of work?

COMMISSIONER FREEMAN. I want to know what you mean when you said areas.

MR. WILLIAMSON. Well, the agents are assigned major responsibilities. For example, in beef cattle or in hogs, or in cotton, or soybeans, whatever the crop may be. And if the request is for cotton, the agent primarily responsible for the educational program on cotton will service that request.

COMMISSIONER FREEMAN. Well, I believe you have one male Negro agent. Does he service the area of beef cattle, the ones that you were talking about?

MR. WILLIAMSON. His areas of service are commercial vegetables, poultry.

COMMISSIONER FREEMAN. Then there are no Negro agents who can serve the farmers with respect to the areas that you just described. How would the Negro farmer, how would the black farmer, receive advice and technical assistance in those areas under the program as you now have it?

Mr. WILLIAMSON. In which areas are you referring to?

COMMISIONER FREEMAN. The ones that you just referred to.

Mr. WILLIAMSON. In vegetables?

COMMISSIONER FREEMAN. No, no, not vegetables.

Mr. WILLIAMSON. Beef cattle?

COMMISIONER FREEMAN. Beef cattle, livestock.

MR. WILLIAMSON. Well, if he requested assistance, of course, in addition to the mass media programs that we have already discussed, special requests for technical assistance would be referred to the agent assigned to beef cattle, to the beef cattle program.

COMMISSIONER FREEMAN. Does your service provide any advice or technical assistance to the black farmer with respect to beef cattle or these other areas that you just described?

MR. WILLIAMSON. Yes, it does.

COMMISSIONER FREEMAN. To what extent?

MR. WILLIAMSON. Mail-outs through mass media go to all who

are on the mailing list. The mass media through letters, through radio, press, newspaper, and by request. Visits by request.

COMMISSIONER FREEMAN. Do they ever offer their service on a person-to-person basis to these farmers?

MR. WILLIAMSON. Yes.

COMMISSIONER FREEMAN. You operate and maintain a segregated office, is that correct?

MR. WILLIAMSON. I don't think so.

COMMISSIONER FREEMAN. That is true the way it was described. Now, is it true also that this is funded by Federal money?

MR. WILLIAMSON. Yes.

COMMISSIONER FREEMAN. Would you make a judgment as to whether you, your office, is serving the needs of the people in Sumter County as it is now constituted?

MR. WILLIAMSON. Well, as we have said earlier, we never are completely happy with our service. We are trying constantly to improve it at all times. We hope we are making progress.

COMMISSIONER FREEMAN. Have you ever made an evaluation as to whether you are giving the black farmer less service than you are giving the white farmer?

MR. WILLIAMSON. No. I haven't.

COMMISSIONER FREEMAN. Has that ever occurred to you?

MR. WILLIAMSON. Well, no, not as such. I just look at all farmers and their needs.

CHAIRMAN HANNAH.Dr. Rankin?

COMMISSIONER RANKIN. Just one question. Has any Federal agency ever questioned the use that has been made in your office of Federal funds?

Mr. Williamson. Have they ever ——

COMMISSIONER RANKIN. With respect to race?

Mr. WILLIAMSON. Questioned me, sir?

COMMISSIONER RANKIN. Yes, or your office.

MR. WILLIAMSON. No, sir, not the use of funds.

COMMISSIONER RANKIN. Well, what have they questioned you about?

MR. WILLIAMSON. Similar questions to the ones that —

COMMISSIONER RANKIN. Any of them concern the whites and Negroes?

Mr. Williamson. Yes, sir.

COMMISSIONER RANKIN. You said that you mentioned some. What was one? What question did they raise?

Mr. WILLIAMSON. About the percentage of the population and the services rendered.

COMMISSIONER RANKIN. They were not satisfied with that, is that correct?

Mr. WILLIAMSON. Well, they didn't indicate to me. sir.

COMMISSIONER RANKIN. That is why you have no more Negro agents than you do white agents, is that correct?

MR. WILLIAMSON. I don't know the answer to that question, sir. COMMISSIONER RANKIN. You don't know the answer. Okay.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. I would like to talk for a moment about 4-H Clubs, if I might, Mr. Williamson. How many schools do your white agents have 4-H Clubs in?

Mr. WILLIAMSON. Two schools, but several clubs in the two schools.

MR. TAYLOR. How many clubs would there be?

MR. WILLIAMSON. I believe it is 14.

Mr. Taylor. And how about your Negro agents?

Mr. Williamson. Clubs?

Mr. TAYLOR. Yes.

MR. WILLIAMSON. Twenty-four.

Mr. TAYLOR. What schools are those?

MR. WILLIAMSON. There are 12 schools, I think.

MR. TAYLOR. Now, is it correct that your white agents serve only in schools which are predominantly, or almost exclusively, white, and that the Negro agents serve in schools which are exclusively black?

MR. WILLIAMSON. This is right.

Mr. TAYLOR. Why would that be the case? Was that somebody's request?

MR. WILLIAMSON. No, sir, this is just the way it has been, custom.

Mr. Taylor. That is the custom then? It doesn't have to be that way, does it?

MR. WILLIAMSON, No.

Mr. TAYLOR. Could you tell me a little bit about 4-H? What, for example, would be a career development project in a 4-H Club?

MR. WILLIAMSON. A career development project?

MR. TAYLOR. That's right.

MR. WILLIAMSON. Well, I believe as it is handled in our county, primarily it consists of inviting resource people in from various careers to speak to the 4-H Club members at club meetings about these careers and then allow an opportunity for questions.

MR. TAYLOR. To help young people to get an idea of what they might do with their own futures?

MR. WILLIAMSON. Familiarize them with various careers, yes.

MR. TAYLOR. Well, are my figures correct on this, that there were 36 whites enrolled in that kind of a project and no Negroes?

Mr. WILLIAMSON. I am not familiar with the record.

Mr. TAYLOR. Do you know of any Negroes who are enrolled in a career development project?

MR. WILLIAMSON. Not specifically.

MR. TAYLOR. Well, assuming my figures are correct, could you tell me why it is that white students would be getting counseling on what kinds of careers might be developed, and people would be brought in to help them and they wouldn't be brought in to help Negroes?

Mr. WILLIAMSON. Well, it would be up to the agent assigned and responsible for serving these 4-H Clubs.

MR. TAYLOR. But you are the director of the office, Mr. Williamson. Don't you have any responsibility in that regard?

MR. WILLIAMSON, Yes.

MR. TAYLOR. And how have you exercised that responsibility? MR. WILLIAMSON. In this particular case it has not come to my attention of this difference here. We discuss the program as a whole each year, and try to draw up plans and procedures to approach the year's work.

MR. TAYLOR. Do you see a possibility, then, if this is the case, that this particular project which may be a helpful project is only going to white youngsters in the school, if this might suggest to you some way in which you could improve services to Negroes in your community?

MR. WILLIAMSON. It would.

MR. TAYLOR. Do you think that you might be able to do something about that one?

Mr. WILLIAMSON. Yes, sir.

Mr. TAYLOR. Do you use courtesy titles in your office in addressing Negro citizens of your county?

Mr. WILLIAMSON. Do you mean Mr. and Mrs.?

Mr. Taylor. That's right.

Mr. Williamson. Yes, sir.

MR. TAYLOR. How long has it been since that has been the case?

Mr. WILLIAMSON. Well, I know since January 1, 1966.

Mr. Taylor. If — again I am doing some quick arithmetic here, but did you say that 70 percent of the farm population, I guess about 70 percent of the farm operators in your county, would be Negroes?

Mr. Williamson. I think that is about right.

MR. TAYLOR. If these figures are about right, the field visits in your office for April and October 1967 would indicate that there were almost 600 visits during that time to whites, and 122 or thereabouts to Negroes. Would that be close to the mark?

MR. WILLIAMSON. I am sure you have got it from the record. I can't remember it.

Mr. TAYLOR. So if that is correct, then while you have 70 percent of the farm operators who are Negroes, something like 80 percent of the visits are to whites.

MR. WILLIAMSON. Well, there again, the visits are by request. MR. TAYLOR. Does that have to be the case? Is that by law that you can only make visits by request?

MR. WILLIAMSON. I don't know that it is a law, no, sir. But it is the custom of serving the people to the best advantage. We

don't try to force things on them.

Mr. TAYLOR. Based on this, I don't see any reason why Negroes in your county would have any reason to expect that they would get good service from the Extension Service. Perhaps if you told them more services were available and didn't wait for a request you might be able to have more requests from Negroes. Is that a possibility?

MR. WILLIAMSON. Well, this is the purpose of our mass media program that we already referred to, is to advise the people of services available, what they are, and what areas they are in. And we are not waiting for requests, we are visiting.

MR. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein, do you have any further questions?

Mr. Glickstein. No, sir.

CHAIRMAN HANNAH. Thank you very much, Mr. Williamson. You are excused. Call the next witness, Mr. Glickstein.

MR. GLICKSTEIN. The next witness is Dr. Fred R. Robertson.

(Whereupon, Dr. Fred R. Robertson was sworn by the Chairman and testified as follows:)

## TESTIMONY OF DR. FRED R. ROBERTSON, AUBURN, ALABAMA

MR. GLICKSTEIN. Dr. Robertson, would you please state your name and address for the record?

DR. ROBERTSON. My name is Fred R. Robertson. My address is 111 Duncan Hall, Auburn University, Alabama.

MR. GLICKSTEIN. Dr. Robertson, were you present during the testimony of the previous witness?

Dr. Robertson. I was.

MR. GLICKSTEIN. Dr. Robertson, do you propose personally to take any action about the facts that were revealed in that testimony, or make any recommendations to Washington?

DR. ROBERTSON. Well, I won't make any to Washington. We make adjustments in our program every month, or less than a month. I will take action to see that within the framework of our capacities, and our resources, to redirect some of our program activities.

Mr. GLICKSTEIN. Do you think that you will be able to get that Negro secretary out of the supply room?

Dr. Robertson. Well, I wouldn't if I couldn't. I haven't been

in there. I will say in all fairness to Mr. Williamson, the job of finding adequate housing is not as easy as it appears.

MR. GLICKSTEIN. Adequate office space?

DR. ROBERTSON. That is what I mean, adequate housing, and not having seen the place, it is altogether possible that the office space selected might be more — might be better than the other you referred to, although I am not making any recommendation on that.

MR. GLICKSTEIN. Dr. Robertson, Dr. Hannah hasn't sworn me as a witness, but I saw the office space and you are wrong.

Dr. Robertson, we all know that up until recently the State Extension Service was operated on a segregated basis. When that was the practice in this State, and I certainly realize that enormous changes have been made, what was the type of facilities and equipment, et cetera, that the Negro agents had as compared to what white agents had?

Dr. Robertson. I would say very poor.

Mr. GLICKSTEIN. Could you give us some examples? What sort of equipment does an agent normally have?

Dr. Robertson. Well, I would like to say here, sir, that I don't like to try anybody in absentia, and I would say that the equipment was inferior to that in white offices.

Mr. Glickstein. That was your ——

DR. ROBERTSON. That was my observation, and that is why we started a program of equipment maintenance, far before the Civil Rights Act was passed. I sat down with the Negro supervisors, and we worked out a schedule whereby we would buy so much new equipment each year, and I think by the time the move was made, all the equipment in the Negro offices was new and on a par with the white offices.

MR. GLICKSTEIN. In what year was the move made?

Dr. Robertson. Well, we had a 6-month period, and I think it was July 1 of '66 when it was, they gave us to make the change, and we did.

MR. GLICKSTEIN. What was the date that you just mentioned when you began improving the equipment in the Negro offices?

Dr. Robertson. Well, I would have to look at the record. I would say a couple of years before that.

MR. GLICKSTEIN. A couple of years before that?

Dr. Robertson. At least. Maybe it could be longer than that.

Mr. GLICKSTEIN. Dr. Robertson, I believe you heard the testimony that is demonstrated by that chart, which shows that in the 12 county offices the files of which you made available to us, 91 percent of the office and field visits by white personnel are to white people, and the comparable figure for Negro workers in 97 per-

cent. Why is it that whites tend to serve whites and Negroes tend to serve Negroes?

DR. ROBERTSON. Well, I think there are a couple or three reasons for that. Mainly, if you study the Smith-Lever Act that we were set up under, we were not supposed to be an agency that would make a complete census of any problem area. We were supposed to work by the demonstration method, and through volunteer leadership.

This is the heart and soul of the extension program. Another is that I think this, by the very nature of it, has dictated that we have a freedom of choice, that we have never, in my almost 29 years, ever forced ourselves on any clientele except for a program where you had a dairy herd improvement association, or seed improvement, and you had to get a lot of money together.

It has always been on a freedom of choice basis. For that reason, I think this perhaps is due to custom and tradition and longevity, that you would have a natural inclination by many Negro farmers and homemakers to request services from people of their own race.

I can assure you, despite what the record shows, that whatever pattern has developed has not been a planned deprivation of services to people of Alabama. I am confident of that personally.

MR. GLICKSTEIN. Do you think there would be problems if Negro agents were told that in the future they should go out and serve white people and white agents were told in the future they should go out and serve Negroes? Do you think that would present problems—would that affect the service that is rendered?

DR. ROBERTSON. I think it would affect it in this manner. First of all you would have a problem which ones to select to send them to, which part of the clientele. I think you might have problems in serving, because if you work through leaders, generally the leaders with whom we worked have been people who had capital or who had access to it.

I think that if you sent a Negro out, which we haven't ever sent anybody out, I think that you might run into trouble on some of the technical information in relation to beef cattle or some of the other highly technical subjects.

Mr. GLICKSTEIN. And the Negro agents wouldn't be qualified?

DR. ROBERTSON. I wouldn't say "qualified," I would say qualified for different things. I think generally speaking, and the records would show this, the predominantly Negro colleges in the South, particularly those that I am familiar with, have not been as strong technically in the sciences, the agricultural sciences. They are more, perhaps—with scarce resources, like all of us

operate with—have developed those areas that showed the most promise, and perhaps those have been the social science areas. I think there is nothing basically, or biologically, wrong with the idea of Negro agents serving white people, and I think it will work.

MR. GLICKSTEIN. We heard a witness a little while ago—perhaps you were here—a farmer, Hosea Guice, who said if he were to give advice to a person beginning farming now—Hosea Guice is a Negro—he would advise the farmer to devote some of his land to livestock.

Now, if this is the intelligent thing for a farmer to do today, and if Negro farmers are being served by Negro agents, and if Negro agents aren't familiar with livestock problems, how are Negro farmers ever going to be directed into the livestock area?

DR. ROBERTSON. Well, I think this is one of the erroneous statements—generally, that I think you have to define your objectives. If you are going to the highest-paying enterprise in Alabama, it will not be in livestock. I am a former economist, and I can speak of this with some authority.

Generally the highest-paying enterprise in Alabama, or Tennessee, which is my native State, or any other place in the South, would be perhaps cotton. Second, perhaps, peanuts, and in the livestock area, hogs and dairying would be next, and beef cattle would be last.

So if my objective were to get a Negro farmer directed into livestock, then you could justify it on that basis. But on the basis of economics, I don't think you could.

MR. GLICKSTEIN. You wouldn't give the same advice as Mr. Guice gave?

Dr. Robertson. I sure wouldn't, no. sir.

MR. GLICKSTEIN. The staff report that we heard a little while ago indicated that in the 12 counties that this hearing is concerned with, the rural population of Negroes is approximately 72,000, the white rural population is approximately 27,000. And in view of the degree of segregation and service, this would mean that each Negro agent has a potential workload of almost 5 times that of each white agent. Is that so?

Dr. Robertson. Well, of course, you are not making a very good comparison, if you will allow me to correct you. You are comparing a static situation——

MR. GLICKSTEIN. Potential workload.

Dr. Robertson.—with a dynamic situation which would occur. I agree with you, potentially there is a tremendous workload. But you have to build a staff, at least in Extension we always operated with less money than we needed, and it seems when we needed it most we got it least.

We got cut a hundred thousand this year, and our workload is bigger than it has ever been. I think you have to anticipate the building of the staff to meet the workload. This is the only way we have been able to get money, is to first have the workload pretty well defined, and then to add the personnel.

MR. GLICKSTEIN. You are saying that our analysis is somewhat deceptive because we are talking about a potential workload and not the actual workload?

DR. ROBERTSON. I think it is.

MR. GLICKSTEIN. On the other hand, when you turn to the 4-H Clubs and servicing of schools, as Mr. Taylor pointed out in his questioning of Mr. Williamson, we are not talking about a potential workload. The Negro agents have a significantly greater number of schools to service than the white agents and many more students.

DR. ROBERTSON. I think you have a somewhat different situation. You have to make a choice as an administrator. What you can do to serve the most good—now, I had the choice to pull out all the 4-H Clubs from the schools and go to a community basis and say, these are going to be open to 4-H meetings and no discrimination—or, in other words, just let the chips fall where they may.

And the other alternative was to remain in the schools, and as the schools become integrated, the clubs would become integrated. I chose the latter. We never go to a school unless the principal requests our coming up, because we honor their jurisdiction.

I think if the record would show that we have a number of them going out in pairs now, perhaps not in this particular county, to visit all predominantly white and predominantly Negro schools—I couldn't anticipate anything real fast, unless you pulled out of the schools altogether.

Now, the State of Mississippi did this, and I think they have perhaps a fourth as many 4-H Club members. So it is a value judgment as an administrator, which course to take.

MR. GLICKSTEIN. You feel as the schools are integrated, so will the services become integrated?

DR. ROBERTSON. I know it. There is no question in my mind. MR. GLICKSTEIN. At the moment, 1.7 percent of the Negro children in Alabama attend schools with the whites, so it might take some time for this to happen.

DR. ROBERTSON. I would rather project it will happen rather rapidly once it starts. I think you will have a lot more Negro 4-H Club members than you do white.

MR. GLICKSTEIN. Dr. Robertson, as you know, this hearing is very much concerned with problems of economic security. And

I wonder if you could tell the Commissioners what special programs you have for reaching low-income people in bringing them services.

DR. ROBERTSON. Well, only on a demonstration basis. We have —we try to tailor all of our program to fit the needs of the greatest number of people. I think this is the whole idea of the extension method, is teaching.

Some programs attract limited-resource people, more than others, just as the field pea enterprise has paid off well, the cucumber enterprise.

MR. GLICKSTEIN. What is the first one?

DR. ROBERTSON. Field peas. Field-grown edible peas. Cucumbers have paid off quite well, and they have not been limited to small farmers, white or black. They are grown by all people. I think those, we do have a dairy enterprise selling market milk which is participated in quite a lot by smaller farmers.

There aren't many opportunities for them in selling Grade A milk, perhaps without a lot of investment. On a statewide basis, those are the main programs, I believe.

Now, we do have, following our method of demonstration, we have four counties where we are doing a very fine program in home economics, where we are dealing with the very poor, and using program aids to reach the people working under the direction of a home economist and I personally feel this is one of the better ways to get improved practices into the homes with limited resources.

MR. GLICKSTEIN. Well, considering the large numbers of people in poverty, in this 12-county area, do you think that your programs are adequate to deal with that situation?

Dr. Robertson. I don't think so. I think that they are vastly underfunded.

MR. GLICKSTEIN. Underfunded?

DR. ROBERTSON. If we had the money I don't have any doubt about it. There is no built-in restriction to keep it from happening. Because we have already demonstrated on the basis that we have a four-county demonstration on 4-H Club projects to get a lot of young people in that haven't been in before.

So I think if we had the money to hire program aides, we could do a lot of things at one time. We could train leaders which would fit right into the basic extension methodology, and I think we could solve the problem of getting people out to take advantage of the services, because we have many clubs and housing projects in low-income areas where we don't have established a home demonstration club.

And I think this would be one of the real opportunity areas for education to become disseminated from the success of the projects, and involve the people to train leaders which is badly needed in all areas, particularly in the very low-income areas.

MR. GLICKSTEIN. Dr. Robertson, are there any Negro extension chairmen or associate chairmen in the State?

Dr. Robertson. No, we do not have any.

Mr. GLICKSTEIN. Why is that the case?

DR. ROBERTSON. Well, basically, I haven't—as you know, we work on a cooperative basis, about 42 percent of our budget comes from Federal and about 58 from the State and county. And over the years we have, and we still think this is a basically sound idea to stay with the power structure in order to keep the lines of communication and the revenue coming in.

There would be very little administrative skill required to close up the work in the county, which I don't think this is the purpose of any legislation.

MR. GLICKSTEIN. How are the chairmen selected?

Dr. Robertson. Usually they give me some recommendations, the county does.

Mr. GLICKSTEIN. The county officials?

DR. ROBERTSON. The county, the governing board works with our supervisors, and we haven't had any recommendations for it, and I think——

MR. GLICKSTEIN. Do you have the authority to overrule a recommendation that is made to you?

Dr. Robertson. I could, but I don't have the authority to make them work in the county. I have it, it is the last thing that you do.

MR. GLICKSTEIN. Have you ever recommended to the governing body of any particular county that a Negro be made chairman?

DR. ROBERTSON. No, I haven't, but I will as soon as the people recommend it in the county. Just as soon as the board of revenue recommends to me a Negro county chairman.

MR. GLICKSTEIN. I was suggesting the other way around, have you ever affirmatively suggested it to them?

DR. ROBERTSON. I don't think this would be a good administrative move, frankly. I don't do it because he is a Negro, but I have a lot of compassion and feeling for his effectiveness and his future. When we first integrated the office, I had my training officer to go around and visit with the Negro personnel and urge them to get into our graduate program which we have at Auburn which was set up primarily for county extension workers.

And I haven't been able to get them in. I think you have to recognize the fact to be a county chairman there is a great deal more than just being a representative of the county. You have to maintain contact with the technical field, with the land grant universities, and with the business community.

And the county people and so forth. It is a pretty big job. But as I say, I have no built-in prejudice against having a Negro chairman if he is qualified, and I think we will do everything we could to qualify him for this difficult position.

MR. GLICKSTEIN. Thank you. I have no further questions.

CHAIRMAN HANNAH. Mr. Patterson.

VICE CHAIRMAN PATTERSON. Following up that line of questioning, Dr. Robertson, would you suggest that the quickest way for a county in this area of Alabama to have a Negro county chairman is to elect a Negro county commission?

Dr. Robertson. That is exactly right.

VICE CHAIRMAN PATTERSON. If that commission then proposed to you the name of a Negro county chairman, would you name him?

DR. ROBERTSON. I would get with him and we would have a Negro chairman, it would be somebody that they would be agreeable to and we would try to get the best qualified man we could. We try not to compartmentalize in the selection area, we try to go over the State. I would meet with them, and review together the best qualified man that we have. If they said a Negro then we would get a Negro.

VICE CHAIRMAN PATTERSON. But say the white power structure of that county said they do not want a Negro county chairman would that carry weight with you after the elected officials were Negro?

Dr. Robertson. They would not be the power structure after they got defeated.

VICE CHAIRMAN PATTERSON. You are speaking of a political power structure?

Dr. Robertson. That is generally what I mean. I think this is the thing we have to deal with, in order to maintain the integrity of the cooperative agreement and to get the money. We get something over almost \$1,200 million from the counties in Alabama.

We would not want to sacrifice that 20 percent of our total budget.

VICE CHAIRMAN PATTERSON. Leaning back and looking at the Extension Service and its aims as a whole, I recall in my boyhood in my rural Georgia county that the home demonstration agents used to go out and teach the impoverished farm women in the 1930's how to can.

The basic necessities were what was being demonstrated. Now, in my home county, the home demonstration agent, as Dr. Hannah has indicated, the county agents teach rosebush culture, shrubbery care and lawns and ceramics, even.

And this is quite a change, really, from what I recall of the

30's. And I had thought perhaps it was a benign change until I began encountering the very poor, as you determine them, who remain. And so, quite aside from the increase in appropriations that you say that you need to expand your work, I wonder if you feel that not only in Alabama, but in the Extension Service as a whole, in this time when we do have rural poverty in the midst of an affluent society, perhaps it isn't time to redirect the priorities to reach these very poor people in a more aggressive way than the Extension Service generally, in my State as well as yours, is getting to them. Do you have any thoughts on this?

DR. ROBERTSON. I agree with you whole-heartedly. I just finished a couple of weeks ago a meeting with—district meetings with all of our home economics people, and there is one of the things that has plagued, I think, the extension work most, and I think it is unfortunate that we have become identified with the home demonstration clubs or the more affluent people when actually, when I started in extension work 28 years ago, everybody was low-income, and I think we—I definitely agree that we are going to redirect our work in home economics, because we—this is not a dissatisfaction or lack of interest in people as a whole, but I think we were established for the purpose of helping the people who are low-income.

Had it not been for that, we wouldn't have been born at all. And I think that if we worked hard at it, and got the funds, that we can do it. I think there is a great deal of administrative skill required. I think on a national level you don't—you don't get people to solve a problem by taking away funds, and—without adding others onto it.

I think there is going to have to be a lot of administrative skill at the national level and at the State level and the county level, and to really get at this problem of solving—and I think that we can do it. I am just very confident that we can do it.

VICE CHAIRMAN PATTERSON. I am inclined to agree with you that the money that is being spent at the Extension Service at the time when we do have poverty, should go there first and then into the more peripheral areas second. But is that going to take a decision at the national level, or could that decision be made right here in this State by you?

Dr. Robertson. I don't think that you can do it in a State, because of the power structure and pressures that are on. You see, the first qualification to be a good administrator is to administrate, and anybody can run into a roadblock. And we are faced with the problem of receiving State funds, county funds, and Federal funds. And almost each year the Federal part of the budget is getting less. Now, I personally think, I like this

idea that when the Extension first started that you ought to be on a 50-50 basis between the State and the Federal Government. And I would like to see the Federal Government appropriate money, not pull out some of the budget that is being spent with the people now, because I don't think it—nationally it is but enough to really make a lot of difference, but add on additional appropriations, and earmark it for use with low-income people.

This would solve a multitude of problems. And I think in some counties, I have talked with the some demonstration agent, I would like to say in spite of the harshness of the report, in defense of our people, I think that by and large they have a lot of compassion for poor people as I do.

And I think we could use as many as 25 or 50 program aides in some counties working in clubs with the very low-income people, and we could do quite a lot, and we are doing quite a lot working with the food program and other things. But I think you could say without a reservation that the extent of Extension's programs is gauged by the amount of money.

We have never had enough, so far as I have been able to tell in the 28 years I have been associated with it. I don't think there is any—we don't have any money—the Farmers Home Administration can do this, I think we can supplement and complement the work that they are doing and others, because of our experience in developing leaders and this is one of the real problems is to develop the skills and develop the leaders, regardless of what their color might be and there are many, many poor white people in this State that have as little or no leadership ability as the nonwhite.

I think this is a broad problem, the one of developing leaders. Then get them to the point where they can take advantage of the programs which are available which will do so much good for them.

VICE CHAIRMAN PATTERSON. But you have indicated, too, that it will take a development of attitude on the State and community level to permit this leadership to operate.

DR. ROBERTSON. This is true, undoubtedly, but I think the best way to change the attitude is to bring the appropriations to bear on the problems to be solved, and disregard for the moment the punitive part. This is what irritates people regardless of whether they are power structure or what not.

If you are being penalized by having \$10 million taken away from your going program, you automatically take that as an affront and in terms of the problem at hand, \$10 million or \$20 million or 40 or 50 is really peanuts, in my opinion, when you compare it to the good that could be done.

So I would say that there isn't anything wrong and there isn't

anything that would change the attitude of the people at all levels as to have a program, a positive—I can't believe personally that anybody in their own heart enjoys seeing their fellow man suffer.

I mean, I am just not built that way. I can't buy that. There is something else that is causing it, other than just the sheer joy of seeing somebody economically deprived.

VICE CHAIRMAN PATTERSON. But you are not optimistic that we will suffer enough in our hearts to change the status quo, we just simply need more.

Dr. Robertson. That hasn't been the record over the generations.

CHAIRMAN HANNAH, Mrs. Freeman.

COMMISSIONER FREEMAN. Dr. Robertson, you stated that there is in your opinion a natural inclination to request service from people of their own race. Well, on the basis of that, a county like Sumter, which has 70 percent Negro population, would then have a staff that was 70 percent Negro.

Would you explain the difference, the discrepancy, in the staffing patterns, and your own opinion as to what people want, and how they request service?

DR. ROBERTSON. Well, Mrs. Freeman, I think that first of all you have to have people motivated to get them to come out. I think the record will show——

COMMISSIONER FREEMAN. What I am talking about is that you have—if it is true that they want service from people of their own race, then you would start out with a number of—you would have 70 percent black agents, wouldn't you?

DR. ROBERTSON. Not until you built the caseload up. I think you would eventually wind up with that, assuming that all would be responsive to the request, but I don't think—as a matter of fact, I don't think that you could take any number of technical personnel today and start them down the road and get 70 percent of the people to cooperate on any program.

COMMISSIONER FREEMAN. I am talking about the caseload, for example, from Sumter, where the caseload of the Negro agent was 24 times that of the caseload of the white agent.

Dr. Robertson. That isn't true. That isn't what I am saying. This isn't the case. The potential caseload could be that. Assuming no change in the population between now and the buildup.

COMMISSIONER FREEMAN. Well, on the basis of what is actually the case, you don't go out and see any clientele. Is that correct? Dr. Robertson. That is generally the policy.

COMMISSIONER FREEMAN. What do you mean when you say "generally the policy?" What are the exceptions?

DR. ROBERTSON. Well, the Extension Service was set up on the

basis of training leaders and using demonstration and then the information would disseminate from those demonstrations and through those leaders to the other people. This is the basic concept of extension work.

It has never been envisioned or advocated to my knowledge that extension work would do anything else. It has not had—there have been no indications, in my knowledge, of it that there was —there should be an inclination to go out and do a survey or do a census on an area to find out. Now, this has been done perhaps for the sake of research, or something of that sort.

But this is not in the extension plan at all.

COMMISSIONER FREEMAN. Have you ever considered the possibility that white and Negro farmers would accept service or advice from agents without regard to their race?

DR. ROBERTSON. We do know that they do that in cases. But it is not the general rule. And I think there are reasons for that. I don't think there is anything derogatory about it for either race. If you look at—and I have had the opportunity of working on research projects years ago, if you wanted to interview a population of the Japanese vegetable farmers out in Washington, you would have a Japanese interpreter, interviewer, or somebody who opened the way for you.

Or if you worked—I worked up at Penn State for 4 years.

COMMISSIONER FREEMAN. You are not suggesting that you need an interpreter to talk to the Negro farmer?

DR. ROBERTSON. No, not at all. What I am saying is that you need experience in working with each other. And I don't think that you get that in a hurry. Perhaps—I don't think that you could say this would grow by arithmetic terms. It will grow by geometric terms, because the 3 percent here might jump to 10 percent next year.

I think it is wrong to use a static situation to project what might or might not happen in the future. I think the important thing is to keep talking and doing something. I think this is happening in our Extension Service here.

COMMISSIONER FREEMAN. Do you propose to desegregate any of the programs which you now administer?

DR. ROBERTSON. Well, they are all desegregated in a fashion, and not to the degree—I think Mr. Payne said, 95 percent or 97 percent. I don't know of any program that is completely lilywhite in the State.

I mean, there may be, but I think that we have Negro DHI members, co-op improvement, and we have them come to Auburn to Field Day with beef cattle in great numbers, and I would have to be shown to believe that we have denied services to anybody, white or nonwhite.

COMMISSIONER FREEMAN. As State director, have you on your own ever made any inspections of the services and offices?

DR. ROBERTSON. Yes, I have. I made an inspection in Montgomery just a couple of weeks ago, less than 2 weeks ago, a week ago. I had received a letter that it was segregated, and I went into the office, and I walked in, it is a very long office, very nice office, and I stood at one end of the office and I could see the Negro agents at the other end and white agents in between.

I looked it over, and I wouldn't agree that it is a segregated office. And I talked with the personnel and they didn't feel that it was.

COMMISSIONER FREEMAN. Your finding is that the Montgomery office is not segregated?

DR. ROBERTSON. It just happened to be that I don't have an awful lot of time to visit the county. I am also vice president of the university as well as director of the Extension Service. I spend about 75 percent of my time as extension director and the other 25 in other duties, other extension programs.

CHAIRMAN HANNAH. Dr. Rankin.

COMMISSIONER RANKIN. Dr. Robertson, following her questioning, there is something wrong. We go into a county and we find a majority of the populace needs your services or the services offered by your agency. Yet they don't ask for it. Therefore, they don't get it.

Why does this situation exist? Do they know about the services, or have you made your service wanted, or what is this? Here is a needed service, here you have it to give, and it is not utilized. What is wrong? There is something wrong there.

DR. ROBERTSON. Well, you are asking a question in human behavior. I think perhaps there are a number of things, and I don't qualify as a psychologist. I don't proclaim to know anybody else's mind, but I think there might be a basic—I can't explain it except like I used to hate to go into a bank and talk to the banker.

I had to walk by two or three times before I would go in and talk to him. And I just hated to go into that bank and borrow money, and I think there is probably one of the reasons, considering the lifetime of segregation, having never been in the white office, I think that it is like jumping in a cold pool of water—you have to stick your toe in before you go in.

And it will take a while to do this.

COMMISSIONER RANKIN. But on your side, don't you think that you could make your services more attractive, more acceptable, to these people?

Dr. Robertson. I don't know what to do. We have written—we have educational material written at the third-grade level that

we sent all over the United States that we developed in connection with our pilot projects. We do everything except make people come in and I don't really know how to do it.

COMMISSIONER RANKIN. I have another question. You have great respect for the power structure. Is the power structure always correct, right, do you think?

DR. ROBERTSON. Well, I don't think that I am qualified to answer that.

COMMISSIONER RANKIN. Why is that? Well, sometimes what you think is the proper procedure could differ from what the power structure of a county wanted you to do. What do you do in a case like that?

DR. ROBERTSON. Well, I always try to figure that if I can do the most for the most of the people and make some progress on helping those who aren't being helped—in other words, to improve the service, I think that I am doing better than I would be if I were to say, close out the county work, or something of that sort.

COMMISSIONER RANKIN. If you were to buck the power structure?

Dr. Robertson. I wouldn't put it like that.

COMMISSIONER RANKIN. I know, but I am putting it that way. Would you be willing to buck the power structure or not in the county if you thought what you were advocating was right and was what the power structure ought to adopt? Immediately you might lose, but eventually you might gain by bucking the power structure. Would you be willing to do it?

DR. ROBERTSON. I don't like to answer a hypothetical question. I don't think it is really fair for me to be asked that question, because this is too serious a business to be hypothesized into something that I don't think that we ought to.

COMMISSIONER RANKIN. Well, I think it can become real sometime and not be a hypothetical question. I am sure in the past that it has been real too.

CHAIRMAN HANNAH. Dr. Robertson, I don't want to prolong this testimony, because I am sure that you would be happy if you could get off the witness stand. But I think there are some things that are very difficult for you to say, that perhaps I can ask some questions or make some statements to clarify the situation.

For 10 years of my life I was in the Cooperative Extension Service. That is a long time ago. And the situation in Michigan and in Alabama and in California and in New York is all the same. The Cooperative Extension Service came into being back in 1914, when we were trying to win World War I, and it was necessary to increase the agricultural production of this country.

And we weren't going to get it done unless we could get farm people to make use of the practices that were already known and make them work. And out of this came the Smith-Lever Act and the whole extension system. One of its great strengths is that it was called a cooperative extension service from the beginning.

The Federal Government was to provide some of the money, the States were to provide part of the money, and the counties were to provide some of the money. Now, I think we have to recognize that if you were the Extension Director in the State of Alabama, it is a little difficult to say what you might do, you would recognize that if you did certain things you probably wouldn't get the matching money from the counties and the State that are required to keep the business in operation.

Now, if I understand what Dr. Robertson was saying, he is talking about the county power structure. It is just a fact of life, whatever they call the county board of supervisors in Alabama, you can call it something else—these are the people that are elected by the local people that run the county government.

They are the people that provide the money to maintain the local office. They provide the office in the courthouse or somewhere else, they provide the local telephone service, the cars, and all the local expenses within the county and sometimes more than that.

The money from the Federal Government, this is not a direct aid operation where the financial help comes from Washington, to the county, to Dr. Robertson, or somebody else. It comes from the Federal Government to the land grant college.

In this State it is Auburn. And Auburn has to get its State appropriation, usually outside its university appropriation from the State legislature in Alabama. And so when you are talking about the power structure in Sumter County, I assume that you are talking about the people that spend the money that is collected in taxes in Sumter County.

And they are the people that are going to determine who the county agricultural agent is, and if there are vacancies that occur, they are unhappy with what they are, they are going to take it up with Dr. Robertson and his people and they are going to have to make a change.

This is just a fact of life, you are not dealing with one of these new action programs that came into being in the last 15 or 20 years, it is an old established agency, and this is the way it works. Now, we had some questioning that could make it appear as though the Extension Service put too much emphasis on demonstrations and all this sort of business.

Well, this is the way it is set up. This is the way it is set up in Alabama and set up everywhere else, and this is not very palatable to some of the people in the action programs that are financed with large sums of money, but it is a fact that to get farm people to change practices, it has been found, it was found 50 years ago and 15 years ago and knew that if you want to get the practices changed, you get the farmers to change it, and the fellow can come in and make speeches and you can send in brochures and have TV programs and almost nothing happens.

If you are going to get the job done, you have to get out in the field and find a few farmers, actual farmers like some of these that have been on the witness stand today, to learn how to grow cotton, or how to grow cucumbers, or whatever, to make it profitable, and then the neighbors come to him.

The neighbors don't follow the Extension Service, they don't follow speeches, they don't follow the TV programs, they follow their neighbors. Well, this is just a fact of life. I just want to ask a single question.

I take it that in Alabama the Extension Service, through its home economics, does not play a key role in the Head Start operation.

DR. ROBERTSON. Not a leadership role. We have furnished some of our personnel to be trained for special work with some county action committees—we have—at Auburn—we have trained people for parts of two or three States, I think for two summers.

The home demonstration clubs as such have not been the instigators or the leaders in the Head Start program.

CHAIRMAN HANNAH. One more statement. I don't want to defend the segregation of the Extension Service, but I would like to point out, and perhaps an outsider can point it out more palatably, than someone within the State, that one of the reasons the situation is as it is, is because of the fact that until very recently the land grant colleges in the South were segregated.

There was a land grant college for white people, and in 17 of the Southern States there was another land grant college for Negroes. And generally those land grant colleges for Negroes were pathetically supported, and they were training the Negro agents, and they had no money, they had no facilities, they didn't have the basic science department.

And it is no fault of the Negro agents that have been turned out by these Negro colleges that by and large they are not comparably trained with the young Negroes that are now recently trained or in training, and a part of this handicap in the South is one of long duration and there wasn't anything that you were going to do about it until you integrated Auburn.

I don't know whether you have integrated it yet. But it will

have to be, but certainly we have to integrate the land grant colleges both in the field and in their educational operations. And without excusing you, sir, or the county agent of Sumter County, I think that we need to recognize that there have been many factors over which you have had little control, and in 1968 and in the end of April you still have limited control.

Any more questions that you would like to ask Dr. Robertson? Mr. Taylor. Just a couple, because I am puzzled about what lies ahead. You were saying you needed more in the way of an appropriation. What is your current appropriation?

Dr. Robertson. About \$63/4 million. About 2.8 Federal, the rest,

42 percent Federal, 58 State and county.

MR. TAYLOR. The problem that I have is that when all is said and done, and we have gone through the reasons, I think that you have touched on some of them when you say considering a lifetime of segregation, it is too much to expect people to avail themselves of services, and that would suggest there has to be an outreach. There is not enough of an outreach.

When all is said and done, the Negro people haven't benefited very much by your services over the years. Would that be a fair statement of the facts?

DR. ROBERTSON. Well, I would not want to evaluate the program. I would say that it was operating under a supposedly separate but equal clause which is not true. As Dr. Hannah pointed out, they were trained by schools that were not properly staffed, science has become very expensive, and so really it is a fault of the system of long standing.

As a matter of fact, it is rather remarkable in 3 years' time that we made the progress that we have. I am not trying to pat anybody on the back.

Mr. TAYLOR. I am just wondering now to the extent that the Federal Government is funding any new programs, whether given a practice which I think you said might be undesirable—practice of deferring in all cases to the power structure.

Maybe the Federal Government ought to set up these programs in the future so that that can't happen. Would you agree with that?

DR. ROBERTSON. Well, there are a lot of people before you have suggested a Federal Extension Service with a straight line appropriation as the other agencies. It would have a lot of virtues, and I wouldn't be in a position to say which would be the most effective. But I do say this, that the Head Start people, from other universities, and other people having leadership training programs under Title I of the Higher Education Act, come to us to get our home demonstration agents to help them train leaders, as a matter of fact.

And what I am saying is that I don't know of anybody who has a better system, and in terms of Federal expenditures, I think it is very, very unwise to be as meager with extension appropriations as the last 2, as to the last 8 years. I think this has really been false economy, and I am not running it, and I am not criticizing my boss in Washington. But I really think for \$2,800 million, which is not even postage for some agencies' programs, you have been getting a program—a cooperative program in Alabama that is by all people, at least their public utterances from the President on down—have claimed our progress and the contribution made, I think it is the biggest bargain any country ever got.

Mr. Taylor. Well, just one last comment. I recognize what you have said, and what our Chairman has said, about the difference to the local control. But it seems to me that our responsibility as an agency is, I am afraid, to put you in a squeeze, because as long as you have segregated services in the State of Alabama and segregated offices, and the laws and regulations of the Federal Government say that this should not be permitted, and it is our responsibility to recommend to the Secretary of Agriculture, and to the President, that the services not be continued unless they are brought into conformance with the law——

DR. ROBERTSON. Of course I have never seen a very good definition of a segregated office. I would imagine before you took a drastic action like this that you would need to tie down some ground rules that we would have an opportunity to have—I mean, I am not telling you what to recommend, because that's your job, and if the President feels, or the Congress, that we ought to be knocked out, that is their prerogative.

But I am just trying to say, there are a great deal of differences in people as to what constitutes segregation, what constitutes disenfranchisement of power and so forth. I think that there is a great deal more good things to our program than I have heard today.

CHAIRMAN HANNAH. In fairness to our final two witnesses, we will take a 5-minute recess and then reconvene for the last two witnesses.

Thank you very much. Dr. Robertson. Yes, sir.

CHAIRMAN HANNAH. Ladies and gentlemen, may we have quiet in the room as we reconvene this hearing. Mr. Glickstein, will you call the next witness? MR. GLICKSTEIN. The next witness is Mr. William Payne, a member of our staff, who was previously sworn.

(Whereupon, Mr. William C. Payne, Jr., having been previously sworn, testified as follows:)

## TESTIMONY OF MR. WILLIAM C. PAYNE, JR. STAFF MEMBER, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Payne, I show you a copy of a report entitled "Staff Report, Farmers Home Administration." Did you prepare this report?

MR. PAYNE. Yes, I did, sir.

MR. GLICKSTEIN. Mr. Chairman, may I introduce this into the record as Exhibit No. 11?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 11 and received in evidence.)

MR. GLICKSTEIN. Mr. Payne, would you please summarize this report for the Commission.

MR. PAYNE. The Farmers Home Administration makes longterm, low interest loans to low-income farmers and rural residents who cannot secure credit elsewhere. Loans are for both current operating expenses and for capital purposes such as the acquisition and development of farmland and the construction or repair of rural housing.

Although considerable progress in expanding equal opportunity in loans has been achieved by the Farmers Home Administration nationally the record in Alabama remains a poor one.

An analysis by Commission staff of FHA loans in Alabama in the last 3 years indicates that wide differentials exist between white and Negro borrowers in the proportion of loans applied for that are approved, in the proportion of capital investment loans made compared to the need that exists, and in the average size of loans that are made.

Although Negroes have been receiving an increasing number of FHA loans since 1965, they still receive significantly smaller proportions of the total money loaned. In 1967, Negroes received 35 percent of the operating loans in Alabama but they received only 16 percent of the total money loaned. Similarly Negroes received 31 percent of the emergency loans in 1967, but they received only 11 percent of the total money loaned.

The average size of FHA loans received by Negroes is significantly less than that received by whites. The size of a loan is closely related to the ability of the borrower to repay the loan, and those borrowers with larger operations, proportionately more of whom are white, are more likely to be willing and able to repay larger loans. But the differentials in the size of loans received

by Negroes as compared to whites are so great as to raise the question of whether differences in size of operations and repayment ability can alone account for such differentials.

An analysis of FHA loans in the 16 Alabama Black Belt counties of special interest to these hearings revealed that the average size of a farm ownership loan received by whites in 1967 was over \$13,000. The average size of such loans to Negroes was just over \$7,500—or a difference of more than \$5,500. The average size of a rural housing loan received by whites in the 16 counties was over \$9,500. The average size of such loans to Negroes was less than \$4,800—or a difference of over \$4,700. Proportionately, differences in the average size of current expense category loans for Negroes are greater. The average size of an operating loan received by Negroes in the 16 counties in 1967 was only 31 percent of the size of loans received by whites. The average size of an emergency loan received by Negroes was only 11 percent the size of the loans received by whites.

A few specific examples from the 16 Black Belt area counties illustrate the comments generalized before: In Choctaw County, where Negroes comprise 50 percent of the farm operators, nine whites and 25 Negroes received operating loans in 1967. The average size of the loans to whites was over \$4,200. The average size of the loans to Negroes was only \$950. In Hale County where Negroes comprise 63 percent of the farm operators and 74 percent of the rural population, there were nine rural housing loans, averaging over \$9,360 per borrower, that were made to whites in 1967. In that year, there were no rural housing loans made to Negroes.

In Marengo County, where Negroes comprise 63 percent of the farm operators and the number of Negro owners is equal to the number of white owners, there were seven farm ownership loans, averaging \$24,500 made to whites in 1967. In the same year, there was only one farm ownership loan made to a Negro, and it was for \$11,500.

Employees of the Farmers Home Administration are part of the U.S. civil service system and therefore subject to the Federal Executive order regarding nondiscrimination in employment. Nevertheless, only seven of 202 FHA employees in Alabama are Negro. Only one of the 24 professional employees in the FHA State office is a Negro. None of the clerical workers in the State office is a Negro. In 26 counties that were studied by the Commission, only six of the 39 professional workers were Negro, and they were located in only two counties. None of the 38 clerical workers in these counties is a Negro.

Applications for FHA loans are passed upon by a three-man county committee appointed by the State FHA director. In 1964,

none of the committeemen in Alabama was a Negro. Today, 30 of Alabama's 183 county committeemen are Negroes, although there are 12 counties where the Negro farm operators are in the majority. There is no county in Alabama with more than one Negro on the county committee.

In its 1965 report, Equal Opportunity in Farm Programs, the U.S. Commission on Civil Rights criticized the Farmers Home Administration by saying that and I quote:

"It had not given comparable service to Negro farmers... either in terms of the size of loans, the purposes for which loans are to be used, or the technical assistance necessary to fully achieve the purposes of such loans."

There has been progress since the Commission's 1965 report but wide differentials remain which fall more heavily on Negro borrowers. In addition the Farmers Home Administration is understaffed and the funds it has at its disposal are far short of what is required to make a significant impact on black farmers in Alabama.

That concludes my summary.

CHAIRMAN HANNAH. Thank you very much, sir. You are excused. Mr. Glickstein, will you call the next witness?

MR. GLICKSTE:N. The next witness is Mr. Robert Bamberg.

(Whereupon, Mr. Robert C. Bamberg was sworn by the Chairman and testified as follows:)

## TESTIMONY OF ROBERT C. BAMBERG, MONTGOMERY, ALABAMA

MR. GLICKSTEIN. Mr. Bamber, would you please state your full name and address for the record?

Mr. Bamberg. Robert C. Bamberg, Montgomery, Alabama, 717 Aranov Building.

Mr. GLICKSTEIN. Mr. Bamberg, what is your occupation?

MR. BAMBERG. A farmer.

MR. GLICKSTEIN. Pardon me?

MR. BAMBERG. A farmer and State Director of FHA.

MR. GLICKSTEIN. Mr. Bamberg, there are a number of things that I would like to discuss with you, but just a little while ago we heard some testimony from people representing SWAFCA. Are you familiar with the loan application of SWAFCA?

Mr. Bamberg. Yes, sir.

Mr. GLICKSTEIN. Do you have responsibility for administering these funds?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. You have been quoted as saying that "this is a loan, not a grant, every loan we make must meet certain stand-

ards for soundness." Are these FHA funds that you are going to administer?

Mr. Bamberg. This is OEO funded funds through FHA in the case of SWAFCA.

Mr. GLICKSTEIN. They are OEO funds?

Mr. Bamberg. Yes.

MR. GLICKSTEIN. Why are you applying the same standards to these funds as you might apply to ordinary FHA funds?

MR. BAMBERG. I have, under the OEO, authority to fund up to \$100,000 in a co-op loan.

This application asked for \$852,000, which is beyond my authority. When this came in, I asked the national office to give us guidance in this, and they sent three men at one time, and two at the other, to work with my chief of community facilities, and they are the ones that wrote up the loan agreement.

MR. GLICKSTEIN. So in other words, it is those people that are applying the usual FHA standards to these funds rather than the OEO standards?

MR. BAMBERG. Now I didn't go to Washington, but my chief of community facilities did, and I think there was a council between FHA in Washington and OEO in writing up these standards of qualifications which they must meet.

MR. GLICKSTEIN. Did you prepare, or did your office prepare the original recommendations that were made to Washington?

Mr. Bamberg. Well, the request came in, and then that is when I asked the two men out of Washington in the community facility division, to come down and they with my chief went to Selma, and worked in making up the agreement.

MR. GLICKSTEIN. You are acknowledging, then, that the standards that are being applied to the SWAFCA loan are more or less like the usual FHA standards, rather than the OEO standards?

MR. BAMBERG. Well, it is loan money and not grant money, and you have to treat loan money as such, and grant money as such.

MR. GLICKSTEIN. The testimony we heard before indicated that among other things, the requirements were that your office had to approve whatever legal counsel SWAFCA engaged in and, as a lawyer, I am particularly interested in that.

MR. BAMBERG. That came out of the representatives of the national FHA office and OEO.

MR. GLICKSTEIN. I notice in the instructions prepared by the Department of Agriculture for granting of loans to cooperatives, it says "attorneys will not be recommended or approved by any FHA employee." Is this then, an exception to your usual instructions? Is this a departure from what is generally done?

Mr. Bamberg. State your question again?

MR. GLICKSTEIN. I notice in the FHA instructions that have been prepared by the Department of Agriculture, for loans to cooperatives, it says "attorneys will not be recommended or approved by any FHA employee."

And yet, under the regulations the requirements being applied to SWAFCA, FHA employees are going to approve attorneys.

MR. BAMBERG. We do not say in any of our loans for loan closing purposes, who legal counsel will be. If it is the co-op, they select the lawyer in our regular program, and if it is an individual loan, the individual.

Now we have lawyers in each county who may be one to five or six, but that is left with the person whom we are making the loan, because we can't get in and recommend this lawyer, or another according to the regulations.

MR. GLICKSTEIN. You can't recommend them, but under the qualifications that are attached to the SWAFCA loan, I understand that you have to approve their lawyer.

MR. BAMBERG. Well, Mr. Glickstein, I would have to say that you have to go to Washington to get the interpretation on that. Because we didn't—we worked through the two men out of the national office, OEO representatives there, and my chief of community facilities. And this was given to us, in turn, we passed it on to the SWAFCA organization.

MR. GLICKSTEIN. So you think that it was in Washington that they departed from what seems to be the usual procedure?

MR. BAMBERG. Let's say the representatives in Washington did. MR. GLICKSTEIN. I see. Mr. Bamberg, what do you think the chances are that SWAFCA is going to be successful?

Mr. Bamberg. Well that would just be an opinion, and I don't think that opinions would be worth anything in the evidence of this hearing, so to speak, because you might say I—the Chairman here knows the ingredients that is necessary for successful co-op, and if they have the ingredients, why I see no reason.

All I can say is that we, that are employed in FHA, are dedicated to try and make it a successful venture if and when the funds are funded.

MR. GLICKSTEIN. What is your impression thus far? Do you think it has the ingredients for success?

MR. BAMBERG. I don't know, because I haven't had a chance to observe it, because last year they operated under an OEO grant. And I am not knowledgeable of their operation last year.

MR. GLICKSTEIN. But you have to become knowledgeable about their operations to administer this \$800,000, wouldn't you?

Mr. Bamberg. Right.

MR. GLICKSTEIN. Mr. Bamberg, I suppose you heard the staff report that was just delivered, and among other things that staff report indicated, or the reports on which it is based indicated, that in 16 counties last year, FHA made 120 rural housing loans to whites, which involved almost three times as much money as

the 92 rural housing loans that were made to Negroes.

In view of the predominance of the Negro population in the area, or the needs of that population, how do you explain the relatively low numbers of Negro participation?

MR. BAMBERG. Well, you can't explain it other than this, that some people have more resources to borrow more money than others.

And I will agree that our operating loans, our housing loans, and our farm ownership loans are smaller. But with the number of acres of land, if you are making a farm ownership that is going to take into consideration what size loan therefore you are going to make. The repayment ability on a rural home and his income, depends upon the size of home that you build for him. So you have to fit each loan to each individual who comes in and makes an application.

MR. GLICKSTEIN. So you are saying that not only would you explain the figures that I just gave you on the basis of economics, I suppose, but this would also be true to explain why the average loan to Negroes is smaller than the average loan to whites?

MR. BAMBERG. Well, it goes back to this, in many cases our nigger population has small acreage. You heard a discussion here today, I believe 167 or 170 acres was the largest land owner that we had. We had one here said he had 12 acres, one said he has two.

Well, there is a tremendous difference what we would loan to a man who has a 170 acres, and one who had two or 12.

MR. GLICKSTEIN. Mr. Bamberg, you seem to be suggesting that because white farms are larger and more profitable, it is appropriate to expend more FHA funds to help these farmers than smaller farmers in greater need.

Doesn't this mean that FHA programs are of more benefit to affluent farmers than to small farmers?

MR. BAMBERG. Well, I don't think so. I think that we have got probably 100 people in here, and if you go out to borrow, each person would borrow according to the ability to pay back, when you are making a loan, and that is the only way I see it. If a man is smaller, where you can't make him as large a loan as if he was larger.

Mr. GLICKSTEIN. Well, Mr. Bamberg, the figures that we have indicated that of 154 operating loans made to whites, each loan averaged \$4,200. And of 623 operating loans made to Negroes, each loan averaged \$1,300.

Mr. Bamberg, isn't \$1,300 approximately the value of the goods advanced by furnishing merchants every planting season, and during the typical year to a typical Negro farmer on small acreage—wouldn't that be roughly the amount of money that would be needed?

Mr. Bamberg. Well in making our operating loans, we have got

to know how much and what he can produce and what he can pay back, and that limits the amount of money that we can loan him.

Now if it was a grant, I would say certainly, we could double it or triple it, but this is loan funds, and so we have to design our farm plan and our operating plan there to provide him with the funds for which he can pay back from the return.

MR. GLICKSTEIN. So in this respect what FHA is doing is probably not much different from what a furnishing merchant is doing?

Mr. Bamberg. Well, it's a—whether it is fortunate or unfortunate, local banks generally speaking, local lending agencies, furnishing merchants, individuals are not interested too much in small farm loans. It is much easier to get a loan for a refrigerator or an automobile than it is to get a loan to go out and grow some food and fiber.

MR. GLICKSTEIN. The point I am trying to make is that we heard testimony this afternoon from a furnishing merchant, and he seemed to be making loans available to people that came to him that were about the same size as the ones that we are talking about now.

So I was wondering whether the FHA isn't duplicating or replacing the activities of furnishing merchants?

Mr. Bamberg. Well, we are not designing our programs after the furnishing merchants. We are only designing it on the ability of the individual to repay the loan with a reasonable amount of success. We don't—we are not always assured of it, but to the best of our judgment, we are hoping that he will.

Some years—this past year in 1967, we had a number of farmers in North Alabama with a complete failure, so we had to let him ride another year and make him a subsequent loan in order to take care of him, and keep from washing him out of the business.

MR. GLICKSTEIN. In addition to taking into account the farmer's ability to repay the loan, do you also take into account the amount of money that he might need to place his operations on a successful basis, so that he can get out of debt and run a profitable operation?

MR. BAMBERG. We do.

MR. GLICKSTEIN. You do take that into account?

MR. BAMBERG. Yes, sir.

MR. GLICKSTEIN. Mr. Bamberg, we heard testimony this morning from a witness who said he went to an FHA office to get a loan, and he was told that he could have money, but that the money would be placed in a bank account, and every time he wanted to spend any of it, he had to come to the FHA office and have the check countersigned and have the particular item approved.

How common is that form of operation?

Mr. Bamberg. It is the practice of FHA and that is what we call supervised bank account. We write a form plan and designate what money will be spent for what items.

Now I am sure that there is no one here in this room, but we have people that if we loan them \$2,000 and turn it over to them, they would go out and buy a pickup truck and that would be the end of it. So we have got to supervise and see that he gets seed, feed, fertilizer, and insecticides, rations and what is designated in the farm plan so that when the time comes, he will have it.

Now it is just the way that we have to operate, because that is one of the reasons why local banks today is not interested in these small farm loans, is because they cannot give supervised credit. So they say we don't want it.

If you are large enough to have the security there and you don't need the supervised credit, then you can go to the bank, and lots of our farmers do. But we do have a lot of poor people and less fortunate people who has to have supervised credit.

MR. GLICKSTEIN. Is that a fairly common type of loan?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. And you think that does serve a worthwhile purpose?

MR. BAMBERG. It certainly does, because when we say that a man needs X dollars for feed, fertilizer, and seed and insecticide, you name it, we know that when we countersign a check for that, we know he is going to get it, and we hope we will give enough supervision to see that he applies it.

MR. GLICKSTEIN. You heard the testimony, I believe, this morning of a witness who made this statement. Is that correct?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. He seemed rather disturbed about that. Do you think that its an uncommon feeling?

MR. BAMBERG. Well, we don't run into any trouble, just occasionally among individuals. It is accepted, it has been practiced for years and years and when we make these loans that we give the supervised credit, that is one of the successes of the Farmers Home Administration is the supervised credit and the supervision which we give them.

MR. GLICKSTEIN. If you have somebody come in that you feel is a person of great responsibility and very dependent, would you give him money outright without supervision?

Mr. Bamberg. No, we had this year an emergency in North Alabama in which we had some very prominent farmers come in and wanting emergency loan funds, at 3 percent interest. And we said you will have to put it in a supervised credit in the bank, the money, in the supervised credit, and he said I have never been budgeted.

Well, apparently he didn't need it. But all of our services, we try to give supervised credit and supervision, because we are spending your money, and the Commission's money here, and we wanted to do it in a businesslike way.

MR. GLICKSTEIN. And does this supervision apply to loans of almost any size, or does it attempt to apply to smaller loans?

Mr. Bamberg. No, all loans.

MR. GLICKSTEIN. Somebody wants \$15,000 loan?

Mr. Bamberg. Right, housing, farm ownership, operating loan, or all loans that we make.

Mr. GLICKSTEIN. Regardless of the size they are generally supervised loans?

Mr. Bamberg. Yes, sir. Of course you can see this, it takes less supervision with certain intelligent people than others. You have got that, it doesn't take as much with some people as it does with another one.

MR. GLICKSTEIN. But these certain intelligent people would still have to come in and have the checks countersigned and get the approval of the agent?

Mr. Bamberg. Right.

MR. GLICKSTEIN. Mr. Bamberg, you mentioned you were a farmer?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. Do you have tenants on your land?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. How many of them are on your land?

Mr. Bamberg. Oh, I haven't counted them up for a few days. Tenants shift around. Eighteen to 20, somewhere between 18 and 25.

MR. GLICKSTEIN. And you charge them rent?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. Approximately how much?

Mr. Bamberg. On a share basis.

MR. GLICKSTEIN. On a share basis?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. You mean it depends on how they do in the year?

MR. BAMBERG. What they make out of the crop.

MR. GLICKSTEIN. And do you advance them seed and fertilizers and things of that sort?

MR. BAMBERG. Yes, sir.

Mr. GLICKSTEIN. Do you have any idea about how much you advance them each year?

Mr. Bamberg. Well, it depends. I give each family what cotton they want to work. And any that they don't want to work, then I work it with what I call a day squad. But I give all of my tenants all of the cotton that they want.

Now, I have to be able to keep cotton because I went out and bought land that had cotton on the land and kept my contract.

At one time I was planting a good many acres, but over the years it was cut down and cut down, but I always buy a little piece of land with some cotton acreage on it, so I would put it with them. So today each one of my tenants has as many acres as he feels he could work.

MR. GLICKSTEIN. Do you charge your tenants interest on the money you loan?

Mr. Bamberg. I charge interest until the 1st of September. I charge them 6 percent interest as of the books of the 1st of September. Anything that they receive as far as cotton-picking money, or doctor bills, or medicine, or ginning, warehouse and storage, I don't charge them any from September on.

MR. GLICKSTEIN. From September to December 31?

MR. BAMBERG. Right. Generally it is the first of December that I settle up.

MR. GLICKSTEIN. In other words, if people come in with doctor bills and so forth in October, you advance them the money, but you wouldn't charge them interest on that money?

MR. BAMBERG. That's right.

MR. GLICKSTEIN. What is the FHA interest rate?

MR. BAMBERG. Well we have got three or four on emergency loan—we have got 3 percent interest. Operating loans is 5 percent, and some of our housing, above moderate it goes up to 6½ and 6¾, but for all practical purposes, it is around 5 percent, operating and farm ownership.

MR. GLICKSTEIN. How do your tenants do each year?

MR. BAMBERG. Well I—this is my 20th year, and I have never had a tenant, when I settle in the fall of the year, that didn't clear money.

MR. GLICKSTEIN. They do clear money?

Mr. Bamberg. Yes, sir.

MR. GLICKSTEIN. Is it a significant amount, or

MR. BAMBERG. Well, it varies from year to year. It depends upon the crop he has.

MR. GLICKSTEIN. In the thousands, sometimes?

MR. BAMBERG. Oh, I would say my tenants would average, if you take the whole group, they average around \$1,000 or \$1,200 a year that they clear after they've lived, pay all expenses and everything else. That comes in a lump sum check to them around the first of December.

MR. GLICKSTEIN. What do you think that your tenants would need to be even more successful?

Mr. Bamberg. I beg your pardon?

MR. GLICKSTEIN. What do you think would have to be done for your tenants, for them to be even more successful?

Mr. Bamberg. Well, I reckon this is where I just as well turn loose. I was kind of saving this.

I have been in agriculture all of my life, in one position or another, farming, and thus and so. I have been a champion for 30 years, Mr. Chairman, for parity of agriculture. Now the last 30 years, outside of just 2 or 3 years in there during the war periods, the farm earnings have gotten 70 or 75 percent of parity that is the fair price of what they sell in comparison to what they have to buy.

Every 4 years when we have elections, every candidate that is running for President of the United States says, support me and I will give you parity. I was in World War II, and they said, farmers, if you produce back home here, you will write the peace and enjoy the posterity and everything else. Today we are getting between 70 and 75 percent of parity.

Now, all of you—and I am too—are concerned with the shift of people from the rural areas to the cities. The gate has been opened, the horse is out, it is too late, gentlemen. If you had started 30 years ago to give farmers parity for what they produce in foods and fiber, you wouldn't be in this shape today. There is nothing today that can stop the migration of the farmers to the city as long as they only receive 70 or 75 percent of parity, Mr. Chairman.

MR. GLICKSTEIN. And people just continue to leave the farms? MR. BAMBERG. Continue to leave the farms, yes, sir. Now we are going to keep some, but there is going to be a continuous outgoing. As I said, I have been very concerned, parity is nothing that is unreasonable to ask for. It is fair, but agriculture has got to pay for this built-in maid service, which your wife enjoys, consequently the farmer has to pay for it and that is the reason he doesn't get parity. That is one of the things. There are many others that I could mention.

MR. GLICKSTEIN. Well, this migration that you say is going to continue because of not paying parity, is that likely to involve smaller farmers like tenants on your land, or are you likely to move to Atlanta?

Mr. Bamberg. You mean me move to Atlanta?

MR. GLICKSTEIN. Are you likely to give up farming and move to a big city also?

MR. BAMBERG. No, I don't think so. I am like a lot of people who testified here today, I don't want to go to the big cities. It just frightens me to go to Washington. Among all those mausoleum buildings up there, I have a depressing feeling when I go up there and get out from up there. I don't want to go there. I would rather stay out here and enjoy a little poverty than prosperity in Washington.

MR. GLICKSTEIN. Thank you Mr. Bamberg. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Dr. Rankin, I want to turn to the other end of the table.

COMMISSIONER RANKIN. I don't have any questions. I liked the remarks on parity. I was interested in that.

COMMISSIONER FREEMAN. Mr. Bamberg, the testimony concerning the great disparity between the amount of the loan that a Negro farmer is able to receive and the size of a loan that a white farmer is able to receive, plus the former testimony from Dr. Robertson and Mr. Williamson, and the staff reports concerning the inadequacy and the disparity in service, are very disturbing and have some very distressing implications.

Earlier we heard a witness say that he made loans at 8 percent interest to farmers, all of whom were black. Yet if they had been able to get an FHA loan, they would have received a loan at 3 or 5 percent.

We have heard testimony concerning desegregation and even some efforts to justify this.

Have we, on this basis—has there really been any advancement from the slave culture or the slave attitude in this State?

MR. BAMBERG. Well now, you have asked about six questions in one. I don't know whether I could remember all of them.

COMMISSIONER FREEMAN. I would like them all answered. I will repeat them.

MR. BAMBERG. First let me say this: You can't ever apply yard-stick and say this man has 10 acres of land, so he needs so many dollars, and this man has got 100 acres, so he needs 10 times that much. Because you have got to look at the whole operation and what he's got, what his farming—he may not have nothing but about 10 acres of cotton out there, and that is all he has. He may have a livestock program, or he may not have enough land to have a livestock program.

What we do in our farm operating loans, and farm ownership loans, is we—our family farm is considered one in which the family labor, plus one hired hand, or seasonal labor may come in as if in truck crop. Now if you were running a beef cattle farm, your family and one hired hand could handle many more cattle than if you just had X number of cotton and nothing else.

So you can't put a yardstick on there and say this man—we can only loan you so much because that is all your repayment ability is.

Now if he has enough resources and if you are able to buy enough land where you can put him in hogs, put him in poultry, put him in beef cattle and in dairy, I expect that we financed 75 percent of the dairymen in Alabama, you see.

COMMISSIONER FREEMAN. But it is for the white farmer only?

Mr. Bamberg. You have colored dairymen, yes, we have a lot, yes, sir.

COMMISSIONER FREEMAN. Now, it appears that the poor black farmer is still as poor and discriminated against today.

Now one of the students on Saturday said that the system needed to be changed. But on the basis of what I heard, I seem to agree with him. These programs as now constituted have not changed the condition of the poor black farmer in Alabama.

MR. BAMBERG. Well, you have got this, you have got, you have got one or two things you can do. You can go to a welfare program or a grant program and give it to him, or you are going to have to put it on a loan program on a business basis. Who is to say what happens?

The only thing I will say is, we are giving a grant program and we are going to administer it fair and impartial. If we get a loan program, we are going to do the same thing, but you can't put a loan program out on a grant basis, or neither can you put a grant program in a loan program.

In other words, one is one thing and one is another.

Now, I don't know no way to take loan funds and treat it as grants, or take grant funds and treat it as loans. It is two different kinds of money, even though it buys the same thing.

COMMISSIONER FREEMAN. Do you have any recommendation to make of any Federal program that would help these people?

MR. BAMBERG. Well, let's say this, just to give you some facts and figures, because this is a good day for facts and figures. I didn't know Mr. Payne had so many, but he must have wore out the census that we have here in Alabama. I am not a career man in FHA as I told you yesterday. I have only been here a little over 3 years, as State Director. But the first year I came in in '65, we loaned \$20 million, in our loan program. The next year we went to \$25 million. In '67 we went to \$36 million.

Now last year and this year, if we had the funds, we are out of funds now, and this is the first of May. Now there is no telling how much money we could loan if we had it, but we are out of loan funds for all practical purposes now, and it is two months to go in this fiscal year.

Now the same thing when I came in we had about 198 permanent employees and we have got about 203 now we have got to service. It is easy to loan money. I could stand out at Maxwell Gate here and loan money all evening, but the thing that disturbs me is getting it back.

In this year, in this last 3 years, we have come up there with \$100 million, plus maybe another \$100 million that we had loaned out over a long period of time. So it takes a lot of servicing. But we haven't been able.

We did make a request to Washington, according to the criteria

which we employ people and staff our county office, the criteria says that we need 95 more employees to service the loans that we have got.

Now I don't know how to do any more than what we are doing. COMMISSIONER FREEMAN. Are your offices segregated?

Mr. Bamberg. No.

COMMISSIONER FREEMAN. How many Negro employees do you have in supervisory positions?

Mr. Bamberg. Five.

COMMISSIONER FREEMAN. Out of a total of how many?

MR. BAMBERG. Six. One in the State office, five in the county office.

COMMISSIONER FREEMAN. You have a total of 200 employees over the State?

Mr. Bamberg. 203.

COMMISSIONER FREEMAN. 203 of whom five are Negro?

Mr. Bamberg. Six, yes.

COMMISSIONER FREEMAN. Is it your judgment that there is equality of opportunity?

Mr. Bamberg. Well, it is equality of opportunity as far as being able to hire anybody, because the 3 years I have been in here, we stepped up, we put on one, two, three, four, five—four Negro employees. And we've only had five given to us. So that is about as equal as you can get when you get five.

COMMISSIONER FREEMAN. You moved from one to five?

Mr. Bamberg. When I came there was one. No, it had two when I came in and we have gone to six.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Bamberg, as you know, a lot of changes are occurring. Federal Housing Administration, for instance, used to run a pretty conservative lending shop and help build the suburbs of America. Now they are taking some higher risk loans. They are like you, they run out of money. But instead of loaning them to safer borrowers, they are now taking some higher risk borrowers, even private enterprise is doing it. The insurance industry put up a billion dollars.

Now do you feel that you are also moving in that direction, in the administration of what loan money you have got in the——

MR. BAMBERG. We are up on our rural housing, Mr. Patterson, we are building now a large number of what we call low cost housing. That is \$4,000 to \$6,000 housing, which will cost a family \$28, \$30, or \$32 a month, with all the bath facilities, heat, made out of concrete blocks, and if you had the time I would like to carry you over here in one county adjoining where we built a number, we zeroed in on more local housing in the last 6 or 8 months than we did in the last 2 or 3 years prior to that.

VICE CHAIRMAN PATTERSON. Considering the real poverty of the low-income farmer that we have seen here, you are moving in that direction?

Mr. Bamberg. Yes, sir.

VICE CHAIRMAN PATTERSON. You are taking the higher risk loans?

MR. BAMBERG. Yes, sir.

VICE CHAIRMAN PATTERSON. Putting your other hat on as a farmer, and a former Commissioner of Agriculture in this State, Mr. Bamberg, what would happen to the cotton farmers, you or the small farmer, if Government, instead of raising this 70 or 75 percent of parity, just withdrew government price supports on cotton? What would happen?

Mr. Bamberg. Well, we would be out of the cotton business in the Southeast.

VICE CHAIRMAN PATTERSON. Why are we growing it, if it is not economically feasible?

MR. BAMBERG. Well, it is the trade of the race, I guess, or the people. We just don't want—In other words, we are a number one nation cottonwise, so to speak. We just don't want to relinquish the throne of being cotton king, so to speak.

But the fact remains that the reason we are caught in this squeeze is because of the price squeeze. You can go to Mexico—I was down in Central America, you could hire all the labor you want for 40 cents a day, and you go anywhere else in the country, where they are growing cotton and they don't have the minimum wage and people say the minimum wage is \$1.25, that is not much. I would like to pay \$5 an hour, but I can't do it because I can't make the income.

We are caught in that squeeze and we are trying to hold on until somebedy thinks he could devise a program that would be workable enough to where we will come out of it. I have given up on cotton, frankly.

VICE CHAIRMAN PATTERSON. Of course our textile mills in the Chattahoochee Valley use western cotton instead of our cotton because of the quality?

Mr. Bamberg. Right.

VICE CHAIRMAN PATTERSON. Isn't it true that probably the bulk of the cotton that you grow in Alabama goes into the Government loan instead of the market?

MR. BAMBERG. I wouldn't say that, Mr. Patterson. Out in the areas of Texas they grow a short stable of cotton. Some of it is 15-16, and %ths inch.

A year or two ago, we had several million bales, and they said it wasn't worth anything. I said take it out to the Colorado River and throw it in there, get rid of it, don't pay the storage. Cotton prices went up this year, and today I doubt that we have got 250,000 bales. They spun it, you see. They say, "Oh, I know there is quality of spinning and quality in cotton," but when it comes down to dollars and cents, they will improvise some means of spending it because they have diminished this 4 or 5 million bales of short stable cotton that we had out in Texas just a year or so ago.

VICE CHAIRMAN PATTERSON. This is a whole heap of Federal spending that we are doing to support that cotton price.

MR. BAMBERG. Right.

VICE CHAIRMAN PATTERSON. And you say you would like to see this parity go up from 75?

Mr. Bamberg. Just parity. I don't think that I am asking anything unreasonable as a farmer, or as a State Director of our Farmers Home Administration, to just say give farmers a fair price for what they sell in food and fiber, because, Mr. Patterson, do you realize that as a farmer, and as these farmers back here, I am and they are the only person that raises two things that you have got to have, food and fiber.

Now the Lord gave you air, light, and water, but you have got to have food and fiber, and I belong and the other farmers in here belong to that elite group, because you have got to have me. You can't go along without that food and fiber, and I think that we will never get it because we are such a minority group in the whole combine. But we are entitled to it. Let me put it that way.

VICE CHAIRMAN PATTERSON. Of course, to raise that parity you go into a very big Federal spending increase, don't you?

MR. BAMBERG. Maybe that, or maybe you won't buy so many radios and television and take-home goods that are not necessary and put more into foods and fiber rather than just the few cents that you take out of your take-home dollars, why you just take a few pennies out of every dollar for your food and fiber and the other things, like refreshments and silk handerchiefs, and things like that, that is not absolutely necessary we buy that, but we say, "Oh, here I have got this food bill is awful."

And it is not \$2 worth of food in there, toilet water, you name it.

VICE CHAIRMAN PATTERSON. Mr. Bamberg, I am too fat already. But I am worried about these folks that aren't, and they are a real problem, and you are right, we have got to make a judgment here on where we can best spend our money to meet this human problem of the poor folks.

My question is, if we are going to spend a lot of Federal money, should this Commission report to Congress and the President, that the place to put it is in rural Alabama, or in the big cities where you say they are going to go anyway?

MR. BAMBERG. I will say this, if you don't put it in rural

Alabama or rural America, they are going to the cities. I don't know now whether it will stop it. I think it will slow it down.

I know 30 years ago when I was hollering parity back in the 30's, '35, '36, '37 and '38, I know then if we had a crash program to give farmers parity, we would never have had this movement.

VICE CHAIRMAN PATTERSON. We didn't do it.

MR. BAMBERG. We didn't do it. Now what I am saying is, it is cheaper to spend it in the rural areas as it is the cities.

VICE CHAIRMAN PATTERSON. But could we hold these people on the farms, these poor people, as someone pointed out, our panel of Negro land owners this morning were probably over 50, and we heard many of them testify that their children are in Dayton, Ohio and Cincinnati and other places.

Now, is there really a hope, considering the mechanization of your agriculture, is there really a hope keeping these young people on the farm?

Mr. Bamberg. I don't see no alternative that you got. You don't have any other recourse. You either do that, or you invite them to come to town, if you don't spend it in the rural areas.

Let me give you an illustration. FHA does loans for community facilities, water systems, sewerage systems, in towns of 5,500 and less. We can't get in above that. Now, for the whole United States, I think that we have got \$30 million and maybe \$5 million in grants to help supplement these little water systems that go in, and we build them, maybe 80, 90, or 100 here in Alabama I suppose, I don't know how many.

Now there are other agencies like HUD and EDA that gets millions and millions of dollars in grants and loans, and you pick up a paper and here is Atlanta that has X number of millions of dollars for a sewerage system, or a water system, Birmingham, Huntsville, and Mobile, and here is the Farmers Home out here working the rural area. I think in the United States, I think we have got \$30 million for loans and \$5 million for grants.

VICE CHAIRMAN PATTERSON. A city the size of Atlanta can't qualify for EDA.

Mr. BAMBERG. What about HUD?

VICE CHAIRMAN PATTERSON. A little of that.

MR. BAMBERG. You have got two shots and the rural area out here has got one shot, that is the Farmers Home and they don't have nothing but just pocket change.

VICE CHAIRMAN PATTERSON. In trying to devise a program, in my own thinking, if we are going to spend a lot of Federal money, I don't want to see it wasted, and here, if you feel that here in the cotton economy where you are growing a crop that is propped up by Government, where you're seeing a decline in population anyway and a movement of the young to the cities that maybe we are barking up a wrong tree to even look at the rural prob-

lem and just go on and try to figure out a program in Atlanta and Dayton and New York and Cincinnati.

MR. BAMBERG. Well, I think this here, whether this would work or not, I don't know and anybody don't know, but I said that I think you could correct it cheaper in the rural areas than you can in the urban areas.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Mr. Bamberg, you almost got me shedding a tear for the plight of the large commercial farmer.

MR. BAMBERG. No, you know what I am talking about I am talking about the folks out here that farm. They will benefit just as much as anybody else.

MR. TAYLOR. I am not enough of an agricultural economist to know how raising parity payments would benefit the small economic farmer.

Let me ask you something else---

MR. BAMBERG. You know this, for an illustration, let's say, and I am just going to pull the hat out, let's say that you get \$20,000 a year. Well now, the Government comes up and says that is too much for you. We are going to cut you to 15. You can tell the difference there, couldn't you? That is the same thing with cotton, corn, and peanuts, you name it, when you get 75 of what you are supposed to.

When you hired on in this shop, you said you got 20,000 but after a month or two, they said, we are going to cut you down, bad year, we are going to cut the budget, we are going to cut folks off, so we will cut you back to 15, so you can realize that.

MR. TAYLOR. Well, let me ask you about other potential solutions. Now you said a little while back that the problem in extending loans to people is somehow they haven't got enough land.

Perhaps, would it make any sense to redistribute the land to people so that their operations could be more efficient?

Mr. Bamberg. I am going to make you a proposition here and see how you buy it.

We will say dear old Uncle is interested in reallocation, relocation of people out of the city, right?

Mr. Taylor. Okay.

Mr. Bamberg. You will.

Then I say, if dear old Uncle is, let's take our national forest, and let's say we give you X number of acres out there to go back there to live, and you will have that to earn your livelihood on, but if you ever leave it and move back to town, you don't get it.

Now we will see, now, because I know in Alabama, the bank here has a Talladega National Forest up here—in the submarginal days of the 30's, they bought land for 50 and 75 cents an acre from the people, and today there is no telling what it is worth, because it has merchantable timber on it.

So I said, let's just divide the program, divide up this national forest, because dear old Uncle is the biggest land owner in the country today. So let's just divide it up and help poor people.

MR. TAYLOR. Do you think large corporations who own large tracts of timberland might be willing to kick in a little bit?

MR. BAMBERG. Well, you have got farm management folks that say that this person will need so many acres, so much timberland on it, cut the timberland a year, and put him back out there on the land, and I say as long as you stay there, this is yours, but once you leave and go to town, you wouldn't.

And just see how many you will find——

MR. TAYLOR. Why would you have to put restrictions on people's freedom in order to carry this out?

MR. BAMBERG. No freedom, but what I am saying is that we had the land reform in the early 30's under the old settlement days when we went out and we gave everybody 160—we didn't give it to them, but we sold it to them as such, 160 acres of land, a pair of mules and a house and a barn and thus and so, and today there is attrition set in immediately, and today all of that land is back in the big land owners. Now, could I talk to you off the record?

CHAIRMAN HANNAH. Off the record.

(Discussion off the record.)

CHAIRMAN HANNAH. Back on the record.

Mr. TAYLOR. I think I would rather not debate that with you, Mr. Bamberg. I think that is kind of cynical of you. That leaves nothing—that kind of ignores what our Government and Constitution might be all about.

MR. BAMBERG. Well, I am just giving you the facts of life. I don't know anything about the Constitution or anything else.

MR. TAYLOR. I just wonder if you would like that off the record, too?

Mr. Bamberg. Leave it on or take it off.

MR. TAYLOR. You talk about high-risk loans and low-risk loans. I wonder, did you hear the testimony of Mr. Guice earlier this afternoon, who had gotten help from the Farmers Home Administration back in 1942?

That might have been considered a high-risk loan at that time, might it not?

MR. BAMBERG. Well I just don't know. I wouldn't know about then, whether it was or not. I wouldn't think so at \$18 or \$20 for land, it didn't look like a high-risk loan to me in '42. Land at \$18 or \$20, I believe that is what he said he paid for it.

MR. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Thank you very much, Mr. Bamberg. Mr. BAMBERG. Could I make a suggestion to the Commission?

CHAIRMAN HANNAH. Yes, sir.

MR. BAMBERG. And I am sincere about this. I made this on a number of occasions. I want to try to help keep the train on the track, and I want to try to help folks. But there is something that exists today that adds to the confusion, that I would like for this committee to consider. And that is this: When anybody complains at the local level that he would go right to the agency head involved and says I am complaining because I didn't get a loan for this or thus and so, and this is the reason, I think it is because I belong to the minority race and thus and so.

All right, give me 2 weeks, if it is mine, and let me investigate and write him a report and send that complaint along with my answer to anybody in Washington, if it takes 6 or 8, and we will cut down on a lot of this confusion.

As it is today, anybody in the world can write a letter or a note and say, why I think I am being discriminated against on, and the first thing you know, we don't know a thing in the world about it. Never has come to our attention, you see.

Now I know this, if a procedure was set up to where complaints had a channel of which to travel and give the State Director, make him responsible and say, if you can't give justification on this, then we are going to get down there on you, I would certainly welcome it, and I think every other agency head in the state would.

CHAIRMAN HANNAH. Thank you so much. You are excused. Would you call the final witness?

MR. GLICKSTEIN. Mr. Joseph Doherty.

(Whereupon, Mr. Joseph Doherty was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. JOSEPH C. DOHERTY, SPECIAL ASSISTANT TO THE ADMINISTRATOR, FARMERS HOME ADMINISTRATION, WASHINGTON, D.C.

MR. GLICKSTEIN. Mr. Doherty, please state your full name and address for the record.

MR. DOHERTY. My name is Joseph C. Doherty, and my address is Washington, D.C. I am special assistant to the Administrator of the Farmers Home Administration.

MR. GLICKSTEIN. What is your educational training, Mr. Doherty?

Mr. Doherty. Well, my educational training was in public administration and government. I hold a masters'.

Mr. GLICKSTEIN. You said you have a masters'?

Mr. Doherty. Equivalent in that.

MR. GLICKSTEIN. I would just like to emphasize that although you do work for the Farmers Home Administration, you haven't been called here as a witness to go into any of the questions respecting that Administration that have come up here. You have been called as a witness because of your special relationship to

the economic programs that the Department of Agriculture is pursuing in your expertise.

MR. DOHERTY. I understand that.

MR. GLICKSTEIN. Mr. Doherty, do you consider land acquisition to be a major impediment to the revitalization of rural areas? We have heard a lot of talk about the problem of buying land. Do you think that is a serious problem?

MR. DOHERTY. I would say getting enough land resources is a major impediment to the development of small farmers, yes, if

that is what you are implying.

MR. GLICKSTEIN. Yes. We heard testimony today from a number of people that had farms that were 100 acres, 110 acres, 114 acres. Do you think people of that sort are in a position where it is very difficult for them to make a go of it?

Mr. Doherty. Well, of course the situation would differ from one area to the next. But I think it is very difficult, generally speaking, for a farmer on 100 acres or even 125 acres to make a go of it today in agriculture, successfully and to produce enough income to give his family what we call the American standard of living. I would say that is true.

MR. GLICKSTEIN. Do you feel that there is land available for people to purchase, to increase the size of their holdings?

Mr. Doherty. Well, this is a very complex question to answer. Land comes on the market, of course, everywhere from time to time, but the small farmer, the farmer with few resources, the kinds of farmers that were up here testifying this afternoon, Negro farmers, are gravely handicapped as we all know of getting ahold of this land as it comes on the market because they simply don't have the resources to buy it and in some areas it doesn't even come on the market.

Land now, is, let me just add this, land is—a farmland—is a very, very good investment for the bigger operator. I don't think farm prices as Mr. Bamberg pointed out, I don't think farm prices are high enough compared to what the farmer has to invest, the fact remains for the long term operator, the big operator, the acquiring of farm resources of land resources can be a very satisfactory investment in the sense that land has been appreciating at about 6 percent a year in this country. And in addition we have certain tax laws, as you all know on the panel, which make it even more lucrative for the bigger, often nonfarm operators, to hold land as an investment.

Mr. GLICKSTEIN. Has absentee ownership been increasing in recent years?

Mr. Doherty. Yes, I think it has among—again the corporate type of operator, the person, the group or the individuals who have large holdings in other types of enterprises and can move money around, and have a lot of flexibility and a lot of liquidity

with their money, to move it around and can get a hold of this very, very good long term investment. I think the record would show that. Yes.

MR. GLICKSTEIN. Do you think that Federal programs have contributed to the increase of absentee ownership?

MR. DOHERTY. That again is a complex question. I would say generally some of them have, yes. I would say that the tax laws particularly, the depreciation allowances and so forth, the long term capital gains returns have definitely contributed to the bringing in of what might be called nonfarm capital into agriculture.

Mr. GLICKSTEIN. This in turn has displaced people from the

land?

Mr. Doherty. I would say yes.

MR. GLICKSTEIN. And contributed to the migration of people to the cities?

Mr. Doherty. I would certainly say yes.

MR. GLICKSTEIN. Mr. Doherty, among your responsibilities, do you have a liaison relationship between the Department of Agriculture and OEO?

Mr. Doherty, I do.

MR. GLICKSTEIN. Are the standards and criteria that are applied by OEO in determining whether to make a grant similar, or make a loan, I should say, similar to the ones that are applied by FHA under ordinary circumstances?

MR. DOHERTY. Well, we make—the way this operates, Farmers Home Administration and the Office of Economic Opportunity agreed together jointly on the regulations and the rules that these two loan programs will be conducted under and then we administer these regulations and rules.

I would say certainly that the statute provides for certain requirements here in the EO, Economic Opportunity loan program which make them easier in the sense. The repayment period is longer, the interest rate is less, we don't take security in the individual loan and so on. But basically, we run and we intend to run the Economic Opportunity loan programs in a business-like way. We have to do this, and I will tell you one of the main reasons why we have to do it is because we have got to get repayments since we are increasingly being forced into a position in the Economic Opportunity program where we must finance new loans out of repayments. If we don't get repayments we don't have a program.

MR. GLICKSTEIN. But do the Opportunity loans take greater risks than the general FHA loans?

MR. DOHERTY. I would say the individual loans do, yes. They certainly do, no question about it. We can look at the type of borrower who is receiving an Economic Opportunity individual loan and you can certainly see he has much fewer assets.

MR. GLICKSTEIN. Are you familiar with SWAFCA?

MR. DOHERTY. I know about SWAFCA. I have had nothing to do with the structuring of the loan, or the development of the loan. So I can't speak to that point. But I, of course, am familiar with it.

Mr. GLICKSTEIN. Do you think that if SWAFCA were successful, that would be an encouraging development in this area?

MR. DOHERTY. I think it—and I say this very, very strongly-I think it is absolutely essential that SWAFCA, or an organization like SWAFCA be made successful, as a proof of what a cooperative of this kind can do.

And I think that we should, we need to take every step to make SWAFCA a successful operation. I would certainly think it could

be a bellwether, yes.

MR. GLICKSTEIN. Mr. Doherty, before I stop questioning you, I know the Commissioners probably have many questions, perhaps I could just ask you one very general question you could comment on.

What type of governmental action do you think is necessary to reverse the trend toward absentee ownership or toward migration from the land toward the exodus to the city? What would vou recommend?

Mr. Doherty. Well, I would recommend a number of programs but I would put the following very high on the priority list. I think before I go into the few items I would say that we have got to face the realities in modern agriculture. Modern American agriculture. We have got to face, I guess what Mr. Bamberg called the locking of the barn door after the horse has been stolen.

Agriculture in this country is moving very fast, in very large scale operations. And I think there are techniques that can be used to enable low-income farmers who have the potential to get additional land, techniques that we might not be using right now, but I don't think that we better look to that source, or that area for any sizable amount of improvement in the rural sector.

I think that there are other sectors in rural areas that we need to look to. I would say first of all that we need a rather sizable housing and public works type of program in rural areas which combine two features, combine the training of the younger rural low-income person with the building of houses, and the construction of additional public works. I don't think that we are making enough investment in this area at the present time.

I also don't think that we should look to home ownership in rural areas as the only objective. I think that we should begin to consider association type loans, cooperative type loans, where you would finance small rental type units. And you would build in some social services. And I would like to see this kind of thing tried out all over rural areas.

Now there is a lot of construction work that would have to be done there. And I would think if the Federal Government was going to fund this I think that the Federal Government should demand that a certain number of the people employed be low-income people and be in a training position as they work along, such as this self-help housing program we talked about this morning.

Another thing, and I don't want to take up too much of your time, I think that something really needs to be done about the education of low-income youngsters in rural areas.

I was in an area in another State here just a few weeks ago, they have managed to get their dropout rate up to only four out of 10. In other words, only four out of 10 kids drop out of school before they finish instead of six.

These are things that we all know about. But I don't know whether we are really considering, and I am not an educationist, but are we really considering what we need to do to keep these youngsters in school? Is it a combination of vocational program or out-of-school training program, combined with school classes, and that kind of thing? Is it boarding schools in some cases? We do it with the Indian youngsters and I have seen some of these and they work pretty well.

I think there are kids in rural areas who are so deprived, who are growing up in such a truly difficult environment, that we may have to consider boarding schools regardless of the costs.

I think that we have got to, we have the education, Elementary and Secondary Education Act of a few years ago, and it has put massive amounts of money into some of these areas. But I just feel from my travels and from what I know about this work, that this education problem is not really being gotten at in the rural areas.

Another thing that concerns me, we are talking here about resources for poor communities and for poor people. We ought to be talking about resources and capacity. We need to be looking to the day when we will maybe have a kind of professional VISTA type worker or professional Peace Corps type worker who is paid a sufficient wage to keep him on the job as a career for the rest of his life so he goes into these areas and he works with these poor people on the various things that they need to have done.

We are getting, we are not cranking enough what might be called competence into these resource programs. We need to put in trainers that will help people to develop to the point where they can manipulate and manage resources themselves.

We also need to set up, it seems to me, institutes of one kind or another. A system of institutes, so indigenous people can be trained over a year or whatever it may require so they can go back into their areas and pick up the management of these operations, of these programs themselves. I just don't think that we are considering enough, the provision of competence along with the resources.

In the Farmers Home Administration we try to do this. As you people have discussed here this afternoon, we have a supervised program. I think there are other areas of developing poor communities, and low-income family development and so forth, that need this kind of assistance also. And I don't think that they are getting it.

For example, in the Farmers Home Administration we have 65 girls who work with these low-income families, that we make loans to, particularly the EO borrowers, particularly the housing borrowers, and help them with their loans and with their living and family problems and so on. Now that is the kind of thing. I am not talking about somebody goes in and does everything for them. But somebody goes in and provides this partner type of assistance. These are some of the things I believe that we need.

I could add to the list. It is quite long but I don't want to take up any more of your time.

MR. GLICKSTEIN. I have no further questions at this time, Mr. Chairman.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. No questions.

CHAIRMAN HANNAH. Mrs. Freeman?

. COMMISSIONER FREEMAN. No questions.

CHAIRMAN HANNAH, Mr. Patterson?

VICE CHAIRMAN PATTERSON. No questions.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. No questions.

CHAIRMAN HANNAH. Thank you very much, Mr. Doherty. We appreciate your being here. The hearing is now recessed until 12 noon tomorrow in this place.

(Whereupon, at  $6:2\overline{5}$  p.m., the hearing was recessed, to reconvene at 12 noon, Tuesday, April 30, 1968.)

## U.S. COMMISSION ON CIVIL RIGHTS

### TUESDAY MORNING SESSION

### APRIL 30, 1968

CHAIRMAN HANNAH. This hearing of the United States Commission on Civil Rights is in order. Mr. Glickstein, will you call the first witness?

MR. GLICKSTEIN. The first witness is Miss Sara Green, an attorney on the staff of this Commission.

(Whereupon, Miss Sara Green was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MISS SARA GREEN, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Miss Green, I show you a copy of a report entitled "Staff Report On Health."

Did you prepare this report?

MISS GREEN. I did.

MR. GLICKSTEIN. Mr. Chairman, may we introduce this report into the record?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 12 and received in evidence.)

MR. GLICKSTEIN. Miss Green, will you please summarize this report?

MISS GREEN. In 1967, Alabama spent \$1.70 per capita for general health services—well below the national average. Each of the 67 counties in Alabama has a county health department. Services provided by the county departments vary according to the amount of county funds available. During 1967, only six county health departments expended over \$2 per capita. Seven expended less than \$1; in nine counties the total local appropriation was less than \$10,000, an amount considered to be half the minimum requirement for adequate operation of even the smallest unit.

There is a shortage of both doctors and nurses in Alabama—21 health officers who are medical doctors who administer the county health program served 55 counties during 1967. Twelve county health departments had no health officers services. There are 167 doctors serving the 362,300 persons in the 16-county area.

County health departments provide infant and maternity care, birth control devices, and immunization shots. However, the county units do not have adequate professional staffs to provide corrective treatment, and indigent patients are referred for treatment to local doctors who generally must donate their services.

Alabama does not have a program that provides for hospital deliveries for expectant mothers who cannot afford hospitalization costs. As a consequence, many indigent mothers have their babies at home, with only a midwife's assistance. In 1966, there were 6,968 midwife-assisted deliveries out of a statewide total of approximately 66,000 deliveries.

Sixty-three counties have a hospitalization program for indigents who are acutely ill or injured. To participate in this program, an indigent must be certified as needful of hospitalization by a doctor, and determined by a county administration committee to be indigent.

Most of the counties set limits as to the number of days any person can be hospitalized.

Eight of the counties in the hearing area have school health programs financed under Title I of the Elementary and Secondary Education Act. Under this program, school children are examined for medical and dental defects by nurses hired with Title I funds.

Federal money is provided for treatment of any defects found in needy children, but it is up to the child's parents, or the public nurses to find a doctor who will treat the child.

Many of the health care services which are presently unavailable to indigents in Alabama would be provided under the Federal Government Medical Assistance Program known as Medicaid.

Under Medicaid, States are given grants to operate a Medical program for all federally aided public assistance recipients, and other specified groups of medically indigent persons.

Alabama does not have a Medicaid program. The Federal Government would pay 83 percent of the cost of such a program.

That concludes my summary.

CHAIRMAN HANNAH. Thank you, Miss Green. You are excused. Call your next witness, Mr. Glickstein.

Mr. GLICKSTEIN. The next witness will be Dr. Albert Wolf, who will be questioned by Assistant General Counsel Fleming.

(Whereupon, Dr. Albert Wolf was sworn by the Chairman and testified as follows:)

### TESTIMONY OF DR. ALBERT WOLF, BIRMINGHAM, ALABAMA

MR. FLEMING. Will you state your name and address and your position for the record, please?

Dr. Wolf. My name is Albert Wolf and I live on South 27th

Place in Birmingham. I am a professor of medical economics at the University of Alabama Medical Center in Birmingham.

MR. FLEMING. Will you explain that position a little further to the Commission, Dr. Wolf, please?

DR. Wolf. The concern in the health work that we do at the Medical Center—in order that it not be an exercise in frustration—is that we have available and bring to bear the maximum amount of our resources on the problem, and where the resources are limited, as they always are, to undertake to do the maximum amount of effective health work for what resources are available.

I work on producing the information which dimensions this sort of problem.

MR. FLEMING. Have you worked with information of that nature concerning the Lowndes County OEO demonstration health project and have you prepared a report based on your work with this information, Dr. Wolf?

Dr. Wolf. Yes, to both questions.

MR. FLEMING. Would you tell us about the conclusions of that report that you prepared, Mr. Wolf?

DR. Wolf. As most of you probably know, the OEO undertook to develop a health care program in Lowndes County. Lowndes County was selected out of all of the counties—the approximately 3,000 that there are in the United States—because it is one of the most deprived counties in the United States.

The problem of setting up an adequate health care program would probably be as difficult as it could be any place, and so they chose for demonstration purposes, to pick something that was difficult but at the same time, small enough so that perhaps they could come up with some reasonable example of what they might do in other cases.

In order to get the program started, the retired Navy physician who was put in charge of it came to the University of Alabama Medical Center and asked for assistance in producing information to give more specific dimension to the original problem, and I was one of the key people assigned to help in this job of collecting the information.

So the information we do have is information of as current a nature as possible tending to dimension the health problem as it exists in Lowndes County.

MR. FLEMING. What was the scope of the information that was collected, Dr. Wolf?

Dr. Wolf. I think I can answer that best, perhaps, by briefly giving you some of the relevant summaries.

MR. FLEMING. Would you do that, please?

DR. Wolf. We reviewed first, as you can expect, the distribution of the population by sex. Obviously, the sort of health care problems that you have are a function of age and sex. And the

greatest medical need existing for the very youngest and the very oldest people.

At the time we did this, we also sorted out the people by races in order to be able to give dimension to the problem in separate components rather than in a group.

As far as ages are concerned, we found out that, for example, among males, the average age of white males in Lowndes County is about 37 years; for nonwhite it is only about 15 years.

For females, it runs an average of about 46 years for the white female, as against 19 years for the nonwhite females.

There is a strong suggestion there that there is a heavy outmigration of middle-aged and older nonwhites.

As a matter of fact, we also found that in some households—and the household, incidentally, was our study unit; we studied every third house in detail in all of Lowndes County; it is approximately 1,000 out of 3,000—and we found that in some households there would only be some quite old people, with a large number of young people with the parents of the young children apparently elsewhere for one reason or another, some of them having been away for a long period of time.

Access to health care, we find, unfortunately, is also a function of income to a large extent. This is something that we are interested in rectifying.

So, we went into a measurement of income as an indication of the individual's ability to gain health care for themselves.

We found that, for example, and what we used in coming up with an income figure is what we called an adult unit. We took the total income for each household, whether or not it was a family, all people living in the house, and we counted an adult as one unit, and very young children we counted as half a unit. And then we divided the total income by the number of units and came up with what we call an income per year per adult unit.

This turned out to be around \$2,000 on the average for the whites and a little bit less than a quarter as much for the non-whites, less than \$500 as against \$2,000 for the whites.

If you look at it another way by considering all of those who were below \$2,000 per year, in this particular basis it is about half of the whites and between 70 and 98 percent of the nonwhites.

Another thing that we looked into was education. Our reason for this is because it has been found out through studies run by the United States Public Health Service, that the extent to which people use health services is a function not only of income, but also of education.

Sometimes at the lower educational levels there is some skepticism, even if enough money is available, resort may be made to home treatment, or services of some local, self-styled expert in medical care.

Also, the education is important because we plan to undertake health education programs, programs in which we teach people something about better diets, sanitation, and so on, and our ability to communicate this information depends upon the ability of the individual, through education, to receive it.

So, we found out, for example, that by picking such a measure as the proportion of the people who have less than 9 years of schooling, that among the white males only about 19 percent have less than 9 years of schooling. Among the nonwhites, this figure is 68 percent; 68 as against 19.

For the females, the figures were 8 percent as against 62. The females make a better showing than the males, apparently being less willing to drop out of school than the males. This is true countrywide. So it is between 8 and 19 percent for the whites, as against 62 and 68 percent for the nonwhites who have less than 9 years of schooling.

MR. FLEMING. Excuse me, Dr. Wolf. Could you give us some information that your study showed on environmental conditions in which the people live?

For example, the housing and the extent to which they had ever experienced medical or dental care?

DR. WOLF. I have a few facts on that. If it is acceptable to you—and I follow the order of my outline here—what I would like to discuss now is some measure of the health care received in the past.

MR. FLEMING. That will be fine.

DR. WOLF. For example, one thing that we attempted to determine was what proportion of the people had been hospitalized in a previous year. We took 1 year as against a longer period of time, because individual recollection is bad when the time is longer than that.

The extent to which hospitalization takes place is a measure of health care because we know that the needs for health care don't differ by people of equal social economic status no matter what their race is.

We found out that over 10 percent of the whites had been hospitalized in the preceding year, but only 3 percent of the non-whites.

We checked also into the proportion of the people who had a routine, preventive medical examination in the previous year. That was 40 percent for the whites and less than 10 for the nonwhites.

We checked also into the number of children born in a hospital. We couldn't come up with a denominator on this because you have to relate births to the number of women of childbearing age, and we didn't have enough resources to go into detail to do this. But bear in mind the fact that in Lowndes County the nonwhite

to white population ratio is about 4 to 1; it is about 80 percent nonwhite to 20 percent white. And this is true even in the females of the 17 to 44 years old age group which is the childbearing age group.

So, with four times as many nonwhite women in the childbearing age group as whites, there were fewer nonwhite children born in hospitals by about——

MR. FLEMING. Excuse me, Dr. Wolf. We are running a very tight schedule today. Could you just briefly summarize the conclusions?

DR. Wolf. Very well. Based on all the information that we have here, we find that the nonwhites are severally disadvantaged relative to the whites in the county. Only a fifth as many have ever had or ever have dental care, and less than a half as many ever get any physician care.

As far as housing is concerned, we found, for example, that 91 percent of the nonwhite houses had no bathroom in the house as against less than four percent for the whites. And other housing characteristics were in proportion.

MR. FLEMING. Dr. Wolf, will this study be published and released at some future date, and will a copy be submitted to this Commission, please?

Dr. Wolf. It can be, if the committee so requests. They would approach Dr. Peter Peacock at the Medical Center, who is head of the Public Health Division at the Medical Center.

Mr. Fleming. I have no further questions of this witness, Mr. Chairman.

CHAIRMAN HANNAH. Do any of the Commissioners have any questions? Thank you very much, Dr. Wolf. We are grateful to you for coming. Mr. Glickstein, will you call the next witness?

Mr. GLICKSTEIN. The next witness is Dr. Alan C. Mermann who will be examined by Mr. Fleming.

(Whereupon, Dr. Alan C. Mermann, was sworn by the Chairman and testified as follows:)

# TESTIMONY OF ALAN C. MERMANN, M.D., NEW HAVEN, CONNECTICUT

MR. FLEMING. Dr. Mermann, before we begin, may I urge you to the rigors of our schedule.

Would you please identify yourself for the record, Dr. Mermann, and your present position and profession?

Dr. Mermann. I am Alan C. Mermann. I am a practicing pediatrician in Connecticut, and I am assistant clinical professor of pediatrics at the Yale University Medical School.

Mr. Fleming. Dr. Mermann, I have a report here entitled

"Lowndes County, Alabama, TICEP Health Survey, Summer 1966."

And I will show you a copy of this report and ask, did you prepare this report?

Dr. MERMANN. Yes, I did.

MR. FLEMING. That is the report that you prepared?

DR. MERMANN. Yes, this is the report.

MR. FLEMING. Mr. Chairman, may we introduce this into the record as an exhibit?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 13 and received in evidence.)

MR. FLEMING. Dr. Mermann, TICEP is the acronym for the Tuskegee Institute Community Education Project, is that correct? Dr. Mermann. Yes, that is correct.

MR. FLEMING. Were you asked to conduct this study by TICEP? DR. MERMANN. Yes, I was.

MR. FLEMING. How many people did you direct in the medical investigating team in Lowndes County?

DR. MERMANN. There were eight or nine of us, about six nurses, two veterinary students, a medical student, and I.

MR. FLEMING. Could you very briefly summarize the pertinent conclusions and findings of your study?

DR. MERMANN. Yes. In the summer of 1966 I examined in Lowndes County 709 children and 110 of their parents. These children and parents were submitted to a fairly intensive examination. The children were examined naked and the parents were examined in the usual office manner.

In addition to physical examination, we did routine blood counts, urinalysis, blood pressure determinations, height and weight measurements, vision screening, and a rough hearing test on all of the children and on the adults.

If I may, I will just briefly summarize the findings. They fall into some eight or nine different categories. First is anemia—you may have the copy.

Mr. Fleming. The Commissioners do have copies of the report, Doctor Mermann.

DR. MERMANN. So I do not wish to go into any reading of the report. Is there a picture of that graph at the end?

MR. FLEMING. The graph is appended.

I will ask, will you please explain the significance of this graph to the Commissioners, please?

DR. MERMANN. I will.

Attached to the end of the paper that you have is a graph which is a recapitulation of the hemoglobin values, the amount of iron in the blood of some 480-odd children in Lowndes County, and an equal number in my office in Connecticut.

Those with the black circles are the Negroes, and those with the white circles are the white children in my practice. It demonstrates quite conclusively, since almost all of the black values are on the left-hand side of the chart, they are very low. Eighty percent of these children in Lowndes County that I examined had anemia sufficient to require treatment in any doctor's office anywhere in this country.

This is a very profound finding and relates rather exquisitely to bad nutrition, to poor medical care, worm infestation, and a number of other factors related to life in Lowndes County.

I will go on next to another finding, that of protein in the urine. We found that 8 percent of the children and 15 percent of the adults examined had a significant amount of albumin or protein in the urine. This means kidney disease.

It is of great importance to us because often kidney disease does not have much in the way of major symptoms, so that one can have a shortened life and severe consequences from, essentially, difficulty recognized symptoms.

I would mention the infant mortality rate which you just heard about. It is very high in Lowndes County.

Nutrition was a major problem in Lowndes County with obesity. Possibly coincidental to this is high blood pressure. Six percent of the children had high blood pressure, and 18 percent of the adults had.

I was impressed with the number of obstetrical problems. Many of these women showed cervical tears, vaginal problems, and uterine misplacement—all showing evidence of bad obstetrical management.

The adults showed dismal dental health, which was confirmed by the fact that in the children, as the years went by as I was examining them, the teeth got poorer and poorer.

A very depressing part of the finding was in examining the skin of these children. Many of them were just covered with old and current sores. The absence of screening in many of the homes leads to insect bites, which are then infected. These children have a lot of impetigo. They also had other things which were of great concern to me. One was a large number of lacerations that had been healed without being repaired. These had not been sewn together; they had just healed with large scars.

And the other part is that of amputations. I was quite struck by the number of finger, toe, foot, hand amputations among children, presumably as a result of farm accidents and burns.

Visual problems were quite prominent. I had mentioned that out of the vision screening, 25 percent of the children, one in four, needed further referral for glasses. One child out of the 709 that I examined had glasses.

Forty percent of the adults were in the same category of needing further visual tests.

Ninety percent of the children, when questioned, said that they had never seen a doctor. Some of those who answered "Yes" to the question, said, "Yes, he pulled my tooth."

This is in brief; since you have the report, I will not go in any further detail. This, in brief, is the essence of the findings which we have.

MR. FLEMING. I have one other question for you, Dr. Mermann. Your report states that the effects of anemia on the economic life of the Negro cannot be overestimated.

Would you explain further, please?

DR. MERMANN. I think if one considers that these children, women, and men in Lowndes County, the ones that I examined and whom we tested, that many of these people—that 80 percent of them have about approximately two-thirds of the amount of red blood that the Commissioners have.

This gives you some idea of the extent of fatigue. Many of these are in the level of one-third of what you have. I think one begins to see emerging from this the reason why children are asleep in the classes.

I have never seen children sleeping in school before—this was a summer program—and these children would be asleep on the floor at 10 o'clock in the morning. It explains, I think, some of the fatigue that a woman, the mother of six or eight children, some of the fatigue she has when she is operating on a very, very low margin of oxygen carrying capacity in her blood. It explains the difficulty that a man might have in providing for his family. His inability to work on. I think this has a profound economic impact on the community involved.

Mr. Fleming. And deficiency in anemia is related to diet, Dr. Mermann?

DR. MERMANN. Yes, in large part this is nutritional.

I think that one must point out that there is an inherited disease in the Negroes, sickle-cell anemia, which accounts for a small percent, probably less than 5 percent of the severe anemias.

There is also worm infestation and loss of blood from other things. But, primarily, this is bad nutrition. The iron-containing foods, namely, meat, egg, and wheat are in short supply in these counties and the nutritional habits of the rural people of our country are such as to give them a very low protein, that is, low iron intake.

MR. FLEMING. Thank you. I have no further questions.

CHAIRMAN HANNAH. Mr. Patterson, do you have a question? VICE CHAIRMAN PATTERSON. No questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMMISSIONER FREEMAN. Dr. Mermann, would you give an

estimate of how long these children and adults in this condition would be expected to live?

DR. MERMANN. I would estimate that the life expectancy is probably 10 years less than—approximately 8 to 10 years less than the white life expectancy in this county.

COMMISSIONER FREEMAN. You stated that this report covers the rural farm. Does your information indicate whether they live on plantations or not?

DR. MERMANN. No. No, I do not have any data as to the homes—the location of the homes from which these children came.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Dr. Mermann, was there anything in their favor that these children had when you compare them with the children of Connecticut, did any of these children have anything in their favor at all, health-wise?

DR. MERMANN. Yes, I think that they are—well, I will have to answer this with some caution, because I would say that when I arrived in Lowndes County and went to these five schools, I was very impressed, superficially, with these children—active, slender, vigorous, playing hard, kind of ragged and dirty, but vigorous.

But I think it takes a long time for these effects, this deprivation under which they live, and it doesn't really take its real toll until both in early infancy, newborns who suffer, and then the adult.

I think one has to be very cautious about looking at a group of clothed children and making some assessment.

I think they have, of course, all of the built-in joys of childhood, the ability to recover rapidly which is, if iron were given to these children, they would bounce back, if they were fed there would be a return, a rapid return.

COMMISSIONER RANKIN. They have plenty of playground area, don't they?

DR. MERMANN. Yes, they do, which I would mention just in passing—recreational facilities in this county for the nonwhite, I found to be essentially nil. This complicates a good deal of the health problems, the lack of resources for any type of play, for adults and for children.

COMMISSIONER RANKIN. Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Dr. Mermann, it seems to me I have been reading a good deal in the papers about the relationship of malnutrition to arrested mental development or brain damage. Are you able to comment on that?

Dr. Mermann. There are many studies, mostly done on animals because they can be sacrificed for investigation, which suggest that protein lack in the pregnant mother has very serious effects on the subsequent development of the child.

A study just reported a short while ago in the American Scientist magazine recounts the fact that pregnant rats, fed a protein deficient diet, the babies, when born, were sacrificed and the number of nerve cells in the brain per unit area was less than those in a normally fed rat.

If one can extrapolate this into other nutritional problems, I think this may explain some of the difficulties.

Also, there is an intensive, an extensive study being done in South America at the moment.

There was also an article in the New York Times relevant to this, about the effects of the irreversible changes that occur in personality and in the body and in mental capacity, in intellect, due to protein lack stemming from pregnancy, from conception through childhood.

MR. TAYLOR. If we could move from your medical conclusions to just a statement of general opinion—we hear a great deal, not only here in this area of the country but in the North, a great deal of general opinion expressed about children who can't achieve in school, or children who don't try to achieve in school, or children who are lazy.

Could I ask you to just direct yourself to those comments in light of your findings?

DR. MERMANN. I will in two—essentially in two areas: first in the strictly physical area, I think what I just said about the protein lack and its influence on the development of the brain and on the nervous system, and whether this may, in fact, produce defects which are irremediable, which cannot be reversed no matter what one does later.

I think this has yet to be fully documented in humans because of the difficulty of experimentation in humans, but in animals I think this is very true.

There is also a close correlation throughout the world between IQ testing, psychological testing scoring, and heights and weights and nutritional status.

There is another area which is more sophisticated, a little more subtle, but which I think is very, very critical in this, and that is if people, if children, are not being fed properly from their earliest days, if the parent cannot feed his child, her child, as the parents feel a child should be fed, this produces a certain apathy and perhaps a mistrust or a—maybe a real distrust of the adult world when those earliest crying infant needs are not being met properly.

This, I think, has profound influences on the way one sees the world from then on.

Mr. Taylor. And has implications for social behavior?

4

DR. MERMANN. This has profound implications because I think those three words I used—mistrust, apathy, and distrust—are very characteristic of the underprivileged particularly in the urban North.

Mr. TAYLOR. Thank you.

CHAIRMAN HANNAH. Mr. Fleming, any further questions? Mr. FLEMING. No. sir.

CHAIRMAN HANNAH. Thank you very much, Doctor. We appreciate your being here.

Dr. Mermann. Thank you, Commissioner.

CHAIRMAN HANNAH. You are excused, sir. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witnesses are Dr. Ira L. Myers and Dr. Robert Griffin.

(Whereupon, Dr. Ira L. Myers and Dr. Robert B. Griffin were sworn by the Chairman and testified as follows:)

# TESTIMONY OF IRA L. MYERS, M.D., MONTGOMERY, ALABAMA AND ROBERT B. GRIFFIN, M.D., FORT DEPOSIT, ALABAMA

MR. GLICKSTEIN. Would you each please state your full name and address for the record?

DR. MYERS. I am Dr. Ira Myers, State health officer here in Montgomery.

Dr. Griffin, I am Dr. Robert B. Griffin, Fort Deposit, Lowndes County, Alabama, practicing physician.

MR. GLICKSTEIN. Dr. Myers, you indicated that you were the State health officer. What do your responsibilities include?

DR. MYERS. The administrative supervision of the entire health services of the State, working through county health departments as the organizational units, Alabama having county health departments in all 67 counties.

MR. GLICKSTEIN. What type of medical services do the county health departments provide?

DR. MYERS. In general, the medical services have not been—that is, curative services have not been the traditional type of services that have been offered through county health departments. Ours has been mainly assistance, health education, preventive medicine, more than the curative aspects.

Mr. GLICKSTEIN. For example, what type of information or treatment or advice can a person get that goes to a county health department?

DR. MYERS. We have an extensive program of maternal and child care. We have programs of immunization. We have health education programs, environmental health programs. This is for both public and for private sectors of the environment.

We are involved in vital statistics recording; the control of

communicable and preventable diseases, a dental health program; a laboratory service program which is operated through the central laboratory and through eight branch laboratories.

MR. GLICKSTEIN. Are these services available on a daily basis or only on specified days?

DR. MYERS. Special clinic services are on specified days because of not having full staff to man these clinics at all times.

The health departments are usually open on a 5-day week basis. Some are open on Saturday.

MR. GLICKSTEIN. For example, if a mother wants to obtain prenatal care, and she also wants to have one of her children immunized, could she take care of all of that on one trip, or is it likely that she has to make two trips?

DR. MYERS. This depends on the county health department and whether they have an adequate staff for services of that particular type at that time.

In some cases, the larger county health departments have almost continuous immunization clinics. The maternal and child health clinics are more limited in nature.

MR. GLICKSTEIN. So it is possible in some instances a person desiring the services that are available in his particular county health department might have to make a number of trips on different days in order to obtain those services?

DR. MYERS. This is true, and yet, at the same time when a mother comes into the maternity clinic, if she has a child that needs immunization, we make every effort to be sure that that child gets seen at that time, because many times it is very difficult for them to get back at some other time period.

So I would say that the controlling factor here would be more likely the mother's visit rather than the child's immunization visit.

MR. GLICKSTEIN. You mentioned that it may be more difficult for the people to get back on some occasions.

Do you believe that lack of transportation to the county health units curtails the ability of the rural people to take advantage of the health services that are provided?

Dr. Myers. Transportation for those in the remote rural areas, I am sure does offer some difficulty.

I have offered an opinion earlier that I feel that it is more a matter of motivation of whether they feel it is really important, than the availability of transportation.

Having lived in a rural area myself, I know that I got to town for things that if I had to sort of hitch a ride for things I really wanted to get there and I felt it was really important.

But so many times many of our rural people do not feel the importance of getting the preventive care that may be available to them.

Mr. GLICKSTEIN. Does the department have any educational

programs to advise needy people what services are available to them and how important it is to take advantage of these services?

DR. MYERS. I suppose that this is one of our major activities is trying to keep people informed about the sevices available.

And I suppose, also, that it is one of the greatest needs that we still have throughout the South.

MR. GLICKSTEIN. To advise people of the services?

DR. MYERS. Of the services available, because the services that are available at one time may have to be changed; they may be upgraded or a program may play out because of a lack of funds to carry it on on a continuing basis.

MR. GLICKSTEIN. I would assume that in a large city like Montgomery, people are more readily advised of this than in some of the rural areas. Is that correct?

DR. MYERS. I don't know how to relate that on a population or a rate basis because we are talking about how much information per individual and I would suppose that this may be more a measure of the amount of communications within the community.

An individual in a small rural town close to a health center may have a great deal more information than the average person in Montgomery; whereas, the total number of services given in the larger city may be greater because of the more people being available to the health center.

MR. GLICKSTEIN. Are there doctors on the staff of each of the 67 health centers, health departments?

DR. MYERS. We have doctors on the staff of most of the health centers. There are only about 55 of the counties that have health officer coverage on a regular basis. Some of the other counties must be covered by a physician who is called in as a consultant to cover emergencies that may arise.

Mr. GLICKSTEIN. You used two different terms—health officers and doctors.

Dr. Myers. Well, health officers in Alabama are physicians. Excuse me.

Mr. GLICKSTEIN. And there are health officers on the staff of most of the 67?

Dr. Myers. Yes.

MR. GLICKSTEIN. Are these permanent, full-time employees, or are these doctors from a community that devote part of their time?

DR. MYERS. A county health officer must, by law, be a full-time physician engaged in public health. Some of the physicians are shared between two or three counties in order to have coverage, but counties not having a regular health officer are given assistance from the State health department, through our bureau of county health service.

MR. GLICKSTEIN. And I think that you said the county health

departments in general, provide diagnosis facilities, they are not treatment facilities?

DR. MYERS. Well, there are exceptions to both.

Mr. GLICKSTEIN. But in general?

Dr. Myers. In general.

MR. GLICKSTEIN. If a person coming to one of the health departments is in need of treatment—a person is a needy person—what provision is made to obtain treatment for that person?

DR. MYERS. We make every assistance that we can to see that this individual is referred to adequate care wherever it may be, whether it is within our agency or in some other agency, or whether it is in a private sector of practice.

MR. GLICKSTEIN. How do you do this, by giving the person the name of the doctor to visit or telling him of the availability of outpatient service of a hospital? How would that work?

DR. MYERS. By any method that is available, any we can devise.

MR. GLICKSTEIN. Dr. Griffin, would you tell the Commissioners
what work you are involved in, besides your medical practice?

DR. GRIFFIN. I am also a member of the county board of health in Lowndes County, and the county board of health is the applicant agency for an Office of Economic Opportunity comprehensive neighborhood health care program.

And I am also chairman of the board of directors for the proposed OEO program.

MR. GLICKSTEIN. Would you briefly describe for the Commissioners what this project is and what it hopes to do and what it has done so far?

DR. GRIFFIN. In being able to describe what we hope the program will do, I would like to take a couple of minutes to tell you a little bit of the medical facilities that now exist in Lowndes County.

I will not give you a complete economic review, but there are two economic factors that I feel bear heavily on the rendering of medical service. One is the lack of public transportation in Lowndes County. There are three interstate bus routes that cross the county, but they do not serve any useful purpose as far as getting from one place to another within the county.

The other factor is the lack of telephone communication. Geographically, less than one-half of the county is covered by telephone service, and that service is rendered by four different telephone exchanges, and calls from one town to another, or one exchange to another exchange necessitate a long distance call.

Lowndes County has 15,000 people located in approximately 750 square miles, 80 percent nonwhite. The existing medical facilities consist of one physician located in Fort Deposit in the extreme southeastern corner.

MR. GLICKSTEIN. That is you?

DR. GRIFFIN. That is me. One physician listed—resident in Benton—extreme northwest corner. These two offices are about 35 miles apart.

The Benton physician does have a part-time office located in Hayneville, which is about the geographic center of the county, and also the county seat.

There are two dentists resident in Fort Deposit, and we have one veterinarian in the county.

The midwife system has already been mentioned. We have many midwives who are approved by the county health department. I would like to say that many patients choose midwife delivery out of choice. They would rather be delivered at home by midwife than go to a hospital.

We do not have any hospitals, nursing homes, extended care facilities, home nursing services. There is no ambulance service available within the county. If we need it, we must call outside of the county, which necessitates a long-distance call.

We do have a county health department. The county health officer is present one day a week. He is available at other times if we need him.

We have a sanitarian one day a week. We have one full-time health nurse. There is a part-time clinician who runs many of the clinics at the health department. There is very limited dental work rendered at the health department. They have a clerical staff sufficient to support these professional people.

Now I don't want to leave the impression that these 15,000 people are entirely dependent on the medical facilities as given before. Within 30 minutes of any point in the county there is an accredited hospital. And within an hour's drive from any point in the county you have a full range of specialists available: largely Montgomery or Selma. There are some in Greenville, located in the southeastern corner of the county.

Current financial aid for medical services for the poor—the State does have a law for State-county matching funds for hospitalization for the indigent.

In Lowndes County that has been nonfunctioning for the last 50 years—excuse me, not the last 50 years, the last 5 years. It became limited to \$50 per patient for hospitalization. This was unrealistic with the cost of hospitalization approaching \$50 per day; so it has not been used in several years.

Not all people in the county who are eligible for Title 18 or your Medicare are covered by Part B. When Medicare went into effect in 1966, the welfare department raised their check, the \$3, so that they could pay for Part B Medicare service, but they had no way of withholding this amount and turning it over to the Social Security Service.

As a result, many people drawing old age checks from the State

felt this was \$3 increase and have not paid their premiums for Part B, which is physician services.

Title 19 is not in effect.

MR. GLICKSTEIN. That is Medicaid, that provides for funds for treatment by a physician?

DR. GRIFFIN. For physicians, and drugs, and hospitalization. We hope that in Alabama in 1970 it will go into effect for those already on the welfare rolls.

Maternal and child health, contrary to previous testimony given in this session, Lowndes County does have available deliveries at St. Judes Hospital located here in Montgomery. It costs the patient \$35, which is approximately the cost of a midwife.

Now this is—I understand through some maternal and child health care program—this is limited to normal deliveries. For anticipated abnormalities, we can send the patients to the Angel Memorial Hospital located at Tuskegee. These services are rendered on no charge.

Also, there is vocational rehabilitation service, crippled children, sight conservation—we have the Head Start Program for the 5-year olds which has a medical program in it.

MR. GLICKSTEIN. Dr. Griffin, we have heard some testimony about health conditions in Lowndes County this morning from Dr. Wolf and from Dr. Mermann.

Did you hear that testimony?

Dr. Griffin. I heard just that given since 12 o'clock.

MR. GLICKSTEIN. That is when we began.

In your experience, do you find that the conclusions that they conveyed to the Commission are generally true?

DR. GRIFFIN. I understand that the survey that was quoted in prior testimony was run in a different part of the county from the sector that I practice in. I practice in the southeastern one-third of the county.

My experience, particularly with Head Start children, has been greatly contrary to the testimony presented there, but I cannot equate it against what the survey run in a different part of the county shows.

MR. GLICKSTEIN. You haven't found many children with anemia, many of the children that have the hemoglobin problems that Dr. Mermann discussed?

DR. GRIFFIN. The children with a frank malnutrition or anemia sufficient to require treatment, I would say, has been between 5 and 10 percent of those in the Head Start Center at Fort Deposit. I have not examined at the other three Head Start Centers, only the Fort Deposit Head Start Center.

MR. GLICKSTEIN. Is there a significant difference between the part of the county that you practice in and the part of the county in which the survey was conducted?

Dr. Griffin. Economically, yes, there is a broad difference. We are a little more diversified in our economy. Fort Deposit is the largest single concentration of people with 1,500 people there.

We still depend quite a bit on agriculture, cattle, wood products, poultry; not so much on row cropping such as corn and soybeans. We have diversification in that we have manufacturing of wood products. There is a garment plant listed in Fort Deposit; there is a very large pecan processing plant.

Mr. GLICKSTEIN. You think that you are better off than the

people in the other parts of the county?

Dr. Griffin. Economically, yes.

MR. GLICKSTEIN. Dr. Griffin, would you tell us what this OEO

project is that we have heard reference to?

Dr. Griffin. The OEO project has the purpose of focusing on the needs of persons residing in urban or rural areas having high concentrations of poverty and a marked inadequacy of health services. The services that can be rendered there under the OEO program are very broad. They include medical and dental treatment, drugs, transportation, preventive health services, screening and diagnostic services, hospitalization and arrangement for institutional care, home care, rehabilitation, family planning services, mental health services, including treatment of alcoholism, appliances, eye glasses, dentures, personal and community health education, social service, and other health-related services.

Mr. GLICKSTEIN. Now you don't have all of this at the present time, do you? This is what the project will ultimately give you?

Dr. Griffin. In fact, that list was copied from the OEO guide-

lines bulletin saying what could be done under that.

Mr. GLICKSTEIN. As I understand it, Lowndes County has applied for this OEO demonstration grant, and at the moment you have had a period of time in which you have received a small sum of money or a relatively small sum of money in which to effect your proposals. Is that correct?

Dr. Griffin. Yes, I will be glad to give you a run-down on that. Last June we received a sum of money for planning these facilities. The first stage was to run a survey. As a result of that survey, when we applied the OEO standards of an annual income of \$3,000 for a family of four, we found that 8,445 persons under the age of 65 would be eligible for this program; 962 over the age of 65 would be eligible. Rounded off, you have two-thirds of the county would be eligible.

Now I have not had made available to me the complete results of the economic and medical aspects of the survey. In fact, Dr. Wolf's testimony was the first that has been made available in Lowndes County—I checked last Friday.

Now the status of our application—last October we submitted to the Office of Economic Opportunity a request for \$3 million to carry out a program that would include all of these functions that I have mentioned. That request is now undergoing budgetary analysis—and I will say very drastic cutting, too, because OEO has indicated that \$1 million plus may be granted to us for carrying out these services.

Mr. GLICKSTEIN. In other words, it looks at the moment as though your proposal has been cut by about two-thirds. Is that

correct?

Dr. Griffin. Yes.

Mr. GLICKSTEIN. Do you think that the \$1 million plus is going to be sufficient to provide adequate health services in your county?

Dr. Griffin. When we find out how much money we will have, we will have to set up a priority of services.

We hope—and we, in saying we hope these things will be accomplished, we think these are the greatest need in that we will be able to treat acute medical and dental cases, provide drugs and hospitalization, provide transportation.

Now, incidentally, a lot of patients will pay a "friend" more to bring them to my office than they will pay me for seeing them. This is not at all uncommon for them to pay \$4 or \$5 to come to my office, and I charge them \$4 for an office visit.

We also hope that the educational and home services will be available, because sanitation, learning means of sanitation, home nursing, child care, and nutrition are very important.

My personal feeling is that the foodstuffs for adequate nutrition are available, particularly since we now have a commodities program, but the knowledge for preparing this food and using it, balanced diets, and everything, is the main thing that is lacking.

MR. GLICKSTEIN. You mean the food itself would provide adequate nutrition if it were prepared properly?

Dr. Griffin. I think the foodstuff is there. We have the commodities.

MR. GLICKSTEIN. If it were prepared properly?

Dr. Griffin. If it were prepared properly, yes.

MR. GLICKSTEIN. Under the commodity program?

Dr. Griffin. Yes, we are a rural area. I would say that 75 percent of the people have space available where they could have a garden if they so desired.

Now, another way to look at this program is some way other than medical, if you will let me digress from the medical aspects for a moment. I have had to justify to my friends and business friends this way, and they say, "What do you want that program in the county for?" And I say, "Well, if we brought an industry in with \$1 million payroll, would you be interested in that?" And they just start jumping up and down, and they all for that.

That is what we are doing, except this is a medical payroll instead of some type of industry. And we cannot tell until we

get the final results of the budget analysis, but we hope to employ about 75 people on this program, except for the strictly professional people, and we hope that the majority of these jobs will be filled by unemployed and underemployed residents of the county.

MR. GLICKSTEIN. And people that the program can train and

develop skills in?

DR. GRIFFIN. Training programs will be a very vital part of this. Now I would also like to say that this program, even though the board of health is the applicant agency, a 17-member racially integrated board has been established to govern this medical program.

MR. GLICKSTEIN. Do you know whether that is the first racially integrated public committee in Lowndes County, in your

experience?

Dr. Griffin. In my experience, it is.

And I would like to make this statement: aside from the medical and economic aspects, this program has already helped in that colored and white citizens of Lowndes County, for the first time, have sat down together, studied their common needs, and are attempting to take corrective action.

To my knowledge, board members and people working on the program of either race have not been threatened, coerced, or

criticized in any way for their participation.

It is our hope that OEO will continue to let us progress by supplying the funds necessary for this program. We believe that this medical program alone would do much toward stabilizing the economy of Lowndes County, and providing high quality comprehensive medical services for the people of the county.

MR. GLICKSTEIN. Dr. Myers, Dr. Griffin mentioned that Alabama does not have a Medicaid program and you probably won't have

one until 1970. Would you explain why that is so?

DR. MYERS. It is mainly a matter of money for the 17 percent matching portion.

MR. GLICKSTEIN. The State has to put up 17 percent and the

Federal Government puts up 83 percent?

DR. MYERS. That is initially. It would change later. I believe this would be a shifting ratio. But the amount of money that has been estimated to put this program into operation, would be about \$35 million. That is just a horseback estimate, and of that amount we need a source of funds to provide the State for matching provisions for this. We must get it into operation by 1970, or before 1970, if at all possible.

Mr. GLICKSTEIN. You say it is mainly a matter of money. I was under the impression there have been some delays due to unwillingness to provide assurances that the program would be con-

ducted without discrimination. Is that correct?

DR. MYERS. Not to my knowledge. Not in—since the responsibility has been transferred to the health department.

MR. GLICKSTEIN. When was the responsibility transferred to the health department?

Dr. Myers. Oh, about 6 months ago or 8 months ago.

MR. GLICKSTEIN. Where was the responsibility prior to that? DR. MYERS. It was in the department of pensions and security. And I don't know what their statement on this was.

MR. GLICKSTEIN. You are not sure whether their problem with implementing it was civil rights assurances or money?

DR. MYERS. I have enough difficulty keeping up with my own department.

Mr. GLICKSTEIN. I see. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Dr. Rankin, do you have any questions? COMMISSIONER RANKIN. Dr. Myers, have the Federal programs for veterans and establishment of hospitals for giving them medical care had any impact at all on your problem as State health officer?

DR. MYERS. I am not aware of it, because the veterans program has been used by those beneficiaries in a completely different field than the one that we are traditionally operating in. We cooperate with them, but I don't see a direct relationship.

COMMISSIONER RANKIN. It hasn't relieved you of any burden particularly?

Dr. Myers. If it has, I haven't noticed it.

COMMISSIONER FREEMAN. Dr. Meyers, as the director of the department of public health, are you responsible for both the health and hospital services?

DR. MYERS. No, just the health services. Hospital services—we don't have State hospitals as such.

COMMISSIONER FREEMAN. You exercise control of the clinics that are in operation in the State of Alabama?

DR. MYERS. The clinics that are in the health department, yes. COMMISSIONER FREEMAN. Are those clinics segregated by race? DR. MYERS. They are not. Some of them once were.

COMMISSIONER FREEMAN. As of now, as of today, your answer is that they are not segregated by race?

DR. MYERS. They are not. They have not been segregated for some time.

COMMISSIONER FREEMAN. You indicated that there was some inadequacy in the services, and I wonder if the possibility of a mobile health clinic that would—something like a trailer—that would go to the people—has that been considered by your office?

DR. MYERS. This system has been used in another portion of the State than the one presently being reviewed, these counties here. In the northern part of the State it has been used in a couple of

counties for maternal and child health programs, for spacing, and for some immunization activities.

In the main, most of the counties have sub-health centers where they can conduct clinics closer to the people in order to keep them from having to come such long distances.

When you have a limited staff, of course, you must, you are not able to provide constant staffing for the sub-centers, so you can only open them on certain days or at certain times when the services can be made available by proper staff.

COMMISSIONER FREEMAN. Is your office considering the expansion of such mobile health clinics?

Dr. Myers. We have been expanding as rapidly as we have money to do so.

COMMISSIONER FREEMAN. Dr. Griffin indicated that a large percentage of the mothers out of choice, chose midwives.

I would like to know if either Dr. Griffin or you, on the basis of your knowledge about the housing conditions in which a large number of these people reside, what is your medical opinion with respect to the use of these midwives, and the health care that is received by the child and mother following the delivery?

DR. MYERS. Now I can't speak for Dr. Griffin on what he feels. I would say that I appreciate the work that has been done by midwives; I am anxious to have more professional care being given to our mothers at the time of childbirth. We have been taking care of about one-fourth of the expectant mothers in Alabama in our maternity clinics. This runs about 26 to 27 percent, I believe, last year, of the expectant mothers that are new admissions to our clinics.

And this does not provide for the total care. This gives them some prenatal care, but then delivery is another problem. If we can get them into a hospital or if they can make provisions for going to a hospital, fine; if they cannot, then we are anxious to have a midwife attend them.

DR. GRIFFIN. My feeling is that the midwife system is inferior; it is one of those relative things—it is better than nothing and I do everything within my power to encourage them to take advantage of the hospital delivery, but there are many who, even with my encouragement, prefer a midwife delivery at home.

COMMISSIONER FREEMAN. Are the hospitals in this State segregated by race?

Dr. Griffin. Dr. Myers may have to answer that as to how many have complied with the civil rights agreement.

DR. MYERS. Those—the majority, I don't know the exact number, how many might not be in compliance now, but by far the majority are in compliance with the civil rights clause.

COMMISSIONER FREEMAN. The majority of the hospitals in this State are in compliance?

Dr. Myers. Yes.

COMMISSIONER FREEMAN. That means they are integrated?

Mr. Myers. Yes.

COMMISSIONER FREEMAN. Does that include the integregation of the medical staff, the nursing staff?

Dr. Myers. Yes.

COMMISSIONER FREEMAN. And the patients?

Dr. Myers. And the patients.

COMMISSIONER FREEMAN. Are all integrated?

Dr. Myers. Right.

DR. GRIFFIN. I am on the staff of two hospitals here in Montgomery and the staffs are both integrated, the medical staffs are both integrated.

COMMISSIONER FREEMAN. Are the hospital rooms and services to the patients integrated?

Dr. Griffin. Yes, they are.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Dr. Myers, with respect to the midwives, has your department undertaken to instruct or in any ways improve the quality of care that they offer to these expectant mothers?

DR. MYERS. Yes, we have. For a number of years we have conducted periodic courses for the instruction of midwives. Some of the midwives, particularly those in former years, have not had an adequate education so this has restricted the amount of training that they could receive.

We continue to operate a permit system. They are not licensed, they are permitted, and then their equipment is supposed to be checked monthly to be sure that they have the basic equipment for performance of their service.

I believe there about 700 midwives at the moment. I' is is about half the number that existed some 10 years ago.

VICE CHAIRMAN PATTERSON. And your department requires some showing of their competence before it will issue a permit to them?

DR. MYERS. Yes, that is a qualified—competence is a rather tricky word.

VICE CHAIRMAN PATTERSON. What criteria do you set?

DR. MYERS. Most of them have had experience as a midwife over a number of years. They have shown willingness to take instructions and they have prepared themselves in terms of having the basic minimum equipment available when they are called upon to serve.

VICE CHAIRMAN PATTERSON. And you say that their equipment is supposed to be checked at least once a month. Is this by your department?

Dr. Myers. Yes, by the county health departments.

VICE CHAIRMAN PATTERSON. Returning to some earlier testimony with respect to the prevalence of anemia in Lowndes County—and I recognize that that prevalence may be in dispute in different sections of the county—but we have heard testimony that this results from a lack of protein in the diet—meat, eggs.

From your experience, what is the typical diet that might lead to this anemic condition? What is the typical diet among these

people?

DR. GRIFFIN. You are asking me or Dr. Myers? VICE CHAIRMAN PATTERSON. Dr. Myers, yes.

DR. MYERS. I don't know. I know that the diet of the people in the South has been a changing type of diet. And this is—there are very often, in many rural areas, have been deficiencies of protein in the diet. There have been problems more prevalent in the past of worm infestations. This is less now than it was in times past. We are showing a considerable decrease in the number of positive parasite specimens that come to the State laboratory in recent years.

But the total picture of why they are having a deficient hemoglobin probably relates to the amount of iron as well as protein.

It may also—and this is one of the things that has been of concern to me be a measure of the educational need for having a balanced diet.

In other words, do you really—if you had the food available to you, will you really eat the things that you need rather than the things that you like, or that you would prefer?

VICE CHAIRMAN PATTERSON. Dr. Griffin, in your experience, people who show up lacking protein in their diet, what is it that they do eat?

DR. GRIFFIN. Protein lack has not been quite as marked as probably some other deficiencies. The diet that is the main diet in Lowndes County is probably dried peas, beans, or fresh peas, beans. Meat is largely pork.

Now that is out of choice, because I know with high blood pressure patients when I tell them to lay off the pork, some of them say, "You might as well tell me to die; I can't live without my pork." And the cuts of pork that they prefer are the fatty cuts which do not have any protein.

Some of them have green patches where they can eat collard greens, turnip greens, and so forth. And that is a plus for them, in some of the vitamin contents, unless they cook it to death, cook it all day and cook the vitamins out. But it is largely fat meat, corn meal, and beans.

VICE CHAIRMAN PATTERSON. One final question. With respect to your health needs in Alabama—and everywhere, of course, we encounter a lack of money to do all we want to do—Dr. Myers,

has there been any effort on the part of the medical association of Alabama or the professional organizations to work with your department in a volunteer capacity to meet some of these outstanding needs?

DR. MYERS. Yes, the Medical Association of the State of Alabama is, by law, the State Board of Health. I have some 2,500 bosses. It is kind of hard to keep them all happy.

We have had very excellent cooperation from both the medical association and from the legislature and the Governor's office in particular, in helping us to get two cigarette taxes passed that have had the effect of giving us almost three times the amount of our—well, the first cigarette tax almost doubled our State contribution to health services, and the second one was equal to it.

So, it was a considerable increase and yet, the new programs that are coming to us are so costly and they have also been so urgently needed that the increases won't keep pace with the increase cost.

VICE CHAIRMAN PATTERSON. I have no further questions.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. Dr. Griffin, do I understand that your testimony is that the food commodity program provides an adequate diet for children?

DR. GRIFFIN. Food commodity program by itself does not provide an adequate program, but where people do not have to buy staples such as lard, corn meal, and so forth, they then have money available to buy other foods, and that would help them achieve a balanced diet in that way.

The food commodities are not a balanced diet, they are staples. Mr. Taylor. Many of the people told us that not only do they not have enough money left over to buy adequate supplementary food, but that the commodities themselves don't last long enough.

So you are not talking about all people when you say they will have some money left over to buy adequate food, are you?

DR. GRIFFIN. No, but they would have more money for buying adequate foods than they had before the commodities program.

MR. TAYLOR. If they have got any money at all. We haven't talked much about prenatal care. Do the mothers in Lowndes County get prenatal care?

DR. GRIFFIN. Mothers in Lowndes County have to have prenatal care under the midwife system. Prenatal clinics are available at the health department. They have a clinician who is a practicing physician who comes in part-time to run these prenatal clinics.

If a mother does not choose to go to the prenatal clinic or because of distance, or something, she does not go, she can go to a private physician. Before a mother can be delivered by a midwife, she must have an examination by a physician, and she must have had a check-up either at the physician's office or at a prenatal clinic in the health department within 30 days prior to her delivery time, or else the midwife cannot care for her.

MR. TAYLOR. That is one trip. These are not regular visits?

DR. GRIFFIN. Most of them are regular visits. The one trip is required. But most of them do get a regular prenatal care.

You can take statistics to prove most anything. It has been several years since there has been a maternal death in Lowndes County where it has been a midwife delivery.

I will throw that out—it doesn't prove much though.

DR. MYERS. I might add that in Lowndes County about 170 new admissions to the prenatal clinic last year were recorded, and as I have—I believe that there were 205 births in the county during that year. So this gives you an estimate of the utilization of the maternity clinic in Lowndes County.

Mr. TAYLOR. Dr. Myers, let me move on to another matter.

There seems to be some reaction to your statement that the clinics were all unsegregated, the clinics that are under your jurisdiction.

Have you yourself made a personal trip to investigate the extent to which desegregation pertains?

Dr. Myers. I have made many such trips.

Mr. TAYLOR. Are you satisfied that in actual utilization of these clinics that they are not segregated?

I don't mean just the partitions coming down, or the signs coming down, but that they are actually used on an unsegregated basis.

DR. MYERS. To my certain knowledge, the patients are taken in the order they come in, which is the way it should be.

Mr. TAYLOR. Do you require the filing of reports to your office to determine the extent to which that is true on a regular basis?

DR. MYERS. We don't have a formal report as such, no, but any complaints would be investigated immediately, and if any correction were needed, they are obligated to make those corrections immediately.

Mr. TAYLOR. Do you, apart from the question of just what the facts are, do you as a medical matter, agree with the opinion stated earlier, of the effects, potential effects, of malnutrition in causing certain diseases, the possibilities of brain damage, or causing antisocial behavior?

DR. MYERS. I am neither a psychiatrist nor a pediatrician and so, therefore, I am not really qualified to agree or disagree with the statements made in earlier testimony.

The degree of anemia, certainly, can affect mentality, can affect performance. It can affect susceptibility to disease—

MR. TAYLOR. I am sorry, were you finished?

Dr. Myers. And anything that we can do to bring a deficiency

of hemoglobin up to adequate amounts is certainly medically indicated.

MR. TAYLOR. It is true, is it not, that the infant mortality rate in this State as in other States, is much higher for Negro children than it is for white children? That is correct, is it not?

DR. MYERS. That has been observed; and it has also been observed that prematurity is one of the primary causes.

MR. TAYLOR. I am sorry.

DR. MYERS. Prematurity is one of the primary causes of infant mortality.

MR. TAYLOR. Is it also a distinct possibility that lack of adequate prenatal and postnatal care, lack of adequate diet on the part of the mother, and on the part of the children may also be a contributing factor to those statistics?

DR. MYERS. It certainly can, and that has been the predicate of our emphasis on getting prenatal care through the health department.

MR. TAYLOR. In light of those facts, Dr. Myers, I am just wondering how strong a priority more funds and more physicians and more personnel is in the State of Alabama.

You say there is no Medicaid program as of the moment, and that it has been slowed down because of the problem of money, possibly because of the problem of assurances.

What is the State contribution to this program? What would be the State contribution to a program that is funded 83 percent by the Federal Government?

DR. MYERS. Well, if it were a \$35 million program, it would be the percentage of what it is going to be—\$7, \$8, \$8½ million is what we feel it would need to initiate an adequate program.

If we could get more, we could offer more services. We are talking about basic services.

MR. TAYLOR. How does that compare to the expenditures, for example, on highways in Alabama?

DR. MYERS. I wish I could make that analogy stick in the minds of some of the legislators but, unfortunately, there isn't the same emphasis on health as on highways.

MR. TAYLOR. Have you tried to make that analogy stick in the minds of legislators?

DR. MYERS. We have offered it several times—the amount of money that it would take to build one mile of road and the amount that we could do in the health services, but there seems to be more interest in highways than in health.

But this is not restricted to our State.

Mr. Taylor. You see, I get worried—you talked about problems of motivation, about rural people not being motivated to come in and seek services, and Dr. Griffin talked about the same thing. I get worried about the motivation of people who hold public office, and about our priorities in this country.

And I can't square living in this country and traveling around and seeing some of the things that I see in areas. It is not restricted to Alabama.

It seems to me what we need is a greater sense of urgency on the part of everyone, and it seems to me that if we have got the lack of conditions that we have heard reported on here today, we have got a lack of adequate health care, if we have got these kinds of infant death rates, that people ought to be out there every day making this perfectly clear.

But this isn't what you hear; this isn't what you see.

DR. MYERS. Let me explain that this isn't a lack of activity on the part of the legislature entirely, because the delegation of responsibility for Title 19 was transferred to the health department after the last legislature was in session, after the budgets had been fixed, and so we really haven't had an opportunity to offer the package program to the legislature. It will be done at the earliest moment.

Mr. Taylor. You see, the people don't understand the jockeying back and forth, if I may say so, between one department and another. And it doesn't really sound, if you try to explain it to someone, it doesn't sound like a convincing reason.

Do you consider this a matter of great urgency now, let me ask you that?

Dr. Myers. The implementation of Title 19?

Mr. TAYLOR. That's right.

DR. Myers. Absolutely. It is the highest priority.

Mr. Taylor. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein?

MR. GLICKSTEIN. I have no further questions.

CHAIRMAN HANNAH. Thank you very much, gentlemen. We appreciate your being here this afternoon. You are excused. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. We next have a group of five witnesses: Mrs. Helen Randale, Mrs. Elizabeth Hutton, Mrs. Rebecca Ward, Mrs. Mary Wade, and Mrs. Pattie Mae Haynes.

(Whereupon, Mrs. Helen Randale, Mrs. Elizabeth Hutton, Mrs. Rebecca Ward, Mrs. Mary Wade, and Mrs. Pattie Mae Haynes were sworn by the Chairman and testified as follows:)

TESTIMONY OF MRS. HELEN RANDALE, FORKLAND, ALABAMA; MRS. ELIZABETH HUTTON, EUTAW, ALABAMA; MRS. REBECCA WARD, AKRON, ALABAMA; MRS. MARY WADE, SELMA, ALABAMA; AND MRS. PATTIE MAE HAYNES, SHORTER, ALABAMA

MR. GLICKSTEIN. Would you each please state your full name and address for the record, and would you each try to speak di-

rectly into the microphone, or a few inches away from the microphone when you answer.

Mrs. RANDALE. I am Helen Randale, Route 1, Box 103, Forkland.

MRS. HUTTON. Elizabeth Hutton from Eutaw, Alabama, Route 3, Box 56, Eutaw.

MRS. WARD. I am Mrs. Rebecca Ward from Akron, Alabama, Post Office Box 84.

MRS. WADE. I am Mary Wade, 3116 Berham from Selma, Alabama.

MRS. HAYNES. Pattie Mae Haynes from Shorter, Alabama.

MR. GLICKSTEIN. Mrs. Hutton, perhaps we can start with you since you are sitting in the middle. How many children do you have?

MRS. HUTTON. I have eight of my own at home.

MR. GLICKSTEIN. You have eight at home now?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. How many children?

MRS. HUTTON. And I have four grandchildren.

MR. GLICKSTEIN. Eight of your own children and four of your grandchildren living with you?

MRS. HUTTON. Yes.

Mr. GLICKSTEIN. Do you sometimes have other children staying with you?

MRS. HUTTON. I have six of my brother's children. Their mother is dead and they stay there most of the time; but some weekends he takes them home.

Mr. GLICKSTEIN. That is about 18 children that you sometimes have staying with you?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. Mrs. Hutton, we have some pictures here and I wonder if you could identify these pictures for the Commissioners.

MRS. HUTTON. This is one of my grandchildren, and that one of my twins.

MR. GLICKSTEIN. Where is this scene? Is this by your house? MRS. HUTTON. Yes, this is on the porch.

MR. GLICKSTEIN. That is on the front porch?

MRS. HUTTON. Yes. You see, this is the window right here. It doesn't have a glass window. The window is nailed up.

MR. GLICKSTEIN. And that is the door to the house on the right there?

MRS. HUTTON. This is the door. This is steps and you see the porch.

MR. GLICKSTEIN. I see. Are there other pictures?

MRS. HUTTON. And this is the kitchen right here. When it rains outdoors, I mean it rains in the kitchen and leaks outdoors.

Mr. GLICKSTEIN. And that is a picture of you?

MRS. HUTTON. That is the day I was chopping in the garden.

MR. GLICKSTEIN. What are you doing there?

MRS. HUTTON. There I was chopping in the garden and I come there to sit on the porch.

MR. GLICKSTEIN. What is that in the background on the left?

MRS. HUTTON. This here?

Mr. GLICKSTEIN. Yes.

MRS. HUTTON. That is the well.

MR. GLICKSTEIN. That is the well. Is that where you get your water?

MRS. HUTTON. That's right.

Mr. GLICKSTEIN. You don't have running water—

MRS. HUTTON. No, I don't.

MR. GLICKSTEIN. —in the house?

MRS. HUTTON. No, I don't.

MR. GLICKSTEIN. Are there other pictures?

MRS. HUTTON. Now here is one of the little boys that I keep, my brother's baby.

MR. GLICKSTEIN. That is one of your brother's boys?

MRS. HUTTON. Yes, that is the baby.

Mr. GLICKSTEIN. And he is sitting on the porch?

Mr. Hutton. Yes.

Mr. GLICKSTEIN. That is another view?

MRS. HUTTON. Yes, there I was sitting on the porch and they are on the porch, and this is the steps. This is the kitchen door. This is a window right here by this tree. It is nailed up, too.

MR. GLICKSTEIN. Is there glass in the window?

MRS. HUTTON. No, there ain't no glass in the window.

MR. GLICKSTEIN. How many bedrooms do you have inside?

MRS. HUTTON. I have three.

Mr. GLICKSTEIN. Three rooms?

MRS. HUTTON. Three bedrooms.

MR. GLICKSTEIN. Three bedrooms. Do you have a living room? MRS. HUTTON. No, I have an old big room, it ain't a living room—where they sleep, I keep an extra bed, when somebody comes to stay all night.

MR. GLICKSTEIN. With all these children that you have told us

about, do they have to share beds with each other?

MRS. HUTTON. They do. Sometimes I have four in this bed and two in there and three in there and four in the other one, you know to sleep them around, can even sleep them on the floor.

MR. GLICKSTEIN. Mrs. Hutton, you said that you have eight of your own children living at home. Have some of your children left?

MRS. HUTTON. Yes, I have one girl in Boston, one in Detroit. MR. GLICKSTEIN. Troy, New York?

MRS. HUTTON. Detroit.

Mr. GLICKSTEIN. Detroit?

MRS. HUTTON. Yes. And I got one boy in Detroit and I got one in St. Louis.

MR. GLICKSTEIN. Do you ever see them?

MRS. HUTTON. They come home once in a while.

Mr. GLICKSTEIN. Why did they leave?

MRS HUTTON. Well, see, some of them finished school and they had to leave to get jobs. They were directed to because I wasn't able to work and take care of all of the children.

Mr. GLICKSTEIN. Would they have preferred to stay in the

MRS. HUTTON. If they had had jobs they would.

MR. GLICKSTEIN. Now, how do you support yourself, where does your money come from?

MRS. HUTTON. Well, I get a little welfare check.

MR. GLICKSTEIN. How much do you get from welfare?

MRS. HUTTON. I get \$127.

Mr. GLICKSTEIN. \$127 every month?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. Do you have any other income?

MRS. HUTTON. No more than this food stamp.

MR. GLICKSTEIN. Well, do you use some of that \$127 to buy food stamps? Is that right?

MRS. HUTTON. That's right, \$74 a month.

Mr. GLICKSTEIN. And how much worth of food stamps do you get for \$74?

Mrs. Hutton. I get \$138.

MR. GLICKSTEIN. \$138 worth of food stamps?

MRS. HUTTON. That's right.

Mr. GLICKSTEIN. Do you have any children living at home with you?

MRS. HUTTON. I do.

MR. GLICKSTEIN. Any children that live with you that supply you with money?

MRS. HUTTON. No. No, all I have is the welfare check.

Mr. GLICKSTEIN. What about the grandchildren that you keep; which child of yours—

MRS. HUTTON. You see, even in the welfare checks, some of them just come by the—they get a little of that.

MR. GLICKSTEIN. They get a little of that. I see.

MRS. HUTTON. That is why they give me that amount.

MR. GLICKSTEIN. Now, you get food stamps once a month?

MRS. HUTTON. That's right.

MR. GLICKSTEIN. Do you usually spend them all at one time, or do you spend them over the course of the month?

MRS. HUTTON. The big one is spent at one time because when I get them I have to get groceries with it.

Mr. GLICKSTEIN. Do you find that the food that you get with the food stamps lasts you the entire month?

MRS. HUTTON. No, it don't.

MR. GLICKSTEIN. Do you run out of food near the end of the month?

MRS. HUTTON. I do.

Mr. GLICKSTEIN. What do you do when you run out of food?

Mrs. Hutton. I just have to do the best I can whatever be left scrap it up and make out until the next time.

MR. GLICKSTEIN. Do you at that time of the month when you run out of food, for example, can you give the Commissioners an example of what you might have for dinner one night, what sort of meals do you eat?

MRS. HUTTON. Well, the milk and bread. The big one when I get down low—milk and bread, probably a white bag of meal.

MR. GLICKSTEIN. Well, today, Mrs. Hutton, is the end of the month. What did you have for dinner last night? What did you feed your children?

MRS. HUTTON. Milk and bread.

Mr. GLICKSTEIN. Milk and bread?

MRS. HUTTON. That's right.

MR. GLICKSTEIN. When do you get your food stamps?

MRS. HUTTON. On the 1st.

MR. GLICKSTEIN. You get your food stamps tomorrow?

MRS. HUTTON. That's right.

MR. GLICKSTEIN. What did you have for dinner on Sunday? MRS. HUTTON. Turnip greens.

MR. GLICKSTEIN. Pardon me—turnip greens?

MRS. HUTTON. Turnip greens.

MR. GLICKSTEIN. Before you were receiving food stamps, did you get food commodities at one time?

MRS. HUTTON. Yes, I got it.

MR. GLICKSTEIN. You had food commodities?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. What do you prefer? Do you prefer to get the stamps or do you prefer to get the commodities?

MRS. HUTTON. Well, I think the stamps are better. The food, it was all right but, you know, the stamps——

MR. GLICKSTEIN. Well, why do you like the stamps better?

MRS. HUTTON. Well, you can buy your food. The commodities, they use—sometimes it would be full of weevils and bugs and things. You couldn't eat it.

MR. GLICKSTEIN. Some of the commodities you were given were spoiled?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. They had bugs in them?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. Why don't I ask Mrs. Ward a few questions.

Mrs. Ward, would you just remind us again where you are from? Mrs. WARD. Akron.

MR. GLICKSTEIN. What county is Akron in?

MRS. WARD. Akron, Alabama.

MR. GLICKSTEIN. What county is it in?

MRS. WARD. Hale.

Mr. GLICKSTEIN. Hale County?

MRS. WARD. Yes.

MR. GLICKSTEIN. How old are you, Mrs. Ward?

MRS. WARD. Forty.

Mr. GLICKSTEIN. You are 40 years old?

MRS. WARD. Yes.

MR. GLICKSTEIN. How many children do you have?

Mrs. Ward. I have 10 children of my own and one grandchild.

MR. GLICKSTEIN. How many did you say you have?

MRS. WARD. I have 10 children.

MR. GLICKSTEIN. Ten children of your own?

MRS. WARD. Yes.

MR. GLICKSTEIN. And you have grandchildren living with you as well?

Mrs. Ward. Yes, sir.

MR. GLICKSTEIN. How many grandchildren?

MRS. WARD. I have one living with me.

MR. GLICKSTEIN. Are all of your children living at home with you in Akron?

MRS. WARD. Yes, all of my children with me.

MR. GLICKSTEIN. All with you?

MRS. WARD. That's right.

Mr. GLICKSTEIN. Do you work?

Mrs. Ward. Yes, sir.

MR. GLICKSTEIN. What do you do for work?

MRS. WARD. I work—I make \$12 a week.

MR. GLICKSTEIN. You make \$12 a week?

MRS. WARD. That's right, \$12 a week, that's right.

MR. GLICKSTEIN. What do you do to make that?

MRS. WARD. Well, I house clean, I cook.

MR. GLICKSTEIN. You work in somebody's house?

MRS. WARD. Sir?

MR. GLICKSTEIN. You work in somebody's house?

MRS. WARD. Yes, sir, for a white lady.

MR. GLICKSTEIN. How many hours a week do you work?

MRS. WARD. I work from 7 o'clock to noon.

MR. GLICKSTEIN. Seven o'clock to noon?

MRS. WARD. Yes.

Mr. GLICKSTEIN. Every day?

MRS. WARD. Yes, except Sunday.

Mr. GLICKSTEIN. Except Sundays?

MRS. WARD. That's right.

Mr. GLICKSTEIN. Six days a week?

MRS. WARD. That's right.

MR. GLICKSTEIN. How long have you worked on this job?

MRS. WARD. Well, I have been with this job since November.

Mr. GLICKSTEIN. November?

MRS. WARD. Yes, but I did have another one before I went to this job.

MR. GLICKSTEIN. You did?

MRS. WARD. That's right.

MR. GLICKSTEIN. And what kind of a job was that—the same type?

MRS. WARD. The same kind of a job.

MR. GLICKSTEIN. What was your salary there?

MRS. WARD. \$1 a day.

Mr. GLICKSTEIN. \$1 a day?

MRS. WARD. Yes, sir.

MR. GLICKSTEIN. For how many days?

Mrs. Ward. Seven days a week.

MR. GLICKSTEIN. You worked seven days?

MRS. WARD. Yes, sir.

MR. GLICKSTEIN. What were your hours then?

MRS. WARD. From 7 o'clock to 1 o'clock, the same thing.

MR. GLICKSTEIN. Seven o'clock to 1 o'clock?

MRS. WARD. Yes.

MR. GLICKSTEIN. How long did you have that job?

MRS. WARD. I had that job 12 years.

MR. GLICKSTEIN. And did you quit that job, or were you fired?

MRS. WARD. Well, they fired me.

MR. GLICKSTEIN. They fired you?

MRS. WARD. Yes, because my children didn't have no clothes and in September the man came at me and I asked him if he could take the children over there and pick some cotton with another man and so he takes them along. His daughter came along and she got hot about it. She had came from the schoolhouse— taking her children to the school—she said she wasn't going to have her daddy haul my children over there so she told me I could get back out.

So, she said she would take me back. I said, No, she don't have to take me back, I would go back. So I came on out there in the cotton field.

MR. GLICKSTEIN. As far as you know, you were—it seems to be some rather insubstantial or very insufficient reason that you were given for being fired, and you were just let go on one day's notice.

MRS. WARD. On 1 day's notice.

MR. GLICKSTEIN. After 12 years?

Mrs. Ward. That's right.

MR. GLICKSTEIN. Did you move to your present home recently? MRS. WARD. Yes, I moved to Akron then.

MR. GLICKSTEIN. Pardon me?

MRS. WARD. I was in Akron then. I moved from over there but I was still working there.

MR. GLICKSTEIN. You moved into the house that you are living in now, recently?

MRS. WARD. No, sir, I moved into another house, and I moved to this house where I am living in now, in March.

MR. GLICKSTEIN. In March?

MRS. WARD. Yes.

MR. GLICKSTEIN. Before that you lived in another house in Akron?

MRS. WARD. That's right.

MR. GLICKSTEIN. How much rent do you pay now?

MRS. WARD. I pay \$15 a month.

MR. GLICKSTEIN. \$15 a month?

Mrs. Ward. Yes, but it was later raised to \$20 a month.

MR. GLICKSTEIN. Do you have boarders staying in the house?

MRS. WARD. Sir?

MR. GLICKSTEIN. Do you have any people staying in the house? MRS. WARD. No, sir, nobody but me and my children.

MR. GLICKSTEIN. And no boarders in the house?

MRS. WARD. No, sir.

MR. GLICKSTEIN. No other people in the house?

MRS. WARD. No, there ain't no room for no boarders.

MR. GLICKSTEIN. Do you get welfare payments?

MRS. WARD. No, sir—I just got a check today.

MR. GLICKSTEIN. You got a check today?

MRS. WARD. Yes.

MR. GLICKSTEIN. For how much?

Mrs. Ward. \$26.

MR. GLICKSTEIN. And is that the first welfare check that you got?

MRS. WARD. That's the first welfare check I got this time—well, the children been on it before, but they cut them off because I had a baby. So they started back this time and give \$26.

MR. GLICKSTEIN. How long ago was it that you were cut off? MRS. WARD. Well, it was back in—I believe it was '60 something.

I just don't remember now, but it has been a good while.

MR. GLICKSTEIN. It has been a good while?

MRS. WARD. That's right.

MR. GLICKSTEIN. Do you get food stamps?

MRS. WARD. Yes, sir.

MR. GLICKSTEIN. How much do you pay for your food stamps? MRS. WARD. I pay \$46.

Mr. GLICKSTEIN. How much?

MRS. WARD. \$46. I gets \$120 worth of stamps.

MR. GLICKSTEIN. And how long have you been getting food stamps?

MRS. WARD. Ever since they first came out.

MR. GLICKSTEIN. Ever since they first came out in your county? MRS. WARD. That's right.

MR. GLICKSTEIN. And about how long ago was that?

MRS. WARD. Well, I don't exactly know when that was. It was back before Christmas sometime, but I just don't know, I just can't keep up with nothing like that.

MR. GLICKSTEIN. Do you find that your food stamps are adequate to provide you with enough food for the entire month?

MRS. WARD. No, sir, they don't.

Mr. GLICKSTEIN. Your experience has been similar to Mrs. Hutton's, you run out of food toward the end of the month?

MRS. WARD. That's right, because I am out now.

MR. GLICKSTEIN. What did you feed your family last night?
MRS. WARD. I fed them biscuits and syrup and I had to go to
the store and get a five pound of flour to cook that.

MR. GLICKSTEIN. Biscuits and syrup, you said?

MRS. WARD. That's right.

MR. GLICKSTEIN. Do your children attend school full time?

Mrs. Ward. Sir?

MR. GLICKSTEIN. Do your children attend school full time? MRS. WARD. No, sir.

MR. GLICKSTEIN. They miss school sometimes?

MRS. WARD. Yes, sir, I have got four staying out all this year because they didn't have shoes and clothes to wear, and I wasn't able to because I wasn't making but \$12 a week and I had to try to clothe them and feed them.

Mr. GLICKSTEIN. So you had to keep some of your children out of school because they didn't have shoes?

MRS. WARD. That's right.

MR. GLICKSTEIN. Mrs. Haynes, may I ask you some questions? MRS. HAYNES. Yes, sir.

Mr. GLICKSTEIN. Would you tell us again where you live?

MRS. HAYNES. My name is Pattie Mae Haynes. I live in Shorter, Alabama.

MR. GLICKSTEIN. Shorter, Alabama. That is in Macon County? MRS. HAYNES. Yes.

Mr. GLICKSTEIN. How old are you?

MRS. HAYNES. I am 43.

MR. GLICKSTEIN. And how many children do you have? MRS. HAYNES. I have six.

MR. GLICKSTEIN. And what are their ages?

MRS. HAYNES. The ages?

MR. GLICKSTEIN. About how old are your children? How old is the youngest one?

MRS. HAYNES. The youngest one is a year old.

MR. GLICKSTEIN. How old is the oldest one?

MRS. HAYNES. The oldest one she is 13.

MR. GLICKSTEIN. Thirteen?

MRS. HAYNES. Yes, sir.

MR. GLICKSTEIN. Mrs. Haynes, I believe we also have some pictures here for you to identify?

MRS. HAYNES. Let's see. That is my kitchen now. We is in the house.

Mr. GLICKSTEIN. It is in your house?

MRS. HAYNES. Yes, sir, that is in my house. That is my oldest girl standing. That is my baby sitting on me, and that is my little girl standing by me.

MR. GLICKSTEIN. What is that?

MRS. HAYNES. That is the room next to the kitchen. That is the room next to the kitchen.

Mr. GLICKSTEIN. That is—

MRS. HAYNES. That is the room it rains in there.

MR. GLICKSTEIN. That is the room in which it rains?

MRS. HAYNES. Yes, sir, it rains in that room.

MR. GLICKSTEIN. It looks like a bed. Is that a bed that I see? MRS. HAYNES. No—yes, that is a bed, but those clothes up on the bed. it rains in there.

Mr. GLICKSTEIN. How many rooms——

MRS. HAYNES. We don't stay in there when it rains.

MR. GLICKSTEIN. How many rooms do you have?

MRS. HAYNES. I have two rooms and a kitchen, but we all stay in one room when it rains, you can't stay in there.

Mr. GLICKSTEIN. Now, this is the

MRS. HAYNES. That is the house.

MR. GLICKSTEIN. From the outside?

MRS. HAYNES. Yes, from the outside, that is my baby standing on the porch. The little girl on the porch. That is my house.

MR. GLICKSTEIN. We have one more picture. What is that?

MRS. HAYNES. That is my stove.

Mr. GLICKSTEIN. You do all of your cooking on that?

MRS. HAYNES. No, I am not cooking on that.

Mr. GLICKSTEIN. You don't cook on that?

MRS. HAYNES. No.

Mr. GLICKSTEIN. Where do you cook?

MRS. HAYNES. I cook right in the room, where the only heat—because I don't have no stove, it is no good.

MR. GLICKSTEIN. Do you have electricity in that house?

MRS. HAYNES. No. I don't have electricity in there.

MR. GLICKSTEIN. Now you said that you and your six children all live in one room?

MRS. HAYNES. One room.

MR. GLICKSTEIN. And how many beds do you have in that room?

MRS. HAYNES. Just two.

Mr. GLICKSTEIN. Two beds?

MRS. HAYNES. Yes.

Mr. GLICKSTEIN. How do you sleep?

MRS. HAYNES. Me and the girls, we sleep in one bed, the larger bed, and the boys sleep in a smaller bed.

Mr. GLICKSTEIN. Do you receive welfare-

MRS. HAYNES. Yes, sir.

Mr. GLICKSTEIN. —welfare payments?

MRS. HAYNES. Yes.

MR. GLICKSTEIN. How much do you receive?

MRS. HAYNES. I receive \$117 a month.

MR. GLICKSTEIN. And do you receive food stamps?

MRS. HAYNES. No.

Mr. GLICKSTEIN. Do you receive commodities?

MRS. HAYNES. Yes.

MR. GLICKSTEIN. What kind of commodities do you receive? MRS. HAYNES. I get grits, peas, and get meal, flour, and beef, lard, and peas.

MR. GLICKSTEIN. Do you have to use some of your welfare money to buy additional food?

MRS. HAYNES. Yes, it runs out. It don't last all the month. I get it, but it runs out. I have to go get food from the store until I get my check the next time.

MR. GLICKSTEIN. How much rent do you pay?

MRS. HAYNES. I don't pay, I ain't been paying no rent at all, but I have had to pay for my children's lunch a month. I have been having to pay \$5 from that, \$10 a month for the children to eat.

MR. GLICKSTEIN. Do you have to pay for school lunches for your children?

MRS. HAYNES. Yes.

MR. GLICKSTEIN. That comes to \$10 a month?

MRS. HAYNES. Yes, sometimes every 2 months, from \$5 to \$10.

MR. GLICKSTEIN. Now, you say you don't pay any rent at all? MRS. HAYNES. No, sir, but I'm going to pay rent because I am going to have to move. I am going to move Thursday, and where the house I am going in I have lights, and I am going to have to pay \$10 a month.

MR. GLICKSTEIN. But the house you have been living in, you never had to pay rent?

MRS. HAYNES. No.

MR. GLICKSTEIN. They never charged you rent there?

MRS. HAYNES. No.

MR. GLICKSTEIN. How long have you lived in the house that you are in now?

MRS. HAYNES. I have just moved in there last year in February. I moved there the first of March.

MR. GLICKSTEIN. First of March in 1967?

MRS. HAYNES. Yes.

MR. GLICKSTEIN. Do you ever have to keep your children home from school?

MRS. HAYNES. Yes, I have to keep them home from school. Sometimes they don't have shoes to wear and I have to keep them there until I can get some.

MR. GLICKSTEIN. Do your children ever get medical attention? MRS. HAYNES. Yes, sir, when they—no one but the baby, I had to take to the doctor.

Of course, I had two of my boys said they had to have glasses. I taken them to the doctor and the doctor examined their eyes for glasses.

Mr. GLICKSTEIN. Did they get glasses?

MRS. HAYNES. No, they said their eyes wasn't bad and I didn't have to have glasses, but that is the paper the teacher sent me, but they didn't have to have glasses.

MR. GLICKSTEIN. I see. Mrs. Haynes, you told us that you didn't have any electricity in your house.

MRS. HAYNES. No, I don't have.

Mr. GLICKSTEIN. What about plumbing? Do you have a toilet in the house?

MRS. HAYNES. No, sir.

MR. GLICKSTEIN. What do you use? Do you have an outhouse in the back?

MRS. HAYNES. No, sir, we don't have no outhouse on the outside at all.

MR. GLICKSTEIN. Do you just go in the woods?

MRS. HAYNES. Yes, sir, we just go way down in the woods somewhere. There has never been there ever since I moved there.

MR. GLICKSTEIN. Where do you get your water?

MRS. HAYNES. Out at the spring.

MR. GLICKSTEIN. Do you go down to a spring and get your water from there?

MRS. HAYNES. Yes.

MR. GLICKSTEIN. Mrs. Randale, may I ask you some questions, please. Would you remind us, please, where you live?

MRS. RANDALE. I live in Greene County.

MR. GLICKSTEIN. In what town?

MRS. RANDALE. Forkland, Route 1, Box 103.

MR. GLICKSTEIN. And how many children do you have?

MRS. RANDALE. I have six.

MR. GLICKSTEIN. You also receive welfare payments?

MRS. RANDALE. That's right.

Mr. GLICKSTEIN. How much do you receive?

Mrs. Randale. \$54.

MR. GLICKSTEIN. When did you begin to receive these payments?

MRS. RANDALE. I received my first check in February. In Easter Sunday they give me another check for January.

Mr. GLICKSTEIN. And you get food stamps?

MRS. RANDALE. I do.

MR. GLICKSTEIN. How much do you pay for your food stamps? MRS. RANDALE. Well, you see, I have to go to the doctor Monday. I haven't been to the doctor for 2 years and my little boy is sick and got something in his eye, so when I carry the receipt, they be \$22, but they cut it down to \$10.

Mr. GLICKSTEIN. I see—if you have doctor bills?

MRS. RANDALE. Yes, sir, I have to go for cancer treatment.

MR. GLICKSTEIN. If you have doctor bills, the amount of the doctor bills is deducted from what you are required to pay for food stamps?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. And how many food stamps do you get when you buy them?

Mrs. Randale. \$72.

MR. GLICKSTEIN. \$72 worth?

MRS. RANDALE. That's right.

Mr. GLICKSTEIN. You said that you began getting welfare payments in February?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. What did you live on prior to February?

MRS. RANDALE. February—you said what did I live on?

MR. GLICKSTEIN. Yes. How did you pay your bills before February?

MRS. RANDALE. Well, I just credited it, charged it. You see, I don't have anything to pay for it until my check comes.

MR. GLICKSTEIN. People gave you credit?

MRS. RANDALE. Yes, sir, I have credit.

MR. GLICKSTEIN. And were you able to get food stamps at that time?

Mrs. RANDALE. No, I weren't.

Mr. GLICKSTEIN. You weren't able to get any food stamps?

MRS. RANDALE. I wasn't able to get nothing at that time because I didn't have nothing.

Mr. GLICKSTEIN. Did you try to get food stamps and tell them that you just didn't have any money at all?

MRS. RANDALE. Well, I tried, but they said if I didn't have no more income I couldn't get any more.

MR. GLICKSTEIN. Where did you get your food from?

MRS. RANDALE. Well, my neighbor next door he helped me out with my children and gave me some bread.

MR. GLICKSTEIN. How did you pay your rent prior to February?

MRS. RANDALE. Well, my boys went and helped cut wood, and done whatever the man had for them to do for to make up the \$10.

MR. GLICKSTEIN. When did you begin getting food stamps? MRS. RANDALE. I guess it has been about a year, I guess.

Mr. GLICKSTEIN. And what—you said you began receiving welfare payments this February?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. But you have been getting food stamps for about a year?

MRS. RANDALE. I guess it has been a year.

MR. GLICKSTEIN. How did you pay for the food stamps before you began getting welfare payments??

MRS. RANDALE. My son-in-law, he give me \$5.

Mr. GLICKSTEIN. He lent you \$5?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. And was that enough to pay for the food stamps?

MRS. RANDALE. Well, at that time it weren't but \$3 because I gave him \$2 for the gas.

MR. GLICKSTEIN. You had to pay \$2 for gas to go into the office where you get food stamps?

MRS. RANDALE. I had to pay \$2 for the gas to bring me to get the food stamps.

MR. GLICKSTEIN. I see. Then you paid \$3 for the food stamps? MRS. RANDALE. That's right.

MR. GLICKSTEIN. How many food stamps did you get for the \$3?

MRS. RANDALE. Well, they was giving me \$70 worth then.

Mr. GLICKSTEIN. \$70 worth?

MRS. RANDALE. Yes, right.

Mr. GLICKSTEIN. I see. Have your children ever received any medical treatment?

MRS. RANDALE. From the Government, yes.

Mr. GLICKSTEIN. Where do you take them for medical treatment?

MRS. RANDALE. I carry them to the health department first and they sends them to the doctor.

MR. GLICKSTEIN. You go to the county health department?

MRS. RANDALE. Yes, sir.

MR. GLICKSTEIN. Are Negro people and white people treated the same way in the county health department?

MRS. RANDALE. No.

MR. GLICKSTEIN. They are not?

MRS. RANDALE. No.

Mr. GLICKSTEIN. In what way are they treated differently?

MRS. RANDALE. Well, they don't seem to wait on them as they do the whites, because they didn't wait on me. They didn't want to wait on me.

Mr. GLICKSTEIN. They seem to wait on the white people before they wait on the Negro people?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. Is everybody able to go into the same door? MRS. RANDALE. No, sir, they have got a different door.

Mr. GLICKSTEIN. They have a different door. Are there signs on the doors?

MRS. RANDALE. Yes, sir, colored and white.

Mr. GLICKSTEIN. There are signs that say "colored" and "white"?

MRS. RANDALE. Yes, sir, there is.

MR. GLICKSTEIN. What about waiting rooms? Are you in the same waiting rooms?

MRS. RANDALE. No, you are not in the same waiting rooms.

Mr. GLICKSTEIN. Do you wait-

MRS. RANDALE. In a different room.

Mr. GLICKSTEIN. Perhaps some of you other ladies can comment on that.

Have any of you other ladies ever used county health departments?

MRS. HUTTON. Yes.

Mr. GLICKSTEIN. Mrs. Hutton, have you ever gone to a county health department?

MRS. HUTTON. Yes.

MR. GLICKSTEIN. And were white and colored people treated the same way?

MRS. HUTTON. No, they are not.

MR. GLICKSTEIN. Do you have to go in different doors?

Mrs. Hutton. That's right.

MR. GLICKSTEIN. And in different waiting rooms?

MRS. HUTTON. That's right.

MR. GLICKSTEIN. How about Mrs. Ward, how about you, have you gone to a county health department?

MRS. WARD. No.

MR. GLICKSTEIN. You haven't been to one. Mrs. Randale, are your children receiving adequate medical attention? Are there any needs that they have that aren't being filled right now?

MRS. RANDALE. Definitely not. My little boy, his nerves are bad, and I have one that need eyeglasses, and also myself. I can hardly see at times.

Mr. GLICKSTEIN. You need eyeglasses and your little boy needs eyeglasses?

Mrs. Randale. That's right. I need something, I can't hardly see—all my sight go out.

Mr. GLICKSTEIN. Have you been offered any assistance from the county people to get you glasses?

MRS. RANDALE. Yes, I have. They sent me to Tuscaloosa.

MR. GLICKSTEIN. They sent you up to Tuscaloosa to get some? MRS. RANDALE. That's right.

MR. GLICKSTEIN. How far is Tuscaloosa from where you live? MRS. RANDALE. It is many miles. I really don't know that, how many.

MR. GLICKSTEIN. How much did it cost you to get up there? MRS. RANDALE. Well, I give him some gas, \$10.

MR. GLICKSTEIN. \$10 for gas?

MRS. RANDALE. That's right.

MR. GLICKSTEIN. And did you have an appointment up there when you went?

MRS. RANDALE. I did.

Mr. GLICKSTEIN. What happened when you got there?

MRS. RANDALE. Well, I can't hear so good. I thought the lady told me—I wanted to sit down but she told me to go outside, but I thought she said she was going to wait on me cause like she, you know, did but my auntie told me—she asked her because I didn't understand. She said, Go outside, she had a book full, she couldn't wait on me. So, I had to go back home.

MR. GLICKSTEIN. You had to go back home?

MRS. RANDALE. I sure did.

MR. GLICKSTEIN. You paid \$10 to go up there and you thought you had an appointment, and you had to go back home?

MRS. RANDALE. I had to go back home.

MR. GLICKSTEIN. Have you gone back since then?

MRS. RANDALE. No, sir, I haven't. She treated me so cold I didn't never go back.

Mr. GLICKSTEIN. Mrs. Wade, may I ask you some questions, please. Would you remind us where you live?

MRS. WADE. 3116 Berham.

MR. GLICKSTEIN. In what city?

MRS. WADE. Selma, Alabama.

MR. GLICKSTEIN. You live in Selma, in Dallas County. How many children do you have?

MRS. WADE. I have nine depending on me right now, but I have 10 in all.

MR. GLICKSTEIN. Ten in all?

MRS. WADE. Ten.

MR. GLICKSTEIN. Ten in all.

MRS. WADE. And have eight of my own and two grand that I have to support at this moment.

MR. GLICKSTEIN. And you receive welfare payments?

MRS. WADE. Yes, sir.

MR. GLICKSTEIN. How much do you receive?

MRS. WADE. Well, \$103 at this moment.

MR. GLICKSTEIN. And do you buy food stamps?

Mrs. Wade. Sometimes.

MR. GLICKSTEIN. Sometimes?

MRS. WADE. Sometimes.

MR. GLICKSTEIN. Why not all the times?

MRS. WADE. Don't have enough money—a lot of bills to pay. MR. GLICKSTEIN. Well, when you do buy food stamps, how much are you required to spend for them?

MRS. WADE. It's \$46.

Mr. GLICKSTEIN. And how many food stamps do you get for that?

MR. GLICKSTEIN. How many food stamps?

Mrs. Wade. \$84.

MR. GLICKSTEIN. \$84 worth of food stamps?

MRS. WADE. That's right.

Mr. GLICKSTEIN. Do you find that the food you get with the food stamps lasts you all month?

MRS. WADE. No, sir.

MR. GLICKSTEIN. And how about last night? What did you have for dinner last night?

MRS. WADE. Well, I had a pretty fair—

MR. GLICKSTEIN. You had a pretty what?

MRS. WADE. I had a pretty fair dinner. I had what I wanted to eat, because I cooked some greens. I like some greens you know, and some cornbread. I always try to have something I care for, because the doctor put me on vegetables, and I have to have vegetables, so that is what I cook. This is my choice, vegetables.

MR. GLICKSTEIN. Do you work at all, Mrs. Wade?

MRS. WADE. No, sir.

MR. GLICKSTEIN. Do you think that it would be helpful for your family if you were to work?

MRS. WADE. I am not able.

MR. GLICKSTEIN. You are not able to work?

MRS. WADE. No. sir.

MR. GLICKSTEIN. This is because of doctor's orders?

MRS. WADE. Because of my complaints.

MR. GLICKSTEIN. You mean your health complaints?

MRS. WADE. Yes, and the doctor said that in my condition I could do one or two days light work.

MR. GLICKSTEIN. Have you considered doing that?

MRS. WADE. It would have to be light. But since no one seems, you know, want nobody to do nothing light, and every time I want to employ for a job, nobody needs no one can have to do light work, so that just throws me out of a job.

MR. GLICKSTEIN. So you haven't been able to even find some light work for one or two days a week?

MRS. WADE. No, sir, not as yet.

MR. GLICKSTEIN. You said some months you buy food stamps and some months you don't?

MRS. WADE. That's right.

MR. GLICKSTEIN. In those months when you do buy food stamps, do you have to do without other necessities in order to buy them?

MRS. WADE. Yes, sir, I have to put off a lot of bills or either borrow money from some of my friends and have to pay them back later on and pay interest on it.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mrs. Randale, did I understand you to say that you paid somebody \$10 to carry you to the county health center to get some glasses?

MRS. RANDALE. Yes, sir, I had to go way out to Tuscaloosa.

VICE CHAIRMAN PATTERSON. To Tuscaloosa.

MRS. RANDALE. Yes, sir, to Tuscaloosa.

VICE CHAIRMAN PATTERSON. I understand. And when you got there you said that they treated you so cold that you went home?

MRS. RANDALE. That's right.

VICE CHAIRMAN PATTERSON. How did they treat you?

MRS. RANDALE. Well, I didn't understand her, I thought she told me to go outside, she was going to wait on my family at 9:30, I think it was 9:30 to go outside. But she said I had to come back next month.

VICE CHAIRMAN PATTERSON. She told you to stay an extra day?

MRS. RANDALE. She told me to come back next month because she couldn't wait on me because her book was full.

VICE CHAIRMAN PATTERSON. Next month?

MRS. RANDALE. Yes, sir, next month. But I thought I had an appointment, for that they would wait on me.

VICE CHAIRMAN PATTERSON. Mrs. Haynes.

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. --on Sunday.

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. And you had a big wash out, and you had your washing hung up?

Mrs. Haynes. Yes.

VICE CHAIRMAN PATTERSON. Where did you get the water to wash all of those clothes?

MRS. HAYNES. Out of the spring.

VICE CHAIRMAN PATTERSON. That spring is about 100 yards down a steep hill behind your house?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. Did you carry that water up or did your children help you?

MRS. HAYNES. The children helped.

VICE CHAIRMAN PATTERSON. Can you carry a bucket of water up that hill?

MRS. HAYNES. No, the children tote it.

VICE CHAIRMAN PATTERSON. And you put it in a washtub and wash those clothes?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. What do the children wash in? Do they wash in that same tub? Where do your children take a bath? Do they take a bath up at the house or down at the spring?

MRS. HAYNES. At the house.

VICE CHAIRMAN PATTERSON. At the house?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. The spring needed cleaning out, didn't it?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. Do you have any kerosene for the lamp?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. So you have a light at night in your house?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. It rained out there Monday, didn't it?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. Did the roof leak in your house?

MRS. HAYNES. Yes, it leaks in one room, in the room that we not in, staying in, it leaks in there. It leaks in the kitchen.

VICE CHAIRMAN PATTERSON. In the kitchen and in the room that you are not in?

Mrs. Haynes. Yes, sir.

VICE CHAIRMAN PATTERSON. So you and your six children all live in one room?

MRS. HAYNES. One room.

VICE CHAIRMAN PATTERSON. It doesn't leak in there?

MRS. HAYNES. No, it don't leak in there.

VICE CHAIRMAN PATTERSON. And you told me that four of you sleep in one bed?

Mrs. Haynes. Yes.

VICE CHAIRMAN PATTERSON. How well do you sleep in that bed with three children? Can you sleep very well?

MRS. HAYNES. No, not so well, because, see, someone always be pressing in your back, or something like that, you don't have a comfortable rest, cause time you go off to sleep, some of them be waking you up or pushing you, or something like that.

VICE CHAIRMAN PATTERSON. Are you well, Mrs. Haynes?

MRS. HAYNES. No, sir, I am not well.

VICE CHAIRMAN PATTERSON. Do you feel bad?

MRS. HAYNES. Yes, I feel bad sometimes. In fact, I have been on a doctor and I'm taking doctor medicine—I am not well at all.

VICE CHAIRMAN PATTERSON. How old is your oldest child?

MRS. HAYNES. My oldest child—the oldest child I have, she is 20-some.

VICE CHAIRMAN PATTERSON. But living with you?

MRS. HAYNES. No, the one that lives there with me, she is 13.

VICE CHAIRMAN PATTERSON. Thirteen?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. Can she help you a little bit with the work?

MRS. HAYNES. Yes, she helps me some in washing.

VICE CHAIRMAN PATTERSON. In washing?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. The other children are too small to help you?

MRS. HAYNES. No, they'll tote water.

VICE CHAIRMAN PATTERSON. Tote water?

MRS. HAYNES. Yes. They'll tote water, and the girl gets the clothes washed and then they'll help her hang them.

VICE CHAIRMAN PATTERSON. They do what?

MRS. HAYNES. They help the girl hang the clothes out if she get them washed.

VICE CHAIRMAN PATTERSON. Hang the washed clothes if she gets on them?

MRS. HAYNES. Yes, sir, if she gets them washed they'll help hang them out.

VICE CHAIRMAN PATTERSON. Do you plant a garden?

MRS. HAYNES. Yes, sir, I plant a garden.

VICE CHAIRMAN PATTERSON. What do you grow in your garden?

MRS. HAYNES. I grow collards, and turnips, and tomatoes, okra, but where we had our garden it was a right small place, but that is what I grow. It was no very large place.

VICE CHAIRMAN PATTERSON. Now you have got two beds in the room that you live in?

Mrs. Haynes. Yes, sir.

VICE CHAIRMAN PATTERSON. But you have got another bed in a room where it leaks?

MRS. HAYNES. Yes.

VICE CHAIRMAN PATTERSON. Does that bed get wet when it rains?

MRS. HAYNES. Yes, sir, when it rains, yes, sir, it gets wet some when it rains, because it rains all down by the window there, and all along that——

VICE CHAIRMAN PATTERSON. Is that why you don't sleep in that room because when it rains it rains on the bed?

MRS. HAYNES. That's right.

VICE CHAIRMAN PATTERSON. Thank you, Mrs. Haynes.

MRS. HAYNES. Yes, sir.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. All of you have said that when you go to the clinic that you have to go in a separate door and that you have a separate line.

I would like to know about the welfare office. What is that like? Will you start, Mrs. Haynes, and will you tell us what is the welfare. Is it segregated by race?

MRS. HAYNES. Yes.

COMMISSIONER FREEMAN. Tell us what happened when you made your application for welfare.

MRS. HAYNES. Oh, when I made my application for welfare, I didn't have no help. My husband had left me and he left me with six children.

COMMISSIONER FREEMAN. Did you have to go in a place that was different from where the white people had to go?

MRS. HAYNES. Yes, ma'am.

COMMISSIONER FREEMAN. Is that true of each one of you? CHORUS. That's right.

COMMISSIONER FREEMAN. Is there a sign on the door in each one of the places?

MRS. RANDALE. That's right.

COMMISSIONER FREEMAN. White and colored?

MRS. RANDALE. That's right.

COMMISSIONER FREEMAN. How much—every one of you has said that you don't have enough food, that you don't have enough clothing.

MRS. HAYNES. No, I don't.

COMMISSIONER FREEMAN. How much would you need to take care of your family the way you think your family should be provided for?

Why don't we start with Mrs. Haynes and then go around.

MRS. HAYNES. How much would you think I need?

COMMISSIONER FREEMAN. How much do you think you need? MRS. HAYNES. I need——

COMMISSIONER FREEMAN. To pay rent.

Mrs. Haynes. Well, I think I need about—

COMMISSIONER FREEMAN. How soon does your money run out? MRS. HAYNES. Ma'am?

COMMISSIONER FREEMAN. How soon does your money run out? MRS. HAYNES. Well, my money runs out before the first of the month, and I have to be back to the store.

COMMISSIONER FREEMAN. Is that about a week before, or two weeks before?

MRS. HAYNES. Before, my money runs out-

COMMISSIONER FREEMAN. What about you, Mrs. Hutton?

MRS. HUTTON. About 2 weeks, or 3 weeks. That is because my doctor bill is so high.

COMMISSIONER FREEMAN. After 2 or 3 weeks in the month you don't have any money?

MRS. HUTTON. I don't have anything.

MRS. WARD. After I pay my bills, sometimes I have \$3 left and sometimes I have \$5, and you know about how long that is.

COMMISSIONER FREEMAN. How long does that have to last you? Mrs. Ward. That \$5?

COMMISSIONER FREEMAN. That \$5.

MRS. WARD. It will last me the next minute if I go to pay that bill.

COMMISSIONER FREEMAN. Have any of you ever said to the welfare worker, have you ever told her that you don't have enough money?

CHORUS. Yes, ma'am.

COMMISSIONER FREEMAN. And what does she say?

MRS. WADE. She just can't give no more.

VOICE. They can't give it, they can't supply all our needs, pay all our bills.

COMMISSIONER FREEMAN. Have you been to anybody else to try to get help?

CHORUS. Yes, ma'am.

COMMISSIONER FREEMAN. And what do they tell you?

MRS. RANDALE. They said they can't give help, and that is all. VOICE. They'll tell you if you have the civil rights things, they

ain't got nothing to do with you, they can't help you.

COMMISSIONER FREEMAN. You say it's because of civil rights they can't help you?

MRS. WADE. They are not going to help you if they find out you are in the civil rights.

COMMISSIONER FREEMAN. I cannot hear you.

MRS. HUTTON. They say if you are in the civil rights mess, they don't mess with you.

COMMISSIONER FREEMAN. They won't give you anything? Mrs. HUTTON. Not anything.

MRS. WADE. Better not know you here.

COMMISSIONER FREEMAN. I can't hear you, Mrs. Wade.

Mrs. Wade. I said, they better not know you are participating in the civil rights movement.

COMMISSIONER FREEMAN. If you participate in the civil rights movement and they know about it, what do they do?

MRS. WADE. Well, if they have given you any money, they will try and cut your moneys off and just treat you cold and all; beat you to death, if necessary.

COMMISSIONER FREEMAN. What did you say, Mrs. Wade?

MRS. WADE. Some of them have attempt to say, you know, beat me if I participated in it. I have been threatened.

COMMISSIONER FREEMAN. You have been threatened?

MRS. WADE. Yes, ma'am.

COMMISSIONER FREEMAN. Has anybody else been threatened?

Mrs. Hutton. Nobody talks about it though—

VOICE. I was threatened when my daughter entered in the white school; they wouldn't take her and they told me what they would do if I didn't come by and get her, and I didn't go back in.

COMMISSIONER FREEMAN. I have no further questions.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Do any of you keep chickens?

Do any of you have chickens?

CHORUS. No.

MRS. RANDALE. I have a few chickens.

COMMISSIONER RANKIN. You have a few chickens. Is it easier living in the summer or the winter?

MRS. HUTTON. Harder in the winter.

COMMISSIONER RANKIN. Harder in the summer?

MRS. HUTTON. Harder in the winter, because it's better in the summer because you can have a few greens.

COMMISSIONER RANKIN. You have some things from the garden?

MRS. HUTTON. Yes.

COMMISSIONER RANKIN. How do you set aside enough money for clothes?

MRS. HUTTON. We don't have any.

Mrs. Wade. We don't have enough of nothing right now.

MRS. HUTTON. Right now is at the time the children come out of school, now the time they are almost naked.

Voice. That's the truth.

MRS. HUTTON. What they had when they started school, they have been worn out and we wasn't able to buy no more. Every time I go to try and buy this one a piece and that one a piece.

COMMISSIONER RANKIN. Mrs. Haynes, I visited in your home. Do you have enough chairs for your children to sit around the table to eat dinner?

MRS. HAYNES. No.

COMMISSIONER RANKIN. How do they eat dinner? Tell us about it.

MRS. HAYNES. When they get to dinner, we don't have enough chairs to sit in at home—I don't have enough chairs for my children to even sit and eat in—they have to eat on the floor, take their plates and sit down on the floor and eat.

We are scattered everywhere, some of them on the porch, some in the house on the floor. Sometimes they haven't got but one chair and sometimes they be pulling and fussing over it. I have to make them leave the one chair alone, because their dad wants to sit in there and they want to sit, and I just make them go and sit on the floor.

COMMISSIONER RANKIN. Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Mrs. Wade, would you tell me about the welfare office in Dallas County. Is that a segregated office in any way?

MRS. WADE. It is.

MR. TAYLOR. How? In what way?

MRS. WADE. Well, the white goes in their part and the colored goes in the back.

MR. TAYLOR. The entrance for the colored people is at the rear? MRS. WADE. Yes.

Mr. TAYLOR. And are there any signs?

MRS. WADE. Yes, it is, white and colored, back is for the colored and the white is in the front part.

Mr. TAYLOR. Now, I would like to ask Mrs. Randale, after your experience in going up to Tuscaloosa for eyeglasses, do you feel much like going back there?

MRS. RANDALE. I feel I could go back because I can't see no better at time I can't see a bit.

Mr. Taylor. So you are going back there, not because you were well treated, but because you feel that is the only place to go to get some help?

Mrs. Randale. Yes, sir, I tried, and I want to sit down, she

says I have to go outside, wouldn't let me sit down.

MR. TAYLOR. Now, I would like to ask Mrs. Hutton—we have heard some people say that the major problem is that people all like the same kind of food, they all like salt pork, and they won't eat an adequate diet.

Do you think that is the major problem, or is it that there is not enough food and fresh fruit, or are they both problems?

Mrs. Hutton. What do you mean by lack it? You say they lack it.

Mr. TAYLOR. Why people don't eat a good diet.

MRS. HUTTON. No money to buy it. They ain't buying.

MR. TAYLOR. They don't have enough to buy?

MRS. HUTTON. That's right.

MR. TAYLOR. Let me ask all of you this: has anybody been to any of your houses to show you, to talk to you about the proper way of managing your diet, the way to prepare food, and the kinds of food to buy?

Voice. No, there ain't nobody been to my house.

MRS. WADE. Yes, I have.

Mr. Taylor. To your house—were they helpful?

MRS. WADE. Well, I already knowed how.

Mr. TAYLOR. Thank you. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein, do you have any questions?

MR. GLICKSTEIN. I have one question for Mrs. Hutton. Mrs. Hutton, have you been active in civil rights activities?

MRS. HUTTON. Yes, I have.

Mr. GLICKSTEIN. What kind?

MRS. HUTTON. Marching.

MR. GLICKSTEIN. What do you hope to accomplish by participating in civil rights activities?

MRS. HUTTON. You mean, what am I marching for?

Mr. GLICKSTEIN. That's right.

Mrs. Hutton. To get jobs, and hope we have better jobs.

Mr. GLICKSTEIN. I see. Thank you.

CHAIRMAN HANNAH. Any further questions?

Ladies, we are very grateful to you for coming here today, and we know it was a great inconvenience, and we hope that the time is not too far off when people in your counties and this State and in the whole United States are going to be interested in doing something to make your lives a little better than they have been. Thank you very much. Now we are going to recess for 10 minutes.

CHAIRMAN HANNAH. Ladies and gentlemen, if we may have a quiet room, we will resume with the hearing. Mr. Glickstein, call the next witness.

Mr. GLICKSTEIN. The next witness is Dr. Moses Lukaczer, a member of the staff of the Research Division of this agency.

(Whereupon, Dr. Moses Lukaczer was sworn by the Chairman and testified as follows:)

## TESTIMONY OF DR. MOSES LUKACZER, STAFF MEMBER, U. S. COMMISSION ON CIVIL RIGHTS

Mr. GLICKSTEIN. Dr. Lukaczer, I show you a copy of a report entitled "Staff Report on Public Assistance in Alabama. The Administration and Description of Welfare Programs in Alabama."

Is this a report that you prepared?

Dr. Lukaczer. I did, sir.

MR. GLICKSTEIN. Mr. Chairman, may this be introduced into the record?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 14 and received in evidence.)

MR. GLICKSTEIN. Dr. Lukaczer, would you please summarize the report for the Commissioners?

DR. LUKACZER. Mr. Chairman, in Alabama, the public assistance program is administered by the State department of pensions and security through 67 county departments of pensions and security.

Employment in the State office and in the field totals 1,804. Of this number, there are only 18 Negroes employed in professional and clerical type jobs.

In Alabama the public assistance program leaves a great many persons in need outside that program. A large proportion, 65 percent of the participants in the surplus food and food stamp programs in Alabama, are not on the public assistance rolls at all.

Why is this? Because when the test of eligibility is simply income as it is in these food programs, many more persons who are needy can qualify.

The Social Security Act provides that each State shall define the level of living that is used to determie who needy people are and the amount of assistance to be given.

The State of Alabama says \$177 a month is necessary to meet the needs of an ADC family of four in January 1968.

The State of Alabama provides that family with \$89 a month—50 percent of need. What does it mean to an ADC family of four to have \$89 to meet costs which equal, at least, \$177 per month?

In the basic budget for a family of four in January 1968, the amount budgeted for shelter and utilities is \$48.70 per month. These costs must be paid. This means that out of the cash payment of \$89, there is available for food, clothing, and other non-shelter items, \$40.30 a month.

In the basic budget, \$128.30 per month is budgeted for food, clothing, and other nonshelter items. Thus, \$40.30 is available to do the job that \$128.30, three times as much as is assigned in the budget to do. The budget requirements for a family of four were worked out by the authorities in Alabama in 1963 on the basis of prices prevailing in that year.

Prices have increased between 1963 and the present time.

However, the budgetary cost of \$177 has not been increased accordingly.

Let us look at the payment to an ADC family of four in the context of the widely applied Federal Index of Poverty.

In March 1967, \$2,320 a year was needed to afford a family of four even the minimal diet that could be expected to provide adequate nutrition and still leave enough to pay for other living essentials.

In March 1967, the cash payment to an ADC family of four in Alabama, totaled \$876 in a 12-month basis,  $37\frac{1}{2}$  percent of the Federal Poverty Index. Or, put in other terms, the yearly cash payment was 62 percent below the Index of Poverty.

Even if allowance is made for the average value of surplus food and the food stamp bonus received by an ADC family of four that participated in those programs, the total payment is still less than one-half of the Federal Index of Poverty.

It needs to be observed that in Alabama, 12,506 ADC cases, 68½ percent of all ADC cases in December 1967, involved Negroes. 5,430 ADC cases, 30 percent of the total, involved white persons.

In the 16-county hearing area, 2,515 ADC cases, 91½ percent of all ADC cases in this area in December '67, involved Negroes. 180 ADC cases, 6½ percent of the total, involved white persons.

In January 1968, the cash payment in the Old Age Pension, Aid to the Blind, and Aid to the Permanently and Totally Disabled Program, was a larger proportion of the basic budget requirement than is the case for an ADC family of four in Alabama.

The experience with the food programs is that when a county shifts from a surplus food to a food stamp program, there is considerable attrition in the number of participants. When Dallas County, for example, shifted from one program to the other, the number of participants dropped from 13,560 to 6,662. Thus, 6,898 needy persons in Dallas County are no longer receiving any benefits from the food program.

Thank you, Mr. Chairman.

CHAIRMAN HANNAH. Thank you, Dr. Lukaczer. Mr. Glickstein, would you call the next witness?

MR. GLICKSTEIN. The next witness is Mrs. Augusta Wilkinson. (Whereupon, Mrs. Augusta L. Wilkinson was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MRS. AUGUSTA L. WILKINSON, DALLAS COUNTY, ALABAMA

MR. GLICKSTEIN. Mrs. Wilkinson, would you please state your full name and address for the record?

MRS. WILKINSON. I certainly will. My name is Mrs. Clellan Wilkinson. I'm better known as "Miz Welfare" in Dallas County. My real name is Augusta Logan Wilkinson, and I am the director of the Dallas County Department of Pensions and Security.

MR. GLICKSTEIN. You live in Dallas County?

MRS. WILKINSON. I have lived there all my life, and five generations are buried in the cemetery there, of my family.

Mr. GLICKSTEIN. How long have you been director of the Dallas County department?

MRS. WILKINSON. I have been director since 1944.

MR. GLICKSTEIN. And had you worked for the department prior to that?

Mrs. Wilkinson. Yes, I had. I started in 1941 as a case worker.

MR. GLICKSTEIN. And you were a case worker for 3 years and then you became director?

Mrs. Wilkinson. That's right.

MR. GLICKSTEIN. How many recipients does your office aid, approximately?

MRS. WILKINSON. We have, at the last report, 3,149 recipients receiving Old Age Assistance. We have a county population of 57,765; of that number—3,149 recipients—89 percent are Negroes.

We have, for your information, 2,565 Old Age recipients, 407 white people in that number; 548 Aid to Families with Dependent Children, with only 17 white families receiving aid; 33 blind of that number—seven white people; 311 Aid to the Permanently and Totally Disabled and only 47 receiving assistance.

Mr. GLICKSTEIN. You said there were 57,765 people in Dallas County?

MRS. WILKINSON. That's right. That's right.

MR. GLICKSTEIN. Mrs. Wilkinson, I am sure you heard the staff report that was just delivered by Dr. Lukaczer before you testified?

MRS. WILKINSON. Yes, I did.

MR. GLICKSTEIN. He spoke briefly about the food stamp and food commodity programs in Dallas County.

As I understand it, you once had a food commodities program?

Mrs. Wilkinson. What is that?

MR. GLICKSTEIN. As I understand it, you once had a food commodities program?

Mrs. Wilkinson. Yes, I did.

MR. GLICKSTEIN. And how long did that last?

MRS. WILKINSON. It lasted about a year, or a year and one-half. We have had this in operation since January 1967, and it has been in operation—it started certification March of 1967, so you see, we only are a year and one month old.

MR. GLICKSTEIN. On the food stamps?

MRS. WILKINSON. Yes, on the food stamps.

MR. GLICKSTEIN. But prior to that you had the food commodities program?

Mrs. Wilkinson. Yes, we had surplus food commodities.

MR. GLICKSTEIN. Dr. Lukaczer stated in his report that when you had the commodities program there were 13,560 people receiving commodities, and now that you have the food stamp program, there are 6,662 people receiving food stamps. How do you account for that drop?

MRS. WILKINSON. I would account for it, oh, I'm sorry, I don't do right. I account for it for this reason: first, I think that the transportation problem is very acute in our county. As you well know, the Negroes who live out in the county, they are charged \$5 to come in to get the food stamps; and also, our older people who are not as interested in the new ways of life as some of the rest of us are, they don't like to come to town, they would rather buy the food from the grocers that they have bought it from for years and years, and they don't have to eat as much, as you well know.

Mr. GLICKSTEIN. They have to come to Selma to get the food stamps?

MRS. WILKINSON. Those in the county. And I would say about 50 percent of the public assistance recipients live in the county.

Mr. GLICKSTEIN. Where did people get their commodities from?

MRS. WILKINSON. They got their commodities from a warehouse right outside of Selma, about a mile, but it was in the city limits.

MR. GLICKSTEIN. Didn't that present the transportation problem also?

MRS. WILKINSON. Yes, it certainly did present a transportation problem, and we didn't have as many people getting those as we had hoped that we could get.

Mr. GLICKSTEIN. But if it were the same transportation problem for the commodities as it is for the food stamps——

MRS. WILKINSON. That's right, but these others were free.

Mr. GLICKSTEIN. The others were free?

Mrs. Wilkinson. Yes.

MR. GLICKSTEIN. That's why people, you think, might have been willing to travel for the commodities because they were free, but they won't travel for the food stamps?

MRS. WILKINSON. That's right.

Mr. GLICKSTEIN. When people get food stamps they do get a bonus?

MRS. WILKINSON. Yes, they get a bonus of around \$7.46 for each check.

I think it is interesting that we only have 276 of our public assistance recipients getting food stamps, which represents about 1,008, and we have a total of 1,000 people who are getting—that are not public assistance recipients.

MR. GLICKSTEIN. Well, how do you account for the fact that such a small percentage of public assistance recipients are not getting food stamps?

MRS. WILKINSON. I think that the reason for that is that the cost of them—for instance, we have been very fortunate in this respect, that our CAP program has had this loan program in effect, you know, since last March.

Mr. GLICKSTEIN. The Commodity Action Program that is funded——

Mrs. Wilkinson. That's right.

Mr. GLICKSTEIN. —that's funded by the Office of Economic Opportunity?

MRS. WILKINSON. Yes, that's right, and we have accepted those vouchers, and that has been very helpful.

But even so, when a person receives assistance, particularly mothers, and it averages around \$16 per child, it's awfully hard to buy a lot of food and then have set aside money for rent, for clothing, and incidentals that they have to have.

Also, I think it is a proven fact that most of our people have been in the lower socioeconomic group for a number of years—in fact, since they have been living—and that in this respect that they do not know how to manage their money as well, that they do go in debt just like we go in debt. Sometimes we buy a refrigerator when we had no business buying a refrigerator, but unless we pay back bills it is taken away from us.

MR. GLICKSTEIN. What you are saying, then, is a lot of people who are on public assistance who are very needy people do not have sufficient money to afford to buy food stamps?

MRS. WILKINSON. That's right. That's right. That's right.

Mr. GLICKSTEIN. As I understand it, the qualifications to permit a person to buy food stamps are solely economic. Is that right?

Mrs. WILKINSON. That's right.

MR. GLICKSTEIN. On the other hand, there are additional qualifications that a person has to meet to receive public assistance?

MRS. WILKINSON. That's right.

Mr. GLICKSTEIN. So-

MRS. WILKINSON. Well, you see, one thing about that is that oftentimes a person who is getting a small check, a man and a wife, you see, there are not as many eligibility requirements attached to the food stamps that that strata of people can get more food stamps than our strata of people, and I have always said that I truly like the surplus commodity program better, but we have had complaints about that because they said that they had weevils in them, and that they fed them to the pigs and they didn't understand how to use oats that were sent down in the Deep South. And we don't.

MR. GLICKSTEIN. Did more of your recipients participate in the commodities program than participate in the food stamp program?

MRS. WILKINSON. Yes, they did.

MR. GLICKSTEIN. Why did your county switch from commodities to food stamps?

MRS. WILKINSON. Well, I think one of the reasons that they switched from surplus commodities to food stamps is that they received a better balanced diet with buying the food stamps.

MR. GLICKSTEIN. What happened in Dallas County that prompted the county to switch from the commodity program to food stamps program?

MRS. WILKINSON. Well, they had wanted the food stamps program to begin with, and when we were having some problems down there then they said we couldn't get the food stamps for the simple reason that a number of them had already been given out, so if we went into the surplus commodities program first, that then would follow the food stamp program. They wanted the food stamp program in the beginning, but we just went with what we could get.

Mr. GLICKSTEIN. Which of the two programs do you favor?

MRS. WILKINSON. Well, I have a feeling that as far as my clients are concerned, I feel that the surplus commodity program was more helpful because they didn't have to put out as much money, but in the other way, it is teaching them to benefit as far as giving their children better diets, being able to be self-maintaining, giving them the right of human dignity, of going into a store and being able to buy things that they have wanted to buy.

We had an example of one man who bought seven hams. And I said, "Glory to him. If he wants seven hams, let him have seven hams, because we all have certain needs."

MR. GLICKSTEIN. But at the same time a lot of your clients who were getting commodities are not able to get food stamps?

MRS. WILKINSON. That's right.

Mr. GLICKSTEIN. So a lot of people have been deprived of this additional source of food?

MRS. WILKINSON. The ones that are getting the food stamps like it much better than they do the surplus commodities. They were complaining, and at the end of the months we did not have as many people coming to the surplus commodity warehouse.

MR. GLICKSTEIN. You said that one of the problems with surplus commodities was that people didn't know how to use them?

MRS. WILKINSON. That's right.

MR. GLICKSTEIN. Do you have any program that comes from your office that teaches people how to——

MRS. WILKINSON. We didn't have any program coming from our office, but we did get in touch with the home demonstration agent who, in turn, went down there and tried to explain to them the different recipies that they could utilize with these commodities, but whether she got very far or not, I don't know, and my case workers—I have a staff of 38—my case workers have tried repeatedly to help the clients in having the proper meals, trying to work with them.

MR. GLICKSTEIN. Your case workers then would tell a recipient of commodities how to prepare the food?

MRS. WILKINSON. That's right.

Mr. GLICKSTEIN. You say you have a staff of 38?

MRS. WILKINSON. Yes, I have a staff of 38 in my own office, and then I have a staff of eight at the food stamp office, and then I have four colored people—one is a maid and three are trustees, and I think it is interesting to note that we are interested in our colored people. We have tried through generations to be of help to them, and we learned that one of our trustees could not read and we had made provision for him to be enrolled in one of the night schools to get that knowledge that he had sorely needed—he was a boy of 21.

MR. GLICKSTEIN. I am not sure I followed you. You said you have 38 employees at your office, and then eight at the food stamp——

MRS. WILKINSON. You see, my office is, let me see, 126 Church Street, then the food stamp office is on Broad Street and there are eight employees there.

MR. GLICKSTEIN. Of these 46 people, you say that there are four Negroes?

MRS. WILKINSON. There are four Negroes—there are 50 of us in all.

Mr. GLICKSTEIN. Fifty of you. I see. So the four Negroes are in addition?

MRS. WILKINSON. Yes, there is one paid employee——MR. GLICKSTEIN. That's the maid?

MRS. WILKINSON. That is the maid—and then we have three trustees, and we have——

MR. GLICKSTEIN. What are they trustees of?

MRS. WILKINSON. They are trustees of the Dallas County Sheriff's Department, that is, county court.

MR. GLICKSTEIN. I see. They are people that have been in

trouble with the law?

MRS. WILKINSON. That's right.

MR. GLICKSTEIN. And what sort of work do they do for you? MRS. WILKINSON. Well, I'm real pleased—in fact, one that I have I am hoping that he will get out before too long because I would like to ask my commissioner if he could stand the merit exam and employ him. He is an excellent worker.

And then we have had others that I have been quite pleased with.

MR. GLICKSTEIN. Have you made any attempts to get Negro social workers?

MRS. WILKINSON. That's interesting. We tried to get an excellent person who was qualified—a dentist's wife in Selma—and we thought that we had interested her because we think social work is by far more interesting than any profession for the simple reason teaching school is fine, but you work with all kinds of people in social work, and she had taken an application to stand an exam.

But on her way, she went by the superintendent's office and he offered her so much more money——

MR. GLICKSTEIN. This is the superintendent of schools you are talking about?

MRS. WILKINSON. Yes, the superintendent's office—he offered her so much more money that she accepted that, and we lost her.

I have had recently two—a girl and a boy who are graduating from New Orleans, and they have been sent application forms, and they are going to graduate this June, and I am real pleased because we have talked in the high schools at Career Day trying to interest our young people, not only our white young people, but our colored people as well.

MR. GLICKSTEIN. You have talked in the Negro high schools?
MRS. WILKINSON. Oh, yes, indeed. Oh, yes, that's been going on for years.

Mr. GLICKSTEIN. You urge them to become social workers?

MRS. WILKINSON. Yes, and I think you'd be interested in knowing that 19 of our ADC children are in colleges and six in vocational rehab. So, we feel that we have accomplished something within the past 10 years or 15 years.

MR. GLICKSTEIN. How about clerical employees, how many do you employ?

MRS. WILKINSON. Now, let me see. I have that down. I knew you'd ask that.

I believe that I have 14, if I am not mistaken. It's here somewhere—do you lose your figures?

I have seven ADC workers—let me tell you all about them. Six adult case workers, five child welfare workers, two intake workers, four supervisors, eight typists, one telephone operator, one file clerk, one secretary, one receptionist, one finance officer, one assistant finance officer, and myself.

MR. GLICKSTEIN. You have approximately—you were right, I think—there are 14 office workers, according to my arithmetic.

MRS. WILKINSON. That's right, I have 14.

MR. GLICKSTEIN. And none of those is Negro?

MRS. WILKINSON. No, they are not.

MR. GLICKSTEIN. Have you made any efforts to get Negro typists or——

MRS. WILKINSON. Well, we have talked with the employment office about people who are interested in work, and, as you know, all of our workers are under the merit system, and of course they do have to meet certain eligibility qualifications to be eligible to stand a merit system exam.

MR. GLICKSTEIN. Under the merit system, are you required to disregard race in hiring people? Is that one of the conditions?

MRS. WILKINSON. Oh, yes, we don't consider that. I haven't had anyone on the register to come to me that has been a Negro—I don't remember having one.

Mr. GLICKSTEIN. Do the regulations that govern the merit system provide that you cannot discriminate on the basis of race? Mrs. WILKINSON. Yes. We don't discriminate.

MR. GLICKSTEIN. And the regulations provide that, to your knowledge?

MRS. WILKINSON. Now you would have to ask the State personnel department, but we have Negroes in the employ in the State. I know of that. I am pretty sure there is not.

MR. GLICKSTEIN. Have you tried to get Negro clerical employees at any of the schools in Selma?

MRS. WILKINSON. Well, I have contacted the employment office when I need employees, and I haven't designated whether they are white or whether they are colored—yellow, green, blue, or pink. It doesn't make a bit of difference to me just so they are good workers, because they consider me a hard taskmaster, but I want production.

Mr. GLICKSTEIN. Mrs. Wilkinson, there was some testimony before that Negroes and whites are treated differently when they come to the welfare office in Dallas County. What are your comments on that?

MRS. WILKINSON. Well, my comments are this: that there is no sign saying "black," "white," "colored," "green," "yellow," or "pink.' There are no signs at either white. I mean the back

door or the front door. I will say that all of us come in the back door and most everybody else comes in the front door. We have a large building, an ante-bellum building, which is beautifully arranged and beautiful as far as tradition is concerned and also efficiency.

Mr. GLICKSTEIN. Do most of the Negroes come in the front

door?

MRS. WILKINSON. They all come in the front door; it's the white people that come in the back door, the case workers, as I said to you—

MR. GLICKSTEIN. You have been at that office since 1941.

Mrs. Wilkinson. I have been at that office since 1941.

Mr. GLICKSTEIN. At one time were there signs up?-

MRS. WILKINSON. Yes, there were, but not since the compliance act has been signed——

Mr. GLICKSTEIN. Where were the signs?

MRS. WILKINSON. Let me see—we had four doors then, or five doors. We had—I think one at one of the side doors. I don't know whether it was colored.

MR. GLICKSTEIN. What sign was over the back door?

MRS. WILKINSON. There wasn't any sign over the back door.

MR. GLICKSTEIN. There was no sign over the back door?

Mrs. Wilkinson. There was one sign on the side door.

Mr. GLICKSTEIN. What was the sign over the side door—it said 'colored'?

MRS. WILKINSON. No, didn't have any sign.

MR. GLICKSTEIN. You've never had any signs up? MRS. WILKINSON. Oh, yes, we've had signs before.

Mr. GLICKSTEIN. Well, where were the signs? By what doors were the signs?

MRS. WILKINSON. Just the back door.

MR. GLICKSTEIN. The back door had a sign?

MRS. WILKINSON. You see, there were four doors there, you had to understand.

Mr. GLICKSTEIN. Right. But the back door was the one that had a sign that said "colored"?

MRS. WILKINSON. That's right, to the side.

Mr. GLICKSTEIN. And when was that sign taken down?

MRS. WILKINSON. Oh, about a year ago. MR. GLICKSTEIN. About a year ago?

MRS. WILKINSON. We haven't had it up for a long time.

MR. GLICKSTEIN. And people overnight, almost, just decided to ignore the old custom and start using the front door?

MRS. WILKINSON. We've never said anything even before the signs were taken down that you can't come in the front door or the back door.

Mr. GLICKSTEIN. You are telling us that really what's hap-

pened is the whole pattern has switched—now white people come in the back door and Negroes come in the front door?

MRS. WILKINSON. Well, I mean the case workers—us, we come in the back door because it's, it's closer.

MR. GLICKSTEIN. If a Negro comes in the front door would a secretary be likely to tell her to come in the back door?

MRS. WILKINSON. Not at all. We ask them to come, and greet them and tell them to sit down and make themselves comfortable.

MR. GLICKSTEIN. You don't think your receptionist or one of your secretaries might have told a Negro to go to the back door?

MRS. WILKINSON. Not at all. She couldn't be any kinder. I would like for you to come and see. I think Mr.—I never get that man's name right—Lukaczer—he came in. Did you see any signs, Mr. Lukaczer?

Mr. GLICKSTEIN. He is not testifying right now.

MRS. WILKINSON. Oh, I thought he could answer.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mr. Rankin, do you have any questions? COMMISSIONER RANKIN. No. I have no questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mrs. Wilkinson, do you have a college degree?

MRS. WILKINSON. Yes, I do.

COMMISSIONER FREEMAN. Do you have a master's in social work?

MRS. WILKINSON. No, I don't. I had graduate work at the Catholic University in Washington, D. C.

COMMISSIONER FREEMAN. What are the qualifications for case workers?

MRS. WILKINSON. A case worker has to have an A.B. or B.S. degree to qualify as a case worker, one, and stand the exam.

COMMISSIONER FREEMAN. Do all of your case workers have A.B. or B.S. degrees?

MRS. WILKINSON. They all have with the exception of two, who came back in old ARA days. I believe there are two—no, three; there are three.

COMMISSIONER FREEMAN. What is the salary for the case workers?

MRS. WILKINSON. It starts at \$440 a month.

COMMISSIONER FREEMAN. And what is the highest salary that is received?

Mrs. WILKINSON. \$500 and—you know, that has just taken place within the past six months. I think it's about \$550 or \$560. I don't know exactly.

COMMISSIONER FREEMAN. Do you personally interview the applicants for employment?

Mrs. Wilkinson. Yes, I do.

COMMISSIONER FREEMAN. Do you personally hire the persons on your staff?

MRS. WILKINSON. No, I don't. I have a county board of pensions and security and this board, when I get a list from the State department of pensions and security through the personnel department, there are three—three names, and I go over the qualifications of these three people. It does not mean that I have to take the first, the second, or the third. I can take one of the three. And if I find the qualifications are such that one person seems to me would fit in a little bit better, or the grade was a little bit better, then I go before my board and I tell them of these three people, and my suggestion would be that they accept this one. And they usually go along with this.

COMMISSIONER FREEMAN. Has your board ever recommended any Negro case worker to you?

MRS. WILKINSON. That's a real interesting question. I'm glad that you asked it. We have discussed that for several times.

COMMISSIONER FREEMAN. But have they ever done it?

MRS. WILKINSON. Well, we never have had any qualified. You see, I tried to get somebody and couldn't, and I now might have two. So we feel very fortunate in that respect, if they qualify as other workers.

We discussed that in one of our board meetings and they said that when the qualified Negro did make application for a job in our county, that they saw no reason why we wouldn't go right along and accept the one that was the best qualified.

COMMISSIONER FREEMAN. Mrs. Wilkinson, will you describe for me what you call a qualified Negro?

MRS. WILKINSON. Yes, I'd be glad to. She would be just as qualified as a white person who would be eligible to stand an examination for a case worker. I would say that first she had to have the understanding and love of people. That is a basic requirement.

I would say that she has to be a person who has graduated, not with honors, but is a good student. That she wants to go into the field of social work, and we try to interest them to even go into graduate study.

And it doesn't mean that just because she is a Negro that I would say whether you are white, whether you are black would make any difference.

COMMISSIONER FREEMAN. But you don't have any on your staff?

MRS. WILKINSON. No, I don't because I don't have anybody qualified.

COMMISSIONER FREEMAN. Are Federal funds included in the program which you administer?

MRS. WILKINSON. Yes.

COMMISSIONER FREEMAN. Has anybody from the Department of Health, Education, and Welfare questioned you concerning the exclusion of Negroes from your staff?

MRS. WILKINSON. Oh, I've had some delightful people to come down from Washington and from Atlanta and from all sections of the country. In fact, I tell them that I will lay my cards on the table—whatever they want to know, my life is an open book—spout forth. And don't you think they don't spout forth, and I try to give what information I have, to the best of my knowledge and ability.

COMMISSIONER FREEMAN. Did you tell them the same thing you told us, that "We are interested in our colored people"?

MRS. WILKINSON. That we are interested in our colored people?

COMMISSIONER FREEMAN. Well, that's what you said.

Mrs. Wilkinson. Yes, I am interested. Yes, I did tell them that.

COMMISSIONER FREEMAN. Not in a proprietary way, though, I hope.

MRS. WILKINSON. Oh, no, indeed. I mean because of the fact that I want them to be qualified, I want them to grow. In other words, you cannot step into something for nothing.

COMMISSIONER FREEMAN. Do you think of yourself as a missionary?

MRS. WILKINSON. I think of myself as a Christian. I am a Christian woman. And if I am not a Christian woman, then I wouldn't be in this field of social work, because I have no feeling towards people whether they are any color.

COMMISSIONER FREEMAN. Have you considered taking any affirmative steps to desegregate your office and staff?

MRS. WILKINSON. We have taken the steps that we are supposed to take. When we have vacancies to occur, we have nothing to withhold. If a person is qualified, I'd have no hesitancy in accepting someone; if she is on the register like all the rest of the people.

But we've got to also realize that we can't discriminate against the white, as well as the colored. We have got both, we've got colored and white to consider, and if a person wants to have the opportunities and is willing to take advantage of education, then I'm all for him, to help in any way I can.

We had a young girl who came into the office the other day and she's interested in going to school and we are trying to help her to find ways and means to get there.

COMMISSIONER FREEMAN. I have no further questions.

CHAIRMAN HANNAH. Mrs. Wilkinson, what percentage of the people in Dallas County are Negroes?

MRS. WILKINSON. Around 55-45.

CHAIRMAN HANNAH. And what percentage of the people that are on welfare of one kind or another, are Negroes?

MRS. WILKINSON. Around 89 percent.

CHAIRMAN HANNAH. That's what I thought you said. And, of course, the tradition and practice in Alabama and Dallas County used to, not only favor, require, segregation of blacks from whites, but, of course, that's no longer the law of the country nor the law of Alabama, and it's recognized that it may take some time to move from the situation as it was to what it ought to be, but does it ever occur to you and your friends that it would be appropriate to have the percentage of workers working in dispensing welfare, percentage-wise, as many blacks as there are blacks in the county?

MRS. WILKINSON. I had never thought about it because that comes from the State personnel department, the number of people we have, and I would have nothing to say in regard to that.

CHAIRMAN HANNAH. You know, in the Northern part of the country where I come from we find not only is it important that there be about the same percentage of people that there are members of the minority groups on the payroll, but we find if we are going to be effective you have to have people working for you, or working for these programs that have communications with the people that are the recipients.

I can't speak for people in Alabama, but I know in Michigan—my part of the country—if we are going to have the programs understood and have them used, we find we have to have black people, Mexican American people, Puerto Ricans, and members of the other minority groups that are part of them, they can understand them, can help them.

MRS. WILKINSON. I can understand the communication. I understand thoroughly, Mr. Hannah.

CHAIRMAN HANNAH. You're not responsible for the traditions of Alabama, I understand that, but I just ask the question——

MRS. WILKINSON. I think we ought to collaborate, don't you think? I think that we in the North, and East, and South and West, that we'll have to have better understanding of each other, and I think that the testimony of today has shown that we probably in the welfare departments have not communicated as we should have, probably as some of you lawyers, doctors, whatever you might be, your lingo is a little bit different, and I believe in these amendments that is one of the hopes and dreams that that will take place. Am I not so? Is that not so?

CHAIRMAN HANNAH. I would ask one more question and that is: when you say that you are looking for and would be happy to have Negroes that are qualified, if there are no qualified Negroes that can pass the requirements that you or your board have established, you think it would be appropriate for the people of Dallas County to be concerned about training some Negroes so they might

qualify, encourage them to go on, get college degrees, or whatever it is that is required?

MRS. WILKINSON. We have been trying through our department to do that, and as I said previously, we have 19 that are going to college, so I think that is self-evident that we have made some stab at it.

CHAIRMAN HANNAH. Well, I hope some of them come back as qualified social workers.

MRS. WILKINSON. I hope they do, too.

CHAIRMAN HANNAH. And that you will give them a job. Mr. Patterson?

VICE CHAIMAN PATTERSON. Mrs. Wilkinson, is your board of pensions and security in Dallas County an elected board?

MRS. WILKINSON. No, they are appointed by the board of revenue.

VICE CHAIRMAN PATTERSON. The State board of revenue?

Mrs. Wilkinson. No, the board of revenue of the county.

VICE CHAIRMAN PATTERSON. The county board of revenue? MRS. WILKINSON. That's right.

VICE CHAIRMAN PATTERSON. Is that board elected?

MRS. WILKINSON. Well, they are appointed or elected by the board of revenue.

VICE CHAIRMAN PATTERSON. But is the board of revenue elected by the people?

MRS. WILKINSON. Yes, that's right.

VICE CHAIRMAN PATTERSON. Now this board of pensions and security which the board of revenue appoints——

MRS. WILKINSON. That's right.

VICE CHAIRMAN PATTERSON. —gives you a list of three people when you have a vacancy, and you must choose one of those three, is that correct?

MRS. WILKINSON. No, they appoint them. They appoint them themselves.

VICE CHAIRMAN PATTERSON. They appoint them themselves but——

MRS. WILKINSON. I don't have anything to do with that. You see, they take a person who is, for instance, on the board of pensions and security who is interested in the well-being of citizens in the community, and they are the ones that appoint them, Mr. Patterson. I don't have anything to do with it.

VICE CHAIRMAN PATTERSON. So the board of pensions and security names your employees? They appoint your employees. Is that right?

MRS. WILKINSON. Well, they appoint the employees, that's right, with the approval of the State department of pensions and security.

VICE CHAIRMAN PATTERSON. Have any Negroes been elected to the county board of revenue in Dallas County?

MRS. WILKINSON. No, they haven't.

VICE CHAIRMAN PATTERSON. Do you know the voter registration breakdown in that county between the races?

MRS. WILKINSON. I am sorry, I don't know. Now why didn't you ask that? I would have gone to the courthouse and gotten it.

VICE CHAIRMAN PATTERSON. But your population is about 55 percent Negro in Dallas County?

MRS. WILKINSON. That's right, yes, 55-45.

VICE CHAIRMAN PATTERSON. If a few Negro members were elected to that county board of revenue, it might lead to an easier method of getting employees appointed to your department, might it not?

MRS. WILKINSON. Probably so. You know, we have a very outstanding OEO program that consists of Negroes and whites, and we have worked beautifully in helping with situations in the community, and recently there was appointed a biracial group to help with the juvenile and delinquent children in the county.

So we are making a good many stabs at trying to get together and have more communication, which I think we are having, and everyone has a right to belong to any organization they want to, except Federal employees and State employees. And so, we don't question where they belong—if they want to belong to—I won't name them, but I know that they just belong—we have nothing to say about it. That's not within our jurisdiction.

VICE CHAIRMAN PATTERSON. One further question, Mrs. Wilkinson. You have spent roughly a quarter of a century in this work in your county?

MRS. WILKINSON. Yes, and I look it too, don't I?

VICE CHAIRMAN PATTERSON. No, you do not. But as you said, you would not have spent this time there if you did not have some pretty deep feelings about the needs of people in need?

MRS. WILKINSON. That's right.

VICE CHAIRMAN PATTERSON. Could you give us, out of your experience, what you think might improve these programs as you've seen them administered in your county; what improvements would you make if you had the right to write your own ticket?

MRS. WILKINSON. Well, I think that our commissioner has asked his county directors to talk with him about situations of that kind. I think the first thing that we are really concerned over, and that is the large case loads we have. We have case loads of 500 in the adult cases, and now that we have so many of our ADC's—we have 548 families with ADC children, around 2,200 children with about 50 more cases that we haven't been able to certify yet.

We need more staff so that we can give better services to our

people. We want to give those services. We want to help to rehabilitate them. We want to make them self-maintaining. That is our aim in being social workers. And I feel that we have accomplished a good bit within recent years.

I think that as far as staffs are concerned, that would be one thing. I think that if there could be better communication with our Negroes that they would come to us and tell us, "Mrs. Wilkinson, I don't understand what you are talking about; speak English."

Maybe that is one thing that they don't understand for the simple reason we try to explain to them, just like—you might be a lawyer and you might talk with me in some way I don't know what you are talking about. But I think that we need more communication. I don't know whether—we have made talks in our Negro schools, we have made talks in our white schools, we have gone out into the community, we have tried to help some of these mothers to make a better home. Now, for instance, recently, we had a group of mothers to come to one place in the county and they are making much better mothers because they know how to serve their children better meals.

We have tried—we have 125 ADC mothers that we tried to steer towards helping them to help themselves, by entering this nurses' course, and none went.

We had another company of the Laura Industries, they wanted some additional people. We went out into the community—I even called and begged money—I can get money whenever I want to because they know if Augusta calls she's going to get it one way or the other——

CHAIRMAN HANNAH. Well, then, you have no problems.

MRS. WILKINSON. —and so, the thing is that we felt real pleased because we even solicited one of our clients to use her car, and we were going to pay for the gas. The woman went one time—poof—that was the end.

So, you see, we do have problems in that respect, Mr. Patterson. VICE CHAIRMAN PATTERSON. Thank you very much, Mrs. Wilkinson.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. Taylor. Mrs. Wilkinson, we haven't talked very much about nursing homes. Are there nursing homes in Dallas County?

MRS. WILKINSON. Yes, indeed, we have three nursing homes. We have Dunrest Home, the Borough Nursing Home, and also the Good Samaritan.

Mr. Taylor. Are those homes for Negroes or for whites? Mrs. Wilkinson. Negroes and whites.

Mr. Taylor. Each one is for Negroes and whites?

MRS. WILKINSON. Yes. We have one white person in the Dunrest—I mean one Negro in the Dunrest Home with all those

whites, and the Good Samaritan Nursing Home we have no white people; they are all Negroes, and in the Anderson Nursing Home they are all Negroes because that's where they want to be.

We have in the Dunrest Home, there are 95 beds, and in the Anderson Nursing Home we have 35 beds, and the Good Samaritan

has 26 beds.

Mr. Taylor. As I understand what you just said, there is one Negro in what was the all-white nursing home?

MRS. WILKINSON. That's right, Dunrest Home.

Mr. TAYLOR. And no whites in the-

MRS. WILKINSON. In the Good Samaritan, which was at one

time the all-Negro nursing home.

And the Anderson Nursing Home is all-Negro, and it complies, but no white people, none of them want to go there—well, one reason is they stay filled up. We just don't happen to have enough nursing homes.

Mr. TAYLOR. You're right, communication is a little problem,

because I would not call those integrated, but you would.

MRS. WILKINSON. Well, they're supposed to be. But a person has the right of choice, don't they?

Mr. TAYLOR. You say that all the Negroes who are in those homes chose the Negro homes, is that what——

MRS. WILKINSON. That's where they want to go.

Mr. TAYLOR. You have interviewed all those persons and you know that they all want to go there?

Mrs. Wilkinson. Well, my case workers have, and they desig-

nate the place that they would prefer going.

And another things is, we have an awfully hard time getting people into any of the nursing homes, because they stay filled up.

Mr. TAYLOR. All right. I hope you enjoy your Federal visitors, because that may be another question.

Just a few more questions. You said the population of the county was about 57,000——

Mrs. Wilkinson. 57,756.

Mr. Taylor. —and about 3,100 people were receiving——Mrs. Wilkinson. 3,149 and 231 are receiving services.

Mr. TAYLOR. Are there more people in need of assistance than that 3,100 who are on welfare? Are there more people with inadequate incomes than that?

MRS. WILKINSON. I would say that there are more people as far as in the lower strata, as we well know, that probably need assistance. And when emergencies come up we have money that we have to help those people.

For instance, if a man loses his job and has no one to go to, then he comes to our department, whether he be white or colored—white or Negro—I don't know the difference. And we can help them temporarily, but—my—all right, go ahead.

Mr. Taylor. Well, what I was trying to find out is, do you think the welfare programs you administer reach all the people in the county who are in need of assistance?

MRS. WILKINSON. Well, I would like for you to come sometimes to our office and see how many people are sitting around. We feel like that we've got them all.

MR. TAYLOR. That doesn't answer my question.

MRS. WILKINSON. No, no, no—well, I don't know because they haven't come to the office.

Mr. Taylor. You wouldn't know whether there are people in need in your county who are not receiving public assistance unless they come to your office?

MRS. WILKINSON. Unless they are referred to the department, or unless they come to us for help.

Mr. Taylor. Well, you do know that there are qualifications for each of these welfare programs.

MRS. WILKINSON. That's right.

Mr. TAYLOR. And that unless you meet the qualifications, you cannot be—there is an Aid to Older People, there is Aid to Mothers with Dependent Children.

MRS. WILKINSON. That's right.

Mr. Taylor. Now you do know that there are people who come in, in none of those categories, who may be in need, is that correct?

MRS. WILKINSON. Well, there might be some that are in need that don't fall in those categories and what we should have is a general public assistance program, but we don't have enough money in Alabama; we're not rich like you boys up North are.

Mr. TAYLOR. You do spend money on other things in Alabama. Mrs. WILKINSON. I don't know.

Mr. TAYLOR. You say you do need that kind of a program, have you—

MRS. WILKINSON. Well, I wish we had it, yes, I think it would be fine.

Mr. TAYLOR. Do you make speeches from time to time to groups?

Mrs. Wilkinson. Yes, I do.

Mr. TAYLOR. Have you advocated that kind of a program?

MRS. WILKINSON. We have discussed that, we have discussed that, because the money that we have to take care of those emergency situations or situations of that kind, are met by private funds—the churches and the city provides a certain amount each month, and then people in our community—the Air Force Base officers' wives club gives us money, and we buy medicine for needy people who cannot buy the medicine, and also pay the rent and buy any clothing that is needed.

Mr. TAYLOR. Is welfare a matter of charity, or is this a right?

MRS. WILKINSON. It is a matter of need.

MR. TAYLOR. Is it a matter of charity, or is it a matter of right that's guaranteed by the law?

Mrs. Wilkinson. I think it's a matter of need, that every

person's need should be met.

Mr. Taylor. Out of the goodness of somebody's heart?

MRS. WILKINSON. No, no, no. I think that everyone's need should be met if it's at all possible to meet it. Now in what ways, I don't know how it could be met, unless it was through public funds.

MR. TAYLOR. Just one more question. We talked about the food stamp program some, and you've indicated, I think, that the numbers dropped significantly when food stamps were put in. Now I suppose if the price of food stamps were reduced that might be a better program, would it not?

MRS. WILKINSON. Well, you know they did reduce it, but the first time a person applied it was higher. And then these loans that have been made—that has helped people. But they are high as far as some of our clients are concerned. But as I said before, it's a matter of knowing how to manage your money, and all of us don't know how to manage our money, do we?

MR. TAYLOR. If you have some money to manage, that is.

MRS. WILKINSON. If you have some, that's right.

Mr. TAYLOR. No further questions.

CHAIRMAN HANNAH. Thank you very much, Mrs. Wilkinson, we appreciate your being here today.

May I, before we call the next witness, remind all of us that we are running 45 minutes behind schedule, and we are scheduled pretty late. Will you call the next witness?

Mr. GLICKSTEIN. The next witness is Mr. Ruben King.

(Whereupon, Mr. Ruben King sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. RUBEN KING, ALEXANDER CITY, ALABAMA

Mr. GLICKSTEIN. Mr. King, would you please state your full name and address for the record?

Mr. KING. My name is Ruben King. My home address is Alexander City, Alabama.

MR. GLICKSTEIN. And what is your occupation, Mr. King?

MR. KING. I am commissioner of the State department of pensions and security, and an attorney.

MR. GLICKSTEIN. How long have you held that position?

Mr. KING. Since 1963—January 15, 1963.

MR. GLICKSTEIN. And what position did you hold prior to becoming commissioner?

Mr. KING. I was an attorney and judge.

Mr. GLICKSTEIN. Mr. King, how much does Alabama budget for an ADC family of four?

MR. KING. I don't know exactly. Now if we are going to get into details on the amount budgeted, you are going to have to talk to people whose responsibility it is to get into the budgeting details. I don't know exactly the exact amount.

MR. GLICKSTEIN. Well, Dr. Lukaczer said in his statement, that the State of Alabama says \$177 a month is necessary to meet the needs of an ADC family of four, in January 1968.

MR. KING. I think he would probably be right.

Mr. GLICKSTEIN. You think he would probably be right?

Mr. KING. Yes, sir.

Mr. GLICKSTEIN. Do you know when this budget was set up, when it was determined that this was the amount of money that was needed?

Mr. King. Well, I don't know the exact time; probably some time around 1963.

MR. GLICKSTEIN. Around '63. And do you know what the present cash payment is of that?

MR. KING. I know that we are only paying 50 percent of need. It all depends upon how many children there are in a given family as to the cash payments; but the average payment this past month was approximately \$15 per person in the ADC program.

MR. GLICKSTEIN. And you are paying, for a family of four, you are paying approximately 50 percent of that \$177?

MR. KING. That's correct.

MR. GLICKSTEIN. Do you feel that the present cash payment is adequate to meet the needs of a family of four?

MR. KING. No, sir, it is not, it obviously is not. If we are only paying 50 percent, it is not enough.

MR. GLICKSTEIN. What do you think needs to be done to raise that amount?

Mr. King. Well, I think the department should have more money. That's the immediate problem, is a lack of money, because most of the money coming into our agency is earmarked for specific public assistance programs. What's left over, then, of course, we have to divide it into other categories of assistance.

MR. GLICKSTEIN. How much of your money comes from the Federal Government?

MR. KING. Well, it all depends upon what category of assistance you are talking about.

MR. GLICKSTEIN. For example, the ADC program.

MR. KING. Well, in the ADC program, 83 percent is Federal, 17 percent State.

Mr. GLICKSTEIN. And in the Old Age Program?

MR. KING. Approximately 80-20 Federal.

Mr. GLICKSTEIN. 80 percent State?

Mr. King. No, 80 percent Federal.

MR. GLICKSTEIN. Eighty percent Federal and 20 percent State?

Mr. King. That's right.

MR. GLICKSTEIN. And as the State contribution goes up, so does the Federal contribution?

MR. KING. That's correct, sir.

MR. GLICKSTEIN. If the State doubled its contribution, the Federal contribution would increase proportionately?

Mr. King. Well, we would hope the Federal would, yes.

MR. GLICKSTEIN. We've heard some testimony this afternoon about food stamps as compared to food commodities. Which of the two programs do you think is preferable?

Mr. KING. Well, I prefer the direct distribution program.

MR. GLICKSTEIN. You prefer the direct distribution program?

Mr. King. Yes. In most counties that have had the programs, that is, the direct distribution program and then switched over to the food stamp program, we have found that approximately one-third of the recipients are lost.

MR. GLICKSTEIN. Well, that seems to be the case in Dallas County. We just heard some testimony that the figure dropped from 13,560 to 6,662.

Why is there such a great decline when you switch from commodities to food stamps?

MR. KING. Well, I don't know, I think it's several factors. I think probably transportation is one, but then on the other hand, I think probably a lack of cash money is one of the big reasons for the drop.

MR. GLICKSTEIN. Does this mean that there are large numbers of people in need that are not receiving adequate food in those counties that switched?

MR. KING. Well, I think that there are people in every county in this State that need help that our agency is not reaching. After all, we are on a very limited budget and particularly in those areas where we are not able to meet 100 percent of the need, those programs have to be restricted because of the amount of money that is available to those programs.

If the requirements were less stringent, of course, then there would be more people that we could reach. But you take the money you have and do the best that you can with it.

Mr. GLICKSTEIN. You said that some of the money that the legislature appropriates for programs you administer is earmarked. What did you mean by that?

MR. KING. Well, most of the funds coming into our agency is earmarked for our Old Age Assistance Program. After all, 75 percent of the total expenditures in our agency goes for Old

Age Pensions, that is, either in direct cash payments or for medical services for these people.

MR. GLICKSTEIN. Why do you think that is the situation? Why do you think that such a large proportion of the funds that are appropriated by the legislature go for the Old Age Program?

Mr. KING. I don't know. You'd have to ask the legislature that, Mr. Glickstein.

MR. GLICKSTEIN. You have no feeling, you have no notion of why they make that judgment?

MR. KING. No, but I will say this: it hasn't got anything to do in regard to race, if this is the implication here today, because 40 percent of the pensioners in this State, the Old Age Assistance recipients, are members of the colored race, whereas the population in this State is roughly 70-30 white throughout the State.

So, I don't think there is any race implication, not nearly as much race implications throughout this State as I have heard indicated here by this panel today. And I would say this: if this panel was as interested in getting to the truth as it is trying to make a white community in this State look bad, I think probably more could come out of this hearing.

MR. GLICKSTEIN. Well, that is our purpose here, Mr. King, to get to the truth.

Mr. King. Well, I know it's your purpose, but it's also our purpose to try to show to you that everyone that works for the State of Alabama or is in some way in public life, is not a bigot or a racist too.

MR. GLICKSTEIN. Well, it's for that reason that people like you and Mrs. Wilkinson have been subpensed to give the Commission an opportunity to hear your views and your positions.

MR. KING. And we're going to give it, too, sir.

MR. GLICKSTEIN. When the legislature decides on what it is going to expend for your programs, do you appear before them, do you testify?

MR. KING. Yes, I do. I testify before the legislature, both the senate and the house.

Mr. GLICKSTEIN. And yet, you still don't, or you are still not certain why they appropriate 75 percent of the money for——

Mr. King. No, sir, I'm not. It has been traditionally in this State that the State of Alabama has a very active and a very good Old Age Assistance program. We have 398 people out of every thousand in this State over the age of 65 receiving a grant, whereas the national average is 126, and there's only one State in the Nation that has a higher recipient rate than does Alabama, and that is the State of Louisiana.

MR. GLICKSTEIN. You seem to have very strong views about the difference between the food stamp program and the commodities program. Have you discussed these with representatives of the Department of Agriculture in Washington, for example, to convey your point of view?

MR. KING. Well, I started expressing my views back in 1963 in regard to the program, in regard to the food programs in this State, because I started meeting with all the county commissioners throughout this State back in 1963. We've been pushing for programs of this type ever since.

In fact, I'll say to this Commission that there is not a State in this Union that has made more progress than has the State of Alabama in the last 3 to 4 years in regard to getting the food stamp programs and direct distribution programs into the counties.

We have 67 counties in this State, and every county in the State, with the exception of Morgan County and Chambers County, has made application or has a program of some type into effect, and I am very proud of it, because it—particularly in those cases where ADC grants are some \$15 per month where we had a direct distribution program, for example, where the average amount of food going to these people is some \$79 per month, you can see it makes a great difference in the amount.

And we have been working hard. Not only myself, but both Governor George Wallace and his wife have written to every county commissioner in this State informing them of these programs, the approximate cost, and the need for the programs.

So this is not a belated effort on our part at all, because we have been working in this field since 1963.

MR. GLICKSTEIN. There have been some stories in the newspapers recently about the Department of Agriculture's need to distribute food directly, I believe, in Elmore County.

Why weren't you able to persuade that county to participate in one of the two programs?

Mr. King. I don't know. We met with the county—people from my staff met with the governing body some eight or nine times, and we were not able to do so, but, of course, we do have an application for a food stamp program from those people at this time. We have sent it to Washington, for we have approved it and recommended it, and we sent it to Washington now for their approval.

MR. GLICKSTEIN. Mr. King, I am sure that you are familiar with the—I know you are familiar with the amendments of the Social Security Act that were enacted last year, and I believe one of those amendments freezes the number of ADC recipients on the rolls as of the first quarter.

What are your views about this amendment, the effect of that amendment?

Mr. King. I'm opposed to the freeze and we had a case—we argued a case before the United States Supreme Court a week

ago this past Monday in regard to our substitute parent policies in this State, and in the appendix was a letter that I had written to Wilbur Mills stating to him my opposition to the ADC freeze. I think that it's going to hurt the grants, not only in the State of Alabama, but throughout this country.

Now you talk about discrimination, here is discrimination, and it's discrimination from the Federal level whereby the Federal Government is denying Federal participation for children after a certain date. Why is it that some children can get aid and other children cannot?

MR. GLICKSTEIN. Why do you think that amendment was attached to the Social Security Act?

MR. KING. Well, I think the amendment was passed to the Social Security Act because I think that the Congress, like myself and many welfare commissioners in this country, are greatly concerned about the matter of support. I think nonsupport in this country is one of the greatest crimes that is being committed, and we have introduced legislation in this State since 1963 making nonsupport a felony, whereas at this time it is only a misdemeanor, and a person that leaves the State of Alabama and goes into another State, it is very difficult to get support.

Mr. GLICKSTEIN. So that is one of the reasons?

MR. KING. I think it is. But then I think, I think—

MR. GLICKSTEIN. But even though this is also a concern of yours, you disagree with the way the Congress tries to deal with the problem?

MR. KING. I think another reason in regard to the ADC freeze is to put more pressure on the States to come up with work incentive programs. I think that this is another factor.

MR. GLICKSTEIN. That's another provision, another one of the amendments to the——

MR. KING. Well, I think this is one of the reasons why they had the ADC freeze is to put emphasis upon the States to have these work incentive programs that would have a tendency to remove people from the ADC rolls.

MR. GLICKSTEIN. Are you developing such programs?

MR. KING. Yes, sir, we have been meeting with the U. S. Department of Labor, with the Department of Health, Education, and Welfare, and with the Department of Industrial Relations here in the State to carry out the work incentive programs.

MR. GLICKSTEIN. And you think that you are going to be successful in encouraging people on welfare to enter into these programs?

MR. KING. Well, we will, because this is a very limited program in the State of Alabama, we have been designated some 750 slots and we, at the particular time, are thinking about going into—starting the programs off in Jefferson County, in

Madison County, and Mobile County; that is, the predominently urban areas of the State.

Of course, this is something that worries me also because we are going to—are not going to be able to have any of these work slots into some of the rural areas of the State, even in some of those areas that might be able to provide some type of employment.

MR. GLICKSTEIN. Mr. King, if what some people say is true, maybe you have enough slots. There are some people that say that people who are on welfare would rather be on welfare than work. Do you agree with that?

Mr. KING. No, sir.

MR. GLICKSTEIN. What is your view of that?

MR. KING. Well, it's hard for me to think that women in this State are going to have children for \$15 a month because in other people whose average grants, for example, your Permanently and Totally Disabled where we are only paying 58 percent of need, the average grant is some \$64 a month. I don't go along with this theory at all.

In fact, I think that most of the people on welfare resent the fact that they are on welfare and, given an opportunity, will come off of the welfare.

MR. GLICKSTEIN. Mr. King, how many people are employed in your department?

MR. KING. I think we have approximately 1,700-1,800 people throughout the State; that is, not only in the State offices but the county offices.

Mr. GLICKSTEIN. And how many of them are Negro?

MR. KING. Well, I knew I was going to be asked this question, so we will try to provide you with the answer. We have 18 Negroes.

Mr. GLICKSTEIN. Eighteen Negroes?

Mr. King. Yes, sir.

Mr. GLICKSTEIN. What type of jobs do they hold?

MR. KING. We have two clerk-typists; 12 case worker—1's; two child welfare workers, 1; and one child welfare worker, 2. MR. GLICKSTEIN. One final question, Mr. King.

Mr. KING. Yes, sir.

MR. GLICKSTEIN. Dr. Myers this morning mentioned that the Title 19 program was being switched to his department—

Mr. King. Yes, sir.

MR. GLICKSTEIN. —and he wasn't sure of why it has taken such a long time to get off the ground. He indicated that it had previously been in your department. Why has that program taken such a long time to get off the ground?

Mr. King. Well, to begin with, the single State agency that was designated was the pensions and security department to ad-

minister the program. Of course, we did not have time to go before the State legislature to develop a program, and after the legislature met, then the responsibility of it was transferred to the department of health, against my wishes, let me say.

MR. GLICKSTEIN. Well, Dr. Myers said that he thought one of the reasons that the program hadn't gotten off the ground yet

was because of the inadequacy of funds.

Now, has another problem been the requirement that assurances be signed that the program will be operated in compliance with the Civil Rights Act of 1964?

MR. KING. No, at the time—we've had a lawsuit in regard to not Title VI itself, Title VI, but in regard to the rules and regulations that were promulgated under the authority of Title VI.

I have stated before the Court and I state today, I don't think, that in particularly, third party vendors that are selling services to the State, I don't think as welfare commissioner I have any right to force a doctor who owns a private business to integrate his restrooms and waiting room facilities if he does not want to. After all, it's a private business.

In those particular areas where I, as commissioner, have the responsibility, that was a different proposition.

MR. GLICKSTEIN. Because of this lawsuit there was some delay in getting these programs?

MR. KING. There was some delay in that, but very few months at all, probably 2 or 3 months, after the law was passed then the case went before the U.S. Supreme Court.

Mr. GLICKSTEIN. You lost that suit?

MR. KING. Yes, we lost it, and we stated from the very beginning if we did not agree with the rules and regulation, but if the Court said that we must abide, we must abide, and we have taken every effort to comply with Title VI.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. King, you testified that in spite of your efforts, two counties in Alabama—Morgan and Chambers—have neither of the food programs, free commodities or food stamps. In your judgment, are people hungry in those counties?

Mr. KING. Mr. Patterson, I have stated as long as 5 years ago, publicly in this State, that I did not think that any county in this State could justify not having one of the programs.

VICE CHAIRMAN PATTERSON. You do believe there are hungry people?

MR. KING. I know there are people there who need it, there is no question about it.

VICE CHAIRMAN PATTERSON. Why don't those counties come under one of the programs, Mr. King?

MR. KING. I don't know why. Morgan County, which is in the northern part of the State, at one time had the program and it is my understanding that they have also now made application for one of the programs, although the application has not yet reached my desk.

In fact, the other day when Mr. Glickstein was in my office we inquired at that particular time, we checked with Mr. Oscar Bentley, who is head of our commodity distribution program, and he informed me that it was his understanding that Morgan County had made application, but we have not received it at this time.

In regard to Chambers County, we have met several times with Chambers County, and it would probably be my understanding that if something is not worked out with them probably before too long, the U.S. Department of Agriculture probably will do the same thing in Chambers County that they have done in Elmore County.

VICE CHAIRMAN PATTERSON. Do you get complaints that in counties where you feed the hungry, they don't work for wages and the seasonal crops as well as they do in others?

Mr. KING. Some of the complaints that we have had when programs first went in—for example, in regard to your direct distribution programs, there were always apprehensions on the part of merchants that because people were receiving some \$7 to \$9 a month in food, that they would lose some sales, but this is not the case, because with your payments in this State being what they are, the people have to spend everything that they have anyway. So, instead of maybe spending all of their money on food, they may have money to buy some drugs or medicine or a warm coat.

VICE CHAIRMAN PATTERSON. But you must have had some criticism from agricultural employers.

MR. KING. No. sir.

VICE CHAIRMAN PATTERSON. None?

MR. KING. No, sir.

VICE CHAIRMAN PATTERSON. Thank you.

MR. KING. No, sir, there is very little criticism of the program throughout the State.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. King, you indicated that the amount of the grant is 50 percent of the need. Will you tell the Commissioners how the percentage is determined?

Mr. King. Well, when we came to Montgomery, Mrs. Freeman, the percentage was 38 percent at that time. Of course, what we have to do is that the money that comes into the agency is earmarked. We take the money that is earmarked for specific programs, we set it aside and then the money that is left we

channel it into your ADC Program, and your Aid to Permanently and Totally Disabled Program. We figure a budget, and then if we have more money, if we had more money, then, of course, your percentages of need would be increased. It has been increased, as I say, from 38 percent to 50 percent, but there is a need for additional moneys to go into this program.

COMMISSIONER FREEMAN. As commissioner, do you have the authority and power to make recommendations for additional funds or additional revenue?

Mr. King. Yes, ma'am.

COMMISSIONER FREEMAN. Have you made recommendations to—

MR. KING. In every session of the legislature that I have gone before, I have requested additional funds for this program. It is a matter of record. Our budget request can be made available to this Commission, if it so desired.

Fifteen dollars is not enough; there are many children in this State, both black and white, who go to bed hungry at night, and I am not going to sit here and deny it. I am greatly disturbed about it, and members of my staff are greatly disturbed about it.

I say this, that since 1964 the whole Federal program of welfare has been one of a rehabilitative approach, yet, if you cannot give children adequate food, if they do not get adequate education, they are not going to be able to compete in society today, and your vicious cycle of welfare will continue. If these people are not able to compete, then society will leave them along the roadside.

COMMISSIONER FREEMAN. My next question relates to your staffing patterns. Of the total number of employees about 1 percent of them are Negro. I would like to ask if the Department of Health, Education, and Welfare in Washington has expressed concern about this since over 80 percent of the funding for two of your programs comes from the Federal Government?

MR. KING. They have talked with us about it, and the question has been asked of me about why there are not more Negroes working. We will hire qualified Negroes, but we are not going to hire a person just because he is a Negro, no more than we are going to hire a person just because they are white.

COMMISSIONER FREEMAN. Except that you have about 1,700 white people.

Mr. King. Mr. Chairman, if some of the witnesses out here have any comments to make in regard to my answers, I would hope that you would instruct them to be quiet, because they are distracting of my trying to answer some questions.

CHAIRMAN HANNAH. That is a reasonable request. Will the audience please refrain from making comments, or laughing, or anything else when the witnesses are being questioned.

They are here under subpena and they are entitled to be heard without having their attention diverted.

COMMISSIONER FREEMAN. Will you tell this Commission, Mr. King, what the steps are for employment of your staff? How does one get to be a member of your staff?

MR. KING. Well, in order for a person to become a member of my staff, they must take an examination, which is administered by the State merit system board, and then, of course, they must make known to the merit system board whether or not they would like employment within the State or a certain given county.

COMMISSIONER FREEMAN. What are the job classifications? You indicated that you have 12 case workers 1. Is there a higher

category than case worker 1?

MR. KING. Oh, yes, we have, we have case, we have them up to case workers 4—we have, we have them up to as high as case worker 3, I believe is what I should say.

COMMISSIONER FREEMAN. But the highest employment that a Negro has in your department is that of case worker 1. Is that correct?

MR. KING. No, no, the highest is case worker 2.

COMMISSIONER FREEMAN. Case worker 2?

Mr. King. Yes.

COMMISSIONER FREEMAN. And you have a child welfare worker 1?

MR. KING. We have two Negroes that are employed as child welfare workers 1.

COMMISSIONER FREEMAN. What is the total number of child welfare workers that you have?

MR. KING. I don't have those figures before me, but I would say probably between 300 and 400.

COMMISSIONER FREEMAN. You have two out of 300 or 400?

MR. KING. That's right.

COMMISSIONER FREEMAN. What are the qualifications for a child welfare worker?

MR. KING. They must have—they must have some graduate work in addition to an A.B. or B.S.; in addition to that, on-the-job training.

COMMISSIONER FREEMAN. What are the qualifications for the case workers?

Mr. KING. They must have a degree—an A.B. or B.S. degree.

COMMISSIONER FREEMAN. Do all of the case workers employed by your department have an A.B. degree?

MR. KING. As far as I know, they do, yes. This is a qualification that we have.

COMMISSIONER FREEMAN. You don't know of any white case workers that do not have a degree?

MR. KING. I know of none. I heard Mrs. Wilkinson state a

few minutes ago that she had two, but if it was it probably come under some grandfather clause or something like this, because our qualifications now—and have been since I've been commissioner—that they have an A.B. or B.S., and I think that this is probably true in most of the welfare offices throughout this country.

COMMISSIONER FREEMAN. Do you conduct a personal interview of applicants before they are employed?

MR. KING. No. No, I do not.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. I want to ask you one or two questions just for my information.

MR. KING. Yes, sir, Doctor.

COMMISSIONER RANKIN. You are head of a department?

Mr. King. Yes, sir.

COMMISSIONER RANKIN. How many departments are there in the State of Alabama, if you have it—right off-hand, about?

Mr. King. You mean——

COMMISSIONER RANKIN. Department of agriculture, department of revenue.

Mr. KING. Well, I think there are probably 12 cabinet positions.

COMMISSIONER RANKIN. Is yours a cabinet position?

MR. KING. Yes, it is a cabinet position.

COMMISSIONER RANKIN. Are you elected?

Mr. King. No, sir.

COMMISSIONER RANKIN. Are the others elected?

Mr. King. Not what we consider to be cabinet positions. Now there are certain constitutional jobs such as the commissioner of agriculture as an elected official. The secretary of state.

COMMISSIONER RANKIN. He is in the cabinet, too, isn't he? MR. KING. No, sir, not in the official cabinet.

COMMISSIONER RANKIN. Not in the official cabinet. You have to be appointed to be in the official cabinet?

MR. KING. Yes, sir.

COMMISSIONER RANKIN. Is that correct?

MR. KING. That's right.

COMMISSIONER RANKIN. Are there more and more nursing homes going up in your State?

MR. KING. Yes, sir. The nursing home beds since 1963 has over doubled in the State.

COMMISSIONER RANKIN. Do you have any control over nursing homes, your department?

MR. KING. Well, the only control that we have over nursing homes is that approximately 80 percent of the nursing home recipients are also recipients of our agency, but as far as the

licensing of these, the authority is with the State health department.

COMMISSIONER RANKIN. With the State health department?

Mr. King. Yes, sir.

COMMISSIONER RANKIN. Do you make any requirement that they be integrated, or not?

Mr. King. Yes, sir.

COMMISSIONER RANKIN. You do?

MR. KING. Under our plan submitted to the Department of Health, Education, and Welfare, we had to notify each nursing home that we were in compliance with Title VI of the Civil Rights Act of 1964, and they also had to return to us a form stating whether or not they were in compliance or not in compliance; if they were not in compliance, then our agency moved immediately to bring them into compliance.

And I will say this: I don't approve of the law, but we are administering the law as the Supreme Court said that we should.

COMMISSIONER RANKIN. How often do you check on them?

Mr. King. How often do we check on them?

COMMISSIONER RANKIN. Yes.

MR. KING. Well, sir, we only got the ruling after the first of the year in regard to this particular regulation that we were contesting, but we have moved immediately into this area.

Not only that, but we have sent out statements to all doctors in this State that—who are—who have welfare patients.

COMMISSIONER RANKIN. And you think they all clearly understand the rules under which they should operate?

Mr. King. Yes, sir.

COMMISSIONER RANKIN. Thank you.

MR. KING. I think so.

COMMISSIONER RANKIN. Mr. Taylor?

MR. TAYLOR. Mr. King, I would just like to try to clarify the record on one point.

It is true, is it not, Federal Merit Standards require that there be no discrimination in employment in your agency and certain others because of race?

Mr. King. Yes, sir.

Mr. Taylor. Am I correct also that the State of Alabama has failed to file the necessary assurances that it will comply with this law?

Mr. KING. I don't know, Mr. Taylor. I am not head of the State personnel board and I can't speak for them.

But let me say this: as far as I know, there is no discrimination within my own agency in regard to hiring. We will be glad to talk to eligible applicants, but as I stated, we are not going to hire people just because they are Negroes, no more than we are going to hire them just because they are white.

MR. TAYLOR. Well, that wasn't quite the question I asked you. I recognize that it's not your job to file the assurances.

Mr. King. Yes, sir.

Mr. Taylor. But I believe it is correct that Alabama is the one State in the Union which has failed to file the assurances under the Federal Merit Standards. I would assume that if they had filed the standards, then you would have received certain instructions from the personnel department to implement and carry out those standards.

Mr. King. We've never received any word from them otherwise. We have always operated within the merit system rules that stated you hire on a permanent job, the first three applicants; and as far as the Negro workers, we've had Negro workers, particularly in my—particularly in the State office for the last 15 or 20 years.

MR. TAYLOR. So you think the reason that Alabama may not have filed might be simply because it has had a nondiscrimination policy all along? If that's the case—

MR. KING. You're asking me, Mr. Taylor, for a conclusion. As an attorney you know well that I don't have to answer that.

MR. TAYLOR. Well, let me ask you this, then. Do you think that the services that are rendered by your department could be rendered more effectively if you had more Negro staff?

MR. KING. There may be some instances, but let me say this, that the whole approach—and I will get around to specifically answering your question—there are many things that could be done more effectively within the welfare agency of this State if more funds were available.

For example, in the administration, the Federal Government is paying approximately 44 percent, where the State of Alabama is picking up the tab of 56 percent. We have, for example, right now in Jefferson County, some 27 vacancies, and the reason we have these vacancies is because we have school teachers in this State that are making more money in 9 months than many of my workers are making in 12, whose qualifications are the same.

Now, in regard to your question, there may be some instances; for example, here recently when we've had a great deal of unrest in the State, I have been very reluctant, and I have so ordered my county directors to use discretion in sending white social workers into colored areas. And I think in those particular instances if we had some colored workers, we might could have done the job more effective.

MR. TAYLOR. So the answer to my question is, Yes, there are at least some instances.

Mr. KING. Yes, there are some instances.

MR. TAYLOR. Now you were talking about Federal funds. I wonder if you have any idea of how much Federal money the

State of Alabama loses by not having a higher standard for welfare payments, or by not taking advantage of certain programs?

MR. KING. I don't know, but let me say this, as far as expanded programs, there are only some areas that I would rec-

ommend expanded programs.

For example, I am against the general assistance program. I think here, particularly when you have no more staff to supervise the program than we have in this State, I would certainly be opposed to a general assistance program which would tend to put many thousands of more people on the welfare rolls in this State.

MR. TAYLOR. Would you be for it if you had enough people

to supervise it?

Mr. KING. No, no, sir, I would not be.

MR. TAYLOR. Is that because you think certain conditions

ought to be put on it?

Mr. King. I think that—I think that people ought to work and I think that the welfare agency only ought to help those people who cannot help themselves, particularly I would like to see more money spent in the area of ADC where we have children who are unable to take care of themselves, and the area of Permanent and Totally Disabled where we are paying 58 percent, but I am opposed to broadening those programs which would tend to put more people on the welfare rolls, and tend to bring more laxity on to some people who don't want to work.

Mr. TAYLOR. Well, let's restrict ourselves, then, to improving the standards of payments under existing programs. You said that you would be in favor of that, and this would require that Alabama provide a higher standard; if it did provide a higher standard it would get more Federal money. Is that right?

MR. KING. Well, when you call it Federal money, I would rather call it taxpayers' money, because it's really all of our

money, it's not just Federal.

MR. TAYLOR. I was using that as a shortcut.

Mr. KING. Yes, sir.

MR. TAYLOR. I agree with you when you were talking about the Federal Government before imposing the freeze, that was Congress, which involved all the representatives of all the States, including the representatives of the State of Alabama.

MR. KING. There are many ways that the program could be improved. For example, if more money was given to us for administering the program, I think that would help. And then, too, some type of requirements which would require States to increase their percentages of grants.

MR. TAYLOR. I want you to understand that I am not trying to be argumentative on this point, but I am trying to help your campaign for more money.

As I understand it, Alabama does lose some \$28 million in Fed-

eral or taxpayers' money—however you wish to express it—in part because it either does not take advantage of certain programs or does not have a high enough standing under the ADC Program.

All I am wondering is, do you believe it would be a good investment for the State of Alabama to raise its standards under these existing programs so that for a little bit of money it could get a good deal more Federal money?

MR. KING. I stated, I think, the answer earlier, Mr. Taylor. I would prefer that we pay a larger percentage in ADC and Aid to the Permanent and Totally Disabled. We are paying 50 percent in ADC and 58 percent in Aid to the Permanent and Totally Disabled.

Yes, sir, I would like to see us put more money into those programs, not particularly just to get Federal money but to help these people who really need help.

Mr. TAYLOR. Well, you have indicated that that is your desire, and I certainly agree with your statement, from all of my observations, that people are not on welfare because they want to be on welfare.

Mr. KING. Yes, sir.

Mr. Taylor. One other area that I would like to ask you about.

You said that food stamps are not preferred and participation drops because there is a payment requirement—commodities are free. Food stamps, I gather, provide a more balanced diet.

Why wouldn't the solution—again, it is not your decision to make—but why wouldn't the solution be to provide a balanced diet through food stamps, but reduce the payments required and make them free to the people who absolutely don't have the ability to pay?

MR. KING. Well, you see, I don't necessarily agree that food stamps provide a more adequate diet because I feel that many of these people don't know how to buy, and I feel like that, actually, the direct distribution program will, in the long run, provide a more adequate diet because we have just hired into the department of pensions and security a person to work with the recipients throughout the State in trying to teach them how to buy—I mean, trying to teach them how to cook and to bring about a nutritious meal.

MR. TAYLOR. Would you agree that food stamps can provide a more adequate diet and more balanced if—

MR. KING. Well, it could if you would assume that the person who is doing the buying is adequate to buy.

Mr. Taylor. Well, the merchants, of course, prefer food stamps because they don't have to——

Mr. KING. It increases the economy—the amount of money going into the economy, yes, sir.

MR. TAYLOR. And there are certain things in the commodity program that are not generally provided.

Mr. KING. Well, it all depends upon what type of commodities you are talking about.

MR. TAYLOR. Fresh fruit.

MR. KING. Fresh fruit is not, but your staple diets such as meal, flour, grits, lard, chopped meat is provided. In some instance, cheese and butter.

Mr. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein?

Mr. GLICKSTEIN. No, sir.

CHAIRMAN HANNAH. Thank you very much, Mr. King. We appreciate your being here. You are excused. We have a staff report and one more witness or two more witnesses before recess?

MR. GLICKSTEIN. Yes, sir, one or two more.

CHAIRMAN HANNAH. Call the next witness.

MR. GLICKSTEIN. The next witness is Mr. Peter Gross, an attorney on the staff of this Commission.

(Whereupon, Mr. Peter Gross was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. PETER GROSS, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Gross, I show you a report entitled "Staff Report on Employment." Were you responsible for preparing this report?

MR. GROSS. I was, sir.

Mr. GLICKSTEIN. Mr. Chairman, may this be received in evidence?

CHAIRMAN HANNAH. It is received in evidence.

(The document referred to was marked Exhibit No. 15 and received in evidence.)

MR. GLICKSTEIN. Mr. Gross, would you please summarize your report for the Commissioners.

MR. GROSS. In the years from 1940 to 1960, in the 16-county area under study, more than three times as many Negroes as whites were giving up farming. Negroes leaving the farm did not share equally with the whites in nonagricultural jobs, and in part, for this reason, net outmigration from the area during this period was over four times as great for Negroes as it was for whites.

Negroes were almost entirely excluded from some areas of employment. For example, in 1960 although Negroes represented 62 percent of the area's population, just 7 percent of the area's male sales workers were Negro.

On the other hand, in that same year, 81 percent of the area's male laborers were Negroes.

In effect, there existed two largely separate job economies for the two races.

This shows itself also in terms of family income. While Negro families in the area were more than one-third larger than white families in 1959, their average family income was about one-fourth that of white families. On this basis, then, income for each family member was more than five times greater for whites than it was for Negroes.

In the years from 1960 until 1967, approximately 20,000 new industrial jobs were created in the 16-county area. While no comprehensive data on the proportion of these new jobs going to Negroes and to whites are available, the disadvantaged position of Negroes clearly emerges from two facts:

One, based on data for companies in the 16-county area reported in 1967 to the Equal Employment Opportunity Commission, Negroes account for only 22 percent of reported industrial jobs.

Two, Negroes have been concentrated in nongrowth industries such as the lumber and wood industry. In 1966, the lumber and wood industry accounted for 57 percent of Negro industrial employment reported to the Equal Employment Opportunity Commission.

But the lumber and wood industry from 1960 to 1967 declined by 4 percent, losing 300 jobs, while in that same period all other manufacturing industries in the 16-county area were expanding by 43 percent, gaining 8,430 new jobs.

Based on 1966 reports to the Equal Employment Opportunity Commission, the paper and allied products industry, for example, which is a growth industry in the area, accounted for 41 percent of white industrial employment and only 12 percent of Negro industrial employment.

And, finally, in the past 2 years in the 16-county area, three large paper mills and a manufacturing company have begun operation. Of the 782 new jobs they created, just 14 percent, or 112 of those jobs, are held by Negroes.

And, similarly, for all companies in the 16-county area which reported increases in male employment from 1966 to '67 in reports to the Equal Employment Opportunity Commission, less than one-fourth of the new jobs reported went to Negroes.

That concludes the summary.

CHAIRMAN HANNAH. Thank you, Mr. Gross. You are excused. Mr. Glickstein, will you call the next witness?

Mr. GLICKSTEIN. Mr. Horace Hamby.

VOICE. Mr. Chairman, we would like to invoke Rule 16 on the lights and cameras and the television, please.

CHAIRMAN HANNAH. The witness has requested that there be no television or lights and this request is granted within the Rule.

(Whereupon, Mr. Horace Hamby, Jr. was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. HORACE HAMBY., JR., THOMASVILLE, ALABAMA

CHAIRMAN HANNAH. Would you introduce your counsel or advisor?

MR. HAMBY. John J. Coleman, Jr., attorney, Birmingham.

CHAIRMAN HANNAH. Proceed, Mr. Glickstein.

Mr. GLICKSTEIN. Mr. Hamby, would you please state your full name and address for the record?

MR. HAMBY. Yes, sir, my name is Horace Hamby, Jr. I live in Thomasville, Alabama. I am industrial relations manager for MacMillan-Bloedel Products, Incorporated, and MacMillan-Bloedel United, Incorporated, located near Pine Hill,—Alabama, in Wilcox County.

Mr. GLICKSTEIN. What products do those companies manufac-

ture, Mr. Hamby?

Mr. Hamby. MacMillan-Bloedel Products, Incorporated has just recently started the operation of a plywood plant and a sawmill. MacMillan-Bloedel United, Incorporated, has under construction a pulp and paper mill.

MR. GLICKSTEIN. With what other companies are MacMillan-

Bloedel Products and MacMillan-Bloedel United associated?

MR. Hamby. MacMillan-Bloedel Products, Incorporated, is a wholly owned subsidiary of MacMillan-Bloedel Limited of British Columbia, Canada.

MacMillan-Bloedel United, Incorporated, is a partnership between the Canadian company, MacMillan-Bloedel Limited, and

United Fruit Company of Boston, Massachusetts.

MR. GLICKSTEIN. In settling in Wilcox County, did the company receive any financial assistance from the city of Camden or from Wilcox County?

Mr. Hamby. I really don't know.

MR. GLICKSTEIN. Was there an industrial bond that was floated?

MR. HAMBY. Oh, yes. The financial organization was under the industrial development board type of set-up, although I am not at all familiar with that.

MR. GLICKSTEIN. But there was, as I understand it, a \$70 million industrial bond that was floated; the interest on those bonds is tax exempt to the purchasers. I understand it was that money that assisted in MacMillan-Bloedel locating in Wilcox County.

Mr. Hamby. I think what you have just stated is correct, but I should tell you that I actually have no knowledge of this area of the business.

MR. GLICKSTEIN. Mr. Hamby, how many people are currently employed in the operations that are set up at this stage?

Mr. Hamby. Well, our plywood plant and sawmill has been in partial operation for some 4 to 5 months. This is the company first mentioned, MacMillan-Bloedel Products, Incorporated.

The total employment at present would approximate something

slightly in excess of 300 people.

The other company, MacMillan-Bloedel United, which has the pulp and paper mill under construction, has only employed a total of some 75 people at this stage. It is not scheduled to go into operation until July or August of this year.

MR. GLICKSTEIN. And how many of the approximately 300 people that the MacMillan-Bloedel Products employ are white and how many Negroes?

MR. HAMBY. Well, this, Mr. Glickstein, changes almost daily because we are expanding our employment, we are adding more people. We will employ within the next month or so, we will add some 30 to 40 employees—

MR. GLICKSTEIN. Of the approximately 300 people that you have now?

MR. HAMBY. I would estimate 20 to 25 percent are Negro.

MR. GLICKSTEIN. And do you know what sort of jobs the Negroes hold, are they skilled or unskilled or semi-skilled jobs?

Mr. Hamby. They are semi-skilled.

Mr. GLICKSTEIN. Semi-skilled?

Mr. Hamby. Yes.

Mr. GLICKSTEIN. Approximately how many people will be employed by both companies when they are fully staffed and in operation?

MR. HAMBY. By July or August, both companies will employ approximately 650 people.

MR. GLICKSTEIN. Now you said that the Negroes that are currently employed are semi-skilled people.

Mr. HAMBY. Correct.

MR. GLICKSTEIN. Do you have any Negroes who occupy supervisory positions?

Mr. Hamby. No, sir, we do not.

MR. GLICKSTEIN. Is your company unionized?

Mr. Hamby.. Yes.

MR. GLICKSTEIN. By which union?

MR. HAMBY. The production and maintenance employees of MacMillan-Bloedel Products—again, the sawmill and plywood plant, are represented by the pulp sulphite workers union.

MR. GLICKSTEIN. What is that?

Mr. Hamby. It's the International Brotherhood of Pulp, Sulphite and Paper Mill Workers Union. That's the proper name.

MR. GLICKSTEIN. And they have one local at your plant?

MR. HAMBY. That's correct, sir.

MR. GLICKSTEIN. Did you say you had another union as well?

MR. HAMBY. No, we just have the one.

MR. GLICKSTEIN. Just have that one union?

Mr. Hamby. Just the one.

MR. GLICKSTEIN. I see. Do you expect to hire most of your employees in Wilcox County in your plant area, or do you expect to have to go elsewhere for some of your people?

MR. HAMBY. Well, we have employed to this date, most of the people employed by MacMillan-Bloedel Products are local residents, although we have gone some little distance—I would say within a radius of not more than 100 miles into Louisiana and part of Mississippi, to obtain some of the highly skilled people that were required for plywood and sawmill equipment operation.

MR. GLICKSTEIN. Does the company have an affirmative action program or any special type of program to recruit minority employees?

MR. HAMBY. No, sir.

MR. GLICKSTEIN. You don't?

Are either MacMillan-Bloedel Products or MacMillan-Bloedel United, or any of the affiliated companies Government contractors?

Mr. Hamby. Not to my knowledge, but here again I wouldn't know. I am not that familiar with United Fruit Company. I don't know what they might, you know, what the situation may be with respect to them.

MR. GLICKSTEIN. And United Fruit Company is one of the companies that is in partnership in the MacMillan-Bloedel Association?

MR. HAMBY. That's correct, sir.

MR. GLICKSTEIN. Will the MacMillan-Bloedel United sell products to the United Fruit Company?

MR. HAMBY. I am sorry, I didn't quite get that.

MR. GLICKSTEIN. Will the MacMillan-Bloedel United sell products to the United Fruit Company?

Mr. Hamby. Yes, sir, we will manufacture a paper product called liner board, which is a heavy grade of paper used in the manufacture of boxes of different types.

United Fruit is interested in this operation as a source of supply for this liner board, which it will convert into banana boxes.

Mr. GLICKSTEIN. So United Fruit will be one of your customers?

Mr. HAMBY. Yes, sir.

MR. GLICKSTEIN. As industrial relations manager for Mac-Millan-Bloedel, I would assume that if the company was a Government contractor you would probably know about it. Wouldn't you be responsible for carrying out and implementing the special programs that Government contractors are supposed to implement?

MR. HAMBY. Well, I may have misunderstood your question. As far as the two companies that I serve as industrial relations manager are concerned, we do not have any Government contracts.

MR. GLICKSTEIN. I am sure, as Mr. Coleman will tell you, if a company has a Government contract with respect to any one of its facilities, all of its facilities are covered.

MR. HAMBY. I don't know know of any Government contracts at all, sir.

MR. GLICKSTEIN. And you haven't been told that you have any special responsibilities of any sort?

MR. HAMBY. Well, if there was such a thing as our having Government contracts, I would have a responsibility.

MR. GLICKSTEIN. You would have the responsibility?

MR. HAMBY. For example, in connection with the Walsh-Healey Public Contracts Act compliance.

MR. GLICKSTEIN. How about your relationship with the Equal Employment Opportunity Commission? Have you been filing the appropriate forms with the Equal Employment Opportunity Commission?

Mr. Hamby. Yes, sir.

MR. GLICKSTEIN. Did you file a form for this year, the form that was due April 30th, I believe?

MR. HAMBY. We did for our MacMillan-Bloedel Products.

MR. GLICKSTEIN. Products?

MR. HAMBY. Right.

MR. GLICKSTEIN. I see. And the other plant is not staffed up yet; that is, Macmillan-Bloedel United?

MR. HAMBY. That's correct.

MR. GLICKSTEIN. Mr. Hamby, when you located in Wilcox County, were there some discussions with the county related to constructing a bridge across the river that was intended to help bring people from the other side of the river to your plant, and for other purposes?

MR. HAMBY. Yes, sir. I understand that there were such discussions, although I personally was not involved in them.

MR. GLICKSTEIN. Do you know what happened? Was that bridge built? Do you know what the situation is?

MR. HAMBY. The bridge, as I understand it, is under construction.

MR. GLICKSTEIN. Do you know who is paying for it?

MR. HAMBY. I beg your pardon?

MR. GLICKSTEIN. Do you know who is paying for the bridge?

MR. HAMBY. I understand that the State is.

MR. GLICKSTEIN. Do you know if there was a plan to have Federal funds used to pay for that bridge as well?

MR. HAMBY. Yes, sir, there was such a proposal. We, if it's all right for me to talk just on the basis of understanding and not actual personal knowledge or involvement, I would be glad to tell you what I know of it.

MR. GLICKSTEIN. Well, that would be all right.

MR. HAMBY. As I understood the situation at the time—and this would have been almost 2 years ago—our companies were invited to sign an application which the State of Alabama was filing for the receipt of EDA funds to assist in the construction of this bridge.

It seemed that it was necessary under the applicable regulation that our companies sign in the capacity of a recipient in connection with this new facility. And as a part of this application and as an integral of our signing as a recipient requesting that this assistance be granted, it was necessary for us to, for our two companies, to commit and sign a written commitment that we would fully comply with the Civil Rights Act in the manning up of our operations.

In addition, there was some obligation which we never had fully explained to us, as far as I know, under which we would have been obligated to accept some supervision and assistance from one or more Federal agencies in selecting employees to man up our mills.

And for that reason, plus the fact that the extent of this assistance or supervision was not at all clear, we felt it necessary, and on the advice of counsel, declined to sign.

MR. GLICKSTEIN. Do you know whether that supervision was any more than what's involved in Title VII of the Civil Rights Act of 1964?

Mr. Hamby. Our legal advice was to the effect that it did go beyond Title VII.

MR. GLICKSTEIN. It did go beyond Title VII?

MR. HAMBY. Yes, sir.

MR. GLICKSTEIN. Now, do you have any idea of how much money was involved in this EDA grant?

MR. HAMBY. No, sir, I don't. It was a substantial sum of money —I understood at the time several million dollars.

MR. GLICKSTEIN. Several million dollars?

Mr. Hamby. Yes.

MR. GLICKSTEIN. And do you know whether the county was willing to sign the assurance that you declined to sign?

MR. HAMBY. No, I don't.

Mr. GLICKSTEIN. Do you know whether the funds were granted by the Economic Development Administration or not?

MR. HAMBY. I believe the application was declined.

MR. GLICKSTEIN. Mr. Chairman, I have copies of the assurances that the Economic Development Administration requires

to be signed in circumstances such as this. I have one assurance which was signed by the Judge of Probate of Wilcox County on behalf of Wilcox County. I have two other assurances that were submitted to the MacMillan-Bloedel Company and in both of the assurances they have edited the form to the extent that they have crossed out the provisions which require them to comply with the nondiscrimination provisions of the Economic Development Act.

And I would like to introduce these into the record.

In addition, Mr. Chairman, I would like to introduce into the record a letter to the chairman of the court of county commissioners of Wilcox County, from the Economic Development Administration in which the Administration advises the county that they will be unable to receive some \$5 million in Federal funds because of the failure of the county to obtain the proper assurances from the MacMillan-Bloedel Company.

CHAIRMAN HANNAH. They are accepted for the record. (The documents referred to were marked Exhibit Nos. 16 and 17 and received in evidence.)

MR. GLICKSTEIN. Mr. Hamby, was this bridge project and the requirements of this assurance discussed at any meetings that you were a party to?

MR. HAMBY. Well, I—yes, I was present on one or two occasions when the—when the subject was discussed, but I did never attend a meeting that was called for the purpose of discussing the subject.

MR. GLICKSTEIN. Well, and you say that it is your understanding that the reason the company refused to sign the assurance as submitted was because it was afraid that there would be too much Federal supervision of its hiring practices?

MR. HAMBY. Well, I didn't quite say that, sir. I said that we declined on advice of counsel, and that an additional reason was that we didn't know the extent of this supervision or assistance with our manning up program.

MR. GLICKSTEIN. Were you or other company officials aware of the economic impact that this bridge might have on the community that floated a \$70 million bond to help you settle there? MR. HAMBY. Well, I think so.

MR. GLICKSTEIN. You were. But you felt that it was worth avoiding Federal—

MR. HAMBY. Sorry for the interruption.

MR. GLICKSTEIN.—but you felt it was worth avoiding Federal supervision at the expense of depriving the county and the community of this bridge, of the \$5 million of Federal funds?

MR. HAMBY. Well, the bridge, as I stated earlier, is under construction. There has been nobody deprived of a bridge, and we were assured by the State at the time that it would be built.

MR. GLICKSTEIN. When you have legal questions, Mr. Hamby, such as what form you are supposed to file with a particular Federal agency, are you authorized to consult your counsel directly?

MR. HAMBY. Yes, sir.

MR. GLICKSTEIN. Have you ever asked your counsel whether the fact that you will be doing business with the United Fruit Company, a company that is a Government contractor, imposes the same obligations on you as are imposed on any Government contractor?

Mr. HAMBY. I am sorry, I don't quite understand the question, Mr. Glickstein.

Mr. GLICKSTEIN. You are responsible for the industrial relations of the partnership—

Mr. Hamby. Yes.

MR. GLICKSTEIN.—one party to which is the United Fruit Company.

You also have told us that when MacMillan-Bloedel United is in operation it will be doing business with, it will be selling to the United Fruit Company.

Have you ever asked your counsel whether the United Fruit Company is a Government contractor and, if so, whether you are required to follow the same obligations that are imposed upon the United Fruit Company?

MR. HAMBY. No, sir, I have not asked that question.

Mr. GLICKSTEIN. I see. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. You would say that other industrial corporations in Alabama that have Government contracts would have to meet the same requirements here, would you not, insofar as the title of the Civil Rights Act is concerned?

MR. HAMBY. Are you referring—when you say the same requirements, are you referring to the requirements that we were discussing in connection with this EDA application?

COMMISSIONER RANKIN. That's right. That's correct.

MR. HAMBY. I don't know, sir, that that is correct. It may be. COMMISSIONER RANKIN. Certainly your plant was not singled out for any more severe requirement than any other corporation would have to meet.

MR. HAMBY. I don't think so, no.

COMMISSIONER RANKIN. And the very fact that others were meeting it—I just wondered why you were unable to do so.

MR. HAMBY. Well, I, perhaps, should have made this clearer. We think that people who are experienced in recruiting and manning up an industrial operation of the type that we have had under construction, are the best people to do the hiring without

any assistance or without any artificial restraints or interference. This is our only concern in the matter.

These other companies that you represent that are subject to the same requirements, are in business. Now if we had run into some problem in connection with these requirements that had prevented our starting up this \$70 million-plus complex, we would have looked a little, you know, unnecessary as managers. This was the basis of our concern.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Hamby, how long have Mac-Millan-Bloedel and MacMillan-Bloedel United been in business?

Mr. Hamby. MacMillan-Bloedel United has not yet started business. It will not go into production until about July or August of this year. I am not sure when the two companies were formed.

The other company, MacMillan-Bloedel Products, started the operation of a plywood plant and sawmill on a very limited basis, 4 to 5 months ago.

COMMISSIONER FREEMAN. They are Canadian-based companies?

Mr. HAMBY. I beg your pardon?

COMMISSIONER FREEMAN. Are they Canadian-based companies?

MR. HAMBY. MacMillan-Bloedel Products is a wholly owned subsidiary of a Canadian company which is also a 60 percent owner partner in the other company.

COMMISSIONER FREEMAN. What is the hourly wage, Mr. Hamby, that is received by the semi-skilled workers in your company?

Mr. Hamby. Well, I'm afraid I can't recite the rates to you, and we are talking—I will take first MacMillan-Bloedel Products, the company that is in operation, presently employing something slightly in excess of 300 people, amongst the production and maintenance employees, the lowest rate is \$1.60 per hour. The highest rate is \$3.05 per hour. And I would say that the average rate probably would approximate \$1.85 to \$1.95 per hour.

COMMISSIONER FREEMAN. How many persons does your company employ in clerical positions?

Mr. Hamby. Approximately, if you include stenographic, approximately 25 to 30.

COMMISSIONER FREEMAN. How many of these are Negro?

Mr. Hamby. None in the clerical-stenographic. We have one licensed practical nurse, who is a Negro. She is the only one who answered our advertisement.

COMMISSIONER FREEMAN. With respect to your advertising, will you tell the Commissioners how you recruit personnel?

MR. HAMBY. Yes. We have advertised considerably by news-

paper, mostly by newspaper, but also to a considerable extent by radio in various locations in the area.

COMMISSIONER FREEMAN. Is MacMillan-Bloedel an Equal Opportunity Employer?

Mr. Hamby. Yes, we are.

COMMISSIONER FREEMAN. Is this stated in your advertisements?

MR. HAMBY. Yes, I think it has been inadvertently omitted once, but it's intended to be stated. Our company policy for many years has been definitely along the line of prohibiting any discrimination of this sort.

COMMISSIONER FREEMAN. Do you have any Negroes in top supervisory positions?

Mr. Hamby. No, we do not.

COMMISSIONER FREEMAN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Hamby, as I get this testimony, Wilcox County, Alabama, according to our record, was willing to sign the Economic Development Administration form pledging nondiscrimination, which MacMillan-Bloedel United was unwilling to sign. Is that correct?

Mr. Hamby. Well, that is correct, yes.

VICE CHAIRMAN PATTERSON. And as a result of your unwillingness to sign it, wasn't the effect that your company handed the taxpayers of Wilcox County and the State of Alabama a bill for \$5 million?

Mr. HAMBY. Well, I wouldn't have put it that way, Mr. Patterson.

VICE CHAIRMAN PATTERSON. Which could have come from EDA if you had signed the form.

MR. HAMBY. I don't—I think that's your conclusion, sir, and I don't think you would expect me to agree with it, would you?

VICE CHAIRMAN PATTERSON. Well, EDA did offer to give a grant of \$5 million to build the bridge to bring employees in.

MR. HAMBY. Not actually, no, sir. They required that this commitment be signed by us, as I understood it, before the application for the funds would be considered.

Now whether or not—as far as I know there was no, there was no offer of supplying the funds.

VICE CHAIRMAN PATTERSON. I see. But when you failed to sign it then that ended the project as far as EDA was concerned. Isn't that correct?

Mr. Hamby. So I understood.

VICE CHAIRMAN PATTERSON. And so, the fact that the bridge is now being constructed with State and county funds without

EDA funds, certainly would appear to be connected with your refusal to sign the form.

My question is, what suspicion was raised in your mind about the nondiscrimination pledge that EDA required that would lead you to deprive the taxpayers of Alabama of this \$5 million that might have come from EDA?

Mr. Hamby. Well, as I stated, Mr. Patterson, we did this on the basis of legal advice.

Now I might state further that we were unable to determine—and I thought I had already stated this—we were unable to determine the extent to which our efforts in manning up our operations would be assisted or supervised by some Federal agency. In the face of that unknown, we felt that we simply could not take the chance. We didn't know what we were, what chance we were taking.

VICE CHAIRMAN PATTERSON. You referred to this as a \$70 million installation. Is it true that Wilcox County issued industrial revenue bonds in the amount of \$70 million in order to get your plant there?

MR. HAMBY. Well, this, as I said, I have no personal knowledge of. I understood that this is the case, this is the newspaper report at the time, yes, sir.

VICE CHAIRMAN PATTERSON. That's all I have.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. Taylor. You have said several times, Mr. Hamby, that what was involved was a question of supervision of your hiring practices, and the Federal Government taking over your hiring practices?

MR. HAMBY. Well, by some means exerting some control and influence over our selection of people to man the mill, yes.

MR. TAYLOR. As I read this—and I am looking at it right now—as I read this provision, it is a nondiscrimination provision: it provides that where a primary objective of the Federal assistance to a program to which this part applies, is to provide employment, the recipient shall not directly or through contractual or other arrangements, subject a person to discrimination on the grounds of race, color, or national origin in its employment practices under such program.

MR. COLEMAN. Mr. Chairman, may I just interject one comment. It might be a clarifying comment.

CHAIRMAN HANNAH, Proceed.

MR. COLEMAN. We—Mr. Hamby was furnished with a legal opinion based as to what the possible scope of Title VI of the Act was with reference to the actual question of who would do the hiring—the company or the United States Government; not a question of discrimination, which is under Title VII as well as

Title VI, an obligation remains not to discriminate. This was the basis of the legal opinion which Mr. Hamby——

MR. TAYLOR. Well, what I am reading from here—

MR. GLICKSTEIN. The legal opinion said the United States would do the hiring?

Mr. Coleman. The opinion said that the United States might well participate in the hiring, and I can elicit information to show that we requested from the EDA any kind of letter or oral assurance that such would not be the case, and they informed the company they would get no such assurance that such would not be the case, and accordingly, the company did not want to commit itself to a complete and utter—

CHAIRMAN HANNAH. I think the question has been answered. Go ahead.

MR. TAYLOR. I would just like to point out that what I am reading from here is not Title VII, but Title VI, the regulations under Title VI.

MR. COLEMAN. Title VI, that is correct. The Department of Commerce regulations, are you reading?

Mr. Taylor. That's correct. And I read them as a nondiscrimination clause. Now I don't want to get us into a legal argument——

Mr. Coleman. They go beyond that in certain respects, and the EDA more or less confirmed that.

MR. TAYLOR. Well, let me ask Mr. Hamby this. Your company does accept and has not objected to other Federal regulations. Is that true, you abide by the Walsh-Healey Act, fair labor standards?

Mr. Hamby. Well, we are not subject to the Walsh-Healey Act as yet.

Mr. TAYLOR. But you will be.

MR. HAMBY. Well, I don't know that we will be, but let me put it this way—we certainly don't object to abiding by and complying with every applicable law, and we are in the position of doing so at the moment.

We have no objection whatever to complying with laws. Was that not your question?

MR. TAYLOR. What I have a great deal of difficulty in understanding is why the company is singling out a nondiscrimination requirement when it is subject to a great many other requirements which it apparently has no objection to.

MR. HAMBY. Well, I thought that Mr. Coleman just stated that this was not a nondiscrimination requirement in the opinion of our attorneys. Now you would be a better judge of that than I, sir.

CHAIRMAN HANNAH. In any case, the answer has been given

as on the advice of their attorney, and that is the answer they stick to.

Mr. Taylor. Well, I just have one further observation and one question.

Your company already has received significant Federal benefits, has it not?

MR. HAMBY. I don't know, sir.

MR. TAYLOR. Is not this bond issue, the industrial bond issue which amounts to some \$70 million, tax-exempt? Is that not a tax-exempt bond issue?

MR. HAMBY. Well, I think I stated a few minutes ago I actually have no knowledge of the financial side of the business. It may well be, sir, and I understand that to be the case, but I don't think this is a very unusual sort of situation. We are not the first ones to be financed under this kind of an arrangement. I frankly don't quite get the point of your returning to this question. Maybe you could clarify it.

MR. TAYLOR. Simply that you have gotten substantial Federal—as I understand the situation——

MR. COLEMAN. I am sorry, but we object to all types of pictures, and one was just taken in the course of the examination, sir.

CHAIRMAN HANNAH. There will be no photographs taken during the testimony of this witness. Who was it that took the picture?

VOICE. I was out at the beginning of the testimony.

CHAIRMAN HANNAH. You will see that the photograph is not used.

Voice. I am sorry.

Mr. Taylor. The point of my question was simply that you already have received, as I understand the situation, you already have received Federal benefits which aided in the construction of your plant.

CHAIRMAN HANNAH. Well, I think, Mr. Taylor, the witness has answered the question.

Mr. Taylor. I am sorry, I haven't heard the answer, as yet.

MR. HAMBY. Well, I would just like to state this, that whether or not—and this is the reason for my reluctance to pursue this matter—whether or not our companies are the sole beneficiaries from this advantage that you refer to, I don't know.

MR. TAYLOR. Well, I will simply conclude by saying that I think it might be helpful if our General Counsel could research the question of what the obligations of the company may be, if indeed, it has received Federal benefits under the tax-exempt issue.

MR. COLEMAN. But not with regard to the hiring under Title VI, the problem upon which I rendered my opinion. Do you plan to research that issue, too?

Mr. TAYLOR, I would like to do that-

MR. COLEMAN. I would like a clarification. I will be absolutely honest, I would like a clarification of that issue and we tried to get one.

Mr. Taylor. I think we would be very glad to do that and to confer with you on it.

MR. COLEMAN. Very good, sir.

CHAIRMAN HANNAH. Any further questions?

Mr. GLICKSTEIN. No. sir.

CHAIRMAN HANNAH. Thank you very much. You are excused. We will now take a 10-minute recess.

[A further statement by Mr. Coleman appears in Exhibit No. 38.]

CHAIRMAN HANNAH. Ladies and gentlemen, may we have quiet so that we can proceed with the hearing?

The Commission has decided to excuse witnesses James C. Utsey and R. M. Utsey of the U & W Manufacturing and Choctaw Manufacturing Company. They are under subpena, and they are being excused from the subpena, and I think they have been informed.

Mr. Glickstein, will you proceed with the next witness?

MR. GLICKSTEIN. May I just add, Mr. Chairman, that these witnesses are being excused because of the time schedule factor.

CHAIRMAN HANNAH. That is correct.

 $\ensuremath{\mathsf{Mr}}.$  GLICKSTEIN. The next witnesses are Mr. Lee Duvall and Mr. George Heard.

VOICE. May we request that we do without the cameras too?

CHAIRMAN HANNAH. The request is granted. The request has been made that there are to be no cameras, no photographing. The request is granted, the lights can be eliminated.

MR. GLICKSTEIN. Would you just identify the third gentleman

for the record?

VOICE. J. C. Niehuss, public relations director for our company. CHAIRMAN HANNAH. Is he going to offer any evidence? VOICE. Yes.

(Whereupon, Mr. Lee Duvall, Mr. George Heard, and Mr. J. C. Niehuss were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. LEE DUVALL, MONROEVILLE, ALABAMA; MR. GEORGE M. HEARD, MONROEVILLE, ALABAMA; AND MR. J. C. NIEHUSS, MONROEVILLE, ALABAMA

MR. GLICKSTEIN. Dr. Hannah, Mr. Duvall and Mr. Heard have submitted a statement that they would like to be made a part of the record. May we request that this be entered into the record?

CHAIRMAN HANNAH. It is accepted for the record.

MR. GLICKSTEIN. And I am going to question these gentlemen, and if something that they have in the statement is not elicited

by questioning, I am sure they will be given an opportunity to add it.

(The document referred to was marked Exhibit No. 18 and received in evidence.)

Mr. GLICKSTEIN. Would each of you gentlemen please state your full name and address for the record?

Mr. Duvall. I am Lee Duvall, vice president of public and industrial relations of Vanity Fair Mills in Monroeville, Alabama.

Mr. HEARD. George M. Heard, director of industrial relations of Vanity Fair Mills in Monroeville, Alabama.

MR. NIEHUSS. J. C. Niehuss, director of public relations for Vanity Fair Mills, Incorporated, Monroeville, Alabama.

Mr. GLICKSTEIN. I will address my questions to the three of you and whichever one of you chooses to answer, answer the question. What does your company manufacture?

Mr. Duvall. We manufacture ladies' intimate apparel, lingerie, and associated apparel.

Mr. GLICKSTEIN. And how many plants do you have located in Alabama?

MR. DUVALL. We have eight at the present time.

MR. GLICKSTEIN. Eight. And where are those plants located? MR. DUVALL. Oh, boy—Monroeville, Jackson, Atmore, Demopolis, Butler, Bayou, Labatre, and Robertsdale.

Mr. GLICKSTEIN. How long has your company had operations in Alabama?

Mr. DUVALL. Since 1937.

Mr. GLICKSTEIN. And how long, for example, have you been in Monroeville?

Mr. DUVALL. In 1937 was the first plant and that was in Monroeville.

MR. GLICKSTEIN. And that was in Monroeville?

Mr. Duvall. Uh-huh.

Mr. GLICKSTEIN. What sort of economic impact has your company had on the areas in which it is located?

MR. DUVALL. Well, I think it has been a two-way highway, but there's certainly been a tremendous impact. For instance, since 1960 the town of Monroeville has virtually doubled in size.

MR. GLICKSTEIN. And you feel that your company's presence was one of the factors that contributed to that growth in size?

Mr. DUVALL. Yes.

Mr. GLICKSTEIN. How many employees do you have in Alabama?

Mr. DUVALL. In Alabama, we have around 5,000.

Mr. GLICKSTEIN. I have the

Mr. DUVALL. 5,930.

MR. GLICKSTEIN. And how many of those 5,930 are Negroes? MR. DUVALL. Of that group, we have 655.

MR. GLICKSTEIN. Is it a recent development that Vanity Fair has hired Negroes?

Mr. Duvall. Yes.

MR. GLICKSTEIN. About when did that development take place? MR. DUVALL. We started out the program about 6 months

before the Civil Rights Law was put into effect—April.

MR. GLICKSTEIN. In other words, you were anticipating the Law and you preceded its effective date by carrying out your responsibility before that time?

MR. DUVAL. About 6 months before that date.

Mr. GLICKSTEIN. How did you go about selecting your first Negro employees?

MR. DUVALL. We visited with the leaders in the community, black as well as white, and got their recommendations as to who they felt would be the best ones for the first start.

After that, we have taken applications as they came in, and also sought out applications, both colored and white.

MR. GLICKSTEIN. Did you consider yourselves pioneers or in a very delicate position when you began integrating your plants?

Mr. DUVALL. I think that might be true.

MR. GLICKSTEIN. Were you concerned with who the people were that you were hiring? Were you making any special effort to get certain kinds of people?

Mr. DUVALL. Well, we were most anxious that we get someone that would be successful because we wanted to be sure and start on the right foot.

If we brought someone in that succeeded, then that would tend to tear down the impression that the colored people could not do certain jobs.

Mr. GLICKSTEIN. Did you anticipate any opposition from your white employees?

Mr. Duvall. Yes, quite—very definitely.

MR. GLICKSTEIN. And what did you do to deal with that problem?

Mr. Duvall. We had orientation sessions at each one of our plants with all of our employees. We had orientation sessions with the local merchants, the Chamber of Commerce, and other merchants, and key citizens that were not connected with the Chamber of Commerce. And we visited with the colored, Negroes in the community, and we also visited with who we thought might be the radical leaders of the colored or the white, and told them that it was not a question if we were going to abide by the law, it was a question of how.

Mr. GLICKSTEIN. At these orientation sessions that you had with your own employees, what did you tell them?

MR. DUVALL. We just told them that it could have an economic impact upon the community if we had interruptions of employ-

ment, or if we had demonstrations, and that we had a company that sold throughout the world and not just throughout the United States, and we wanted to set the example of being willing to abide by the law and not have any misunderstandings or hard feelings.

Mr. GLICKSTEIN. What kinds of skills do your workers need? Do

they have to be high school graduates?

Mr. DUVALL. No. No, 7th, 8th grade would be adequate for craftsman skill, or that equivalent.

Mr. GLICKSTEIN. And do you administer tests to your employees?

Mr. Duvall. Yes.

MR. GLICKSTEIN. What kinds of tests do you administer?

Mr. Duvall. We have a battery of five tests that we give, three of them are strictly dexterity tests; two of them are on the academic side—one of them being the Wunderlich Test, the other is one that has been developed for our special use. The person we used to develop these tests is Dr. Moore, who is head of the psychology department at Georgia Tech.

MR. GLICKSTEIN. And you prefer to give your own tests rather than to use the test given by the United States Employment Service?

MR. DUVALL. We are egotistical enough to think that we can do the job a little better, yes.

MR. GLICKSTEIN. Have you ever had any experience with the Employment Service tests?

Mr. Duvall. We have had applicants referred to us who have taken the State test and we, by the same token, gave them ours, and in most instances the State tests are—there's a correlation, not as high as what we have with ours.

Mr. GLICKSTEIN. Have you ever had people who failed the State test but passed yours?

Mr. Duvall. Yes.

MR. GLICKSTEIN. You have had?

Mr. Duvall. Yes.

Mr. GLICKSTEIN. Do you have any notion of how well Negroes do on your tests as compared to whites?

Mr. Duvall. The ones—you want to field that one, George?

MR. HEARD. I am not sure I understand it. That is the reason I was frowning. How do you mean?

MR. GLICKSTEIN. Do Negroes pass your tests proportionately to the same degree as whites do?

Mr. Heard. Probably not. I can't give you a statistic on that, but my impression would be that probably there are lower percentage of the colored pass it as compared to the white, but I don't believe it would be a very significant.

MR. GLICKSTEIN. You don't think it would be very significant? MR. HEARD. No.

Mr. GLICKSTEIN. Now the statistics that you have given us on your employees indicate that of 297 office and clerical employees, you have one Negro office and clerical employee. What sort of position does that Negro occupy?

Mr. Duvall. He has the responsibility of collection and deposits for our concession accounts. It is the sale of Coca-Cola and cookies

and things of that nature.

Mr. GLICKSTEIN. He services the machines that you have throughout the plant?

Mr. DUVALL. Yes, and collect the money and keep the records on it.

MR. GLICKSTEIN. And he is considered in the category of office and clerical?

Mr. Duvall. Yes.

MR. GLICKSTEIN. Have you made any efforts to increase your

number of Negro office and clerical employees?

MR. DUVALL. Mr. Glickstein, I think you know and I believe Mr. Beis knows that we have been most anxious to obtain additional local people to work in clerical positions, and the reason for that being is this: that we ask our production workers to work on an integrated basis and some of our production workers would tend to be a little bit critical of their having to do it and the bosses are not working on an integrated basis.

And we would like for them to know that we have no objection to it. In fact, we had one lady, as we told you on the investigation, that worked there for  $2\frac{1}{2}$  years. It was only after almost a year searching before we found her. She did not seek us out, we sought her out.

MR. GLICKSTEIN. What efforts have you made to seek out—in addition to this lady—specifically, what efforts have you made to seek out other employees?

Mr. DUVALL. We have contacted the high school principals throughout our entire employment area—all high school principals.

Mr. GLICKSTEIN. Have you actually gone to the high schools and spoken to the students?

Mr. Duvall. Yes.

MR. GLICKSTEIN. And you find that it is just very difficult to get satisfactory Negro office and clerical employees?

MR. DUVALL. We've found this, that the ones that can do the office and clerical work so often can get a temporary teacher's certificate and make more money than the average routine clerical jobs that we have, and we have a policy of promoting from within.

MR. GLICKSTEIN. Do you have any Negro supervisors?

MR. DUVALL. We do not have a Negro supervisor. We have a Negro programmer.

Mr. GLICKSTEIN. And he is categorized as a technician?

MR. DUVALL. Right. And in that particular case we jumped our normal procedure of promoting from within and brought this person in from the outside. He is very capable.

Mr. GLICKSTEIN. Have you made any special efforts to get Negro supervisors, or to upgrade some of your present employees to become supervisors?

Mr. Duvall. Yes.

Mr. GLICKSTEIN. What sort of efforts have you made?

Mr. Duvall. We are endeavoring to give them the proper training. As you know, we are a quality fashion house. We have from 100 to 150 new styles that come into the line every 6 months, and in order for a supervisor to be able to teach the sewing machine operators that would be under her jurisdiction, some 35 to 40, she needs to have knowledge of the various different types of machines. And it takes 4 to 5 years to develop that knowledge.

Mr. GLICKSTEIN. It takes 4 to 5 years to develop that knowledge? Mr. DUVALL. Yes, that is generally speaking.

Mr. GLICKSTEIN. Do your supervisors, your present supervisors, ordinarily make recommendations about which of your employees should be promoted to supervisors?

Mr. Duvall. Yes.

MR. GLICKSTEIN. You do consult your own supervisors?

MR. DUVALL. We also take complete inventory of the personnel file. We don't rely upon the supervisors in the room.

MR. GLICKSTEIN. You have hopes in the near future you will have some Negro supervisors?

Mr. Duvall. Yes.

Mr. GLICKSTEIN. What standards are you going to apply in selecting your first Negro supervisor?

MR. DUVALL. The same as we do for the whites.

Mr. GLICKSTEIN. You mentioned that when you hired your first Negro employees, you were very concerned that they perform well, and you thought it would be a mistake if the first Negro employees you hired did not make the grade.

Are you going to apply similar standards when you select your first Negro supervisors?

Mr. Duvall. Not necessarily. We want to be sure we have one that will make the grade, but we don't have the problem on the Negro supervision that we did at one time.

As you know, we have a number of colored teachers, in our predominantly white high schools, and that has gone off without incidents.

And I will say this, we have not had any incidents in any of the communities where we are located.

Mr. GLICKSTEIN. Does your company throughout its Alabama locations involve itself in community affairs?

Mr. Duvall. Yes, we endeavor to do so as an industrial citizen.

MR. GLICKSTEIN. What are some of the things that you have been involved in?

MR. DUVALL. Well, Mr. Heard here is the past president of the PTA, and I believe you are on the board of deacons of the Baptist Church. And Mr. Niehuss has been very active in the Chamber of Commerce work, and Mr. Heard is the past Man of the Year, and a few things like that.

We encourage our individual citizens to mix with the town.

MR. GLICKSTEIN. Have you made any contributions to community programs, financial contributions?

Mr. Duvall. Yes.

MR. GLICKSTEIN. What sort of contributions have you made?

Mr. DUVALL. Well, it would cover a multitude of different activities. We have a certain amount of money set aside each place. I guess one of the ones that could be—well, we bought recreational equipment for the schools and we have provided recreational facilities, through a trust, for the community.

Mr. GLICKSTEIN. You have provided recreational facilities through a trust to the community?

Mr. Duvall. Yes.

MR. GLICKSTEIN. What do you mean by that?

Mr. DUVALL. Well, we have no control over this trust, but it's a charitable trust that is set up for the benefit of the public.

MR. GLICKSTEIN. And you donate money to that trust?

Mr. DUVALL. We have, yes.

MR. GLICKSTEIN. What sort of recreational facilities are provided by this trust?

Mr. Duvall. I guess it is just about anything that comes along.

MR. GLICKSTEIN. Does the trust support any parks?

MR. DUVALL. Yes. They have parks, yes.

MR. GLICKSTEIN. And they have parks in Monroeville?

Mr. Duvall. Yes.

Mr. GLICKSTEIN. And how many parks does the trust support in Monroeville?

Mr. Duvall. One.

Mr. GLICKSTEIN. One park?

Mr. Duvall. Yes.

Mr. GLICKSTEIN. Do you know what portion of the funds-

Mr. Duvall. Through the trust fund, that is. There are a number of other things. You have Little League diamonds and you have a number of other projects that we certainly participate in.

MR. GLICKSTEIN. Do you know what portion of the funds that the trust administers comes from Vanity Fair?

Mr. Duvall. No. No, I don't.

Mr. Niehuss. What was this? What was the question?

Mr. GLICKSTEIN. What portion of the funds  $\bar{t}$ hat the trust administers comes from your company?

Mr. Niehuss. It comes almost entirely from our profits.

MR. GLICKSTEIN. Comes almost entirely—so most of the money that the trust administers is Vanity Fair money?

Mr. DUVALL. Not necessarily on that.

We endeavor to have a community project wherever possible, and the local citizens raised some 30 something thousand dollars for the furnishings of the community house, and then with the swimming pool that we have down there I think they raised \$38,000. That's the key.

If you have something given to you on a silver platter, you don't appreciate it, and we endeavor to have it a community project.

Mr. GLICKSTEIN. But \$35,000, I believe you said, was Vanity Fair money that has been given to the trust?

Mr. DUVALL. No, we've given more than that.

Mr. NIEHUSS. Over the years we've given a great deal more than \$35,000 to the trust.

These trusts were established in Monroeville in 1948 and at the same time there was an identical trust established in another town, but we have been growing with these trusts over the years in an effort to put back some of our profits into the communities for recreational and charitable facilities.

MR. GLICKSTEIN. So the company's contribution to these trusts is a very significant factor in permitting them to operate?

Mr. NIEHUSS. Yes.

MR. GLICKSTEIN. Is the park in Monroeville open to Negroes?

Mr. Duvall. Yes.

MR. GLICKSTEIN. Do Negroes use that park?

Mr. DUVALL. No.

MR. GLICKSTEIN. Negroes don't use that park?

Mr. DUVALL. They haven't. Well, they use the ball diamond which is part of the park.

MR. GLICKSTEIN. What other facilities are there in the park besides the ball diamond?

MR. DUVALL. They have not requested any others.

Mr. GLICKSTEIN. What other facilities are there in the park?

MR. DUVALL. You have a tennis court, a community house, and a swimming pool.

MR. GLICKSTEIN. And also picnic areas?

Mr. DUVALL. Picnic areas.

MR. GLICKSTEIN. There is no sign in the front that says Negroes are not allowed but, except for the ball diamond, Negroes haven't used the park?

Mr. DUVALL. Right.

Mr. GLICKSTEIN. That's correct?

MR. DUVALL. And there is nothing in the bylaws against their using it.

Mr. GLICKSTEIN. Do Negroes have their own park in Monroeville?

Mr. Duvall. Yes.

MR. GLICKSTEIN. Have you made any efforts to encourage Negroes to use the park, your Negro employees, for example? Has your company sponsored any picnics or anything of that sort in the park?

Mr. DUVALL. We don't have the social functions. We give a turkey once a year and that's just about it.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. I have no questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Duvall, how old is the Vanity Fair Company?

Mr. Duvall. 1898. It originated in Reading, Pennsylvania in 1898.

COMMISSIONER FREEMAN. Would you state what the average hourly wage of the employees is?

MR. DUVALL. Well, I am going to preface my answer with two points before I give it to you.

One is that we do not use the State training program where the employee works two weeks for nothing, trying to learn how to sew.

And two is we do not use the learners permit for \$1.40 an hour to bring someone in. We bring everybody in at \$1.60.

Now, when you ask for average hourly earnings, are you talking about the experienced operators; are you talking about—including learners who just came to work yesterday, or including overtime, or there are just so many. I don't mean to be facetious with you.

COMMISSIONER FREEMAN. Why don't you give us both? If a person starts working tomorrow what would she get?

Mr. Duvall. \$1.60 an hour.

COMMISSIONER FREEMAN. And then what is the range? What is the next level?

MR. DUVALL. We have it set up where that every operator with reasonable performance should run what we describe as an 80 unit hour, which would be about \$2.30 an hour. I think you will find that our hourly average earnings are about the national average, or above.

COMMISSIONER FREEMAN. Your company is based in Pennsylvania you said?

Mr. Duvall. Yes.

COMMISSIONER FREEMAN. How many employees of your company are in Pennsylvania?

Mr. DUVALL. In Pennsylvania? The figures I gave you are only those in Alabama.

COMMISSIONER FREEMAN. Do you have any information about the number of employees in Pennsylvania?

MR. DUVALL. Approximately 100 in Pennsylvania.

COMMISSIONER FREEMAN. Is there any difference in the income of the employees in Pennsylvania than those in Alabama?

Mr. Duvall. No, not for comparable jobs.

COMMISSIONER FREEMAN. Does the company maintain any parks——

MR. DUVALL. I think if the truth is known, that the clerical people make a little bit more down here.

COMMISSIONER FREEMAN. Does the company maintain any parks in Pennsylvania?

Mr. Duvall. No.

COMMISSIONER FREEMAN. You indicated that the park was not segregated, but no Negroes use it, other than the ball field?

Mr. DUVALL. That's right.

COMMISSIONER FREEMAN. Has your company taken any steps to let the Negroes in Monroeville know that the park is open?

Mr. Duvall. No.

Mr. Niehuss. I think it might be well to just elaborate there a bit, Mrs. Freeman, from this standpoint. Everyone in town knows that it requires a purchase of a permit for a family to use the park.

It is a rather nominal permit, \$15 per year covers an entire family and their out-of-county guests. And that is public knowledge.

MR. DUVALL. One other point I would like to make and that is this: in a predominantly colored neighborhood where they have their own swimming pool and they charge 25 cents for each swim, they did not have enough traffic to justify keeping it open 7 days a week. They only wanted it open 3 days a week, and it is run by the colored people. The coach at Union High School is the athletic director during the summer months.

COMMISSIONER FREEMAN. From whom does the citizen make application to use the park?

Mr. DUVALL. Do you want to catch that one?

Mr. NIEHUSS. The application is made to a park facilities committee, which is composed entirely of local citizens in Monroeville, and they take the application—any member of the park committee is empowered to take application, the committee rules upon it and a permit is issued on that basis.

COMMISSIONER FREEMAN. Would you explain to the Commissioners what you mean by the committee rules upon it?

Mr. NIEHUSS. Well, the park facilities committee has the power to deny or to approve or revoke a park permit. The reason they have that power given to them by the trust, is simply because, of course, if someone misused the park facilities, why they would want the power to revoke the permit.

ž

MR. DUVALL. Vandalism, or something along that line.

Mr. Niehuss. Yes.

COMMISSIONER FREEMAN. And no Negroes use the park?

MR. DUVALL. They use the ball diamond part.

COMMISSIONER FREEMAN. Would you state for the Commissioners the amount of sales of Vanity Fair for the last fiscal year?

Mr. Duvall. \$68——

Mr. Niehuss. \$63 million last year.

COMMISSIONER FREEMAN. \$63 million?

Mr. NIEHUSS. Yes.

COMMISSIONER FREEMAN. Does Vanity Fair have any Government contracts?

Mr. NIEHUSS. No Government contracts.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Dr. Rankin? Mr. Taylor? Thank you very much, gentlemen, you are excused. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witness is Mr. Harold Becker.

Mr. Becker. I would request turning off the lights.

CHAIRMAN HANNAH. Mr. Becker requested no lights and no cameras, and it is granted, according to the rules of the Commission.

(Whereupon, Mr. Harold M. Becker was sworn by the Chairman and testified as follows:)

### TESTIMONY OF MR. HAROLD M. BECKER, EUFAULA, ALABAMA

Mr. GLICKSTEIN. Mr. Becker, would you please state your full name and address for the record?

Mr. Becker. Harold M. Becker, Manager of Dixie Shoe Corporation, Eufaula, Alabama.

MR. GLICKSTEIN. And from the title of your company, I gather it manufactures shoes. Is that right?

Mr. Becker. That's correct.

Mr. GLICKSTEIN. What type of shoes do you manufacture?

MR. BECKER. We make ladies' footwear.

MR. GLICKSTEIN. Would you describe, very briefly, the nature of the area that your plant is located in?

MR. BECKER. Well, we are in Barbour County, and it's a county—Eufaula, Alabama. It has a population of 9,000 people, and that's about it; that's all I can tell you about it.

MR. GLICKSTEIN. What is this—a rural county, a rural area?

Mr. Becker. There's quite a rural area there.

Mr. GLICKSTEIN. How many of your employees are male?

Mr. Becker. I'd say 20 percent. 80 percent female.

Mr. GLICKSTEIN. And what percent of your employees are Negro?

Mr. Becker. About 50 percent.

MR. GLICKSTEIN. What is the principal occupation that your employees are engaged in?

Mr. Becker. Well, the manufacture of shoes.

MR. GLICKSTEIN. I mean, what do they do?

MR. BECKER. Well, they sew and they cut and they last and they pack—and there's different operations in the shoes.

MR. GLICKSTEIN. Most of them are machine operators of one sort or another?

Mr. Becker. Yes, most of them are machine operators. I'd say 85 percent.

MR. GLICKSTEIN. Eighty-five percent?

Mr. Becker. That's correct.

Mr. GLICKSTEIN. When did your plant open, Mr. Becker?

Mr. Becker. We opened the plant in 1963, in August of '63.

MR. GLICKSTEIN. And how many people did you have when it opened?

Mr. Becker. I'd say about 85 to 100.

MR. GLICKSTEIN. Eighty-five to 100?

Mr. Becker. Uh-huh.

MR. GLICKSTEIN. And what portion of your work force at that time was Negro?

MR. BECKER. About half.

Mr. GLICKSTEIN. About half. That was before the Civil Rights Act of 1964 was passed and before Title VII was effective. Did you have any problems at that point of integrating—in utilizing an integrated work force?

MR. BECKER. No. I don't think so.

MR. GLICKSTEIN. Did you have to take any special steps to make it possible for you to operate with an integrated work force?

MR. BECKER. No, we had no problem at all. We just hired people who wanted to work.

Mr. GLICKSTEIN. Did you ever anticipate problems from some of the white employees?

Mr. Becker. No, we had no problems whatsoever.

Mr. GLICKSTEIN. Did you ever receive objections from any of the white employees?

Mr. Becker. Never had any objections.

Mr. GLICKSTEIN. You never had to warn a white employee that—

Mr. Becker. Well, we might have had one, and we just told her if she wanted to work there, she'd have to work, period, work with the colored people. And that was it; she went back to work.

MR. GLICKSTEIN. You have been successful in running an integrated plant—

Mr. Becker. I think we have.

Mr. GLICKSTEIN. —from back in 1963?

Mr. Becker. I think we have.

Mr. GLICKSTEIN. When you opened your factory, did you receive help under any Federal program?

Mr. Becker. We had an ARA program.

Mr. GLICKSTEIN. That's the Area Redevelopment Administration?

Mr. Becker. That's right.

MR. GLICKSTEIN. And would you please describe what sort of

program this was and——

MR. BECKER. Well, these people—they registered for a training program with the State employment office. They issued them a test. We had nothing to do with this, this was all done through the State. And whoever passed the test in different categories that they had to pass, and they just gave them to us as with a group of supervisors which they paid for, and we trained these people.

MR. GLICKSTEIN. What about the machines that they were trained on; did you pay for those machines?

Mr. Becker. We paid for these machines. We paid for all the facilities.

MR. GLICKSTEIN. I see. So the Federal contribution was the———MR. BECKER. They paid for the people who they sent in for the employees—or the trainees—and for the supervisors.

MR. GLICKSTEIN. And they paid peoples' salaries while you were training them?

Mr. Becker. That's correct.

MR. GLICKSTEIN. Without this Federal program, do you think you would have been able to open up in Barbour County?

Mr. Becker. No, I don't think so. We are a very small company, and we are no big people. We wouldn't have enough money to go and hire all these people and train them, because it takes a lot of money to train them—an individual.

Mr. GLICKSTEIN. Do you have any notion of what type of people were originally trained? Were they right off farms?

MR. BECKER. I understand they were farmers, peanut farmers, cotton farmers, regular farmers. There was no—very little industry in that county when we got there.

MR. GLICKSTEIN. Do you still find that people who apply to you for jobs are people coming from the farms?

Mr. Becker. They are.

Mr. GLICKSTEIN. Do you have any special problems in training people that have never been exposed to an industrial setting?

Mr. Becker. Not if they want to work.

Mr. GLICKSTEIN. Do you find that people coming off the farms and coming to you want to work?

Mr. Becker. Yes, they do.

MR. GLICKSTEIN. You have had no trouble with people of that sort, getting them to adjust to an industrial setting?

Mr. Becker. None whatsoever.

MR. GLICKSTEIN. Is your present operation restricted by the number of new employees you can afford to train?

Mr. Becker. Yes, we could increase our operation if we could get another ARA program.

MR. GLICKSTEIN. Can you estimate about how much it costs to train a person?

Mr. Becker. I'd say it costs around \$1,000 to train each individual.

MR. GLICKSTEIN. And you feel that if you were receiving \$1,000 a person under some Federal program that you would be able to add new employees and expand the operation?

Mr. Becker. I believe so.

Mr. GLICKSTEIN. Have you sought assistance recently from any Federal agency——

Mr. Becker. No, we haven't.

MR. GLICKSTEIN. —to look into the possibility of this?

Mr. Becker. No, we haven't.

MR. GLICKSTEIN. If there were a Federal program available, would you prefer one that permitted you to train people right on your own premises, or would you prefer one where the people were trained to operate machines similar to yours, in a school, for example?

Mr. Becker. No, I would rather teach them at our plant. I believe as though they can learn faster.

MR. GLICKSTEIN. Do you feel that companies such as yours provide a potential for opening up jobs for people that are being displaced from farms?

Mr. Becker. Do you want to give me that question again, please?

MR. GLICKSTEIN. Do you feel that companies such as yours that are able to train people who have never had any industrial experience—

MR. BECKER. Yes, I feel as though we can teach them.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Do you utilize the starting wage—learner's wage?

MR. BECKER. No, we have no program at all from the Government. We pay them the Wage and Hour—\$1.60 an hour to start.

VICE CHAIRMAN PATTERSON. I see. What about EDA? What about MDTA?

Mr. Becker. We haven't looked for any other programs, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Do you need any more workers?

Mr. Becker. Yes, we do. There is a lot of red tape in getting programs from the Government.

VICE CHAIRMAN PATTERSON. I recognize that.

Mr. Becker. That's right, and we haven't got the money to send representatives—we are not a big company, we can't send lawyers and representatives to Washington where it costs lots of money; we need our money to run our business.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Becker, suppose that we would have in one of these counties a nonprofit organization that would be interested in also increasing job opportunities and job training. Could you consider—or would your plant facilities be large enough to enter into some sort of arrangement with them whereby they would take care of the paper work?

Mr. Becker. No, we haven't—our plant is not large enough today for the people we've got working there. We've got to increase the plant.

COMMISSIONER FREEMAN. So you do need to expand?

MR. BECKER. We do have to expand, but we haven't got the money right now to expand. I mean, it takes a lot of money to start a business, and it's only 4 years old, so we can't expand right at this moment.

COMMISSIONER FREEMAN. Is this a growing industry?

Mr. Becker. Is it a what?

COMMISSIONER FREEMAN. Growing industry.

Mr. Becker. Yes, it is.

COMMISSIONER FREEMAN. There is room, then, for persons who are trained to at least know that they will be assured of continued employment for some time?

Mr. Becker. I believe so, yes, ma'am.

COMMISSIONER FREEMAN. Thank you.

MR. BECKER. All right.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Do you have a lunchroom?

Mr. Becker. No, we haven't got a lunchroom, but we have got the vending machines.

COMMISSIONER RANKIN. Everything is integrated in your plant. Is that correct?

Mr. Becker. Yes, sir. I never heard of integration until I came South, truthfully.

COMMISSIONER RANKIN. Until you came South?

Mr. BECKER. That's right.

COMMISSIONER RANKIN. And you don't hear of it in your plant any more either, do you?

Mr. Becker. No, there's no segregation in our plant, everyone is together.

COMMISSIONER RANKIN. Good. That's it.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. Mr. Becker, you said \$1.60 was the entering wage?

MR. BECKER. Yes, we go under the Wage and Hour.

MR. TAYLOR. Right. And what would be the top wage?

Mr. Becker. Well, we have people making \$3 an hour. They are on piecework.

Mr. Taylor, Yes.

MR. BECKER. It's an incentive system.

MR. TAYLOR. So there is some room for advancement?

Mr. Becker. Oh, there's no question about it.

Mr. TAYLOR. Do you have any dealings with the State employment service?

Mr. Becker. Yes, we do.

Mr. TAYLOR. What do you use them for?

MR. BECKER. When we need some help, we call them. If we haven't got enough applications in our own office, we call them and they send us down people that want to work.

Mr. TAYLOR. Have you found them to be responsive and helpful?

Mr. Becker. Yes, they have.

Mr. TAYLOR. Do you have any problems with the State employment office?

Mr. Becker. None whatsoever.

MR. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. I would just like to commend you, Mr. Becker, on what you are accomplishing, demonstrating what can be done.

MR. BECKER. Thank you, Mr. Chairman.

CHAIRMAN HANNAH. The Commission is grateful to you and you are excused.

MR. BECKER. Thank you, sir.

CHAIRMAN HANNAH. We will now recess until-

MR. GLICKSTEIN. 6:45.

CHAIRMAN HANNAH. 6:45 in this place.

(Whereupon, at 5:25 p.m. the hearing was recessed to reconvene at 6:45 p.m.)

#### TUESDAY EVENING SESSION

#### APRIL 30, 1968

CHAIRMAN HANNAH. Ladies and gentlemen, the hearing of the United States Commission on Civil Rights will come to order. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witnesses are Mr. Hosea Williams and Mr. Albert Turner.

(Whereupon, Mr. Hosea Williams and Mr. Albert Turner were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. HOSEA L. WILLIAMS, ATLANTA, GEORGIA AND MR. ALBERT TURNER, MARION, ALABAMA

MR. GLICKSTEIN. Would you please each state your full name and address for the record?

Mr. WILLIAMS. I'm Hosea L. Williams, Number 8 East Lake Drive, N. E., Atlanta, Georgia.

MR. TURNER. Albert Turner, Route 1, Box 8, Marion, Alabama.

MR. GLICKSTEIN. Mr. Williams, what is your occupation?

MR. WILLIAMS. I am a civil rights worker. I am with the Southern Christian Leadership Conference, director of voter registration and political education.

MR. GLICKSTEIN. Mr. Turner, what is your occupation?

Mr. Turner. I am the State director for the Southern Christian Leadership Conference in Alabama.

MR. GLICKSTEIN. Mr. Williams, the organization you are with is the organization that was founded by the late Dr. Martin Luther King. Is that correct?

MR. WILLIAMS. Correct.

MR. GLICKSTEIN. Mr. Williams, would you briefly tell us the general program of SCLC and how it developed from the Montgomery Improvement Association?

MR. WILLIAMS. The Southern Christian Leadership Conference is a civil rights organization. Its main purpose, as Dr. King often said, is to bring about the American dream and redeem the soul of America.

We consider ourselves in the business of building men. And from the days of Montgomery, which was the first time in our times that masses of black people, masses of poor people had been organized to do something for themselves, to better their condition, to break the chains of poverty.

In Montgomery, Alabama, where we fought for the right to have a seat on public accommodations, according to our turn after we paid our fee, and to integrate bus stations and train stations and other facilities across this Nation, we moved into the business of public accommodations, which black people across the Nation—particularly in the South—could buy a \$100 suit, but could not buy a 5 cent cup of coffee in decency.

And we could travel from Atlanta to Miami without having the privilege of using a restroom and having to take our families into the bushes, not being able to use bathrooms at filling stations where we paid high prices for the service of our automobiles.

And out of Birmingham came the 1964 Civil Rights Bill-as

you know, we are a nonviolent organization. We believe that this is the only way to redeem the soul of America which, in the final analysis, we hope will redeem the soul of mankind upon this earth.

So, we presented our bodies as Jesus Christ did, to Bull Connors, tanks, and his dogs, and his firehoses and his billy-sticks, and the jailhouses. And the outcome was the passage of the 1964 Civil Rights Bill which did some bit for the building of men in this country.

From there we went mainly to Selma, Alabama, to establish that black people had the right to vote, and that we had earned and were truly citizens of this country, and being robbed of our franchise.

And there we took the position of Frederick Douglass—he who wants freedom must be willing to pay the price and against Jim Clarke, his attorney, and his possemen—we marched from Selma to Montgomery, Alabama, thereby arousing the conscience of this Nation and bringing together the forces of goodwill, which resulted in a 1965 Voting Bill, which finally rid us of many of the sick, psychopathic men like some of these county sheriffs, and now we have some black sheriffs and black mayors and black Senators in the United States Congress.

All we have done was to try to teach black people as well as those white people that the soul of America can be redeemed if a viable, militant, nonviolent program is carried on in this country.

From Montgomery, Alabama, where we established the 1965 Civil Rights Bill, the Southern Christian Leadership Conference realized that segregation and discrimination, the exploitation and destruction of men because of their color, was not something confined to the Southland of this country, but was just as entrenched and just as vicious in the Northlands, Eastlands, and the Westlands.

So, we moved to Chicago where we launched a nonviolent campaign against housing discrimination, which is one of the most vicious facets of discrimination in this country.

From Chicago we have been in voter registration campaigns. We assisted Mr. Meredith after he was shot down on the highways of Mississippi when he attempted to march from Memphis to Jackson to rid himself of the fear which is probably the greatest instrument whereby black people are forced to submit their manhood.

And we marched from Memphis, Tennessee, to Jackson, Mississippi, to prove to black people that you can stand up in this Nation if you have the will and the determination.

The latest program of the Southern Christian Leadership Conference—and I might say it was due to the fact that when we first, Dr. King and others, first organized the Southern Christian

Leadership Conference, we were somewhat caught up in the bind of thinking that a move toward integration, particularly of public accommodations, schools, and politics was the greater answer to our problem, and to the salvation of America and saving America from destroying itself.

Finally, we kind of shifted to the position that it was poverty. It was poverty. And through learning, through processes of implementation of ridding us of some bit of poverty from this country, the Southern Christian Leadership Conference, at this time, feel like the most significant thing in America as it relates to saving America, is the building of men, self-realization, respect, and understanding, and we have launched a poor people's campaign, which is not a black poor people's campaign.

MR. GLICKSTEIN. When was that organized?

MR. WILLIAMS. The poor people's campaign, Dr. King came forth with the idea back in October at the Arlie House in Virginia, and which he proposed that Southern Christian Leadership Conference, for the first time, would launch a nationwide, not a city, county or statewide, but a nationwide poor people's campaign.

And we hope we don't get involved in semantics, but when we use the word "poor" we are talking about the deprivation of the oppressed—one might define it as the necessity to quality education, or might define it as the necessity for a decent paying job, a job where one can find fulfillment of himself, or a guaranteed wage, a guaranteed annual income.

But this is—for the first time we launched—Dr. King and the Southern Christian Leadership Conference had proposed a nationwide nonviolent campaign, which was not one for black people, and really not one for poor people, but one for all races, creeds, and colors of this Nation, and one that would not only—that we feel that not only the salvation of the poor is invested in, but the salvation of this Nation, both black and white, both rich and poor, is invested in.

We feel like that our campaign now, the most vicious aspect of our society now is the problems of the cities, which is being compounded by the continuous exploitation of poor people in the rural areas, and they keep running from Eastland's plantation to Dana's plantation and we do feel now that we have come up with a program, or a proposal, through a nonviolent means that will save America and thereby, we hope save mankind upon this earth.

MR. GLICKSTEIN. Mr. Williams, before I ask you some specific questions about your program, may I just ask some questions of Mr. Turner.

Mr. Turner, how long have you been in Alabama?

MR. TURNER. Thirty-two years.

Mr. GLICKSTEIN. Thirty-two years. How old are you?

Mr. Turner. Thirty-two.

Mr. GLICKSTEIN. As Mr. Williams pointed out, the Selma and Montgomery march was one of the very important things that produced the Voting Rights Act of 1965.

What changes have you seen in Alabama since the Voting Rights

Act?

MR. TURNER. Well, basically, I have seen two kinds of changes. I have seen positive and negative changes. And, of course, some of the positive changes have been that Negro people have basically gained more self-respect for themselves.

And then we have had some concrete changes, too, such as the election of our people to some offices. Lucius Amerson is one good example. There was also people like Jim Clarke, who was defeated, and Senator E. O. Eddins who was not returned to the State House, and there was other sheriffs like the sheriff in Marengo County, who failed to be returned.

And then there was other people who most people probably wouldn't know of, but there was moderate white people who was able to take the offices of some backbone racists.

Of course, this was not in a very large number, but it was substantial.

And we have several people who was able to get into other positions, like the man in Greene County on the board of education.

Basically, I think that this bill gave Negroes hope and it gave them a self-pride enough to be able to continue to fight for their other rights.

Now there was some other changes that I think might have caused this poor people's campaign to come into being, and this was the fact that basically, people in this area came to the conclusion that since we had become registered voters and that we might be a political threat, they decided that they would economically freeze us out of this area. And this is one of the big changes I saw, also.

So we find that there are a large number of Negro people now who once lived here and they can't live no longer because there is no land for them to work, nor is there jobs.

And this is a very well organized and planned thing, to not frighten people out of the area, like the Ku Klux did in the 1800's, but to economically freeze these people out. And this caused these people to have to go to Chicago, and New York, and, of course, as we know the conditions that came from this.

So this is one of the biggest negative changes that I saw. And I think this is one that all of us going to have to become very concerned about, because of the fact that this is not subsiding but is increasing.

And, of course, they hide this by saying that automation caused

these problems, or so forth and so on. But we know that, basically, these problems came from the fact that Negroes was about to become able to really deal in politics, so they decided they would change the population. And if you do a little studying, you would find that most of the people who are evicted and most of the places where there are large amounts displacements, would be in those areas where there was formerly a Negro majority.

So this is one big change on the opposite side, but all in all, I think all Negroes gained quite a bit of self-respect along with those positive gains that they got in some elections.

MR. GLICKSTEIN. Mr. Williams, what are the specific benefits that you see for poor people as a result of your poor people's campaign? What is your program?

MR. WILLIAMS. Well, since the assassination of Dr. King, we kind of feel like maybe there is a good possibility that our Washington Poor People's Campaign may be the last chance for America to save herself, not from the Communist Party, but from internal corruption and destruction.

One thing we think, the society or the system of power structure has overplayed one part of the Scriptures that which, "You are your brother's keeper." And poor people have been kept so long until we are not able to keep ourselves.

And we are asking for an opportunity to keep ourselves, to break that cycle of poverty, to break that cycle of illiteracy, to break that cycle of illegitimacy, that cycle of crime.

We feel like the poor people's campaign—we do feel like the poor whites have been pitted against the masses of the blacks, and we feel like the end results of the poor people's campaign will be a unifying of the Mexican Americans, the Puerto Ricans, the Indians, the black people, as well also as the poor whites.

We feel like the poor people's campaign is designed to interpret and educate to all of these factions of our society, that our problem is the same, and the same structure that has its foot on poor blacks' necks in Quitman County, Mississippi, has its foot on poor whites' necks in the Appalachia.

It's kind of—we're just asking this Nation, which is an affluent society—Dr. King talked about Marks, Mississippi, which he called a dungeon of shame, and he said our program was designed to convert this dungeon of shame into a haven of beauty—and into an affluent society.

We are not saying in our poor people's campaign that the Rockefellers and the Kennedys and the Fords should not be millionaires, but we are certainly saying that while they are millionaires, we must not have the Buttermilk Bottoms in Atlanta, Georgia, we must not have the Watts in Los Angeles, we must not have the West Sides of Chicago, or the Harlems of New York, because we feel in this country God has blessed it and there is

enough resources in this country that every woman ought to be able to get prenatal care; every woman, if she so desires, ought to be able to stay home and raise her children, rather than being driven out by a vicious, obsolete economic system every morning to leave her little children at home to raise themselves and she have to go over in other folks' homes and raise their children.

One of the real destructions of black men is the fact that they cannot look at their wives and hope that their wives respect them as men because they live and tolerate a society that drives the average black woman out of her home every morning to go over and raise white children while those black children have to raise themselves, meaning in the final analysis you got a large school dropout, and which results in crime, and which results in illegitimacy, and which results in high tax rates for social services that do not build men but contain men into a vicious system.

One might say, Dr. King specifically defined it as a job for every American—or, a job for every American, a meaningful job for every American with a decent income, or a guaranteed annual income for every American.

There are some people too old to work. There are some people that are not healthy enough, they are too sick to work. There are some too young to work. We feel like if we can spend millions, billions of dollars to put a man on the Moon, that we can equally spend at least that much money to put men on their feet here in the United States of America.

This is what we feel because there used to be a time that we used to see a neighborhood and we'd say, "That's a black neighborhood," and it was a black neighborhood. But it was not run down and raggedy and dirty because black people lived there, but it was run down and raggedy and dirty because those Americans that lived there are being exploited and they are required to do a full day's work for a half a day's pay.

This also has to deal with the stability of the black and the poor families.

One of the highest divorce rates is due to the lack of resources for decent living. The woman cannot stay home, thereby the man has no comfort to come home to in the afternoon. And the men, both black and white, is forced to work for such menial wages, they are forced to come up and be reared with such kind of education until they have to be Uncle Toms all day long just to keep a raggedy job, to keep a roof over their head and some food in their family's belly; thereby not being able to be men all day, they come home at night and they scold their wives, or they beat their children to prove to themselves—which is one of the innate desires of mankind to be men.

Now we are not talking about jobs where people go around and pick up paper with a stick, either. We're talking about jobs where one can find fulfillment and express his God-given creativity.

I used to be a truckdriver when I first was discharged from the Army. I found creativeness and I found fulfillness in handling a semi-truck to go down the road. But just because I'm black that must not be the limitations of my hope. I must be allowed also to develop aspiration of not only being a truckdriver but someday own that truck company what I drive those trucks for.

So, our poor people's campaign is designed that poor people in the South will understand this land is our land, and there's no such thing as a freedom land in a New York City or Chicago, where we are forced to go looking for a city of hope and finding a city of blackness there, thereby resulting in what Dr. King called that which is truly formed and designed to destroy America—violence.

Our poor people's campaign is a nonviolent program designed to help every man in this country find himself, love, understand and respect himself. This is why a lot of people resort to violence and they resort to looting, and they resort to burning, and they resort to what we call the welfare system because they have no respect for themselves; they are not allowed to understand themselves, particularly in the black community. America has taught us everything black is evil, even the bad child in the family is the black sheep of the family, and everything white is right.

It's all right to even tell a little white lie; as long as it's a little white lie, it's a good lie, it's an acceptable lie.

But we must be allowed to understand that our hair is beautiful, too. Black women must be taught that they must stop spending \$24 million a year getting their hair straightened to mimic white women, they must be taught to accept themselves because God made them, and everything God made is beautiful.

Black is beautiful and it is beautiful to be black.

The Indians must understand Indians are beautiful and it's beautiful to be an Indian.

Now all our program is designed that every man in this country can get a job, one that he finds fulfillment and creativity in. Every man can have a job where his daughter can wear decent clothing. Many of the unwedded mothers' homes are produced by the fact that the fathers do not make enough money to buy that girl decent clothing to go to school in, and she gets ashamed and fall out, and while she is home all day alone by herself, this is where she fall into the trenches of crime.

There are jailhouses that are filled with black men and poor whites in this Nation. Not because they are black or poor white, but mainly because the father of that home does not make enough money to buy that boy decent clothes and give him a little spending change, so he falls out of school being ashamed of his runover shoes or his ragged pants, and then he starts stealing from

the five and dime store, stealing from the grocery store, he ends up robbing, he ends up lying and thieving and cheating and he ends up in a life of crime—good minds that could be productive, minds that might find the cure for cancer, minds that might find the cure for all of the cardiac and other dreadful diseases.

And we ask America, particular in the absence of the Moses of our time, to please adhere to what we are calling and what we have designed and what we are implementing—a nonviolent nationwide massive struggle to save America from burning herself to death, from looting herself to death, whereby the Communists will not have to fire a gun but just walk in and will have a free country for another Communist satellite, which we once called the greatest democracy upon this earth.

Mr. GLICKSTEIN. Thank you. I have no further questions, Mr. Chairman.

MR. HANNAH, Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Chairman, I have no questions of Mr. Williams, who is a neighbor of mine from Atlanta, and whose friend, Dr. Martin Luther King, was also a friend of mine and whose funeral I attended with Mr. Williams, but I do feel compelled to speak here as a fellow Southerner of Mr. Williams and this forum and for this record in saying that I think the American South, my kinsmen, would make a grave mistake if they didn't understand what Hosea Williams has said here tonight.

He has spoken from his heart and he has spoken as a man, and he has spoken responsibly and he has spoken to us as whites.

Through the years, history shows that all of us have stayed just a little behind what was happening. I, as a newspaper man, know this especially well, Mr. Chairman, because what I have said is public record. But at the death of Dr. King I looked back over these 12 years to this city of Montgomery and I recognize that the bus boycott, which at the time disorganized my society and disturbed me, had led now—in looking back, I recognize now it led me to see a man lead his children onto a bus and sit where he pleased, and I am glad.

And when the sit-ins came to my city, they disordered my life and they disordered my city's life, and they disturbed my peace and I was not altogether approving. In looking back I am a little ashamed and appalled that I ever made it necessary for a Negro father to take his children into a restaurant and fear anything, fear to drive down a highway and find a place where he could feed his child.

I take no pride in that ever having been the case in my life.

And the freedom rides disturbed me and I denounced them editorially from time to time. But I now, looking back, am a little ashamed that I ever sat in a waiting room while other men sat with their children in a separated waiting room.

And so, all I want this record to show, Mr. Chairman, is that things do change, times do move, and men do learn, and for the nonviolence that Dr. King preached and that Mr. Williams has echoed here tonight, I suggest that this Nation should be profoundly thankful and should take up that hand of friendship and move forward together as men, as Americans, and perhaps subdue some of the wilder instincts that have misled us so often in the past.

That's all, Mr. Chairman.

this country certainly needs it.

CHAIRMAN HANNAH. Thank you, Mr. Patterson. Mrs. Freeman? COMMISSIONER FREEMAN. Mr. Williams and Mr. Turner, I would also like to express appreciation for your coming. We have been in session since Saturday and we have heard testimony about great and serious deprivation here in this State. We have heard testimony about eviction from the land, and if there is any way that Federal programs can prevent this, if there is any way that organizations such as yours can prevent this, I agree with you that

Again, I want to think you for coming.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. I take pleasure principally in the fact that what you say and believe is based on Christian principles. That means a lot to me and I see it means a lot to you.

It is most pleasing and gratifying. I want you to know that.

CHAIRMAN HANNAH. Mr. Williams, Mr. Turner, this has not taken the turn of a questioning session, and I have no questions either. I just commend you on your statement and your organization and on its work, and not as a Southerner but as a Northerner, have the feeling—conviction, that the evening of the funeral of Martin Luther King, for the first time in my lifetime I had the feeling that a majority of the white people of America were willing to make the changes in their society that had to be made if we were going to come out with the kind of an answer that America has come out with.

And I only hope that your organization and others in the weeks and months ahead can build on the situation as it was then, and I appreciate your statement here this evening. Mr. Taylor?

MR. TAYLOR. I have no questions. I would simply echo the sentiments of Mr. Patterson and the other Commissioners, and I give my appreciation to both of the witnesses.

CHAIRMAN HANNAH. Thank you very much for coming. You are excused. Mr. Glickstein, will you call the next witness?

Mr. GLICKSTEIN. The next witnesses are Mr. Frank Fenderson and Mr. John Barnes.

(Whereupon, Mr. Frank Fenderson and Mr. John Barnes were sworn by the Chairman and testified as follows:)

# TESTIMONY OF MR. JOHN LEE BARNES, YORK, ALABAMA AND MR. FRANK FENDERSON, BELLAMY, ALABAMA

Mr. GLICKSTEIN. Would you each please state your full name and address for the record?

Mr. Barnes. John Lee Barnes, Box 465, York, Alabama.

Mr. FENDERSON. Frank Fenderson, Bellamy, Alabama.

Mr. GLICKSTEIN. Mr. Barnes, where are you employed?

Mr. Barnes. American Can Company, Bellamy, Alabama. Mr. GLICKSTEIN. And how long have you worked there?

Mr. Barnes. Probably about 24 years.

Mr. GLICKSTEIN. Twenty-four years?

MR. BARNES. Yes, sir.

MR. GLICKSTEIN. What do you do for the American Can Company?

Mr. Barnes. Well, I used to check lumber.

MR. GLICKSTEIN. Check lumber?

Mr. Barnes. Yes, sir.

MR. GLICKSTEIN. What do you do now?

MR. BARNES. Well, I'm in the carpenter crew now.

Mr. GLICKSTEIN. In the carting crew?

Mr. Barnes. Carpenter crew.

MR. GLICKSTEIN. Carpenter crew. What are your duties as a carpenter?

MR. BARNES. Well, the duties out there is trying to learn how to carpenter.

MR. GLICKSTEIN. When did you become a member of the carpentering crew?

Mr. Barnes. I think it was about February 16, somewhere along about that time.

MR. GLICKSTEIN. And how much are you paid?

MR. BARNES. \$1.90.

MR. GLICKSTEIN. Was your salary raised in February of 1968?

Mr. Barnes. Yes, sir.

MR. GLICKSTEIN. What had it been prior to that?

Mr. Barnes. \$1.70.

Mr. GLICKSTEIN. Now you said that you live in York?

MR. BARNES. Yes, sir.

MR. GLICKSTEIN. You live in York. Did you ever live in Bellamy?

MR. BARNES. I lived there about 6 months in 1963.

MR. GLICKSTEIN. Only for about 6 months?

Mr. Barnes. Yes, sir.

Mr. GLICKSTEIN. Why did you move to York?

MR. BARNES. Well, after I left Bellamy, I went into the Army, and when I come back I moved to York—never did go back to Bellamy.

Mr. GLICKSTEIN. Since there is housing available in Bellamy, why are you living in York rather than in Bellamy?

MR. BARNES. Well, I bought me a home there in York.

MR. GLICKSTEIN. Mr. Fenderson, where do you work?

Mr. Fenderson. Sawmill.

Mr. GLICKSTEIN. For the American Can Company?

Mr. Fenderson. Yes, sir.

Mr. GLICKSTEIN. And how long have you worked for the American Can Company?

Mr. Fenderson. Well, off and on, I have been there right at 4 years.

Mr. GLICKSTEIN. Four years?

Mr. Fenderson. Yes. Off and on I have been there pretty close to nearly 4 years.

MR. GLICKSTEIN. And how long have you lived in Bellamy? MR. FENDERSON. I've been living there right at close to 2½ years.

MR. GLICKSTEIN. Two and a half?

Mr. Fenderson. Yes.

Mr. GLICKSTEIN. How many children do you have, Mr. Fenderson?

Mr. Fenderson. Three.

MR. GLICKSTEIN. What are their ages?

Mr. FENDERSON. One, 4; one, a year and 8 months old; and one, 8 months old.

MR. GLICKSTEIN. Do you rent a house in Bellamy?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Whom do you rent it from?

Mr. FENDERSON. The company.

MR. GLICKSTEIN. How much rent do you pay?

MR. FENDERSON. \$14.50.

MR. GLICKSTEIN. For how many rooms?

Mr. FENDERSON. Three rooms.

MR. GLICKSTEIN. Is your home in pretty good condition?

Mr. Fenderson. Well, it's in—not too good, it's in pretty good condition so far.

Mr. GLICKSTEIN. Does it need any repairs?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. What kind of repairs?

Mr. Fenderson. Well, it needs ceiling.

Mr. GLICKSTEIN. What?

Mr. FENDERSON. Receiling on the inside.

Mr. GLICKSTEIN. Receiling?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Have you requested that the repairs be made?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. What were the results?

Mr. Fenderson. Well, he said he get them when he get to it.

Mr. GLICKSTEIN. They will do it when they get to it?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Do you have water in the house?

Mr. Fenderson. No, sir.

Mr. GLICKSTEIN. Where do you get it from?

Mr. Fenderson. Outdoors.

MR. GLICKSTEIN. Do you have your own spigot in the backyard, or how do you get the water?

Mr. Fenderson. Sir?

MR. GLICKSTEIN. Do you have your own spigot, your own water faucet in the backyard, or do you share that with other people?

MR. FENDERSON. Well, there's two houses get water from it.

Mr. GLICKSTEIN. Two houses, and you share—you get the water from the same place?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. And where is your bathroom located?

Mr. Fenderson. Well, it's a pretty good piece from the house.

MR. GLICKSTEIN. Pretty good piece from the house?

Mr. Fenderson. Yes, sir, out back of the house.

MR. GLICKSTEIN. Have you been offered bathroom facilities?

Mr. Fenderson. No, sir.

MR. GLICKSTEIN. Can you get a bathroom if you want to?

Mr. Fenderson. Yes, sir, I imagine I could.

MR. GLICKSTEIN. Do you have any idea what that would cost if you were to get one?

Mr. Fenderson. No, sir.

Mr. GLICKSTEIN. Where do you do your shopping, Mr. Fenderson?

Mr. Fenderson. Down at the office store.

MR. GLICKSTEIN. Pardon me?

Mr. FENDERSON. Down at the company store.

MR. GLICKSTEIN. Down at the company store?

Mr. FENDERSON. Yes.

MR. GLICKSTEIN. Why do you shop there?

Mr. Fenderson. Well, when I first moved to Bellamy, I got my furniture down there and that's why I shop down there.

MR. GLICKSTEIN. You got your furniture there?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Did you get that on credit?

Mr. Fenderson. Yes, sir.

Mr. GLICKSTEIN. So you ran up a bill with them, is that—

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. You continue to get credit for the material—food you buy there?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Have you ever done any shopping elsewhere?

Have you ever shopped in York?

Mr. Fenderson. Well, it's a mighty little.

MR. GLICKSTEIN. How about in Livingston? Have you shopped in Livingston?

Mr. Fenderson. No, sir.

Mr. GLICKSTEIN. What are the prices like in this store?

Mr. FENDERSON. Some of them are pretty high, and some are low price and all.

MR. GLICKSTEIN. Do you think they are lower in Livingston?

Mr. Fenderson. No, sir, I don't believe so.

MR. GLICKSTEIN. Mr. Chairman, we have a staff study that was done comparing the prices at the company store and the prices at a supermarket in Livingston, and there are differences such as this: in Livingston, Saran Wrap was 33 cents; at the company store it costs 45 cents.

In Livingston, Ivory Liquid costs 59 cents and at the company store it costs 75 cents.

In Livingston, Del Monte Chunk Light Tuna costs 47 cents and at the company store it costs 39 cents.

This is the one instance where the price was a little lower, but there was a special at that time.

And in Livingston, Maxwell House Coffee costs 79 cents, that's the grind coffee, and at the company store it costs \$1.

May I introduce this into the record?

CHAIRMAN HANNAH. It is received for the record.

(The document referred to was marked Exhibit No. 19 and received in evidence.)

MR. GLICKSTEIN. Now you said that you continue to shop at the company store because you originally bought your furniture there. How much do you owe the company store now?

MR. FENDERSON. Well, the last time I checked it he told me I owed him pretty close to 300 something dollars.

Mr. GLICKSTEIN. 300 some odd dollars?

Mr. Fenderson. Yes.

MR. GLICKSTEIN. How often are you paid?

Mr. Fenderson. Get paid off every 2 weeks.

MR. GLICKSTEIN. Every 2 weeks?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. And your debt to the company store, that's taken out of your salary?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. After all the deductions of one sort or another are taken out, how much do you have left?

MR. FENDERSON. In my check?

Mr. Glickstein. Yes.

Mr. Fenderson. \$5.

MR. GLICKSTEIN. Mr. Fenderson, I have a stub in my hand, check

stub, pay stub, that indicates for the pay period ending April 12, 1968, your gross earnings were \$139.43 for a 2-week period. And then after the variety of deductions were taken out the net amount, the amount of the check you received was \$5.

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Is this the check stub?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. May we have a copy of this introduced into the record, Mr. Chairman.

CHAIRMAN HANNAH. It is received for the record.

(The document referred to was marked Exhibit No. 20 and received in evidence.)

Mr. GLICKSTEIN. Mr. Fenderson, at the sawmill where you work, are there separate restrooms for Negro and white employees?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. You use a different restroom from the ones that the white people use?

Mr. Fenderson. Yes, sir.

Mr. GLICKSTEIN. In the town of Bellamy you have some churches, is that correct?

. Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Are there white churches and Negro churches?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Are there swimming pools in Bellamy?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. Is there a Negro swimming pool——

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. —and a white swimming pool?

Mr. Fenderson. Yes, sir.

MR. GLICKSTEIN. What would happen if you went to the white swimming pool?

Mr. Fenderson. I don't know.

Mr. GLICKSTEIN. Mr. Barnes, do you have any information about whether or not the company plans to continue to operate the swimming pool in Bellamy?

Mr. Barnes. Yes, sir. They have two swimming pool down there, one for the white and one for the colored. As far as I know, there haven't been no changes made in the swimming pools.

MR. GLICKSTEIN. Has the company been trying to get someone else to operate the swimming pools for them?

MR. BARNES. Well, I heard they was.

MR. GLICKSTEIN. Whom did you hear they were trying to get?

Mr. Barnes. I heard they were trying to get the Morning Star Baptist Church to operate it.

MR. GLICKSTEIN. Is that church all-black?

MR. BARNES. It's a black church.

MR. GLICKSTEIN. What was to happen to the swimming pool if the church refused to run it?

MR. BARNES. Well, I was told that they say if the church didn't run it they would have to fill it up.

Mr. GLICKSTEIN. Have to fill it up?

MR. BARNES. Yes, sir. That was just information that was brought to me. The reason this information was brought to me is since some time back 6 to 8 months ago, probably a year ago, I have been the spokesman for the colored people down there, and most anything, any grievance they have, they brings it to me. So that is where I got this information.

Mr. GLICKSTEIN. Mr. Barnes, until the last several months, have conditions at Bellamy been better or worse than when you came there in 1943?

Mr. Barnes. Well, in some instance it have been better and some instance is worse. When I came there in 1943 the houses and things down there were just about in the same shape.

Mr. GLICKSTEIN. As they are now?

Mr. Barnes. Yes, sir.

MR. GLICKSTEIN. Well, how did things get better?

Mr. Barnes. Well, we have a little improvement in employment. I started out checking lumber, trying to, you know, care for my people. I went to school as I come out of the Army to learn all the facts about lumber, and I went to checking lumber down there and I checked, probably, about 15 years, and all the time I checked down there, I learnt when they get ready to hire a white they'd bring him to me and want me to learn him, and I stayed in the same category all the time, and this white he would advance, probably he would go somewhere or go to the office and make a salesman, foreman, probably his salary would go to \$500 or \$650, and mine remained the same thing all the time.

And that was what I was trying to do, I was trying to wake—show my people that they could advance. But until recently I didn't see much hopes of it, but I think in about 2 weeks ago, we have two colored foremen down there.

Mr. GLICKSTEIN. Two weeks ago——

Mr. Barnes. Yes, sir.

MR. GLICKSTEIN. —you have two colored foremen?

MR. BARNES. Yes, sir.

Mr. GLICKSTEIN. Mr. Barnes, was there a meeting held yesterday at which something was said about this hearing here today?

Mr. Barnes. Yes, sir. There was a meeting at the clock yesterday.

MR. GLICKSTEIN. Where?

Mr. Barnes. At the clock where we punched off.

MR. GLICKSTEIN. Punch-out clock?

MR. BARNES. Yes, sir.

MR. GLICKSTEIN. And what happened at that meeting?

MR. BARNES. Well, Mr. Sloane, he's the general manager, he had a paper and he made announcement out there say he might not be able to rent houses, either to colored or white. He said he would have the answer and he would let them know later on.

MR. GLICKSTEIN. Did he say why he might not be able to rent houses either to colored or white?

Mr. Barnes. He spoke about the Civil Rights Commission.

MR. GLICKSTEIN. This Commission?

MR. BARNES. Yes, sir.

Mr. GLICKSTEIN. Did he say he was coming here to testify, or----

Mr. Barnes. Yes, he said he was going to be here today, said they was holding a hearing today, on Tuesday.

MR. GLICKSTEIN. And he said that he wasn't going to be able to rent either to colored or white?

MR. BARNES. He said he might not be able.

MR. GLICKSTEIN. Might not be able to rent to either colored or white?

MR. BARNES. Yes, sir.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Dr. Rankin, do you have some questions. COMMISSIONER RANKIN. Where do your children go to school? MR. BARNES. Well, my children go to school in York, York, Alabama.

COMMISSIONER RANKIN. Well, I really meant to ask Mr. Fenderson—yours are too young, is that right?

Mr. Fenderson. Yes, sir.

COMMISSIONER RANKIN. Where do the children in Bellamy go to school?

Mr. FENDERSON. Down at Bellamy School. They have a school down there, beside the highway.

COMMISSIONER RANKIN. A Negro school?

Mr. Fenderson. Yes, sir.

COMMISSIONER RANKIN. And a separate white school?

Mr. Fenderson. Sir?

COMMISSIONER RANKIN. Is there a white school in Bellamy also?

Mr. FENDERSON. No, not as I know.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Fenderson, you say that you live in a house where you share the water and you also share the outside toilet. You've been there for 4 years, is that correct?

MR. FENDERSON. Pretty close, yes, ma'am.

COMMISSIONER FREEMAN. Has any change been made from the time you first moved until yesterday or today?

Mr. Fenderson, Well--

COMMISSIONER FREEMAN. Any improvements?

Mr. Fenderson. Little bit.

COMMISSIONER FREEMAN. Have you been in the school that is there?

Mr. Fenderson. Inside the school?

COMMISSIONER FREEMAN. Have you ever been inside the school? Mr. FENDERSON. Yes, ma'am.

COMMISSIONER FREEMAN. I believe there are white families who live in Bellamy, also. Is that correct?

Mr. Fenderson. Yes, ma'am.

COMMISSIONER FREEMAN. Are there white children who live there?

Mr. Fenderson. Yes, ma'am.

COMMISSIONER FREEMAN. They do not go to this school?

Mr. Fenderson. They go to some kind of training school.

COMMISSIONER FREEMAN. How do they go to school?

Mr. Fenderson, School bus.

COMMISSIONER FREEMAN. They are bused to school?

Mr. Fenderson. Yes, ma'am.

COMMISSIONER FREEMAN. I was in Bellamy on Sunday and I saw the school. In that school there, in some of the rooms, the panes were out, the only water was one spigot on the outside of the building. The only toilet facilities were about 125 feet away, and it was an outside toilet.

Have you ever wondered what kind of education your children would get if they had to go to that school?

MR. FENDERSON. No, not as I know.

COMMISSIONER FREEMAN. Do you want to send your children to such a school?

Mr. Fenderson. Down there at Bellamy?

COMMISSIONER FREEMAN. Down at Bellamy.

Mr. Fenderson. Well, if when they get old enough if I be there, I'll send them there.

COMMISSIONER FREEMAN. We saw houses that looked like they were falling down. Is this generally accepted by the black people who must live there?

Mr. FENDERSON. Live in Bellamy?

COMMISSIONER FREEMAN. Yes.

Mr. Fenderson. (No response.)

COMMISSIONER FREEMAN. What do you think about it, Mr. Barnes?

Mr. Barnes. No, ma'am, they want improvement.

COMMISSIONER FREEMAN. Do you know if they have asked for improvements?

MR. BARNES. Yes, ma'am.

COMMISSIONER FREEMAN. What has the answer been?

Mr. Barnes. On some items such as repairing the houses, such

as paint, things like that. I noticed over there where I'm working now, most say we don't have it, you have to wait, and some of them reported to me that—out on some of the houses, farm houses, if they want a pair of steps or something, they have to pay for it.

Those are the thing that if they would get—people would get the material, or have an opportunity, I think they would better their own, you know, they'd improve some of the things about the houses theirselves, but they tell me sometimes, you know, no, the cost is too high, we just have to wait.

COMMISSIONER FREEMAN. Do the Negroes ever go into the section where the white people live? Have they seen that section?

MR. BARNES. Yes, ma'am.

COMMISSIONER FREEMAN. Well, on these roads, it was a pretty day and there was mud, there was no gravel, but in the white section there was gravel. Have the Negroes ever asked for gravel on their roads?

MR. BARNES. I couldn't say they have, but I know that they would welcome the chance to have gravel. A lot of times the Negro he want things but sometimes he believe that if he asks for it, he won't get it. That's why, probably, they haven't asked for it.

I know they want improvement. I talk with some of them in the last week, and they say they want improvement, they want restroom in the house, different things. They want to beautify their houses, and different things. If they'd get an opportunity, they want it too. We want some of the same thing that the white have.

COMMISSIONER FREEMAN. Does anybody from the company ever come over and ask you what you want—ask them what they want? Mr. BARNES. Ma'am?

COMMISSIONER FREEMAN. Has anybody from the company ever asked them what they want?

Mr. Barnes. Not as I know. I don't know a word about that, whether they did or not.

CHAIRMAN HANNAH, Mr. Patterson.

VICE CHAIRMAN PATTERSON. Mr. Barnes, how far is York from Bellamy?

MR. BARNES. Twelve miles.

VICE CHAIRMAN PATTERSON. You live in York and you go to Bellamy every day to work?

Mr. Barnes. Yes, sir.

VICE CHAIRMAN PATTERSON. And you'd rather live in York? Mr. BARNES. Yes, sir.

VICE CHAIRMAN PATTERSON. Have you got better housing there for the money?

Mr. Barnes. Well, most of York—you see, there's a difference— I'd say a difference in Bellamy and York. You take Bellamy is a sawmill town and you know, the houses built there, some of them was built—they've been built there a long time.

You take over at York people, they buy their land, they build them their houses; in Bellamy I don't know whether people have this opportunity to improve the living conditions because the land don't belong to them. That's why I'd rather live in York than live in Bellamy.

VICE CHAIRMAN PATTERSON. Mr. Fenderson, why don't you live in York instead of Bellamy?

Mr. Fenderson. Well, I don't know! When I first got married I was living over at a place called Coatopa.

VICE CHAIRMAN PATTERSON. Called what?

Mr. FENDERSON. Place called Coatopa, not too far from Livingston.

VICE CHAIRMAN PATTERSON. I see.

Mr. Fenderson. And I got married and I was living over there, well I moved closer to my job where I could be there and I have convenient to go to work. I have to catch a way. Sometimes I be out there so long waiting in the cold, so I just moved on over to Bellamy.

VICE CHAIRMAN PATTERSON. You didn't have a car to drive to work in?

Mr. Fenderson. No, sir, I ride with another fellow.

VICE CHAIRMAN PATTERSON. Mr. Barnes, you said that Mr. Sloane had suggested a couple of weeks ago that it might no longer be possible to rent houses to whites or Negroes at Bellamy. Is that right?

MR. BARNES. That was on yesterday.

VICE CHAIRMAN PATTERSON, Yesterday?

Mr. Barnes. Yes. sir.

VICE CHAIRMAN PATTERSON, Yesterday?

Mr. Barnes. Yes, sir.

VICE CHAIRMAN PATTERSON. Were you present, standing there, and did you personally hear him say this?

Mr. Barnes. Yes, sir.

VICE CHAIRMAN PATTERSON. No more questions.

CHAIRMAN HANNAH. Mr. Barnes, you said that you have lived in York since 1963. Is that what you said?

Mr. Barnes, Since 1943.

CHAIRMAN HANNAH. '43?

Mr. Barnes. Yes, sir.

CHAIRMAN HANNAH. You never did live in Bellamy?

Mr. Barnes. I lived there about six months in 1943, and I left there—I was called to the Army—and I left there and went and served in the Army and I had moved out of Bellamy, and I never did go back.

CHAIRMAN HANNAH. When did you get out of the Army?

Mr. Barnes. I got out in last of 1944.

CHAIRMAN HANNAH. I have no further questions. Mr. Taylor? Mr. Taylor. You said, Mr. Barnes, that after you came back from the Army you didn't want to live in Bellamy anymore, if I understood you correctly.

Was there anything in your Army experience that made you decide you'd rather live someplace else?

Mr. Barnes. Well, while I was in the Army my wife bought a lot and we built us a home there. That's why I didn't go back to Bellamy at the time.

MR. TAYLOR. Was anything else said at this meeting last night that you attended, Mr. Barnes? Was any reference made to anybody else appearing here?

MR. BARNES. No, sir, that was all that was said.

MR. TAYLOR. Were you there also, Mr. Fenderson?

Mr. Fenderson. Sir?

Mr. TAYLOR. Were you also at that meeting last night?

Mr. Fenderson. Yes, sir.

Mr. TAYLOR. I have no further questions, Mr. Chairman, but—off the record.

(Discussion off the record.)

MR. TAYLOR. I would like to recommend that the Commission, under its rules, go into a brief executive session.

Statements were made concerning—statements alleged to have been made by Mr. Sloane last night—these are matters which have just come to our attention. They constitute a potential violation of the law, of the criminal law, concerning the protection of witnesses from any intimidation.

Mr. Sloane is here under subpena. I believe he should have an opportunity to address himself to these statements that have been made, in Executive session.

That is my recommendation.

CHAIRMAN HANNAH. The witnesses, you are excused. Thank you very much.

And we will now ask all of the people in the room to excuse themselves and we will go into—or do you want us to go out? We had better stay here.

Mr. TAYLOR. Yes.

CHAIRMAN HANNAH. The public session will be resumed in a little time and if you'll go out in the yard or somewhere about, we will notify you to come back.

Mr. GLICKSTEIN. Will the staff please help clear people out and get them settled outside?

(Whereupon, the hearing went into executive session, the public session to be resumed in a short time.)

(Whereupon, at 8:33 p.m. the public hearing was resumed.)

CHAIRMAN HANNAH. May we have quiet in the room, please? The Commission hearing is now in order. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witnesses are Mr. Hugh Sloan and Mr. Owen Hanson.

(Whereupon, Mr. Hugh Sloane and Mr. Owen Hanson were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. HUGH C. SLOAN; BELLAMY, ALABAMA AND MR. OWEN HANSON, BUTLER, ALABAMA

MR. ACKERMAN. May we request that there be no cameras and lights?

CHAIRMAN HANNAH. The request is granted. There will be no cameras or lights. Will the lights be extinguished and the cameras not used. Will you introduce the gentlemen accompanying you?

MR. SLOAN. Mr. Ackerman, attorney. Mr. Brewster, American Can attorney.

CHAIRMAN HANNAH. Mr. Glickstein, proceed.

MR. GLICKSTEIN. Mr. Sloan and Mr. Hansom, would you please state your full name for the record, and give us your addresses? MR. SLOAN. Hugh C. Sloan, Bellamy, Alabama.

MR. HANSON. Owen Hanson, Butler, Alabama.

MR. GLICKSTEIN. Mr. Sloane, what is your occupation?

MR. SLOAN. Manager of Allison Lumber Products, an Alabama operation of the American Can.

MR. GLICKSTEIN. Where is that located?

Mr. Sloan. Bellamy, Alabama.

MR. GLICKSTEIN. And what is your occupation, Mr. Hanson?

Mr. Hanson. Resident Manager, Alabama operations American Can Company.

MR. GLICKSTEIN. Mr. Sloan, how long has the American Can Company owned the Bellamy mill?

Mr. Sloan. May 1960.

MR. GLICKSTEIN. And how long have you been the plant manager?

Mr. Sloan. May 1960.

Mr. GLICKSTEIN. How many houses does the company own in Bellamy?

Mr. SLOAN. Approximately 168.

MR. GLICKSTEIN. And how many of those are occupied by whites?

Mr. SLOAN. Forty-five.

MR. GLICKSTEIN. And how many by nonwhites?

Mr. SLOAN. Approximately 123.

MR. GLICKSTEIN. Of the houses occupied by whites, how many have bathrooms and running water?

Mr. SLOAN. All of them.

MR. GLICKSTEIN. And how many of the nonwhite houses have such facilities?

MR. SLOAN. Eight.

MR. GLICKSTEIN. Do any nonwhite persons live immediately next door to white persons in Bellamy?

MR. SLOAN. Yes, it is just across the street in one instance. And another instance, it is just across, say, maybe an alleyway.

MR. GLICKSTEIN. So there are some white and nonwhite people that live fairly close?

MR. SLOAN. Fairly close.

MR. GLICKSTEIN. We heard testimony that there are two pools in Bellamy, one for white people and one for Negro people. Is that correct?

MR. SLOAN. That's correct.

MR. GLICKSTEIN. To your knowledge, has a nonwhite person ever used the pool used by your white employees?

Mr. Sloan. Not that I know of. This pool was built back in, oh, 1915, or something. I don't know. I have no account since May of 1960.

MR. GLICKSTEIN. That pool was there when the company took over the town and the mill?

MR. SLOAN. Yes.

MR. GLICKSTEIN. Who owns the public school in Bellamy?

MR. SLOAN. You are talking—you are speaking of the building, sir?

MR. GLICKSTEIN. Yes, sir.

MR. SLOAN. The county deeded it back to the company, and the county operates the school.

MR. GLICKSTEIN. The company deeded it to the county and the county operates the school?

Mr. SLOAN. Nope.

MR. GLICKSTEIN. The other way around?

Mr. SLOAN. At the present time——

MR. GLICKSTEIN. The company owns the building?

Mr. Sloan. Yes, sir.

Mr. GLICKSTEIN. And the school system is run by the local authorities?

MR. SLOAN. No.

MR. GLICKSTEIN. By the county?

MR. SLOAN. By the county, yes.

MR. HANSON. May I elaborate on that, sir?

Mr. GLICKSTEIN. Certainly.

MR. HANSON. The American Can Company, as Mr. Sloan mentioned, acquired the properties of the Allison Lumber Company in 1960, and with it the physical establishment that has been identified so far here.

Among these facilities was this school establishment which, we understand, was, for reasons not known to us, owned, or controlled, or operated by the predecessor company, the Allison Lumber Company, who, for some reason, had had this school deeded back to them in the year, around 1956. We do not know the reason for this, but we do know we inherited this school structure.

MR. GLICKSTEIN. Mr. Sloan, how is the school heated in Bellamy?

MR. SLOAN. The county furnish all the facilities for heating and everything inside of the school building, and so forth.

MR. GLICKSTEIN. What kind of a facility is it for heating?

Mr. Sloan. I think it's a coal stove.

Mr. GLICKSTEIN. Coal stove?

Mr. Sloan. Yes.

MR. GLICKSTEIN. Does the facility have indoor bathrooms and water facilities?

MR. SLOAN. No, it does not.

MR. GLICKSTEIN. Do any white children attend that school?

Mr. Sloan. No.

MR. GLICKSTEIN. Where do the white parents send their children?

MR. SLOAN. They are bused—they go by school bus to Livingston. Also, there's a large percentage of the Negroes do the same.

MR. GLICKSTEIN. They go to Livingston?

MR. SLOAN. Go to Livingston Training School.

MR. GLICKSTEIN. Where do the white students go, Livingston or York?

MR. SLOAN. Livingston High School, and also have some Negro students that go there, that ride the same bus.

MR. GLICKSTEIN. What is the company's relationship to the store in Bellamy that we heard some testimony about a little while ago?

MR. SLOAN. We leased and sold the stock of this building in March of 1963. We have no connections with it.

MR. GLICKSTEIN. It's just leased from you?

MR. SLOAN. In other words, it's a

MR. GLICKSTEIN. Concession, really?

Mr. SLOAN. No, we leased the building and equipment and they operate the store completely with no connection with the company any whatsoever.

MR. GLICKSTEIN. Has the company ever taken any interest in the prices charged by the store?

MR. SLOAN. No, sir. I talked to them a time or two. We've checked these prices and found them to be pretty well in line with independent merchants in Livingston and York, and also a store that's closeby on the highway there.

Mr. GLICKSTEIN. Mr. Sloan, you say the company has absolutely no connection with the store.

Don't you have some relationship with the store? Don't you deduct from employees' pay checks the money they owe to the store?

MR. SLOAN. That is correct. We have a deduction, that was a contract drew up by our attorneys, and by our people approved it back in March of 1963.

MR. GLICKSTEIN. You are the store's bill collector?

MR. SLOAN. Yes, where the employee agrees to have this done. He must sign each bill with an agreement that he—that—requesting to have this deducted from their pay check.

Mr. GLICKSTEIN. Mr. Hanson, do you know if the American

Can Company is a Government contractor?

Mr. HANSON. I believe that it is, yes.

MR. GLICKSTEIN. Do you know if Government contract work is being done at—well, let me backtrack for a minute. How many facilities do you have supervision over in Alabama?

MR. HANSON. Three operational facilities.

MR. GLICKSTEIN. Where are they?

MR. HANSON. The Bellamy sawmill, the pulp and paper operation in Naheola in Choctaw County, and the Cola sawmill operation in Thomasville.

Mr. GLICKSTEIN. Do you know if the Naheola operation is doing Government contract work?

MR. HANSON. Which operation, sir?

MR. GLICKSTEIN. Naheola.

Mr. Hanson. I believe that it is.

MR. GLICKSTEIN. Do you have any idea what the size of that Government contract is?

Mr. Hanson. In terms of annual volume, I can only conjecture, I would not know the dollar vaue.

MR. GLICKSTEIN. What's your—oh, you don't know the dollar value, you can conjecture how much produce——

Mr. Hanson. Yes.

Mr. GLICKSTEIN. With what Government agency do you contract?

MR. HANSON. I believe it could be the Department of Defense, it could be General Services—I do not know which particular agency this might be.

MR. GLICKSTEIN. Mr. Chairman, I have a letter from the Administrator of the General Services Administration in which he indicates that the General Services Administration has a contract with the American Can Company, and for the fiscal year 1967 through February 1st, 1968, the letter says the following:

GSA has pending in the State of Alabama \$15,614,193 worth of supply contracts. American Can Company has contract for

toilet tissue in the Naheola Subdivision and a holder in the sum of \$1,762,645.

Do you feel, Mr. Hanson, that as a Government contractor, you have some obligation to make certain that your employees are not exploited by businesses located on your land?

MR. HANSON. I fail to catch the connotation of that question. I think, as a human being, no one wishes anyone to be exploited, and this certainly would include our employees.

If the reference is, for example, the store at Bellamy—would this be the connotation?

MR. GLICKSTEIN. Yes, sir.

MR. HANSON. I have shopped in this store. I do not do the household shopping for my family. I buy cigarettes and random groceries now and again, and I have not detected a substantial differential between the store in question and the local independent stores.

I have shopped at this store, and I have shopped at a store a mile down the road to make a comparison of prices, and I have found little or no difference between these stores.

MR. GLICKSTEIN. Do you shop at that store, Mr. Sloan?

Mr. Sloan. Yes, I do.

Mr. GLICKSTEIN. You do? For all of your-

Mr. SLOAN. Well, not all of it, no. We do shop some—food line.

Mr. GLICKSTEIN. Mr. Sloane, there was some testimony a short while ago about a meeting that was held at your plant yesterday at which a statement was made.

Would you care to respond to that testimony and tell the Commissioners what that statement was?

MR. SLOAN. Would you like for it to be read again?

MR. GLICKSTEIN. Well, you can either read it or just indicate whether or not that statement was made by you, as the testimony indicated.

MR. SLOAN. The U.S. Commission on Civil Rights is having a hearing in Montgomery, and the company has been called to testify on Tuesday, April the 30th, 1968. One of the things we expect the Commission to ask us is whether the company housing situation at Bellamy will be changed. Right now we are not sure what we will be able to do because of cost and other problems.

The recent Open Housing Law may force us to stop renting any houses to either white or colored employees in the near future, if it is not possible for us to make changes.

All possibilities are now being considered. No final decision has been reached yet, but there is a chance that because of the law we may have to stop all renting soon.

We hope that we will be able to find some lawful solution to this whole problem that will be satisfactory to all. We felt we owed it to you to tell you about this.

Mr. GLICKSTEIN. Did you write that statement, Mr. Sloan? Mr. SLOAN. No. sir.

MR. GLICKSTEIN. Mr. Chairman, may we have this introduced into the record as the next exhibit?

CHAIRMAN HANNAH. It's received in the record.

(The document referred to was marked Exhibit No. 21 and received in evidence.)

MR. GLICKSTEIN. Mr. Sloan, how many people are employed at the Bellamy mill?

Mr. SLOAN. Approximately 340.

MR. GLICKSTEIN. And how many of those people are Negroes? MR. SLOAN. Approximately 270.

Mr. Glickstein. 270?

Mr. SLOAN. Yes, sir.

Mr. GLICKSTEIN. And how many Negroes do you have in supervisory and clerical positions?

MR. SLOAN. We have one in the office work. We have in supervision—we have two recently made assistant supervisors who were supervisor, or foreman trainees for the past, oh, 2 years, or longer.

Mr. GLICKSTEIN. When was it that they were made assistant supervisors?

MR. SLOAN. Recently—I'd say within the past 2 weeks.

But then before this time, we also had another colored employee who was in training for a supervisor and he left the company.

We have another one that we are trying to train and develop with plans on making a foreman out of him.

We try to train and develop our people as whatever they have the potentials to do regardless of color, creed, or race.

Mr. GLICKSTEIN. What does this clerical employee that you mentioned do?

Can Mr. Sloan answer that question? What does the Negro clerical employee do?

MR. SLOAN. He's more of the office type boy. He looks after the mail, he runs off some stencils, and he also helps order the—or furnishes the information to be ordered, of the stationery and so forth.

MR. GLICKSTEIN. Mr. Hanson, you wanted to comment?

Mr. Hanson. I just wanted to elaborate a little bit on Mr. Sloan's statement about the supervisors in the last several weeks.

This program of attempting to upgrade has been going on for some time that I am aware of, but it was seriously complicated by a union organizing attempt at the sawmill, which began about last August and due to a series of complications was finally resolved on April 8 of this year.

During this period, obviously we had to be very careful on our particular actions so they would not be misconstrued as unfair labor practice under the circumstances. Mr. GLICKSTEIN. You thought that if you promoted an employee, it might be construed as an unfair labor practice?

MR. HANSON. Well, involved in all this was the election and contested votes, who was a supervisor, who is not a supervisor—this is certainly what complicated the whole structure during that period.

MR. GLICKSTEIN. And you thought that the NLRB would have felt that if you had promoted two Negroes to assistant supervisors, to prevent them from voting in the election that might have been an unfair labor practice?

Mr. Hanson. I see no basis for answering the question in the context that you ask it, Mr. Glickstein. A lot—we had a lot of strange developments during the election, and we did our best to stay within the framework of the law during this period.

MR. GLICKSTEIN. Mr. Hanson, has the American Can Company asked—has corporate headquarters asked you to submit a plan to deal with the housing in Bellamy?

Mr. Hanson. I'm glad you asked this question because underlying this whole structure of housing at Bellamy is the history of the mill's—the sawmill's relationship to American Can Company since the day of purchase in May of 1960.

As I think I mentioned previously, American Can Company bought the assets of the Allison Lumber Company, which was a combination of approximately 125,000 acres of timber land, and a sawmill, and the associated housing, which I will call the village of Bellamy, if you will, although it is not an incorporated facility.

Since the time of this purchase, we have been cognizant of our need and desire to do our best job possible to upgrade the facilities at Allison.

Now the sawmill business itself is highly competitive and the Allison Lumber Company, under our tenure, has been no exception.

For example, in some of the documentary evidence, some of the papers I have seen here, there has been a notation that the sawmill industry personnel in the area has decreased over the years. Now this is essentially due to the highly competitive nature of the sawmill industry, as I know it in the South.

A number of mills have been forced to shut down completely by virtue of their inability to cope with the cost price relationships in the market.

We have done our best to maintain a reasonable level of efficiency in our mill. We have continued to do our best to upgrade the facilities in the town of Bellamy, to provide more humanities in the housing area to the extent that we can economically do so, and still stay in business.

I feel that as an associate of Mr. Sloan's, and as the manager of the Southern operation for American Can, that the greatest disservice I can do to the employees, whether it be in the Bellamy Sawmill or any of the other facilities, is to comport our operation and benefits, if you will, to the extent where we go out of business. This is the surest sort of havor to our personnel.

I believe we are the largest employer in Sumter County, with some 335 personnel. And as I mentioned before, we have continuously upgraded, attempted to upgrade by various steps, the community facilities at Bellamy. Now we have recognized that with changing times this can be the introduction of a different way of looking at things, of potential problems for the future, and in the ensuing period of time since I have been involved with this operation, and most specifically since about last July, I believe it was, of 1967, we have been scratching our heads to formulate a plan by which we can stay within the law, and yet, accommodate the housing structure as we see it in Bellamy at the moment.

Now this staying within the law has particular reference, as far as I am concerned, to future legislation. I think we are, as far as I am concerned, we have not broken any laws, we have not discriminated against our employees. As a matter of fact, I feel that Mr. Sloan has done more for the employees, the Bellamy Lumber Company, than they will ever realize, and I know he has done more than I will ever realize, for the employees of the Bellamy Lumber Company.

That's a long way around, sir, but I did want to at least establish the fact that the problems that we have been living with here have been gradually evolving; we are trying to formulate a plan so that we can do what has to be done and at the same time treat our employees fully as fairly as possible.

MR. GLICKSTEIN. Mr. Hanson, do you have operating control over the—you are responsible for the operation of the plant, the Naheola?

Mr. Hanson. I have overall responsibility, as I indicated to you earlier, for the operations of the—the three operations I indicated.

Mr. GLICKSTEIN. That plant is in Choctaw County. Is that right? Mr. HANSON. Yes, sir.

MR. GLICKSTEIN. How many people are employed there?

Mr. Hanson. Upwards of 1,550, maybe slightly above that.

MR. GLICKSTEIN. And how many of those employees are Negroes?

Mr. Hanson. Approximately 108.

Mr. GLICKSTEIN. Approximately 108?

Mr. Hanson. 108.

Mr. GLICKSTEIN. What type of positions do the Negroes occupy?

MR. HANSON. They range from our base-rate jobs of janitorial type service up to skilled jobs—and, incidentally, our hiring rate is \$2.54, and some of them are in skilled jobs approaching \$4 an hour.

MR. GLICKSTEIN. How many Negroes are in skilled jobs?

Mr. Hanson. Several.

Mr. GLICKSTEIN. Several?

Mr. Hanson. Yes.

MR. GLICKSTEIN. How long have they been in skilled jobs?

MR. HANSON. One that I know of, for several years.

MR. GLICKSTEIN. I have a copy of the report that your plant submitted to the Equal Employment Opportunity Commission for the payroll period ending January 22, 1967, and for that period you indicate that you have no skilled Negro employees.

Mr. Hanson. What date is this, sir?

Mr. GLICKSTEIN. January 22, 1967.

Mr. Hanson. If a journeyman carpenter is not a skilled operator, I don't know how he would otherwise be classified.

If a crane operator in our woodyard is not in the classification of a skilled operator, I don't know what he would be called.

MR. GLICKSTEIN. Who fills out these forms for you?

Mr. Hanson. Well, I am sure it's our industrial relations department.

Mr. GLICKSTEIN. When the, your plant——

Mr. Hanson. Maybe they're not skilled in the terms of that definition. If you will accept the definition of a carpenter as being skilled, I would——

MR. GLICKSTEIN. Functionally, that is what they do, they are carpenters?

MR. HANSON. And crane operators, yes.

MR. GLICKSTEIN. Crane operators, also?

Mr. Hanson. Yes.

MR. GLICKSTEIN. Do you have unions in your plant?

Mr. Hanson. Yes, we do.

MR. GLICKSTEIN. Which union is it?

Mr. Hanson. We have two international unions, the International Brotherhood of Pulp Sulphite Paper Makers Union, and the International Brotherhood of Electrical Workers.

Mr. GLICKSTEIN. Do the pulp and sulphite workers have a number of locals?

MR. HANSON. Yes, sir, four locals in the pulp and sulphite union. MR. GLICKSTEIN. And were those locals at one time segregated locals?

Mr. Hanson. The mill, when it started production in 1958, was organized at that time, I believe in four locals. It was subsequently, within a year or two, two of the locals were divided, going into a total of five. At that time one of the locals was a segregated local, correct.

MR. GLICKSTEIN. Are steps being taken to desegregate the locals? MR. HANSON. We have in our Plans for Progress and in our commitments within the law, have made efforts to open up these

union locals, there are no restrictions now for those who are in jobs to belong to that local, or for Negro employees to become members of the white locals.

MR. GLICKSTEIN. If a Negro employee who was a member of the formerly Negro local, transfers to one of the other locals, does he suffer any reduction in seniority, or pay, or status?

Mr. Hanson. If he—would you restate that question so I can make sure that I got it?

MR. GLICKSTEIN. When an employee—Negro employee in the local that was formerly all-Negro, transfers to one of the other locals, does he suffer any reduction in seniority?

MR. HANSON. Yes. Yes, I wanted to make it clear that there is no penalty for transfer as such, it is based on his election to take another job, based on the seniority agreements we have in our labor contract.

This is true not only of the Negro but anyone who elects to make this change among any of the lines of seniority.

MR. GLICKSTEIN. My question is, if he does make this election, if he chooses himself to transfer, will he suffer a reduction in seniority?

MR. HANSON. The reason that I am holding off on the answer here is that—the labor contract that we have with our union has quite complicated types of seniority—job seniority, line of progression seniority, and I must confess if you want specific questions about exact scope of a specific move in a contract, I would have to get further answers for you.

MR. GLICKSTEIN. You would have to get that for us?

Mr. Hanson. Yes. By a specific job and by the progression line that you are referring to.

MR. GLICKSTEIN. There is also, I understand, union seniority within the union, as a type of seniority.

MR. HANSON. Local union seniority?

MR. GLICKSTEIN. That's right. Is that correct?

MR. HANSON. Yes, that's the job seniority within that local union, that's right.

MR. GLICKSTEIN. And if a Negro employee transfers from the formerly all-Negro local to another local, I assume that he would then lose that local union job seniority?

Mr. Brewster. Mr. Glickstein, I can be helpful if I may.

MR. GLICKSTEIN. I'm afraid you'd have to be sworn if you are going to testify.

CHAIRMAN HANNAH. Do you want to be sworn, Mr. Brewster? Mr. Brewster. I would be glad to if it may be helpful.

Mr. Hanson. If you would like, sir, we have our industrial relations supervisor here, who can fill you in on these rather technical——

CHAIRMAN HANNAH. Why don't you just furnish us a copy of your union contract? That will give us all this information.

Mr. Hanson. This, we'd be delighted to do.

CHAIRMAN HANNAH. Would that be satisfactory, Mr. Glickstein? It is all spelled out in the union contract, I assume.

MR. GLICKSTEIN. Yes, that would be satisfactory.

CHAIRMAN HANNAH. Will you furnish us a copy and we will put it in the record.

MR. GLICKSTEIN. Mr. Hanson, is your plant at Naheola visited by General Services Administration, with whom you have a Government contract, to see if you are in compliance with the Executive order.

Mr. Hanson. It has been, correct.

MR. GLICKSTEIN. It has been?

Mr. Hanson. Yes, sir.

MR. GLICKSTEIN. Mr. Sloane, has the Bellamy facility been visited by the General Services Administration to see if that facility was in compliance with the Executive order?

Mr. Sloane. No, it hasn't.

MR. GLICKSTEIN. It has not been?

Mr. SLOANE, No.

MR. GLICKSTEIN. Mr. Hanson, you mentioned that the plant at Bellamy was the largest employer in Sumter County?

Mr. Hanson. I believe it is.

Mr. GLICKSTEIN. Is the plant in Choctaw County the largest employer in Choctaw County?

Mr. Hanson. I believe it is, yes.

MR. GLICKSTEIN. I understand that the company for the past 5 years has been assisting the Choctaw County school system. Is that correct?

Mr. Hanson. That is correct.

MR. GLICKSTEIN. Will you tell us in what way you are assisting the school system?

Mr. Hanson. Approximately in around 1962, the problem of the educational—excuse me, is there no water for witnesses here?

Mr. GLICKSTEIN. We thought the absence of water would encourage brevity.

Mr. Hanson. Thank you. I would be delighted with that myself.

But on the subject of the schools, our company arranged with the Choctaw County School System, with the Auburn University as the technical experts in this case, to undertake a 5-year program attempting to—with the design of upgrading the school system in Choctaw County. The particular motivation here being, among other things, the problems of the schools in the county at that time with respect to the maintenance of teachers, the general educational level of the system itself, and, among other things, the problem of the level of education which was interfering with the passage of our tests at the mill.

This was a problem of the individuals from our local system, with a high percentage of them, having an inability to pass a preemployment test.

I might add that in subsequent years the mill and American Can Company, similarly helped out the school systems of the city of Linden with some summer scholarship funds to help out in that purpose.

MR. GLICKSTEIN. How many students are attending school in Choctaw County?

MR. HANSON. Well, that's a—really, I am no expert, Mr. Glickstein, in the educational process. I would gather that in a population of approximately 20,000, I would imagine there must be several thousand.

Mr. GLICKSTEIN. Are the schools segregated in Choctaw County? Mr. Hanson. Some are and some aren't.

MR. GLICKSTEIN. The report issued by this Commission on Southern School Desegregation indicates that there are 2,340 white students attending—all of the 2,340 white students are attending formerly all-white schools.

Of the 2,507 Negro students, 13 are attending formerly all-white schools. That is approximately one-half of 1 percent of the Negro students who are attending formerly all-white schools.

Mr. Hanson. Well, Mr. Glickstein, the subject of the school system is one which I am utterly uncapable to cope with. There are more than enough problems trying to operate in the business world.

Mr. GLICKSTEIN. How much money do you contribute to the school system?

MR. HANSON. In addition, sir, if I may finish, I believe the school systems of the county have been under a court order for the better part of 2 years, directing them in its own posture, as to the future of integregation.

MR. GLICKSTEIN. How much money does the company contribute annually to the school system?

Mr. Hanson. I am not ashamed to tell—in fact, I am proud to say that the company contributed almost \$200,000 to the 5-year program in the Choctaw County schools, and it also contributed approximately \$18,000 to the school system in Linden, Alabama.

This, of course, is over and above the normal tax levies.

MR. GLICKSTEIN. What is that, approximately, annually?

Mr. Hanson. What is——

Mr. GLICKSTEIN. How much does that \$200,000 figure come out to annually?

MR. HANSON. The—it was on a prescheduled basis. It started out with a higher figure per year, and then gradually tapered down,

and it included—the \$200,000 includes some preorientation expenditure for the total program. I believe——

CHAIRMAN HANNAH. Mr. Counsel, I want to remind you and the witnesses it is now after 9 o'clock and we still have four witnesses.

Mr. GLICKSTEIN. This is my last question, Mr. Chairman.

CHAIRMAN HANNAH. Okay.

Mr. Hanson. Does that answer your question, Mr. Glickstein? Mr. Glickstein. I think so.

Mr. Hanson. I think \$178,000 or so was the figure that was divided by the 5 years, plus some preorientation expenditures that the company expended to help out on the program.

Mr. GLICKSTEIN. In conclusion, Mr. Chairman, I would just like to present for the record a letter that the Staff Director wrote to the president of American Can Company inviting him to attend this hearing, in which we described the nature of the testimony to be presented, and the response from the president of the American Can Company, which he indicates that today is the company's annual stockholders' meeting and he cannot be present.

CHAIRMAN HANNAH. I think that, too, is important to the company. It will be received in evidence.

(The documents referred to were marked Exhibit No. 22 and received in evidence.)

Mr. Taylor, you have one question or one statement, and I think one of the Commissioners has one question, and we will excuse these witnesses.

Mr. TAYLOR. I have one question, in addition to a recommendation.

One of the Commissioners and myself did not hear Mr. Sloan's answer to the question whether he prepared the statement himself that was read to the employees last night.

MR. SLOAN. I did not.

MR. TAYLOR. You did not, sir?

Mr. Sloan. No.

Mr. TAYLOR. So it was prepared by someone else—I don't want a name.

Mr. Sloan. Yes.

Mr. TAYLOR. Now, Mr. Chairman, I had intended to question the witnesses, as I am sure other Commissioners did, about what American Can Company might do to correct the deplorable conditions that have been revealed in this testimony, and I might say as a personal view, I think that most Americans would scarcely believe that such conditions could exist in this country in this century.

But in view of the events which have transpired earlier in the evening, I do not think it is appropriate to question these witnesses at this time on their plans.

I would request that the Commission formally request the American Can Company to submit to the Commission a statement of its plans for dealing with these conditions, and that that statement be submitted in the name of the president of the company.

CHAIRMAN HANNAH. And within a reasonable time.

MR. TAYLOR. Within a reasonable time.

CHAIRMAN HANNAH. Mrs. Freeman, you had a question?

COMMISSIONER FREEMAN. I have a question concerning the concession and the statement that was made that the American Can Company has no connection with the company store, yet we have received in evidence tonight a stub of a check which indicates that the Can Company made a payment to an employee of only \$5, having made certain deductions.

I would like to know if the answer could be made now as to what protection the employee has to know whether these are legitimate charges or not, or whether the employee receives a copy of such agreement, or whether you wish to include that in the statement that you are going to submit to the Commission?

MR. SLOAN. Mrs. Freeman, this is where the employee makes a purchase at the store—and again, I say as far as the control of the store, we do not have any connections there, as for the merchandise we do not request anyone to trade with this store in any way whatsoever. That's their free right to do that, and when they make a purchase they sign a receipt—a ticket at the bottom and from that ticket, through our agreement on contract, we make the deduction for the Sherer Brothers, but the employee must sign and agree to that.

CHAIRMAN HANNAH. On each individual purchase?

Mr. Sloan. Yes, sir, on each purchase he makes.

COMMISSIONER FREEMAN. This is what we would like to know: what assurances do you have that the deductions which had been made from that employee's salary are actually his charges or not, and what is the nature of the agreement that gives you the right to make such deductions?

Mr. Hanson. May I help here?

Mrs. Freeman, the signed check would normally be the reason, or the substantiation of the debit to the individual's account.

But let me say this, that what the company has attempted to do, generally as a convenience for the employee, has gradually evolved into what we feel is a misconstruction of being an exploitation of the employee. This is not 16-ton, company store concept, ma'am, I assure you. We were divested from the store deliberately around 1963, for the very reason that the operation of a company store by the company was not felt to be in the best interest of our relationships.

Now, since this seems to have become such a tender spot, and since it certainly by no means is any indication of our desire to

hold our employees, to in any way constrain them, they are free to shop wherever they wish, it's their signature that makes the deduction.

Since, however, this has been so sensitive and has had other agencies concerned about it, we've just decided to get out of that business and we're going to notify our employees that effective soon we will not make the payroll deductions at the store, and they can proceed to pay however they wish. And we will give them their checks in the normal course.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Any further questions? Gentlemen, you are excused. Mr. Glickstein, call the next witness.

Mr. GLICKSTEIN. The next witnesses are Mr. J. L. Cantrell and Mr. Wendell Stevens.

CHAIRMAN HANNAH. It has been requested that there be no lights and no photographs, and the request is granted.

(Whereupon, Mr. J. L. Cantrell and Mr. Wendell Stevens were sworn by the Chairman and testified as follows:)

# TESTIMONY OF MR. J. L. CANTRELL, GREENVILLE, ALABAMA AND MR. WENDELL F. STEVENS, SELMA, ALABAMA

Mr. GLICKSTEIN. Would you please each state your full name and address?

Mr. Stevens. Wendell F. Stevens, 303 Belden Avenue, Selma, Alabama.

Mr. Cantrell, J. L. Cantrell, 407 Overlook Drive, Greenville, Alabama.

Mr. GLICKSTEIN. Mr. Cantrell, what is your position with Dan River Mills?

Mr. Cantrell. Mr. Glickstein, I am plant superintendent of the Greenville plant of Dan River.

Mr. GLICKSTEIN. And you have responsibility for who is hired at that plant?

Mr. Cantrell. Yes, sir, overall responsibility.

Mr. GLICKSTEIN. How many persons are presently employed in the Greenville Mill?

Mr. Cantrell. Approximately 200.

Mr. GLICKSTEIN. And of those, how many are Negro?

Mr. Cantrell. Three.

Mr. GLICKSTEIN. How many persons were employed at this time last year?

Mr. Cantrell. Negroes?

MR. GLICKSTEIN. Total.

Mr. Cantrell. Total—about 200 and, let's see, a little higher than it is now. I've forgotten the exact number, it was 200 plus.

Mr. GLICKSTEIN. And how many of those employees were Negro? Mr. CANTRELL. There was three or four—I forget the exact date is kind of messed up—four—three or four.

Mr. GLICKSTEIN. A year ago?

Mr. Cantrell. Yes, sir.

Mr. GLICKSTEIN. What jobs do the Negroes presently employed hold?

Mr. Cantrell. I beg your pardon?

Mr. GLICKSTEIN. What jobs do the Negroes that you presently employ, hold?

MR. CANTRELL. Warehouseman, truckdriver, and watchman.

MR. GLICKSTEIN. Do you know what their rate of pay is?

Mr. Cantrell. No, sir, I don't know exactly. It's in the neighborhood of \$1.70.

Mr. GLICKSTEIN. Neighborhood of \$1.70?

Mr. Cantrell. Yes, sir.

Mr. GLICKSTEIN. What's a warehouseman?

Mr. Cantrell. He's the man who handles our raw stock, our cotton. He puts down the raw cotton in our opening room, he helps keep inventory of our raw stock, he will load and unload incoming and outgoing goods.

MR. GLICKSTEIN. And what does your truckdriver do?

MR. CANTRELL. Our truckdriver does our local driving for us. He is also office janitor, and does other shop work.

Mr. GLICKSTEIN. When you say your local driving for you, what do you mean by that?

Mr. Cantrell. We have no over-the-road drivers at our plant.

MR. GLICKSTEIN. If you have errands to do in town, or something, he does it?

MR. CANTRELL. He does some of it, yes, sir.

MR. GLICKSTEIN. What do you mean by your local driving—in the yards?

MR. CANTRELL. In the yards or to the lumber yard, or up town, or to the post office, et cetera?

Mr. GLICKSTEIN. And he doubles as a janitor?

Mr. CANTRELL. Yes, sir.

MR. GLICKSTEIN. Mr. Cantrell, on Saturday we heard testimony from a witness, Mr. Bernard Shambray. Mr. Shambray indicated that he had been hired as a weaver-learner in November 1966. Is that correct?

MR. CANTRELL. That is correct.

Mr. GLICKSTEIN. Did Mr. Shambray perform his duty satisfactorily?

Mr. Cantrell. Yes, sir.

Mr. GLICKSTEIN. Mr. Shambray also testified that in January 1960 the company changed over to a new type of loom, which re-

sulted in his being changed to another job, namely, a job as a sweeper. Is that correct?

Mr. Cantrell. In January we began to change over to another type of loom, yes, sir.

Mr. GLICKSTEIN. You began?

Mr. Cantrell. Yes, sir.

MR. GLICKSTEIN. And, as a result, it was necessary to change the job assignments of some of the employees?

Mr. Cantrell. Yes, sir.

MR. GLICKSTEIN. And Mr. Shambray was one of those employees?

Mr. Cantrell. Yes, sir.

MR. GLICKSTEIN. And he was made a sweeper?

Mr. Cantrell. No, sir, Mr. Shambray was put on a project and used on may jobs. He was carried——

MR. GLICKSTEIN. What was his job description?

MR. CANTRELL. Specifically?

MR. GLICKSTEIN. What did it say in his personnel folder?

Mr. Cantrell. He was a learner-weaver.

Mr. GLICKSTEIN. And after this change in January——

Mr. Cantrell. He was never transferred from a learner-weaver.

Mr. GLICKSTEIN. And that was the designation that remained on his personnel folder?

Mr. Cantrell. Yes, sir.

Mr. GLICKSTEIN. Mr. Shambray also testified that he quit in April 1967 saying that he was not happy unless he was weaving.

Is that——

MR. CANTRELL. That was his statement.

MR. GLICKSTEIN. That's why he did quit. When Mr. Shambray quit, was he informed that work as a weaver might become available if he stayed on?

MR. CANTRELL. Mr. Glickstein, I can't say personally that he was. However, the—one of the learners, there were three of those learners there together, one of the learners that was there with him did stay and eventually became a weaver, and is now a weaver.

MR. GLICKSTEIN. But you don't know whether Mr. Shambray personally was told, or encouraged to stay on?

MR. CANTRELL. Well, Mr. Shambray was encouraged to stay on, yes, sir. And Mr. Shambray was afforded full-time work.

MR. GLICKSTEIN. Was he encouraged to stay on with the prospects that he might become a weaver?

Mr. Cantrell. He was still classified as a learner-weaver, and was told at the time we started picking out the looms that eventually we would put him back in training as we could.

Mr. GLICKSTEIN. Are you generally advised before an employee quits?

MR. CANTRELL. Personally?

Mr. GLICKSTEIN. Yes.

MR. CANTRELL. Yes, sir, I try to, but this occurred on the third shift, it occurred about 11 at night, I wasn't there when he quit.

Mr. GLICKSTEIN. So you were advised the next day, I guess, or some time thereafter?

MR. CANTRELL. Yes, sir. Yes, sir.

MR. GLICKSTEIN. Mr. Shambray also testified that when he was hired he was taken to a restroom outside the building and told that this is the room our colored help use. How would you credit that testimony?

Mr. Cantrell. We have no segregated facilities.

MR. GLICKSTEIN. Do you have a restroom outside?

Mr. Cantrell. We have a restroom outside, yes, sir.

Mr. GLICKSTEIN. How many Negroes have applied to work at Dan River Mills in Greenville in positions other than sweepers or drivers?

MR. CANTRELL. I don't know if-I don't know of any.

MR. GLICKSTEIN. Pardon me?

MR. CANTRELL. I don't know of any. I don't know that they have applied specifically for sweeping and driving. We've had some applications from Negroes, but I can state that we had none from experienced weavers or loom fixers or et cetera.

MR. GLICKSTEIN. Do you know if any Negroes have applied to Dan River since Mr. Shambray quit?

Mr. Cantrell. I am sure there have been, yes, sir. I don't know how many.

MR. GLICKSTEIN. You don't know how many?

Mr. Cantrell. No, sir.

MR. GLICKSTEIN. Prior to 1965, was there a time when it was a policy of Dan River Mills not to hire Negroes in production jobs?

MR. CANTRELL. Prior to 1965, Dan River?

Mr. GLICKSTEIN. Yes.

Mr. Cantrell. No, sir.

Mr. GLICKSTEIN. Was it ever the policy of the Alabama mills?

Mr. Cantrell. I don't know; I wasn't here, sir.

MR. GLICKSTEIN. Would your workers object if you hired Negroes in production jobs and clerical jobs or in supervisory jobs?

Mr. Cantrell. I wouldn't think so. We got no objections when we hired Shambray.

Mr. GLICKSTEIN. You didn't hear any talk from any of your employees?

Mr. Cantrell. No, sir.

MR. GLICKSTEIN. Nothing was said?

Mr. Cantrell. No, sir.

Mr. GLICKSTEIN. Mr. Stevens, what is your position?

Mr. Stevens. I am mill superintendent at Benton.

MR. GLICKSTEIN. And how many people are employed at Benton?

Mr. Stevens. Approximately 283.

Mr. Glickstein, 283?

Mr. Stevens. Yes.

Mr. GLICKSTEIN. And how many of those people are Negro?

Mr. Stevens. About a third.

MR. GLICKSTEIN. About a third. That's about 80 or so?

Mr. Stevens. No, sir, it'll run around 100, I imagine.

Mr. GLICKSTEIN. Around 100?

Mr. Stevens. Yes, sir.

MR. GLICKSTEIN. What sort of jobs do they do?

MR. STEVENS. Well, they are on practically every job we've got in the mill. They are on spinning, spinners, winder tenders, card tenders, weavers—practically all our production jobs.

MR. GLICKSTEIN. Are those jobs considered skilled jobs?

Mr. Stevens. I would classify weaving as a skilled job, sir, and spinning.

Mr. GLICKSTEIN. Spinning as a skilled job?

Mr. Stevens. Yes, sir.

Mr. GLICKSTEIN. I have a copy of a form that was submitted by the Dan River Mills, Benton Plant, to the Equal Employment Opportunity Commission for the payroll period ending February 26, 1967, and that indicates that there were 41 Negroes employed as laborers and unskilled positions, and 36 Negroes employed as operatives—36 male Negroes employed as operatives in semiskilled positions, 13 female Negroes employed as operatives, and 16—these charts are hard to read—and three female Negroes employed as laborers.

According to this record, there are no Negroes employed in skilled positions, office and clerical positions, sales positions, technicians, professionals or officials, and managers.

Has that situation changed so much since February 26, 1967?

Mr. Stevens. Well, sir, I didn't make out the report, but I think the skilled people on that report are classified as shop personnel, loom fixers, and et cetera.

Mr. GLICKSTEIN. Those are skilled people classified on that report?

MR. STEVENS. Yes, sir, I think that's right.

Mr. GLICKSTEIN. So you think in the language of this report, a weaver would be classified as semi-skilled?

Mr. Stevens. Yes, sir.

Mr. GLICKSTEIN. I see. Mr. Stevens, we understand that the Dan River Company in Benton once participated in an MDTA training program. Is that correct?

MR. STEVENS. Yes, sir, that was before my time, sir.

Mr. GLICKSTEIN. Do you know anything about the program, or—

Mr. Stevens. Very little.

Mr. GLICKSTEIN. Do you know if it was an experience that the company considered successful?

Mr. Stevens. No, sir, I don't.

MR. GLICKSTEIN. You don't know. Mr. Stevens, there are approximately 100 Negroes, you said, employed at Benton and three at Greenville. Is it possible for you to provide us with any explanation of this disparity?

Mr. Stevens. No, sir, I can't. Our policy is to abide by the law. It is in our supervisory manuals; it is on the bulletin boards. We will not discriminate and we so tell our own supervision that.

Mr. GLICKSTEIN. Do you, either of you gentlemen, know whether the Dan River Company is a Government contractor?

Mr. Stevens. Yes, sir, I think there are some contracts in some of the mills. Not at Benton.

MR. GLICKSTEIN. Not at Benton?

MR. CANTRELL. Nor at Greenville.

MR. GLICKSTEIN. But there is at some of the mills?

I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions? VICE CHAIRMAN PATTERSON. Mr. Cantrell, can you give us any explanation of why your mill employs three Negroes whereas Mr. Stevens' employs nearly 100?

Mr. Cantrell. Well, my mill is some 40 years old, Mr. Patterson, and we have been through the years operating under a depleting number of employees, and as I have previously stated, we have had an abundance of experienced personnel, whereas we have been operating also under a very poor profit condition, and it would be very uneconomical for us to go out and seek learners and pay them at a dead loss when we have experienced personnel available.

VICE CHAIRMAN PATTERSON. Is Mr. Stevens' Benton mill different, then, from yours?

MR. CANTRELL. His mill was built in the last 2 or 3 years and it is a completely modern mill whereas ours is somewhat—well, it's 40 years old; that should speak for itself, sir.

VICE CHAIRMAN PATTERSON. We had testimony from Mr. Shambray that instead of drinking out of the water fountains, while he was employed in the Greenville mill, he brought a thermos bottle with his water in it, because he knew better than to drink out of the fountain. Do you have any knowledge of this?

MR. CANTRELL. No, sir, I did not. That was a surprise to me.

We provide drinking cups at our fountains for those who do not desire to drink out of the fountains, we provide paper cups, throw-away cups.

VICE CHAIRMAN PATTERSON. He said that he was never told not to use the inside toilets, but that when he went to work there

he was shown the outside toilet and said that was the one to use. Is this a practice of your mill?

Mr. Cantrell. No, sir.

VICE CHAIRMAN PATTERSON. Did you have any knowledge that that instruction had been given to Mr. Shambray?

MR. CANTRELL. No, sir, I do not.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Cantrell, you have an outside toilet and you also have an inside toilet?

Mr. Cantrell. Yes, ma'am.

COMMISSIONER FREEMAN. Who uses the outside toilet?

MR. CANTRELL. It's out there for the convenience of the warehouse, the shops, the yards, and stores.

It was put out there as a convenience to them rather than having them come all the way across into the mill.

COMMISSIONER FREEMAN. You indicated that your company was in a poor condition.

Will you state what were the sales, total sales, of your company last year?

Mr. Cantrell. Well, I indicated that my company—I am speaking strictly of Greenville. I do not know what our total sales were for last year. I do know this: that we have been operating under a condition whereby we have been storing—we have over a year's inventory in the warehouse now, we'd be most happy to sell some of it.

We are operating 4 days a week to try to maintain jobs for our present employees.

COMMISSIONER FREEMAN. Are you saying that as plant superintendent you do not have information about the total sales?

MR. CANTRELL. That's exactly right, yes, ma'am.

COMMISSIONER FREEMAN. Do you have information about the total sales of Dan River Mills nationally?

MR. CANTRELL. No, because it comes out in one lump sum. Our sales office is in New York and we sell through our New York office. We operate on orders.

COMMISSIONER FREEMAN. Do you receive copies of the annual report of the company?

MR. CANTRELL. I do, yes.

COMMISSIONER FREEMAN. Do you recall what the sales indicated in the last annual report?

Mr. Cantrell. Mrs. Freeman, I read it, but I don't recall the figures offhand.

COMMISSIONER FREEMAN. That is all.

Voice. Recall something.

CHAIRMAN HANNAH. Dr. Rankin?

COMMISSIONER RANKIN. Mr. Cantrell, I come from the textile

area where Dan River Mills has several mills around in my area.

It is claimed up there by many Negroes that it is nearly impossible for them to break into the textile industry.

Is that due to the age of the mills, or why do they have this impression?

MR. CANTRELL. Where are you from, Mr. Rankin?

COMMISSIONER RANKIN. North Carolina. Gastonia. Did you ever hear of Gastonia?

Mr. Cantrell. I didn't realize we had any plants in North Carolina.

COMMISSIONER RANKIN. Well, you do at Martinsville and Danville, Virginia, don't you?

MR. CANTRELL. We have in Virginia and South Carolina.

COMMISSIONER RANKIN. That is near, that's close.

Mr. Cantrell. But not in-

I'm not aware of what goes on at those mills, Mr. Rankin. I've never been in the plants.

COMMISSIONER RANKIN. Well, I just meant in industry, not in any particular mill.

Mr. Cantrell. Well, in the plants in Danville, we employ up there a great number of Negroes, throughout the whole plant. And have been for a good many years.

COMMISSIONER RANKIN. Well, they just didn't think it was a great number. I mean, in talking with them they had the impression that it was very hard for them to break into this particular industry. And I wondered—it's no lack of skill on the part of the Negro, is it?

MR. CANTRELL. Not as a whole, no, sir, I wouldn't think so.

COMMISSIONER RANKIN. Well, I just wondered what the reason could be. It could be that there are a lot of plants like yours, and that would explain it, if you have a lot of help around, you say, that you can use. Is that correct?

MR. CANTRELL. We do have, yes, sir.

COMMISSIONER RANKIN. That makes it very hard then for the Negroes to get jobs. Is that correct?

MR. CANTRELL. Yes, sir.

COMMISSIONER RANKIN. You don't think that's typical of the whole industry, though?

MR. CANTRELL. Mr. Rankin, I can't speak for the whole industry.

COMMISSIONER RANKIN. I know, I can't either. I know I am asking you in general on the industry rather than the plant. I grant that. But I have wondered many times why they have this feeling, and I hoped that some of you in the textile industry might

explain why they have this feeling. That's the only reason I was asking the question.

Mr. Cantrell. Yes, sir, I understand.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. Taylor. I believe you said a moment ago, Mr. Cantrell, that there were a great number of Negroes employed in another plant in North Carolina or——

Mr. Cantrell. In Virginia.

MR. TAYLOR. In Virginia?

MR. CANTRELL. Yes, sir.

MR. TAYLOR. Do you also know whether my figures might be correct, that Dan River employs 19,296 persons nationally, and that 2,461 are Negroes? Do you know whether those might be correct figures?

MR. CANTRELL. No, sir, I do not know.

MR. TAYLOR. You have no reason to believe they are not correct? MR. CANTRELL. No.

Mr. TAYLOR. You were referring to the use of paper cups in your plant. Now, when was that system instituted?

Mr. Cantrell. I don't know. They were using paper cups when I went to Greenville in November of 1966.

MR. TAYLOR. Do you know whether what you have is a hook arrangement where——

Mr. Cantrell. Oh, no. I explained we had these paper throwaway cups out of sanitary containers. Mr. Taylor.

MR. TAYLOR. Right. Do you know—what is it?—it comes out—the paper cups come out of a container and then the water comes out of the fountain. Is that correct?

MR. CANTRELL. Yes, sir.

MR. TAYLOR. Do you know what the dispenser is referred to, familiarly, by employees, by a colloquial name? Is it called anything by the employees?

You are not aware of that?

Mr. CANTRELL. I don't have any idea what you're talking about.

MR. TAYLOR. All right, let's forget it.

Have you ever been visited by a Government contract compliance officer?

MR. CANTRELL. Not in the mill, no, sir.

Mr. Taylor. Not since you've been in Greenville?

MR. CANTRELL. No, sir.

Mr. TAYLOR. Have you, Mr. Stevens, ever been visited in Benton?

Mr. Stevens. No, sir.

MR. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein, do you have any further questions?

Mr. GLICKSTEIN. No, sir.

MR. SMITH. Mr. Chairman, I understand that under the rules I might examine a witness briefly.

I just have one or two brief questions that I would like to pose to these witnesses.

Mr. GLICKSTEIN. I don't believe that is correct.

MR. SMITH. I refer you, sir, to 702.7 of your regulations, which says that the client, when accompanied and advised by counsel, who will have the right to submit his clients to reasonable examination, and to make objections on the record and argue briefly the basis for such objections.

MR. GLICKSTEIN. I stand corrected.

Mr. Smith. I don't intend to argue or make objections at this point.

CHAIRMAN HANNAH. In any case, make your examination brief. Go ahead, sir.

MR. SMITH. Yes, sir.

Only one or two things. Mr. Stevens, you have indicated that your plant has been there for only a couple of years in operation? Mr. Stevens. Yes, sir.

Mr. SMITH. And Mr. Glickstein asked you if your supervision was Negro, and you replied in the negative.

Is your supervision experienced in the textile industry?

Mr. Stevens. Yes, sir.

MR. SMITH. Generally in your area, have you found experienced people largely in the textile industry?

Mr. Stevens. Yes, sir.

Mr. Smith. Specifically, have you found—or directing my question here to Dr. Rankin's comment earlier—is it your experience that Negroes generally are experienced in textiles, or not?

Mr. Stevens. Inexperienced.

MR. SMITH. Inexperienced?

MR. STEVENS. Yes, sir.

Mr. SMITH. Let me ask Mr. Cantrell one question, concerning the gentleman, Mr. Shambray, who testified earlier.

The employee that you mentioned that remained after Mr. Shambray quit, in April, was he also hired at approximately the same time as Mr. Shambray was?

Mr. Cantrell. Yes, sir.

Mr. Smith. Now, following the time that Mr. Shambray left, was that employee reclassified as a sweeper?

Mr. Cantrell. He was, yes, sir.

MR. SMITH. And then did he subsequently become a weaver-learner and resume his learning cycle at such time as looms became available?

Mr. Cantrell. Yes, sir.

Mr. Smith. And was there another employee hired as a learner

at approximately the same time as Mr. Shambray, who was also white?

MR. CANTRELL. Yes, sir.

Mr. Smith. And did he leave prior to or after Mr. Shambray?

Mr. CANTRELL. He left prior to Shambray's leaving.

MR. SMITH. Were the reasons basically the same?

Mr. Cantrell. Yes, sir.

Mr. Smith. Did the supervision of these three weavers remain the same throughout their period of employment?

MR. CANTRELL. No, sir. The officer who was responsible for hiring these three people was—left our company in November of '66, shortly after these people were hired?

Mr. Smith. And do you know where he is presently?

Mr. Cantrell. No, sir, I don't.

MR. SMITH. Mr. Chairman, I would like to just reiterate my understanding that the exhibits that we offered at the executive session on Saturday, marked, I believe, as Commission's Exhibts Number 4, in quadruplicate, four pages, they are part of the official record, are they not, sir?

CHAIRMAN HANNAH. Correct.

MR. GLICKSTEIN. They are a part of the record of the executive session, but we can make them a part of this record.

CHAIRMAN HANNAH. You would like them inserted here too, sir?

MR. SMITH. I would like to have them inserted.

CHAIRMAN HANNAH. They will be inserted.

MR. TAYLOR. Mr. Chairman, I have no more questions, but I am not sure I understood a question of counsel and the answer.

Did I understand counsel to ask whether the textile industry was an industry for experienced people? Is that correct?

Mr. Smith. No, Mr. Taylor. I believe the reason for my question and the witness' response, was to the effect that, first of all, when this new plant was begun, they had to have some experienced help, and this is where their supervision was drawn from.

Mr. Taylor. I just wanted to know what the question was.

The question was—what was the question you asked?

MR. SMITH. Now I'm confused. I'm sorry, sir. I don't recall specifically. The point that I made through the witness was that, generally speaking, the Negroes that he has employed have not had experience in the textile industry.

I think this was Professor Rankin's viewpoint, and I happened to share it, as a rule, certainly in this area.

COMMISSIONER RANKIN. I didn't quite mean that. I was wondering why Negroes were not in the industry, and whether it was lack of skill, and I thought you said that once they acquire the skill they are just as good as white people in the textile industry.

MR. SMITH. I think that was the witness' testimony, sir.

COMMISSIONER RANKIN. So what we have got to do is train them? Isn't that right?

Mr. Smith. That's correct, and I think that what the witnesses were saying was that in a marginal plant whose efficiency is poor, the manager is better advised if he can find people who have already been trained, to not have to bear the additional training cost.

It would be fine if more people could be trained, but it's also an expensive proposition.

CHAIRMAN HANNAH. You are finished, sir?

Mr. Smith. Yes.

CHAIRMAN HANNAH. Thank you very much, gentlemen. You are excused. It is now 9:40 and we are going to adjourn. The witnesses who were left this evening will be given a choice of time tomorrow, and we may drop out a witness that's already scheduled tomorrow.

We are now in recess until 9 o'clock tomorrow morning.

(Whereupon, at 9:40 p.m. the hearing was recessed to reconvene at 9 a.m. on the following date, May 1, 1968.)

# U.S. COMMISSION ON CIVIL RIGHTS

## WEDNESDAY MORNING SESSION

## MAY 1, 1968

CHAIRMAN HANNAH. Ladies and gentlemen, may we have quiet, please. This hearing of the United States Commission on Civil Rights is in order. Mr. Glickstein, will you call the first witness.

MR. GLICKSTEIN. The first witness is Mr. Ernest S. Strong.

(Whereupon, Mr. Ernest S. Strong was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. ERNEST S. STRONG, BIRMINGHAM, ALABAMA

Mr. GLICKSTEIN. Mr. Strong, would you please state your full name and address for the record.

Mr. Strong. Ernest S. Strong, personnel manager, Alabama Power Company, General Office Building, Birmingham.

Mr. GLICKSTEIN. What area does the Alabama Power Company serve?

MR. STRONG. It generally serves the greater part of the State of Alabama, except the northern few counties that are served by the TVA and in the south below Montgomery, some rural electric co-ops, but generally speaking, we serve the principal parts of the State of Alabama.

MR. GLICKSTEIN. How many people are employed by the company, Mr. Strong?

MR. STRONG. Approximately 5,400.

MR. GLICKSTEIN. And of that number how many are Negro?

Mr. Strong. Well, approximately 560.

Mr. Glickstein. 560?

Mr. Strong. Excuse me, 460.

MR. GLICKSTEIN. 460?

Mr. Strong. 460.

Mr. GLICKSTEIN. Mr. Strong, excluding professional people and managers that are employed by your company, are most of the employees maintenance workers of one type or another?

Mr. Strong. No, we have employees in clerical and in technical and operative in our generating plants, and maintenance and line-

men and related skills, meter readers.

MR. GLICKSTEIN. Where does the bulk of your employment fall? In what category?

MR. STRONG. The majority falls in the classification of labor.

Mr. Glickstein, may I explain at this point for the benefit of the Commission the terminology, "labor" as used in our company. It is quite different from what the terminology might identify as being a person doing a routine manual task of the same thing day in and day out. This labor classification has a starting rate of \$316 a month and goes to \$371. They are beginners in our crews and in operations. They are the ones—that assist the apprentices and the journeymen in the performance of their duties. And ultimately they go into those classifications on demonstrated performance. So I want to make that point clear. They are a little different from the ordinary classification terminology of labor.

Mr. GLICKSTEIN. Well, I notice, Mr. Strong, you have supplied us with copies of the form your company has filed with the Equal Employment Opportunity Commission. Is that correct?

Mr. Strong. Yes, sir.

MR. GLICKSTEIN. I notice from those forms that about threequarters of the Negro employees that you employ are classified either as service workers or as laborers. Now, you have told us what laborers do. What do service workers do?

MR. STRONG. The service workers are the maids and the janitors and the watchmen. Those are the principal classification. Maids and janitors, principally.

MR. GLICKSTEIN. Prior to the passage of the Civil Rights Act of 1964 what sort of positions were Negroes hired into?

Mr. Strong. They were hired into the labor classification.

MR. GLICKSTEIN. And the Negroes that were hired into that classification have opportunities to move beyond that?

Mr. Strong. Did you say, had or have?

Mr. GLICKSTEIN. Did they have opportunities in the past before '64?

Mr. Strong. Yes, sir, they had the opportunity under the collective bargaining agreement. The qualifications of the hiring in at the labor classification were not as exacting as they are now.

Mr. GLICKSTEIN. Did Negroes move beyond the labor category?

Mr. Strong. Oh, yes, definitely.

Mr. GLICKSTEIN. Before 1964?

Mr. Strong. Oh, yes, definitely.

Mr. GLICKSTEIN. Many?

MR. STRONG. Yes. In our generating plant and in the Birmingham operations, and others in the State in a limited way. But it was based on competency, just as it is today.

MR. GLICKSTEIN. Well, Mr. Strong, of the 5,394 employees that you have now, 472 of them are Negro?

Mr. Strong. Yes.

Mr. GLICKSTEIN. Of that 472, three-quarters of those people are either laborers or service workers. You only have about a little over

100 Negroes today, today, in 1968, who hold positions beyond the laborers' category. So when you say that very definitely before 1964 Negroes were able to move beyond a laborer's category you are not talking about many people, are you?

Mr. Strong. No.

Mr. GLICKSTEIN. About how many are you talking of?

MR. STRONG. Well, I would say in the helper classification and in the generating plant work above that of laborers, probably there were more than 50 for years and years. But we did not require high school education, Mr. Glickstein, at that time.

MR. GLICKSTEIN. Mr. Strong, the form you filed with the Equal Employment Opportunity Commission in 1966 showed that of the more than 1,300 people that you employed that were classified as craftsmen, only three were Negro. Two years later in March of 1968 your form shows that you now have four Negroes as craftsmen. Do you consider this adequate progress, substantial progress?

Mr. Strong. Mr. Glickstein, the nature of our business is classified as hazardous, as hazardous, and in order for a person to be able to work on energized circuits safely, for his protection, for the protection of his fellow employees that are working right by his side, it takes training and understanding of the operation and the hazards involved in handling the work safely.

Now, that doesn't answer your question. You asked if I felt that was sufficient progress. I would say that a better look at it would be the ingrade changes that have occurred since the Civil Rights Act. There have been marked increases in our company. For instance, we have meter readers now that we heretofore didn't have. And, incidentally, that job pays from \$483 to \$582 a month. These are good paying jobs that these Negroes have moved into.

MR. GLICKSTEIN. What do you classify meter readers as?

MR. STRONG. They are clerical, part of the accounting group. We have a lineman that is making \$693 a month. We have a lead lineman that is making \$713 a month.

Now, those jobs are bid on through the bargaining unit, based on competency and seniority. Competency being sufficient. Seniority governs.

MR. GLICKSTEIN. And you mentioned that the meter reader job is fairly well paying?

Mr. Strong. Yes, sir.

MR. GLICKSTEIN. According to the figures that you furnished us there are 30 Negroes that occupy office and clerical positions and some of those Negroes are meter readers?

Mr. Strong. Yes, 12 of them are.

MR. GLICKSTEIN. Twelve of them read meters?

Mr. Strong. Yes.

MR. GLICKSTEIN. And this is a job for which you need many years of training?

Mr. Strong. No, no, but it is a job that is bid on in the collective bargaining process and it takes seniority plus the basic ability. If a person wasn't able to represent the company, public relationswise, he would be denied the job regardless of his seniority.

MR. GLICKSTEIN. Do you think that your company would have been able to advance Negroes more rapidly if you did not have a collective bargaining agreement?

Mr. Strong. No.

MR. GLICKSTEIN. So you are not suggesting that that is a barrier to promoting people?

Mr. Strong. No, we have had collective bargaining agreements since 1940.

MR. GLICKSTEIN. Mr. Strong, I think in order to put your testimony into somewhat of a context, we have already established that the Alabama Power and Light Company is required to file forms with Equal Employment Opportunity Commission, and obviously as covered by the Civil Rights Act. Is the company also a Government contractor?

Mr. Strong. Yes, we are.

MR. GLICKSTEIN. With what agency?

Mr. Strong. General Services Administration, under Executive Order 11246.

MR. GLICKSTEIN. Do you have any idea what your annual receipts from the Federal Government are?

Mr. Strong. They are more than \$1 million.

MR. GLICKSTEIN. The General Services Administration has advised us that they pay you two and a half million dollars annually.

Mr. Strong. I said more than \$1 million. I don't know the exact figure.

Mr. GLICKSTEIN. Have their compliance people been around to see you?

Mr. Strong. Oh, yes.

MR. GLICKSTEIN. What have they had to say about your equal employment policies?

Mr. Strong. Well, it was entered into in considerable discussion and detail and the compliance officer from Atlanta made inspection trips throughout our property. He has spent hours with me talking about the company's policy in regard to nondiscrimination. And he is just as familiar with it as I am, Mr. John Pollock.

Mr. GLICKSTEIN. And you think they have given you a clean bill of health?

Mr. Strong. Yes, sir.

Mr. GLICKSTEIN. Mr. Strong, of the 961 clerical and office employees that you have, 30 of them are Negro?

Mr. Strong. Yes.

Mr. GLICKSTEIN. You already told us that 12 of those are meter

readers. So you have eight other Negroes occupying office and clerical positions?

Mr. Strong. All right, sir.

Mr. GLICKSTEIN. How many of those are secretaries? How many of them actually work in the office as secretaries, clerk-typists, stenographers?

Mr. Strong. We have one floor sales clerk. She meets the public in our division, one of our divisions, office headquarters. We have one home service advisor whose rate ranges from \$500 to \$700 a month.

I am bringing this out to show this Commission that we are putting these people in responsible, good paying jobs.

MR. GLICKSTEIN. How many of them are secretaries?

Mr. Strong. Just a minute.

We have two general accounting clerks, three customer contact clerks, two stenographers, one key punch operator, one messenger. These are females now that you are asking about.

Mr. GLICKSTEIN. Females and males, I think your total office staff and clerical is 30.

Mr. Strong. Let's go back.

The junior accounting clerk is female; customer contact clerks, three, are female; junior stenographers are female; the key punch operator is a female; five laboratory helpers in our generating plant, and I am not positive at this point where they fell, if it is clerical or not. I am looking down my list. I am not sure on that. Three male clerks, that are males. And one messenger that is a female. And two warehousemen, and two warehouse helpers, counting our stores and operation.

Mr. GLICKSTEIN. If I was able to follow you, you have two Negro secretaries?

Mr. Strong. Yes.

Mr. GLICKSTEIN. Do you have difficulty obtaining Negro secretaries?

Mr. Strong. Yes, very much.

Mr. GLICKSTEIN. How do you recruit the Negro secretaries?

Mr. Strong. I think at this point an understanding of our employment procedures might help the Commission to understand the difficulty that we have in finding qualified people.

We do not have central employment. We do not advertise. Our turnover is one of the lowest in the country, approximately one-half of 1 percent a month.

MR. GLICKSTEIN. This is true in all categories, office and clerical? MR. STRONG. I am talking throughout. I haven't broken down about where they come from but the whole company experiences about one-half of 1 percent a month turnover.

Now, we rely on qualified applicants who present themselves as candidates for employees at our various offices, except for our engineering recruitment program. This is without exception the way it is handled. Now, if we have a job to be filled at a location our responsible people in that location reviews the applications that he has on file, picks out from a screening process those that he would like to call in for an interview. If he hasn't already made a note on an interview sheet that he had with the person previously, he probably has, but at any rate, it is identified from a screening process and then the referrals are made to the department head that has the opening.

Now, that is without regard to race. It has nothing to do with it. They are sent along with it. The difficulty in getting people in this category is the lack of skill and availability of them in our area.

Mr. GLICKSTEIN. Now, we are talking about secretaries?

Mr. Strong. I am talking about the clerical or technical or anything above a starting——

MR. GLICKSTEIN. I would like to talk about secretaries, just secretaries?

Mr. Strong. Okay.

MR. GLICKSTEIN. Have you tried the State trade schools?

Mr. Strong. We have taken positive affirmative action throughout our system and bear in mind that——

MR. GLICKSTEIN. Have you or members of your staff gone to any of the predominantly Negro trade schools seeking Negro clerical employees?

Mr. Strong. Oh, yes.

Mr. GLICKSTEIN. Have you gone to some of the secondary schools that have vocational educational courses in the secretarial field?

Mr. Strong. Yes.

Let me explain that this program was carefully laid out to our supervisors in a series of meetings, not just once.

Mr. GLICKSTEIN. Who is that that went to a State trade school to seek Negro secretaries?

Mr. Strong. Well, the person responsible for the operation did. I did not from Birmingham because I am a staff employee and do not take over the responsibility of operations.

Mr. GLICKSTEIN. But you know for a fact that people from the Alabama Power Company went to predominantly Negro State trade schools to seek Negro secretaries?

Mr. Strong. Let me for the record read one of the memoranda. I will answer your question, Yes, but I think this Commission needs to know more than Yes.

This is a memorandum from W. C. Long, Division Manager in Eufaula. It says, "On April 20, 1967, Mr. Ernest Strong discussed various aspects of the Civil Rights Commission and the Equal Employment Opportunity Commission as related to our employment practices. Within one week after this meeting I made an

appointment with Mrs. Mary English Perior, Principal of McCoo High School, to acquaint her with our desire to employ Negro high school graduates.

"I took with me Mr. Henry Thomson, who has been employed by us for several years. Mr. Thomson is a highly respected Negro in the Eufaula community. He and I met with Mrs. Perior in her office for approximately an hour. And I explained to her that we did have vacancies from time to time and were interested in employing Negro high school graduates to work in our line and construction crews.

"I also explained to Mrs. Perior that there were certain qualifications that applicants would have to meet in addition to education. However, we would consider Negro applicants that she wished to send to us who in her opinion would be qualified to work with Alabama Power Company.

"The entire discussion was conducted on a friendly business-like manner and Mrs. Perior seemed interested and offered to assist in any way possible she could.

"After having had this discussion with Mrs. Perior I have had subsequent discussions with Mr. Thomson since we have received no applicants as a result of this meeting. Mr. Thomson talked with me on several occasions and stated that he was having difficulty in finding applicants that he considered qualified. However, he finally did send three applicants to us for an interview.

"In a further effort to secure qualified Negro applicants I contacted Judge George Little, and advised him that the Alabama Power Company was interested in hiring qualified Negroes to work in line crews and requested he refer any Negroes to us who might be interested in qualifying for employment."

Mr. GLICKSTEIN. Mr. Strong, you have a fairly large operation in Eufaula. Is that correct?

Mr. Strong. In the band that you are making the study of, this is the largest, yes.

MR. GLICKSTEIN. Mr. Strong, under Article 17 of your collective bargaining agreement you are permitted to utilize students participating in cooperative education programs. Now, as I understand cooperative education programs, they are programs in which students do some work at school and then also work on the job—company, to learn their skills?

Mr. Strong. That's right.

MR. GLICKSTEIN. Mr. Strong, in Eufaula the white high school has a cooperative education program, McCoo High School, the one that you just told us about does not have a cooperative educational program. Have you suggested to McCoo High School, to the board of education in Eufaula, that they should introduce a cooperative education program for Negro students and that your company

would be happy to utilize them as you are permitted to do under your collective bargaining agreement?

MR. STRONG. Mr. Glickstein, that cooperative program is not with high schools. It is engineering co-op with the universities that have electrical engineering programs. We do not have co-op programs with high schools. Never have had.

MR. GLICKSTEIN. You just indicated that you are interested in hiring high school students or graduates. Is there anything in your collective bargaining agreements that would preclude you from doing that?

Mr. Strong. No, it would not preclude us, but by company policy we have never had any high school co-ops.

Mr. GLICKSTEIN. Wouldn't that be a way of getting additional Negro secretaries?

Mr. Strong. I suppose it would, yes.

MR. GLICKSTEIN. Has the General Services Administration required you to adopt an affirmative action plan to improve your Negro employment ratio?

Mr. Strong. To prove?

MR. GLICKSTEIN. To improve.

Mr. Strong. To improve?

Mr. GLICKSTEIN. Right.

Mr. Strong. What do you mean by "affirmative action program"?

MR. GLICKSTEIN. Under the Executive order governing Government contractors and under the regulations that have been published, Government contractors are required to have an affirmative action program under which they must make special efforts to recruit minority members and under which in general the test is not so much what you do but the results.

Has the General Services Administration imposed such a plan on you?

Mr. Strong. If you mean a quota or percentage, no.

MR. GLICKSTEIN. I don't necessarily mean a quota or percentage but have they said, Mr. Strong: "We feel that going from three Negro craftsmen in 1966 to four in 1968 isn't terribly fast progress; we would like to see that increased considerably next year"?

MR. STRONG. They have not, no.

Mr. GLICKSTEIN. They have not done that?

Mr. Strong. No.

Mr. GLICKSTEIN. And they haven't done that with clericals either?

Mr. Strong. No.

Mr. GLICKSTEIN. Mr. Strong, we are very frequently told by companies that they would be very anxious to increase the number of Negro employees they have. However, one of the things that concerns them is community reaction. They might lose customers

if they do something like that. Now, I take it that your company is not afraid to lose customers unless the customers want to operate with kerosene lamps?

Mr. Strong. That's right. We have no public relations reaction

in that respect.

MR. GLICKSTEIN. So you wouldn't have to worry about the public if you wanted to include—improve your minority employment picture?

Mr. Strong. No.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman.

COMMISSIONER FREEMAN. Mr. Strong, the record of employment with respect to your company and your responses to Mr. Glickstein's questions indicate that there is a very serious case of racial discrimination against black people. The disturbing thing here is that your company is a Government contractor, and in answer to Mr. Glickstein's question you said, "What do you mean by affirmative action?"

In your contract between the public utility and the Government contract there is a specific provision signed by that company which says that it will not discriminate, which also says that it will take affirmative action to assure equality of opportunity, and you as a personnel manager don't even know what it means.

And in addition to that your company enjoys a special place in the economy of this State by having an exclusive franchise. Now, how long can this kind of thing continue when a company that has two and a half million dollars of Federal funds together with all the funds that it receives from the people in the State make excuses for its failure to employ black people on the basis of their qualifications?

Mr. Strong. Mrs. Freeman, as a point of clarification, I asked Mr. Glickstein what did he mean by "affirmative action." Of course I know what affirmative action means, and I am prepared to testify the rest of the day on what this company has done.

COMMISSIONER FREEMAN. How many people are employed and given opportunities for employment? Affirmative action means actually steps taken to employ persons, not memoranda, not letters. This is what the affirmative action program is supposed to mean.

Mr. Strong. Do you mean that affirmative action means to pick a Negro who is not qualified and put him to work in this company?

COMMISSIONER FREEMAN. Affirmative action means that you do not take specious terms in trying to deny opportunities. Linemen are trained but they are trained over periods of years.

Mr. Strong. That's right.

COMMISSIONER FREEMAN. But if they have never been employed, at any point, they can never get the opportunities.

Mr. Strong. We are employing potential Negro—

COMMISSIONER FREEMAN. How many?

Mr. Strong. —Negro linemen.

COMMISSIONER FREEMAN. How many?

MR. STRONG. The question was asked: What was the largest group of Negro—and I replied that 140 were in the labor classification.

COMMISSIONER FREEMAN. They are still in the laboring classification and there are four that are in a skilled or higher classification?

Mr. Strong. Mrs. Freeman, I think if you studied the record——COMMISSIONER FREEMAN. I took the figures as you stated them.

MR. STRONG. —you will find that this company has made progress since the passage of the Civil Rights Act and rather substantial progress in bringing the Negro into the work stream. But the competency factor still remains essential in our economy if we are to serve our customers economically and satisfactorily.

COMMISSIONER FREEMAN. This is precisely the point. In these 16 counties your customers are also black?

Mr. Strong. Well, I think at this point an explanation needs to be made to this Commission as to how jobs are filled in this predominantly—band that we are studying today. And that is that they are filled by bidding process through the bargaining unit. And if a job as a local operations lineman opened up at Linden or any of these other towns, we couldn't hire them from outside the company, and we couldn't find a journeyman lineman available to go there and fill the job in the first place.

COMMISSIONER FREEMAN. I suggest to you that the bidding process, the whole procedure is the kind of thing that keeps them out of employment, and that your company needs to review and appraise the entire procedure.

Mr. Strong. Well, this is a matter of collective bargaining. We have continued collective bargaining for years.

CHAIRMAN HANNAH. Mr. Strong, I would like to ask a question or two.

The Commission has been in operation for more than 10 years. Of course one of the problems that we found all over the country isn't limited to the South, it is a very real problem in the North. It causes more trouble there than anywhere else, is this business of where there is collective bargaining in a union, the matter of seeing to it that the union rules do not preclude the possibility of Negroes or members of other minority groups getting jobs.

The most notorious unions in this respect, of course, are those in the builders' trades where it is practically necessary to have a father that was in the union, or a grandfather, or before a young man can qualify to get through the first step of apprenticeship training. And without pursuing the questioning Mrs. Freeman has been asking, I would just like to ask you the question as to whether

or not you don't feel there is an obligation on the Alabama Power Company to be concerned not only in its direct hiring practices but in its dealings with the union, in its negotiations with them, with the employees for collective bargaining arrangements, to see to it that there are not devices, or if there are devices, the walls are taken down so that it is possible to employ Negroes?

Mr. Strong. You are right, Doctor. And we are engaged in just the pursuit of that. By further definition of affirmative action, Mrs. Freeman, I would like to place in the record the question was asked informally in my office: "Did the company have a mutual non-discrimination clause in our contract?" And I stated that we did not.

And the gentleman asked: "Why?" And I gave him the reason, and I am prepared to go on record this morning as to that action that was taken to show you the good faith of our company in trying to do just what you have asked, Doctor.

Affirmative action taken in compliance with the Civil Rights Act—and this has to do with negotiations—on August 4, 1966, the company submitted as a part of its proposals for contract settlement with the IBEW the following: "In this view of our joint obligations under Title VII of the Civil Rights law of 1964, the company proposes to add to Article 3, paragraph B, that, 'The parties further agree that in the application of this agreement there shall be no discrimination because of race, color, sex, religion or national origin'."

This proposal was discussed during negotiations on October 10, 1966, November 17, 1966 and November 21, 1966. The union refused to accept this proposal and on November 29, 1966, the company withdrew the proposal during negotiations.

Now, this is—their reason given was that there is nothing in the contract that discriminates now. So why should we have to sign a mutual nondiscrimination clause when there is nothing in the bidding process, or in the handling of grievances or arbitration or any other matter that discriminates against the Negro.

CHAIRMAN HANNAH. Well, the only point I want to make again, and I don't want to labor this one, it is a plausible enough statement on the part of the union, but as a matter of fact, it can be used and in effect is used to make it practically impossible for Negroes to get employment in situations that makes it possible for them to advance to higher positions in the company, and if I understand what you are saying, that you recognize there is an obligation on the part of your company to see to it that the company complies with what is the law, and you really don't have any alternative, because as long as you are a Federal contractor this is going to be required, it is up to your management to see to it

that this is front and center and kept there. Do you have any further questions, Mrs. Freeman?

COMMISSIONER FREEMAN. No. sir.

CHAIRMAN HANNAH. Mr. Patterson.

VICE CHAIRMAN PATTERSON. Are you taking affirmative action with respect to the union's position?

Mr. Strong. We come into negotiations again this June, or July, and we propose to resubmit this mutual nondiscrimination clause.

VICE CHAIRMAN PATTERSON. Are there any other steps that you can take?

Mr. Strong. There is nothing that I know of in the contract or in our relations with the union now that interferes with the employment or the processing of grievances of Negroes. They have the full responsibility to represent their membership.

VICE CHAIRMAN PATTERSON. Do you as the company representative sympathize with the union position on this?

Mr. Strong. The union position of not wanting to put this in the contract?

VICE CHAIRMAN PATTERSON. That's right.

Mr. Strong. No. I don't sympathize with the union. We endeavored to get it in the contract. This was during a strike that lasted  $4\frac{1}{2}$  months, or some—and this part of the company's request along with some of the others was finally withdrawn.

That wasn't the thing that created the strike or that resolved the strike, but in the collective bargaining process, over the period of time that it was discussed it was finally dropped by the company. No, I don't endorse the union's position on it for 1 minute. Neither does the company. That is why we are going to propose it again this next spring.

VICE CHAIRMAN PATTERSON. I understand that, and we are really over into the area of management attitudes and these are very difficult things to measure or to state. But I just wanted to echo what Dr. Hannah said.

In the area of affirmative action, sometimes management working with the union in the field of attitudes and persuasion, these things do become quite important.

MR. STRONG. Yes, sir. I see the point that you have raised but I don't know in what area we could do any more with the union on it.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Before turning the questioning over to Mr. Taylor, the point is, this is the law, and it is a requirement that isn't going to change. We have moved into a different kind of a world and we are there, and management, and everyone else has the responsibility to see that we get there and not to back off easily where there are demands made for the preservation of prac-

tices which do in fact keep the Negro from getting the opportunity that he deserves.

Mr. Taylor?

MR. TAYLOR. Mr. Strong, the union that we are talking about is the International Brotherhood of Electrical Workers?

Mr. Strong. Yes.

MR. TAYLOR. If my question can be answered without going into great detail, are there other categories in employment that are in your operations that are not covered by a collective bargaining agreement?

Mr. Strong. Oh, yes. Our technical and clerical, and such supervisory. About 2,500 of employees are represented by the bargaining unit. These are principally workers in our generating plants and in our field operations.

MR. TAYLOR. So you mentioned clerical. So you are not saying that the union is any kind of an impediment to you improving your record in the clerical area?

Mr. Strong. No, they don't represent those employees. They represent the meter readers but the meter readers are identified as clerical because they are accounting employees, but other than that there are no other clerical employees represented.

Mr. TAYLOR. You said a moment ago, what are we talking about when we talk about affirmative action? Are we talking about hiring unqualified employees? Well, I would suggest as a personal opinion to you, Mr. Strong, that's just what we may be talking about, hiring employees who are not qualified at the time that they are initially retained and training them if necessary.

I think that is one aspect of affirmative action. Is that something that is beyond the scope of what you might do at the moment?

MR. STRONG. Well, I don't think so. I think right now this question of the hard core unemployed in the Birmingham area, we are getting into that on a special situation. But this setting up special training facilities, and training units and things like that for them.

Mr. Taylor. One other thing I would want to suggest is to the extent that you feel your collective bargaining agreement impedes your efforts to improve your equal employment record. It may be that you can supersede that collective bargaining agreement and remove those impediments, because I would think your obligations under the Equal Employment Law would supersede anything in the collective bargaining agreement which tends to go the other way.

Now, in the period of January to March, 1967, am I correct that a compliance survey was done by the General Services Administration of your division?

Mr. Strong. Yes, that is correct.

Mr. TAYLOR. Now, after that review was completed, can you tell

us, did GSA give you any specific instructions, or any specific advice?

MR. STRONG. No. You mean, if I understand you correctly, did they give a written report of their finding, and remedial measures to take, and things like that?

MR. TAYLOR. That's correct.

Mr. Strong. No. There were suggestions made from time to time as Mr. Pollock made his field inspections, but those were nominal suggestions that were adhered to. In some of those cases he would say: "Well, I think it would be a good idea for you to contact the principal of the predominantly Negro high school and let him know of your opportunities available for qualified Negroes" and that we did.

That gets back to why I asked: "What do you mean by affirmative action." I am thoroughly aware of the responsibilities for affirmative action, but yet if you say affirmative action, how many have you got, and if that is the definition put to it, I still say that we have made good progress in the year since the passage of the Civil Rights Act.

MR. TAYLOR. There may be room for disagreement on that, but in answer to the question I asked, your answer is that they gave you no specific instructions or advice after the completion of the survey?

Mr. Strong. That is right.

MR. TAYLOR. I have no further questions, Mr. Chairman. I would suggest that in view of the discussion that we formally request the International Brotherhood of Electrical Workers to state their views for the record on this matter since there has been a discussion on this.

CHAIRMAN HANNAH. You don't propose to do this at this hearing or by letter?

MR. TAYLOR. By letter.

CHAIRMAN HANNAH. Agreeable.

COMMISSIONER FREEMAN. Mr. Chairman, with respect, I would also like this Commission to ask for a similar statement from the General Services Administration.

Mr. GLICKSTEIN. Mrs. Freeman, we are going to have representatives of the General Services Administration here later this morning to speak to.

CHAIRMAN HANNAH. You are excused, Mr. Strong. Thank you, sir. Mr. Glickstein, call the next witness.

Mr. GLICKSTEIN. The next witness is Mr. William Hearn.

CHAIRMAN HANNAH. Request has been made that there be no photographs of this witness, so the lights will be put out. There will be no recording.

(Whereupon, Mr. William M. Hearn was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. WILLIAM M. HEARN, JACKSON, ALABAMA

MR. GLICKSTEIN. Mr. Chairman, I would like to note for the record that Mr. Hearn was here last night prepared to testify and because we ran behind schedule we asked him if he would mind coming back this morning and he willingly agreed to do so.

Mr. Hearn, would you please state your full name and address for the record?

MR. HEARN. William M. Hearn, Jackson, Alabama.

Mr. GLICKSTEIN. What is your occupation?

Mr. HEARN. Personnel manager for Allied Paper, Inc., Jackson.

MR. GLICKSTEIN. What does Allied Paper do?

Mr. Hearn. We are a pulp and paper operation producing pulp and fine business grades of paper.

Mr. GLICKSTEIN. How long has the Allied Paper Company been in Jackson?

Mr. Hearn. Approximately 4 years.

MR. GLICKSTEIN. Four years?

Mr. Hearn. Yes.

Mr. GLICKSTEIN. How many people do you employ now?

Mr. Hearn. At the present time approximately 440 to 450.

MR. GLICKSTEIN. Was the Allied Paper Company assisted in any way by Clarke County at the time it moved into Jackson?

Mr. Hearn. We were assisted by an industrial development bond issue floated by the city of Jackson, Alabama.

Mr. GLICKSTEIN. Do you have any idea what the size of that industrial bond issue was?

Mr. Hearn. Actually there have been two. The first one approximately \$10 million, and the second one I think was approximately \$11 million.

Mr. GLICKSTEIN. Has your company had a significant economic impact on the area in which you have located?

Mr. HEARN. Yes, sir, we feel that we have.

MR. GLICKSTEIN. I am not sure I recall whether you told us how many employees you have?

Mr. HEARN. Between 440 and 450. It fluctuates some.

Mr. GLICKSTEIN. I am sorry?

Mr. Hearn. Between 440 and 450 at the present time.

Mr. GLICKSTEIN. How many of those employees are Negro?

Mr. HEARN. Forty-seven.

Mr. GLICKSTEIN. Forty-seven?

Mr. Hearn. Yes, sir.

Mr. GLICKSTEIN. What type of positions do these Negroes hold?

Mr. HEARN. They hold positions from watchman up to semiskilled.

MR. GLICKSTEIN. How many of them are performing semi-skilled work? How many of the 40?

MR. HEARN. Our last EEO One report which I believe you have a copy of, which we submitted back in March, we had 11 at that time. We are now somewhat above that, approximately 15 to 17, I would say, at this time.

Mr. GLICKSTEIN. You had 11?

Mr. HEARN. In March.

Mr. GLICKSTEIN. Performing semi-skilled work?

Mr. Hearn. Yes.

MR. GLICKSTEIN. And the other Negro employees, 29 of them are performing work in lower graded categories?

Mr. HEARN. That's correct.

MR. GLICKSTEIN. I think the figures that you supplied us indicated that 21 are performing unskilled work and eight of the Negroes are janitors?

MR. HEARN. Well, not janitors, service workers.

MR. GLICKSTEIN. Service workers?

Mr. HEARN. Yes.

MR. GLICKSTEIN. What sort of work does a service worker do?

Mr. Hearn. This includes janitorial work but it also includes some casual labor that we might use around the office at different times.

MR. GLICKSTEIN. Is your company a Government contractor?

Mr. Hearn. Yes, sir.

MR. GLICKSTEIN. Do you know with which agency you contract?

Mr. HEARN. I know of one agency, GSA.

MR. GLICKSTEIN. What do you sell to GSA?

Mr. Hearn. Primarily I believe cut size paper for office type use, I would assume, and some printing applications.

MR. GLICKSTEIN. Have the GSA contract compliance people been around to see you on occasion?

Mr. HEARN. Yes, sir.

MR. GLICKSTEIN. What have they demanded or requested of you? MR. HEARN. We were visited I believe last in December of '67 by GSA and at the time we went to Washington and talked with them. They made three recommendations as far as our Jackson, Alabama operation was concerned, one being that we eliminate testing. The second one being that we correct some-bathroom facilities in one of our restrooms, and the other being that we correct some facilities in our locker and shower areas.

MR. GLICKSTEIN. This was in January of '67?

Mr. HEARN. No, this was in December of '67.

MR. GLICKSTEIN. December of '67?

Mr. Hearn. Yes.

MR. GLICKSTEIN. And I take it your testimony is that in December of 1967 the Allied Paper Company in the Jackson plant had segregated restroom and segregated locker rooms?

Mr. Hearn. No, sir.

MR. GLICKSTEIN. What is your testimony?

Mr. Hearn. We did not feel at that time that we had segregated locker rooms and facilities.

Mr. GLICKSTEIN. But GSA did?

Mr. Hearn. Yes.

Mr. GLICKSTEIN. What did you feel they were?

MR. HEARN. Well, the locker room problem came up because we had some Negroes using a supervisor's locker room in preference to the locker room that the other hourly employees used so to comply with GSA we closed this locker room and reassigned the colored lockers into the larger locker room.

Mr. GLICKSTEIN. Up until that time your Negro hourly employees were allowed to use the supervisor's locker room?

Mr. HEARN. We had people using both rooms. But a majority of them did use the supervisor's locker room.

MR. GLICKSTEIN. Mr. Hearn, I think the statistics you gave us indicate that you don't have any Negro supervisors?

Mr. HEARN. No, sir.

MR. GLICKSTEIN. Correct. You also supplied us with a number of charts indicating the lines of progression in the various departments in your plant. And as I understand the way a line of progression works, the jobs in that line or related jobs, a person starts at the bottom of the line, and over the years he is able if he is qualified to move from the bottom to the top?

Mr. Hearn. That's correct.

Mr. GLICKSTEIN. Is that an accurate description?

Mr. Hearn. Yes, sir.

MR. GLICKSTEIN. In looking over the charts that you gave us indicating the lines of progression, I believe you checked off the Negro employees. I didn't come up with the total of 43 Negroes.

MR. HEARN. No, they are not all in these lines of progression. We have I believe a total now of 19 that are in these lines of progression which you have.

Mr. GLICKSTEIN. Where are the others?

Mr. Hearn. They are in the labor classification.

MR. GLICKSTEIN. They are all in labor classification?

Mr. HEARN. Or service workers or truck drivers.

Mr. GLICKSTEIN. How does a Negro get from service worker classification or laborer's classification to a line of progression?

MR. HEARN. By a transfer of request and upon approval of the company.

MR. GLICKSTEIN. Just to clarify the record, your plant is not unionized, is it?

Mr. Hearn. We do not have a certified bargaining unit. We lost an election the Pulp, Sulphite and Paper Mill Workers and Paper Makers and Paper Workers in April, but the NLRB has not certified the election.

Mr. GLICKSTEIN. So you don't have a collective bargaining agreement?

MR. HEARN. No.

Mr. GLICKSTEIN. So the election is in dispute?

Mr. HEARN. That's right.

MR. GLICKSTEIN. You say a Negro can transfer to one of the lines of progression. If a job opens up, say in the wood yard department as a utility laborer, would that job be posted for people to bid on?

Mr. Hearn. No, sir, it is normally not posted.

MR. GLICKSTEIN. It is not posted?

Mr. HEARN. No.

MR. GLICKSTEIN. How do you select the people to fill that position?

MR. HEARN. Well, at the present time these people, let's take, for example, in the wood yard department, if we had a vacancy for a reclaimer operator——

Mr. GLICKSTEIN. What about a utility laborer? I am talking about the person on the bottom of the ladder:

MR. HEARN. If we had a vacancy for a utility laborer, we would normally hire that man from application. If we had no transfer request from other parts of the plant, let's say.

Mr. GLICKSTEIN. How would anybody know that the job was open?

MR. HEARN. Well, I suppose normally it is common knowledge in a small plant like ours when there is a vacancy.

MR. GLICKSTEIN. If somebody occupying a position as a utility laborer were to quit you would wait a short time and see if any of your present employees applied for it and if nobody applied for it in the plant then you go through your applications or solicit applications?

Mr. Hearn. Yes, sir.

MR. GLICKSTEIN. With the preponderant number of your Negro employees not in the lines of progression don't you think that your company has some obligation to take affirmative steps to see if any of those employees are interested in bidding on these jobs when they became available, or transferring into those jobs?

MR. HEARN. Well, we feel we have done this to a point. Now, these people as utility laborers were not considered a part of the progression at one time. They are now. This is a recent development. They have not always been a part of this progression.

Mr. GLICKSTEIN. I am not sure I follow the relevancy of your answer. Let's take another category.

You have a line of progression involving storeroom and chemical handling department. The lowest job on that ladder is chemical unloader. If a job as a chemical unloader becomes vacant would you solicit your Negro employees who are laborers or service workers and ask them if any of them are interested in transferring into that job?

MR. HEARN. We have not made this a practice, no.

MR. GLICKSTEIN. You haven't made that a practice?

Mr. Hearn. No.

MR. GLICKSTEIN. You just wait a couple of days and see if somebody applied for it. If not—

Mr. Hearn. Normally we have a transfer request on file in our office, practically at all times for the various starting jobs in the plant as far as the progressions are concerned.

MR. GLICKSTEIN. What is the practice in transferring from one line of progression to another? Does that occur frequently?

Mr. Hearn. Yes. sir.

MR. GLICKSTEIN. When an employee transfers from one line of progression to another, does he retain his seniority?

MR. HEARN. Yes, sir.

MR. GLICKSTEIN. What type of seniority are we talking about?

Mr. Hearn. He retains his mill seniority. He would start over on department seniority if he went to a new department. He would start over on job seniority if he went to a new job.

MR. GLICKSTEIN. In other words, if a man was in the wood yard department and had been there for 8 years, transferred to the maintenance department, he would retain 8 years of mill seniority but lose his 8 years wood yard seniority and he would start at the beginning of the maintenance line of progression?

Mr. Hearn. Yes. sir.

MR. GLICKSTEIN. What if a Negro laborer who had been with you for four years since you began transferred into the wood yard department, he would retain his 4 year mill seniority. What would he lose? Would he lose anything?

Mr. Hearn. I don't feel he would lose anything. He would lose his time in whatever department he left, as far as being a part of that department. This is one reason why a man normally goes to the bottom and starts up the ladder of promotion within a department.

MR. GLICKSTEIN. In other words, if a Negro laborer was transferred into the wood yard department as a utility laborer, the lowest slot on that ladder, and that Negro laborer worked for you for 4 years, he would still retain his 4 year's mill seniority, but as far as the wood yard department, he would be the low man on the pole?

MR. HEARN. That's correct.

Mr. GLICKSTEIN. If something were to happen that required that you cut back on the number of people in the wood yard department, that person would be the first one that would be laid off. Is that correct?

Mr. Hearn. Yes. He would be laid off first from the wood yard department but not necessarily from the mill.

Mr. GLICKSTEIN. I understand that, he would be laid off first from the wood yard department and return to his laborer's job.

MR. HEARN. Return to his old department.

MR. GLICKSTEIN. Have you conducted any training programs for your employees?

Mr. HEARN. Yes, sir.

Mr. GLICKSTEIN. What type of training programs have you conducted?

Mr. Hearn. We have conducted through the assistance of the U.S. Department of Labor a manpower and development training program, MDTA.

MR. GLICKSTEIN. What were you training people for in this MDTA training program?

Mr. Hearn. Basically for jobs covering almost the entire plant. There were jobs selected from each of the department progressions which you have. Not all of the jobs in the mill, of course.

MR. GLICKSTEIN. Do you have any idea how much money you received to conduct this training program?

Mr. Hearn. The total amount of the grant is approximately \$160,000 to \$170,000.

MR. GLICKSTEIN. If you didn't have this grant how would people be trained for these positions?

MR. HEARN. Well, the company would have had to assume the full cost of training these employees.

MR. GLICKSTEIN. How many trainees have participated in this course so far?

Mr. Hearn. Approximately 75, I would say, have completed it at this point. We have not completed the full program.

Mr. GLICKSTEIN. Seventy-five completed it at this point?

Mr. Hearn. Yes, sir.

Mr. GLICKSTEIN. How many of those 75 were Negro?

Mr. HEARN. Seven.

Mr. GLICKSTEIN. About seven?

Mr. Hearn. Yes, sir.

Mr. GLICKSTEIN. And those Negroes found their way into one of the lines of progression?

Mr. HEARN. Yes, sir, they are in these progressions which you have.

MR. GLICKSTEIN. How many people are presently participating?

Mr. Hearn. Oh, at the present time only five or six. We are down very low at this point.

MR. GLICKSTEIN. How about last month? How many were in it?

Mr. Hearn. Probably last month seven or eight.

Mr. GLICKSTEIN. And the month before?

Mr. HEARN. Ten.

MR. GLICKSTEIN. And how many of those 10 were Negro?

Mr. HEARN. I don't recall any at that time.

MR. GLICKSTEIN. You don't recall any of those 10——

Mr. Hearn. No.

Mr. GLICKSTEIN. —were Negroes?

Mr. Hearn. No. They completed during the earlier part of the program. We do have some 35, I guess, additional employees to train yet.

MR. GLICKSTEIN. As far as you know, Mr. Hearn, the General Services Administration, GSA, is now satisfied that you are in compliance with the Executive order?

Mr. HEARN. As far as I know, yes, sir. We have advised them of the steps we have taken following their recommendations.

MR. GLICKSTEIN. Let me ask you a question, Mr. Hearn. In dealing with the contract compliance people from GSA, have you had some considerable experience in dealing in these matters?

Mr. HEARN. Personally?

MR. GLICKSTEIN. Yes, sir.

Mr. HEARN. No, sir.

MR. GLICKSTEIN. But you have had it in this situation?

Mr. Hearn. Yes.

MR. GLICKSTEIN. This might be a difficult question to answer but do you feel that you really are under tremendous pressure to comply and that you just have to do it or else serious consequences are going to befall the company?

MR. HEARN. I don't know if I know quite how to answer that.

MR. GLICKSTEIN. Do you feel that you really have a gun to your head and if you don't do it the company might lose its Government contract, or do you feel that this is the situation that you can negotiate in and talk about and conciliate and mediate and so forth?

MR. HEARN. I think if we intend to be a Government contractor we would expect to abide by the contract regulations.

MR. GLICKSTEIN. Do you have any knowledge of your own of the extent to which Government contracts have been canceled for failure to comply with nondiscrimination clauses?

MR. HEARN. No, sir.

MR. GLICKSTEIN. Do you think officials in your company do?

Mr. Hearn. I have no knowledge of that.

MR. GLICKSTEIN. You have no knowledge. Would you be surprised if you were told that no Government contract has ever been canceled for failure to comply?

Mr. Hearn. I have no thought on it one way or the other.

Mr. GLICKSTEIN. I see. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Hearn, when your company started its operation in 1964 how did you obtain your employees?

MR. HEARN. We obtained most of our employees by setting up an employment office uptown, taking applications at the office which were processed, and of course following that, we interviewed and selected our initial employees.

COMMISSIONER FREEMAN. How many Negroes were employed at that time?

Mr. Hearn. I would say approximately 25.

COMMISSIONER FREEMAN. In what positions were they employed?

MR. HEARN. Some of these same positions that Mr. Glickstein has as far as progressions are concerned.

COMMISSIONER FREEMAN. I believe the home office of your company is New York City. Is that right?

MR. HEARN. Yes. Ma'am.

COMMISSIONER FREEMAN. And at what other locations is the Allied Paper Company in operation?

MR. HEARN. Primarily in Kalamazoo, Michigan.

COMMISSIONER FREEMAN. How large is the company?

MR. HEARN. In terms of what?

COMMISSIONER FREEMAN. Sales.

MR. HEARN. I have no idea. In terms of employees within our own division, I would say 2,000, 2,500.

COMMISSIONER FREEMAN. It is a large operation?

MR. HEARN. Relatively so, yes.

COMMISSIONER FREEMAN. You indicated that there are a few Negroes in semi-skilled positions. How many positions in the company are classified as skilled?

Mr. Hearn. We would classify the top jobs in each of these departments as skilled classifications, along with the journeyman classifications in maintenance as skilled classifications.

COMMISSIONER FREEMAN. Do you have any Negroes in any of those positions?

MR. HEARN. In the skilled positions?

COMMISSIONER FREEMAN. Yes.

Mr. HEARN. No.

COMMISSIONER FREEMAN. Has the GSA or the Equal Employment Opportunity Commission raised any questions with your company with respect to your failure to have any Negroes in skilled positions?

MR. HEARN. No.

COMMISSIONER FREEMAN. They have not inquired about this at all?

Mr. Hearn. No. We have discussed with them the promotional sequence within these departments. They realize that these people are well up the promotion ladder as far as reaching the skilled classification is concerned.

COMMISSIONER FREEMAN. What is the highest promotion level that a Negro has in your company at this time?

MR. HEARN. The highest wage level is a helper in the mechanical department at \$3.45 an hour.

COMMISSIONER FREEMAN. At the rate that has been made in the past how long would it take him to get to the skilled level?

Mr. Hearn. His next job classification will be a skilled level. Commissioner Freeman. How long do you anticipate that that would take?

MR. HEARN. Well, he would normally spend a minimum of 6 months in his present classification before he would be eligible for promotion. He has probably been in it 2 or 3 months at this point.

COMMISSIONER FREEMAN. Do you contemplate that there will be any Negroes in the skilled positions within the next year?

Mr. Hearn. I certainly do.

COMMISSIONER FREEMAN. Would you tell us about your office staff? How many persons are employed as office personnel?

Mr. Hearn. We have I believe, 13 clerical.

COMMISSIONER FREEMAN. How many Negroes are employed there?

Mr. HEARN. None.

COMMISSIONER FREEMAN. None. Has the General Services Administration inquired about your failure to have any Negroes in clerical positions?

Mr. Hearn. Not in that regard. They asked the same question which you have asked and of course we answered that we had none. They indicated that they would like to see some affirmative action which we agreed to.

COMMISSIONER FREEMAN. They said they would like to see it?

Mr. Hearn. Yes.

COMMISSIONER FREEMAN. Is that all they said?

Mr. Hearn. Yes.

COMMISSIONER FREEMAN. Thank you, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. I have no questions.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. Just one question.

When they said they would like to see some affirmative action in that regard, did you understand that to mean that they would like you to hire some Negro clerical workers?

MR. HEARN. Well, as I recall the example that was given, he said, for example, if we had three clerical jobs available and we

hire one out of the three as Negro, this would be very pleasing to them.

Mr. TAYLOR. They said they would be happy?

Mr. Hearn. Yes, sir.

MR. TAYLOR. But you haven't been able to satisfy them so far?

Mr. HEARN. No.

MR. TAYLOR. But it is your desire to make them happy?

Mr. Hearn. Yes, sir.

Mr. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Thank you very much, sir. You are excused. Mr. Glickstein, would you call the next witness?

MR. GLICKSTEIN. The next witnesses are Mr. George Dorsey, Mr. Robert Harlan and Mr. Byron Harding.

(Whereupon, Mr. George Dorsey, Mr. Robert Harlan, and Mr. Byron Harding were sworn by the Chairman and testified as follows:)

TESTIMONY OF MR. GEORGE DORSEY, DIRCETOR, CIVIL RIGHTS PROGRAM POLICY STAFF, GENERAL SERVICES ADMINISTRATION; MR. BYRON HARDING, ASSOCIATE GENERAL COUNSEL, GENERAL SERVICES ADMINISTRATION; AND MR. ROBERT J. HARLAN, CONTRACT PROGRAM POLICY OFFICER, GENERAL SERVICES ADMINISTRATION, WASHINGTON, D.C.

MR. GLICKSTEIN. Would each of you please state your full name and address for the record?

MR. DORSEY. My name is George Dorsey. I am the Director of the Civil Right Program Policy Staff for the General Services Administration. I live at 1009 Cresthaven Drive, Silver Spring, Maryland.

MR. HARDING. My name is Byron Harding. I am Associate General Counsel, General Services Administration. I live at 3812 Estelle Road, Fairfax, Virginia.

Mr. Harlan. I am Robert J. Harlan. I am the Contract Program Policy Officer for GSA. I ilve at 1791 Verbena Street, N.W., Washington, D.C.

MR. GLICKSTEIN. Mr. Chairman, just to put this testimony into context, I would like to quote from a letter that was sent to us by the Administrator of the General Services Administration, which indicates that for the fiscal year 1967 through February 1, 1968, GSA has pending \$1,353,400,000 worth of supply contracts nationally. For the same period GSA has pending in the State of Alabama \$15,614,913 worth of supply contracts.

Mr. Dorsey, how long have you occupied your present position? Mr. Dorsey. I was Acting Director of the Civil Rights Program Policy Staff effective January 9, 1968, and was made Director April 18, 1968.

MR. GLICKSTEIN. And what did you do before that? What was your previous position?

Mr. Dorsey. Equal Employment Opportunity Officer for General Services Administration, responsible for implementing Part I of Executive Order 11246.

MR. GLICKSTEIN. Part I is the part that deals with the inservice, inhouse?

Mr. Dorsey. Inhouse. And about 1961 I was Deputy Contract Compliance Officer in name only.

Mr. GLICKSTEIN. What is the scope of your present responsibilities?

Mr. Dorsey. My present responsibility has to do with the overall administration and implementation of Eexcutive Order 11246, Parts 1, 2, 3 and implementation of Title VI of the Civil Rights Act.

Mr. GLICKSTEIN. How many people do you have on your staff?

Mr. Dorsey. I have three professionals. One is assigned to the Office of Federal Contract Compliance, and as such, really doesn't work—he is on our payroll. He is working for the Office of Federal Contract Compliance, and two full-time professional and two clerical.

MR. GLICKSTEIN. Is it fair to say that you and these two other people that are working with you are responsible for seeing that the \$1,353,400,000 worth of GSA contracts are administered without discrimination on the basis of race?

Mr. Dorsey. In cooperation with the contracting officers, the deputy compliance officers, civil rights coordinators and the bureaus, and other procurement officials.

MR. GLICKSTEIN. Is your operation regionalized?

Mr. Dorsey. Yes.

Mr. GLICKSTEIN. Do you have a Southern Region?

Mr. Dorsey. We have a regional office in Atlanta, Georgia and one in Dallas, Texas.

MR. GLICKSTEIN. And what is the region that the Atlanta office covers. What is it called?

Mr. Dorsey. Region 4, we call it.

Mr. GLICKSTEIN. Is that the Southeast Region?

Mr. Dorsey. Southeast you might call it, yes.

MR. GLICKSTEIN. And how many people do you have working out of that office?

Mr. Dorsey. On my staff?

Mr. GLICKSTEIN. That's right.

Mr. Dorsey. I don't have anyone working on my staff.

Mr. GLICKSTEIN. Do you have somebody—is there somebody assigned to that office?

Mr. Dorsey. The Regional Counsel is designated as the Deputy Contract Compliance Officer.

MR. GLICKSTEIN. For that region?

Mr. Dorsey. For each region.

MR. GLICKSTEIN. In each region the Regional Counsel is the Deputy Contract Compliance Officer?

Mr. Dorsey. That's right, and our Compliance Division, which actually makes the surveys, compliance surveys, and investigation of complaints. They are assigned to the various regions.

Mr. GLICKSTEIN. How many of such people are assigned to the Atlanta office?

Mr. Dorsey. We have one man full-time on the civil rights area. That has been assigned to Atlanta.

MR. GLICKSTEIN. Is it fair to say that that one place is responsible for the over fifteen and a half million dollars worth of contracts that GSA has in Alabama?

Mr. Dorsey: He is responsible for making surveys as directed by our Compliance Division in Washington.

MR. GLICKSTEIN. And is he responsible also for dealing with complaints that might come in?

Mr. Dorsey. As directed from Washington.

MR. GLICKSTEIN. Mr. Harlan, how long have you been with the GSA Contract Compliance Unit?

MR. HARLAN. I started in the Contract Compliance activity in April, 1965. This was at the retirement of Colonel Rosenfeld, who was the Contract Compliance Officer for GSA.

MR. GLICKSTEIN. And what did you do prior to that?

Mr. Harlan. Prior to that I had been appointed Area Coordinator for the Washington area to work with the then President's Committee on Equal Employment Opportunity. And I had the responsibility of the construction activity in Washington, as it related to all Federal agencies who were engaged in construction.

Subsequent to the resignation of the Baltimore Area Coordinator I was requested to assume his duties in Baltimore, and during the time that—right after Colonel Rosenfeld's retirement I was asked to assume his duties. So for a while I was wearing three hats.

MR. GLICKSTEIN. Mr. Harding, what is your relationship to the contract compliance operation?

Mr. Harding. As a representative of the Office of General Counsel, we furnish the legal advice that is requested or desired by the contractor, by the Civil Rights Program Policy staff.

MR. GLICKSTEIN. Have you ever yourself had contract compliance responsibilities aside from giving legal advice?

Mr. Harding. Not directly. For a time the General Counsel acted as the head of that staff and in that capacity while I was a Special Assistant to the General Counsel, I assisted him in that connection, but I was never a part of the staff, no, sir.

Mr. GLICKSTEIN. Did he delegate to you the duties of that work involved?

Mr. HARDING. No, he did not.

MR. GLICKSTEIN. Did you do most of the work that was involved and make recommendations to him?

Mr. Harding. I did a considerable part of it, but he assumed direct control of it and handled a considerable portion of it himself.

MR. GLICKSTEIN. During what period was this?

Mr. Harding. This was from approximately May of 1967 until January of 1968.

Mr. GLICKSTEIN. And then the responsibilities were shifted to Mr. Dorsey. Is that correct?

Mr. Harding. That is correct.

MR. GLICKSTEIN. I have a whole group of questions that I would like to ask you. But we heard some testimony this morning from the Alabama Power Company and the Alabama Power Company indicated that in 1967 they were subjected to a compliance review out of your Atlanta office. You have given us the opportunity to look at your files and we note that the report that was submitted by your employee who did this review states the following: "Inasmuch as findings reflect patterns of restricted minority group employment at all facilities surveyed, you may wish to introduce administrative action against subject at this time."

Now, we heard the personnel manager of the company this morning and he testified that not only was no companywide affirmative action program directed after this survey, but that he was unaware that the compliance review disclosed any serious shortcomings. In fact, I noted that he said that the comments from GSA were nominal.

Can any of you explain this failure of communication?

MR. HARLAN. I can perhaps explain that.

For a long time there was a serious question as to whether or not the Equal Employment Opportunity clause applied to public utility. And also as to whether it applied to railroads. GSA enters into what is known as areawide contracts for power and as a result of this, we require that they include in these negotiated contracts the equal opportunity clause which comes from the Executive Order, initially 10925, and now 11246.

As a result of this experience, and I requested from our utilities people, the service people, that prior to the award of a contract, or prior to the award of a negotiated contract that they require the utility to submit a Form 100, showing the racial statistics, employment statistics—

MR. GLICKSTEIN. What periods of time are you talking about now, Mr. Harlan?

MR. HARLAN. This goes back to about a little before this survey was conducted at Alabama Power.

Mr. GLICKSTEIN. But I take it that by the time the survey was conducted you had concluded that utilities were covered by it?

MR. HARLAN. I still didn't realize whether they were covered but I didn't want to be in the position of not having done anything about awarding contracts to utilities that had the clause in it. I felt the fact that the clause was in the contract that they would be covered regardless of information to the contrary.

MR. GLICKSTEIN. This might be irrelevant. I am just curious if you have any idea what the theory was that suggested that utilities were not covered?

MR. HARLAN. Well, one of the questions that everybody was concerned about was whether or not sanction could be imposed on the basis of the clause in the contract. I am sure you are familiar.

MR. GLICKSTEIN. You mean you just couldn't cancel a contract with the utility?

MR. HARLAN. This is a sole source of supply and if you cancel a contract why then everybody is using candles or oil lamps or they are burning wood if it is a coal company or coal utility.

MR. GLICKSTEIN. We also heard some testimony last night from the American Can Company. The American Can Company is also a GSA contractor. I think their contract amounts to some \$1,762,000 for their Naheola Mill. And they, the American Can Company, has been subjected to GSA reviews in 1965 and 1966. If I recall at the Naheola Mill, of about 1,300 employees, they have about 100 Negroes.

In addition, the American Can Company operates a sawmill in Bellamv.

Now, as I understand the Executive order, the mere fact that that sawmill isn't doing work for the Government does not exempt them from coverage under the Executive order. Is that correct?

Mr. HARLAN. Are you speaking to me?

MR. GLICKSTEIN. Any of you. Mr. Harding?

Mr. Harding. That is correct.

MR. GLICKSTEIN. Well, I am sure there is a great source of curiosity to us here and we heard last night the conditions in this town described as what one might read about in reading an 18th century novel, a source of great curiosity to us is why GSA hasn't done anything about that town, why GSA hasn't forced the company to eliminate the segregated facilities, facilities that are subject not only to the specific scope of the Executive order but are also subject to a very clear directive that has been issued by the Department of Labor requiring the elimination of segregated facilities.

Mr. Dorsey, would you care to comment on that?

MR. DORSEY. I was not aware officially of the housing situation until I read it in this morning's paper about the testimony last night. Although I had heard it mentioned casually in the office, I was not aware of it otherwise.

MR. GLICKSTEIN. I am just curious how an agency like the Commission on Civil Rights, like us, with a tiny staff has been able in a short period of time to come up with information such as this but GSA which administers over a billion dollars in Government contracts every year can't find a few dollars here and there to have enough people so that they can deal with conditions like those described in Bellamy.

MR. HARLAN. May I answer that, Mr. Glickstein?

We too have a tiny staff at GSA. And the billions of dollars about which you speak, this tiny staff has the responsibility of implementing the clause that appears in these contracts.

MR. GLICKSTEIN. Let me interrupt you for a minute, Mr. Harlan.

The American Can Company at Naheola makes toilet paper for GSA. Do you think if that toilet paper was of inferior quality, if it wasn't being produced correctly GSA would take very fast steps to deal with that?

MR. HARLAN. No question about it. The quality control division of the supply——

MR. GLICKSTEIN. Do you have enough people employed by GSA to deal with quality control problems?

MR. HARLAN. I can't answer that. I am not in the quality control, and I don't know what their problems are. I am concerned with GSA equal opportunity problem.

MR. GLICKSTEIN. I am sorry I interrupted you.

MR. HARLAN. To continue, under the compliance agency responsibility that has been created by the Joint Reporting Committee, the Office of Federal Contract Compliance, Plans for Progress, and the Equal Employment Opportunity Commission, each agency has been designated a certain number of contractors for whom they have the compliance responsibility.

At the last count GSA had compliance responsibilities for 889 contractors. This represented some 3,700 facilities. Now, as Mr. Dorsey has indicated, the staff that we have, it is a sort of a hit and miss thing. It just so happens that in regard to Allied Paper, we did have this meeting with Allied Paper and we did as a result of the meeting request what we term a 90-day progress report regarding the segregated facilities at Jackson, Alabama, and also employment statistics for a period of 90 days, and promotion statistics for a period of 90 days, and convince them that the testing which had normally been required to transfer from one line of progression to another should be discontinued because

it may be discriminatory as regards promotional opportunities for Negroes.

Now, if this is just happenstance that we had this, and we had the meeting and did in fact receive the report April the 18th. There are deficiencies in the report which we haven't had an opportunity to go back to the company about these deficiencies—so these are the problems under which we are operating.

Mr. GLICKSTEIN. So you, in other words, asked Allied Paper for a 90-day report and they submitted it?

Mr. HARLAN. That's right.

MR. GLICKSTEIN. But you really haven't had a chance to follow that up with Allied Paper?

MR. HARLAN. We look at the report when it comes in and try to analyze it, but we haven't had an opportunity to analyze it to the degree that we could be back in contact with Allied Paper.

Now, when you consider 889 facilities, and perhaps a number in the neighborhood of about 126 reports I think we maybe have pending coming in, you can recognize the horrendous task that it is to do these followups. I mean this program, as it is being run, is basically project awareness. We do have the responsibility of making these people aware that there is a clause in their contract, and that this clause means just as much as any other clause. But so far as political welfare, social welfare, administrative expediency, we are operating under horrendous conditions so far as the actual issuance of sanctions.

MR. GLICKSTEIN. Has GSA ever terminated a contract?

Mr. HARLAN. Pardon?

MR. GLICKSTEIN. Has GSA ever terminated a contract?

Mr. Harlan, No.

Mr. GLICKSTEIN. Have you ever threatened to terminate a contract?

Mr. HARLAN. Many times.

MR. GLICKSTEIN. How? You sent letters?

MR. HARLAN. We have requested affirmative action programs. We have requested progress reports. After all, all affirmative action is a judgment factor. What is affirmative action to one individual might not be affirmative action to another individual. So the only responsibility that the contracting officer has in determining the responsibility of a contractor, one of the standards is the ability to comply with the equal opportunity clause.

It is my feeling that in order to make that determination they must have some information as to what his compliance posture is or his employment statistics are.

MR. GLICKSTEIN. I just want to interrupt the line of questioning for a moment to make clear that at least in my view we here don't hold any of you gentlemen personally responsible for any overall deficiencies in the program. You are employees of the General Services Administration, if that program isn't being effectively carried out none of you three have the ultimate responsibility to correct that. But you all are experts in this contract compliance field and we are very anxious to get your views as people who are active in this area.

What puzzles me, however, is why an agency like GSA is able to find the resources and the facilities to see if a paper mill is producing toilet paper properly but when it grants Government funds, and in my view, a Government contractor that discriminates after the receipt of Government funds not only is violating the Executive order but is also I think violating the Constitution.

Why do you think that more resources are not being devoted to make sure that every single dollar that is spent by the Federal Government is spent in a way that affords equal opportunity, and how would you deal with this?

Do you think that you would have to triple your staff or quadruple your staff, or what?

Mr. Dorsey. I think this is joint responsibility. As I view our staff it is more of a policy staff. It may be that we are involved too much in operations. We have a larger compliance staff. And the way it is set up, it would appear to me, and that we could utilize them more, rather than all of these pieces of paper coming across our desk and that we would become involved only in the cases that looked like they were really out of compliance. And then we would attempt to hold conferences with them, and that our compliance staff would, in talking directly with the contractors, like Mr. Pollock, they would make recommendations, and we would get feedback information rather than all of the reports coming across our desk and trying to implement them.

I am not sure that additional staff is the sole answer. I think it is better utilization of present staff, quality control inspectors, contracting officers, who ultimately make the award.

MR. GLICKSTEIN. But Mr. Dorsey, would you feel that additional staff is needed in the region, people to supplement Mr. Pollock, for example?

Mr. Dorsey. That is the negative approach on the compliance side. I don't necessarily feel that we should emphasize the negative part, the survey angle.

MR. GLICKSTEIN. Under your present program, if a quality control employee of GSA were to go to the American Can Company's mill at Naheola to check on the quality of the toilet paper and was to notice that there was segregated restrooms and segregated locker room facilities, would he have any responsibility to say anything about that or do anything about it?

Mr. Dorsey. He has the responsibility but I am not sure that we are implementing it to the effect that we should be.

MR. GLICKSTEIN. Is this responsibility made clear to him?

MR. DORSEY. I think it probably has been in the past. Yes, I think it probably has been. He has a form that he is supposed to fill out that we require for equal opportunity.

MR. GLICKSTEIN. He has a form that-

Mr. Dorsey. Yes, there is a form that has been devised that he is supposed to submit information to our staff, which is very meager though on the \$100,000 or more. Among my papers here I have a sample. Yes. He has a form that he asks such questions as: "Has an EEO Compliance review been conducted by the compliance people; Have there been any recent significant changes in the employment pattern; Are entrances, exits, drinking fountains, eating facilities, rest rooms, segregated? If it is yes, explain. Have any changes in subcontractors taken place?"

MR. GLICKSTEIN. Let me ask you another question, Mr. Dorsey. You said that perhaps more staff could help. But you thought it was very important that people like the quality control people and the contracting officer assume greater responsibilities. What effect do you think it would have on your program if a few Government contracts were canceled? What do you think would be the impact if GSA next week were to cancel the contract of the American Can Company? Do you think that would have an impact? Do you think that would shake up a lot of people?

Mr. Dorsey. Yes, definitely, just as you read last week's paper where we threatened to take sanctions against a contractor in Philadelphia on a Federal construction job. I think that has had some impact on the general public. Yes, I definitely think it would have an impact once the news gets out and gets publicized such as this little item did last week in the Philadelphia press, the New York Times, the Washington papers.

MR. GLICKSTEIN. And you think that has more of an impact than lots of conciliating and negotiating?

Mr. Dorsey. I think there comes a point when you have to stop conciliating and negotiating and go to sanctions. Now, what that point is, is a debatable question.

MR. GLICKSTEIN. Do you think—I don't know whether you heard the testimony about the American Can Company town in Bellamy last night?

Mr. Dorsey. I read it in the paper today.

MR. GLICKSTEIN. Do you think that is a debatable question?

Mr. Dorsey. No, no.

MR. GLICKSTEIN. I wonder if—I am probably speaking out of turn, but I wonder if I could suggest to the three of you that before you return to Washington that you drive over to Bellamy?

Mr. Dorsey. I lived in Pittsburgh. I know what the coal towns are. This can't be any worse, I don't think.

MR. TAYLOR. Take a look-see.

MR. Dorsey. Worse than the coal towns in Pittsburgh?

COMMISSIONER FREEMAN. I saw them.

MR. GLICKSTEIN. One final question, before I defer to the Commissioners.

Does GSA have a system of record keeping which permits you to know the names of all the companies that you are responsible for?

MR. Dorsey. We have this list the Office of Federal Contract Compliance gets out. They used to call PIA List, Predominant Interstate Agency. It is out of date, 1966, and then we have our own list from our Federal supply company when they send these forms over for clearance on contracts that they are going to award for \$100,000 or more.

MR. GLICKSTEIN. So with the help of both these lists you can pretty well determine the number of companies and their locations and whether they are covered or whether they have contracts with GSA?

Mr. Dorsey. Yes.

MR. GLICKSTEIN. For example, if you were to get a report that GSA was entering into a large contract with American Can in Naheola, would you have any way of knowing what other facilities the company had and where they were and what their state of compliance was?

Mr. Dorsey. Yes, our files, I think, would show that because we have surveyed a number of the American Can facilities. I think a dozen, throughout the country that we have surveyed.

MR. GLICKSTEIN. Well, under the new procedures for a contract over \$1 million before you actually sign the contract, you would have to conduct a preaward compliance survey. Is that correct?

Mr. Dorsey. That's correct.

MR. GLICKSTEIN. And with a large company that has facilities in all parts of the country would that preaward survey include not only a review of the particular facility with which you are contracting but all of the facilities of the company all over the country?

Mr. Dorsey. I think it would include a general review of surveys that had been conducted at other facilities.

MR. GLICKSTEIN. But you wouldn't go out and do new reviews? MR. DORSEY. I don't believe so. Would we, Bob?

MR. HARLAN. Well, insofar as the \$1 million award regulation, we have the responsibility as other agencies do to conduct preaward surveys if there has not been a survey done prior to 6 months of the award. But here again, you must remember that we have been attempting to fulfill this responsibility, but we have only been doing preaward surveys of the facilities where the point of production is going to be. You can understand in ordinary procurement that you have a certain period of time in which to make an award. So you have a comparable period of time in which

to make surveys so if you have a company like American Can who has I think something like 120 facilities in the country.

It is a practical impossibility to do a survey of every facility that they have to make this determination. And this I think to a large extent is going to be compounded with the recent regulations which requires a nonsegregated facility assurance which the contractor now has to give. So now we are placed in the situation as to whether or not the assurance is in fact a valid assurance, and how are we going to find this out unless we go into the many facilities to find it out.

MR. GLICKSTEIN. In other words, how much time do you have for this?

Mr. Harlan. Sometimes we have 30 days, sometimes we have 20 days, sometimes it takes them 10 to 15 days to find out who the low bidder is. Then after they find out who the low bidder is, now we have worked out an arrangement where we request at least from our procurement people, at least 10 working days in which to get to our compliance investigators the need to do the survey.

But here again we get back to the point of production where the job is to be performed.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Dorsey, we have got laws on the books—

Mr. Dorsey. Pardon?

VICE CHAIRMAN PATTERSON. We have got laws on the books with respect to all of these subjects that you have been questioned about this morning. They are there. You are conducting what you concede to be a hit or miss check on whether that law is being observed.

Mr. Dorsey. I don't entirely agree with that statement.

VICE CHAIRMAN PATTERSON. Hit or miss. Then who used the term? Was it you, Mr. Harlan?

MR. HARLAN, I don't think I made that statement.

VICE CHAIRMAN PATTERSON. Well, one of the witnesses used the term, hit or miss, and I can understand that, as Mr. Glickstein said, you have your limits, but here we have some human problems, it is all right to test the tensile strength of toilet tissue, but the quality of the people who make it is also an issue in this society. And what I want to ask you as a man who deals in this field daily, is what do you think all of this is saying to American business?

Mr. Dorsey. Get on the ball, man.

VICE CHAIRMAN PATTERSON. Do you think it is their duty to obey the law?

MR. Dorsey. Speaking in everyday parlance?

VICE CHAIRMAN PATTERSON. Yes. How would you rate their performance up to now?

Mr. Dorsey. Up to now?

VICE CHAIRMAN PATTERSON. In complying with this law?

MR. DORSEY. I would say very poor. There are exceptions of course. There are some exceptions but they are in the minority, in my opinion.

VICE CHAIRMAN PATTERSON. Well, from your experience do you think you are going to have to force American business to comply with the law or do you believe that they are going to assume their own proper role in abiding?

Mr. Dorsey. I don't think after 7 years since the Kennedy Order 10925, from the slow progress in my opinion that has been made during that period of time, that if we are going to stop this rioting and looting and burning, we have got to accelerate the implementation of the regulations and the laws that are on the books.

VICE CHAIRMAN PATTERSON. You or business? Have you got to accelerate your efforts to make them comply or have they got to accelerate?

MR. DORSEY. They have got to accelerate theirs with some push from the Government, I think. Government alone can't do it. It has got to be a cooperative thing.

VICE CHAIRMAN PATTERSON. Do you see any movement in that direction?

Mr. Dorsey. A slight movement, yes, a slight movement, but it is still a long, hard fight, as I see it.

VICE CHAIRMAN PATTERSON. Thank you.

CHAIRMAN HANNAH, Mrs. Freeman.

COMMISSIONER FREEMAN. Gentlemen, we are dealing with a large expenditure of public funds and there is one very serious defect with respect to the operations that stands out and that is that in the contracts where the specifications are drawn up, as someone said, if we were dealing with toilet tissue and it was defective, the contract would be terminated tomorrow. Or if it were with respect to the asphalt tile, if they gave another kind of tile, it would be terminated tomorrow.

Here we have a situation where this Government has a provision in the contract which it gives a low priority, the quality control people who determine this have taken on the basis of the testimony which we have heard, and there is no procedure administratively which provides for it, no action, and no recommendation with respect to anything but that tile—even though if we take the case of the American Can for the past 8 years, they would have seen deplorable conditions, they couldn't have missed them. Should not then the Government, General Services Administration, or any other Government agency, have determined that there is a basic weakness in the law, and that as it stands now there has been no change?

The companies that were discriminating 7 years ago are still discriminating.

Mr. Dorsey. With token improvement.

COMMISSIONER FREEMAN. There is only tokenism. Can't you, on the basis of what you have seen in your experience, make some recommendation to improve the situation so that we will not have what is going to happen, and that is chaos, unless it is changed?

MR. HARLAN. This is what we are attempting to do, Mrs. Freeman. You have said that if the tissue is not up to standard, if the asphalt tile is not up to standard, we cancel the contract. We don't cancel the contract. We refuse to take that which is not up to standard and we require that they bring it up to standard. This is what we are attempting to do in this program.

We refuse to accept that which is not up to standard as it relates to equal opportunity and we try to get them to bring it up to standard. But this is a constant, constant tooth-pulling exercise.

COMMISSIONER FREEMAN. Mr. Harlan, with respect to contractors, you also have another procedure, and that is where he does not bring the product up to standard you put him on a restricted list and he does not receive the opportunity even to bid on contracts again. That is also one of the policies of the Government, except with respect to equality of opportunity.

MR. HARLAN. We have this same procedure under the contractor ineligibility hearing procedure, in which we negotiate, we conciliate with a contractor. We write letters, we get replies from him in order to try to get him up to standard as it relates to EEO.

COMMISSIONER FREEMAN. Is there any contractor that is now ineligible under this provision?

MR. HARLAN. No, we are talking about contractors who have contracts. And with whom we are negotiating in an effort to get him up to standard. Then we have the contract ineligibility hearing procedure in which we can cite a contractor for failing to have performed his contract, and then in this respect we aren't doing anything so far as the expediency money, and this sort of thing, we are taking this contractor out of the realm of bidding, if we could utilize that procedure.

COMMISSIONER FREEMAN. That is what I am saying. What is stopping you from utilizing that procedure?

Mr. Harlan. I wouldn't say that anybody is stopping us but under the rules and regulations of the President's Committee, under which the Office of Federal Contract and we are operating, and there are present new rules and regulations which are supposed to come out for the Office of Federal Contract Compliance, as I recall the rules, the context of both of the rules, both the proposed and those under which we are operating, this must be done with the advice and consent of the Director of the Office of Federal Contract Compliance.

COMMISSIONER FREEMAN. Would you suggest on the basis of your experience where you admit that very little has been accomplished, that this become a part of the rules and regulations?

MR. HARLAN. I think this is the only way to do it. I don't think that we are going to get people employed canceling contracts. We will get more people employed if we take contractors out of the realm of bidding and say: "You can't even bid on a contract until you satisfy us that you met your requirements as it relates to EEO."

COMMISSIONER FREEMAN. May I suggest that GSA, that they would make that recommendation to the appropriate people?

MR. HARLAN. Well, we will attempt to do that posthaste. We have companies, I think, right now with whom we have been working that we could very well suggest that type of procedure to the Office of Federal Contract Compliance.

COMMISSIONER FREEMAN. Thank you.

Mr. Dorsey. May I interrupt and say something?

CHAIRMAN HANNAH. Yes, sir, go ahead.

Mr. Dorsey. I think this is what I was touching on, Mrs. Freeman, when I suggested that maybe we need to bring the contracting officers into line before they award contracts. We need to indoctrinate them more as I see it, and preventive measures, rather than waiting until the contract is awarded and then going out and surveying.

I think that we have got to be more careful in awarding contracts to have more concrete and specific information that this contractor means to comply with the law. And this is one of the things that I had in mind when I said I was not sure that additional staff was absolutely essential. It is rather the utilization of the staff that we have, these quality control people, and the contracting officers, getting more involved possibly than they have in the past.

CHAIRMAN HANNAH. I have no questions.

I should like to reiterate the point that has been made. You have indicated a recognition that GSA hasn't been as effective as it might be. This Commission many years ago was responsible for a recommendation to the President and to the Congress that funds, Federal Government funds spent directly or through other agencies, should not be spent in violation of law, whether it is Supreme Court law or Congressional law, or Executive order law.

Of course it was clear that when you are dealing with industries that were not accustomed to complying with some of the new laws and regulations, it was appropriate that there be reasonable time for them to get ready and for agencies of the Government to be involved, and for educational programs and so on. But the point the Commission is making in this hearing is that we have passed that reasonable time. And that all of us that have a role in bringing

about what most of us think is progress need to, as you say, when you answered a question, Mr. Dorsey, that you should say to industry "Get on the ball," and we are going to have to say that to people in Government, to "get on the ball" to see that industry and everyone else makes what now is law effective.

That is a preachment of course that is easily made, and I am sure from what you said that you recognize that that time has come.

Mr. Taylor. Just a few questions.

In talking about hearings a few minutes ago, I would like Mr. Dorsey or any of the others to say, has GSA itself ever held informal hearings which might lead to termination of contracts under the rules provided for such informal hearings as I understand it?

MR. Dorsey. Formal or informal?

Mr. TAYLOR. Informal.

Mr. Dorsey. Informal, yes, they have.

MR. TAYLOR. Has it ever recommended on the basis of its findings, that formal hearings leading to a termination be instituted?

Mr. Dorsey. We have a case pending right now. Northern Supply. May I call you Bill? I think I know you well enough to call you Bill.

Mr. Taylor, Sure.

MR. DORSEY. Bill, I would like to clear up something.

Conferences and informal hearings, we have informal conferences going on right now, or have had for the past couple of weeks. Now, I don't know whether you make a distinction between informal hearings or conferences. Is there any distinction between the two?

MR. TAYLOR. Well, the rules provide for something called informal hearings. But let's pass on to the formal hearings which we were talking about.

Mr. Dorsey. As far as I know there has never been any formal hearing, per se.

MR. TAYLOR. And there has been one recommendation which is very recent?

MR. DORSEY. No, there was one in Cleveland, I believe, as I recall, that you might say was in that informal stage of a threat to force subcontractors if they didn't come into line and bring some Negroes on construction jobs. And I believe there have been some other more or less informal conferences. Haven't you participated in some, Bob?

Mr. Taylor. Well, it is not the informal conferences that I am concerned with. The rules provide for formal proceedings, and if the formal proceedings were instituted, the agency might, the contractor might get the notion that the agency means business, that is why I am inquiring into the question of whether there have been recommendations for formal hearings, which would have to be approved, I guess, by the Office of Contract Compliance.

But if GSA doesn't make those recommendations then you never get——

Mr. Dorsey. I am not aware of any formal hearings.

MR. HARLAN. I think we did, if I am not mistaken, insofar as Armstrong Rubber Company is concerned in Natchez, Mississippi, I think that we documented all of the efforts that we had made as regards to trying to get them in compliance and sent this documentation over to OFCC with the suggestion that a hearing be held. And there was subsequent negotiation, but it never reached the extent of the hearing, because at the time that it was acted upon, many of the deficiencies which we had raised in our documentation had been corrected.

Mr. Dorsey. May I add something to it, Bill?

Mr. Taylor. Sure.

Mr. Dorsey. Our contract for the Chairman's benefit, our contract compliance officers, do not determine whether a contractor is in compliance or out of compliance. He makes recommendations that will assist him into coming into compliance, particularly in the recruitment area. But he does not have the authority to say that the contractor is in or out of compliance, he does make recommendations, recruiting, and goes out in the community and contacts the minority community and sees what the posture of the company is.

Mr. TAYLOR. Mr. Harlan, we heard—I understand that the American Can Company is a Plans for Progress employer. Can you tell me very briefly what that means? What is a Plans for Progress employer?

MR. HARLAN. Well, the Plans for Progress concept, I think, was the brainchild of Vice President Humphrey and Mr. Hobart Taylor, at the time Mr. Taylor was the Executive Director of the President's Committee on Equal Employment Opportunity, and this was where there was an agreement signed by many of the larger companies with Mr. Johnson, the President, that they would voluntarily enter into a voluntary compliance with the intent of the Executive order as it relates to the Equal Opportunity provision.

And they even were instrumental in creating and setting up the joint reporting committee, which was also a concept of reporting, and these reports came into Plans for Progress, Equal Employment Commission, and the Office of Federal Contract Compliance.

They also had a staff director, which was a representative of industry who had the responsibility of running the Plans for Progress program in the District of Columbia.

These were all voluntary efforts on the part of most of all of these companies, all of whom are Government contractors.

Mr. TAYLOR. In other words, these are all companies which have obligations under the law, but by associating with Plans for Prog-

ress they said that: "We are in the spirit of this thing, and we are going to perhaps even do more than is necessary under the law." Is that correct?

Mr. HARLAN. That is what they said, yes.

Mr. Taylor. Well, you have had some experience, have you not, over the years at looking at companies of all kinds? I just wonder if you could tell us whether, when you are looking at a plant, whether the fact that it is a Plans for Progress company affects your expectations about what you will find one way or the other?

Mr. Harlan. Well, no, because we aren't looking for voluntary compliance, we are looking for compulsory clause responsibility in the contract. Now, naturally, we comment if we run into a Plans for Progress company that hasn't even voluntarily complied. And we are concerned, and we comment about this to the company.

Mr. TAYLOR. Are you able to say whether from your general experience, Plans for Progress companies have better records than other contractors, or not?

MR. HARLAN. I would say some Plans for Progress companies have better records. But I would say that there are companies who are not Plans for Progress companies who have as good, or better, records than Plans for Progress companies.

Mr. TAYLOR. I have nothing further.

CHAIRMAN HANNAH. Are you through, Mr. Glickstein?

MR. GLICKSTEIN. Yes.

CHAIRMAN HANNAH. Thank you very much. You are excused. We are now taking a 10-minute recess.

CHAIRMAN HANNAH. Ladies and gentlemen, may we have quiet. Will you resume your chairs? This hearing is again in order. Mr. Glickstein, will you call the next witness.

MR. GLICKSTEIN. The next witnesses are Mr. Kenneth Eppert and Mr. James Dunkin.

(Whereupon, Mr. Kenneth W. Eppert and Mr. James W. Dunkin were sworn by the Chairman and testified as follows:)

TESTIMONY OF MR. JAMES W. DUNKIN, DEFENSE CONTRACT ADMINISTRATION SERVICES, OFFICE OF CONTRACT COMPLIANCE, BIRMINGHAM, ALABAMA AND MR. KENNETH W. EPPERT, CHIEF, OFFICE OF CONTRACT COMPLIANCE, ATLANTA, GEORGIA

Mr. GLICKSTEIN. Would each of you state your full name and address for the record?

MR. DUNKIN. I am James W. Dunkin, Defense Contract Administration Services, Contract Compliance Office, 908 South 20th Street, Birmingham, Alabama. That is the headquarters.

Mr. Eppert. My name is Kenneth W. Eppert. I am the Chief of

the Office of Contract Compliance, the Atlanta Region, Defense Contracts Administration Services.

MR. GLICKSTEIN. Is Mr. Dunkin under your jurisdiction?

Mr. Eppert. He is, sir.

Mr. GLICKSTEIN. What States does your office cover?

Mr. EPPERT. Our office covers the Southeastern part of the United States of America and as such covers Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Puerto Rico.

MR. GLICKSTEIN. And how many people similar to Mr. Dunkin work under your jurisdiction?

MR. EPPERT. My staff consists of 11 professionals and three clericals, sir.

MR. GLICKSTEIN. And Mr. Dunkin is one of the professionals assigned to a field office?

Mr. Eppert. Yes, sir.

Mr. GLICKSTEIN. How many other professionals are assigned to the field office, of the 11—

MR. DUNKIN. I have two with me.

MR. GLICKSTEIN. And the rest of the people are in Atlanta?

MR. EPPERT. We have two basic offices, the Atlanta regional office and also the field office out of Atlanta which covers all except the Birmingham territory and the Birmingham office.

MR. GLICKSTEIN. Mr. Eppert, how long have you been in your

present position?

Mr. EPPERT. I reported to the Atlanta Regional Officer on the 21st day of January, this year, sir.

MR. GLICKSTEIN. And what did you do prior to that?

Mr. EPPERT. Prior to that assignment I was Deputy Chief, Office of Contract Compliance in the St. Louis Region, Defense Contract Administration Services. I served there from August until the present assignment in Atlanta, sir.

Mr. GLICKSTEIN. To whom do you report?

Mr. EPPERT. I report to the Contract Administration Services of the Defense Supply Agency in Washington, D.C.

Mr. GLICKSTEIN. And the Defense Supply Agency is a part of the Defense Department?

MR. EPPERT. That's correct, sir.

MR. GLICKSTEIN. And it is that agency that is responsible for insuring compliance with the equal opportunity clause in Defense Department contracts? Is that correct?

Mr. Eppert. Yes, the policy guidance comes out of the Defense Department, sir.

Mr. GLICKSTEIN. Out of the Defense Supply Agency?

Mr. EPPERT. Out of the Defense Department, to the Defense Supply Agency to Defense Contracts Administration Services, down to us. MR. GLICKSTEIN. And, as I understand it, the system that the Defense Department has used for dealing with contract compliance has changed over the years. At one time I believe each of the services had its own operations. Is that correct?

Mr. Eppert. That is correct, sir.

MR. GLICKSTEIN. At one time the responsibility was centralized in the Department?

Mr. EPPERT. It was centralized in the Assistant Secretary of Defense for Manpower of the Defense Department's offices, sir, for a period 12 months.

MR. GLICKSTEIN. Now, it is in the Defense Supply Agency?

Mr. Eppert. Yes, it was transferred to the Defense Supply Agency on July 1st, 1967, sir.

Mr. GLICKSTEIN. Briefly, what is the function of the Defense Supply Agency?

MR. EPPERT. The Defense Supply Agency is a procuring activity for the Defense Department and as such through its Contract Administration Services administers the Defense Department contracts of the various services, sir.

MR. GLICKSTEIN. We heard testimony a little while ago, or I indicated for the record, that GSA has \$1,353,400,000 worth of contracts pending. I assume that is peanuts compared to what the Defense Department has pending. Is that correct?

MR. EPPERT. I would assume so. However, I have no figure what the Defense Department has, but we must have considerably more than they do, yes, sir.

MR. GLICKSTEIN. Mr. Eppert, you probably heard, or did you hear most of the testimony this morning?

MR. EPPERT. Yes, I came this morning, prior to the start of the meeting, sir. I heard all of the testimony this morning, sir.

MR. GLICKSTEIN. I think by this point you have a pretty good idea what some of our questions and concerns are?

Mr. Eppert. Yes, sir.

MR. GLICKSTEIN. We heard testimony yesterday from a representative of a company that has a contract with the Defense Department, from the Dan River Mills Company, and we heard testimony that at their Greenville plant there are three Negro employees out of a total of close to 200. And that has been the situation for a few years.

The testimony also indicated that that plant itself was not doing Government contract work.

Now, what system does the Defense Department, Defense Supply Agency, and your office have for checking on the facilities of companies other than the facility that is actually performing under the contract?

Mr. EPPERT. Mr. Glickstein, we have operated, of course, and I want to finish up answering your question, under three various

systems because of the various changes in the policy-making organization under which we work.

At the present time the Defense Supply Agency, Defense Contracts Administration Services, we prepare a quarterly forecast, a quarterly forecast is sent to Washington 1 month prior to the beginning of the quarter. On the quarterly forecast we list the contractors that we consider from our regional efforts those that should be reviewed, or a followup review instituted. This is the basic plan of attack.

Then as the new quarter starts, provided we do not have any directed reviews from higher authorities, then we will follow that particular schedule, sir.

Mr. GLICKSTEIN. For example, if you knew of a very large contract in Birmingham, with a company located in Birmingham, and you also knew that that company had a very large facility in San Francisco and a very large facility in Seattle, what steps would you take to see whether the facilities outside of your jurisdiction were in compliance?

Mr. Eppert. I would have no effort in that realm with the exception of recommending to the Defense Supply Agency, the Defense Contracts Administration Services that they in turn direct the other two regions to take a look at that same organization, sir.

MR. GLICKSTEIN. In the case of a preaward survey or review which has to be made before the contract is awarded them, you would not have that information at the time the contract was actually awarded, would you?

MR. EPPERT. I would not have that information, no, sir.

MR. GLICKSTEIN. In other words, a contract could be let with the company in Birmingham for a substantial sum of money and it might not be until 2 or 3 months later that you found out that one of its plants in Seattle was out of compliance?

Mr. Eppert. Absolutely correct, sir.

MR. GLICKSTEIN. When you find out something like that after the contract has been let, does it make it more difficult for you to bring the company in compliance once the contract has been signed?

Mr. EPPERT. Well, the element of the preaward of a million or more dollars, and to keep the record clear, we only do a million or more on an advertised bid, not on an add-on, now.

MR. GLICKSTEIN. Not on a what?

Mr. Eppert. Not an add-on. In other words, you have a contract and a million dollars is added on to the contract that started 3 years ago, then we do not go in as a preaward agent on that.

MR. GLICKSTEIN. You have the responsibility for supervising? MR. EPPERT. We have the responsibility but I want to make it very clear that we only go on that type of a preaward. The element is excellent in our conciliation and working with the contractor.

However, we can work very well with the same contractor, and particularly if the corporate entity is in our region we can work with the contractor in improving the entities on the other side of the coast. In other words, through the corporate effort. But as the local one is concerned, that is my responsibility, or delegated to Mr. Dunkin, or others, and we work, regardless of what we found from the regions at all, sir, at the local situation.

MR. GLICKSTEIN. I assume though that the theory of preaward reviews is that before the contract is actually signed you are in a much better negotiating position than you are in after the contract has been signed. Has that been your experience?

MR. EPPERT. I would say that is true in almost all cases, yes, sir. MR. GLICKSTEIN. I mentioned a moment ago the situation at Dan River in Greenville. Now that these facts have come to your attention, what are some of the things that you are authorized to do about that situation?

MR. EPPERT. Well, since the facts have been called to my attention I am authorized to place that of course and would be authorized to place it prior to the facts being called to my attention on my quarterly forecast schedule. And provided I did not have directed review from outside agencies, such as preaward, and/or complaint investigation, and/or directed reviews from higher authority, we would place a man into that particular Dan River spot to conduct a compliance review.

MR. GLICKSTEIN. Would you define some of the terms you have been using? What is a directed review?

MR. EPPERT. A directed review is a review that comes to the Atlanta Region from other sources than our own, directed review can be a directed compliance review that originates from the Office of Federal Contract Compliance, Department of Labor. It can also be a complaint investigation that went through the—and also directed from the Department of Labor. Preawards are all directed reviews. They come from outside or within the Defense Supply Agency but they are not work that is generated from my shop alone. Therefore, it takes priority from any schedule that I would generate for my region.

MR. GLICKSTEIN. Virginia is not in your region?

Mr. Eppert. Virginia is not in my region, sir.

MR. GLICKSTEIN. I believe it is in Danville, Virginia, that the headquarters of the Dan River Mills Company are located. Have you ever been directed to review the operation of Dan River in your area?

Mr. Eppert. Not since I have been there, sir.

Mr. GLICKSTEIN. Not since you have been there?

Mr. Eppert. There is a North and South Carolina textile survey being conducted at the present time at the direction of the Defense Supply Agency—excuse me, at the direction of the Office of Federal Contract Compliance, Department of Labor, and I have an idea that when the Department of Labor man reports to you this afternoon he can tell you that Dan River is one of those particular ones that we will be surveying, sir. As a complete entity.

MR. GLICKSTEIN. But you have no idea whether up to this point it has been surveyed?

Mr. EPPERT. No, sir, I do not, only the particular one that you asked me about.

MR. GLICKSTEIN. I believe the testimony last night, I don't have the record in front of me, is that at least the present plant manager in Greenville does not recall ever being reviewed by a Government agency.

MR. EPPERT. I am very sorry that I didn't bring all of my records with me or I could have given you that information.

MR. GLICKSTEIN. Can you give us any estimate of the number of facilities in your region that have Government contracts, that have contracts with the Defense Department that are reviewed by you?

MR. EPPERT. I wonder if I might, for the benefit of the table, give a few facts and figures on my region, and then you might question me as to those facts and figures?

MR. GLICKSTEIN. Certainly.

Mr. Eppert. I have a total of 5,818 Government facilities located in the regional geographical boundaries of the Atlanta Region, of which we consider to be our responsibility. The reason that we have so determined this is that we have the Form 100, the Standard Form 100 that I am sure you have been reading.

MR. GLICKSTEIN. For the benefit of the record, as I understand the Standard Form 100, these are forms that are required to be filed every year by Government contractors and companies that are covered by the Civil Rights Act of 1964 to indicate the number of employees they have, the number of employees by race, and the job categories. Is that correct?

Mr. EPPERT. That's correct. And they are sent through the Department of Labor and the Department of Labor then makes a determination as to who the PIA, or who is responsible for those particular facilities.

Mr. GLICKSTEIN. By that—

Mr. EPPERT. Yes, sir, go ahead.

MR. GLICKSTEIN. To clarify some of this technical language, what you are saying is there are some cases where a very large company might have contracts with four or five different Government agencies and a determination is made which one of those Government agencies will be responsible for surveying and reviewing compliance with the equal opportunity clause and that Government agency has been called the principal interested agency?

MR. EPPERT. That's correct. sir.

So my count is 5,818. Of that number, according to the Zark listing, this is the Department of Defense prime contractor listing, there are 2,280 prime contractors within my region. According to the CAR listing, the CAR listing for your information is a contractor administration report, there are 2,803 Government contractors, prime—Government prime contractors listed on that particular source document. So taking an average of those two source documents, the Zark listing, the close-out date was the end of December, 1967, and the CAR listing, which the close-out date was March 20, 1968, we can see that we have between 2,803, which is the latter figure or 2,280. It varies from day to day, according to the listing, is really what I am trying to say.

So, prime contractorwise, I am responsible for roughly 2,800 some contractors.

MR. GLICKSTEIN. And those prime contractors, those roughly 2,800 prime contractors, would they cover all of the 5,818 facilities that you mentioned?

Mr. EPPERT. Not necessarily, because some of those facilities are, or some of the contractors not having present Government contracts, are included in the 5,818, which is an annual listing of the Form 100, so you can see you get a contract, you don't have a contract.

MR. GLICKSTEIN. The reason there is a disparity between those two figures is that some prime contractor might have a number of facilities?

Mr. Eppert. Absolutely correct, and I am definitely responsible for them, sir.

MR. GLICKSTEIN. You have been talking about prime contractors. The subcontractors of these prime contractors are also subject to the Executive order, aren't they?

MR. EPPERT. Yes, they are subject to the Executive order and it is the responsibility of the prime to insure that the subcontractor files his Form 100 with the Department of Labor, sir, not our responsibility.

MR. GLICKSTEIN. How does anybody insure that the subcontractor is in compliance with the Executive order?

Mr. Eppert. The only method that could possibly be, since the prime has no responsibility for policing his sub, the only method would be for us to either schedule him, or be directed in for any number of the three or four reasons I gave you. There is no firm listing that I could find within the Defense Department of subcontractors at the present time.

MR. GLICKSTEIN. I suppose it is not at all uncommon that if the Department of Defense has a very large prime contract, \$7 million or \$8 million prime contract, it might very well be that that prime contractor has a very large subcontract?

MR. EPPERT. Yes, I remember in one of my early days looking at a prime contractor who had 5,000 subcontractors, sir.

MR. GLICKSTEIN. At the moment nobody has the responsibility for policing those subcontractors?

MR. EPPERT. Yes, the agency who has the PIA on that, again that famous word, PIA, has a responsibility provided that he has the talent, et cetera, to get this in, and it is that lone responsibility, in my estimation.

MR. GLICKSTEIN. Well, if you told us that you had approximately 2,800 prime contractors, if you were to add the subcontractors to that figure, what might the total be?

Mr. EPPERT. I would imagine somewhere up around four or five thousand.

Mr. GLICKSTEIN. Four or five thousand?

Mr. Eppert. I would say so, yes.

Mr. GLICKSTEIN. And you told us that you have 11 professionals working out of your office?

Mr. EPPERT. I have an allowance of 11 professionals. I have 10 that are working out of the Department, including myself and one that has not reported as yet.

MR. GLICKSTEIN. Mr. Eppert, in your experience, in your present job, have there been any Government contracts canceled?

MR. EPPERT. No. sir.

Mr. GLICKSTEIN. How many years did you tell the Commission that you have been involved in contract compliance work?

MR. EPPERT. I started out as the Regional Director for the Navy Central Region in 1963. That was when it was under the service conference.

MR. GLICKSTEIN. Relatively speaking, you are an oldtimer in this business. Isn't that right?

MR. EPPERT. Well, of the Defense Department group, yes, I would say I am considered as one of the early timers.

MR. GLICKSTEIN. Prior to '63 there wasn't a very strong effort made to enforce these provisions, was there?

Mr. EPPERT. No sir, the job in general was conducted by the quality assurance people or the contract administrators who, prior to that time, had very little liking or interest in contract compliance as we know it in the EO field.

MR. GLICKSTEIN. In all of your 5 years of experience you know of no instance where a Government contract was canceled?

Mr. Eppert. No, I know of no instance where a Government contract, a Government DOD contract was canceled, no, sir.

Mr. GLICKSTEIN. Do you know of any instance in which a contractor was called for a hearing?

Mr. Eppert. I know of instances where contractors were called for informal hearings, A, and I know of instances where the Department of Labor, who will testify with you this afternoon, has held formal hearings on Department of Defense contractors, sir.

MR. GLICKSTEIN. But those have never resulted in a termination?

Mr. Eppert. To my knowledge, as of this date, to my knowledge, Mr. Biermann may be able to give you additional information on that when he is called.

MR. GLICKSTEIN. Now, you have indicated you have a huge number of facilities for which you are responsible. Since January, 1966, what is the number and proportion of the facilities visited by you? Do you have those figures?

Mr. Eppert. Yes, I have them, sir, if you bear with me just one

minute, please.

Since January 1, 1966 our records indicate that we have been into 437 different contractor facilities.

MR. GLICKSTEIN. Out of the 5,818?

Mr. EPPERT. Out of the 5,818 that I now list, yes, sir.

MR. GLICKSTEIN. In how many instances was a revisit recommended?

Mr. Eppert. A revisit was recommended in 95 percent of the cases.

MR. GLICKSTEIN. And in how many of those cases was the revisit actually conducted?

MR. EPPERT. Our records indicate that only 10 percent of the facilities recommended were revisited. I might say that in that 10 percent some were revisited many times because of the direction of Washington. However, 10 percent is the figure that I must give you, sir.

MR. GLICKSTEIN. Of the 437 facilities that you visited, 95 percent, about 400 or so, were recommended for revisits. When a company is recommended for a revisit, do they know it? Do they know that you are going to be back?

Mr. Eppert. May I phrase this into two phases? I will say that verbally they know it, or knew it prior to January of this year. I know they know it now because we give them a letter concerning the recommendations and also have them give to us a letter that sets forth their affirmative action or other actions that they will take, including the fact that we will revisit them.

MR. GLICKSTEIN. Of the 400 companies that you scheduled for revisit, you only revisited about 40 of them?

Mr. Eppert. Yes. That would be a good figure to take, sir.

MR. GLICKSTEIN. Do you find that companies that you visit, or revisit, or deal with, are really terrible concerned about the consequences of not meeting the requests that you make? Do you think that the companies feel that there is a gun being held to their head and they had better comply and comply quickly?

Mr. Eppert. I think that the company that depends entirely on

Government business feels that way. I do not believe that the company who is diversified and has other than Government contracts feels exactly that way at all, no, sir.

MR. GLICKSTEIN. Do you think that 360 companies that you weren't able to revisit, but companies where you did find some deficiencies, and wrote to them about the deficiencies, do you think that they are terribly concerned about what the consequences of not complying are?

Mr. Eppert. No. Well, let me phrase it this way: I do not believe that you should ever tell a company that you are going to revisit them unless you visit them and if you don't revisit them they are human beings like we are and the success of our program in my estimation is not necessarily the initial call, the initial call I am sure we could put down many things which we expect to be done, but certainly the revisit, as the preaward is the pie in the sky, because there you have an opportunity to actually see what actions have been taken on the recommendations that you might have left.

Mr. GLICKSTEIN. Would you say then that the small number of revisits that you have been able to make represents an inadequacy in your program?

Mr. Eppert. Yes, sir. Yes, sir. Very inadequate. One of the major.

MR. GLICKSTEIN. In your experience, Mr. Eppert, have there been cases where a Government contract is awarded, where deficiencies are found, where there are discussions and negotiations to deal with those deficiencies, but before any changes have been made, the contract is completed and the company has all its money?

MR. EPPERT. I am sure there are, and yet under oath I certainly cannot say 1, 2, 3, 4. I will not make that. But I am sure there are instances where contracts were completed before the deficiencies were corrected. I don't think there is any question about it, sir.

MR. GLICKSTEIN. Would this be particularly true in the construction field?

Mr. Eppert. In the construction field?

MR. GLICKSTEIN. Yes, in construction contracts?

Mr. Eppert. Mr. Glickstein, we as far as the Atlanta Region and St. Louis Region and the Defense Department are concerned, are basically getting our feet wet at the present time in construction contracts and, therefore, there is no question this was true in construction contracts. My point being the Defense Department just took over the construction end of the game, and individually serviced it. I can say from the Navy standpoint, we did very little construction work for 3 years that I was with them. I say it in all sincerity to you.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman. CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Eppert, I would like to ask you a question about your own operations.

You stated that you had 11 professionals. How many of them are Negro?

MR. EPPERT. I have four Negroes, Mrs. Freeman.

COMMISSIONER FREEMAN. How are they classified?

Mr. Eppert. I have a GS-13, a GS-12, a GS-7, and a GS-5.

COMMISSIONER FREEMAN. In your compliance assignments, what functions do your 11 professionals do? In other words, they make the inspection, they make the recommendation, and then what happens?

The reason I ask this question, is that I want to know if there has actually been any change or improvement from the time you started until now?

Mr. Eppert. Mrs. Freeman, let me ask you a first question, and then answer you second, if I may?

Our specialist goes into the field, he makes his review, his preaward, his complaint investigation, his followup, he writes his report, he makes certain recommendations. Those recommendations come across my desk and of course we discuss them prior to, but they come across my desk and I endorse it and send it to the Defense Contract Administration Services in Washington, D.C., where it is reviewed, and if it is a directed review from the Department of Labor, or Office of Federal Contracts Compliance, it is then forwarded over to them.

If it is one that was required by our own agency, then it remains there. So that, and the question, 1, 2—in other words, the recommendation goes forward to Washington, whatever the recommendations are.

A copy of those recommendations, a copy of the report form goes to the contractor so that there is no misunderstanding between us and the contractor of what recommendation was made to him.

Number 2, if there are actions that the contractor is to make, then he proceeds with us with what we call a workable plan, a letter that he signs in which he says, I will do the following within a certain time.

Now, I think the improvement over the period of time since I started out in 1963 has been—in '63, we crawled, we didn't know, we groped, we had something and didn't know how how far we could go with it. I remember my first review that I made in Milwaukee, Wisconsin, and I said the contractor was not in compliance and recommended to the Navy Department that sanctions be instituted on him. And I thought that we were going to have the Secretary of the Navy visit with us. But to make a long story short, we are learning. The commitment in writing by the contractor is most important.

We went through the stage of: "I will talk to you and you talk to me." "Yes, I will do it," and then you go back and "I didn't know you wanted me to do it this way." So these are the refinements and the improvements, I believe that the Office of Federal Contract Compliance now stepping in and holding hearings gives us substance in the field to better understand it.

I believe in every way that I can that when the contractor himself, when the corporate individual who is responsible, is as responsible, is as interested in his equal employment phase of the contract as he is in all other phases, then the battle is being won. And in some places this is true.

COMMISSIONER FREEMAN. Does it not though begin with the Government?

Mr. Eppert. Yes.

COMMISSIONER FREEMAN. Because the Government doesn't believe this is important, how do you expect the contractor to believe it?

MR. EPPERT. Mrs. Freeman, the Government must think it is important. The Defense Department alone has taken the EEO program that they have had and they had it in the service and they moved it under DOD Manpower. They now moved it under the Defense Supply Agency. If we have got a home now, and we can get stable policy and we can get additional people, which I have asked for in my own region, then you are absolutely right, the Government must, there is no question in my mind they must accept their responsibility under the Executive order and the law, if it is to work.

COMMISSIONER FREEMAN. What about those contractors where the noncompliance is very clear from the testimony that we heard? Could not the Defense Department then fail to even consider that contractor for another contract? You have a history with respect to some of these contractors. You know that they discriminate against black people, and still they are permitted to have additional contracts.

Can't you take some steps to remedy it through another procedure?

MR. EPPERT. Mrs. Freeman, I think the procedures that are set down in the Executive order and in the rules and regulations, those that we are now operating on, and the ones that are soon to be published, I understand. General Goshorn, for instance, who is my military boss in Washington, makes it eminently clear to me that if you find a contractor in a preaward or any other time that is not complying with the seven provisions of his contract and now they are eight steps in the nonsegregation clauses therein, if you can provide me with that information and document it, I will recommend sanction hearings and I can have nothing made any

clearer to me by any administrative action than that, and I say it in all sincerity.

COMMISSIONER FREEMAN. But the actual effect is very little if you have made only 437 complaint reviews out of—or visits out of 5,800, and then have only made 40 visits, that is less than 1 percent, is it not?

MR. EPPERT. These are return visits.

COMMISSIONER FREEMAN. Return visits, yes, to assure that they have corrected the situation. That is less than 1 percent.

MR. EPPERT. Yes, that is correct.

Mrs. Freeman, may I say to support your side and support mine also, that I have in your Commission's hands, to take care of my 5,818 facilities, and to do the job that I would like to do with them, I need 70 professionals. I need 70. I have so told the Department of Defense this. And without them I cannot do what you want me to do and what I want to do.

May I call your attention to one other situation? During the last quarter, which is the first time that I have been in Atlanta, I had 71 directed compliance reviews from higher authorities. I had 11 followups from higher up authority. I had 46 preawards from higher authorities, and I had 24 complaint investigations from higher authority. And I only have eight people to take that workload. This is more work than I can get done and that is directed, so I will never get over to what Mr. Glickstein wants me to do, and that is to get over to Dan River and look at Greenville with this workload and not enough people to do it.

COMMISSIONER FREEMAN. But, Mr. Eppert, with the significant portion of this budget that the Department of Defense has it should be the last agency that would be putting equal opportunity at the bottom of the list. It should certainly not say that you cannot get, if you need 70 people, the Department of Defense ought to provide those 70 people. It does it for its defense operations.

Mr. EPPERT. Mrs. Freeman, I concur with you 100 percent and I say I have made my recommendation and I have done exactly what my boss had told me to do, and I have several alternate plans, if you want me to do half the job, give me 35 people. If you want me to do a quarter of the job, give me 10, but if you want me to do any kind of a job for you, I can't do it with the small staff that I have now because I can never get over to Greenville and look at Dan River because of higher authority commitments.

I am not excusing myself; I am just laying the facts out to you on the line.

COMMISSIONER FREEMAN. May I suggest that you again make this appeal to the proper authorities?

MR. EPPERT. I certainly shall. I assure you of that, ma'am.

CHAIRMAN HANNAH. Mr. Eppert, you were here this morning when the General Services Administration people were on the wit-

ness stand. You heard the statements that were made to them and Mrs. Freeman has indicated of course, and I think you recognized it before you came, one of the roles of this Commission is to see to it that the agencies of the Federal Government work at making the laws that are on the statute books, or that are there through Executive order work. And I needn't argue about that. You indicated that you have that responsibility. This is the law. And I gather you indicate that again you are going to call this to the attention of your superiors?

Mr. Eppert. Dr. Hannah. I have developed this study, some of your staff members can tell you since the 19th day of January when I walked into Atlanta. I believe very strongly that an individual who takes over a new responsibility has got to find out what his workload is and find out what he needs to accomplish it. This was my first job and this I did.

I need 70 professionals to work the Southeastern Region of the United States and do a creditable job and I shall again recommend it to my bosses.

CHAIRMAN HANNAH. I am taking no position whether you need 70 or 68 or 110. But there is a job that needs to be done and if we are going to get compliance and provide equal employment opportunities for Negroes in the region that you are responsible for, you have within the control of your agency an opportunity to make a great contribution.

Mr. EPPERT. Yes, we do, Doctor, and I believe this is the strongest program that we have in the EEO field if we do it in the method that we should because the honest dollar talks and you and I know that.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. I have no questions.

CHAIRMAN HANNAH. Are you finished, Mr. Glickstein?

MR. GLICKSTEIN. Yes.

CHAIRMAN HANNAH. Thank you, sirs, you are excused.

Mr. Eppert. Thank you, Dr. Hannah, very much.

CHAIRMAN HANNAH. Call the next witness, Mr. Glickstein.

MR. GLICKSTEIN. I wonder if we might introduce into the record the document from which Mr. Eppert was frequently making reference to?

CHAIRMAN HANNAH. It is received in the record.

(The document referred to was marked Exhibit No. 23 and received in evidence.)

MR. GLICKSTEIN. The next witness is Mr. Leonard Biermann.

(Whereupon, Mr. Leonard Biermann was sworn by the Chairman and testified as follows):

TESTIMONY OF MR. LEONARD BIERMANN, SENIOR COMPLIANCE OFFICER, OFFICE OF FEDERAL CONTRACT COMPLIANCE, DEPARTMENT OF LABOR, WASHINGTON, D.C.

MR. GLICKSTEIN. Mr. Biermann, will you please state your full name and address for the record?

MR. BIERMANN. My name is Leonard Biermann. I am Senior Compliance Officer for the Office of Federal Contract Compliance, the Department of Labor, in Washington, D.C.

MR. GLICKSTEIN. And where do you live?

MR. BIERMANN. I live at 800 Downs Drive, in Silver Spring, Maryland.

Mr. GLICKSTEIN. Would you just very briefly indicate what the Office of Federal Contract Compliance is?

MR. BIERMANN. I think we have a threefold role. The first role is to develop policy which has national impact to insure that contracting agencies are consistent in their interpretations of what is compliance. Secondly, we have the responsibility to insure that that policy is properly carried out by the contracting agencies. And thirdly, we have the responsibility to become directly involved in those cases which might be landmarks and might be establishing precedents.

MR. GLICKSTEIN. We have heard testimony this morning from GSA and the Department of Defense. What sort of relationship does your agency, to use its familiar initials, OFCC, what relationship does OFCC have with these other agencies?

MR. BIERMANN. Well, the relationship of course is very direct. We deal on a day to day basis with the contract compliance officer of the contracting agencies together with the program chiefs. And we speak about specific cases and the system in directing their programs, establishing priorities, and work with them on a day to day basis on policy.

Mr. GLICKSTEIN. What staff do you have?

MR. BIERMANN. We have a director and two assistant directors and seven senior compliance officers, who are assigned to certain agencies. I, being one of them, am assigned to the Defense Department and to NASA.

In addition we have about five compliance officers who work with the seniors and approximately 10 secretaries.

MR. GLICKSTEIN. Does OFCC have the authority to step in if in your judgment one of the constituent agencies is not doing what it is supposed to be doing?

MR. BIERMANN. Yes, sir, we do.

MR. GLICKSTEIN. We heard testimony this morning and last night about the Dan River Mills plant in Greenville where there appears to be a discriminatory employment pattern. Mr. Eppert just testified that under the workload of his office, considering all the directed reviews he had to conduct it was likely that it would

be some time before they would get around to the Dan River plant in Greenville.

How would your office be able to help out, or deal with a situation of that sort?

MR. BIERMANN. Mr. Glickstein, in this particular case, I don't think that is a problem because Dan River Mills was the first group of mills that was visited during the textile program in North and South Carolina by the Defense Department. There is a meeting scheduled with the corporate officials of Dan River on the 14th of May in Washington. Dan River has been told that unless corrective action is taken, not only at mills in North and South Carolina, but at their mills throughout the South, that this will be the last meeting and that sax ctions will follow if we are not satisfied with the posture of that contractor.

In other cases it would be appropriate for the Office of Federal Contract Compliance to direct a review outside of normal scheduling and to have a receipt of that review in 30 or 60 days, or sooner, if necessary.

MR. GLICKSTEIN. I take it then from what you have just said about Dan River Mills at the time of this meeting, you are going to be familiar with the situation in every one of the company's facilities?

MR. BIERMANN. Well, I don't think that we can be but I do think that the kind of pattern that we were able to identify in North and South Carolina is a typical pattern of their mills throughout the South. That is that Negroes have been excluded from certain kinds of jobs and that female Negroes particularly have not been employed at all. And I think this is a typical problem and that the corrective action of affirmative recruitment training and placement will certainly be applicable to all of their mills.

Mr. GLICKSTEIN. Is this also a pattern in other textile companies?

Mr. BIERMANN. Yes, sir, it is.

MR. GLICKSTEIN. Mr. Bierman, we have also heard testimony about conditions in some of the paper companies, the paper industry in this area. We have heard testimony from the Allied Paper Company and from the American Can Company.

Do you have any special knowledge of the practices in the paper industry?

Mr. Biermann. Well, the Office of Federal Contract Compliance has been very concerned with the compliance posture of the Southern craft paper industry in general. After having done compliance reviews in some cases jointly with both the General Services Administration and the Department of Defense, we have found that throughout the southern primarily pulp and paper mills there has been a tradition of discrimination in placement. And that placement practice is being perpetuated through a seniority sys-

tem which is based on job or departmental seniority, so that now when Negro employees wish to transfer so that they can advance to their rightful place, they are impeded in that transfer by loss of their mill seniority for purposes of advancement.

And in addition, quite often they are being forced to take a reduction in pay because they have to enter a white line of progression at a lower entry rate.

Mr. GLICKSTEIN. Did you hear the testimony from Allied Paper Company this morning?

MR. BIERMANN. Yes, Mr. Glickstein, I did.

MR. GLICKSTEIN. We were told there that people who are now laborers or service workers, could transfer into these lines of progression and that they wouldn't lose their plantwide seniority, but their seniority within that particular line of progression would be the lowest. Is that the general pattern?

MR. BIERMANN. Yes. There is nothing inherently discriminatory about a job seniority system. The way the paper mills are established is that when the applicant is hired he is placed into a certain department or progression line. This is a ladder of various jobs and you progress from one job to another, based on vacancies in the jobs immediately above. The successful transferee is generally the person who has established the most job seniority in the job immediately below.

Now, where there has been no discriminatory placement practice there is a consistency between the length of service that an employee has, and the kind of job entitlements that that length of service gives him. His seniority then is a currency to buy better jobs as it is in most industrial situations, but where there has been a discriminatory placement practice, he then must transfer the Negro employee into an all-white progression line, leave behind him that length of service for job entitlement purposes and begin new in the entry job in that progression line with one day job seniority.

So in that way an otherwise perfectly legitimate seniority system is perpetuating a past discriminatory placement practice.

MR. GLICKSTEIN. Of course, the Allied Paper Company in their plant in Jackson is 4 years old so I assume there is a limit to the amount of seniority anybody could have accrued. But in a company such as the American Can establishment in Naheola, which is much older and where there were once segregated locals that the Negroes were confined to, I suppose in that situation the problem is much more severe?

MR. BIERMANN. Yes, sir, I think that the problems at American Can are typical of the problems in the Southern craft paper industry, with the possible exception of the segregated housing. But the kind of placement, the use of seniority, the use of tests, the problem

of pay rates, all of these things are typical of Southern craft paper.

MR. GLICKSTEIN. Just to make certain that I understand what you said a minute ago about the way seniority works, what you are saying is that if the American Can Company, in the days when there were segregated locals, placed a Negro in a segregated local, and this was a discriminatory act, that he might have otherwise been qualified for a better position. Today, after many years, he is required to start all over if he transfers to another department, and is in another line of progression.

Nothing is being done to take cognizance of the effects of past discrimination, nothing is being done to make this man whole for the discrimination that he suffered in the past?

MR. BIERMANN. Yes, sir, that is the case at American Can, and certainly that is the case that should receive our immediate attention. It is not the case at all of the paper mills in the South. There is something being done about this problem. At Crown Zellerbach Corporation, in Bogalusa, Louisiana, the court has ordered that mill seniority be the factor for advancement for those Negroes who have been denied proper placement in the past. And in addition to that, I have just come here from New Orleans where we are now holding trial in other issues of Crown Zellerbach, which includes questions of rearranging the progression lines themselves so there is not a redundancy of training for the Negro as he advances, and also the question of red circling of rates in transfer.

In addition to that, International Paper Company, which has 11 primary pulp and paper mills in the South, has held a conference with the Office of Federal Contract Compliance and they have also been instructed that these kinds of changes must be effected as a condition of compliance, and they are at this time holding meetings with their unions for that purpose.

MR. GLICKSTEIN. Let me ask you something about the Crown Zellerbach situation. There the change was brought about by a court order. As I understand it, the court, in issuing its order relied primarily on the provisions of Title VII of the 1964 Civil Rights Act. Is that correct?

MR. BIERMANN. No, Mr. Glickstein, I don't believe it is. The court decree cited both the Civil Rights Act of 1964 and the Executive order.

Mr. GLICKSTEIN. But in any event the court felt it had authority under Title VII to do this?

MR. BIERMANN. Yes, sir.

MR. GLICKSTEIN. Well, there has been talk within the Government and elsewhere for many years that handling things by way of law suits is just a slow, inefficient way of doing things. It just takes too long. It would be more efficient if Government agencies which have administrative responsibility, particularly Govern-

ment contract agencies which are in a tremendously effective negotiating position, could deal with these things; since a Government agency has the right to contract with whomever it pleases and under whatever conditions it pleases. And yet we have here a situation where for some years now, Crown Zellerbach was subject to Executive order, it was subject to the supervision of your office, it was subject to the supervision of the contracting agency, but it didn't really move into compliance until it was ordered to do so by a court after extensive litigation.

Why is it that your agency can't be some steps ahead of the courts?

MR. BIERMANN. Well, I would agree with you that certainly the hope for this program is that contracting and administrating agencies can handle these problems of discrimination through their contract relationships. However, in the case of Crown Zellerbach, Crown Zellerbach did move because of the intervention of the OFCC and prior to the court decree. Crown agreed in January of 1968 to make these changes and in fact put them into effect unilaterally without endorsement of their unions.

The essentiality of the court decree was to keep the unions from going on strike as a result. The unions because of the decree of April 7, 1968 have been enjoined from striking.

In addition, the court decree enlarged on and broadened the arrangement made between the OFCC and Crown Zellerbach.

MR. GLICKSTEIN. So what you just said then is that the court went further than OFCC?

MR. BIERMANN. Yes, I think the court went further. The OFCC arrangement called for a combination seniority system, both job and mill seniority to be used for advancement. We didn't like that arrangement too well and supported the Justice Department entirely in attempting to get through court arrangement made solely on mill seniority.

So that difference, the difference between a combination seniority for advancement and mill seniority system for advancement did come through court action with our support. There was a seniority change and a rather dramatic and significant one, however, directly because of the intervention of the Office of Federal Contract Compliance.

MR. GLICKSTEIN. The point I was trying to make was that in this instance it seemed that the OFCC was somewhat more timid than the Department of Justice or the Federal district court. Is that a fair characterization?

MR. BIERMANN. I think that is a fair characterization, yes, sir. MR. GLICKSTEIN. One of the things that concerned me in this testimony this morning and probably concerns some of the Commissioners is why there is this timidity, why is it that when Government agencies are administering these enormous sums of money

they are not able to use the muscle that this gives them to bring companies into compliance with the Executive order and with the Constitution?

Mr. BIERMANN. Well, the only answer I can give is that I am very much encouraged as far as the future months are concerned about the policy and the enforcement of that policy by contracting agencies.

I would hasten to add that our position with International Paper is more dramatic and more significant than that which has been ordered by the court. However, in the past I would say that that is due in part to the fact that 95 percent of the contracting agencies' staff and attention and desires are aimed at awarding contracts. And only 5 percent or less of that contracting agency's day to day activity and maybe 1 percent is aimed at concerning themselves about equal employment opportunity. So there is a built-in bureaucratic problem in dealing with contractors through the contract clause. And so it just requires on our part and on the part of those who head up the contracting agencies the day to day dedication and effort to overcome this built-in resistance that we find in every contracting agency.

MR. GLICKSTEIN. What would you recommend as a method for overcoming this built-in resistance? We have been hearing testimony of the type that we heard this morning for many years, and the Commission has been issuing recommendations in this area for many years, but at our hearings it seems very often that we are playing the same record over and over again and we could just be substituting portions of earlier transcripts.

MR. BIERMANN. Well, I really believe, I thoroughly believe that that record is changing. I think that the role that we are taking now is a very significant one. Never before in the history of civil rights has there been such an important decision in the field of employment, as that rendered by Judge Heebe in the Crown Zellerbach case.

Never before have we taken such a strong and energetic position with the support and the assistance of the Defense Department in dealing with the problems of International Paper. Never before have we taken the kind of positions that we have in the last few months with the textile industries, the petroleum chemical industry and the steel industry and I might hasten to add that they have obtained the support of the Cabinet Officers of the various agencies and that there is no question that this program in its present structure is going to become much more significant, much more dramatic, it is going to obtain much more results than it has in all the years past.

MR. GLICKSTEIN. We have heard testimony this morning that no Government contract has ever been canceled. Is that your understanding also?

Mr. Biermann. Yes, that is correct.

I would like to add, however, to that, that I think a proper measuring stick for interpreting the success of the Contract Compliance program is not cancelation of the Government contracts. As I said, a major step forward has been made in the seniority issue and the testing issue, at Crown Zellerbach and is being made at International Paper.

Our experience has been that when the contract is threatened to be canceled, or when a contractor is threatened to be debarred these Government contracts are important enough to him, that he will move in the proper direction.

There had been many instances in the past and there are instances at this very moment, when contractors have been under instructions or under notice that their contracts may be canceled and they may be debarred, invariably at that time the contractor decides it is in his best interest to move in the proper direction so he could afford equal opportunity.

So I think that a proper measuring stick for the success of our program is the kinds of policies that we are establishing in order to overcome past discrimination. The way those policies are being enforced and the results being obtained.

MR. GLICKSTEIN. So then you don't believe that Government contracts, Government contractors, consider the Government Contract Compliance program to be one big paper tiger?

MR. BIERMANN. Not the ones that I have dealt with.

Mr. GLICKSTEIN. Not the ones that you have dealt with?

Mr. BIERMANN. That is right.

Mr. GLICKSTEIN. We heard testimony last night about a Government contractor that owns a company town that is segregated. I believe that there is a May, 1967 order that was issued by your office that prohibits the Government contractors from maintaining segregated facilities. They have to operate their facilities in such a manner that segregation cannot result.

In what proportion of Government contractor companies in the South would you estimate that this requirement is being carried out?

MR. BIERMANN. I am sorry, I didn't catch the last part?

MR. GLICKSTEIN. In what proportion of Government contractors in the South would you estimate that this requirement is being carried out?

MR. BIERMANN. I hate to hazard a guess at proportion. I do know that locker room facilities, as an example, are segregated at most of the pulp and paper mills in the South. I am inclined to think that many contractors still maintain segregated facilities. I would hazard—I would hesitate to offer a guess as to the proportion.

Mr. GLICKSTEIN. Has the term "desegregation" that is used

in that order been thoroughly enough defined that some people know what it means?

MR. BIERMANN. I think the contracting agencies know what it means. I would think that some contractors still don't.

MR. GLICKSTEIN. We seem to have heard some testimony that if signs are taken down from restrooms, colored and white signs, that is enough and that if the employees happen to continue using the restrooms that they have always used, well, that is freedom of choice.

MR. BIERMANN. Of course that is not the intent of the desegregated facilities order. A desegregated facility is one which is *de facto* desegregated both in policy and in use.

As an example, the way you desegregate a locker room is not to tear a hole in the middle of the Negro locker room and the white locker room because then you have a Negro locker room and a white locker room with a hole in the middle. The way to desegregate a locker room is to reassign lockers, to insure that Negroes are truly integrated with white employees in those rooms.

The way to desegregate Negro and white bath facilities is—or sanitary facilities is to close the one up so that Negroes and whites are forced to use the single facility. We can't expect, I don't think, with the long tradition of discrimination that we can expect to take down a sign and thereby integrate a locker room or sanitary facility.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Biermann, this Commission has heard a great deal of testimony concerning the patterns and practices of racial discrimination, and you have indicated the role of your office, and I would only add that I am also pleased to learn of your role with respect to discrimination against sex, because I believe that discrimination or subtle distinctions on the basis of sex are just as vicious as racial discrimination.

The part that disturbs me, however, is that on the basis of all of this information we still have made relatively speaking very little progress in terms of the actual jobs, the results

progress in terms of the actual jobs, the results.

Now, your office, I believe, is complaint oriented. Is there any way that you would recommend to the Administration or to the appropriate authorities, whereby there could be initiation or inspection that would be initiated by the agencies to actually make some realistic change and to assure that there would be an elimination of this discrimination?

MR. BIERMANN. Yes, Mrs. Freeman, we are not complaint oriented. We are just the opposite, as a matter of fact. The Contract Compliance program is compliance review oriented and that is that contract facilities——

COMMISSIONER FREEMAN. I mean in terms of its actual operation?

MR. BIERMANN. Yes, ma'am, I think I mean that. In terms of actual operations, most of the significant investigations are through the compliance review method and that is that contractor facilities are scheduled for an in-depth compliance study and that the investigator goes in and reviews, and identifies all of management's personnel agencies that in any way can involve equal employment opportunity, from recruitment to placement, to upgrading, to use of tests, to transfer rights, et cetera, to layoff, and then makes the determination as to whether or not Negroes and other minorities are being offered full and equal opportunities, both for employment and for better jobs after employment. And to identify any impediment that there may exist at that facility which would frustrate such a goal.

Now, in doing that, I think it is essential that Government contractors, number 1, immediately pledge themselves to overcome all of these kinds of inherently discriminatory factors, such as perpetuating past placement practices through seniority, using invalid tests, placing different criteria for transfer of Negro employees than on whites, and then, secondly, also, to recognize that in the area of recruitment training and placement, that it is not sufficient to view one's EEO program in 1968 without recognizing 150 years of discrimination. And that means that Government contractors should understand that voicing a policy of equal opportunity now will not convince the Negro community that those jobs are available, will not suddenly overturn all of the problems, the social and educational problems of all of these years, and that Government contractors as a part of affirmative action should recruit and train and place and do whatever is necessary so that these traditions can be overcome.

And this really is the spirit of the Executive order. It is the spirit of affirmative action and any contractor that says that he offers equal opportunity because he treats his applicants equally is not in compliance with the Executive order if that is all he does. We expect him to do a lot more.

COMMISSIONER FREEMAN. We know that, but you also said that you mentioned the facilities of companies that now even several years later still have segregated facilities. What does it take to change them? We still have devices for keeping people out of certain jobs. They were kept out of jobs 5 years ago. Today they are still kept out of the jobs. What does it take to change it?

MR. BIERMANN. I think it takes two things. I think as far as coverage is concerned it takes a larger staff on the part of the contracting agency, certainly the OFCC has identified approximately 100,000 contractor and subcontractor facilities that are subject to the Executive order. Obviously, with the kinds of staff that the

current agencies have, it is impossible to cope with that kind of workload.

But, secondly, I think that it takes a commitment on the part of the contracting agencies to address themselves to these problems and to demand relief, not in 30 days or 60 days, but to demand relief immediately to get the contractor to commit himself that immediately he will undertake what action is necessary to bring about equal opportunity.

I think the time has come for a revisit to be scheduled 6 months hence is gone. I think we expect now the contractors either commit themselves to compliance or cease being contractors, and we are prepared to enforce that policy. And we are very much encouraged in the kind of actions being taken in the last few months by contracting agencies which are consistent with that policy.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. No questions.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. We had some testimony last night that suggested that one of the problems in the textile industry might be that it requires experienced people who need to be taught high skills. Does that square with your understanding of the situation?

Mr. Biermann. Mr. Taylor, I can't pass myself off as an expert on the textile industry. I do know though that as a result of the compliance reviews that the Defense Department has undertaken in North and South Carolina that the requirement for new hires in the textile industry is not high, that there are many white employees working as loom fixers and weavers and spinners and dolphers who have very minimal qualifications. It is a loss to me to understand why there are so few Negro applicants in a county with 50 percent Negroes who cannot meet those qualification demands and we expect that these contractors are either going to have to come up with a very good story in answer to that or prepare an affirmative action program to overcome that problem.

Mr. TAYLOR. Some reference has been made to reorganizations within the departments having responsibility for contract compliance, and there has been very frequent reorganization, I guess, going by the old principle if something isn't working, reorganize it.

Do you think this is helpful to the stability of the operation and if you don't think it is, do you think that we would look forward now to an end of all of this reorganization and perhaps fixing on one form of organization and getting the job done?

Mr. Biermann. Yes, sir, I don't think it is helpful. I think the reorganization at the Department of Defense is a helpful reorganization, however. I think it is essential that the whole matter of contract compliance be put in a procurement activity. I think the

question of equal opportunity being afforded on the part of the bidder should be identified and evaluated in the same way as that bidder's ability to meet other specifications of that contract. And that eventually it is our hope that the evaluation on equal opportunity of every bidder will become as routine as the evaluation for ability to perform and job specifications, et cetera.

Mr. Taylor. So what you are saying is that it is important that the procurement people have some responsibility? And that they feel that responsibility.

MR. BIERMANN. That's right. I think this equal opportunity clause which is a clause equal to any other clause in a Government contract has been underrated, and I think it should be put in a position of preeminence.

I think it is essential that the procurement people don't award contracts unless that contractor is able to comply with all of the clauses, including equal opportunity.

Mr. TAYLOR. Now, you have made certain references to the testimony that you heard last night with respect to the American Can Company in Bellamy. May I assume that that will be on your priority list of items that you will be carrying back to Washington for action?

MR. BIERMANN. It is already there, sir.

Mr. TAYLOR. Do you think that we might expect a report on that within a reasonable period of time?

MR. BIERMANN. Yes, sir, without question.

MR. TAYLOR. Thank you. I have no further questions.

CHAIRMAN HANNAH. Mr. Biermann, you are excused. Thank you. We now recess until 1:45, an hour and six minutes.

(Whereupon, at 12:37 p.m., the hearing recessed, to reconvene at 1:45 p.m., of the same day.)

#### WEDNESDAY AFTERNOON SESSION

#### MAY 1, 1968

CHAIRMAN HANNAH. Ladies and gentlemen, may we have quiet in the room, please?

This hearing of the United States Commission on Civil Rights is in order.

Mr. Glickstein, will you call the next witness.

Mr. GLICKSTEIN. The next witness is Mr. Harold Culmer, a member of the staff.

(Whereupon, Mr. Harold Culmer was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. HAROLD CULMER, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Culmer, I show you a copy of a report entitled, "Staff Report, Main Street Survey." Did you prepare that report?

Mr. Culmer. Yes, I did.

MR. GLICKSTEIN. Mr. Chairman, may this be introduced into the record?

CHAIRMAN HANNAH. It is received in the record.

(The document referred to was marked Exhibit No. 24 and received in evidence.)

Mr. GLICKSTEIN. Would you please summarize this report for the Commissioners, Mr. Culmer?

MR. CULMER. During February and March, 1968 staff members of the U. S. Commission on Civil Rights surveyed employment practices of retail businesses in 21 major cities and towns within the 16-county hearing area. This "main street" survey was undertaken to determine the extent of minority employment in the retail trade in those communities. It includes an average of 80 percent of the stores and businesses located within these "main street" areas but does not include barber shops, bars, and pool halls. These stores were all located in the "downtown" or main shopping centers of each of the 21 cities.

Stores were not included if they were closed at the time of the survey; if the owner or manager refused to be interviewed; or if the owner or manager was away from his business at the time of the survey and information could not be secured. Managers, owners, or employees in charge of retail stores or businesses were questioned with regard to their employment practices including the number of employees by race.

Negroes constitute 99 percent of the nonwhite population in Alabama and 30 percent of the State's total population. In the 16-county area Negroes constitute more than 60 percent of the population. The survey shows that of a total of 2,504 jobs in retail businesses, only 497 or 19.8 percent were held by Negroes. Of the total number of positions held, 14 percent were held by Negroes employed on a full-time basis. Of the 497 jobs held by Negroes, 156 or 31.4 percent were part-time. Part-time white employment constituted only 16 percent of total white employment.

The only city in which Negroes had as much as 50 percent of the employment in main street businesses was Tuskegee, located in Macon County and is 80 percent Negro. In Tuskegee, Negroes totaled 44 percent of the full-time employment and 72 percent of the part-time employment. The lowest rate of Negro employment was registered in Prattville located in Autauga County, which is 42 percent Negro, where 7 percent of all part-time employees and 8 percent of all full-time employees were Negroes.

Part-time employment includes casual hiring. Of the three Negro part-time positions listed for Greensboro, one of the positions includes "a boy off the street who is hired from time to time to help us lift things."

Since this may or may not always be the same person there may actually be no measurable economic gain by any single Negro person hired in that particular "part-time" position.

In the same city, a white resident reported that a Negro who was physically incapable of speech and was referred to as a "dummy" around the city, had recently been hired for a full-day's labor and after doing the work was paid a bottle of soda pop.

At a business in Greenville a Negro was hired part-time because "he's working out a debt." No other Negroes were hired in that store although eight whites worked there.

Although there were two Negro produce managers in food stores and a few Negro clerks in other establishments and some trade school graduates employed in positions using their specific skills, most jobs held by Negroes were menial positions. The predominant position held by Negro males was porter or janitor.

Few Negroes handled cash receipts or came in direct contact with customers at the store. In Perry County, for example, in the cities of Marion and Uniontown, only one Negro handled cash receipts in a white business—a Negro lady who handled such receipts occasionally.

In Greenville, one Negro was employed in a cash receipts position in the main shopping area. In Prattville, the only Negro sales clerk was not allowed to use the cash register. In Demopolis, a Negro, who worked part time, did some selling at a business.

At least two owners indicated present intentions of hiring Negroes in Jackson and Monroeville while many others reflected apparent willingness to hire if others did so or if their businesses were not financially threatened by white community hostility.

Some managers or owners freely expressed their opinions on the subject of Negro employment when questioned by Commission staff:

Some openly expressed racist views, "I am a member of the KKK and wouldn't hire any niggers." Demopolis.

"They only do what niggers 'spose' to do." Selma.

"Don't hire Negroes to clean up because I do my own nigger work." Demopolis.

Others portrayed Negroes as lacking in ability or dependability: "Negroes can't weigh things nor figure prices. We tried." Butler.

"Problem with Negroes is not their education but their dependability." Union Springs.

Many expressed fear that community customer reaction to hiring Negroes would adversely affect their businesses, that is, they wouldn't hire Negroes because of the "explosive nature of this little town." Prattville.

"Wouldn't want to break the color line . . . it would kill us." Thomasville.

"Won't hire Negroes because it would adversely affect my business." Clayton.

One hired Negroes when his business depended upon them but not now. "It would cost me 80-90 percent of my white clientele here." Eufaula.

"I hired them, but I was criticized too much." Linden.

One expressed willingness to hire Negroes "if other businesses would." Butler. One employer who had hired a Negro office worker said: "Best office worker I got!" Selma.

Another employer who had hired a Negro in a significant position because of the Civil Rights Act of 1964, said, "Only a few whites objected." Greene County.

Tuskegee, Macon County, excepted, Negro businesses were generally not located within the "main street" sections of the 16-county area and, therefore, were not included in this survey.

Nonwhite businesses in the cities visited represented a small percentage of the total retail trade. The largest number of Negro businesses were funeral homes, small groceries, and restaurants.

Negroes owned or operated service stations in Jackson, Uniontown, Greensboro, and Tuskegee, among other places. In these and other towns Negroes also own or operate taxi services, laundromats, a small chemical plant, an income tax service, small cafes, and several other businesses.

The result of this survey, therefore, is that Negroes have a disproportionately small share of employment in retail trades within the 16-county area.

Mr. GLICKSTEIN. Mr. Culmer, did you personally participate in conducting this "main street" survey?

MR. CULMER. Yes, I did.

MR. GLICKSTEIN. Did you have any unusual experiences?

MR. CULMER. Humorous or nonhumorous?

Mr. GLICKSTEIN. Well, go ahead.

Mr. Culmer. Well, one incident comes to mind. I wouldn't mention the city, but I was in a particular establishment and I asked the question concerning minority employment and the response was: "No, we don't have any Orientals, Japanese, Spanish speaking people, or Negroes, or no foreigners like that."

Mr. GLICKSTEIN. Thank you.

CHAIRMAN HANNAH. Thank you, Mr. Culmer. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witness is Mr. Clyde Roberts. He will be questioned by George Bradley, an attorney on the staff of the Commission.

(Whereupon, Mr. Clyde Roberts was sworn by the Chairman and testified as follows:)

### TESTIMONY OF MR. CLYDE ROBERTS, LIVINGSTON, ALABAMA

MR. BRADLEY. Mr. Roberts, will you state your name and address for the record, please?

MR. ROBERTS. Clyde Roberts, Livingston, Alabama.

MR. BRADLEY. How long have you lived in Livingston?

Mr. Roberts. About 11 years.

Mr. Bradley. Where were you born?

Mr. Roberts. In Choctaw County, Alabama.

MR. BRADLEY. What is your occupation?

Mr. Roberts. Store manager. I manage the Yellow Front Store in Livingston, Alabama.

Mr. Bradley. How long have you held this position?

Mr. Roberts. I have been in Livingston 10 years. I have held this position about 17 years.

MR. BRADLEY. Is the company that you work for engaged in operations other than the food chain stores?

MR. ROBERTS. They are, they are wholesalers in Selma, Alabama, McKinsey, Steer King McKinsey.

MR. BRADLEY. How many food chain stores do they have?

Mr. Roberts. They have six stores.

Mr. Bradley. How many persons do you employ in your store?

Mr. Roberts. In Livingston?

Mr. Bradley. In Livingston.

Mr. Roberts. I believe it is 13.

MR. BRADLEY. And how many of those are black?

Mr. ROBERTS. Six of them are black.

MR. BRADLEY. And what positions do they hold?

MR. ROBERTS. I have two Negro girls work in the market section, and I have one Negro cashier, and the rest of them are—well, I have one assistant manager nigger, and the rest of them are bag boys.

Mr. Bradley. When did you first hire a nonwhite cashier?

Mr. Roberts. Since Christmas. I had this girl working for me in the pricing and labeling department in our market. I moved her to the cash register since Christmas.

Mr. Bradley. Would you describe for the Commissioners the events which preceded your hiring of a nonwhite cashier?

MR. ROBERTS. We have had picketing going on in the front of the store, I believe, somewhere around 3 weeks before Christmas until 4 or 5 weeks ago. And I brought her up and put her on the cash register.

MR. BRADLEY. What was the position of your company's main office regarding the picketing and your reactions to it?

Mr. Roberts. They didn't mind. It doesn't make any difference

to them. They just wanted to be real careful that we didn't have a backlash and lose our business.

Mr. Bradley. Did they give you any instructions regarding the picketing?

MR. ROBERTS. They told me to just sit quiet and be sure that didn't anybody get hurt or anything happen.

MR. BRADLEY. What was the reaction of the white community when you moved the girl to the cash register?

MR. ROBERTS. They accepted it and we didn't lose any white business. Our business is up a good bit.

MR. BRADLEY. Did any white persons make favorable comments to you regarding this?

MR. ROBERTS. Oh, yeah, you see we had this girl working. We have a barbeque department too and we had her, she'd been taking care of this a lot of the time. And some of the ladies commented, said they were glad to see her, they hoped she would do as good a job up there as she did back in the back.

Mr. Bradley. Did you receive any unfavorable comments from white individuals?

Mr. Roberts. No. One or two, but it didn't amount—they are trading right on now.

MR. BRADLEY. Do you believe that the reaction of the white community would have been different if this step had been taken prior to the picketing?

MR. ROBERTS. It might have. You never can tell about those things. I kind of doubt that it would have been different. You would hesitate to make those steps but when you do it's——

Mr. Bradley. Do you think that you could have moved the nonwhite girl to a cashier's position prior to the passage of the '64 Civil Rights Act?

Mr. Roberts. I really don't know.

MR. BRADLEY. Mr. Roberts, have you been involved in efforts to attract new industry to your area?

Mr. Roberts. Oh, yes, we have.

Mr. Bradley. Has Livingston been successful in getting industry?

Mr. Roberts. Oh, yes, we have gotten I believe it is three within the past 2 years.

Mr. Bradley. Did these industries receive any Federal assistance?

Mr. Roberts. Yes, this custom sheeting did.

Mr. Bradley. From what agency?

Mr. Roberts. SBA.

MR. BRADLEY. What factors do you think were most important in their decision to locate in Livingston?

Mr. Roberts. Well, because we wasn't having too much trouble

and they felt like under the program that we had started, that we would be able to move forward.

Mr. Bradley. Do you think picketing or other peaceful demonstrations such as occurred outside your store affect industry's desire to move into an area?

MR. ROBERTS. I think it would, if there was someone who intended to invest money, who would come through and see that picketing, he would be hesitant to invest his money.

MR. BRADLEY. Mr. Roberts, local companies in your area have told Commission staff persons that they cannot hire nonwhite driver-salesmen because merchants would refuse to deal with them. Has this been the experience of your company?

Mr. Roberts. No, we have Negroes on all our trucks from Selma. They deliver to all the accounts. No white drivers, or no white helpers.

MR. BRADLEY. Do you feel that any of the merchants in your area would object if some of these companies hired nonwhite driver-salesmen?

MR. ROBERTS. I do not.

Mr. Bradley. Do you think it is good business to hire Negroes for nontraditional jobs?

Mr. Roberts. I beg your pardon?

MR. BRADLEY. Do you think it is good business to hire black persons for nontraditional jobs?

MR. ROBERTS. I think it is good business to hire black people to try and train him and grade him up always to do you a good job.

MR. BRADLEY. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Roberts, before the picketing which went on I understand for 2 months, didn't you feel that you could put a Negro on your cashier's job?

Mr. Roberts. I was hesitant because I didn't know what the—if I had would have a backlash from the white people.

VICE CHAIRMAN PATTERSON. You are saying then it was not so much your judgment as it was that you were afraid of the people who traded with you?

Mr. ROBERTS. Yes, because they do me a good job all the time. I have been wonderfully blessed with them.

VICE CHAIRMAN PATTERSON. I am wondering from the Negro's point of view in Alabama, and my State and others, is it going to be necessary for him to picket and force all of us to do what we ought to do or do you see a day coming when other grocers and store managers can do what you did without being forced to do it?

MR. ROBERTS. I see the time coming when he will take his proper place. People are beginning to accept it and look at it from a different point of view. I am sure there is going to have to be some forcing done.

VICE CHAIRMAN PATTERSON. But the reason that you waited until after the picketing before you took these steps really was fear, wasn't it?

Mr. Roberts. That's right.

VICE CHAIRMAN PATTERSON. Fear you would lose business?

MR. ROBERTS. That's right.

VICE CHAIRMAN PATTERSON. Fear of what your neighbors might say?

Mr. Roberts. That's right.

VICE CHAIRMAN PATTERSON. This presents a very grave problem to all Southern white men and I think to all America.

Mr. Roberts. Oh, yes.

VICE CHAIRMAN PATTERSON. Because we-

Mr. Roberts. Business is hard to get back once you lose it, and you are hesitant to do things. The public moves you to a great extent. You move because they move you.

VICE CHAIRMAN PATTERSON. Because they are your customers? Mr. Roberts. That's right.

VICE CHAIRMAN PATTERSON. And from the Negro's point of view, then what he sees is that he doesn't really get to move until he forces us to move?

MR. ROBERTS. That's right. That's right.

VICE CHAIRMAN PATTERSON. Do you think this is a good situation?

MR. ROBPRTS. No, I don't, no.

VICE CHAIRMAN PATTERSON. I don't either. Thank you.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Roberts, how many people live in Livingston?

Mr. Roberts. 1,700.

COMMISSIONER FREEMAN. How many of them are black?

Mr. Roberts. The ratio is 76 percent in the county. I don't know exactly what the ratio would be in Livingston.

COMMISSIONER FREEMAN. The county is 76 percent?

Mr. Roberts. Seventy-six percent, I believe that is correct.

COMMISSIONER FREEMAN. On this basis your customers then are the people who decide whether you stay in business, aren't they? Mr. ROBERTS. That's right.

COMMISSIONER FREEMAN. And so if the black people in any community would decide that they wouldn't spend their money where they couldn't work that would make some changes pretty fast, wouldn't it?

MR. ROBERTS. That's right.

COMMISSIONER FREEMAN. Would you feel that this is an effective tool?

Mr. Roberts. I would say so.

COMMISSIONER FREEMAN. In other words, if you as a white person couldn't spend your money somewhere—couldn't work somewhere you wouldn't spend your money there, would you?

MR. ROBERTS. That's right

COMMISSIONER FREEMAN. Well, then all the Negro is doing when he engages in this is really carrying out the American ideal, isn't he?

Mr. Roberts. That's right.

COMMISSIONER FREEMAN. And you recommend that? Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. No questions.

CHAIRMAN HANNAH. Are you finished, Mr. Bradley?

MR. BRADLEY. Yes, sir.

CHAIRMAN HANNAH. Thank you very much, Mr. Roberts. We appreciate your being here. Call the next witness, Mr. Glickstein.

MR. GLICKSTEIN. The next witness is Dr. Moses Lukaczer, a member of the Commission staff.

(Whereupon, Dr. Moses Lukaczer, having been previously sworn, testified as follows:)

### TESTIMONY OF DR. MOSES LUKACZER, STAFF MEMBER, U.S. COMMISSION ON CIVIL RIGHTS

Mr. GLICKSTEIN. Dr. Lukaczer, have you done a study of the State Employment Office?

Dr. LUKACZER. I have.

Mr. GLICKSTEIN. Would you please summarize for the Commissioners the result of your study?

DR. LUKACZER. The Alabama State Employment Service and its network of local employment offices is a part of the Federal State public employment system. This system operates under the United States Department of Labor's Bureau of Employment Security. This system has important responsibilities with regard to the placement of applicants at jobs which utilize their highest skills and in bringing the occupational skills of individuals through counseling, testing, and training—to the highest level they are capable of.

Because of its continuous contacts with employers the Alabama State Employment Service is a powerful agent for building into the placement process those elements of equity toward minority groups for which the Civil Rights Act of 1964 stands.

Staff investigations reveal the following:

First the Bureau of Employment Security has developed and established an elaborate procedure to deal with job orders which discriminate on the basis of race or color. It requires that an effort be made to persuade the employer and to follow up with him with the objective of getting him to rescind the discriminatory order and to replace it by an open order.

The procedure also includes the sampling of employers who are serviced by the Employment Service with a view to determining whether they are discriminating in their employment practices in ways which do not show up in a job order.

Staff investigations reveal an absence of vigor in the State office and the local offices in carrying through on these procedures. State and local offices are not being used in a positive fashion to make employers understand what the price is for receiving service from the Employment Service and what will not be tolerated in the name of discrimination against minority groups.

Second, the promotion of equal employment practices to the end that minority groups shall be benefited is the declared policy of the Bureau of Employment Security. The placement pattern of white and nonwhite applicants in the 16-county area indicates that this goal is not being met.

In December, 1967, 39 percent of all nonwhite placements in the 16-county area were for service jobs in private households. Among white applicants only 2.5 percent were placed in this type of work.

Third, in spite of clear indications of interest in vocational training in the 16-county area little in the way of MDTA institutional training has been or is being carried on in this area. As of February 1967, one MDTA institutional course was being given in the area, in Selma, for nurses' aide.

Fourth, instructions are explicit about establishing a State manpower advisory committee with minority group representation in
the interest of an effective manpower training program. These
instructions stem from the Congress of the United States, from the
Secretary of Labor, and from the Director of the Bureau of Employment Security. Despite these instructions, the State of Alabama does not have a State manpower advisory committee. Furthermore, while a number of local employment offices have local
manpower advisory committees, in general, the committees are inactive. Thank you, Mr. Chairman.

CHAIRMAN HANNAH. Thank you, Dr. Lukaczer. The next witness, please.

MR. GLICKSTEIN. The next witness is Miss Sara Green, an attorney on the staff of the Commission.

(Whereupon, Miss Sara Green, having been previously sworn, testified as follows:)

### TESTIMONY OF MISS SARA GREEN, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

Mr. GLICKSTEIN. Miss Green, I show you a copy of a report entitled "Staff Report, Public Employment in the 16-County Hearing Area." Were you responsible for preparing this report?

MISS GREEN. I was.

MR. GLICKSTEIN. Mr. Chairman, may this be introduced into the record?

CHAIRMAN HANNAH. It is received in the record.

(The document referred to was marked Exhibit No. 25 and received in evidence.)

Mr. GLICKSTEIN. Miss Green, would you please summarize this report?

MISS GREEN. The Commission staff has undertaken a survey of public employment in the 16-county hearing area which reveals that Negroes hold a small percentage of the governmental jobs available in the area and are generally concentrated in lower-skilled positions such as janitors, road crews, and sanitation workers.

The Federal Government's policy of nondiscrimination on the basis of race is not being effectuated in this area. Negroes do not hold a substantially greater number of governmental jobs covered by Federal regulations prohibiting racial discrimination than they do of State and local jobs that are not covered by similar prohibition.

The two major sources of Federal employment in the 16-county hearing area are the Farmers Home Administration and the Post Office Department. Although a total of 650 jobs are available in these agencies, only 42 are filled by Negroes. Agency offices in half of the hearing counties employ no Negroes. FHA offices in the 16-county hearing area employ 39 persons of whom only six are Negroes. The six are members of the professional staffs in the Greene County and Macon County offices.

None of the 16 clerical workers employed by FHA is Negro. Of 611 Post Office employees in the 16-county hearing area, only 36 are Negro. Eight of the counties have no Negro postal workers.

Although State discrimination on the basis of race is prohibited by the 14th amendment, Alabama has not amended its State Merit System to comply with the Federal law. The Department of Health, Education, and Welfare, which is responsible for obtaining compliance with this law, has, to date, not applied sanctions against Alabama for noncompliance.

The consequences of the absence of any nondiscriminatory requirement is shown by the fact that Negroes hold only 82 of the 560 State jobs available in the hearing area. Of these 82 jobs, 38 are either for part-time work or are janitorial positions.

Employment data for local government jobs in the hearing area

show that most Negroes are concentrated in county roads departments and city sanitation and street departments. Only four counties have Negroes on their law enforcement staff. And only eight of the 16 cities surveyed have full-time Negro policemen.

Negroes are employed as clerical workers by only one city and

one county in the hearing area.

That concludes my summary.

CHAIRMAN HANNAH. Thank you, Miss Green. Proceed, Mr. Glickstein.

MR. GLICKSTEIN. The next witnesses are Mr. Richard Quinney and Mr. Robert Worlund accompanied by counsel.

(Whereupon, Mr. Richard Quinney and Mr. Robert Worlund were sworn by the Chairman and testified as follows:)

# TESTIMONY OF MR. RICHARD QUINNEY, SELMA, ALABAMA AND MR. ROBERT WORLUND, GREENVILLE, ALABAMA

Mr. Foster. Mr. Chairman, my name is Eugene Foster. I am General Counsel for the Alabama Department of Industrial Relations and we operate in this part of the State, and I would like the privilege of sitting with these gentlemen.

CHAIRMAN HANNAH. Proceed, sir.

MR. GLICKSTEIN. Mr. Quinney and Mr. Worlund, would you please each state your full names and give your addresses for the record?

MR. QUINNEY. My name is Richard M. Monroe Quinney. You say the name and what?

MR. GLICKSTEIN. And the address.

Mr. Quinney. 802 Lauderdale Street, Selma, Alabama.

Mr. Worlund. Bob Worlund, I am manager of the employment office in Greenville, Alabama.

Mr. GLICKSTEIN. What is your occupation, Mr. Quinney?

Mr. QUINNEY. I am manager of the State Employment Service in Selma.

MR. GLICKSTEIN. Mr. Quinney, what job training programs have been instituted through your office during the last 2 or 3 years?

Mr. QUINNEY. The only one that we have had is Nurses' Aide, which is in the process now.

MR. GLICKSTEIN. That is a MDTA training course?

MR. QUINNEY. Yes, sir.

Mr. GLICKSTEIN. Funded by the Federal Government?

Mr. QUINNEY. Yes, sir.

MR. GLICKSTEIN. And carried out in the schools?

Mr. Quinney. Well, the education part is. The city board of education.

Mr. GLICKSTEIN. How about in your office, Mr. Worlund?

MR. WORLUND. We haven't had any MDTA training in the area.

MR. GLICKSTEIN. Haven't had any MDTA training?

Mr. Worlund. No, sir.

MR. GLICKSTEIN. Have you had requests for companies for MDTA training?

Mr. Worlund. No, sir.

MR. GLICKSTEIN. Did you conduct any surveys to determine what skills were in demand and required training?

Mr. Worlund. Yes, sir.

MR. GLICKSTEIN. What did your studies show?

Mr. Worlund. Very little demand in the classifications that we could train for.

MR. GLICKSTEIN. Very little demand?

Mr. Worlund, Yes.

MR. GLICKSTEIN. There were some classifications that you were not able to train people for?

Mr. Worlund. Yes, sir. One is sewing machine operators.

Mr. GLICKSTEIN. What about as weavers in the textile mills?

Mr. Worlund. Yes, we could train weavers.

Mr. GLICKSTEIN. You can train weavers?

Mr. Worlund. Yes, sir.

MR. GLICKSTEIN. And you are in Greenville?

Mr. Worlund. Yes, sir.

MR. GLICKSTEIN. And is the Dan River Mill in Greenville?

Mr. Worlund. Yes, sir.

Mr. GLICKSTEIN. Has Dan River asked you to train people as weavers?

Mr. Worlund. No, sir.

MR. GLICKSTEIN. Mr. Quinney, you mentioned that you had a Nurses' Aide program. Will the salaries of the people trained in this program when they finish be fairly substantial?

MR. QUINNEY. Yes, sir, the prevailing rate.

MR. GLICKSTEIN. It that pretty good money, the prevailing rate?

Mr. QUINNEY. Well, it is not the minimum of \$1.60 an hour that the construction workers make.

MR. GLICKSTEIN. Pardon?

Mr. QUINNEY. It is not the minimum of \$1.60 an hour. I don't know what the Federal wage rate is on that type of work.

MR. GLICKSTEIN. Below the minimum? It is below the minimum? MR. QUINNEY. Not the standards that the Federal Government set, the Wage Hourly Board. I don't—I don't remember exactly

what the minimum wage is for hospitals. Mr. GLICKSTEIN. But less than \$1.60?

MR. QUINNEY. Yes, less than \$1.60.

MR. GLICKSTEIN. Aren't there any higher grade jobs in your area for which you can establish training programs?

MR. QUINNEY. Well, yes, sir, but they are so scattered. In fact, our guidelines say that we need at least 15 or 20 persons, or jobs,

before they can establish a training course, in order to set up a training program.

Of course the expense of it is so high that is the reason they limit it to at least 10 or 15. There is some, yes, sir, there sure is. There is some classifications that do need training for.

MR. GLICKSTEIN. What is the attitude of employers in your area toward MDTA training programs?

MR. QUINNEY. We haven't had any problems with them at all, haven't had complaints, or anything.

MR. GLICKSTEIN. Well, you only have one program?

Mr. QUINNEY. That's right.

Mr. GLICKSTEIN. But—

MR. QUINNEY. We have done a survey years ago, last year in fact, this year, and discussed the possibility of training shortage of workers and what type of workers could be trained. And they were all very receptive to it that we talked to.

MR. GLICKSTEIN. If they were very receptive to this why haven't programs other than your Nurses' Aide program been instituted?

MR. QUINNEY. Well, our State office of course decides on which area gets the training and who doesn't. And of course the only thing we do is certify the need, and it is left up to them to approve the training for whatever area they will. Most of our training is done in your metropolitan areas.

MR. GLICKSTEIN. Some of our investigations in the Selma area have indicated that many owners of textile factories feel that they are very much in need of people that can repair their machines. They claim that that is a very scarce job classification. Have you had any request to set up a course to train machine operators?

MR. QUINNEY. Yes, we did. In fact, we estimate now that we could probably use five or six hundred people if they were trained in the sewing machine occupation. We tried over a year ago to get a program set up and of course we were turned down in Washington.

MR. GLICKSTEIN. I am not talking about the people who use the machine. I am talking about the people who repair the machines.

Mr. QUINNEY. No, sir, we have not. We have not submitted a proposal.

MR. GLICKSTEIN. That is the job classification that I am told is very much in demand.

MR. QUINNEY. It is, yes, sir. We estimate that we could use five or six right now but I understand that there is none going on in the State right now as far as I know, no training for that.

MR. GLICKSTEIN. And you could use five or six?

MR. QUINNEY. Yes, sir.

MR. GLICKSTEIN. What would have to happen before you could establish a program to train people to do that sort of work?

Mr. QUINNEY. Well, we would certify the need and submit a

proposal and of course like I say, they have to have justification for setting up a program like that. I doubt seriously that they would do it for five people. They tell us they are limited on funds and that is the reason we don't get it.

MR. GLICKSTEIN. You say that you have had five or six requests for people in that job?

Mr. Quinney. Yes, sir.

MR. GLICKSTEIN. Have you personally, and members of your staff, surveyed the companies in the Selma area and asked them how many people they could use?

Mr. Quinney. Yes.

MR. GLICKSTEIN. And your conclusion is that there are just about five or six people in that category that could be employed?

Mr. QUINNEY. That's right, as sewing machine repairmen, yes, sir.

MR. GLICKSTEIN. There was some testimony on Saturday that indicated that a resident of Dallas County secured a job through your office to work for the Birds Eye Frozen Food Company up in New York. Do you have a fairly extensive program for getting people seasonal jobs outside of the State?

MR. QUINNEY. Yes, we do. Of course that comes under our Rural Industry Program, Farm Placement Division. We are at the present right now recruiting for Birds Eye. General Foods has a representative here right now recruiting and has been here for 2 weeks, and we also sent some yesterday off to Connecticut—shade tobacco.

MR. GLICKSTEIN. And these are just seasonal jobs, 2 months and the people come back?

MR. QUINNEY. Yes, sir.

MR. GLICKSTEIN. And how much effort do you devote to this program?

MR. QUINNEY. Well, we usually exert a good bit of effort right about the time that they come in with the recruiters. I have a Rural Industry man working for me and he gets out and does the recruitment. I would say a couple of months, right along about this time is when we really do a lot of work on it.

Of course we do a lot of newspaper, radio advertising, and so forth to get these people to come in.

MR. GLICKSTEIN. And somebody comes into your office at this time of the year and is looking for a job in the Selma area you might tell them that while you don't have anything available in Selma you do have something available up in New York at Birds Eve?

MR. QUINNEY. Yes, sir.

Mr. GLICKSTEIN. Mr. Worlund, has your office assisted autoparts stores in obtaining parts clerks?

MR. WORLUND. I guess you are talking about when I told you

a while ago we haven't had any MDTA training. That training is set up through a State organization, automotive retail association, and we have had four on that program in Greenville, and it is in the retail automotive, set up by the dealers.

MR. GLICKSTEIN. And the people, these four people received on-

the-job-training?

Mr. Worlund. Yes, sir.

MR. GLICKSTEIN. And they were referred to the automobile dealers by your office?

MR. WORLUND. I believe everyone of them was already working when he started his training. They were not referred by my office.

MR. GLICKSTEIN. Did your office help to pay for the training?

MR. WORLUND. Well, it is paid for through MDTA, and we just really submit a report stating that he is on the job each month and receive that.

MR. GLICKSTEIN. And the Federal Government pays for the onthe-job training?

Mr. Worlund. That's right.

MR. GLICKSTEIN. Are you required to ascertain whether the employers for whom these people are working discriminate?

MR. WORLUND. No, sir.

MR. GLICKSTEIN. Is it possible that the four people that you have working on these jobs are working for employers that would not hire Negroes?

Mr. Worlund. Well, it is possible, but——

Mr. GLICKSTEIN. It is possible?

MR. WORLUND. —but I think some of them, in fact, I know some of them have Negroes working for them.

MR. GLICKSTEIN. I just asked if it was possible?

Mr. Worlund. Sure, it is possible.

MR. GLICKSTEIN. It could happen?

Mr. Worlund. Sure.

Mr. GLICKSTEIN. And even under those circumstances the employer would still be getting Federal funds to train?

MR. WORLUND. Sure, it is possible.

Mr. GLICKSTEIN. What steps do you take to insure that employers who call your office and request people to be referred for jobs do not discriminate?

MR. WORLUND. Well, we have an order form that we complete and if he requests, or they don't request anything but certain qualifications. And then we refer anyone that meets those qualifications to the job.

MR. GLICKSTEIN. What sort of steps would you take if an employer submitted job orders to you, did not make any request based on race, you referred 25 people to that employer, there were 18 of the people were Negro, seven of them were white, the employer rejected the 18 Negroes over a period of time and hired

the seven whites, would that suggest anything to you? Would that prompt any investigation?

MR. WORLUND. Well, it never has happened to me, as far as I know. I am sure it hasn't. Of course, I am sure if it had, it would suggest something, sure.

MR. GLICKSTEIN. Well, do you make an attempt to follow up on what the outcome of referrals are to employers?

Mr. Worlund. We verify everyone we refer, yes, sir.

MR. GLICKSTEIN. To determine whether the person has been hired or rejected?

MR. WORLUND. That's right.

MR. GLICKSTEIN. So you do have a basis for determining what the pattern of hiring is by a particular employer?

Mr. Worlund. Yes, sir.

MR. GLICKSTEIN. Mr. Quinney, did you ever have any contact with the Equal Employment Opportunity Commission or with the Federal Contract Compliance Agency with respect to employment practices in your area?

Mr. Quinney. To my knowledge I can't recall.

MR. GLICKSTEIN. Nobody from any Government contract agency ever came in and told you that a particular company needed Negro clericals very badly, wouldn't you see what you could do to help him get some?

MR. QUINNEY. Not that I know of, no, sir.

Mr. GLICKSTEIN. Have you ever been officially informed that any employers in your area have been found by Government contract agencies to be in noncompliance?

Mr. Quinney. No, sir.

MR. GLICKSTEIN. Mr. Worlund, you mentioned that you didn't feel that you weren't aware of any skills in your area that were in demand that required a MDTA training program. Isn't it true that there is a need for welders in your area?

MR. WORLUND. Yes, sir, there is a need for welders, but there is not a need, enough need to justify a training class, which they

will not set up one unless you train at least 12 to 15 to 20.

MR. GLICKSTEIN. Well, under the MDTA regulations, isn't it possible to provide people with skills and accordingly create a trained labor pool that would attract industry to the area? For example, if you did have a pool of skilled welders or in Mr. Quinney's area, he had a pool of skilled sewing machine repairmen, wouldn't that be an inducement for businessmen to locate in that area?

MR. WORLUND. I am sure it would, but under the present regulations, as far as I know now, we have to certify that the jobs are available before we can train for them.

MR. GLICKSTEIN. Mr. Quinney, would you like to comment on that?

MR. QUINNEY. No, sir, that is my understanding, that the jobs have to be there before we can actually get a training class approved.

MR. GLICKSTEIN. Were you ever visited by employers who were

contemplating locating in your area?

MR. QUINNEY. Occasionally, yes, sir, they come by for labor market information, unemployment rate, and number of people unemployed, such information as that.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Worlund, Mr. Quinney has mentioned that he has a training program for Nurses' Aide. Is that correct?

Mr. Quinney. Yes.

VICE CHAIRMAN PATTERSON. Have you had a training program for any category of worker?

Mr. Worlund. No, sir, the only training that we have had is the four auto countermen.

VICE CHAIRMAN PATTERSON. Mr. Quinney, I believe you testified that you could probably use, or the Selma area could use, five hundred or six hundred sewing machine operators if you had them. Is that right?

MR. QUINNEY. Yes, we estimate that over the next year.

VICE CHAIRMAN PATTERSON. Over the next year?

Mr. Quinney. Yes, sir.

VICE CHAIRMAN PATTERSON. Well, if this is your official estimate you must have that based on a need that exists?

Mr. Quinney. Yes, sir.

VICE CHAIRMAN PATTERSON. Can't you get a sewing machine operator program started training these people as a result of the estimate?

MR. QUINNEY. No, sir, as I said that is one of the occupations that they said the Department of Labor would not approve.

VICE CHAIRMAN PATTERSON. Because the wages were too low?

MR. QUINNEY. That's right—no, sir, I think they had other problems, just what I don't actually know. But it is a short-time course and it is quite a bit of turnover, people moving about. Perhaps that had something to do with that decision not to approve it.

VICE CHAIRMAN PATTERSON. You need industry in Selma, don't you?

Mr. QUINNEY. Yes, sir, we need it bad.

VICE CHAIRMAN PATTERSON. And if a prospective employer comes in and says: "Look, I am going to move here. There is my option on the land, if you will train me 100 workers in the field." Will you then go to work and try to get a program going to train those workers for him?

Mr. Quinney. Yes, sir, certainly. If they tell us that they will

have so many jobs available we will certainly go to work and submit a proposal to try to get training for these.

VICE CHAIRMAN PATTERSON. Where would you go to get the money to pay for that training?

MR. QUINNEY. Well, it comes through the Federal Government, Department of Labor, Manpower Development Training Act.

VICE CHAIRMAN PATTERSON, MDTA?

Mr. QUINNEY. Yes.

VICE CHAIRMAN PATTERSON. And you have no hesitation about using these MDTA funds?

MR. QUINNEY. No, sir, I don't myself, I sure don't. Whether they will be set aside or not—

VICE CHAIRMAN PATTERSON. I understand that.

Mr. Quinney. —for training.

VICE CHAIRMAN PATTERSON. Have you encountered any employers in the Selma area who don't want workers trained under MDTA programs?

Mr. Quinney. I haven't so far, no, sir.

VICE CHAIRMAN PATTERSON. Have you at Greenville, Mr. Worlund?

Mr. Worlund. No, sir.

VICE CHAIRMAN PATTERSON. In other words, there is no prejudice against this Federal program?

Mr. Worlund. No, sir. In fact, when it first came out we submitted a big proposal to train sewing machine operators and it was turned down.

VICE CHAIRMAN PATTERSON. That was turned down?

Mr. Worlund. Yes, sir, and the employers were ready and willing and wanted it.

VICE CHAIRMAN PATTERSON. No further questions.

CHAIRMAN HANNAH. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Quinney and Mr. Worlund, how is the Alabama State Employment Service funded?

Mr. QUINNEY. Funded through the Federal Government, Federal funds.

COMMISSIONER FREEMAN. By a contract between the State of Alabama and the Federal Government, is that right?

MR. QUINNEY. That's right.

COMMISSIONER FREEMAN. I raise the question because I believe it was either Mr. Worlund or you, Mr. Quinney, who said that you didn't have any responsibility to find out if a company was discriminating in a job request. My next question is, as I understand the law with respect to the Employment Security Office, that each of the offices has a specific responsibility to go out in job development, job structuring, education with respect to employment and in addition to on-the-job training. And it appears that neither office, Selma or Greenville, has done anything about job develop-

ment or job structuring to improve the occupational conditions in this community. Is that correct?

Mr. QUINNEY. It may have been done. I am sure some of it has been done in our area. Of course there wouldn't be any record of it. We are constantly asking the employers to take people on jobs and train them, regardless of race, color, or creed. And we have done that and we have been successful in placing people in training jobs at the beginning with the company, and work them up.

COMMISSIONER FREEMAN. And I understood you to say that you are engaged now, you or Mr. Worlund, in finding employees for seasonal workers for the Birds Eye Company and other com-

panies. What income will those people receive?

Mr. QUINNEY. Those people will be paid \$1.60 per hour plus time and a half for overtime. If they work, or want to work overtime they can make as much as \$175 a week.

COMMISSIONER FREEMAN. Over a period of what time?

MR. QUINNEY. Well, they go to work in June and leave in November.

COMMISSIONER FREEMAN. Actually they only work about 5 months?

MR. QUINNEY. Five months, that's right.

COMMISSIONER FREEMAN. Wouldn't it be better for them to be trained as machine repairmen and possibly get a job 12 months a year with the minimum skills as migrant workers, out of the State for only 5 months a year?

MR. QUINNEY. It certainly would.

COMMISSIONER FREEMAN. If your office cannot make the decision that there needs to be training for the machine repairs, have you brought it to the attention of the State office?

MR. QUINNEY. Certainly have, we have and had meetings, the State office personnel met with us and with the employers in our area, and of course they did all they could to help get this.

COMMISSIONER FREEMAN. I am talking about these 500 jobs, where there is a need, where the salary is how much? How much would they be making?

MR. QUINNEY. They make \$1.60 an hour.

COMMISSIONER FREEMAN. And they could go up to how much? Mr. QUINNEY. That is about it.

COMMISSIONER FREEMAN. The machine repairmen make how much?

Mr. QUINNEY. Well, most of those are paid on a weekly basis, I believe. It seems to me like they make \$100 or \$125 or \$150 a week, according to the experience.

COMMISSIONER FREEMAN. On the basis of what the people are making now that would be about \$150 more than what some of them are making, isn't that right?

Mr. Quinney. Yes.

COMMISSIONER FREEMAN. Now, it looks then that the Federal Government is also acquiescing in a program to deprive people of training, is that correct?

Mr. Quinney. It seems it, yes.

COMMISSIONER FREEMAN. Have you made any recommendation to the Department of Labor in Washington in this regard?

MR. QUINNEY. Not any specific, no, not on this specific occupation, sure haven't.

COMMISSIONER FREEMAN. Let me ask you about your own office. How many employees do you have in your office?

Mr. Quinney. In this office, nine of us.

COMMISSIONER FREEMAN. How many of them are Negro?

Mr. Quinney. We have two.

COMMISSIONER FREEMAN. What jobs do they have?

MR. QUINNEY. One is a custodian and one is a recruiter for this migrant labor.

COMMISSIONER FREEMAN. And what about you, Mr. Worlund? How many in your office?

MR. WORLUND. We have six.

COMMISSIONER FREEMAN. How many are Negro?

Mr. Worlund. Two colored.

COMMISSIONER FREEMAN. What are they employed as?

MR. WORLUND. One is a janitor and one is an employment security representative.

COMMISSIONER FREEMAN. So your own office leaves much to be desired. There is something that you can do about it, isn't there?

MR. QUINNEY. Well, of course we don't have any authority—under the State merit sytem you have to take the examination to get on the register. And of course we have not been certified in it. That is of course the primary reason why we haven't hired any, except for the local representatives, that is a part-time job.

COMMISSIONER FREEMAN. Well, would you also suggest to the State that some changes need to be made there?

MR. QUINNEY. Well, of course the personnel department handles that, we suggest all the time, but we don't—they don't let us make any rules, or anything like that.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

Mr. TAYLOR. On the question of employment, Mr. Quinney, I believe you said that you have two professional employees who are Negroes. Is that right?

MR. QUINNEY. One. We actually have had as many as three or four at one time. We have a vacancy now that we are waiting for a register to be established so we can hire another person.

MR. TAYLOR. Suppose you were to learn that a large landholder was evicting his tenants. Is there anything you would do with re-

spect to that situation, to be of help to the tenants who were being evicted? Farm tenants, I am talking about.

Mr. QUINNEY. Well, we could try to find jobs for them, of course, which we do. The majority of them do come to us.

Mr. TAYLOR. What about those who don't come to you? Do you seek them out?

Mr. Quinney. We do in some areas. Of course, due to the limitation of personnel we can't get out to much seeking out these areas. However, we do on special—when there is a shortage of workers we do get out and try to go through the community and try to get these people to come in and register with us.

MR. TAYLOR. Mr. Worlund, what is your answer to the same question?

MR. WORLUND. It is about the same answer. We do of course recruit at all times on all kinds of jobs. I mean if we get an order and go to our files and don't have someone to fill it we try to find somebody to fill it.

Mr. TAYLOR. Mr. Quinney, about how many job orders would you process in the course of a year?

Mr. QUINNEY. Right at the present time—you mean number of openings?

Mr. TAYLOR. That's right.

Mr. Quinney. About 2,400.

Mr. Taylor. 2,400?

Mr. Quinney. 2,400 to 2,800, yes, sir.

Mr. TAYLOR. Are you able to estimate how many jobs might be filled in the course of the year in your county, not by you, all told? How many job vacancies in the course of a year?

Mr. Quinney. I just don't have any idea. It would be twice that many, I am sure or more.

Mr. TAYLOR. How would you say that most people find a job in your county?

MR. QUINNEY. Well, I just don't know. Of course, there are a lot of ways people find jobs, through their friends or through relatives, or through us.

MR. TAYLOR. Would you say—you said through their friends or through their relatives, would you say that that is a very common way of finding a job, by word of mouth?

Mr. QUINNEY. That is the most common, that plus through their pastor, the pastor helps them on the jobs.

Mr. TAYLOR. And to the extent that Negroes do not have friends or relatives who are employed in good-paying positions they may be at a disadvantage of seeking a job. Would you say that is true?

Mr. QUINNEY. That could be, yes.

Mr. TAYLOR. This would suggest, at least to me, some very special responsibilities on the part of the employment service to make up for that kind of disadvantage. Would you agree to that?

Mr. Quinney. Yes, I would. If we had the staff available to get out and really work it, of course we are operating with a limited staff ourselves.

MR. TAYLOR. I have no further questions.

CHAIRMAN HANNAH. Mr. Glickstein?

Mr. GLICKSTEIN. No. sir.

CHAIRMAN HANNAH. Thank you very much gentlemen. You are excused. Mr. Glickstein, will you call the next witness.

MR. GLICKSTEIN. The next witness is Mr. Edward Beis, an attorney on the staff of this Commission.

(Whereupon, Mr. Edward Beis was sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. EDWARD BEIS, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Beis, I show you a copy of a report, entitled, "Staff Report, Education". Did you participate in the preparation of this report?

MR. BEIS. Yes, I did.

MR. GLICKSTEIN. Mr. Chairman, may this be introduced into the record?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 26 and received in evidence.)

Mr. GLICKSTEIN. Mr. Beis, would you please summarize this report for the Commission?

Mr. Beis. Yes, I will.

By national standards the quality of education in the rural Black Belt of Alabama is very poor. Alabama school districts averaged only \$390 per pupil in school expenditures in the 1966-67 school year, placing it 46th in the Nation. Their statewide figure was higher than the per pupil expenditure in the State's rural school district.

County support for public schools is inadequate. The National Education Association in a recent report of its investigation in Wilcox County noted that, "The gap between income and need is particularly glaring in the rural Black Belt counties where the land is undervalued, underassessed and underdeveloped, where a majority of the population is poor, and where even the meager sources of tax revenue available are underutilized."

The hearing area includes 16 county school systems and six independent city school systems. Figures are available for 15 of the 16-county systems and five of the six-city systems.

A total enrollment in the 20 county and city systems is 87,789. 64 percent, 56,417, are black. Despite Federal school requirements

promulgated by the Department of Health, Education, and Welfare, and legal suits and court orders in every one of the systems, only 984, or 1.7 percent of the black students are attending formerly all-white schools as of September, 1967.

Similarly there is only token desegregation of teaching staffs. In the 1966-67 school year, the schools in the 16-county school system attended by white students had an average value of more than four times the schools attended by Negro pupils. As of March of 1968, there remain large differences between the per-pupil evaluation of the buildings and furnishings of the Negro schools and the traditionally white schools in many districts.

Another indication of the comparative quality of school buildings for Negro and white students is the respective number of Negro and white small schools with inadequate enrollment.

State surveys reveal that in the 16 school districts within the hearing area there were 212 substandard schools in the 1965–66 school year. 169 of them, or 80 percent, were Negro schools. Many of the systems within the hearing area still maintain Negro schools with subminimal enrollment.

There are nine schools in Marengo County, eight in Clarke County, eleven in Sumter County, and seven in Dallas County.

Several objective measures in structural quality are available for the 16-county school systems. The number of elective courses offered to high school students, for example, is generally greater at all-white or formerly all-white schools than it is at Negro schools. Not only is the number of courses offered at white schools generally greater than at Negro schools but the quality of course offerings is better.

There are generally fewer library books per student in Negro schools than in white schools in the 16-county school districts. In the white schools there is an average of 13.8 books per child while there are only 5.9 books per child in Negro schools.

Many school systems within the hearing area have not sought to correct the inequalities in instructional facilities by devoting a larger share of resources to the Negro schools. The State of Alabama assesses the quality of schools and instructional progress through the process of accreditation. Accreditation is particularly important for students who want to go to college.

In the 16-county school systems all-white high schools were accredited by the State of Alabama in 1966-67 but only 66 percent of the Negro high schools were accredited. In March, 1968, in Clarke County, 66 percent of the Negro high schools were unaccredited. In Sumter County the figure was 40 percent.

The differences in education for Negro and white students in the Alabama Black Belt also are reflected in school achievement data collected in a Title IV survey of the Office of Education, known as the Coleman Report. Data available are for Negro and white students in the rural South compared to the average scores of white students in the urban North.

There were marked disparities in achievement between white and Negro students at grade levels 6, 9, and 12 on three types of standardized tests. In the 12th grade, whereas the white students were 1.5 grade levels behind in verbal ability, Negro students were 5.2 grade levels behind. White students were one grade level behind in reading comprehension, but Negro students were 4.9 grade levels behind.

In math achievement, white students were 1.4 grade levels behind while Negro students were 6.2 grade levels behind.

That concludes my summary.

CHAIRMAN HANNAH. Thank you, sir. Mr. Glickstein, will you call the next witness.

MR. GLICKSTEIN. The next witnesses are Mr. O. B. Carter, Mr. Arthur Jones, and Mr. Theodore Gibbs.

(Whereupon, Mr. O. B. Carter, Mr. Arthur Jones, and Mr. Theodore Gibbs were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. O. B. CARTER, EUFAULA, ALABAMA; MR. ARTHUR JONES, EUFAULA, ALABAMA; AND MR. THEODORE GIBBS, EUFAULA, ALABAMA

Mr. GLICKSTEIN. Gentlemen, would you please each state your full name and address for the record?

MR. JONES. Arthur Russell Jones, Eufaula, Alabama.

Mr. Gibbs, Eufaula, Alabama.

MR. CARTER. O. B. Carter, Eufaula, Alabama.

MR. GLICKSTEIN. Would you please each state your occupation?
MR. JONES. I am the coordinator of vocational industrial edu-

MR. JONES. I am the coordinator of vocational industrial education.

Mr. GIBBS. I am a day trade instructor in carpentry and cabinet worker.

MR. GLICKSTEIN. At what school?

Mr. GIBBS. Teaching at T.V. McCoo High School.

MR. CARTER. I am superintendent of city schools in Eufaula.

Mr. GLICKSTEIN. Mr. Carter, how long have you been super-intendent?

Mr. Carter. More than 25 years.

Mr. GLICKSTEIN. More than 25 years?

Mr. Carter. Yes, sir.

Mr. GLICKSTEIN. How many schools are there in Eufaula?

MR. CARTER. We have five.

Mr. GLICKSTEIN. And what grades do each of those schools include?

Mr. Carter. Well, we have three elementary schools and those

grades are 1 through 6. And we have two high schools, 7 through 12, junior and senior high school combined.

Mr. GLICKSTEIN. What is the racial composition of those schools?

Mr. Carter. Well, it is about 60-40.

MR. GLICKSTEIN. You said you have three elementary schools, grades 1 through 6?

Mr. Carter. Yes, 1 through 6. Two high schools, 7 through 12.

Mr. GLICKSTEIN. Of those three elementary schools, approximately what is the racial composition?

Mr. Carter. 60-40.

MR. GLICKSTEIN. Each of those schools contain 60 percent white and 40 percent Negro?

Mr. Carter. That's right.

Mr. GLICKSTEIN. Each of the three?

Mr. Carter. That's right.

Mr. GLICKSTEIN. What about the——

MR. CARTER. That is the total of the enrollment. 1 through 6, 60-40 percent.

MR. GLICKSTEIN. One through 6, you have three elementary schools that contain grades 1 through 6?

Mr. Carter, Yes.

MR. GLICKSTEIN. Each of those three elementary contains 60 percent white students and 40 percent Negro students?

Mr. Carter. That's right.

MR. GLICKSTEIN. And you have two high schools, 7 through 12?

Mr. Carter. That's right.

MR. GLICKSTEIN. What is the racial composition?

Mr. Carter. Same ratio in the high schools.

Mr. GLICKSTEIN. What are the names of the high schools?

Mr. Carter. Eufaula High School and T. V. McCoo High School.

Mr. GLICKSTEIN. Eufaula High School is 60 percent white and 40 percent Negro?

MR. CARTER. No, the enrollment of the high schools are 60-40, total, add the two enrollments together.

Mr. GLICKSTEIN. What is the percentage of whites and Negroes in Eufaula High School?

Mr. Carter. We have about 700 in Eufaula High School and about 47 enrolled, 48 Negroes in the high schools.

Mr. GLICKSTEIN. 47 or 48?

Mr. Carter. 47.

Mr. GLICKSTEIN. And what is the enrollment of the McCoo High School?

MR. CARTER. About 400.

MR. GLICKSTEIN. And how many Negroes and how many whites in that school?

Mr. Carter. It is all-Negro high school.

MR. GLICKSTEIN. I just want to make sure I understand your testimony. In each of the three elementary schools, 60 percent of the students are white and 40 percent of the students are Negro. In each school?

Mr. Carter. No, I didn't say in each school. I didn't understand the question. I said our total enrollment of the schools——

MR. GLICKSTEIN. Let's start with each school.

How many Negroes and how many whites are there in each of the three elementary schools?

Mr. Carter. Van Buren Elementary School is an all-Negro school. We have just recently opened a new elementary school, but before that time we had about 700 in school, and of the 700 in the elementary school, we had 47 Negroes.

MR. GLICKSTEIN. In which school is this now?

Mr. Carter. This was the Bluff City Elementary School, the new school opened was Bluff City Elementary but the old school was Western Heights Elementary School. And we took out of the Western Heights Elementary School about 300 students and placed them over in the Bluff City Elementary School about February. We just opened this year.

MR. GLICKSTEIN. What is the racial composition of Bluff City? Are there 47 Negroes in that school?

Mr. Carter. No, 47 Negroes were in the Bluff City School, I mean in—I mean the Western Heights Elementary School, 47 Negroes—

MR. GLICKSTEIN. And how many whites?

MR. CARTER. Then when we divided, we have seven in the Bluff City Elementary School and we have 40 in the Western Heights Elementary School.

MR. GLICKSTEIN. And the rest of the student body in both of those schools is white?

Mr. Carter. All-white.

Mr. GLICKSTEIN. Thank you.

How many Negro teachers are there in Eufaula High School? Mr. Carter. Two.

Mr. GLICKSTEIN. And what subjects do they teach?

Mr. Carter. One is a librarian and one teaches physical education.

Mr. GLICKSTEIN. Are they men or women?

MR. CARTER. Women.

MR. GLICKSTEIN. Mr. Carter, how important to the success of racial integration are the attitudes and policies of the school administration in teachers?

Mr. Carter. State that question again. What is the attitude?

MR. GLICKSTEIN. How important is it to the success of racial integration, how important are the attitudes of the teachers and

of the school administration in making racial integration of the school successful?

MR. CARTER. I think it is very important.

Mr. GLICKSTEIN. Can you give us the basis of your experience?

MR. CARTER. This year, and for the first time we had placed Negro teachers in the high school, we have not had any instances at all. They have been very well accepted. In fact, I think our librarian is probably doing one of the most successful jobs we have had, and the physical education teacher is doing an excellent job. And she made a statement to me just after she came there that she felt like that she was received better than she had anticipated entirely, and she was perfectly satisfied and thrilled with the attitude of the students towards her as a teacher.

MR. GLICKSTEIN. Did you make efforts with your teachers and your students to make sure that the school integration would proceed without incidents?

MR. CARTER. Yes, before we enrolled our students, the colored students and the Negro students in the high school, we asked all the parents of the colored students and all the students to meet. We had the staff there and we took each child to the room and introduced him to the teacher and told them exactly where they would go when the school opened. And I think it was a very satisfactory indoctrination because of this fact.

CHAIRMAN HANNAH. May I request that we have quiet in the room so that we can be heard. The witnesses are all here under subpena and they shouldn't have their testimony interrupted. We don't want to infringe on your ability to feel about the testimony as you see fit, but we appreciate it if you will be quiet.

MR. GLICKSTEIN. Mr. Carter, are there white teachers in McCoo High School?

Mr. Carter. Yes ,we have—Mr. Gibbs, we have three, don't we? We have three white teachers in the McCoo High School.

Mr. GLICKSTEIN. Are there Negro teachers in Bluff City and in Western Heights?

Mr. Carter. Yes.

Mr. GLICKSTEIN. How many?

MR. CARTER. We have two in the Western Heights Elementary School and when we divided of course we didn't add another teacher, but they work in both schools because we did it in February, and of course, we already had our staff employed and we didn't know when we would open the school, but we were able to open the school then.

Mr. GLICKSTEIN. And what do those two teachers do?

Mr. Carter. One is a reading teacher and one is a librarian.

MR. GLICKSTEIN. You said reading teacher. What does a reading teacher do? Remedial?

MR. CARTER. She is a specialist in reading and she goes into the grades where we need remedial reading work done, she does a great deal of that and she assists anywhere she is called on. She has worked mostly though since Christmas in our lower grades because we felt like the reading program there needed it more than the others.

Mr. GLICKSTEIN. Are both your high schools accredited by the State?

Mr. Carter. Both accredited by the State and both accredited by the Southern Association of Secondary Schools.

MR. GLICKSTEIN. When was McCoo accredited by the State?

Mr. Carter. About 3 years ago.

ciation?

Mr. GLICKSTEIN. When was it accredited by the Southern Association of Secondary Schools?

Mr. Carter. Southern Association about 3 years ago and about 6 or 7 years ago in the high school. I misunderstood your question.

MR. GLICKSTEIN. About 6 or 7 years ago by the State?

MR. CARTER. That's right, and 3 years ago by the Southern Asso-

ciation.

MR. GLICKSTEIN. What is the significance to a student whether his high school is accredited by the State or by the Southern Asso-

Mr. Carter. Well, the Southern Association is a regional agency. We have four of those in the United States, and most of the better high schools that are able to meet more rigid requirements affiliate with the Southern Association of High Schools. They require so many volumes per child in the library, they require so much science equipment and they require that salaries be at a certain level, and require a number of other things of that type.

MR. GLICKSTEIN. Would the fact that a school was not accredited by the Southern Association indicate that it wasn't up to the qual-

ity of the school that was accredited?

MR. CARTER. I would think so. That is the reason we felt we wanted to be accredited by the Southern Association.

MR. GLICKSTEIN. You said you were superintendent for how many years?

Mr. Carter. About 25 years.

MR. GLICKSTEIN. Twenty-five years.

Why is it that it took 19 years of your tenure before the McCoo High School became accredited by the State?

MR. CARTER. Well, we had a shortage of facilities and of course we didn't have the student body large enough at that time, because of interest in Negro education. But we built the McCoo High School, a new high school, which is probably the best building we have in our town, except the Bluff City School, because it is

newer, then our facilities were adequate enough to meet the requirements, to meet these Association requirements by the State, and of course by the Southern Association.

MR. GLICKSTEIN. But for those 19 years Eufaula High School

was accredited by the State?

Mr. Carter. That's right.

Mr. GLICKSTEIN. And it was also accredited by the Southern Association?

Mr. Carter. That's right.

MR. GLICKSTEIN. And it took about 19 years before you were able to work it out so that McCoo High School was accredited by the State?

Mr. Carter. That's right.

MR. GLICKSTEIN. Do you think that the Negro students who went to McCoo High School during those 19 years of your tenure were disadvantaged?

Mr. Carter. Yes, I think they are.

MR. GLICKSTEIN. You think they are?

Mr. Carter. Yes.

MR. GLICKSTEIN. Do you think the quality of the education they received would affect or had affected their opportunities for employment?

Mr. Carter. Probably would.

MR. GLICKSTEIN. Mr. Carter, how does the level of absenteeism at your Negro schools compare with the white schools?

Mr. Carter. How does the what?

MR. GLICKSTEIN. The level of absenteeism?

MR. CARTER. Well, the absenteeism level of course is much larger in the McCoo High School, I believe up to this year, especially up to this year, this year we have been more rigid with our requirements. I think the attendance is much better in all of our schools now than it was last year.

MR. GLICKSTEIN. What would you account for—this greater rate of absenteeism, how do you account for this?

MR. CARTER. Well, the principal of the high school, of McCoo High School, made a statement the other day. She thought it was lack of interest on the part of Negro parents, seeing that they go to school. And she said so many times that the father or mother had deserted a family and left them with relatives and then of course I think the lack of probably money to buy some of the things that they would like to have. They would rather get out and work than to go to school. They feel like it is more necessary to work than it is to go to school.

MR. GLICKSTEIN. You think some of the Negro students stay out of school in order to earn extra money?

Mr. Carter. I think they would start early if they could do that. Mr. GLICKSTEIN. Do you still find that there are Negro students who stay out of school during the planting season or the harvesting season?

MR. CARTER. We have some transportation out from the county into our city and of course we find that a number of those students—not as many as we have had a few years ago—still stay out during the season when they are planting and the season when they are gathering crops, and they will come in and enroll and you wouldn't see them again for a month or 6 weeks when they enroll in September.

We visited a lot of those people and we have been able to alleviate some of that situation. And I think that our guidance director in the high school, and Miss Perior, I think we have alleviated a good bit of that. We have tried to impress upon them the importance of going to school.

MR. GLICKSTEIN. Mr. Carter, what vocational education courses are offered the Eufaula High School?

Mr. Carter. Well, vocational agriculture. We have our—they changed the name of it, it was DO when it was installed, it is now VIA. It is now vocational industrial aids education now, I think that is the title, vocational and industrial education.

We have a vocational home economics, and we have our business course, which includes typing, shorthand, business arithmetic, and bookkeeping.

Mr. GLICKSTEIN. What do students learn in the vocational industrial education course?

Mr. Carter. Well, this is a—I will have Mr. Jones give it to you more specifically.

MR. GLICKSTEIN. Fine.

Mr. CARTER. Would you like me to go ahead and answer it?

Mr. Jones. In our—let me clarify this, we have a distributive education program and an industrial cooperative training program.

Mr. GLICKSTEIN. Mr. Carter used the term, vocational industrial education.

Mr. Jones. In a combination program it is suggested that you use the terminology, vocational industrial education, to include the two.

Mr. GLICKSTEIN. I see, and that program has two aspects to it? Mr. Jones. True.

MR. GLICKSTEIN. And one of them is called distributive education?

Mr. Jones. Right.

MR. GLICKSTEIN. And what is the other one called?

MR. JONES. Industrial cooperative training.

MR. GLICKSTEIN. Go ahead. I am sorry.

Mr. Jones. As I pointed out the other day in a preliminary hearing, that distributive education is geared primarily to merchan-

dising, sales, and so forth. Your industrial cooperative training is your skills and trades. We do offer both programs in our high schools.

MR. GLICKSTEIN. As I understand the way this distributive education and the industrial cooperative training work, the students receive training or instruction in school and they also are placed with employers part of the time, and they receive on-the-job-training?

Mr. Jones. That is true.

Mr. GLICKSTEIN. And this is a cooperative endeavor between the school system and the employers?

Mr. Jones. True.

MR. GLICKSTEIN. How do you get employers to participate in this program?

MR. JONES. In the summers you are required, I should say, or encouraged to conduct a community survey to see what jobs are available and in preregistration, we take applications for incoming students and through the summer we try to match the students with the jobs.

Mr. GLICKSTEIN. And you visit employers to see if they are willing to participate in this program?

Mr. Jones. That's right.

Mr. GLICKSTEIN. Do you ask employers whether they are prepared to hire students regardless of their race?

Mr. Jones. Let me point out here that this is our second year of integration of the schools and to this date I have not had any Negro applicant. So I have not had to ask the question.

MR. GLICKSTEIN. You have had no Negro applicant for this course?

Mr. Jones. That's right.

MR. GLICKSTEIN. Mr. Carter, is a distributive education and industrial cooperative training course offered in McCoo High School?

Mr. Carter. No, we have a corresponding trade, training program in the school, and I think Mr. Gibbs could tell you about that program.

MR. GLICKSTEIN. A corresponding training program?

Mr. Carter. Yes.

Mr. GLICKSTEIN. Mr. Gibbs, would you tell us about that corresponding training program?

MR. GIBBS. In the trade I teach is carpentry and cabinet work, and at the end of each year I turn in a list of students that are capable of doing the job over to the Employment Service and where the jobs become available they are being distributed to those jobs.

Mr. GLICKSTEIN. Do students work during the school year?

Mr. GIBBS. No, sir, after they graduate from the 12th grade we can always send their names into the Employment Service.

MR. GLICKSTEIN. And these are students that are being trained in carpentry and cabinet work?

Mr. GIBBS. Right.

MR. GLICKSTEIN. What sort of jobs are being trained, Mr. Jones, in the vocational industrial education course, for what kinds of jobs are people being trained?

Mr. Jones. I will speak for this year's placement. I have them in anything from doctor's office, to the hospitals, sales, grocery merchandising, wholesale grocery, meat-cutting.

MR. GLICKSTEIN. Banks?

Mr. Jones. Banking, yes.

MR. GLICKSTEIN. Mr. Carter, you referred to the course in Mc-Coo High School and as a course corresponding to the one Eufaula has, is it your testimony that teaching students carpentry and cabinet working corresponds to teaching students how to work in doctors' offices, hospitals, sales, in grocery establishments, and in banks?

MR. CARTER. No, I didn't mean to imply that, I meant to imply it was a corresponding course that we have in that school, in the place of the vocational industrial education school. These courses are awarded to schools or given to schools by of course the State Department of Education, and supervised by the State Department of Education, and our DO Program, the old DO Program, which is the program that Mr. Jones is supervising now, he explained it to you, we have had I suspect 20 or 25 years.

Mr. GLICKSTEIN. Mr. Gibbs, you have had your program about 7 years?

Mr. GIBBS. It is 11 years.

MR. CARTER. Eleven years, and of course, the State Department of Education asked us if we would like to have this program in our schools and we accepted it because we realized there was a dire need for this type of training.

MR. GLICKSTEIN. Which program are you talking about now?

Mr. Carter. Mr. Gibbs' school, that's right.

Mr. GLICKSTEIN. Have you applied for a vocational industrial education program for McCoo School?

Mr. Carter. Yes.

MR. GLICKSTEIN. How long ago did you apply for that?

MR. CARTER. I would say it has been 8 or 10 years ago we applied for it. By the time it was made an accredited high school we applied for it. About 7 to 10 years ago. I don't know the exact date, but we have an application in for it.

MR. GLICKSTEIN. Now, you, Mr. Carter, mentioned that vocational agriculture was taught in Eufaula High School. Is that taught in McCoo High School?

MR. CARTER. That's right, we do not have a course this year, we had it the year before last and the State Department of Education asked us to not have the programs in our school this year because it was a delay in building the building but we have the facilities there now. And well, we feel sure and we have been told before they took the program away from us when we got the facilities they would restore the program. We expect to have the program restored this year.

Mr. GLICKSTEIN. What will the students learn in the vocational agriculture course?

MR. CARTER. Well, vocational agriculture program, I am not technically familiar with it. It changed considerably in Alabama. Years ago the boys had plots, most of the boys now that live on farms or will have any connection with farms, take this type of training that is available there. We have a shop in connection with it and those were the facilities that we didn't meet the requirement of at that time. We had a shop on another campus but it wasn't adequate enough to take care of the two shops. But we feel like now that we will, the program will be restored and that they will be able to get the type of training that these farm boys that we are transporting in from out in the rural area will take advantage of that type.

MR. GLICKSTEIN. And you think this is training that will provide job opportunities for the students when they get out of school?

MR. CARTER. Well, not so much job opportunities, probably when they go back to their respective farms and do a better job of farming and do a better job of maintaining equipment and do a better job of planting, do a better job of taking care of the soil, and all of those things that they learn in vocational education.

If they raise cattle it will give them a very fine understanding of raising cattle on the farm. In our area we are fastly changing from the row cropping to cattle raising and I think that is a very important part of our economy there now.

MR. GLICKSTEIN. Mr. Jones, what is the placement record of students completing the cooperative education course? Are they finding permanent jobs with the employers with whom they have been trained?

Mr. Jones. I believe that we will find that our placement in Eufaula will stack up against those throughout the State. As I indicated before, we do have a vacating of the occupations for which they train but they will come back. The girls being married of course, and the boys going off to the armed services, but our record is pretty good.

MR. GLICKSTEIN. Now, both of the high schools have a vocational home economics course. Is that correct?

MR. CARTER. That is right.

Mr. GLICKSTEIN. Is that a course that will help students obtain employment during school time or after school time?

Mr. Carter. Some, but not as much as Mr. Jones' program. This program consists of personal hygiene for girls, making garments, learning to cook, decorating a home, and reworking old furniture, and things of that nature. And of course some of the girls, as Miss Perior indicated the other day, in McCoo High School was able to get some employment because of the fact they did take home economics, like—

MR. GLICKSTEIN. What kind of employment?

Mr. Carter. Some of the eating places in town, some of the homes.

MR. GLICKSTEIN. They are able to get employment in eating places and in homes?

Mr. Carter. That's right. She made that remark to us the other day.

MR. GLICKSTEIN. What about the white girls at Eufaula High School?

MR. CARTER. I eat at some of the eating places and I see some of those girls working in there. So I think it is equally important as far as that type of employment is concerned as it would be at McCoo High School.

Mr. GLICKSTEIN. Mr. Carter, I believe that the percentage of the Negro students in the State of Alabama attending schools with whites is 1.7 percent. If my arithmetic is correct, it is somewhat higher than that in your school system?

Mr. Carter. That's right. We expect next year, we already have more than 90 enrolled in the predominantly white schools and we have not had our preschool children clinic, and we are having it Friday and the preschool people somehow, even though you advertise and put it on the radio and put it in the paper and send it home sometimes they delay in enrolling if they haven't had a child in school.

Mr. GLICKSTEIN. So vou feel-

MR. CARTER. So we feel like it will probably be over 100. Our enrollment there has been the first year before last we had, the year before last we had 54 enrolled. This year when school opened we had 78. We now have 90. We now have more than 90 enrolled in our school and we will probably have more than 100 by the time school opens.

MR. GLICKSTEIN. What is the total enrollment of the school?

Mr. Carter. For the coming year?

MR. GLICKSTEIN. Of the entire school system, how many students do you have in your school system?

Mr. Carter. The entire year our daily average attendance will be between 2,600 and 2,700.

Mr. GLICKSTEIN. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mrs. Freeman.

COMMISSIONER FREEMAN. Mr. Carter, will you describe for me these two schools and I am not clear about the new school that is being built. Where is the McCoo High School?

MR. CARTER. McCoo High School is on the east side of town. The Eufaula High School is on the west side. I would say the northwest side. Well, McCoo High School is really on the southeast part of our town. They are almost in opposite directions of town.

COMMISSIONER FREEMAN. I didn't understand you, and I would like it if you would tell me a little more about this new school. Is

the new school that is being built-

Mr. Carter. This was an elementary school, Bluff City Elementary School.

COMMISSIONER FREEMAN. You have the two high schools? Mr. CARTER. Two high schools and three elementary schools.

COMMISSIONER FREEMAN. Well, I wonder if you as superintendent of the school system have considered that where you have one high school that has carpentry and cabinet work, and another high school that has a wide range of cooperative education courses that combining the two schools and letting all of the children who go to high school go to just one school?

Mr. Carter. Well, our facilities at either one of the places is not adequate enough for that. We just added two additional classrooms in McCoo High School this year and we are still crowded. And the other high school of course, the old high school, the Eufaula High School, is overcrowded even more than McCoo High School.

COMMISSIONER FREEMAN. In view of the fact that you have duplication of courses, have you considered that probably you would be saving money if you would do this?

Mr. Carter. I don't think it will. In the Southern Association a teacher is not supposed to teach over about a 150 pupil hours per day, 750 per week and we are overloaded in both of our schools now on that score. We received warnings in both schools this year that we have more pupils per teacher than we should have so we are really overloaded in both of our high schools now.

COMMISSIONER FREEMAN. Will this suggest then that you do need some more space?

MR. CARTER. That's right.

COMMISSIONER FREEMAN. And one big school?

Mr. Carter. We need a much larger school. You take both the schools were built for about 500 students, you see, and we would have to double the facilities at one place to handle all of the people.

COMMISSIONER FREEMAN. How does a Negro child who wants to go to Eufaula High School get there? What does he have to do? If he is now a student at McCoo High School and he doesn't want to become a carpenter, he wants to take the high school course in banking that you give, what does he have to do?

Mr. Carter. One of the things that the gentleman didn't ask me that I would like to explain, we have underway now that I think is going to be a great improvement for both high schools, we have a trade school that has just opened. It has been there for about 2 years and we permit students in the afternoon to arrange a schedule so that the students can go to the trade school and study trades in the afternoon that we are not able to teach on our campus because the equipment is very expensive.

And they have—Mr. Jones, do they have nine trades out there? I think they have nine trades that they are teaching at the trade school. In the afternoon we permit these students and they send buses to our campus and we pick them up and send them out there. I think they would get much better training there under much better trained people because you see it is impossible for one man to know all trades and the only way in the world that he can do this is to send them into the industry in town and have these people train them and then we do the English and history and math work in our high schools.

COMMISSIONER FREEMAN. This is what I was going to suggest, that is, why wouldn't you transfer Mr. Gibbs to the Eufaula High School and then the white students would have a chance to take carpentry under Mr. Gibbs?

Mr. Carter. We don't have facilities on that campus. If we had the facilities, I think it would be a very fine thing.

COMMISSIONER FREEMAN. Do you have any white teachers at the Eufaula High School who do not have a bachelor's degree?

Mr. Carter. All of our teachers are required under the Southern Association to not only have bachelor's degrees but to teach in their major and minor field. That is one of the requirements that we have to maintain in the Southern Association. They all must have degrees or they cannot teach.

COMMISSIONER FREEMAN. Is that the case of the McCoo High School also?

Mr. CARTER. That's right. In fact, we have a larger percentage of master's degrees with the teachers in McCoo High School than we do in Eufaula High School.

COMMISSIONER FREEMAN. Well, that has frequently been the case, and this is why we were trying to see if we could get an area where there could be integration of faculty and upgrading of both faculties.

Mr. Carter. Of course we expect next year, we have already employed additional teachers in both schools of the opposite race for next year.

COMMISSIONER FREEMAN. How many will be employed at Eufaula?

Mr. Carter. In Eufaula High School we expect to have three next year. We have two this year. This teacher will go in our jun-

ior high school where she will teach social studies at the junior high school. One of our grades, at least. We hope we can get two if we can.

COMMISSIONER FREEMAN. Do you have any white students at the McCoo High School?

Mr. Carter. No, we do not.

COMMISSIONER FREEMAN. Do you have any white teachers at the McCoo High School?

MR. CARTER. We have three.

COMMISSIONER FREEMAN. I have no further questions.

CHAIRMAN HANNAH. Mr. Patterson?

VICE CHAIRMAN PATTERSON. Mr. Carter, you say that you are short on space and having to add to two schools. I believe you testified that you are short on space and you are having to add to two of your schools, one Negro and one predominantly white?

Mr. Carter. That's right.

VICE CHAIRMAN PATTERSON. These are high schools?

Mr. Carter. Yes, sir.

VICE CHAIRMAN PATTERSON. And you have got a new area trade school that offers trades that you are not teaching?

Mr. Carter. That's right, the trade schools are not under our supervision at all. It is outside of the city limits of Eufaula about a mile.

VICE CHAIRMAN PATTERSON. I understand. But they are teaching courses that are not being taught under your distributive or vocational programs?

Mr. Carter. That's right.

VICE CHAIRMAN PATTERSON. Why do we keep some of those programs in the public schools and put others in the area trade school? Couldn't you save a lot of space by having all of the trades moved out to the trade school and, as you say, teach English and history to all students in your public school? Why do we maintain these programs?

MR. CARTER. Well, we have not been able to get adequate appropriation for our high schools in the State of Alabama to have this type of program. But the legislature several years ago decided that they would go into the junior college and trade school business and, of course, they established junior colleges and trade schools after a study over the State of Alabama and one was established there.

VICE CHAIRMAN PATTERSON. That's right, but why leave any of it in the public schools if you are going to go into the other business? You need the space.

Mr. CARTER. Well, we would be delighted to have them if we—VICE CHAIRMAN PATTERSON. And send Mr. Jones and Mr. Gibbs over to the area school to pursue this?

Mr. Carter. Well, we sent the man that preceded Mr. Jones out

to supervise the trade school. He is the president of the trade school now.

VICE CHAIRMAN PATTERSON. Is there any good reason why you maintain vocational training in public schools when you are going to the area trade school system?

MR. CARTER. Well, we have been bothered considerably in our schools thinking probably that trade schools might replace some of our—to the extent of almost eliminating some of it, you see.

VICE CHAIRMAN PATTERSON. But is there any good reason for maintaining any of it?

Mr. Carter. Yes, we do teach some courses that—we do teach some courses in high school that they are not teaching in our trade school. Mr. Jones spoke of the relationship that we have there with the employer and the employee. The trade schools don't have that type of relationship. They just take a student and train him and when he has completed his training course, and I understand before many times before they completed it, industry steps in and employs these people.

VICE CHAIRMAN PATTERSON. Mr. Gibbs, is any vocation besides carpentry and cabinet work taught at the Negro high school where you teach?

Mr. GIBBS. Only home economics.

VICE CHAIRMAN PATTERSON. They are the only two vocations taught there?

MR. GIBBS. And typing and shorthand.

VICE CHAIRMAN PATTERSON. Typing and shorthand?

MR. GIBBS. That's right.

VICE CHAIRMAN PATTERSON. Mr. Carter, we have heard here for two days a succession of employers, both public and private, tell us that the reason they have a low number of Negro employees in skilled jobs is that they can't find Negro job applicants, and we come back down out of the school system that trains these people in skills, in vocational programs, and here we find that we are not even separate but equal in this vocational training, separate but carpentry and cabinet work. And you are a school man and I wonder where we break this cycle.

You can sympathize with an employer who wants a qualified employee but at what point do we start qualifying these children to develop those skills that employers say they want, equally between the races?

Mr. Carter. Well, years ago when I inherited the superintendency of our school in Eufaula and a number of our schools, schools then were preparatory schools for college. It was unusual to have a vocational course in school. We did start the commercial department. We thought we would make a lot of advances. But your person here before me presented the per capita expenditure per

child in Alabama and compared it with the Nation, about three hundred some odd dollars a year.

When we were able to get money, it takes all the money we could get to just keep our program going, and we haven't been able to add to it. Our vocational programs, of course, is supposed to bridge that gap, and this vocational education in Alabama is not but 2 or 3 years old, and I feel like in a course of time with the number of students I understand that they have more than 10,000 of those schools now, that they will be able to supply some of the demand of some of the requests of industry, private and, of course, otherwise.

VICE CHAIRMAN PATTERSON. Mr. Carter, I recognize that this is a difficult problem, that you have problems. All of us in the South have problems, but I am beginning to feel after listening to this testimony that none of us really has the problem that a Negro parent has in watching his child grow up in the same society that he came up in, and as a Southern white just as you are, I really am deeply troubled when we go full circle from the schooling which is unequal to job applications which are turned down, right around to bad housing because you don't have a job good enough to send your kids to a good school.

So we go around and around and I wonder when are we going to break that cycle?

MR. CARTER. We have made lots of progress in the State of Alabama in the last 2 or 3 years in my town and all over this State. You can't pull the lever overnight and just say it is another way. In a democracy it takes time and these things look in our town, the progress we have made, and we will continue to make in training people, and the trade schools will supply a great demand. And I think it is going to take time for these things to come about.

Of course, it might not come about as fast as we would like for it to come about, but we are making great strides, probably the greatest strides than any other section of the United States today in doing just what we are talking about when you think about where we started from.

VICE CHAIRMAN PATTERSON. I agree with you, sir, in terms of proportion of change, this is true, but I also have no desire to pursue this any further. I think that the problem is obvious to anyone who has followed the testimony here. All I can say is I recognize any change takes time, but for the Negro parents seeing the Negro child grow up in a school where he is not getting the same vocational training that the white child is getting across town in the white school, and knowing what he is going to be told by an employer who says: "No qualified Negroes are applying in this trade", I can understand why he would be impatient.

So all I want this record to show is that you and I both recognize that this is a problem and that perhaps all of us, even with full

knowledge that change takes time, we owe some acceleration to these people whose lives are being used up, I feel.

CHAIRMAN HANNAH. Just on or two simple questions.

Mr. Carter, in your salary schedule for your teachers in the Negro high school and the white high school, is there any difference in the salary scale?

Mr. Carter. They are identical, with training, and with experience, identical salaries.

CHAIRMAN HANNAH. You indicated that there were 47 or some small number of Negroes in the white high school?

MR. CARTER. Right.

CHAIRMAN HANNAH. And I think you said it was 47 two years? Mr. Carter. 47 this year.

CHAIRMAN HANNAH. How are they selected? How does the Negro get to go to the white school in your town?

MR. CARTER. He enrolls just like the white student.

CHAIRMAN HANNAH. He just applies?

Mr. Carter. He applies and enrolls just like in any school in town, any child can enroll and apply and go to any school in our city system.

CHAIRMAN HANNAH. Is there any testing procedure? Are there any examinations that he has to take?

MR. CARTER. No, not any examination, not anything at all.

CHAIRMAN HANNAH. Are there more Negroes in the white school this year than there were last year?

Mr. Carter. Yes, sir.

CHAIRMAN HANNAH. Do you suspect there will be more in the future or do you care to comment about that?

MR. CARTER. I am sure there will be more in the elementary schools. The barrier that the gentleman spoke of a few minutes ago, sometimes when you get into the high school they are not as well prepared, sometimes they don't do as well. But in the elementary school, when they start coming through the elementary school they like to stay and more attends.

In fact, last year we had 41 enrolled in the elementary school and this year we are already without our preschool boys and girls, we already have 57.

CHAIRMAN HANNAH. Well, I would just add to the comments which Mr. Patterson has made which I endorse wholeheartedly, that I don't know how much of the testimony you have been listening to today. We have been talking about employment and the fact that we have reached a point in this country where there is to be no discrimination in employment opportunity. It takes a different kind of an attitude in some of the parts of the country than we had before, but it is the law, and if we are going to have young people that are prepared for the kind of society that we are going to have tomorrow and the day after tomorrow, we require a different atti-

tude towards the education for the members of the minority groups, and I am sure you understand that, and I am not going to ask you any question about that.

VICE CHAIRMAN PATTERSON. I would like to ask one question to clarify what I understood your testimony to be.

Did you say that these vocational courses that you are able to offer in your schools in Eufaula have to be assigned to you by the State department of education?

MR. CARTER. That's right. In fact, the State department of edu-

cation supervises these pepole.

VICE CHAIRMAN PATTERSON. They are not actually of your choice

then, you, the superintendent?

MR. CARTER. We have the authority to turn down or reject but they are offered to us by the State department of education. I do not know the percentage but the State participates with the Federal Government in paying the salaries of these people. They are not included in our State salary schedules because their contracts are mailed separately. They sign the contract. I can reduce the salaries, but I never do.

VICE CHAIRMAN PATTERSON. It is fairly obvious that we are lecturing the wrong man when we lecture you, we should call somebody from the State. Is that correct? And let me follow this up, or the Federal Government, does the Federal Government have no say over what courses will be paid for with its money in Eufaula?

MR. CARTER. You would have to direct that question to the State

superintendent of education. I wouldn't know exactly.

CHAIRMAN HANNAH. One more question.

What fraction of the money to operate your schools comes from the State and what fraction of it comes from local taxpayers?

Mr. Carter. I couldn't tell exactly. I could give you the amount of money——

CHAIRMAN. HANNAH. Is there a State subsidy based on per pupil or State income, or something of that sort?

Mr. Carter. We get about \$570,000 a year this year from the State of Alabama to operate our schools, and I would say, out of a total budget of probably Federal and local money, would supply another \$70,000, I would say.

CHAIRMAN HANNAH. \$570,000 from the State and \$70,000?

Mr. Carter. And \$70,000 from the Federal Government and local level.

CHAIRMAN HANNAH. \$570,000 and \$70,000. Is that correct?

MR. CARTER. You see, in the State of Alabama we have only under our constitution we could only levy 7 mills of taxes, property tax. Our governing body of our State are not taxing bodies. We have 3 percent, it depends on what you say, but we do it in our city. We have a 5 mill ad valorem tax in our district, District 5 of the city of Eufaula. That tax only brings in about \$39,000 a year.

CHAIRMAN HANNAH. And the valuation on which this tax is collected, what fraction of the real value is it?

MR. CARTER. I couldn't tell you that, but it is very low.

CHAIRMAN HANNAH. It is a small fraction of the actual value? Mr. CARTER. Yes.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. Mr. Carter, you spoke earlier about the fact that mothers might lack interest in their children's education. Do you suppose some of those mothers were educated at the schools you were in charge of for 25 years?

Mr. Carter. Some of them probably were.

MR. TAYLOR. Do you think that might account for the lack of interest in education?

MR. CARTER. Not because I was superintendent.

MR. TAYLOR. Because of the quality of the education?

Mr. Carter. Might have been, probably so.

Mr. Taylor. I also would like to ask----

MR. CARTER. I think one other thing, the lack of having enough money to support a family and to feed them. They go away early in the morning and they are not able to——

MR. TAYLOR. I am glad you said that last thing, because you said earlier that they would rather go to work, the children would rather go to work, that was the phrase that you used, we have been hearing here for 3 days statements about people would prefer to eat poor food, that they would prefer to go to work, and I was just wondering whether that accorded with the opinion that you might have as an educator that the more education, the more income one has, perhaps the more choice he has. And the less that he has, the less choice that he has. Would you agree with that?

MR. CARTER. Yes.

I might relate this, we have adult education in McCoo High School, have a program there now, and one of the teachers told me the other day that they were ashamed to go to school because they didn't want people to know they couldn't read or write, that they had very little education.

MR. TAYLOR. You said these things couldn't be done overnight. When are you going to come into compliance with the Supreme Court's decision?

Mr. Carter. We are complying now.

Mr. TAYLOR. In my judgment, sir, you are not only not complying with the Supreme Court's decision, you are not complying with the decision of Plessy versus Ferguson. You have said that your high schools are unequal, that they do not offer the same courses.

MR. CARTER. I could point out in the other high school we are teaching a course in McCoo High School we are not able to teach in Eufaula High School.

MR. TAYLOR. What course is that, sir?

MR. CARTER. We are teaching Spanish in McCoo High School that we are not teaching in the Eufaula High School.

Mr. TAYLOR. Well, in any case, I believe Mr. Jones testified earlier that the courses that were vocationally oriented enabled people to get jobs perhaps at banks, jobs at companies. Would you say that that was equal in the vocational field?

Mr. Carter. No, I wouldn't say that is equal in vocational.

Mr. Taylor. So you would——

Mr. Carter. However, we do not have the same courses that he teaches in his school in our high school, in the Eufaula High School we do not have the same courses there because the State wouldn't give us that type of course for the Eufaula High School.

MR. TAYLOR. If you had your choice—I don't know whether you have any children in schools, which school would you prefer to send your child to in order to get——

MR. CARTER. Eufaula High School.

Mr. TAYLOR. So in that sense you think it is a better, more advantageous high school?

MR. CARTER. No, I wouldn't say that, because it is traditional for people to go to this type of high school and I prefer they go there.

MR. TAYLOR. Suppose your schools were zoned geographically rather than under the freedom of choice plan, what would be the pattern there? Would there be more integration in the schools if that were done?

Mr. Carter. I do not know. It would be entirely up to where the zones were drawn. Of course people live all over our town.

Mr. TAYLOR. Suppose you drew the lines without gerrymandering?

Mr. Carter. That is what I am talking about.

Mr. Taylor. Could you draw the lines to achieve a great deal more integration than you have right now?

Mr. Carter. Right off, I couldn't tell you whether we would or not.

Mr. TAYLOR. Have you considered that?

MR. CARTER. We have not.

Mr. TAYLOR. Mr. Carter-

MR. CARTER. We are under a court order from Judge Johnson of 99 schools in Alabama and we follow that court order to the letter and the Justice Department of course and other people always reviewing our reports that we send in, we have to operate under that court order.

Mr. TAYLOR. That does not prevent you from taking steps which might allow students to the benefit of courses, which you offer at one school which you don't have at another?

Mr. Carter. No, it does not.

Judge Johnson said more than one teacher, and we employ three

in some schools beyond that, and two, you see we have gone beyond

the court order in employing people of the opposite race.

Mr. TAYLOR. My only observation, Mr. Chairman, is simply that, sure, you cannot do things overnight, but I am just wondering how long it is going to be before this school system is in compliance. And I am afraid I don't see the day from the testimony here when it is going to be.

I have no further questions.

CHAIRMAN HANNAH. Thank you very much, gentlemen. We appreciate your being here. You are excused. Call the next witness, Mr. Glickstein.

Mr. GLICKSTEIN. The next witnesses are Mr. Gene Stroud and Mr. Charles Newton, and they will be questioned by Assistant General Counsel, Jonathan Fleming.

(Whereupon, Mr. Gene Stroud and Mr. Charles Newton were sworn by the Chairman and testified as follows:)

## TESTIMONY OF MR. GENE STROUD, GREENVILLE, ALABAMA AND MR. CHARLES NEWTON, GREENVILLE, ALABAMA

MR. FLEMING. Mr. Stroud, will you please state your name and address and position, for the record?

MR. STROUD. Gene Stroud, Greenville, Alabama, superintendent of Butler County Schools for the past 5 months.

MR. FLEMING. Mr. Newton, will you please state your name and position for the record?

MR. NEWTON. Charles E. Newton, director of vocational educacation for Butler County, Greenville, Alabama.

MR. FLEMING. Mr. Stroud, will you please tell the Commission how many schools there are in Butler County?

Mr. Stroud. We have nine schools.

Mr. Fleming. Could you tell us what is the racial composition of those schools?

Mr. Stroud. We have four Negro schools, five white. Now, the breakdown of the racial composition, I cannot, we have 42 students, Negro students in the white schools, but the number in each school I cannot——

Mr. Fleming. Can you give me an approximation of how many are in the high school grades and how many in the elementary school grades?

Mr. Stroud. I would say in the high school we had about 20 and perhaps about 29 in the elementary school.

Mr. Fleming. So the extent of desegregation by ratio figures in Butler County is approximately less than 1 percent?

Mr. STROUD. Right.

Mr. Fleming. Mr. Stroud, you said that you have been superintendent for less than 5 months. How long have you been associated with the Butler County School System? MR STROUD. Seven years.

MR. FLEMING. And during those 7 years you were primarily assistant superintendent also?

Mr. Stroud. Guidance counselor and assistant superintendent.

Mr. Fleming. Thank you.

Mr. Stroud, how would you compare the quality of education in the predominantly white high schools and the predominantly Negro high schools?

Mr. Stroud. Quality education?

MR. FLEMING. Yes, sir, for the sake of convenience, it might be easier if we talked about the Southside High School which is predominantly Negro in Greenville, and Greenville High School, which is predominantly white in Greenville.

MR. STROUD. Do you want to go on course offerings in these two or quality?

Mr. Fleming. Quality.

MR. STROUD. I think, Mr. Fleming, we would have to say that perhaps the quality in Southside is inferior to the quality in Greenville High because of the preparation of the Negro teachers.

MR. FLEMING. I believe you gave me some approximation of what the typical graduate of Southside High School tested at completion of his senior year several years ago and what it is now. Could you give us those figures, please?

MR. STROUD. I don't recall the exact figures but I do know that say, 4 or 5 years ago that the Negroes finishing at Southside High School were, say, two to four grades below grade level or grade placement, when they were finishing school, which means we were turning out Negro students with approximately 8th or 9th grade education.

MR. FLEMING. And at the present time you are turning out Negro high school students at what level?

Mr. STROUD. We have made much progress in this.

MR. FLEMING. Mr. Stroud, will you describe what actions have been taken to improve the educational quality of Negro schools in Butler County?

MR. STROUD. Certainly. Our first approach would be with our teachers. We have engaged in this inservice training program with our teachers, or for our teachers. We have integrated facilities by putting white teachers into the Negro schools concentrating with small groups of Negro students, in order to bring their achievement up.

MR. FLEMING. What other steps have you taken to provide substantive educational benefits to Negro students in Butler County?

MR. STROUD. We have broadened, initiated some programs and broadened others in the vocational education field.

Mr. Fleming. Would you describe those, or perhaps Mr. Newton

can describe those improvements for us since he is the director of vocational education. Mr. Newton?

Mr. Newton. Well, in the last 2 years, we started about 5 years ago in the planning stage, and when we brought it around, we got it up around we have got the school in operation, the school year of '67 which was the year—'66, excuse me, the year before last. We are now in our second year of area vocational school which students from any school can make their choice to go into any of the trades that we teach in these schools. We also have—

MR. FLEMING. Excuse me, would you explain to the Commissioners what is an area vocational school, or trade school center?

MR. NEWTON. The area vocational school that I am talking about is for inschool use. Not the area vocational school that has been made reference to for out of school use. Ours is for inschool use.

Mr. Fleming. And it is located at Southside High School?

MR. NEWTON. It is located at Southside High School. This is for 11th and 12th grade students. We offer auto mechanics, carpentry, masonry, cosmetology, and agriculture. In the regular classrooms we have two home economics units and a business and office preparatory unit.

MR. FLEMING. It is in the area of vocational center you offer auto mechanics, cosmetology, carpentry, and masonry?

MR. NEWTON. That's right.

MR. FLEMING. And the others are your regular vocational programs?

Mr. NEWTON. That is correct.

Mr. Fleming. That is not associated with this trade center in Southside?

Mr. Newton. That's correct.

MR. FLEMING. Mr. Stroud, are there classroom teachers of both races in each school in Butler County?

Mr. Stroud. Yes.

Mr. Fleming. How many in each school?

MR. STROUD. At least two Negroes in every white school. In the Negro schools we range from three in one. Southside, in the school we were referring to, I believe we have eight whites in that school.

Mr. Fleming. What effect has faculty integration had in the white schools?

Mr. Stroud. I can't tell any effects, ill or otherwise.

Mr. Fleming. And what effects has faculty integration had in Negro schools?

MR. STROUD. I think it has definitely improved the program in the Negro school that keeping in mind the rural county from which we are from, that many of these children have not been associated with —I would even say educated whites because of the language pattern. We have found this to be most important, the very fact that

you get good language development in these schools and the whites have helped in this.

Mr. Fleming. Has faculty integration had a beneficial impact on professional standards in Negro high schools among the faculty?

Mr. Stroud. Yes. I think so.

MR. FLEMING. To what do you attribute this result?

MR. STROUD. Well, I think that in our Negro schools that there is not as much organization as should have been, should have existed, and the presence of the white teachers in this with leadership, the principals have given them some leadership roles. They have helped bring about better organizational patterns which in turn would bring about better instructional patterns.

Mr. Fleming. What kind of inservice training was provided Negro teachers prior to 1965, the date of the Elementary and Sec-

ondary Education Act?

Mr. Stroud. Mr. Fleming, I don't know that, because we had separate associations and our inservice training was provided through meetings.

Mr. Fleming. So that the inservice training was almost totally segregated prior to this?

Mr. Stroud. Right.

Mr. Fleming. Since 1965 have you had integrated inservice

training programs?

Mr. Stroup. Yes, through departmental plannings, trainings. We begin with our institution, our institute is called at the beginning of the year. We are bringing all of our faculty together. Then during the year we break down into subject matter areas for inservice training, which these programs are integrated.

MR. FLEMING. Thank you.

Mr. Newton, we have described the basic vocational education program offered in Butler County already. Would you describe to the Commissioners the cooperative education program at Greenville High School?

Mr. Newton. The cooperative units that we have at Greenville High School are distributive education, DO, or VIE, as it is now called, and business and office education is the last program that we

put in.

Mr. Fleming. Out of an enrollment in Greenville High School of approximately 580 students, I believe well over 100 take various forms of vocational education in their last 2 years at Greenville?

Mr. Newton. Are you referring to cooperative education now?

Mr. Fleming. Yes, sir.

Mr. Newton. I believe that is correct. Close enough.

MR. FLEMING. Are there any Negro students enrolled in the cooperative education programs at Greenville High School?

MR. NEWTON. No, not at Greenville High School, only at Southside.

Mr. Fleming. Do you have a cooperative education program at Southside High School?

Mr. NEWTON. Yes.

MR. FLEMING. Out of an enrollment at Southside High School of approximately the same as Greenville, I believe there are approximately 22?

Mr. Newton. 24, 25, somewhere along there.

MR. FLEMING. And of those students approximately how many have received training positions in white owned businesses in Greenville?

MR. NEWTON. Of the percentage at Southside?

Mr. Fleming. Of the 20——

Mr. NEWTON. Of the 24?

Mr. Fleming. Yes.

Mr. Newton. All. No, excuse me, with the exception of two, two barbers, the rest of them are in predominantly white establishments.

MR. FLEMING. What kind of work are they doing in these predominantly white establishments?

MR. NEWTON. Well, we have got students from both schools who work as stock clerks and bag boys at the local grocery store, one factory employs them at the jobs that we can get by the wage and —I mean the minimum wage where there is a hazardous occupation is concerned. They work in a similar line to some extent, as long as the rules do not bar them from working in hazardous occupations. Stock clerks, we have got them working, I believe, in our larger department stores at various jobs. We have one, I am not sure of this boy, he is not—no, he is not in the co-op, he is a salesman but he is not in the co-op.

MR. FLEMING. You have told us that Southside High School has an area vocational trade center, which I understand is of a good quality. Are there plans for adding a vocational day trade center to Greenville High School or would you like to see one added to that?

MR. NEWTON. Well, we have asked for units, as far as the building. We are not sure how we can come up with our part of the money. This is our big problem. We made a request over the last couple of years for additional units, guidance units, and other trade area units, both for Greenville High School and for Southside High School. As a matter of fact, our business and occupation preparatory class as Southside is not a reimbursable class from the State. This is one of our ADA teachers that we are using for this class.

MR. FLEMING. And what courses do you hope to establish at the center that you are asking for at Greenville?

MR. NEWTON. We like to all dream. I am a vocational man, I would like to see welding which is one that—you have always got three or four welders that most of the companies would pick up.

None of them are large enough to say, I will take 10 or 12 welders if you will train them under the extension, or even if some agency wants to come in from Manpower Development, but it is employment field where the students could in somewhere in Alabama and in a reasonable commuting distance could get jobs in welding. We think we would like to consider sheet metal and several other classes. Now, the number of students that it would take, that we would have to have for these classes to be justified is another thing. We only have so many students.

MR. FLEMING. Is there anything planned for drafting or anything like that?

MR. NEWTON. Drafting is one that we have been after for—asked for a unit for several years and the money has not been available to allot us a unit, and we do not have any way of taking an ADA teacher and assigning drafting to this teacher.

Mr. Fleming. And these courses will be associated with Greenville High School, right?

MR. NEWTON. Well, no, no, if we could get the classes we could associate them with any school we like or multiple schools as we could with the area vocational schools, bus them into a different school, or into the center.

Mr. Fleming. Do you see any difference between these courses and the trades taught at Southside Vocational Trade Center?

Mr. Newton. You mean these courses that we have asked for? Mr. Fleming. Yes, sir.

MR. NEWTON. No, sir, they would be operated on the same principle, and then they would take the academic courses in whatever school they were in.

MR. FLEMING. What is the future, the economic return, to a person who enters welding as opposed to a person who enters masonry, for example?

MR. NEWTON. Well, I am not sure. For about the same—I would say even in Montgomery, now we consider Montgomery a trade area of Greenville because we're in commuting distance, I would say the demand is probably as great or greater for masonry people than it is for welders at the present time.

I find this true throughout the Nation in the building program. Your masonry trade is a wide open field at good wages.

MR. FLEMING. Mr. Stroud, if freedom of choice were not permitted in Butler County what effect would geographic zone attendance or alternative plans have on school integration in Butler County?

Mr. Stroud. Well, I am sure it would increase the number of Negro students into the white schools and the whites into the Negro if we did not operate under freedom of choice.

Mr. Fleming. Do you see any situations in Butler County where you would recommend the consolidation of predominantly Negro

and a predominantly white school into a larger, newer facility?

Mr. Stroud. No, sir, I really don't because our schools are small, as you have pointed out, 570, and frankly, as experienced as I am in the superintendents, I think this is educationally sound, especially since we have the area vocational school that is open to any student from Greenville High, or any regular day school student that desires to attend to take these. And rather than maybe a building at Greenville High School to build on to this present vocational school, and just opening this, I can't see any educational advantage in consolidation.

In 1959 we had 37 schools in Butler County. Today we have nine. All of these are located in little towns or townships. And I can't see any advantage in more consolidation than we have right now.

MR. FLEMING. When you mentioned that integration of the faculties had a benefical result at least as far as the Negro schools were concerned, I wonder why integration of the student bodies wouldn't have a beneficial effect as far as the students are concerned in Butler County?

Mr. Stroud. Perhaps later on when we have concentrated with small groups and brought the achievement of our Negro students up to that of our white that there would be an advantage, but now we find that the Negro students who are going into the white schools are frustrated because the ones that we have gotten so far—let me say that, are behind, are below the achievement of the white children. They are in a new situation, they are trying to adjust to an opposite race of teachers and they are frustrated, besides having this competition that they have not had prior to this. So, Mr. Fleming, after this achievement has been brought up which has been pointed out, it can't be done overnight, that I think that it could be an advantage.

MR. FLEMING. What would be the community reaction in Greenville and Butler County if the freedom of choice plan were abolished by the Supreme Court and you were ordered to institute geographic attendance zones?

MR. STROUD. I am afraid that we would have the establishment of private schools. I believe our people are that rigid, resistant to change.

MR. FLEMING. And how many days can the local schools in Butler County run on local tax resources?

Mr. Stroud. Thirteen days, but we would have to dismiss at 9 o'clock on the thirteenth day.

Mr. Fleming. And there are sufficient local resources in Butler County to run a private school system for all-whites and a public school system for the Negroes?

Mr. STROUD. I could not tell you, I just don't know. That would be an opinion.

MR. FLEMING. I have no further questions, Mr. Chairman.

CHAIRMAN HANNAH. Mr. Patterson, do you have any questions?

VICE CHAIRMAN PATTERSON. Mr. Stroud, it was a good idea to consolidate 37 schools down to nine. Why is it a good idea to stop consolidating now?

Mr. Stroud. Because these nine schools are large enough to offer a program where you can still be personal to the student's individual attention. But where you have 37 one-teacher schools or two-teacher schools with outdoor privies, inadequate facilities, I think that you can see where it would be an advantage to consolidate those into—

VICE CHAIRMAN PATTERSON. I can see that, but the question in my mind is, say you have got two 20-teacher schools teaching the same courses, if you made one school out of it, why couldn't you teach more courses?

Mr. Stroud. Would your personnel be available to teach that broad a course offering? We have problems getting personnel.

VICE CHAIRMAN PATTERSON. Mr. Newton, did I understand you to say that cooperative business education is taught both at Southside and at Greenville?

MR. NEWTON. Yes, sir.

VICE CHAIRMAN PATTERSON, Both schools?

Mr. NEWTON, Both schools.

VICE CHAIRMAN PATTERSON. Do you offer any courses at Greenville High School in vocational or distributive education that you do not offer at Southside?

Mr. Newton. Yes, sir, we've got courses at both schools that we do not offer at the other school.

VICE CHAIRMAN PATTERSON. Could you name a sample of these? Mr. NEWTON. Distributive education, co-op.

VICE CHAIRMAN PATTERSON. Which school are we talking about? Mr. Newton. This is Greenville High School.

VICE CHAIRMAN PATTERSON. Greenville High School?

Mr. NEWTON. Yes, sir, we could do both—both have a distributive education unit as such at Southside.

VICE CHAIRMAN PATTERSON. There is no sales and merchandising?

MR. NEWTON. This is sales and merchandising.

VICE CHAIRMAN PATTERSON. You do not offer this at the predominantly Negro school?

MR. NEWTON. Sir?

VICE CHAIRMAN PATTERSON. You do not offer this at the predominantly Negro school?

Mr. Newton. No, sir, but we have got some jobs that would be classified in distributive education that are in our T & I unit at Southside.

VICE CHAIRMAN PATTERSON. What are these courses at Southside?

Mr. Newton. At Southside we have got the area vocational school auto mechanics, cosmetology, masonry, construction trades, training and industrial education.

VICE CHAIRMAN PATTERSON. But this is not sales and merchandising. That is not offered at Southside?

MR. NEWTON. No, sir. We do have some students at Southside employed in sales and merchandising jobs.

VICE CHAIRMAN PATTERSON. Thank you.

COMMISSIONER FREEMAN. Mr. Stroud, at the pace of integration that you now have at Butler County, it will take 100 years before all the schools are desegregated.

Mr. Stroud. I wouldn't say that because this year I have pointed out that we have had 42 Negroes in our white schools. We have finished our freedom of choice with the exception of preschool clinics and we have 109 new ones. So this is progress.

COMMISSIONER FREEMAN. Maybe it will just take 75.

Mr. Stroud. Seventy-five, that would be-

COMMISSIONER FREEMAN. Do you expect the Negroes in Butler County to wait that long?

Mr. Stroud. I don't know if our people would be that complacent or not.

COMMISSIONER FREEMAN. You would recognize that it would be complacency?

Mr. Stroud. Yes.

COMMISSIONER FREEMAN. I would like to ask about the counseling program. Do you have a counseling program at the Greenville High School?

MR. STROUD. Very good. And also at Southside. Very outstanding counseling at both of these schools.

COMMISSIONER FREEMAN. You indicated that in the area of the vocational trade center the course of agriculture is taught and I would like to know what that consists of?

Mr. Stroud. You would like to know what?

COMMISSIONER FREEMAN. What does the course in agriculture train you for?

Mr. Stroud. The course, the new course studied from the State Department as well as I think from all agriculture classes throughout the Nation is going into the agro business, what they call agro business and we are not teaching one row plow operations, we are teaching cattle and livestock productions, the agro business trades that will be related to agriculture, in all of our agriculture courses. We have five of these in the county.

COMMISSIONER FREEMAN. How many Negro pupils are receiving training in livestock and this kind of—

Mr. Stroud. 117 in one-let's see, about 130.

COMMISSIONER FREEMAN. 130 Negro pupils?

Mr. Stroud. That's right, in agriculture.

COMMISSIONER FREEMAN. What kind of counseling is given to the Negro child at the Greenville High School?

MR. STROUD. We have the same kind of counseling program. We have a vocational counselor that splits between these two schools. He is a white counselor, and he gives the same counseling to the students in Southside High School that he does in Greenville High School.

This is not adequate. I can assure that one between the two schools is not adequate but he does a mighty fine job.

MR. NEWTON. He gets assistance from the two—the local counselor in the two schools.

COMMISSIONER FREEMAN. Since it has clearly been demonstrated that there is an attitude prevalent, that there are certain kinds of trades that Negroes should learn, like cosmetology and certain other kinds of trades—

MR. NEWTON. We didn't mean to imply that. Now we have white students in cosmetology, too.

COMMISSIONER FREEMAN. —auto mechanics, carpentry?

MR. NEWTON. We have whites in that, too.

COMMISSIONER FREEMAN. How many?

MR. NEWTON. We have those that are in on the co-op basis and if we can get another unit in auto mechanics we can fill it up tomorrow from most any school we have got with 11th and 12th grade boys.

COMMISSIONER FREEMAN. You did state however that at both of the schools there are courses in which—well, even taking the language course, you have Spanish at Greenville High and you probably would have German at the Southside High?

MR. NEWTON. We have Spanish at Southside too.

Mr. Stroud. We have the same.

COMMISSIONER FREEMAN. There is a discrepancy in the courses though, is there not?

Mr. Stroud. No.

COMMISSIONER FREEMAN. You have the same courses at each high school?

Mr. Stroud. I think that we can truthfully say that we have French at Greenville High and French at Southside. We offer one and two years of that. Where we have advanced math at Southside we have advanced math in the high school.

COMMISSIONER FREEMAN. What about physics?

Mr. Stroud. Physics is taught on rotating basis at Southside. One year the chemistry is taught because of the lack of students who sign up for it and the next year, chemistry—however, we have plans to do this—that if we have 10 students that sign up for physics in Southside next year, and that we offered it in Greenville

High we are going to put them on the bus and carry them over to Greenville High and teach them physics.

COMMISSIONER FREEMAN. Will you do the same thing the other way?

Mr. Stroud. If we have a course offering over there that is not filled, yes, ma'am.

COMMISSIONER FREEMAN. You will take the white children and bus them over to the predominantly Negro—

Mr. Stroud. If we have a course offering over there that is not filled.

COMMISSIONER FREEMAN. If you have a course?

Mr. Stroud. Yes.

COMMISSIONER FREEMAN. Do you anticipate that you will have such a course?

MR. STROUD. I don't know.

COMMISSIONER FREEMAN. If you were to make a judgment of the curricula, the text books, that are being taught in Butler County would you judge that they are adequate?

MR. STROUD. We have State adopted text books which our school selects the books from the State adoption list. So the books in Southside or the Negro school certainly could not be inferior to the ones that is in the white schools since we have a State adoption of books.

COMMISSIONER FREEMAN. Do the histories these schools teach include the contributions that the Negro has made to the history of the United States, Alabama, and the world?

MR. STROUD. I am not familiar with the content.

COMMISSIONER FREEMAN. You have never read them?

MR. STROUD. No, frankly, I haven't.

COMMISSIONER FREEMAN. So you are saying that as a superintendent of schools of Butler County you are not familiar with the history books that are being used?

MR. STROUD. I am familiar with the American history books that are being used and I am sure that in all American history books there is units for outstanding Negro people who have contributed to the growth of America such as George Washington Carver, some of these people around here. But to say that I am completely familiar with the text books, no, ma'am, I cannot say that.

COMMISSIONER FREEMAN. You wouldn't know whether they include Robert Small or not?

Mr. Stroud. No, I wouldn't.

COMMISSIONER FREEMAN. Have you ever heard of him?

Mr. Stroud. Ahh.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN HANNAH. Mr. Taylor?

MR. TAYLOR. Mr. Stroud, freedom of choice has a nice ring to it. It sounds like something that everybody would want. But we had

some testimony from a witness from the city of Greenville this past week who said that he was afraid to—a Negro witness, who said that he was afraid to have his child entered into the formerly all-white schools. Do you know of any reason why he should feel that way?

Mr. Stroud. I certainly do not unless he was employed by some white employer that would have threatened him. Our children, our Negro students that have come into the white schools have experi-

enced no difficulty, to my knowing.

MR. TAYLOR. But that is a possibility—that he might?

Mr. Stroud. It is a possibility, the same as it would be in Washington, D.C., or New York, or any place.

Mr. TAYLOR. Okay, but we are talking about Greenville now

rather than New York or Washington.

Mr. Stroud. Yes, sir.

MR. TAYLOR. A while back, Mr. Stroud, you said that what you really have to do is bring achievement of the Negroes up to that of the whites before you can integrate the schools, at least that is the way I understood you. Am I right?

Mr. Stroud. I said this would be an advantage.

MR. TAYLOR. Do you think that the school system bears any part of the responsibility for the fact that the achievement of Negro students is not equal to that of whites?

Mr. Stroud. In that the lack of school funds--

MR. TAYLOR. In that over the years better teachers, more funds, anything that you might ask for in a school system has been going in unequal share to the white schools?

MR. STROUD. I think that we would all have to agree to that.

Mr. Taylor. And in fact it is still true today to an extent?

Mr. Stroud. No, sir, not in Butler County.

Mr. Taylor. For example, what about your libraries? Do you have the same number of books in the libraries?

Mr. Stroud. We do not, because the library books have been purchased in the past not from school funds as much as from private donations and club drives and such as that. Since the passage of the Elementary and Secondary Act and the Title II we have spent most of the Title II funds in the Negro schools in the libraries and we have brought them a long way. They have a long way to go, yes.

MR. TAYLOR. But the answer to my question is that at least that one aspect of the school system still is unequal. Is that correct?

Mr. Stroud. It is unequal, yes.

MR. TAYLOR. Well, Mr. Chairman, we first heard the argument that Mr. Stroud is making today right after the Supreme Court decision in 1954 when it was said that a few years was needed to desegregate the schools because it was necessary to bring the achievement of Negro children up to that of white children. Now,

it is 14 years since that Court decision and we don't have integration and we don't have equal achievement.

I have to hark back to the remarks of a very distinguished southern lawyer who, when he heard that argument made that we have to bring up the achievement, said that is a little bit like the young fellow who shot his father and mother and then went into court pleading for mercy on the grounds that he was an orphan.

Would you care to comment on that, Mr. Stroud? Is that analogy completely out of line?

MR. STROUD. Well, I think you used 14 years here as an example. I think that we have not been going in this direction for 14 years. Now, who is guilty, I don't know. But actually it has only been since the Civil Rights Act of 1964 that any definite action has been taken in this direction. So it was a lag in there of 10 years.

MR. TAYLOR. Maybe in order to accomplish this goal that you are talking about you ought to spend three or four times the resources on Negroes that you spend on whites in order to compensate for all those years in which you did the opposite. Do you think the white people of your county would support that kind of a system?

Mr. Stroud. We are doing that presently through the Elementary and Secondary Education Act in Title I.

Mr. TAYLOR. You are spending-

MR. STROUD. I would say three-fourths as much.

Mr. TAYLOR. No further questions.

VICE CHAIRMAN PATTERSON. This hearing will stand in recess for 10 minutes.

VICE CHAIRMAN PATTERSON. The meeting will come to order. Mr. Glickstein, will you call the next witness.

MR. GLICKSTEIN. Mr. Chairman, if I may, before I do, I have a number of items to introduce into the record.

Mr. Dorsey, one of the witnesses this morning has requested that testimony, the statement that he prepared, be introduced into the record. May it be received?

VICE CHAIRMAN PATTERSON. It is received for the record.

(The document referred to was Marked Exhibit No. 27 and received in evidence.)

Mr. GLICKSTEIN. And the Commission has received a letter from the Dixie Tomato and Produce Company in which the company endorses the cooperative principle and urges support of SWAFCA and I would like to introduce this into the record as an exhibit.

VICE CHAIRMAN PATTERSON, It is received.

(The document referred to was marked Exhibit No. 29 and received in evidence.)

MR. GLICKSTEIN. The next witness is Mr. George Bradley, an

attorney on our staff.

(Whereupon, Mr. George Bradley was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF MR. GEORGE BRADLEY, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Bradley, I show you a copy of a report entitled "Staff Report on Vocational Education in the 16-County Hearing Area in Alabama." Did you participate in the preparation of this report?

Mr. Bradley. I did.

MR. GLICKSTEIN. May we introduce that into the record, Mr. Chairman?

VICE CHAIRMAN PATTERSON. It is received.

(The document referred to was marked Exhibit No. 29 and received in evidence.)

MR. GLICKSTEIN. Will you please summarize this report for the Commissioners?

Mr. Bradley. Yes. The vocational educational system in Alabama consists of 448 secondary schools, 27 trade schools, one community college, and one college or university. Twenty-one percent of the budget of \$21.4 million was contributed by the Federal Government. All of these schools are under a court order, Lee versus Macon County Board of Education, to desegregate.

Commission staff visited State trade schools at Tuscaloosa, Montgomery, Eufaula, North Evergreen, Opelika, Selma, and Thomasville. Tuscaloosa and Montgomery each have two trade schools, one predominantly white and one predominantly black. With one exception the faculty at each of these four schools is the same race as the majority of their students.

The students at the other five trade schools are predominantly white with from 1 to 60 black students at each. All of the instruc-

tors at all five of these schools are white.

Other factors beside the segregated faculty which help explain why the trade schools are essentially segregated are as follows:

The trade schools were created along racial lines with separate districts for the black and white schools. These districts remain unchanged. Thus, the predominantly black Treholm School sends buses to Dallas County to bring black students 50 miles from Selma to Montgomery, even though a predominantly white trade school is located in Selma. The directors of some schools stated that in recruiting students they invite only high schools of the same predominant race as attend their schools.

Identical courses are taught at the paired schools. One course,

cosmetology, it was suggested, required a different course for white and black beauticians because of differences in hair and styling.

The trade schools have been very successful in placing their graduates in the trade for which they were trained. For example, in Montgomery, more than 90 percent of the graduates of the predominantly black Trenholm School are employed in the trade for which they were trained or in allied jobs. At the all-black Tuscaloosa School, 75.5 percent of the graduates are employed in the trades for which they were trained or in allied jobs.

That completes my report, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Thank you, Mr. Bradley. You are excused. Would General Counsel call the next witness, please?

Mr. GLICKSTEIN. The next witness is Mr. J. F. Ingram.

(Whereupon, Mr. J. F. Ingram was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF MR. J. F. INGRAM, DIRECTOR, DIVISION OF VOCATIONAL EDUCATION, STATE DEPARTMENT OF EDUCATION, MONTGOMERY, ALABAMA

Mr. GLICKSTEIN. Mr. Ingram, would you please state your full name and address for the record?

Mr. INGRAM. J. F. Ingram, State Department of Education, Montgomery, Alabama, director of division of vocational education.

Mr. GLICKSTEIN. How long have you held that position?

Mr. INGRAM. About 7 years.

MR. GLICKSTEIN. What position did you hold prior to that?

Mr. Ingram. Supervisor of trade industrial education.

MR. GLICKSTEIN. Also in the State Department of Education? MR. INGRAM. Yes, sir.

MR. GLICKSTEIN. Mr. Bradley, in his statement a few moments ago, gave certain facts about the State trade schools. Were those essentially correct?

MR. INGRAM. Yes, sir.

MR. GLICKSTEIN. Are the State trade schools in Alabama of recent origin?

Mr. Ingram. We have one school that was established in 1925. We had five others that came about by legislation in 1947. The remainder of them have been since then.

MR. GLICKSTEIN. So over half the schools have been set up in the last—less than 20 years?

Mr. Ingram. Yes.

MR. GLICKSTEIN. Mr. Bradley also mentioned that the trade schools are under a court order to desegregate?

Mr. Ingram. That's correct.

MR. GLICKSTEIN. Prior to the court order, how many of the trade schools were all-Negro?

Mr. Ingram. Six, I believe.

MR. GLICKSTEIN. And how many were all-white?

MR. INGRAM. The remainder.

MR. GLICKSTEIN. Did each school serve a specified area of the State?

Mr. Ingram. Yes.

Mr. GLICKSTEIN. Were there zones set up along racial lines?

MR. INGRAM. Each school had a certain number of counties, a division of counties, that that school is supposed to serve. The Trenholm School here serves the Southeastern counties, almost a fourth of the State.

Mr. GLICKSTEIN. That school served the Negro students?

Mr. Ingram. That's correct.

Mr. GLICKSTEIN. And then the Patterson School in Montgomery, that school served a similar geographic area?

Mr. INGRAM. No, a much smaller area. Montgomery and part of the Pike—

MR. GLICKSTEIN. Pardon?

MR. INGRAM. Part of Pike County. Part of one or two others, I don't recall which.

Mr. GLICKSTEIN. What steps have been taken to desegregate the trade schools? Perhaps we can talk specifically about Trenholm and Patterson?

MR. INGRAM. Well, for instance, the bus that goes to Selma from Trenholm picks up both Negro and white students that elect to come to Montgomery. Any student that elects to enroll in the Selma schools, so far as we know and so far as we are concerned, they have the right to do it and there is nothing to keep them from it. If they elect to come to the Montgomery School we provide the transportation for them and the buses haul both Negro and white students.

Mr. GLICKSTEIN. And do the buses that haul the Negro and white students from Selma to——

Mr. Ingram. Yes.

MR. GLICKSTEIN. I know you said it, I am asking whether, of the Negro and white students that are brought into Montgomery from Selma, some of the Negro students go to Patterson?

Mr. INGRAM. I don't know. I wouldn't know.

MR. GLICKSTEIN. Do some of the white students go to Trenholm?

Mr. Ingram. Not that I know of.

MR. GLICKSTEIN. Are there any white students in Trenholm?

Mr. INGRAM. One, I understand.

MR. GLICKSTEIN. White students could go to Trenholm, is that right?

Mr. Ingram. Yes.

MR. GLICKSTEIN. Under the system students have freedom of choice, is that correct?

Mr. Ingram. That's correct.

Mr. GLICKSTEIN. Mr. Ingram, I have a catalog of the Trenholm School. Is this the catalog?

Mr. INGRAM. Yes.

MR. GLICKSTEIN. May we introduce it into the record, Mr. Chairman?

VICE CHAIRMAN PATTERSON. It is received.

(The document referred to was marked Exhibit No. 30 and received in evidence.)

MR. GLICKSTEIN. This is a document that a student would look at if he were considering what school to go to. Is that correct?

Mr. Ingram. Yes.

Mr. GLICKSTEIN. If he were choosing among trade schools?

Mr. Ingram. Yes.

MR. GLICKSTEIN. And it is probable, in the average student in trying to determine the basis on which he should exercise his freedom of choice might look at a book like this. Is that correct?

Mr. Ingram. Right.

MR. GLICKSTEIN. I have looked through this book and there are a lot of pictures in it and I don't see a picture of a white person in the book, just pictures of Negroes.

Mr. INGRAM. That's right.

MR. GLICKSTEIN. Is that right?

Mr. INGRAM. Yes.

Mr. GLICKSTEIN. Do you think that a white student looking at this catalog might get the message?

Mr. Ingram. Not necessarily. They are free to go to any school they want.

Mr. GLICKSTEIN. But only one white student thus far has elected to go to the——

Mr. INGRAM. That's right.

MR. GLICKSTEIN. Would it be possible to zone the Patterson School and the Trenholm School geographically in such a way that students living in certain places would be required to go to one or the other?

Mr. INGRAM. I presume it would be possible.

MR. GLICKSTEIN. From an educational point of view, do the schools offer similar courses so that you could do that without depriving the student of the opportunity to take a course he was interested in?

Mr. Ingram. I would question that because——

MR. GLICKSTEIN. You would question that?

Mr. Ingram. Yes. Some courses are offered in each of the schools that are not offered in the other.

Mr. GLICKSTEIN. Well, do the two schools offer essentially the same courses?

Mr. INGRAM. A good many of the same.

MR. GLICKSTEIN. Would it be possible, for example, for students to be assigned to these schools, be assigned to these schools on a geographical basis but for those courses that were not given in their schools be allowed to go over in the afternoon and take them? Could you work out such a system?

Mr. Ingram. These schools operate all day, the students are there all day. This is quite different from the area vocational

schools in the high school.

MR. GLICKSTEIN. I understand that. So I am suggesting that if a white student were assigned to the Trenholm School and he was told this is the school you have to go to, and he said: "Well, I will go to this school but there is a course offered at the Patterson School that I really want to take," couldn't you say to him: "You go to the Trenholm School for 5 hours a day and during the period of the day when the course that you are interested in is given at the Patterson School you go over there and take that"?

MR. INGRAM. That is the point I tried to make. Each course is an all-day course.

Mr. GLICKSTEIN. Each day of the week?

Mr. Ingram. Yes.

Mr. GLICKSTEIN. In other words, a student enrolls for a curriculum?

Mr. INGRAM. Auto mechanics, he is in auto mechanics all day.

Mr. GLICKSTEIN. Now, you mentioned that there is a bus that goes to Dallas County?

Mr. INGRAM. Yes.

Mr. GLICKSTEIN. To Selma to bring students into Montgomery?

Mr. Ingram. Yes.

MR. GLICKSTEIN. In Dallas County as I understand it, there is a State trade school, the Rufus King School?

Mr. INGRAM. That's right.

MR. GLICKSTEIN. What is the racial composition of that school?

Mr. INGRAM. I honestly don't know.

MR. GLICKSTEIN. I understand that it is predominantly white?

MR. INGRAM. That's correct.

MR. GLICKSTEIN. Well, why couldn't these students in Dallas County just be told that this is the trade school for Dallas County and everybody in Dallas County must go there? I am just curious that in the part of the country that I come from up North people are always yelling about busing. This is sort of one of the great sins in the world to bus students anyplace. But here you are busing people all the way from Selma to Montgomery when they have schools right there in Selma.

Mr. INGRAM. Well, we operate on the freedom of choice plan, they can go to either school.

Mr. GLICKSTEIN. And there are students I assume then in Selma that like to be bused into——

Mr. INGRAM. They so elect.

Mr. GLICKSTEIN. It takes them about an hour each way?

Mr. INGRAM. Approximately.

MR. GLICKSTEIN. Mr. Ingram, we have heard some testimony today about the vocational education courses that are offered in some secondary schools. That program is also under your jurisdiction, isn't it?

Mr. INGRAM. Right.

MR. GLICKSTEIN. We heard some testimony from the Eufaula School System and they described with a certain amount of pride a cooperative education course that was given in Eufaula High School, the white school, and they said they didn't have a similar course in McCoo High School, the Negro high school. All they did there was teach carpentry and some typing and they also said that they had applied to the State for the course for McCoo High School and they just hadn't heard from the State. Do you know or have you any comments to make on that?

Mr. INGRAM. Yes. No request has come from them at the time that we had funds with which to allot units.

MR. GLICKSTEIN. At the time you had funds you didn't have requests from them?

Mr. INGRAM. That's right.

Mr. GLICKSTEIN. Do you have funds at the present time?

Mr. INGRAM. No, sir, not for any expansion.

MR. GLICKSTEIN. There has also been some testimony about the vocational education courses that are offered in the two high schools in Greenville. Mr. Ingram, from an educational and from a financial point of view do you think it is sound in a city like Greenville to be operating vocational education programs in two different schools?

Mr. Ingram. It would depend on the kind of program. If it is a co-op program you can offer that in one school because you have variety of occupations and you can justify it economically and educationally. But I would not subscribe to building additional facilities of the same kind that are already existing if those facilities are not presently being used to full capacity.

MR. GLICKSTEIN. In a county like Barbour County where we have heard testimony that there are plans afoot to add space to the white high school and plans afoot to add space to the Negro high school do you think that is an educationally and financially sound way of proceeding?

Mr. Ingram. You mean to offer the same courses?

Mr. GLICKSTEIN. Yes, to offer the same courses.

MR. INGRAM. Not if either school facilities are not filled.

Mr. GLICKSTEIN. Well, as an educator, if we were to start over again, do you think it would make sense to have one high school for Barbour County to which every student in the county was required to go?

Mr. Ingram. From one standpoint it looks very logical. But I happen to know of the extreme difficulty of consolidation because of community interests.

MR. GLICKSTEIN. Let me ask you to answer that question from the point of view as an educator. Would it be sound educationally?

MR. INGRAM. In my opinion a high school should be large enough to offer a broader curriculum than the average small high school can offer educationally. But there are other problems.

Mr. GLICKSTEIN. But from an educational point of view. How about from a financial point of view?

Mr. INGRAM. Well, I think there would be some financial advantage ultimately.

Mr. GLICKSTEIN. You think that would be an advantage also?

Mr. INGRAM. Probably, yes.

MR. GLICKSTEIN. But you say that there were community influences that might prevent this from happening?

Mr. INGRAM. That's correct.

Mr. GLICKSTEIN. I assume that if this system were to be inaugurated it would be a form of instant integration, wouldn't it? You would pretty much integrate the high school overnight?

Mr. Ingram. That's correct.

MR. GLICKSTEIN. Is this the sort of community pressure that you are thinking about that might prevent this from happening?

MR. INGRAM. No, it is even hard to get two white schools together or two Negro schools because each of the communities want to retain them. It is very unpopular politically for a superintendent to pressure this sort of thing.

MR. GLICKSTEIN. Mr. Ingram, we heard some testimony earlier today about the area vocational high school, the area vocational school in Eufaula. How is that financed? I guess it is an area State trade school. Would you explain that?

MR. INGRAM. Let me make a clarification.

We speak of the school at Eufaula, outside of Eufaula, as a State operated trade school. We speak of the type of school that Butler County operates as an area secondary vocational school. Now, the Eufaula School and all like it are designed to serve out-of-school youths and adults who come back to school and most of the schools and most of the classes are already full with those kinds of people—these are adults. They have family responsibilities, many of them. So these schools are reserved for those kinds of people.

Now, the area secondary schools are full of high school youths. Mr. GLICKSTEIN. And how are the area schools that you spoke about financed?

Mr. Ingram. Secondary schools?

MR. GLICKSTEIN. No, the others.

MR. INGRAM. The others are almost completely financed with State funds.

MR. GLICKSTEIN. State funds?

Mr. INGRAM. Right.

MR. GLICKSTEIN. Mr. Bradley in his staff report mentioned that the placement record of the State trade schools has been very good. Is that correct?

Mr. INGRAM. That's right.

MR. GLICKSTEIN. Do most of the students find work in the trades for which they are trained?

Mr. Ingram. Yes.

MR. GLICKSTEIN. Do most of them remain in the State?

MR. INGRAM. I wouldn't want to say definitely that most of them do. We have them that go everywhere in the country, some to California, New York, and everywhere.

Mr. GLICKSTEIN. You do followup studies on people that you train?

Mr. Ingram. Each of the schools keeps a followup on their graduates.

MR. GLICKSTEIN. Would you say that in general that they show that students remain in the State?

Mr. INGRAM. I would not want to say that most of them do because I don't know.

MR. GLICKSTEIN. Mr. Ingram, do you think that the State trade schools have been an influence in attracting industry to Alabama?

Mr. INGRAM. Very definitely.

MR. GLICKSTEIN. Would you expand on that a little bit please? MR. INGRAM. Any industry that comes into any locality is interested in the facilities that are available to educate and train the people in that vicinity for employment in that industry and where we have these facilities, prospective industries find them attractive.

MR. GLICKSTEIN. Have you personally had contacts with businessmen with industry and explained to them what the trade schools are doing and what the trade schools can do for them?

Mr. INGRAM. Oh, yes.

Mr. GLICKSTEIN. What do you think are the economic consequences for your State of Negroes being excluded from the labor force because of racial discrimination or inadequate education?

Mr. Ingram. I think very definitely that any people, any race, who are uneducated and untrained are an economic liability and those who are, are economic assets.

MR. GLICKSTEIN. So to state that a different way, would you say that the education of the Negro population and the elimination of barriers for equal job opportunities would further the economic development of the State of Alabama?

Mr. INGRAM. No question about it.

Mr. GLICKSTEIN. Mr. Ingram, one final question. We have heard a number of employers the last couple of days tell us that they

would just love to hire a Negro secretary but there are just none available. Are the State trade schools training Negro girls to be secretaries?

Mr. INGRAM. Everyone of them.

Mr. GLICKSTEIN. And do you think that there is a pool of Negro secretarial talent available in this State?

MR. INGRAM. It is my understanding that they are being employed about as fast as we are able to graduate them.

MR. GLICKSTEIN. Would you know whether employers are coming to the trade schools that have courses, secretarial courses with Negro students and recruiting secretaries?

Mr. Ingram. Yes, they are.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Ingram, we have received testimony and reports earlier that show that there are several companies, including the Alabama Power Company, for instance, that have racially segregated or discriminatory hiring practices and one of the questions that was asked was with respect to the hiring of the skilled personnel.

I notice that you have a course that is Industrial Electricity. I wonder the extent to which you or your staff go to the prospective employers and let them know the availability of your graduates for employment?

Mr. Ingram. The staff of each State trade school keeps close direct contact with the prospective employers of their students. So I would presume that that is done.

COMMISSIONER FREEMAN. You presume? Is there any policy or requirement that they try to assist the graduate in obtaining employment?

Mr. INGRAM. Yes.

COMMISSIONER FREEMAN. This program is financed by 21 percent Federal funds, is it not?

Mr. Ingram. Not the State vocational schools.

COMMISSIONER FREEMAN. The program which you administer, is your position an elected or appointed one?

Mr. INGRAM. Appointed.

COMMISSIONER FREEMAN. You mentioned the freedom of choice. Will you tell me what that means with respect to what a student has to do in order to get to a school that he would consider to be the best school?

Mr. Ingram. All he has to do is present himself at that school and ask to be admitted. If he meets the qualifications of the course, he is admitted.

COMMISSIONER FREEMAN. What are the qualifications?

MR. INGRAM. It depends on the course. Some require high school graduation; some 8th grade level. It varies with the occupation.

COMMISSIONER FREEMAN. Is there any test that is administered?

Mr. INGRAM. None.

COMMISSIONER FREEMAN. Is there any course that is given that requires an 8th grade level—do you know of any instance in which a Negro has wanted to go or made application for a predominantly white school where he has been refused admission?

Mr. INGRAM. I don't know of any specific case.

COMMISSIONER FREEMAN. Have you inquired of each of the schools to find out whether this is in fact true or not?

MR. INGRAM. Yes.

COMMISSIONER FREEMAN. And there are no cases where a Negro who wants to go to a trade school that he would consider the best trade school has been denied?

Mr. INGRAM, I do not.

COMMISSIONER FREEMAN. If it came to your attention that one had been refused admission what would you do?

Mr. Ingram. I would take action to inquire on what basis he was not admitted.

COMMISSIONER FREEMAN. Would you order his admission?

Mr. INGRAM. Yes, if he qualifies.

COMMISSIONER FREEMAN. In fact, I believe in Montgomery you have two schools, one that is all-Negro and one that is all-white?

MR. INGRAM. No, not quite. We have quite a number of Negroes in the white school and we have one white student in the Negro school.

COMMISSIONER FREEMAN. One white student out of a total of how many?

Mr. INGRAM. Oh, I think 300 or 400.

COMMISSIONER FREEMAN. Well, it is still a racially segregated school, isn't it?

Mr. Ingram. Well, to that extent.

COMMISSIONER FREEMAN. And how many Negroes in the predominantly white school?

Mr. INGRAM. I don't know. I would say there is more than 30.

COMMISSIONER FREEMAN. Out of a total of how many?

Mr. INGRAM. About 300.

COMMISSIONER FREEMAN. 300?

Mr. Ingram. Or 350.

COMMISSIONER FREEMAN. Still a racially segregated school? Mr. Ingram. To that extent.

COMMISSIONER FREEMAN. You are under a court order. What steps are proposed to step up the integration of these schools?

MR. INGRAM. They are being—the directors are being told what the court order said. They have been told and they are being required to comply with the court order. COMMISSIONER FREEMAN. Are they being required to do anything more?

MR. INGRAM. Than to comply with the court order?

COMMISSIONER FREEMAN. Yes.

Mr. INGRAM. No.

COMMISSIONER FREEMAN. I have no further questions.

Vice Chairman Patterson. Mr. Taylor?

Mr. Taylor. As I understand it, Mr. Ingram, employers do make contact with the schools for the purpose of obtaining applicants?

Mr. Ingram. That is true.

Mr. Taylor. Do they actually come to the school to interview from time to time?

Mr. INGRAM. Quite often.

MR. TAYLOR. Do you take any steps to assure that employers who use the service that you provide do not discriminate against potential employees because of their race?

Mr. INGRAM. No, I don't think that we can make that requirement. These are public schools.

MR. TAYLOR. That is precisely why you should make that requirement in my view. And the employers are all under an obligation under the Federal law, are they not, not to discriminate?

MR. INGRAM. That I don't know. I would assume so.

Mr. Taylor. Most of them would be under Title VII. Because it seems to me that as long as you are running predominantly white schools and predominantly Negro schools that it almost facilitates an employer coming in and saying. "Well, if he wants to hire white employees, he can make use of your white schools." Don't you consider that a problem?

Mr. Ingram. Not necessarily. We have white employees that go to Negro schools.

MR. TAYLOR. I have no further questions.

VICE CHAIRMAN PATTERSON. Mr. Ingram, we had an earlier bit of testimony from the superintendent of schools in Eufaula, Alabama in which it was brought out that in the Negro high school in Eufaula carpentry and cabinet making are taught under programs which I assume that you are the State supervisor of?

Mr. Ingram. Yes.

VICE CHAIRMAN PATTERSON. You supervise or have some direction over the high school vocational programs in addition to the area trade schools?

Mr. INGRAM. That's right.

VICE CHAIRMAN PATTERSON. And they taught cabinet making and carpentry plus typing and shorthand in the Negro school as vocations, whereas in the predominantly white school in the same city there was a wide range of other courses taught ranging from sales and merchandising to business education, office, clerical, real

estate, financial, so far as banking goes, and these courses were not present in the Negro schools.

Now, was that in your judgment to make this breakdown of

courses?

Mr. INGRAM. No, sir.

VICE CHAIRMAN PATTERSON. Then who would have made that decision?

MR. INGRAM. I have to be in somewhat disagreement with Mr. Carter's testimony because we answer requests for programs. We do not put programs in schools.

VICE CHAIRMAN PATTERSON. Now, he has testified that he has the right to reject what you give him. But I gathered from the testimony that he indicated that the initiative came from the State?

MR. INGRAM. Well, I think he just misunderstands because in all cases there has to be a request of the superintendent of education to the State superintendent, requesting any vocational unit that goes in that system.

VICE CHAIRMAN PATTERSON. Well, be that as it may, does it strike you, Mr. Ingram, that this is giving a rather unequal treatment to the Negro students of Eufaula when courses are open to whites in vocational training that are not open to Negroes?

MR. INGRAM. As I understand it, they have freedom of choice there, they could go into the white schools and avail themselves of those courses.

VICE CHAIRMAN PATTERSON. As I understand it though, the majority of those children are in the Negro school?

Mr. Ingram. I think that is correct.

VICE CHAIRMAN PATTERSON. And they simply are not receiving the same training and skills, vocational skills that the other schools offer?

Mr. INGRAM. That's true.

VICE CHAIRMAN PATTERSON. Do you think this is a good idea? Mr. INGRAM. No, I think there ought to be equal educational opportunities. Yes.

VICE CHAIRMAN PATTERSON. This brings me to your comments on consolidation. You mentioned in your judgment as an educator it would be educationally and financially advantageous to merge small high schools into larger schools that are more efficient. Why is it that if our children are being disadvantaged in an education and our pocketbook is being hit by failure to consolidate, children and pocketbook, two of the most important things to us, then why do we hang back from doing it? Why is it so hard?

Mr. Ingram. I tried to indicate a little while ago that in communities you have sentiment for maintaining the school that they probably went to and their children had gone to, and they do not want to release them, to send their children to some other place.

That is basically the hindrance to consolidation in this State or any other.

VICE CHAIRMAN PATTERSON. Certainly I have encountered those same community attitudes in my State, Mr. Ingram. I simply thought that perhaps you can give me an insight as to why a man would work against what you say is his own children's interest and his own pocketbook's interest.

Perhaps you and I aren't doing as good a job as we should in explaining it.

Mr. INGRAM. Maybe not, maybe not.

VICE CHAIRMAN PATTERSON. Are there any further questions? Mr. GICKSTEIN. I have one further question, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Mr. Glickstein?

MR. GLICKSTEIN. Mr. Ingram, we heard testimony a little while ago from the director of the State Employment Office in Selma and he said that there was a need for about 500 sewing machine operators in that area. He also said that under the Federal Manpower Training law such a course could not be set up.

Mr. INGRAM. That's right.

MR. GLICKSTEIN. Would the trade school be under any inhibitions to setting up such a course?

Mr. Ingram. If they had the space and the facilities I am sure they would be glad to do it.

MR. GLICKSTEIN. Is there space available and are there facilities at the Rufus King School?

MR. INGRAM. No.

MR. GLICKSTEIN. The school is being used to capacity right now?

MR. INGRAM. The space is being occupied. I think some classes are not full. But the space is fully occupied.

Mr. GLICKSTEIN. I have no further questions.

VICE CHAIRMAN PATTERSON. You are excused, Mr. Ingram. Thank you. Would Counsel call the next witness please?

Mr. TAYLOR. Mr. Chairman, before the next witness is called I would just like to reiterate and call to the attention of everyone again the existence of the criminal law which protects our witnesses against harassment or intimidation. I do this because I know of at least one instance in which there was a problem concerning a witness and because all of us are concerned about other witnesses. Among the many witnesses whom I am concerned about are those who testified as employees of the American Can Company yesterday evening. And since I see one of the lawyers for that company in the audience I would like to ask him if he would not advise his client to do everything within his power to see that nothing occurs, untoward occurs, with respect to those witnesses.

I think that is appropriate since American Can does exercise a great deal of authority and responsibility in that community.

And I would also urge that if any witness has anything untoward occur that he report it to us promptly.

VICE CHAIRMAN PATTERSON. Well, I am sure that the American Can attorneys will take the proper steps. If they wish to say anything we will be glad to receive them, but I think they understand. I think it is well to repeat, in view of the wide range of witnesses that we have had here, that the harassment or intimidation of any witness appearing before this hearing is a Federal crime.

Would you call the next witness, Mr. Glickstein?

MR. GLICKSTEIN. The next witness, Mr. Patterson, is Dr. Ernest Stone.

(Whereupon, Dr. Ernest Stone was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF DR. ERNEST STONE, STATE SUPERINTENDENT OF EDUCATION, MONTGOMERY, ALABAMA

MR. GLICKSTEIN. Dr. Stone, would you please state your full name and address for the record?

Dr. Stone. I am Ernest Stone, State superintendent of education, housed in the State Office Building, Montgomery, Alabama.

Mr. GLICKSTEIN. Dr. Stone, how long have you been the State superintendent of education?

DR. STONE. I have been State superintendent of education since January 17, 1967.

Mr. GLICKSTEIN. And what position did you occupy before then? Dr. Stone. I was director of laboratory schools and superintend-

ent of city schools in Jacksonville, Alabama, the laboratory schools being an adjunct of the Jacksonville State University.

MR. GLICKSTEIN. You have been an educator all of your adult life?

DR. STONE. Except that time I was working in the United States Navy during World War II.

MR. GLICKSTEIN. You didn't think you were being an educator there when you were there?

Dr. Stone. Yes, I did some education work when I was there, also.

Mr. GLICKSTEIN. Dr. Stone, according to the staff report that was summarized earlier today more than 98 percent of the Negro students in the area of—which is the subject of this hearing—attend all-Negro schools. Why is desegregation so limited 14 years after the Brown decision?

Dr. Stone. Well, of course I am not sure that anyone could answer that question. In the 16 counties that you seem to be primarily concerned with in this investigation those happen to be 16 of the counties in Alabama that are predominantly Negro in population.

In other words, the ratio of Negro to white population in those 16 counties is as high or perhaps higher than it is in any of the other counties, 51 counties in the whole State of Alabama.

MR. GLICKSTEIN. As I understand, the decree that was issued in Lee versus the Macon County case, the State of Alabama has been required to equalize facilities as between Negro and predominantly white schools in the district covered by that decree. Is that correct?

DR. STONE. That is very true. That applies to only 99 school systems.

Mr. Vice Chairman, in Alabama in relationship to this court order we do not refer to school districts but rather to school systems and then some counties have as many as two or three school systems. Montgomery is not one of those. They have a county unit system. You have some of that in your State also. But in most of the country we refer to schools as school districts. We do not in Alabama because the constitution of the State divides each county into two tax districts and it is confusing.

Now, in Lee versus Macon case, that was issued on March 22, 1967 by the three-judge panel, in the middle district of Alabama in the Federal court, puts 99 of our 118 school districts under the Lee versus Macon court order, and we have 19 other school systems that are under a Federal court order which is different from, or which are different from the Lee versus Macon. And some of them are considerably different. We have four school systems that are under the Fifth Circuit court order.

MR. GLICKSTEIN. Under the Lee-Macon County decision, the one that I referred to, that does order the school systems involved to equalize Negro and white schools. Is that correct?

DR. STONE. That is true, and I think the same thing is true in the other 19. Essentially true, let me put it like that. I know more about the Lee-Macon, to equalize educational facilities, indeed, yes, and to desegregate the schools. The word "integration" is not used. Desegregate the schools on a freedom of choice basis, to be absolutely certain that every student has the right to select the school to which he would like to attend.

We have gone to great pains, considerable trouble and expense to see that every child has had that right. If he is 14 years of age he may exercise the right himself under the court order, or if he is above the 9th grade he may exercise the right himself. If he is below the 9th grade and less than 14 years of age his parents have to exercise it for him, or the person serving as his parent.

MR. GLICKSTEIN. Dr. Stone, have you been moving ahead to bring about this equalization of schools and consolidation and elimination of inadequate schools?

Dr. Stone. We have been obeying the court order.

Mr. GLICKSTEIN. For example, Dr. Stone, our information indicates that five Negro schools each with an enrollment of less than

100 and one enrolling only 30 students continue to operate in Marengo County. Our information also indicates that in Clarke County only one white school has an insurance valuation of less than \$110,000, and that school has a valuation of \$52,000. Eight of the other 11 Negro schools on the other hand have an insurance valuation of less than \$20,000. Six of these have a valuation of less than \$5,000, and two actually have a valuation of \$750.

DR. STONE. The first part of your question, sir, the schools in the county that you mentioned, the small schools, have been notified of the inadequacy of that small school. And only by the State department of education, under the court order, by the Justice Department. We are now in consultation with these superintendents in an effort to close these small, inefficient Negro schools.

I think it is quite unfortunate that in the Northern reaches of this State where we have our great Appalachian people who are as poor as the Negro people in this State that the court didn't require that on the part of the white schools. I think it was discrimination against the whites to that extent. And I believe that you will find that efforts are being made, progress is being made.

We now have some—out of the 119, some 14 school systems that have eliminated their dual schools altogether. That is little better than some of the Northern cities have done, gentlemen, where you have the concentration of Negro populations in certain areas.

MR. GLICKSTEIN. You mentioned that there might be some discrimination against the white students in the Northern part of the State. Are there rural schools and students in the Northern part of the State?

DR. STONE. Yes, rural schools, considerably rural.

MR. GLICKSTEIN. Dr. Stone, the staff report referred to the study of student achievement in the report known as the Coleman Report.

DR. STONE. Known as the what? The Coleman Report?

Mr. GLICKSTEIN. Yes.

DR. STONE. Yes.

MR. GLICKSTEIN. And in that report there was a comparison of school achievement of white and Negro students in the rural South. White and Negro in the rural South showed that in terms of the verbal ability of the 12th grade level white students were 1.5 grades behind where they should be while Negro students were 5.2 grades behind where they should be. In terms of math achievement, white students were 1.4 grades behind where they should be and Negro students were 6.2 grades behind where they should be.

Now, this is a comparison of white and Negro rural students. I realize that these are just averages but doesn't this suggest that the Negro students are far more disadvantaged than the white students?

Dr. Stone. They have been historically and there is a reason

for that. I can explain it to you, and I would like to have the privilege, Mr. Chairman.

In 1937 in the State of Alabama we passed what is known as the Minimum Foundation Program, or the Minimum Program Law, school law guaranteeing to every child in the State of Alabama regardless of race a certain amount of State money. Negroes were given that money exactly on the same basis and on the same formula as the white children.

Now, it is true that the white parents—this was not enough to afford a quality educational program in the community, Negro or white, it is true, historically true back over that period of 30 years, that the white parents have provided more money out of their pockets to make for a quality school than the Negroes have. And it may be that they had more money. We don't know that. It may be that the white citizens have had more money than the Negro citizens. But that is the case and that's what has happened.

The taxes, the local taxes that have been assessed in the counties and/or cities of the State have been assessed by local law and collected there and kept there and spent there under the jurisdiction of local authorities, usually being school boards, where they could spend that money where they felt it was most needed.

MR. GLICKSTEIN. Dr. Stone, we heard testimony earlier that one of the reasons that the white libraries in Greenville had more books than the Negro libraries was that a lot of the money for the books came from parents and this is consistent with the testimony that you are giving now.

I can understand how a white school might have more library books than the Negro schools because white parents might be more affluent and are able to contribute it. Would that explain why in Clarke County there is a white school that is valued at \$110,000 and a Negro school that is valued at \$750? Did those funds come from parents' contributions?

Dr. Stone. Those funds came from two sources, perhaps depending on how old the buildings are. In many of the communities of this State and all over the Southland the communities built the schoolhouse themselves. The school where I graduated from the 8th grade was built by about 30 parents and the State or county or local district taxes did not go into it one dime, and that is not uncommon in many communities in this State even now. I mean the buildings are still standing.

But these in Clarke County in question, has received from the State of Alabama her pro rata share for schoolhouse construction when and if, if and when we have had State monies to allocate to local school systems for capital outlay. They have received their pro rata share and have received in many instances more money per child than Jefferson or Mobile Counties because there is an equalization clause in it, in the allocation formula.

Mr. GLICKSTEIN. I am not sure that that explains to me, unless I didn't follow you, why it is possible for a county to have one school worth \$110,000 and one worth \$750.

DR. STONE. Well, I would assume that the building that is assessed for \$120,000 is a more expensive building than the one that is assessed for \$750, that would be a reasonable assumption. Now, it is up to—the State had nothing to do with the building of either one of the buildings. All the plans were promulgated by the local school system. It is a little something that we call democracy and we think that it has worked pretty well.

MR. GLICKSTEIN. Does the State have something to do with what goes on within the school building?

DR. STONE. The State has something to do with what goes on in the school program insofar as grade requirements are concerned, balancing the curriculum.

MR. GLICKSTEIN. Does the State have any responsibility for the fact that the McCoo High School in Eufaula was not accredited by the State until 6 years ago and was not accredited by the Southeastern Association until 3 years ago?

Dr. Stone. The State has given to Eufaula the amount of money for education that they were entitled to under an acceptable formula. It has been Eufaula's responsibility and the other 117 school systems' responsibility to add to this minimum program for a period—a program of quality education.

We do not have the constitutional right or responsibility to go into any school system and demand that they spend the money, their local money on any one school. They do have to spend the money equally and regardless of race, creed, color, or religion.

MR. GLICKSTEIN. And you think that this is an example of democracy?

Dr. Stone. I said it is democracy from the State, yes, and I think it is a pretty good sample of democracy. It is something that is being practiced nationwide, gentlemen.

I noticed in the paper where my friend, my good friend, your Chairman Mr. John Hannah, is having some civil rights problems on his campus where the Negroes are complaining that they are not getting a fair shake at the employment on that campus, and I think that these problems are nationwide. We have got them all over America.

I know these 16 counties in Alabama are lacking in money, Mr. Chairman, we need money, but the school people in this country and in the South are going to be honest men. The Federal courts have found out that we have told them the truth. The United States Office of Education has found out we told them the truth. The Civil Rights Commission, your Commission, that has come to us for information. I believe the record will show that we have done our best to get you the information that you wanted.

We don't claim any laurels on which to rest but we do claim this, that we are trying our best to treat people fairly. And we are trying our best to equip every Alabamian with a saleable skill so that he can go out here and earn a living for himself.

Now, something else came up a while ago that I would like to clear the record on just briefly. They were talking about Negro versus white employment. Most of the Northern people who come to Alabama and establish an industry are more concerned with employing white employees than they are Negro employees. So you see this civil rights thing, again that's another proof that it is nationwide in scope.

We have all got to do something about it.

VICE CHAIRMAN PATTERSON. Dr. Stone, in Chairman Hannah's absence I think it well to state for the record that he did have his problem at Michigan State and he has settled it.

Dr. Stone. Fine. We are settling ours.

VICE CHAIRMAN PATTERSON. Mr. Glickstein, proceed.

MR. GLICKSTEIN. I would think on the basis of Mr. Ingram's testimony you would be very concerned if Northern companies come down and only want to employ whites, and Mr. Ingram said that he felt that the economic development of the State of Alabama depended on training Negroes up to their capacity and providing equal employment opportunities.

Dr. Stone. We are very concerned about that, Mr. Counselor, that every person is equipped with a saleable skill. We think that we have now in our vocational complex of State trade schools, our area trade schools which are not post-high school, but in our high school trade schools that we are rapidly on our way and we are making tremendous progress in training people with skills.

You might be interested to know that we do not have unemployment in Alabama. We have untrained, unemployed people in Alabama. If we had the skills in the State we believe that every ablebodied person in this State could be gainfully employed today. That is what we are striving to do without regard to race.

MR. GLICKSTEIN. Getting back to what goes on within the schools, we also heard testimony about the type of vocational program offered at the white Eufaula High School where students are trained in banking skills and in other highly marketable skills while at the McCoo High School they only have carpentry courses. Again, is that something that the local people are responsible for?

DR. STONE. Well, the local people responsible for it in that case—let me clear up a thing that was said and I don't think that Mr. Carter meant to say this. We do not employ vocational personnel for Mr. Carter or for anybody else, that is the responsibility of the local board of education, Mr. Chairman, you know that. It is nationwide. The State can't do that. Those vocational teachers are employees of that local board of education just like the English teacher

and therefore the local board has complete jurisdiction over them.

Now, there are certain guides that are set into the vocational program by the Federal Government, by the U. S. Office of Education and by our State plan that they are supposed to give so many hours to a certain kind of training and so forth, and all of that is in there, but the same thing is in there. And we write it in the field of English and social studies. We have to have some standards to accomplish before we can have any kind of adequacy.

MR. GLICKSTEIN. I don't follow you. Are you saying that the reason McCoo doesn't have these courses is because they don't

have a teacher that is able to administer the program?

DR. STONE. That might be true. We have approximately in the school population of Alabama this year, we have enrolled in the public elementary and secondary schools about 840,000 children, 380,000 of them are transported on desegregated buses daily. The vocational courses is about between 33 and 34 percent of the school population is Negro, whether they are in a predominantly Negro school or whether they are in a desegregated predominantly white school.

Now, I believe that the vocational units that have been assigned, and we are under court order to do this, that have been assigned to predominantly Negro schools is pretty well in line with the percentage. Not quite, not quite, but it is up close to 30.

Mr. GLICKSTEIN. Well, it might well be that the vocational units are in line but I am concerned with what is taught in these units and isn't there a difference between a unit that teaches carpentry and a unit that prepares someone to work in a bank. You are saying that both of those people are being—

Dr. Stone. You are talking about two different kinds of vocational education. The units that would equip someone to work in a

bank is diversified occupations.

Mr. GLICKSTEIN. That unit is not available to Negro students in McCoo High School.

DR. STONE. Well, it should be, if it isn't. I think it would be on a freedom of choice basis, yes. He can come over there and get that course.

MR. GLICKSTEIN. But it is not in the McCoo High School at the present time?

DR. STONE. No, it probably isn't. I don't know. I can't keep up with all of those things but I don't know, but assuming, based on what has been said here this afternoon, it probably isn't. But the Negro child should have a right to get on-the-job training in the bank just the same as the white.

We are not complaining. We don't make no contention on that at all. I am talking about from the State level. We believe in treating them all fairly, giving them all the same chance and all the same opportunity. Now, you have another problem involved, whether or not you can get that training station for a Negro child or for a white child. That is always a problem.

MR. GLICKSTEIN. Dr. Stone, you said the Negro child has freedom of choice, he could go to the Eufaula High School and get the course if he wants it?

Dr. Stone. He surely can under the court order.

MR. GLICKSTEIN. How long has the freedom of choice method of assigning students to schools been in effect in Alabama?

DR. STONE. Well, of course it went into effect first under the court order on September 1, or the beginning of the 1967-68 school term. It has actually been in effect in the State—this is the fifth year in most of the school systems because of the guidelines having to do with the Federal monies that were administered to the States and through this State school office to the local school areas, or districts. And if you didn't comply with the guidelines you didn't get the money.

MR. GLICKSTEIN. Do you think freedom of choice is a democratic method of assigning children to school?

DR. STONE. I certainly do. They can go anywhere they want to. MR. GLICKSTEIN. What did you do before the freedom of choice method was instituted?

Dr. Stone. Before the freedom of choice method was instituted 5 years ago we had segregated schools by law.

MR. GLICKSTEIN. And there students were just assigned to schools on a district basis?

Dr. Stone. Five years ago it was against the law—well, let me put it like this, before May 17, 1954, it was against the law in Alabama to operate a segregated school—I mean an integrated school or a desegregated school.

MR. GLICKSTEIN. But before May 17, 1954, students were assigned to schools in particular districts, is that right?

Dr. Stone. That's right.

MR. GLICKSTEIN. And at that point you did have freedom of choice?

Dr. Stone. No, sir, you did not.

Mr. GLICKSTEIN. So it is just within recent years that Alabama has achieved democracy in the operation of its school systems?

Dr. Stone. Well, of course we might have a difference of opinion on defining "democracy" but that was the case. We did not have desegregated schools before May 17, 1954, the day of the Supreme Court ruling.

MR. GLICKSTEIN. I am not an educator, Dr. Stone, I have never run a school system, but it seems to me that a system that permits children in a period of time in the spring to select the schools that they are going to go to is a rather chaotic way of running the school system. How can you plan? How do you know what choices they are going to make? You might end up with one school with one

student in it and the other school with everybody in it. It just seems to me that that is an administrative monstrosity.

DR. STONE. Well, it could be you're right. It could be an administrative monstrosity but the fact remains that that is what the court ruled and that is what we are doing.

Mr. GLICKSTEIN. You presented a plan to the court, didn't you? Dr. Stone. No, sir; no, sir, the court told—the court presented me a model plan and I presented the model plan to the 99 school systems in the State and the 99 schools—

MR. GLICKSTEIN. If you had to come back to the court, Dr. Stone, and said as an administrator this is just chaotic, maybe the bureaucrats in Washington and the judge think this is the way to run a school system, but I can't run a school system unless I know where they are going to go, do you think the court would have said: "Well, you have to have a freedom of choice plan"?

Dr. Stone. The court did say we had to have a freedom of choice plan. They kept jurisdiction of the case. I don't know what they will do with it in the future, but they have said up until now——

Mr. GLICKSTEIN. If the Supreme Court were to rule on the case pending before it that freedom of choice is unconstitutional and that all students have to be assigned to schools on some geographic basis do you think that would make the job of school administrators in Alabama somewhat easier?

Dr. Stone. Not necessarily so, not necessarily so.

MR. GLICKSTEIN. It wouldn't?

Dr. Stone. I do not think it would necessarily make it. In some cases it would and in some cases it wouldn't.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Mrs. Freeman, do you have some questions?

COMMISSIONER FREEMAN. Yes, I do.

Dr. Stone, on Sunday I visited the company-owned village of Bellamy and went into the school there where only black children go. We went into rooms where the desks where the children sit were crowded all the way up to the teacher's desk, where there was hanging from the ceiling only a light bulb which was the only lighting they had. And I went into rooms where there was no water in the building whatsoever, only the outside—the only way they could get water would be to go on the outside where there would be the fountain. And then for toilet facilities they had to go from 100 to 125 feet in what on a sunny day like Sunday was still muddy, red mud.

When we asked about the condition, which was obviously deplorable and disgraceful, we were told that this is administered by the county. I believe it was the county. In other words, the witness disclaimed any responsibility for this deplorable condition. You

couldn't even call it an educational facility. But he disclaimed any responsibility and said that it was run, I believe, by the county.

Now, I would like to know if you will tell this Commission as superintendent of education for the State of Alabama what would your appraisal be of that kind of a situation?

DR. STONE. Well, I am assuming that you are talking about the community of Bellamy. What county is that?

COMMISSIONER FREEMAN. Sumter County.

DR. STONE. I thought it was Sumter or Greene.

In the first place of course we deplore a situation like that. We think it is bad for children and let me emphasize the word, children. Underscore it.

COMMISSIONER FREEMAN. I was thinking about the children as I walked through those rooms.

DR. STONE. I think it is a bad situation for children to have to go to school in a place like that. The fact remains, however, that we have numbers of small communities in the State of Alabama where that is the case and they are not all Negro, by any means.

COMMISSIONER FREEMAN. My question again goes to the statement which you made, that the State of Alabama believes in democracy and equality of opportunities for its children.

DR. STONE. That's right.

COMMISSIONER FREEMAN. And what you are saying then is that a large number of children, poor black and poor white, are being denied an education, even a decent education of any kind in this State?

DR. STONE. That is very true. Of course, every child in the State of Alabama can, we have provided school bus transportation for them where they can graduate from high school. We think that has come to pass. About 10 to—well, 15 to 20 to 25 years ago. But the condition that you were explaining there does exist in this State. We are sorry that none of the school people want it to exist but what can you do, but wish and hope and pray and dream because we do not have the dollars.

COMMISSIONER FREEMAN. Could it not be considered that where there is a dual school system and where there is the wasteful duplication in maintenance of the segregated school that the consolidation of schools, the money that would be saved would go to help these children get a decent education?

DR. STONE. Of course the studies show that you do not necessarily save money by consolidating schools.

COMMISSIONER FREEMAN. Have you consolidated any?

Dr. Stone. Oh, yes, we have consolidated schools. We have only —we have in the State of Alabama today, I believe, only eight one-teacher schools. School consolidation in Alabama has been going rapidly and it has been going rapidly all over the Southland, perhaps more so than in the colder climates of America where chil-

dren have to ride long distances. It is better for them to ride a long distance where it is not so cold.

COMMISSIONER FREEMAN. In Bellamy the white children were riding long distances, the white children in Bellamy don't go to this school. They ride the bus to a better school.

DR. STONE. The children that are in the Bellamy School can ride a bus too, if they want to. They have that choice. Their parents have that choice.

COMMISSIONER FREEMAN. Have you ever seen that school?

Dr. STONE. No, I have not.

COMMISSIONER FREEMAN. I would suggest that you go there.

DR. STONE. I have seen a good many schools in Alabama. I can't naturally see them all, and Bellamy happens to be one of several that I have not seen.

You might be interested to know that one of our real big problems in closing Negro schools, and consolidating them to the white schools is the Negro opposition. I have in my office now over 30 pleading petitions from Negro parents not to close their school. And one up in the Tennessee Valley area, in the Tri-City area, we closed a four-teacher Negro school where we had a good building and sent all of those children to a predominantly white school where the building was not so good.

COMMISSIONER FREEMAN. Do you have any letters from any parents at Bellamy asking you not to close that school?

DR. STONE. The Bellamy School has not been closed, so far as I know.

COMMISSIONER FREEMAN. I said asking you not to close it?

DR. STONE. No, ma'am, we have not, and the Bellamy School is one of the schools that is under question right now by the courts and by the Justice Department. I happen to remember that. Greene County is one of the 99, unless I am mistaken.

COMMISSIONER FREEMAN. I have no questions.

VICE CHAIRMAN PATTERSON. Mr. Taylor, do you have any questions?

Mr. TAYLOR. Could it be in some cases, Dr. Stone, that some of the concern about closing down Negro schools is prompted by the concern of the Negro teachers at those schools that they might be dismissed or fired?

DR. STONE. Well, I don't think so necessarily. I think it is the concern of the Negro schools—the Negro teachers, they might have to teach in an all-white or a predominantly all-white school. We have a tremendous—tremendously hard time getting Negro teachers in any sort of a—well, adequate numbers to go to white schools. They are having more trouble getting Negro teachers to go to white schools that we are getting white teachers to go to Negro schools.

Mr. Taylor. So you are assuring employment for all Negro

teachers who are presently teaching at schools that will be closed down?

Dr. Stone. We have a tenure law in Alabama.

Mr. Taylor. Yes, sir?

DR. STONE. And the tenure law assures a tenure for teachers without regard to race.

Mr. TAYLOR. I am not sure I heard the answer to my question, though.

Dr. Stone. Well, will you ask the question again?

MR. TAYLOR. Whether you are assuring employment to all Negro teachers who have been teaching at Negro schools when those schools are closed down?

Dr. Stone. As much so as we are assuring it to white teachers. We are giving Negroes the same assurance that we are giving to white teachers. I am sure that that is true.

Mr. Taylor. Do you know where Alabama ranks in per pupil expenditure?

DR. STONE. Yes, sir, I believe I do. We are not proud of our position there at all. I believe our rank in per pupil expenditure is number 49, and might be number 50 among the 50 States. Our teachers' salary is a little better than that. When you get to the teachers' salaries in Alabama they are more equalized all over the State than perhaps any other State in the country. Georgia, for instance, has some systems where the teachers' salaries goes on up to \$10,000 for classroom teachers and Florida is the same way. It is more equal than that in Alabama.

Georgia, on the other hand, has some systems that pay teachers much less than we pay in our poorest counties. But our teachers, we rank about number 45, I believe, 44 or 45 in teacher salaries and number 49 or 50 in per pupil expenditures.

Mr. TAYLOR. That is about \$390 per pupil expenditure?

Dr. Stone. Approximately that.

Mr. TAYLOR. And even less in some of the rural areas?

Dr. Stone. Yes, sir.

MR. TAYLOR. The formula depends in part on county appropriations. There may not be complete equalization in all cases? Is that right?

Dr. Stone. That is very true. We have some counties that spend much less money per child than some of the wealthier counties that is true. And we have some poor counties that spend much less money per child than some of the wealthier counties, let me get the story straight.

Mr. TAYLOR. Let me ask you, you as a professional educator, one who spends a great part of his life in the school system, you have youngsters growing up here attending schools where about \$390 a year may be expended on them. There are Negro youngsters attending all-black schools. The facilities that Mr. Glickstein has

described in terms of the inequality, the value of the school system. You have got small obsolete schoolhouses. You have a lack of accreditation in the schools. You have achievement figures which show that these youngsters are years behind. What kind of a future waits for some of these youngsters or most of these youngsters when they get out of the schools?

DR. STONE. Well, I am glad you are examining us, Mr. Staff Director, and we need it. We want to improve the lot for our children where they will have a better future. But you are talking about a problem that is nationwide in scope. Now, I know that you are talking about these 16 counties now, but this thing—you have a lot of important people here. This Commission is composed of important people. We are glad to have you in Alabama.

Mr. TAYLOR. Thank you.

Dr. Stone. You are talking about something that is nationwide in scope. It is about time that America becomes concerned about Americans. I believe that we are more important than the Vietnamese or the Chinese or the French or anybody else. We have poured dollars into the schoolhouses in France in the Marshall Aid Plan.

Mr. Taylor. I think if I may interrupt you, Dr. Stone, that we can all agree that this is a nationwide problem that we are dealing with. In fact, I don't know whether you are familiar with it but the Commission has done a detailed study on racial isolation or segregation in the public schools of the North. So we can all share that. We all share that concern and we can agree to that. But it is nationwide in another sense too, is it not, that the child who graduates from a rural school here under the conditions that I have described, if he has no employment for him here when he leaves school, and we have heard lots of testimony that there is not much employment opportunity, he will probably be migrating North without any skills or without any ability into the big city. So it is nationwide in that sense too, is it not? And I am concerned—

Dr. Stone. Very true.

Mr. Taylor. I am concerned of what the future of such a child may be.

DR. STONE. Of course our concern is this, I think this is the dream of every thinking Alabama educator, equipping every Alabamian with saleable skill. Now, that means many things. It can be a degree in law or education, or it can be an expert auto mechanic, and they are just as important as those of us who teach or those of us who practice law.

We want everybody to be employed and I do not think and I think the record will show this, that I do not think that we have underemployment in Alabama today. We have people who are not trained to take the jobs, take advantage of the job opportunities that are right here. And if all of our people were trained with a

saleable skill I don't think we would have any unemployment in

this State today, any appreciable amount.

Mr. Taylor. I don't want to get you into unfamiliar territory of employment unless you want to get into that area. We have had a good deal of testimony here about people who have left the State because they could not find employment. So I don't know whether the unemployment rate is completely indicative of what the employment opportunities may be.

Dr. Stone. Alabama is industrializing so rapidly that the com-

mon labor jobs, percentagewise, are decreasing rapidly.

Mr. TAYLOR. On that subject don't you think in terms of money, shouldn't there be a good deal more money coming into the school system because the State is industrializing rapidly?

DR. STONE. I think in time, yes. It is unfortunate that our tax evaluations are as low as they are. Our assessments are as low as they are. On *ad valorem*, I think of course you know you can get a debate on that right fast in any of the 50 States, and I don't want to get too far out on the limb. I may want to run for re-election. But I do know this, that we are lacking in State monies in the State.

We are also lacking in Federal monies. I think educating all of these children is going to become increasingly more a Federal responsibility.

Mr. TAYLOR. Let me come back if I may to freedom of choice for a moment.

Are you aware of any instances that have occurred in the last couple of years in this State in which students have been harassed or intimidated or threatened in any way in an effort to deter them from exercising their freedom of choice?

DR. STONE. Since I have been in office there has been no such report made to me. Of course, children are children. They are going to fight a little and scrap a little and fuss a little, regardless of race. We have had in the desegregated schools, we have had more fights between Negroes and Negroes and whites and whites by far than we have had between whites and Negroes. Isn't that normal?

Mr. TAYLOR. That is encouraging.

DR. STONE. Well, that is the way it goes. You can't stop youngsters from scrapping a little bit.

Mr. TAYLOR. Well, you have been in office only a relatively short time. Apart from the reports that this Commission has compiled there is a report on the National Education Association in June of 1967 which concerns Wilcox County and indicates some problems in that county.

Mr. Stone. Well, of course, I think with all due respect to the National Education Association, I don't think that they have got the whole facts. I think they gave you maybe a lot of half truths. It is not altogether what he said. Sure, Wilcox County has some problems, many problems. Jefferson County has many problems. And

they have problems in Harlem, New York. We have them all over. But I think the thing that the NEA didn't do is to tell the whole story.

Most of what they said is true but they picked out only the bad,

they didn't tell the good about Wilcox County.

MR. TAYLOR. Well, it would be surprising, would it not, in view of the great degree of resistance that you and others have described to desegregation if there were not incidents of economic coercion or threats or intimidation?

Dr. Stone. I hadn't expressed resentment to desegregation. I told you that I was going to obey the court order and I think that you will find that the court will agree that I have done it.

MR. TAYLOR. I was not talking about you. I was talking about

resistance in the community.

Dr. Stone. Well, of course you have it in the communities. You have it on both sides and both races. You have resistance to desegregation among the Negro people and among the white people.

Mr. Taylor. Now, you have referred to the court order a number of times but as I understand it, and you correct me if I am wrong, the court order says that freedom of choice is acceptable provided there is a substantial degree of desegregation. In other words, the court has said it is going to judge this in terms of actual results. Is that not the case?

DR. STONE. That could be essentially what it said. I don't believe it was just in those words. I think the important thing in the court order is that the court is keeping jurisdiction of the case. Of course, that means that those three judges can get by and decide something else tomorrow if they want to because they have kept jurisdiction of the case.

You lawyers know more about that than I do. But I think I know what it means after having dealt with the Federal courts for a little over a year now. I believe I know what they mean by jurisdiction of the case. And they are going to look at the freedom of choice and see how it is working, of that I am sure. And I think they have said as much in the court order itself.

Mr. Taylor. Well, I am not asking you to describe whether you have made sufficient progress toward actual desegregation. I don't want you to prejudice your position in the case, but am I correct in my understanding of what the court is looking at is actual performance and is it said freedom of choice is tenable as long as there is actual performance?

Dr. Stone. I would be pleased, Mr. Director, to go back to your first statement there about whether or not the freedom of choice has been successful in Alabama. Of course we believe it has. We think it has been very successful. We have had it more, vastly more in some communities than in others. It has led to the complete elimination of dual schol systems.

We had—I believe we either have 12 or 14, and it seems to me that 14 school systems that have eliminated the dual school system, and I think it came about largely because of the freedom of choice, so based upon the mandates of the court order, the freedom of choice we believe has been very successful. We think it will be increasingly and more successful based upon the mandates of the court order in the fall of 1968.

Mr. TAYLOR. Do you look forward to a day when you will have satisfied the court that you are completely in compliance and that there is no further need for having the continuing supervision of the court that you talked about?

Dr. Stone. I believe that in every one of the 99 school systems are considered as being completely in compliance with the court order as of this moment. Now, perhaps not for this fall.

Mr. Taylor. That judgment will be made by the court?

Dr. Stone. That judgment will be made on what progress is made between now and September.

Mr. Taylor. I have no further questions, Mr. Chairman, but although I am not running for any office, I would like to make a—

Dr. Stone. Let me say this, I said that somewhat facetiously. I may not be either because my office is one term. I can't succeed myself. However, there is a referendum for November and I might or might not. Even if it passes I am not at all sure that I will run.

I found out that being State superintendent of education in Alabama is quite a demanding job on a man's time right now. So we have many problems, but we have gotten along well. I would like to make this statement for the benefit of the Committee—I mean for the Commission:

We have not had a major incident caused by desegregation in the 118 school systems in Alabama since September, 1967, that has been reported, that we know anything about.

MR. TAYLOR. Well, the only thing I wanted to say, Mr. Chairman, is in this long day's proceedings I guess we have not made any note of the fact that today is Law Day, 1968. There is an editorial I noted this morning in the Montgomery Advertiser which says that Law Day comes at a time when those who accept and live by the rule of law are frightened and disgusted to see a Nation torn by the tumultuous repudiation of the law. It says that all the rhetoric of the supremacy of the law is worthless unless the law is enforced as it has not been.

For that reason most of the speeches this week, even those which decry the spreading anarchy will seem empty.

Well, this editorial is directed toward rioting and looting in the North or in cities around the Nation, North and South. And I certainly think that we can share in those sentiments. But I look forward to the day when it will be directed toward compliance with the law in the South, toward compliance with Supreme Court

decrees which were issued 14 years ago, toward compliance with Title VII because I think that is what our principal problem is. And I think when that day arrives, when that day arrives, we will have less need to worry about the problem of rioting because we will be preparing our citizens for useful lives so that they will not be so frustrated as to engage in riots.

Dr. Stone. Would you permit me-

VICE CHAIRMAN PATTERSON. Would you like to make a statement? Do you have anything to say?

DR. STONE. I wondered if you wouldn't say that you look forward to the day when we would obey the law in the North as well as the South and make it nationwide.

Mr. TAYLOR. By all means.

VICE CHAIRMAN PATTERSON. Are there any further questions? Dr. Stone, you are excused.

Dr. Stone. Thank you, sir.

VICE CHAIRMAN PATTERSON. Mr. Glickstein, will you call the final witnesses of the day, please.

Mr. GLICKSTEIN. Reverend Fortner.

(Whereupon, Rev. Henry Fortner was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF REV. HENRY FLOYD FORTNER, LIVINGSTON, ALABAMA

Mr. GLICKSTEIN. Reverend Fortner, would you please state your full name and address for the record?

REVEREND FORTNER. My name is Henry Floyd Fortner. I live at Livingston. I get my mail through Livingston, Route 1, Box 167.

MR. GLICKSTEIN. That is Sumter County?

REV. FORTNER. That's right, Sumter County.

MR. GLICKSTEIN. Where do you work, Reverend Fortner?

REV. FORTNER. I work for McGregor's.

MR. GLICKSTEIN. What is the full name of the company?

REV. FORTNER. McGregor's Cooperating Printing Plant.

MR. GLICKSTEIN. Printing company?

REV. FORTNER. Right.

MR. GLICKSTEIN. When did you begin to work there?

REV. FORTNER. I began to work there in January.

MR. GLICKSTEIN. What do you do at this company?

REV. FORTNER. I bale paper.

MR. GLICKSTEIN. You bale paper?

REV. FORTNER. That's right.

MR. GLICKSTEIN. What does that involve?

REV. FORTNER. That is the paper that comes from the press and collate it.

MR. GLICKSTEIN. You tie it up, is that it?

REV. FORTNER. I put it in the baler and bale it up and tie it up.

MR. GLICKSTEIN. How much do you earn per hour?

REV. FORTNER. \$1.65.

Mr. GLICKSTEIN. \$1.65?

REV. FORTNER. That's right.

Mr. GLICKSTEIN. When you were seeking employment at Mc-Gregor where did you get your application form from?

REV. FORTNER. I got my application from the Sumter County

Journal.

Mr. GLICKSTEIN. And what did you do with the application form after you obtained it?

REV. FORTNER. I filled it out there and left it there.

MR. GLICKSTEIN. With the Sumter County Journal?

REV. FORTNER. Right.

Mr. GLICKSTEIN. Did you hear anything about your application after that?

REV. FORTNER. Not right then I didn't. And I filled out another one.

MR. GLICKSTEIN. You filled out another one?

REV. FORTNER. Right.

Mr. GLICKSTEIN. Then what happened?

REV. FORTNER. I didn't hear from that either.

MR. GLICKSTEIN. So what did you do then?

REV. FORTNER. I kept on waiting and waiting until I talked with Professor Lanier and he told me that, yes, he know and he will vouch for me and he called Mr. Grant.

MR. GLICKSTEIN. He called Mr. who?

REV. FORTNER. Mr. Grant.

MR. GLICKSTEIN. Who is Mr. Grant?

REV. FORTNER. The mayor.

Mr. GLICKSTEIN. He called Mr. Grant about your application?

REV. FORTNER. That's right.

Mr. GLICKSTEIN. And then did you go to see Mr. Grant?

REV. FORTNER. Yes, sir.

Mr. GLICKSTEIN. What happened when you went to see Mr. Grant?

REV. FORTNER. He interviewed me and he said that he knowed me and that I had been buying suits from him.

MR. GLICKSTEIN. You bought a suit from him?

REV. FORTNER. Yes.

Mr. GLICKSTEIN. He operates a store?

REV. FORTNER. Yes, sir.

Mr. GLICKSTEIN. And he said he knew you?

REV. FORTNER. That's right.

MR. GLICKSTEIN. And he interviewed you and he had a copy of your application?

REV. FORTNER. Yes, sir.

MR. GLICKSTEIN. What did he do with the copy of your application?

REV. FORTNER. I carried it on to McGregor.

Mr. GLICKSTEIN. Did he write something on it?

REV. FORTNER. I think so.

MR. GLICKSTEIN. Then you carried it on to McGregor?

REV. FORTNER. Yes.

Mr. GLICKSTEIN. What happened then?

REV. FORTNER. Mr. Quedeweit, he talked with me.

MR. GLICKSTEIN. What is his job at McGregor's? Is he the plant manager?

REV. FORTNER. That's right.

Mr. GLICKSTEIN. And he spoke to you?

REV. FORTNER. Yes, sir. He told me that they didn't believe in no—

MR. GLICKSTEIN. Let me interrupt you a second. Did he hire you right on the spot when you came there with the application?

REV. FORTNER. He asked me—no, sir, he asked me when could I start to work.

MR. GLICKSTEIN. Yes, sir?

REV. FORTNER. I told him anytime he say, and he told me to come back Thursday.

MR. GLICKSTEIN. I see. So you handed him the application that Mayor Grant had written something on and you were told to come back the next Thursday?

REV. FORTNER. Yes, sir, that is it.

MR. GLICKSTEIN. When you were interviewed by Mayor Grant did he tell you anything about attending civil rights meetings?

REV. FORTNER. He told me that I could go to all the meetings that I could and learn whatever I can learn. But marching, they don't like to see you march.

MR. GLICKSTEIN. They don't like to see you marching?

REV. FORTNER. That's right.

Mr. GLICKSTEIN. When you saw Mr. Quedeweit did he talk to you about civil rights also?

REV. FORTNER. He told me, yes, sir, he told me that I could attend all of the civil rights meetings I could and learn whatever I could, but they don't like to see the men out there marching.

Mr. GLICKSTEIN. He also said he doesn't like to see you marching?

REV. FORTNER. That's right.

MR. GLICKSTEIN. Do other employees at the company participate in civil rights activities, do you know?

REV. FORTNER. Not that I know, sir.

MR. GLICKSTEIN. Not that you know of?

REV. FORTNER. No, sir.

MR. GLICKSTEIN. Do you know, Reverend Fortner—let me ask you one preliminary question. You are a minister?

REV. FORTNER. Yes, sir.

Mr. GLICKSTEIN. How many churches do you have?

REV. FORTNER. I pastor three churches.

MR. GLICKSTEIN. You pastor three churches?

REV. FORTNER. Yes, sir.

Mr. GLICKSTEIN. About how large are your congregations?

REV. FORTNER. I have about 150 at one of my churches and 80 at one and 50—about 55 at the other one. \*

Mr. GLICKSTEIN. Are you pretty knowledgeable and well known in the Negro community in the York-Livingston area?

REV. FORTNER. I am pretty well known, yes, sir.

MR. GLICKSTEIN. Do you know a lot of people in that area?

REV. FORTNER. That's right.

Mr. GLICKSTEIN. Is there a feeling in the Negro community that persons who demonstrate will not be employed at McGregor? REV. FORTNER. I don't know, sir.

MR. GLICKSTEIN. People haven't spoken to you about that?

REV. FORTNER. No, sir.

Mr. GLICKSTEIN. But you were told by McGregor that they didn't want you to demonstrate?

REV. FORTNER. Why I didn't demonstrate?

MR. GLICKSTEIN. No, you were told by McGregor that they didn't want you to demonstrate?

REV. FORTNER. I was told that they wouldn't like to—

MR. GLICKSTEIN. They wouldn't like you to demonstrate.

REV. FORTNER. That's right.

Mr. GLICKSTEIN. Have you participated in civil rights activities since you began working for McGregor?

REV. FORTNER. No, sir.

MR. GLICKSTEIN. Have you attended meetings or done anything? REV. FORTNER. No. sir.

MR. GLICKSTEIN. Did you ask the company if they objected to your participating in such activities?

REV. FORTNER. No, sir, I didn't ask them.

MR. GLICKSTEIN. Why didn't you ask them that?

REV. FORTNER. I don't know, sir, I just didn't ask them.

Mr. GLICKSTEIN. Was it pretty clear to you what their attitude was without your having to ask them any questions?

REV. FORTNER. No, sir, that was something I intended to ask but I never did.

MR. GLICKSTEIN. Were you afraid to ask?

REV. FORTNER. No, sir. I wasn't.

Mr. GLICKSTEIN. You weren't afraid to ask?

REV. FORTNER, No.

MR. GLICKSTEIN. Reverend Fortner, how many restrooms does the McGregor Company maintain?

REV. FORTNER. Four.

MR. GLICKSTEIN. Four?

REV. FORTNER. Yes, sir.

Mr. GLICKSTEIN. I would guess there are two for men and two for women. Is that correct?

REV. FORTNER. That's right.

MR. GLICKSTEIN. And are the two men's rooms next to each other?

REV. FORTNER. They are.

MR. GLICKSTEIN. Is one of the restrooms supposed to be for white people and one for Negroes?

REV. FORTNER. I don't think that's so—they don't have a white or colored.

MR. GLICKSTEIN. They don't have signs on it?

REV. FORTNER. They have Gentlemen and Ladies.

Mr. GLICKSTEIN. But there are two men's rooms next to each other?

REV. FORTNER. Yes, sir.

MR. GLICKSTEIN. And it just says, Men's Room, on it?

REV. FORTNER. That's right.

MR. GLICKSTEIN. Do Negroes use one of the men's rooms and white people use the other one?

REV. FORTNER. That's right.

MR. GLICKSTEIN. Have you ever used the white restroom?

REV. FORTNER. I have.

MR. GLICKSTEIN. Under what circumstances?

REV. FORTNER. I am a janitor.

Mr. GLICKSTEIN. You clean it out?

REV. FORTNER. That's right.

MR. GLICKSTEIN. I see. Do other Negroes use the white restroom?

REV. FORTNER. Not as I know, sir.

MR. GLICKSTEIN. Not that you know?

REV. FORTNER. No, sir.

MR. GLICKSTEIN. I have no further questions.

VICE CHAIRMAN PATTERSON. Mrs. Freeman?

COMMISSIONER FREEMAN. Reverend Fortner, the company that you work for is a Government contractor. Has anybody from the Federal Government ever spoken to you about the conditions at this company?

REV. FORTNER. No, ma'am.

COMMISSIONER FREEMAN. They haven't asked you any questions? REV. FORTNER. No.

COMMISSIONER FREEMAN. You are aware that these are segregated facilities?

REV. FORTNER. I am, yes, ma'am.

COMMISSIONER FREEMAN. Do you know that the right to protest is also a constitutional right that you have?

REV. FORTNER. I know that.

COMMISSIONER FREEMAN. But you are afraid that if you marched

you will lose your job?

REV. FORTNER. That was something that I hadn't — I wasn't afraid of to do so. But that is something that I—that I never has made up my mind to do, protest. Hadn't nobody really told me not to but they have said what they would like for me to do.

COMMISSIONER FREEMAN. How many Negroes work for this

company?

REV. FORTNER. I don't exactly know. I hasn't counted them.

COMMISSIONER FREEMAN. They are very few. You work as a janitor?

REV. FORTNER. That's right.

COMMISSIONER FREEMAN. Are there any Negroes who work at skilled positions?

REV. FORTNER. Skilled positions?

COMMISSIONER FREEMAN. Better jobs than you have?

REV. FORTNER. Yes, they are some run collators and presses.

COMMISSIONER FREEMAN. A collator is where they put the pages together?

REV. FORTNER. Print the paper, that's right.

COMMISSIONER FREEMAN. And then they have printers?

REV. FORTNER. Yes.

COMMISSIONER FREEMAN. Have any of those participated in marches or demonstrations?

REV. FORTNER. Not that I know of.

COMMISSIONER FREEMAN. You have then a climate of fear at this company?

REV. FORTNER. Not altogether fear.

COMMISSIONER FREEMAN. Are you afraid?

REV. FORTNER. No, ma'am, I am not afraid.

COMMISSIONER FREEMAN. Suppose that there was a company that was not serving Negroes and people said to you: "We want to protest this", would you feel free to protest?

REV. FORTNER. I do. I feel free.

COMMISSIONER FREEMAN. But you just haven't done this?

REV. FORTNER. That's right, I haven't done this.

COMMISIONER FREEMAN. Mr. Grant told you before you got the job that he didn't like it?

REV. FORTNER. What they don't like, that's right, they don't appreciate it.

COMMISSIONER FREEMAN. And Mr. Quedeweit told you what he didn't like?

REV. FORTNER. That's right.

COMMISSIONER FREEMAN. And you haven't done anything against that since you have been working there?

REV. FORTNER. I sure haven't.

COMMISSIONER FREEMAN. Thank you.

VICE CHAIRMAN PATTERSON. Thank you, Reverend Fortner. You are excused. Call the next witness, Mr. Glickstein.

MR. GLICKSTEIN. The next witness is Mayor Warren Grant.

(Whereupon, Mayor Warren Grant was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF WARREN GRANT, MAYOR OF YORK, ALABAMA

MR. GLICKSTEIN. Mayor Grant, would you please state your full name and address for the record?

MAYOR GRANT. I am Warren C. Grant, Drawer 340, York, Alabama, Sumter County.

MR. GLICKSTEIN. What is your occupation?

MAYOR GRANT. I am a merchant.

MR. GLICKSTEIN. And what public offices do you hold?

MAYOR GRANT. I am mayor of the city of York, Alabama.

Mr. GLICKSTEIN. How long have you been mayor of the city of York?

MAYOR GRANT. I have been mayor of the city of York for 12 years.

MR. GLICKSTEIN. Do you serve on any State advisory boards?

MAYOR GRANT. I serve on the State Industrial Development Board.

MR. GLICKSTEIN. Did you play any role in persuading the Mc-Gregor Company to come to York?

MAYOR GRANT. Yes, sir, I did.

MR. GLICKSTEIN. What was that role?

MAYOR GRANT. In that I had been working on the industrial development in York for the past 20 years. And we were very fortunate in being able to secure McGregor Printing Company to get them to move to York.

MR. GLICKSTEIN. What services did you perform for McGregor? MAYOR GRANT. What services did I perform?

MR. GLICKSTEIN. Or do you perform or did you perform when they came in? What services did you perform when they came in?

MAYOR GRANT. When McGregor came in I helped start off with—we helped grade the lot, get the utilities there. In other words, we had applications for people to file applications at the Sumter County Journal at the Chamber of Commerce and also at my store. We kept blanks.

MR. GLICKSTEIN. Did you screen all of the employees that Mc-Gregor hired?

MAYOR GRANT. I have screened employees, every employee that McGregor has hired within the past, I would say, year or more.

MR. GLICKSTEIN. Just to make the record clear, you screened employees from the local areas, people they brought with them when they came in, you didn't screen those?

MAYOR GRANT. I screened part of those.

MR. GLICKSTEIN. You screened part of those too?

MAYOR GRANT. That's right.

MR. GLICKSTEIN. People who came from out of the State?

MAYOR GRANT. That's right.

MR. GLICKSTEIN. Do you continue to screen employees for Mc-Gregor?

MAYOR GRANT. I do and other companies, too.

Mr. GLICKSTEIN. What criteria do you use in determining whether to recommend a person for employment?

MAYOR GRANT. Appearance, ability, character.

MR. GLICKSTEIN. And how do you make these determinations? Do you just do it on the basis of the application form, or do you conduct an investigation, or do you get recommendations? How do you do that?

MAYOR GRANT. To start off with, the first thing you do is check a driving license, to check to see if the age is correct on the application, and from then on you go into a discussion with the applicant, find out as much about him as you can, as to his drinking habits. And I might say that you would be surprised how much you find out about people by looking at the driving license from the number of arrests they have had that was marked on their license.

MR. GLICKSTEIN. Has McGregor ever hired someone without your recommendation?

MAYOR GRANT. Sure.

MR. GLICKSTEIN. Have most of the people that McGregor has hired been people that you recommended or okayed?

MAYOR GRANT. No, I wouldn't say most of them have been.

MR. GLICKSTEIN. You wouldn't say most of them?

MAYOR GRANT. No, sir, because you see they had some experienced men that came in that were not interviewed by me.

MR. GLICKSTEIN. Well, how about the people from the York area, most of those people that McGregor hired, were they screened by you?

MAYOR GRANT. That's correct.

Mr. GLICKSTEIN. Have they ever refused to hire anyone that you recommended?

MAYOR GRANT. Oh, I think we better clear up—I don't do the hiring at McGregor's.

MR. GLICKSTEIN. I understand that.

MAYOR GRANT. You are insinuating that I do.

MR. GLICKSTEIN. No, I understand that, I understand that you

interview applicants for them and you make a notation on the application form and send it to the company, or you call them?

MAYOR GRANT. No, I make notations on the application as I stated the other day, they are graded. Now, when that person is graded it doesn't mean that they are going to be hired that day. It doesn't mean—they might be interviewed or they might be pulled from that file a moment later when they need an employee.

MR. GLICKSTEIN. But the question that I asked you is whether there were ever any people that you graded highly that McGregor

didn't hire?

MAYOR GRANT. Plenty of them.

MR. GLICKSTEIN. Plenty of them?

MAYOR GRANT. Yes.

MR. GLICKSTEIN. Are there any people that you said were not fit for employment that McGregor did hire?

MAYOR GRANT. Wait a minute. I don't say anybody is not fit for employment.

Mr. GLICKSTEIN. Were there any people that you gave a low grade to that McGregor hired anyway?

MAYOR GRANT. Well, I never know who they hire after the application goes out there.

MR. GLICKSTEIN. You don't follow it up at all?

MAYOR GRANT. No, I have no way of following it up.

MR. GLICKSTEIN. The McGregor Company does have a certain amount of confidence in you, doesn't it?

MAYOR GRANT. Well, I should hope so.

MR. GLICKSTEIN. Otherwise they wouldn't ask you to screen these applications?

MAYOR GRANT. That is correct, and I might also say that it is hard to talk to a group of gentlemen after you already have been before them in executive session and have to say the same thing again, but I would like for the record to show that McGregor Printing Company does not pay me one penny for interviewing applicants. I do it as a public service for the town and McGregor Printing Company, as I do for the other plants that are there.

Now, when I interview an applicant—the statement was made a while ago that I told that person that they couldn't do a certain thing. An individual has a right to say anything he wants to. Every applicant that I have ever interviewed in the Negro race, I have told that person that when they—if they do get on out there to apply themselves, put forth a little more effort that they can help their race by being a better than average employee.

Most of them I think you will find—and I stated to them at the time that the people that own that plant was interested in making money, and that if a person of the Negro race did better than someone else, that that in turn would get them to hire more and

more of their race.

Mr. GLICKSTEIN. Did you ever recommend to Negro people that you screened that they shouldn't participate in civil rights activities?

MAYOR GRANT. I am going to deny that statement.

Mr. Gickstein. Did you ever recommend to Negroes that you interviewed that they shouldn't participate in civil rights demonstrations?

MAYOR GRANT. I have not.

Mr. GLICKSTEIN. Have there been demonstrations in front of your store?

MAYOR GRANT. Yes, sir, I have been picketed.

Mr. GLICKSTEIN. You have been picketed?

MAYOR GRANT. Yes, sir, I have had marchers, boycotts, and telephone calls. I have had it, you name it.

Mr. GLICKSTEIN. Why?

MAYOR GRANT. Because I am mayor.

Mr. GLICKSTEIN. Because you are mayor?

MAYOR GRANT. I am mayor of the city of York, and for that reason I get a little bit of all of it.

Mr. GLICKSTEIN. Were any of the demonstrators protesting about your employment practices in your store?

MAYOR GRANT. I believe we have got somebody in the audience answering for me, maybe I don't need to talk.

VICE CHAIRMAN PATTERSON. The audience will refrain from commenting while the witness who is under subpena is on the witness stand.

Mr. Grant. Repeat your question, please.

MR. GLICKSTEIN. Were any of the demonstrators protesting about your employment practices in your store?

MAYOR GRANT. I believe they had that on the circulars that they passed around.

Mr. GLICKSTEIN. How many Negroes do you employ?

MAYOR GRANT. None.

MR. GLICKSTEIN. How many people do you employ?

MAYOR GRANT. I have three clerks, regular.

MR. GLICKSTEIN. Do you believe that a person who participates in civil rights demonstrations is likely to make a reliable employee?

MAYOR GRANT. Some of them may and some of them may not.

MR. GLICKSTEIN. Now, you deny that you have told Negroes that you have interviewed that they could participate in civil rights meetings but they shouldn't demonstrate?

MAYOR GRANT. I deny that.

MR. GLICKSTEIN. Did York have a Head Start program in 1966? MAYOR GRANT. That is correct. We did.

Mr. GLICKSTEIN. Did you screen the applicants for employment for that program?

MAYOR GRANT. I did not.

Mr. GLICKSTEIN. You did not? None of the people who were subsequently employed by the OEO program were first screened by you?

MAYOR GRANT. No, they were not.

Mr. GLICKSTEIN. And you didn't see their applications, you didn't communicate with any of the people making the hiring decisions?

MAYOR GRANT. I have not.

MR. GLICKSTEIN. Mayor Grant, why do you keep in your office a stack of pictures of persons who have participated in civil rights demonstrations?

MAYOR GRANT. As I stated when I was before this panel before, as mayor of the city of York, I keep a copy of every type literature that is scattered over the town, any type literature whatsoever. And when Mr. Bradley came down to my office I was trying to give him all the information that he needed for his investigation that he was making down there.

He asked me for a particular circular that I was describing and at that time I didn't have the file in the back office, and I still state that it is a stockroom. I went up and got my file and came back and laid my file down and got out what he wanted and we looked over that. Then I left the office and I came back and Mr. Bradley was sitting down and I asked him did he want to see the pictures that were in the file there. And we got them out and we discussed it.

I explained to him at that time that I did not know, I believe, any of them, or if I did it was maybe just one of the persons that was in that picture, that I had a job as mayor, that I ran a store and with my job as mayor I had the city court, that every Monday morning I have to hold court. And that if I associated names and faces then a person could not get a fair trial in my court and I have made a practice over the past 12 years of my court being a fair one.

May I have a drink of water? I am not used to all of these bright lights. It is drying me out.

Mr. GLICKSTEIN. Neither are we.

You say you make a practice of not associating names with faces?

MAYOR GRANT. That's correct.

MR. GLICKSTEIN. Well, if a Negro applicant for a job in Mc-Gregor comes to your office and you have both his name and his face in front of you, and on your desk you have pictures of demonstrators, isn't that a situation in which you could very readily associate the names with the faces and the faces with names?

MAYOR GRANT. If you will remember just a moment ago I told you that when I was talking to Mr. Bradley that I had to leave the

office back in the stockroom and go up to the front office to my files to get the civil rights file that I had and brought it back to the back office. That is where the file stays is in the front office. I haven't looked at that file since the day Mr. Bradley was there. I do not have those pictures in front of me when I am interviewing applicants, nor do I have it in front of me when someone comes in and wants to charge something either.

MR. GLICKSTEIN. You don't look at them when you are review-

ing applicants?

MAYOR GRANT. That is correct.

MR. GLICKSTEIN. What factors, Mayor Grant, have you found most persuasive in attracting industry to your area?

MAYOR GRANT. By lots of hard work and doing as much for the company as you possibly could, and we have been very fortunate. We have located a number of good plants there. We are right now working on a cutting and sewing operation for female labor which we desperately need and we hope that will work out within the next few weeks.

MR. GLICKSTEIN. What are the major obstacles that you are presented with when you are trying to attract industry?

MAYOR GRANT. The major obstacle is everybody else is trying to attract them too and it is a matter of who can pay the most to get them in.

MR. GLICKSTEIN. Do you think an industry is likely to be reluctant to come to a town where there are demonstrations?

MAYOR GRANT. Well, I don't think any industry or any type business would be induced to come to a place just because they were having demonstrations.

Mr. GLICKSTEIN. You don't think they would be-

MAYOR GRANT. I don't think it would induce them to come there.

Mr. GLICKSTEIN. Do you think it would discourage them?

MAYOR GRANT. I definitely think so.

MR. GLICKSTEIN. You mentioned that you were just getting a new company?

MAYOR GRANT. I said we are working on one. We're in the process.

Mr. GLICKSTEIN. Do you have a commitment?

MAYOR GRANT. We do not have a definite commitment.

MR. GLICKSTEIN. Have there been any other new companies that have recently located in York?

MAYOR GRANT. We have E. J. Leveno, we have Morwood, we have a pole yard that is located there.

Mr. GLICKSTEIN. Do you take applications for these companies too?

MAYOR GRANT. I do at times.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. VICE CHAIRMAN PATTERSON. Are there further questions?

COMMISSIONER FREEMAN. Mayor Grant, how many Negroes live in York?

Mr. Grant. I am sorry, I don't know.

COMMISSIONER FREEMAN. How many white persons live there? MAYOR GRANT. I don't know.

COMMISSIONER FREEMAN. Do you have pictures of all of the white people?

MAYOR GRANT. Repeat the question.

COMMISSIONER FREEMAN. Do you have pictures of all of the white people?

MAYOR GRANT. I have a picture of Mr. Bradley in my file, if that is what you are talking about.

COMMISSIONER FREEMAN. Do you consider the civil rights workers as trouble-makers?

MAYOR GRANT. Some of them are, yes.

COMMISSIONER FREEMAN. And when you talk to companies like McGregor and other industries that you are trying to attract to York do you tell them that since you are going to perform this public service of screening them that you will keep out the "trouble-makers?"

MAYOR GRANT. No, we try to keep out trouble-makers of both races. We don't want any anti's of either race in the plant.

COMMISSIONER FREEMAN. In your own operation you have been picketed, you say, but it hasn't induced you to change your employment policies, has it?

MAYOR GRANT. That's correct because I haven't needed any additional employees.

COMMISSIONER FREEMAN. What would it take to get you to employ a Negro in your store?

MAYOR GRANT. I don't know what you mean by "what would it take." Do you mean how much money you could pay me to employ one?

COMMISSIONER FREEMAN. Yes, if you were going to employ another clerk would you go to your civil rights file and eliminate all of the people whose pictures were in that file?

MAYOR GRANT. I didn't see anybody—I don't have a picture of anybody in my file, in the civil rights file that would make a clerk in my drygoods store.

COMMISSIONER FREEMAN. Nobody in that file would make a good clerk?

MAYOR GRANT. That's right.

But let me clear that further. There are plenty of Negroes in York, Alabama that would make good clerks.

COMMISSIONER FREEMAN. Are you elected by the people of York? MAYOR GRANT, I am.

COMMISSIONER FREEMAN. You also stated I believe you are the county judge?

MAYOR GRANT. I am a city recorder of the court.

COMMISSIONER FREEMAN. City recorder?

MAYOR GRANT. Yes.

COMMISSIONER FREEMAN. During the election who conducts the election and counts the ballots?

MAYOR GRANT. Repeat the question, please.

COMMISSIONER FREEMAN. Who counts the votes?

MAYOR GRANT. Who counts the votes?

COMMISSIONER FREEMAN. Yes.

MAYOR GRANT. The people who work at the polls.

COMMISSIONER FREEMAN. Do you have anything to do with

appointing them?

MAYOR GRANT. They are appointed by the—I believe it's the probate jury, or maybe it is the jury—I am not sure, but we don't do it.

COMMISSIONER FREEMAN. Thank you.

VICE CHAIRMAN PATTERSON. Mr. Taylor, do you have any questions?

MR. TAYLOR. Just one or two questions. I believe you answered a question that Mr. Glickstein asked by saying that you had not told anybody that they could not participate in demonstrations. Is that correct?

MAYOR GRANT. That's correct.

MR. TAYLOR. Did you ever discuss the question of demonstrations with any person who was an applicant for the McGregor Company?

MAYOR GRANT. Not to my knowledge.

MR. TAYLOR. Are you saying that you don't-

MAYOR GRANT. I don't think that I ever mentioned.

Mr. TAYLOR. You don't recall ever having discussed it?

MAYOR GRANT. That's correct. But I do recall of each one, telling him to put forth every effort they could if they were fortunate enough to be employed. So that they would help their race. Now, if you call that—that is what I mean, if you want to term that as a part of saying not to have part of anything—I didn't mean it that way.

Mr. TAYLOR. Do you think that they might have understood that statement to mean that they should not partipate in demonstra-

tions?

MAYOR GRANT. Maybe they would. Maybe a person would. I hope that Reverend Fortner took that remark to mean that—after the statement that he made.

MR. TAYLOR. Do you give such advice to white persons who you might interview that they should take steps, they should put forth their best efforts to better themselves for their race?

MAYOR GRANT. Yes, sir.

MR. TAYLOR. You say the same thing to a white applicant?

MAYOR GRANT. At times I have taken young men that I thought

could be helped and give them the same advice, not from their race—

Mr. Taylor. Just as individuals?

MAYOR GRANT. As individuals.

Mr. Taylor. But with Negroes you say that they can better their race?

MAYOR GRANT. We are talking about job opportunities.

Mr. TAYLOR. Right.

MAYOR GRANT. That is what we need to improve in Sumter County is job opportunities.

Mr. TAYLOR. I have no further questions.

VICE CHAIRMAN PATTERSON. You are excused. Thank you. Mr. Glickstein, is this the final witness?

Mr. GLICKSTEIN. Yes, sir.

The next witness is Mr. Louis Quedeweit.

VICE CHAIRMAN PATTERSON. Under the rules of the Commission the request by the witness that he not be photographed is honored. Therefore, we'll have to turn off the lights under our rules.

Is this your attorney, Mr. Quedeweit?

MR. QUEDEWEIT. This is Mr. P. H. Martin, the vice president of McGregor Printing Corporation.

VICE CHAIRMAN PATTERSON. Is Mr. Martin going to testify?

MR. QUEDEWEIT. Mr. Martin is going to testify.

(Whereupon, Mr. Louis Quedeweit and Mr. H. P. Martin were sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF MR. LOUIS QUEDEWEIT, YORK, ALABAMA AND MR. H. P. MARTIN, WASHINGTON, D.C.

Mr. GLICKSTEIN. Would each of you please state your full name and address for the record?

Mr. QUEDEWEIT. My name is Mr. Louis Quedeweit, and I am plant manager of McGregor Printing Corporation in York, Alabama.

MR. MARTIN. My name is H. P. Martin, Vice President of Mc-Gregor Printing Corporation. My address is 2121 K Street, N.W., Washington, D.C.

MR. GLICKSTEIN. Would each of you please indicate how long you have been with McGregor?

MR. QUEDEWEIT. I have been with McGregor approximately 4 years.

MR. GLICKSTEIN. Mr. Martin?

Mr. Martin. I have been with McGregor approximately 12 to 14 years.

And, Mr. Chairman, if it please the Commission, I brought a brief prepared statement which I would like to suggest be placed

before the Commissioners and the staff as we go along and perhaps we will facilitate the hearing at least. We have atempted to answer some of the questions that have been indicated to us by your staff.

VICE CHAIRMAN PATTERSON. Is this a brief statement, you say?

Mr. Martin. Yes, sir.

MR. GLICKSTEIN. And do you wish it placed in the record of this hearing?

MR. MARTIN. Yes, sir.

VICE CHAIRMAN PATTERSON. Do you have any objection?

MR. GLICKSTEIN. No, Mr. Chairman.

VICE CHAIRMAN PATTERSON. It will be received.

(The document referred to was marked Exhibit No. 31 and received in evidence.)

Mr. GLICKSTEIN. I will direct questions to both of you and whichever one of you chooses to answer, go right ahead.

What does the McGregor Company manufacture?

MR. MARTIN. Mr. Glickstein, in the statement that I have just passed out I will read a brief paragraph.

We manufacture and sell business forms. We sell commercially throughout the Eastern part of the United States, with emphasis on the southeastern states. We also sell to the Federal Government and are a complying company. Our ability to succeed in this highly competitive market is measured in direct proportion to the quality of our products, competitive pricing, and the service we render to customers. These products are custom manufactured to strict specifications and if rejected by customers are a total loss to our company if they are printed wrong or constructed wrong. Therefore, the productive efficiency of our York plant is vital to our continued success.

In brief that is the mission of our printing company.

MR. GLICKSTEIN. Approximately what percentage of your business is with the Federal Government?

MR. MARTIN. I would estimate between 60—could run as high as 70 percent.

MR. GLICKSTEIN. With what Government agency do you do business?

Mr. Martin. The Government Printing Office. Actually we print forms that are used by many agencies.

MR. GLICKSTEIN. But it is the Government Printing Office with whom you negotiated the contract?

Mr. Martin. That is right, the Government Printing Office does the buying.

MR. GLICKSTEIN. How long has your company been in Alabama?

Mr. Martin. For just 3 years.

MR. GLICKSTEIN. And where did it move from?

Mr. Martin. Well, this was a new plant. It was in process. Some of the equipment that we have here came from another location

which we had in Pittsburgh, Pennsylvania. Some came direct from the manufacturer. So in part it is new, the creation, and in part it was a change of location.

Mr. GLICKSTEIN. Why did you establish a plant in York?

MR. MARTIN. Mr. Glickstein, this question, also, we have answered in this brief statement. It is twofold, first we believe the economic and industrial growth of the South suggests increasing market potential in the years ahead. Secondly, as to site selection, the city of York in the county of Sumter appealed to us because of the physical facilities offered and adequate labor supply, public transportation, and the local interest in bringing an industry such as ours to that community.

Mr. GLICKSTEIN. Did you bring many employees with you from Pittsburgh?

MR. MARTIN. We brought eight employees with us.

MR. GLICKSTEIN. Eighty?

Mr. Martin. Eight.

Mr. GLICKSTEIN. Eight?

MR. MARTIN. Yes, sir.

MR. GLICKSTEIN. From where were the rest hired?

MR. MARTIN. For the most part they have been hired locally. This, of course, is what we prefer. Not having found skilled people in our industry available locally, we have brought a few skilled people in from other areas, from neighboring States to northern States. But when there is a skilled shortage we have no way of selecting the area from which we might acquire them.

Mr. GLICKSTEIN. But most of your employees have been hired in Sumter County?

MR. MARTIN. That is correct, sir.

Mr. GLICKSTEIN. If I am not mistaken, the population of Sumter County is about 70 percent Negro?

MR. MARTIN. Well, I believe, this is my understanding, yes, sir. MR. GLICKSTEIN. Are your skilled and semi-skilled employees required to have a high school degree?

MR. MARTIN. Mr. Glickstein, again, if you will turn to Page 4 of the brief statement I just passed out you will find the qualifications enumerated for unskilled jobs, semi-skilled jobs and skilled jobs. If you would like I would be happy to read those at this time.

MR. GLICKSTEIN. Well, in general, you can answer that question generally. Are the employees required to have a high school degree?

MR. MARTIN. In general, not. For the skilled jobs we seek them within practical limitations. We would like to have them have a high school education for the skilled jobs. And for the reasons that I have stated in the brief statement—and I would like to read this because I think it explains why some of these requirements—it says: "We have no fixed minimum educational requirement for

these jobs but seek within practical limitations employees with a high school education or equivalent. Employees in these jobs must possess indications of probable moral integrity and trustworthiness, responsible attendance record, the ability to read, interpret and understand written matter, the ability to write legibly and reasonable competency with figures, weights and dimensions, including fractions. They must be mentally alert, have mechanical aptitude and dexterity of the hands, and be capable of learning from on-the-job training."

Mr. GLICKSTEIN. Do employees have to take tests? Do you give a test?

Mr. Martin. No, we have no tests.

MR. GLICKSTEIN. How were applications for employment at your company made when you moved to York?

MR. MARTIN. Mr. Glickstein, if you will turn, if you please, to Page 2 of the brief statement I have just handed out. You will find this explanation:

The imminence of job opportunities at our plant was publicized in the local newspapers and by word of mouth when it was announced that we would locate a plant in York. While the physical facilities were under construction all persons interested in employment by our company were invited to make application at the York Chamber of Commerce. Volunteer local citizens, working at the Chamber of Commerce Building, accepted applications and did the initial interviewing of applicants. From this group of applicants our company selected the names of applicants appearing from the record to possess the qualifications needed for the specific job openings.

I might add here parenthetically that these applications gave no indication of the race, creed, or color of the applicants as we would review them to select those that appear from their qualifications stated on the application to qualify for the positions. So we had no consideration, no insight into that situation as we did it. The ones selected—well, this continued——

MR. GLICKSTEIN. Was Mayor Grant one of the leading citizens that took applications for you?

MR. MARTIN. I don't frankly recall whether he was or not. I doubt it seriously because we were in the throes of building a physical plant and Mayor Grant was tied up, I know, with a lot of things, getting water, public utilities to it and so on, and by and large it was volunteers, many ladies and men. I really don't know because we as a company were not there and participating either.

MR. GLICKSTEIN. When you actually began hiring people did Mayor Grant screen the applicants for you?

MR. MARTIN. Initially I think he screened some. But there were a number of people, because keep in mind we were on the verge of employing, beginning employment, and employing more people in a shorter period of time than is now the case. We are now employing essentially to fill vacancies caused by turnover and slow growth, if you will, so the job of supplying us with an adequate number of applicants was a sizable one in the beginning. And we were totally unequipped to deal with this ourselves being strangers in this community. So I don't know if I answered your question, but, I answered nearly as I can. I know a number of people——

MR. GLICKSTEIN. A number of people did participate in screen-

ing applicants?

Mr. Martin. Yes, Mr. Glickstein.

I want to say again what I said in executive session the other day. I would like to explain what we mean by screening. As indicated in this statement that I have just handed you for the record. To us the word "screening" is perhaps a little loose. Actually what we seek from Mayor Grant is an advisory evaluation of the applicant's potential, ability, and character, and so on. This is what we asked for. Not a screening in the literal sense. He does not literally screen out applications.

MR. GLICKSTEIN. He doesn't evaluate the qualifications of the people to do the work as such?

MR. MARTIN. Well, he gives them a rating on ability and character and something else.

MR. GLICKSTEIN. Do all the members of the committee or the community that screened applicants for you, does all of this go through Mayor Grant before it comes to you?

Mr. Martin. Let me explain it this way, let's assume that we have two jobs open tomorrow. We go through the applications that we have at our plant, as I have indicated earlier, and select those that indicate the qualifications needed.

Mr. GLICKSTEIN. Before those applications had come to you had they been screened by a member of the community?

Mr. Martin. Initially. This screening was done before they came to us, as I indicated when they took them by the hundreds, literally, and it took a number of people working at the Chamber of Commerce voluntarily to do this, to offer us a reservoir or a group of applications from which we could select those——

Mr. GLICKSTEIN. And this number of people also used a rating system like Mayor Grant does?

Mr. Martin. Well, it wasn't as sophisticated as it is today, I will be honest, because we had too many people that were new, and so I wouldn't go so far as to say it was the same, although we had the same blocks. Some might use 1, 2, 3, 4. Some might say Fair, Good, or Excellent.

MR. GLICKSTEIN. Are all persons who today want to apply for employment with your company required to have their applications first screened by Mayor Grant?

Mr. MARTIN. No, sir, we take applications at our plant. Mayor

Grant doesn't get them unless somebody chooses to go to him. I am sure that he would accommodate them in passing out an application form. But anyone writing to us or coming to our plant are furnished applications and given a place where they can sit down and fill them out there or take them home and fill them out and bring them back, or mail them back to us. They are routinely accepted by a receptionist and put in this backlog that I spoke of.

MR. GLICKSTEIN. Before you evaluate those applications it is not necessary to have them screened by any member of the local

community?

MR. MARTIN. I think we got off before I finished. When we go through them and have a job, we go through and let's say we select three applications in that file appearing from the records to be qualified for the job opening that we have, whether it be in a skilled or semi-skilled category. We then send those to Mayor Grant and only those three that we have selected. And again these—we have no insight into whether they are white or colored. We send them to him and receive all three of them back with his advisory evaluation indicated thereon. At this point we call them into our plant for a personal interview at which we discuss with them and try to judge more accurately their qualifications for the specific job that we have.

That is in a nutshell the process.

MR. GLICKSTEIN. Have you given Mayor Grant any instructions as to what standards he should apply in evaluating people for you?

MR. MARTIN. We have given him no definitive ones in the sense of job qualifications. He gives us an advisory evaluation on their ability. If an applicant has a work record, or he has some basis for it, yes, he will give it to us. In effect, their work record is what we are talking about. The normal functions that—

MR. GLICKSTEIN. You say that you give Mayor Grant no definitive instructions. What sort of general instructions do you give him as to what standards to apply in evaluating applications?

MR. MARTIN. The same standards that we have indicated here in this brief statement. I did read the qualifications for skilled jobs. Coming down the line I would like to read if I may for semi-skilled jobs.

We have no fixed minimum educational requirement but seek, insofar as possible, applicants with a 10th grade education or its equivalent. Employees in these jobs must possess indications of probable moral integrity and trustworthiness, responsible attendance record, mental alertness, dexterity of the hands, the ability to count accurately, read and add figures, read and understand written matter, and the capacity to learn from on-the-job training.

MR. GLICKSTEIN. Those are the things that Mayor Grant evaluates also?

MR. MARTIN. No, sir. Mayor Grant evaluates—gives us his

opinion of the person's character, reputation in this area, you know, by his numerical rating of the character, the neatness or appearance of the individual and the ability. It is not for our job because he doesn't really know. When he does this, he doesn't know what job in our plant we are considering for this employee. So far as he is concerned the qualifications required are the same for all of them.

MR. GLICKSTEIN. Yesterday, Mr. Martin, we heard testimony from a company personnel manager who testified that his company refused to sign a civil rights assurance which would have resulted in the county in which his plant being located obtaining \$5 million of Federal funds to build a bridge because the company was afraid if they signed the civil rights assurance the Federal Government would be interfering with their hiring practices. Now you, on the other hand, do not seem to share concern about sharing your hiring decisions with a public official. You seem to appreciate the assistance and cooperation of a public official in making management decisions?

MR. MARTIN. No, sir, Mr. Glickstein, that is not the case at all. Mayor Grant, and I believe he so stated, but I would like to state without reservation, he has not and never has had authority to employ or to prevent the employment of anybody at our plant.

MR. GLICKSTEIN. We understand that, Mr. Martin.

MR. MARTIN. We don't share our management responsibilities with him.

MR. GLICKSTEIN. Has Mayor Grant ever given a person a low rating that you hired?

MR. MARTIN. I think he probably has, yes.

MR. GLICKSTEIN. He has?

MR. MARTIN. I would say chances are, because he doesn't give them all Excellent, I can tell you that.

MR. GLICKSTEIN. Has he ever written No, or Unsatisfactory

on an application of a person that you hired?

MR. MARTIN. I don't recall that he has. He has given them a low rating and we would usually find out what the background is, and we have rejected applicants, both white and Negro, on these grounds.

MR. GLICKSTEIN. Have you ever hired a person that Mayor

Grant gave a low rating to?

MR. MARTIN. I would imagine that we have. I don't obviously have all of these statistics available.

MR. GLICKSTEIN. You are located in Washington, aren't you? MR. MARTIN. Yes, sir, I am vice president of the company, but I spend a lot of time—in the initial days I spent practically full-time here.

MR. GLICKSTEIN. Mr. Quedeweit, you are on the scene all of the time, aren't you?

Mr. Quedeweit. Yes.

MR. GLICKSTEIN. Have you ever hired a person that Mayor Grant gave a low rating to?

Mr. QUEDEWEIT. I believe I have.

MR. GLICKSTEIN. You have? Would you have the person's application on file at this time, his personnel folder?

MR. QUEDEWEIT. I think possibly we would have. I don't know

whether we still have them in the employ of the company.

MR. GLICKSTEIN. Would you be willing to check your files for this Commission and let us see some personnel files that you are employing people that Mayor Grant gave a low rating to?

MR. QUEDEWEIT. We would have to check through and see if we

have them.

MR. GLICKSTEIN. Would you do that and see?

MR. MARTIN. May I suggest that we will advise you—take a look at the records and be in touch with you the next few days.

MR. GLICKSTEIN. Mr. Quedeweit, was Mayor Grant ever told that you weren't interested in hiring persons that participated in civil rights activities?

MR. QUEDEWEIT. Have we ever told him this?

MR. GLICKSTEIN. Have you ever told Mayor Grant that the company was not interested in hiring persons that participated in civil rights activities?

Mr. Martin. Mr. Glickstein, may I take this question please?

Quite the contrary.

MR. GLICKSTEIN. Mr. Martin, if I may say, Mr. Quedeweit is under subpena. He is on the scene all the time. He is the plant manager, and I think we would be interested in hearing some of his responses, as well as yours. We are extending a courtesy to you to permit you to appear with him. I think you ought to allow Mr. Quedeweit a chance to respond to some of these questions.

MR. MARTIN. Well, it isn't that I object, Mr. Glickstein. Very

well. Proceed.

MR. QUEDEWEIT. This we have never told Mayor Grant.

MR. GLICKSTEIN. You have never told Mayor Grant that you object to hiring people that participate in civil rights activities? Have you ever told Mayor Grant that you object to hiring people who participate in civil rights demonstrations?

Mr. Quedeweit. Mayor Grant and I never discussed this sub-

ject.

MR. GLICKSTEIN. Is participating in civil rights activities including peaceful demonstration a bar to employment at your company?

MR. QUEDEWEIT. I don't think I quite understand your question.

MR. GLICKSTEIN. If you know that an employee who is applying to you for employment is an active participant in civil rights activities or has participated in demonstrations would that be a bar to employment?

Mr. Quedeweit. As long as they are peaceful demonstrations

we have no objection to what the individual did.

MR. GLICKSTEIN. What do you mean by a peaceful demonstration? Picketing?

Mr. QUEDEWEIT. Picketing.

MR. GLICKSTEIN. Marching?

MR. QUEDEWEIT. Marching.

MR. GLICKSTEIN. Have you ever told employees that you did not believe persons should demonstrate?

Mr. QUEDEWEIT. I never have. I never discussed this with an

employee.

Mr. GLICKSTEIN. You never discussed that with Reverend Fortner?

Mr. QUEDEWEIT. I never did.

MR. GLICKSTEIN. You never told Reverend Fortner that you didn't want him to march?

MR. QUEDEWEIT. I never discussed civil rights with Reverend Fortner.

MR. MARTIN. Until a week ago last Thursday, may I just remind Mr. Quedeweit that I was there and a conversation did take place. If I may, I will comment on it a little later.

MR. QUEDEWEIT. This I am talking about in the initial interview with Reverend Fortner. I never discussed this with him, never until we were informed by you people, until he came and talked to us when he was subpensed.

MR. GLICKSTEIN. The import of what you are saying is that either you or Reverend Fortner is committing perjury. Is that correct?

MR. QUEDEWEIT. I am not stating that Reverend Fortner is committing perjury, I am just stating that I think Reverend Fortner is confused in what he is stating.

MR. GLICKSTEIN. When he was initially hired you initially interviewed him. You didn't say anything to him about civil rights activities?

MR. QUEDEWEIT. I did not.

MR. GLICKSTEIN. Were you aware when you requested the mayor to screen your applications that his store had been picketed by persons protesting the failure of this store to hire Negroes?

Mr. QUEDEWEIT. I was not.

MR. GLICKSTEIN. Does your company as a Government contractor have an affirmative action program to employ members of minority groups?

MR. MARTIN. The answer to that, Mr. Glickstein, is that we do have an affirmative program and it is best manifested in our actions, which——

MR. GLICKSTEIN. Is that a program that has been submitted in writing to the Government Printing Office?

MR. MARTIN. No, sir.

MR. GLICKSTEIN. Have you been visited? Has your plant been

checked for compliance by the Government Printing Office?

MR. MARTIN. Yes, it has.

MR. GLICKSTEIN. They had people there that checked over your

employment situation?

MR. MARTIN. Well, they have had people there checking our entire plant and on three different occasions, I believe, and in the 3 years that we have been there. And, yes, we have been complimented on our total operation with no real discussion because they themselves see when they are there and going through, how our people—we do have total integration, that the whites and the colored work side by side.

MR. GLICKSTEIN. Do you have two men's rooms and two ladies'

rooms?

MR. MARTIN. Yes, sir.

MR. GLICKSTEIN. The people from GPO that inspected your

plant didn't object to that?

MR. MARTIN. They didn't object to it to my knowledge, no, sir, but they are not separate, Mr. Glickstein, by race. If there is a separation by the people, it is by choice. Now, Mr. Bradley told me when he was there that he had been told by one of our employees that in practice the colored people use one bathroom and the whites use another and that he had, this employee had asked one of his co-workers who had apparently told him that he was supposed to use a different one. He said, however, that he had asked his foreman who is management and responsible for carrying out our policies, and was told that he could use either one he chooses to use.

Mr. GLICKSTEIN. But you say that the segregation might occur by custom?

MR. MARTIN. I beg your pardon?

MR. GLICKSTEIN. You say this separation might occur by custom?

MR. MARTIN. I say that I am informed that it has. I do not

know that from my own knowledge.

MR. GLICKSTEIN. Are you aware that Government contractors are subject to this specific regulation: "In order to comply with his obligation under the equal opportunity clause; a prime contractor or a subcontractor must insure that facilities provided for employees are provided in such a manner that segregation on the basis of race, creed, color, or national origin cannot result; he may neither require such segregated use by written or oral policies, nor tolerate such use by employee custom."?

Are you obeying that order?

MR. MARTIN. Mr. Glickstein, we are not telling either the blacks or the whites which one—

MR. GLICKSTEIN. That order says you must, that order says you must as a Government contractor.

Mr. Martin. Well, I have not—we as a company have not done

that, we have answered every question that has been put to us, that they can use any bathroom, or not bathroom—any washroom of their choosing. This we have done. We have not—

Mr. GLICKSTEIN. Why do you have two restrooms? Why do

you have two men's rooms and two ladies' rooms?

MR. MARTIN. I honestly don't know. This building was planned by different people, in the process of being constructed, and we did approve the plans with no consciousness of the fact that there was a partition between the two, I will tell you. We haven't investigated very deeply. We did think about it in terms of whether we should remove the partition after this question was raised with us. But as it happens, the urinals and the commodes, the piping come down on this one wall separating and they are back to back, so it would be quite a major operation to remove those walls.

Actually, I might describe this, when you leave the plant and go into the men's room you have one entrance off of it, with one enclosure and they go to the two doors on the two sides. So as you leave the plant you go through one door, not two. But after you go out of the plant and into the men's room, you do find two doors there and both of them have the word, "Gentlemen" above it.

MR. GLICKSTEIN. When was your plant constructed?

Mr. Martin. In 1965.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. VICE CHAIRMAN PATTERSON. Are there any questions?

COMMISSIONER FREEMAN. Mr. Martin and Mr. Quedeweit, since you now know that the segregated restroom facilities are in violation will you consider closing one of them?

MR. MARTIN. Mrs. Freeman, I am not ready to concede that we are in violation because of a specific policy of integrating and informing the people who have any question that they may use either one they choose. So I just am not prepared to concede on our behalf at the present time that we are in violation of this provision that you speak of.

COMMISSIONER FREEMAN. Have you yourself personally told each employee that he or she may use any one he or she chooses?

MR. MARTIN. The only employee that has ever approached me on this subject was Reverend Fortner last Thursday, a week ago tomorrow.

COMMISSIONER FREEMAN. So you haven't told them all?

MR. MARTIN. I have not told them all, I haven't told them anything. They are there with the word, "Gentlemen" written over them and we don't literally show them their way to the wash room, this is true.

COMMISSIONER FREEMAN. We would suggest that you are not in compliance in this regard.

With respect to Mayor Grant's operations, Mr. Quedeweit, I believe, indicated that he was not aware that Mayor Grant was

the subject of protest alleging that he himself was denying employment opportunities to Negroes. Does this not raise some question in your mind about the competence of Mayor Grant to screen

the employees for a Government contractor?

MR. MARTIN. No, quite frankly it hasn't. I think that in all of our dealings with Mayor Grant and we have told him from the day we came there as well as the Chamber of Commerce, the county commissioners that we would have an integrated plant, that we would employ on an equal basis without discrimination, and that we would work the people side by side and in the same kinds of jobs, give them the same opportunity, and pay them for the same kind of work. This we have done.

Now, Mayor Grant and the people in Sumter County supported us. They wanted our business in there, yes, but I can truthfully say that we have not been frustrated or interfered with in going ahead with this positive approach to opening our business and managing it and running it officially in Sumter County. We have had the cooperation of all the people. And Mayor Grant knows that we don't discriminate because of race, creed, or color, or because we don't know whether the people are activists, I believe was the word used in the notice to us. We have no way of knowing this, nor could we really care less because we are interested in their job qualifications, the application to their jobs with our company.

We don't try to monitor their conduct. In fact, our people live in, I guess, in several different counties. They commute from as far as 30 or 40 miles, many of them. So we have no way and

make no effort to, Mrs. Freeman. COMMISSIONER FREEMAN. Since you have delegated him as

your personnel manager, would it not be appropriate for you to look at his own operation?

MR. MARTIN. Well, in the first place, we haven't delegated any personnel management responsibilities to Mayor Grant.

COMMISSIONER FREEMAN. The hiring or the screening?

MR. MARTIN. No, just the advisory evaluations.

I indicated earlier that he has no authority whatsoever to either hire, fire, discipline, or otherwise influence the work of an employee of ours.

COMMISSIONER FREEMAN. You are saying then that there is no question in your mind concerning whether this is a fair operation or not?

MR. MARTIN. No ma'am, there is no question whatsoever.

COMMISSIONER FREEMAN. Thank you.

Mr. Taylor. One further question.

Do I understand your testimony, both of you, to be today that whatever is the dispute about the past that you are giving clear assurance today that no employee of yours will be penalized for engaging in any peaceful demonstration to assert his rights, that he will not be penalized by the company and the company will exercise due regard to see that his rights are protected when he's on company property, and in his capacity as an employee? Would that be a correct statement of your position?

MR. MARTIN. It is a correct statement. But it is not—I don't want it to be construed as a new policy or a new pledge, Mr. Taylor. We have had this policy since we opened the doors at our plant. And we have done this, and we have told Reverend Fortner as late as a week ago tomorrow when he came to our office, exactly that.

MR. TAYLOR. But I didn't ask about the past. There seems to be a dispute in testimony about what existed in the past. I am not evaluating that. All I am asking is whether you are giving a clear assurance today to all of your employees?

MR. MARTIN. Any of those present, I recognize only one, Reverend Fortner, he has already been told in person, and I restate it today, he has no fear about coming here and participating or in participating in any peaceful demonstration or whatever he wants to do as long as it doesn't get, as said to Mr. Bradley, the one limitation, if it goes to the extreme of lawlessness and rioting and arson. Of course we would take note of this.

MR. TAYLOR. Mr. Quedeweit, do you concur? Is that a statement of your position, also?

Mr. Quedeweit. That's correct.

MR. TAYLOR. You say that is correct?

Mr. Quedeweit. That is correct.

MR. TAYLOR. I have no further questions.

VICE CHAIRMAN PATTERSON. Thank you, Mr. Quedeweit and Mr. Martin. You are excused.

This hearing will resume at 9 o'clock in the morning and terminate at 12:45 p.m. tomorrow. It stands in recess.

(Whereupon, at 7 p.m., the hearing was recessed.)

#### U.S. COMMISSION ON CIVIL RIGHTS

# MORNING SESSION THURSDAY, MAY 2, 1968

VICE CHAIRMAN PATTERSON. The meeting of the United States Commission on Civil Rights will come to order.

Mr. Glickstein, will you call the first witness, please. Mr. GLICKSTEIN. The first witness is Mr. Lewis Black.

(Whereupon, Mr. Lewis Black was sworn by the Vice Chairman and testified as follows:)

#### TESTIMONY OF MR. LEWIS BLACK, GREENSBORO, ALABAMA

MR. GLICKSTEIN. Mr. Black, would you please state your full name and address for the record?

MR. BLACK. My name is Lewis Black, 20 Washington Street, Greensboro, Alabama. I am employed by the Alabama Council on Human Relations, the director of the Rural Advancement Project.

MR. GLICKSTEIN. Where were you born, Mr. Black?

MR. BLACK. I was born in Beatrice, Alabama, in Monroe County.

MR. GLICKSTEIN. What is your educational background?

MR. BLACK. I attended elementary and high school in Beatrice, Alabama. I studied at Alabama State College in Montgomery. I completed my educational training there with a major in mathematics and a minor in music. I have had 16 years experience of teaching in the public schools of Alabama.

MR. GLICKSTEIN. Now you mentioned that you are a director of the Alabama Council of Human Relations, in the Rural Ad-

vancement Project?

MR. BLACK. I am director of the Rural Advancement Project of the Alabama Council on Human Relations.

MR. GLICKSTEIN. Would you explain what that project is to the

Commissioners, please?

MR. BLACK. The Alabama Council on Human Relations is the oldest integrated organization in the State of Alabama. For years the Alabama Council on Human Relations spent a deal of its time trying to just communicate with the two races together. They were considered years ago as a militant group. As the time changed the Alabama Council received some funds from the

Southern Regional Council, and they were wondering what to do with it. So they decided to hire another staff person to help in the rural areas since the Council had not been working in the rural area. They decided to see what they could do to offer a staff personnel to help develop some of the rural aspects of our program for the enrichment of livelihood, among low-income people, particularly Negroes.

MR. GLICKSTEIN. This is a project that is directed toward the rural areas, is that correct?

MR. BLACK. That is right.

MR. GLICKSTEIN. What do you view as the greatest needs for Negro poor in your county, and I believe your county is Hale County. Is that correct?

MR. BLACK. That is right.

MR. GLICKSTEIN. But this project operates statewide?

MR. BLACK. Statewide, right.

MR. GLICKSTEIN. What do you view as the greatest needs in

your county and statewide for rural poor?

MR. BLACK. Well, Hale County is typical of several counties in Alabama, Mississippi, and Georgia. I view that Hale County like all other counties, or places where they have several poor people, the curriculum of education has not done much to help the social, economical status of these people. We have primarily educational programs to gain some literacy of people without giving regards to the practical side of the educational value to fit the solution. Another thing, we have not educated people as to the use and services that various agencies that we have in the community can be of service to them. So these people need this type of education.

MR. GLICKSTEIN. You mean that there are people in the community who would be eligible for services by the various agencies and they are just not aware that those services are available to them?

MR. BLACK. That is true. But there is another point that the awareness of the services that these people can receive from these agencies have been systematically kept from these people because of this bureaucracy that everything comes through these same power structure folks, and when I say power structure folks it may be the banker, or it may be the person in the extension agency, it might be the person who is FHA supervisor, it might be the mayor of the town, or it could be the judge or city councilmen as the case might be.

MR. GLICKSTEIN. In addition to the information type programs that you have just described in your efforts to upgrade the literacy of people, are you doing anything to help persons to develop skills that aid them in obtaining employment?

MR. BLACK. We have worked with several groups in organizing cooperatives. And the largest one of these was the Southwest

Alabama Farmers Cooperative of which you have already had testimony from. We were coordinators, at least I was one of the coordinators, in helping to organize the Southwest Alabama Farmers Cooperative, which has many possibilities in helping low-income people to achieve socioeconomic status. We have—

MR. GLICKSTEIN. Mr. Black, may I just interrupt you very briefly. You said that the purpose of this cooperative is to help people achieve social and economic status. In what way do you think that the co-ops will help people to achieve social status? We understand how they achieve economic status; they make more money through this.

MR. BLACK. Well, as little as a person might think of it, we had very little communication massly, with any of the businessmen of the white people in the communities on a business or principle standpoint. But we could obtain a social status, and it is hard to divide between a social and an economic status because if you didn't climb in one you couldn't climb in the other one. But they have the bargaining power as a group of people would help us in our social status to set up an educational program primarily to educate people on new techniques of farming could help us in a social status by using the institution such as Auburn Polytechnic Institute and other schools, of course they called it Auburn Polytechnic, rather Auburn University, now. So these are the ways that you can help the social stability.

Mr. GLICKSTEIN. Would you tell us about some of the other co-ops that you have been involved with?

MR. BLACK. I have been involved with helping to organize some seven credit unions and I have been involved in helping to organize supermarkets, sewing factories, and I have given advice to people who have organized quilting bees and other cooperatives.

MR. GLICKSTEIN. What is the sewing factory called? Does it have a name?

MR. BLACK. It is the Greene-Hale Sewing Cooperative. The Greene-Hale Sewing Cooperative comprised of a group of ladies from Hale County and Greene County who have, by virtue of the location where they live, and the farmers being of low-income people they have never received an income to exceed that of \$15 a week, because most of the people still paying maids from \$10 to \$15 a week. These ladies came together and decided that they wanted to do something to help themselves, so they started in this venture of a sewing enterprise to start.

MR. GLICKSTEIN. About how many people do you have as members in this?

MR. BLACK. We have a total membership of about 38, with 28 taking training to sew, with 28 being machine operators, and 10 other persons involved who serve on the board, and in other capacities.

MR. GLICKSTEIN. And are the people taking training learning skills?

Mr. Black. I think they are grasping skills very well. They have come all the way from making one garment a day to making 494 garments a day.

MR. GLICKSTEIN. Who funds this project?

MR. BLACK. We don't have any funds available. We have received some assistance, about \$700 from the Southern Regional Council. We borrowed \$2,000 from the Bank of Moundville. We borrowed roughly \$500 from the American Friends; at least they gave us \$500, the Sharecroppers Fund gave us \$1,000, and this is just about all that we have gotten funds for this organization.

MR. GLICKSTEIN. Have you been selling what you have been

producing?

MR. BLACK. We have sold the garments that we have produced. We have about 390 dozen of shirts that we made that we haven't been paid for, but other than that we have sold all the other garments we made.

MR. GLICKSTEIN. Let me ask you a question that follows up on one I asked you a little while ago. Do you think that participation in cooperatives such as SWAFCA and Greene-Hale Sewing Cooperative has advantages for people other than economic advantage, that it does something for them as people?

MR. BLACK. I think there are many advantages. One of the advantages, and the whole cooperative idea, is that the emphasis is put on people. When you set up corporations, the main emphasis is put on money, the capital outlay that people have. But when you set up a cooperative, the main emphasis is put on people.

The other important advantage of it is that people have a democratic right to choose the people that are going to represent them on the board and on the staff, as well as the officials. In a cooperative, you have only one vote per member, irregardless to how many shares that member might hold in a cooperative that has shares. So this is an advantage. But more than that, you give low-income people the opportunity to bond their resources together in order to help one another and take an active part in the community. Some of these members of cooperatives that we have organized have never had the opportunity to participate in any community endeavor. So this gives them the right to feel a part of sharing in the governing of their community in a small way.

Anther thing, it is educational to them, these board members, in that they will learn how to manage the operation of personnel and manage money. And so these are some of the things that people can get from working with the cooperative as I see it.

MR. GLICKSTEIN. Does the cooperative movement as you have

described it also have political ramifications?

MR. BLACK. Well, yes. Anything that you have is political, whether or not people want to admit it, but the mere idea of

them voting one vote per person to vote for a candidate in his particular cooperative has some politics within it. Because from the standpoint of being partisan politics, it is not that because it doesn't have any party.

MR. GLICKSTEIN. Do you think the people, when they become members of cooperatives and become active in cooperatives, tend to become more active politically?

Mr. BLACK. Surely they can.

MR. GLICKSTEIN. Mr. Black, do you think that the cooperative movement is going to have a significant impact on the economic well-being of the rural poor, or is this just a way to help people make a go of it, or to subsist for temporary periods of time?

MR. BLACK. Well, whether it is going to be for a temporary period of time or for a long period of time I think it helps people for economical growth. I think it helps them educationally because if people can move out of cooperatives into corporations, then they show some growth that these people have had economically.

If these people can move into a cooperative and then move out and be self-sustaining or getting sufficient enough to take care of their personal needs, then it shows the cooperative has done a lot.

One person told me the cooperative is going to vanish out. I told him that in my opinion I see the cooperative as an insurance that it protects you as long as you are in it and if it does just that, if the cooperative fades out tomorrow, then it has done some good.

MR. GLICKSTEIN. So then what you are saying is that you can't really evaluate the Greene-Hale Sewing Cooperative, for example, on the basis of what people are earning each week. There are other factors as well.

MR. BLACK. That's right.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. VICE CHAIRMAN PATTERSON. Mrs. Freeman, do you have any questions?

COMMISSIONER FREEMAN. Mr. Black, I would like to ask you one or two questions concerning the Greene-Hale Sewing Cooperative.

Am I right in the impression that the persons who are being trained as sewing machine operators are trained either to produce goods for the cooperative, or to become employees of some of the other industries in the community? Is that correct?

MR. BLACK. Now the people who are being trained in the Greene-Hale Sewing Cooperative are owners of their cooperative and they are being trained to produce goods, to manufacture goods for marketing for their well-being. But they are employees of themselves, or for themselves, because they are the one who owns the cooperative.

COMMISSIONER FREEMAN. It seems to me that this is an excellent potential. Have you considered some of the Federal programs that will give technical assistance to enable the cooperative to grow and to make better marketing facilities available?

There are such provisions I believe being made available even through the Department of Commerce. Has that been explored at all?

MR. BLACK. We have written proposals to several agencies and foundations, and the only thing that we have received from them is that they are just considering, that they are looking at it.

But it is difficult for real—when I say "real," I mean low-income—people to get money from Government agencies, or any other agency, because people have got to see some feasibility there in a project before they put money in it.

So these ladies have to start somewhere to show that they have the skills and the techniques to show this thing as being feasible.

COMMISSIONER FREEMAN. Have the garments which they have manufactured been sold to many people?

MR. BLACK. Well, we have been able to ship out everything that we have made. The garment industrial, the way we work it, we get contracts from people and sew for them. Right now we are negotiating a contract in New York.

COMMISSIONER FREEMAN. With a company?

Mr. Black. L. B. Meyers, yes.

COMMISSIONER FREEMAN. Well, I certainly hope that you get it. Mr. Black. I think it is going to work through all right.

COMMISSIONER FREEMAN. Thank you.

VICE CHAIRMAN PATTERSON. Mr. Taylor, do you have any questions of the witness?

Mr. Taylor. No, sir. I appreciate his testimony and I have no questions.

VICE CHAIRMAN PATTERSON. Mr. Black, thank you very much for coming. You are excused. Would Counsel call the next witness, please?

MR. GLICKSTEIN. The next witness is Mr. Frank Parker who is an attorney on the staff of this Commission.

(Whereupon, Mr. Frank Parker was sworn by the Vice Chairman and testified as follows:)

### TESTIMONY OF MR. FRANK PARKER, ATTORNEY, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Parker, I show you a copy of a report entitled "Staff Report, Voting and Political Participation by Blacks in the 16 Alabama Hearing Counties."

Did you participate in the preparation of this report? Mr. PARKER. I did.

MR. GLICKSTEIN. Will you please summarize this report for the Commission?

MR. PARKER, I will.

Prior to the passage of the Voting Rights Act of 1965, discrimination in voter registration effectively denied to the black residents of the hearing area any voice in the political process. After the passage of the Voting Rights Act, however, nine of the 16 hearing counties were designated for Federal examiners, and voter registration tests were suspended in all of the counties with the result that 61,947 or 60.5 percent of the voting-age Negroes in the hearing area are now registered to vote.

Negroes make up only 37.9 percent of the total number of registered voters in the area, however, and registration remains relatively low in three of the hearing counties. More than one-fifth of the registered Negroes in the State are registered in the coun-

ties within the hearing area.

The tremendous increase in Negro registration has been accompanied by unprecedented political activity by Negroes in the area. Almost two-thirds of the Negro candidates seeking State and county office in Alabama in 1966 ran for positions in counties encompassed within the hearing area. Despite heavy Negro registration, however, few Negro candidates have been elected.

Of the 63 Negro candidates to run for county and State office in the primary and general elections in 1966, only five were successful. Three of the five were elected in Macon County, where

Negroes have been active politically for several years.

Thus Negroes running for county and State office in the hearing area in 1966 were defeated by a ratio of 12 to one. No Negroes have been elected to the State legislature and only one Negro candidate for sheriff won office. Whites residing in these counties have attempted to frustrate the achievement of the goals of the Voting Rights Act through racial discrimination in the electoral process and through election contrivance, designed to prevent the black candidates from winning and to weaken the voting power of black voters.

Such discrimination and contrivances have included racial gerrymandering of State legislative districts, extending the term of office of incumbent white officials, exclusion and interference with black poll watchers, refusing to provide or allow adequate assistance to illiterate black voters, discriminatory purging of or failure to purge voter lists, discrimination in the selection of election officials, withholding information about elective office, disqualification of ballots cast by black voters on technical grounds, and harassment of black voters, poll watchers, and campaign workers.

An additional and perhaps more significant barrier to free and equal political participation by blacks in the Alabama Black Belt has been the pattern of economic dependence upon whites for land, credit, and jobs. Even if the Voting Rights Act were enforced to the letter in these counties, there is evidence that this dependence would still keep many black voters from registering to vote, from voting for candidates of their choice and from running for elective office.

VICE CHAIRMAN PATTERSON. Does that conclude your testimony?

MR. PARKER. Yes, sir.

VICE CHAIRMAN PATTERSON. Thank you. You are excused.

Mr. GLICKSTEIN. May we introduce into the record the report that Mr. Parker has summarized?

VICE CHAIRMAN PATTERSON. It is received.

(The document referred to was marked Exhibit No. 32 and received in evidence.)

VICE CHAIRMAN PATTERSON. Would Counsel call the next witness, please?

MR. GLICKSTEIN. The next witness is Mr. John Hulett.

(Whereupon, Mr. John Hulett was sworn by the Vice Chairman and testified as follows:)

#### TESTIMONY OF MR. JOHN HULETT, HAYNEVILLE, ALABAMA

MR. GLICKSTEIN. Mr. Hulett, would you please state your full name and address for the record?

Mr. HULETT. I am John Hulett, Route 1, Box 125, Hayneville, Alabama.

MR. GLICKSTEIN. Is that in Lowndes County?

MR. HULETT. Lowndes County.

MR. GLICKSTEIN. Have you been active in political organizations in Lowndes County?

MR. HULETT. Yes, I have.

MR. GLICKSTEIN. In what way, in what capacity?

MR. HULETT. I have served as chairman of the Lowndes County Freedom Organization, Freedom Party now.

MR. GLICKSTEIN. What sort of an organization is that?

MR. HULETT. This is an all-black political party, is what it is. It is separate from the Democratic and Republican Party. We organized our independent political party, that's what it actually is.

MR. GLICKSTEIN. The staff report that we just heard indicates that since the passage of the Voting Rights Act, there has been a great increase in the number of Negro registered voters. What has been the most important factor in getting Negroes to register to vote in Lowndes County?

MR. HULETT. What has been the most important factor?

MR. GLICKSTEIN. That's right. Was it the Voting Rights Act of 1965?

MR. HULETT. Yes, it was because previous to that time we only

had a small number of people who had registered to vote under the county registrars.

MR. GLICKSTEIN. And after the Voting Rights Act people were able to come in?

MR. HULETT. People came in to register because of that in large numbers.

MR. GLICKSTEIN. Lowndes County was one of the counties that had a Federal voting examiner?

MR. HULETT. Yes, they did have a Federal examiner there.

MR. GLICKSTEIN. Did most of the Negroes that registered to vote after the passage of the Voting Rights Act do so through the Federal voting examiner or through the local registrar?

Mr. HULETT. At least 90 percent of the people who registered registered under the Federal registrars after the Voting Rights Act.

MR. GLICKSTEIN. Mr. Hulett, I understand that in 1966, the party that you mentioned, the Lowndes County Freedom Democratic organization ran candidates for office, and was unsuccessful in obtaining office. What was the primary factor that led to the loss of the election by your candidates?

MR. HULETT. Well, there were several things. Number one, most people—a large number of our people lived on large plantations and they were controlled by the plantation owners. They were picked up in pick-up trucks and carried to polls and they had their ballots already marked and they were being used by these people. We have a large number of people who cannot read or write. The officials who work at the polls done pulled the levers for these people and I imagine there we lost a lot of votes, because they were controlled by other people.

MR. GLICKSTEIN. You say that some voters, some Negro voters in Lowndes County, were actually brought to the polls in pick-up trucks that were owned by their plantation owners?

MR. HULETT. Plantation owners, that's right.

MR. GLICKSTEIN. And you say the ballots were marked for them?

MR. HULETT. It was already marked for them. They had already marked on the ballot.

MR. GLICKSTEIN. These are sample ballots?

Mr. HULETT. Sample ballots.

MR. GLICKSTEIN. So this would tell them how to vote when they got into the polling places, and they would just follow the sample?

MR. HULETT. When they walked into the polling place, they would give this to the officials who were working there, who most likely lived in that same area and these people went in to pull the levers for these people.

MR. GLICKSTEIN. And the people inside, the officials marked the official ballot for them?

MR. HULETT. They used machines.

MR. GLICKSTEIN. Pulled the lever for them?

MR. HULETT. That's right.

MR. GLICKSTEIN. Well, as I understand it, you are not suggesting that there is anything improper about pulling the lever for them; as I understand it, people are entitled to receive assistance.

MR. HULETT. When?

MR. GLICKSTEIN. Do you think illiterate voters in receiving assistance were improperly influenced?

MR. HULETT. By the people who were working in the polls.

There were some other things, too. We had a large number of people who went up to vote. We had other people who lived on plantations who didn't turn out to vote because they, too, would have to be controlled by these same people, so they refused to turn out to the poll to exercise their right to vote.

In some of our precincts, people were more or less being intimidated. In one area we had a large number of people who walked around with guns on their sides, who wasn't deputies, who wasn't officials to carry these guns, even some had shotguns who stood there by the polls.

When people turned out to the polls and seeing these people standing by, they returned to their homes, did not vote at all.

MR. GLICKSTEIN. Just to clarify one point, Mr. Hulett, at the time of that election, the number of Negro registered voters outnumbered the number of white registered voters. It that correct?

Mr. HULETT. Yes, it was.

MR. GLICKSTEIN. Mr. Parker in his oral testimony listed a number of factors that have affected the rights of Negroes to vote, and then he said that an additional and perhaps more significant barrier to free and equal political participation by blacks in the Alabama Black Belt has been the pattern of economic dependence upon whites for land, credit, and jobs. Would you concur in that sentiment?

MR. HULETT. Yes, I do concur in that.

MR. GLICKSTEIN. Well, a lot of people struggled for many years to come up with a solution, with a statute that would permit people to register to vote freely, and to vote freely.

Now, however, there seems to be an additional barrier, this barrier of economic dependence. Do you have any thoughts or proposals for dealing with that? How can we get people to vote and overcome this economic dependence?

MR. HULETT. Well, there are several things. In our county what we are really trying to do is to help to provide land for peoples, who are buying land together and selling it in rather small acreage to people whereby they would have an opportunity to move off of the plantations and have the right to vote on their own. This is some of the things that we are doing.

Also we are setting up classes and trying to teach people if

they are evicted or something happens; they would find other places nearby into the county to be able to go out and vote. These are some of the things that we are working on.

MR. GLICKSTEIN. Do you think that the Federal Government has been doing all it can to insure full political participation by

Negroes?

MR. HULETT. I don't think they are doing all that they possibly can, they are doing some but they aren't doing all that they possibly can.

MR. GLICKSTEIN. Where do you think the Federal Government

is falling short?

MR. HULETT. Well, for example, they have poll watchers. This is one thing they could do, they should use local black people into the areas where they have these poll watchers who would work as Federal officials, they should be federalized and to work in their own precincts where people would know them.

Most of the Federal officials who come into these rural counties, once they come in, they don't have anything to say or do, they just sit by and see whatever happens, if anything happens they

don't really record it. This is the worst part about it.

MR. GLICKSTEIN. Well, under the laws, as I understand it, in counties where there are examiners, the attorney general is authorized to request that Federal observers or poll watchers be present. And you say in Lowndes County most of those observers or poll watchers have been from out of the county?

MR. HULETT. Yes, out of the county.

Mr. GLICKSTEIN. Have most of them been white?

MR. HULETT. They are all whites who are in Lowndes County.

MR. GLICKSTEIN. Before poll watchers come into the county, are political leaders such as you notified in advance that they are going to be there and be at the polls?

MR. HULETT. Repeat that, please.

MR. GLICKSTEIN. Before poll watchers come into the county, are political leaders such as you notified in advance that they are going to be there?

MR. HULETT. Yes, we found this out previous to that time we had checked with the Federal officials and they pointed out they would be there.

Mr. GLICKSTEIN. They would be there.

MR. HULETT. Yes.

Mr. GLICKSTEIN. Are the Federal poll watchers identified? Do they wear a badge or any sort of designation?

MR. HULETT. No, this is one of the things they really isn't identified and most people don't know them from the local people who live in the county, unless you know the local people.

So this is another thing, they need to be identified so the people who goes out to the poll to vote will know that these are Federal officials who are standing by.

MR. GLICKSTEIN. Do you think that some people are deterred from voting by the presence of another white man in the polling place who isn't identified?

MR. HULETT. That is right, because they have, they still have that fear, and they still fear because they are a white person, regardless of whether they are Federal or non-Federal, they don't really know the difference. They don't trust anybody, you see.

MR. GLICKSTEIN. For many years, Mr. Hulett, it was the feeling in many quarters that once Negroes were able to vote and exercise their political power, this would lead to the solution of almost all other problems.

Do you feel that conditions have improved for Negroes in your

community since the Voting Rights Act of 1965?

MR. HULETT. Yes, it has improved quite a bit. We still have a long ways to go, because even the Voting Rights Act might solve some of the problems, we still have some problems into our schools and other problems still have existing even in Lowndes County today we still have two teachers teaching in one classroom. So the Voting Rights Act might not solve all of the problems unless we are able to control the entire polls.

MR. GLICKSTEIN. Well, although you didn't do too well in the 1966 election, do you have hopes that in subsequent elections Negro voting strength will be more effective in Lowndes County?

Mr. HULETT. Yes, I do feel we will do much better in the

coming election than we were in 1966.

MR. GLICKSTEIN. I understand that there is an OEO-funded health project in Lowndes County. Are you affiliated with that?

MR. HULETT. Yes, I am now a board member for that.

MR. GLICKSTEIN. You are a member of the board of directors of the Lowndes County OEO health program?

MR. HULETT. Yes, I am.

MR. GLICKSTEIN. Is this the only biracial committee in Lowndes County?

MR. HULETT. Yes, this is the only biracial committee. About a year ago they attempted to form a biracial committee and they meet once a month for over a period of 12 months, but they haven't made any progress as far as organizing and they only sit down and talked about things, so now they have stopped meeting, so this is the only one that we really have.

MR. GLICKSTEIN. How effective has it been? Has it been possible for Negroes and whites to work together on this committee?

MR. HULETT. Yes, it has, it is possible for them to work together. They have so far worked together and had no major problems.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. VICE CHAIRMAN PATTERSON. Mrs. Freeman, do you have any questions for the witness?

COMMISSIONER FREEMAN. Mr. Hulett, with respect to the past

elections, I would like to know if there is any feeling or evidence, and I didn't understand this from your testimony, that all of the votes that were cast were properly and accurately counted? Do you have any opinion in that regard?

MR. HULETT. I do feel that they were properly counted. Especially in most of the precincts because we had our own poll watchers and we had a clerk for most of them who were there, and who worked with these people, so I feel like they was properly counted.

COMMISSIONER FREEMAN. So you are not alleging any vote fraud of any kind?

MR. HULETT. Except we had people who lived out of the county who came into the county and voted. Now this might be improper, now we don't know exactly whether they were voting in two counties. Now this is a thing that happens. We have maybe 100 people or more, better than 200 or 300 people whose names still appeared on the list on Lowndes County who lived in other cities, or other counties who have been coming back into this county and even voting.

Now whether it is proper, we don't fully know, because we haven't been able to check with the other counties.

COMMISSIONER FREEMAN. If they are not registered to vote in their county, and if they don't, and if they are registered to vote in this county, but they do not live in the county, your question is whether their names should have been stricken from the list?

MR. HULETT. That is right, they could appear on two lists in the county in which they are living, and they could vote there and come back to Lowndes County and vote. This is possible, I imagine that it could happen.

COMMISSIONER FREEMAN. If that is so, that would appear to us to be vote fraud. But you are not alleging this.

MR. HULETT. No. I am not.

COMMISSIONER FREEMAN. Have you brought to the attention of any of the Federal officials your concern that the observers who come into the polls, because they are all-white, may not be effective in the light of the past history and hostility and distrust and fear?

MR. HULETT. During that time I talked to some people from the Justice Department, and I requested that maybe they should try to bring in other officials and I did talk to them about that.

COMMISSIONER FREEMAN. What did they respond?

MR. HULETT. Well, he didn't have an answer, he said they are working on such things as that but they haven't come up with an actual answer.

COMMISSIONER FREEMAN. What do you see, Mr. Hulett, as in the future in terms of voter participation from the black people in Lowndes County and their effectiveness?

MR. HULETT. I feel that we do have a good opportunity of really

moving together. Usually what happens if you are working into the system, most likely the people who control the system usually split the people up. For example, professional people especially who teaches school they are most likely controlled by the superintendent and the board members, and I do feel like these people will be a long time before they are able to come in and register for people who will do something for them, and this is one of the things that will split us up, because of these teachers who are working in the county, for example, they don't have to do it, but they are being pushed and if they don't follow through and support the candidates of the choice of the superintendent and other people, that they won't have a job in the county, and most of the people are concerned about their job. And this is a problem that we are having.

COMMISSIONER FREEMAN. I believe you have organized what is either called a third or fourth party in your county. Is it growing?

MR. HULETT. Yes, it is growing.

COMMISSIONER FREEMAN. Is it on the ballot?

MR. HULETT. Not now but it will be on the ballot in November. It is a now recognized political party by the State of Alabama.

COMMISSIONER FREEMAN. Thank you. VICE CHAIRMAN PATTERSON. Mr. Taylor?

MR. TAYLOR. Mr. Hulett, why was it decided to form a third party rather than an independent party, rather than to make an effort to work through the existing party?

MR. HULETT. For several reasons. Number one, the existing parties after Negroes started to getting registered to vote, the qualifying fees to get on the Democratic ballot they upped the fees by 900 percent, previous to that time if a person wanted to run for sheriff, for example, they only paid \$50 and they end up I believe with \$500, the school board member was \$10 and they moved it up to \$100, and since we organized our own political party this year they have lowered the fees back to the normal assessment. That was one of the reasons.

The second place was the large number of people who could not read or write, who couldn't read or write in this county, they wouldn't be able to go to a Democratic primary and vote for candidates which they wanted to support, because they couldn't read or write. By having your own political party they could go out especially in November and vote a straight ticket by pulling the lever for the political party which you endorse.

Mr. Taylor. Now you mentioned a biracial committee which has been operating but has not made very much progress you said.

Could you tell us why you feel the committee has not made very much progress?

MR. HULETT. Personally, yes, I do. I can say this: I don't think the intention of the white in the beginning wanted to organize,

in order that they might be able to discuss problems and really do something.

To me, I attend most of their meetings, and their idea was to get information from our people to find out what was happening, what was about to take place in the county. I don't think they really wanted to organize the biracial committee to deal with the problems that were existing in the county.

MR. TAYLOR. Are there white people in the county who are sympathetic and have the same objectives of improving the conditions of Negroes that you have?

MR. HULETT. Yes, we do have a few of those people. But we didn't have those people on the biracial group with us though, maybe it was one or two might have had a chance to attend a meeting, so these weren't the people that we were really dealing with on the biracial group. They are more or less handpicked people, especially from the whites, and these people did not attend these meetings.

MR. TAYLOR. In your opinion, do you think it will be possible some day for white people and black people in your area to work together toward the same goals?

MR. HULETT. Only if Negroes be able to control the entire county. I think this is the only thing that will bring about the exchange in the county.

MR. TAYLOR. Political organization is the way that you see.

MR. HULETT. Once they start controlling, you know, by electing most of their people to office, then I feel like the whites will move in in order to be able to state what the reasons are.

MR. TAYLOR. Thank you.

VICE CHAIRMAN PATTERSON. Mr. Hulett, thank you for coming. You are excused. Will the General Counsel call the next witness, please?

MR. GLICKSTEIN. The next witness is Mr. Lucius Amerson.

(Whereupon, Mr. Lucius D. Amerson was sworn by the Vice Chairman and testified as follows:)

# TESTIMONY OF MR. LUCIUS D. AMERSON, TUSKEGEE, ALABAMA

MR. GLICKSTEIN. Would you please state your full name and address for the record?

Mr. AMERSON. Lucius D. Amerson, 109 Elm Street, Tuskegee, Alabama.

Mr. GLICKSTEIN. What is your occupation, Mr. Amerson?

Mr. Amerson. Sheriff of Macon County.

MR. GLICKSTEIN. I hope you will excuse me if I am a little apprehensive in questioning you but, unlike Mr. Taylor or the Commissioners, I have never questioned a sheriff before. In fact

I don't even think I ever met a sheriff before. How were you employed before you ran for office?

MR. AMERSON. I didn't quite understand your question.

MR. GLICKSTEIN. How were you employed before you ran for your present office?

MR. AMERSON. Well, before I ran for the office of sheriff, I was working with the Post Office Department in Montgomery. And of course before then I was working with the VA at Tuskegee. And at the same time I was going to college.

MR. GLICKSTEIN. Do you feel that because of your job with the Post Office and the economic security that provided you, that you were in a better position to participate in political affairs than someone who is economically dependent upon a landowner, for example?

Mr. Amerson. I think so, somewhat to a degree, I think that by my having saved up some money before I started running for office, and I guess you could say working for the Post Office, also somewhat to an extent made me somewhat independent in that I did not have to rely upon somebody, upon some landlord, or upon, you know, someone's place that I was living on. And I think this perhaps played a great role in my election. I think the fact that I was independently employed, perhaps had a lot to do with my election.

MR. GLICKSTEIN. Would you agree with Mr. Hulett's evaluation of the problem that economic dependence presents—that because people are economically dependent they are deterred or prevented from becoming involved politically?

MR. AMERSON. Yes, I definitely think so, I think that many counties in the State of Alabama especially in the black counties, many Negroes have been somewhat afraid to come on out to the polls and vote. The fact that they knew that there would be this reprisal, and that many of them would be intimidated, and somewhat be required to move, and of course where they had credit, or resources for borrowing money would be cut off. And I think that this thing is somewhat a kind of a threat over the Negro if he should happen to go out to the poll and vote for the candidate of his choice, has somewhat really been positive, and I think it has played a great role in perhaps scaring away a lot of Negroes who perhaps would have voted and wanted to vote and the fact they never voted before, they wanted to see what it was like inside a voting machine.

I think this is something which needs to be looked into more than just sending Federal observers.

In most cases, I mean they are from the particular area, and it is identically the same thing, they simply stand around and nothing is done. However, the point I would like to say, Macon County is not the type of a county where we have some of the problems which you would find in some of these other counties.

But we still have some problems which need to be looked into and I think that we are going to move forward in looking into some of those problems and try to get them straightened out.

MR. GLICKSTEIN. How old are you, Sheriff?

Mr. Amerson. I am 34.

MR. GLICKSTEIN. When did you first register to vote?

MR. AMERSON. I first registered to vote I guess it must have been—I am not sure, I was always participating, you know, in political campaigns as far back as 1960.

MR. GLICKSTEIN. Did you try then shortly after you were eli-

gible, shortly after you were 21?

MR. AMERSON. Yes, I can recall when I first registered to vote I was living in Denver, Colorado, at that time and, of course, when I came back to Alabama, which is my home, when I came back to Alabama, then of course I told the registrars at the courthouse that I was already registered and what procedure would I have to go through in, you know, transferring my registration from Colorado? They said I had to go through the procedure all over. And I must say that when I went down to get re-registered, I believe it was sometime in 1964 or 1965, it must have been after the Voting Rights Act, and I didn't have any trouble other than the man who was—who is chairman of the board of registrars, he kind of somewhat appeared as if he didn't really know what was going on, and there was a lot of confusion you know. But I didn't have any trouble getting registered.

At the time when I went down, they didn't have any kind of test or anything. They just asked questions and filled out the blank

and everything was over.

MR. GLICKSTEIN. That was either as a result of the Voting Rights Act, or maybe that was at the time the county was under a court decree?

MR. AMERSON. Right. In other words I got re-identified or reregistered, whatever you want to call it, in Macon County after the 1965 Voting Rights Act.

MR. GLICKSTEIN. Why did you decide to run for sheriff?

MR. AMERSON. Well, I didn't necessarily decide to run for sheriff, but I decided to run for public office. It so happened that sheriff was available and I felt that as a Negro, and as an American, first of all, I don't consider myself being a Negro per se, I consider myself being an American first, and a man second and a Negro third. And being an American, and being a man, and being a citizen in Macon County, I feel that I have the right to participate in the political process. And I think that the time has come when more Negroes must and will participate in the political process, and they will definitely do this.

And one of the reasons why I decided to run for sheriff because I felt that I had the ability to deal in an unbiased and in an impartial way with a majority of the people in Macon County, so

far as the law is concerned. And having lived in the South all of my life, born in the South, I know some of the problems which the Negroes have suffered along the lines of getting equal justice before the law and so forth. And I felt that the fact that Macon County is 83 percent Negro, I felt that I know the problems of a majority of the people, and I know some of the conditions and the situations which they are subjected to, and I felt that with my experience in the Army, and as a citizen in America and in Alabama, I should have the right to exemplify my particular situation in the society. And I feel that it should not be the fact that I am a Negro and you have a majority of Negroes in Macon County is one of the reasons why I should run for public office but I should run for public office if I feel that I can do the job like anybody else.

MR. GLICKSTEIN. You were elected in November 1966?

Mr. Amerson. Yes.

Mr. GLICKSTEIN. Did you have opposition?

MR. AMERSON. I must say unfortunately that I had to run against one of the fellows three times and one of the other ones twice, which was not according with the law.

MR. GLICKSTEIN. Do you mean you had a primary fight?

MR. AMERSON. Well, in the first primary of May 3, 1966, there was the incumbent and two others and myself, four candidates in all. I was the only Negro.

MR. GLICKSTEIN. And you ran in the Democratic primary?

MR. AMERSON. The Democratic primary. And after the first primary on May 3, I got more votes than any of the other candidates and I got 83 votes more than my nearest opponent thereby putting me and the incumbent in a runoff on May 31. Of course on May 31 I defeated the incumbent by 387 votes, and then of course in the general election he decided to come back and write his name in.

MR. GLICKSTEIN. But in November you were the candidate of the Democratic Party?

Mr. Amerson. Yes, definitely.

MR. GLICKSTEIN. What problems have you encountered since you have been elected sheriff?

MR. AMERSON. Well, what kinds of problems do you mean, the problems with the white community or problems with the Negro community or problems with the public?

MR. GLICKSTEIN. Well, were you accepted as a sheriff on the same basis as your predecessor had been? Was there an easy transition, did people just say: "Well, now we have a new sheriff and we will just continue to operate the way we did before"?

MR. AMERSON. Yes, it was a fairly easy transition. But as you know, I think the general attitude is, throughout the South and many other places up North, that when a Negro attempts to do something which will better himself, or perhaps show that he

wants to participate in a society, and he wants to move forward, he wants to somewhat help pull his own self up by his own bootstraps as you often hear people say, then you have a lot of people who will—it is just kind of a curiosity type thing, and I couldn't really say it was accepted wholeheartedly, because many people, especially in the white community, thought that it was time to move out of Macon County. And then other Negroes, of course, I mean were fearful of the fact that a Negro had never been sheriff, they had never heard of it and they didn't know what would happen and they thought that perhaps some kind of a violence would break out, I mean from the white community because they were so much in opposition to it. It was just something exhibited that it disappeared as if a larger number of the white people in the community did not want to see a Negro get out and campaign and win the votes and it just so happened that in Macon County you have more Negroes but I don't think this is the reason why I won.

I think I won because I worked hard and put over a positive program, and went into the area and shook hands and met people. I think this is the reason why I won, because I contacted the public, and not because I was a Negro, and you have 83 percent Negroes in Macon County.

MR. GLICKSTEIN. How have your relations been with the white community since you were elected?

MR. AMERSON. At first I mean it was kind of somewhat slack, but I decided that when I was elected that I would adopt a positive program, I mean to deal with everybody, white and Negro on a fair and impartial basis, and I decided by doing this, many of the people are not going to like you and you really can't go around begging people to like you. I just decided to do the job and do the job right and treat everybody fair and not intimidate anybody and run anybody down and whoever should happen to like me would be all right and those who didn't, it didn't make me any different.

MR. GLICKSTEIN. What happened the first time that you had to arrest a white person?

MR. AMERSON. I don't really recall anything happening, other than—there seems to have been some kind of fear that he would probably get beaten up, or the often kind of thing that you hear in a lot of those jails where he fell off the top bunk, or got hung in jail, or some kind of thing like that. But it was just kind of a fear. But there were no problems, I mean so far as any kind of a rebuffing of the situation, he was arrested just like everybody else, and locked up in jail like anybody else that breaks the law.

MR. GLICKSTEIN. You told him what you were arresting him for and what the charges were?

Mr. Amerson. Right.

MR. GLICKSTEIN. Sheriff, did you have all the privileges of office

as sheriffs usually have after elected, or the same privileges that your predecessor had?

MR. AMERSON. Well, I really don't know what privileges my predecessor had, from the looks of the office when I took over, it didn't seem like he had very many. But I would venture to say that—I really can't answer your question.

MR. GLICKSTEIN. Did you receive the same fees that he did? Did you have the same opportunities to earn fees?

MR. AMERSON. Well, there was one situation which I can recall right off, now in Macon County several years ago it was a dry county where they did not sell alcoholic beverages, of course the board of revenue initiated a referendum and made it possible so the citizens of Macon County could vote to determine whether they wanted liquor in Macon County or not. So they voted that they wanted it and at that particular time I believe the situation leading up to that is that the probate judge in Macon County now, he was sheriff in 1963, and after this referendum was passed, the appointment of bill license inspector was made on the sheriff which was defeated.

So when the election of probate judge came up, the former sheriff who is probate judge now ran for probate judge, and by him running for probate judge and won the office, the incumbent that I defeated, he had already been appointed bill license inspector, and then he was appointed sheriff, consequently he held these two offices which was in conflict with the law, and I found out later on, bill license inspector paid \$300 a month. And of course when I took office, I attempted to, you know, I mean get everything that the former sheriff had.

And there were some opposition, there were some opposition from the members of the board of revenue at that particular time about the bill licensing job. And after I kept trying to get it with some determination and then the state auditors from the State of Alabama came down and said that it was illegal for the sheriff to be bill licensing inspector and sheriff also because he could not be employed by the county twice.

But the main question now was that my predecessor who was bill license inspector, he had held the office for 2 years, thereby receiving a total sum of county money something that ran at \$7,000, and I think that it is a matter in a lot of these counties where people are really operating in contrary with the law but they don't really check on it until it gets to the fine point where it is being challenged.

I don't think that the State auditors never would have come from the State capital really collected into it and found out that a law would be violated if the sheriff had bill license inspector and sheriff also, but they just really found it out after I was elected and was trying to get it.

So I didn't get it and it really didn't make too much difference because I never received the money before so I didn't miss it.

MR. GLICKSTEIN. Sheriff, is there a sheriff's association in Alabama?

Mr. AMERSON. Yes. The Alabama Law Enforcement Officers Association.

MR. GLICKSTEIN. Are you a member of that?

MR. AMERSON. No, I am not, not because I have not tried to become a member, but because I am a member of so many organizations until I just can't pay the dues and fees for all of them. I am a member of the National Sheriffs Association and I feel that I can get a wider range of experience and association and so forth by being affiliated with a national organization rather than something on the State level. It is just because I have not perhaps, I guess, tried to gain admission.

MR. GLICKSTEIN. You said before that you thought there might have been some Negro people in Macon County that were reluctant to vote for you because they were afraid of how the white community would react to that. And I am wondering whether you felt that it would be a good idea for more Negroes to run for

high offices, such as sheriff.

MR. AMERSON. Yes, I definitely think so and I think they are going to do it, because I think now more than ever the Negro in the South has become much more determined to participate in the political process, and in the changing political trends in the South. And I think that as time goes on, I think that the Negro is going to be—is going to play a much more positive role in political action. I think it is something that we worked this hard now to get registered and many people and many civic organizations have gone all out in the country I mean to get these people registered so now I think it is time to really get on in here and become actively—become an active participant in the political process by becoming candidates for public office and winning and doing a good job.

And I think many people are going to run for sheriff, probate judge, circuit clerk, board of revenue, board of education, and everything else on the county and State level in areas where they can win. And I think they should as citizens and Americans, they should be a part of it, it should not be necessary to have to send Federal registrars down in Alabama and in Lowndes County for people to exercise their constitutional right. But it is a matter that some people wouldn't do what is right.

You can't get them to see it so I think something is going to have to be done. And I think Negroes will be elected sheriff, and I think they will be elected probate judge, board of revenue, and circuit clerk, and I promote it.

MR. GLICKSTEIN. A young lady who testified before this Commission on Saturday said that where she comes from, she comes

from the Boykin community, many of the older Negroes in that community believe that the Lord put the white man on earth to watch over Negroes. And we have heard or discovered in some of our studies of political participation that in some areas where Negroes are in the majority, and are a majority of the registered voters, some Negroes are reluctant to vote for other Negroes because they still believe that a Negro cannot do the job as well as a white person.

Do you feel that as a result of your election, and as a result of your performance in office, you can have some effect on that belief?

MR. AMERSON. No, definitely not. I think that what we are dealing with here is more or less a psychological matter, I think that many people have the feeling and belief, I think it is something psychologically injected into a lot of these people who have old-fashioned ways and old-fashioned ideas about the whole situation of Negroes not being able to do a good job and not being able to hold public office without making mistakes, and you generally hear this.

But I think that many people have said throughout that the Negro is brainwashed, but I don't think so. I think it is just a matter that these people they are more or less just kind of somewhat took a back seat role expecting the people to do what is right and to obey these laws that they made. And I think this is what it is, Negroes have been very, very easy-going in this thing. In other words, they have wanted to just sit back because the Negro people in the South for many years, I mean they have had a lot of confidence in the white community, because they somewhat maybe perhaps look to them for leadership.

And you know all of the religious doctrines came out of the white church, so far as the Negro is concerned. And when they first came from Africa, and I think that the Negro has somewhat waited for a long time, I mean expecting people in positions of responsibilities to go ahead and act with moral courage and do what is right, and to be an election official at the poll and don't let his white counterpart do any cheating at the poll.

But, see the Negroes have been let down because these people have not kept their end of the bargain by administering the laws of the State right the way it should be, and I think this is the whole thing. This is the reason why you have a lot of people moving into more radical situations, because they have been somewhat let down, and they expect an employment agency to employ them on the basis of their merit. And when they get down there they find out they may not be employed along those lines. They may have a Ph.D. and they might not be able to get a job. I mean for someone that it is only necessary to have a high school education. And this is done in a lot of places. Many people will say: "Well I am almost sure that if you had a sizeable number

of qualified Negroes that we could hire them in our factory today." But it is not that way, because I know a dozen or so qualified Negroes right now have been to different places and they couldn't get jobs and they have been somewhat let down because they have been expecting the people in positions of responsibility for so many years to do what is right morally.

It should not be necessary for me to go down and beg a man to let me register, when it is my constitutional right to become registered if I am old enough, and maybe know how to read and write. It is not necessary to know how to read and write so much as being able to vote, because you have a lot of white illiterates that don't know how to read and write but yet they were registered.

And you see I think one thing calls for another. I think inequality promotes another inequality. I think that this is the reason why the situation is like it is now. It should not have been necessary to enact a Voting Rights Act. Because people are not in the habit of doing what is right when it comes to the Negro. And this is one of the reasons why you are having this type of thing. And let's say, for example, in Macon County it is generally said: "Well, the Negroes in Macon County, 82 percent of them, they are going to elect an all-black government.

Well, now, I don't know very many more towns in Alabama where they don't have an all-white government, you see. Just like right here in Montgomery County, for example, they have an allwhite government, and no one is talking about that. But when Negro people in Macon County decide that they want to run for office, they want to be somebody, they want to help participate in the political process, they want to be Americans, and they want to exercise their rights as citizens, they want to get a better job, and if a public office will afford them a better job, and if they can get into this better job by running for public office and making more money because they are not going to be appointed to one.

So I would venture to say if I were living in Montgomery County it would be impossible to vote for sheriff if I—it would be impossible to win the office of sheriff if I had 18 Ph.D.'s in law, you see. And so by being in Macon County it just so happened that you have a majority of Negro people there, and I was elected. But everybody wanted to say that they are moving to an all-black government, when people are just participating in the political process, and becoming a part of their society. And if Macon County should happen to wind up with an all-black government, I mean I don't see anything wrong with that, as long as the people are going to go on and do what is right, and administer the law the way it is. I mean I don't see anything at all wrong with it at all. And I don't think that they should be ridiculed about the situation.

I think that if Macon County had a majority of white people

in it I would venture to say you wouldn't have anything. It is more psychological in America about a lot of things I mean other than the facts. And just like the news media, for example, I mean whenever I make an arrest of somebody, I am not interested in a lot of publicity, the only thing I am interested in is doing a job. But when I have to go out and arrest somebody who might be breaking the law, well it gets national headlines, and they print one thing in Alabama and print another in Washington or another in Massachusetts. And somewhat to an extent, I must say at this point that whenever, whenever and wherever, more specifically in the South, that the Negro attempts to do what is necessary to help yourself, try to get a better job, or want to go to a different school to get a better education, because they have better books over in that school, or run for a public office, or talk about the conditions in the South, then he is subject to a lot of harassment, to a lot of intimidation, and may possibly be assassinated. It is the kind of thing I mean when the Negro people attempt to move forward and do some of the things which the Constitution and the Bill of Rights said that you need to do and said that you should try to do, then you have a lot of people grumbling and so forth, and it is more of the attitude in America than anything else.

In other words, now an average arrest in Macon County of a white person would be altogether different from what it would be in Birmingham. And it should not be any different. Because I am only a sheriff. And I don't know what is so different about my being sheriff than a sheriff in Mississippi, other than I don't

beat up folks.

So I don't know what the differences are. And I don't think that it should be limelighted any more. Of course I like to get some publicity every now and then. I mean of course I am not interested in just constantly being in the news. But it is the kind of a thing that when I have to make a controversial arrest in Macon County, everybody talks about it, and I don't think it is no different from anything else.

Mr. GLICKSTEIN. Sheriff, I noticed that in Macon County less than 50 percent of the Negroes who are eligible to be registered

are registered. How would you account for that?

MR. AMERSON. Well, probably because there hasn't been a drive, a strong enough drive. I don't care how much you go out in these communities and in these various places and try to get people to come in and register, I mean some are just not going to be able to make it in for different reasons.

MR. GLICKSTEIN. Do you think there is something more that the Federal Government can do in your county and other counties like it to help increase the rate of registration?

Mr. AMERSON. I don't think that we are going to—that we will have too many more problems in Macon County, but I think the

Federal Government may need to give a serious check on some of these other counties like Lowndes and Hale and Greene, Marengo and Dallas County. I think they definitely need to keep a check on these counties. And they need to check more than just in an observation role. I mean they need to be in a position to—and of course I don't know whether they would be hampered by State law, but they need to be in a position to actually make some arrests when these people are violating or letting people vote two or three times in one place. This happened in Macon County, it happened in all of these counties.

MR. GLICKSTEIN. You think the Federal officials that are present should be able to make on the scene arrests right there when

something happens?

MR. AMERSON. I think so. In other words, when people have some complaints at the poll, I think they should be looked into at that point and it should not be later on compiled into a report. It should not later on be compiled into a report and then be heard. I think something should be done right there on the spot to straighten out the situation and whoever is violating should be locked up. I think this is the only way that you are going to straighten a lot of these things out, you are going to have to take a more positive role with the violator by locking some of these people up, and taking a more positive role.

And the law is clearly defined as to the way an election is supposed to be administered. And when it is determined beyond a reasonable doubt that people are not following the law then some positive role should be done. I mean other than just talking about it. I think that you are going to have to get in some positive action, and get some people convicted and jailed. I think this is

what you need.

MR. GLICKSTEIN. Sheriff, you hold the highest elective office of any Negro Democrat in the State. Has the Alabama State Democratic Committee appointed you to any committee or any other official position?

MR. AMERSON. No. I don't know what course the Alabama Democratic Party, I don't know what course they intend to take in reference to—you speaking about the Democratic National Convention?

MR. GLICKSTEIN. I mean within the State.

Mr. Amerson. No, no.

MR. GLICKSTEIN. They haven't appointed you to any of their State committees or any of the official positions?

Mr. Amerson. No, not at all.

MR. GLICKSTEIN. Has the party in the State affirmatively invited or encouraged you to become involved in party affairs and party policy-making positions at the State level?

Mr. AMERSON. No, I don't think so. No, they haven't. I think one of the reasons for this is because it is a matter of—it is an-

other matter of somewhat excluding Negroes from being represented in the political party. And this is one of the reasons why many Negroes in other parts of the country have initiated plans to set up new parties. But I don't think this is the right thing to do.

I think that we need to work from within the framework of the one that is already operating. And I think that—I don't know when it will come. But I think that Negroes should be permitted to participate within the Democratic Party of the State of Alabama.

You know that we have two so-called factions of the Democratic Party. In other words, all of the Negro Negroes in Alabama are supposed to belong what is known as an Alabama Democratic Conference. And of course it is kind of somewhat a subsidiary of the Alabama Democratic Party. And they have separate meetings in which I don't go for that. And they have separate rules and regulations.

Now the Alabama Democratic Party, I mean they will hold their convention let's say in Birmingham and two or three days after then, I mean one or two select, handpicked Negroes which have no leadership role in the community may not have made too many achievements, might try to summon, a sizable number of Negroes to be able to disseminate this second-handed information at some subsequent so-called—a convention for the Alabama Democratic Conference. And I don't think that State politics—I don't think that State politics are going to work in the best interests of all the people unless they can participate in the political party with a sizable representation in Washington. And I don't think that there is a lick of good about an Alabama Democratic Conference, or an Alabama Independent Democratic Party, or the National Democratic Party of Alabama.

I think that we need to work from within the framework of the Democratic Party of Alabama and be appointed to some of these committees in areas where you can get elected. I think that people need to go ahead on and take that initiative. People in positions of responsibility in the Alabama Democratic Party should go ahead and take that initiative to appoint some people because people like to see races, for example, I mean they like to be represented on things which concern them. Like the United Nations, the United States wants to be represented there when we are talking about world policy, so the Negro wants to be represented in anything that is concerning him.

And it just seems to be a big fight to keep the Negro from representing himself. Everybody seems to know more about the Negro than the Negro knows about himself and I think this is the thing that is going to have to end.

I think that they are going to have to represent themselves more and they want to see someone of their race moving forward, and on these committees. And they should be on these committees if you are supposed to have a democratic society. If they are not on these committees, then something is wrong.

MR. GLICKSTEIN. Thank you, Sheriff. I have no further ques-

tions, Mr. Chairman.

VICE CHAIRMAN PATTERSON. Mrs. Freeman, do you have any questions?

COMMISSIONER FREEMAN. Sheriff Amerson, I believe with you that participation in the political process is a responsibility as well as a right. This Commission has heard some testimony during the past several days about inferior education, inadequate welfare, deplorable conditions in housing.

And if the black people in this State will offer themselves as candidates for office, as you have done, in every city and in every county up to the point of Governor, perhaps maybe that will help to solve some of Alabama's problems, because a large number of Macon County are certainly a lot better off because you are there.

Now I would want to ask you with respect to this fear of economic reprisal, what would you suggest should happen with respect to the people who live on plantations? What needs to be done to let people know that in spite of the threats that they should actually get out and vote the way they want to vote and offer themselves for election? What should the State do, private organizations, or the Federal Government?

MR. AMERSON. I think that in some of these areas when these people are intimidated or threatened, or perhaps made to move and then their need to be something to take up the slack. In other words, I really can't say what need to be done, because so much need to be done in a roundabout way.

In other words, I can't say, well, if 25 Negro families living on a plantation are not able to vote in the election, and of course the landlord run them off the place, well I don't know what they are going to do. I don't know what aid will be at their disposal because they are going to have to go somewhere. They are going to have to get readjusted some place. I mean if they have to move. Or either the Federal Government perhaps needs to keep a raincheck on these plantation owners, and when they do a thing like that, then they need to be dealt with, you know, some defined laws or policies or something. I think this is the only way it is going to be broken up, is that you are going to have to deal with it from one extreme or deal with it from the other.

You are going to have to be in a position to give some aid to these displaced families, or you are going to have to deal with the man who is causing the disturbance.

COMMISSIONER FREEMAN. How widespread is this condition?

MR. AMERSON. In some counties, it is quite widespread. I would venture to say in some of the more economically depressed counties, it is probably more widespread where a larger number of

the Negro population depend upon their survival from certain aspects of the white community. I mean a larger part of their survival. And that would of course exist in some of these other Black Belt counties.

COMMISSIONER FREEMAN. Is it possible that some of the white persons in Alabama of good will may be appealed to to assist you in this regard?

MR. AMERSON. Yes, you have many, many very good people who are morally, I would say, who want to do what is right. But in many, many cases they are somewhat more or less taking a back seat in being vocal about any situation.

In other words, it is just a kind of a situation where the Negro, he is out there and he is a victim of circumstances and I don't believe in discrimination and I don't think that they should have made those Negro people move because they wanted to vote. But yet instead I mean nothing is said, and nothing is done. So many people just have a tendency, those particular people who might not just foster segregation, I mean they just more or less take a negative role and don't say anything about the situation. This is what you have in a lot of cases.

People, many people in the State of Alabama know that it is morally right—morally wrong to do these things. But rather than to be a controversial figure, or bucking the power structure, or so-called many, many times what you hear "nigger lover."

So rather than to be subjected or labeled as a "nigger lover," they just let it alone. So you don't have enough people—evidently you have more radical people than you have people who think morally. The way I can look at it because it seems to me as if the radicalism always outweighs the moral aspects. So if you had more moral people in the State of Alabama who felt morally about the thing and wanted to do something about it and knew that it was wrong and then they would speak out and you would not always hear the radical side of it. Maybe the moral group is farther in the minority than we think. Maybe the radical aspect, or the radical attitudes are more somewhat in the majority.

COMMISSIONER FREEMAN. Thank you.

VICE CHAIRMAN PATTERSON. Mr. Taylor, do you have any questions?

Mr. Taylor. No, sir.

VICE CHAIRMAN PATTERSON. Sheriff, thank you very much for your testimony. We appreciate your being here. You are excused. The hearing will stand in recess for 5 minutes.

VICE CHAIRMAN PATTERSON. The hearing will come to order. Mr. Glickstein, will you call the next witness?

MR. GLICKSTEIN. The next witness is Mr. Barry Strejcek, a member of the staff of this Commission working in our Research Division.

(Whereupon, Mr. Barry Strejcek was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF MR. BARRY STREJCEK, STAFF MEMBER, U.S. COMMISSION ON CIVIL RIGHTS

MR. GLICKSTEIN. Mr. Strejcek, have you been working on a study for this Commission on problems of economic development in the rural South?

MR. STREJCEK. I have.

MR. GLICKSTEIN. Would you please summarize your conclusions for the Commission?

MR. STREJCEK. The economic development efforts of the Federal Government in Alabama have been limited. The more important programs had been administered by the Economic Development Administration of the Department of Commerce, and the Small Business Administration.

These programs in dollar volume are dwarfed by the \$2 billion the Federal Government spends or commits to other activities in Alabama.

The Economic Development Administration is only partially effective in Alabama. In 1967, slightly more than \$7 million was loaned or granted for public facilities such as water and sewer systems. \$8 million have been loaned to business. But though 12 of the 16 study counties are eligible for public facility loans, only four had projects in 1967, and only one of the 16 counties contained a recipient of a business loan.

No EDA business loan ever has been approved for a Negro in Alabama. The most important program EDA can establish in a State is a multicounty economic development district. A development district can hire a professional planning staff to coordinate the area's development efforts and also face up to serious social problems

Alabama has no approved and funded development district, although one attempt has been made. Western Alabama Regional Development Council, known as WARDC, composed of a group of businessmen and political representatives from 10 counties carried on discussions with EDA to find ways to meet the requirements for community participation. Because the WARDC group could not agree that minority group representation was needed on the board of directors—Negroes, it was claimed, were not knowledgeable in economic development—EDA was forced to finally deny Federal planning funds.

This result is contrasted to the Southern Mississippi Economic Development District, one of three federally funded development districts in the State. Minority group representation on the board of directors was achieved sometime ago and is being improved. The Southern Mississippi Economic Development District has provided that minority group persons will elect three representatives to the boards every year. More importantly the board functions and has produced a comprehensive plan of action to deal with the many problems of rural Mississippi.

The Small Business Administration has a large loan program throughout the United States. More than 73 percent of the total of four and a half billion dollars it has loaned has been for other than business loans, to nearly 145,000 business firms in the

country.

Looan approvals have increased in Alabama significantly in recent years; over \$14 million in other than business loans, were approved since April 1, 1967, up through March of 1968. However, of this amount, only one-half of 1 percent, \$72,000 of loan funds, went to Negroes.

In the 16-county area, the Small Business Administration has loaned \$1.8 million of which \$62,000 has been loaned to Negroes,

since April 1, 1967, 3½ percent of the total for the area.

The record for economic opportunity loans is much better. 55 percent of all economic opportunity loan money, \$48,000 loaned in the 16-county area since April 1, 1967, was loaned to

Negroes.

The Small Business Administration loan recipients are prohibited from discriminatory hiring. Racial employment statistics for 29 Alabama recipients of SBA loans provided by the Small Business Administration, indicates that there were 307 minority group employees of a total of 1,439 employees. However, of 219 white-collar and professional employees, only five were Negro, with none in clerical or office occupations.

The State of Alabama, through the Cater and Wallace Acts, permits municipalities or municipal nonprofit corporations to issue industrial revenue bonds to assist new industries locating in the municipality by borrowing money to construct and equip facilities. Money is obtained at a favorable interest rate because the bonds are tax exempt. More than 40 States authorize the issuance of industrial bonds to encourage business investment.

In 1967 according to the State, \$655 million were invested in new and expanding Alabama industries. The State Industrial Development and Planning Board has estimated that 90 percent of this number were financed by industrial revenue bonds.

In March of this year, the Treasury Department issued a proposed order to cancel tax exemption of the bonds. On March 28, the U.S. Senate voted to withdraw the exemption. These actions propose to invalidate Alabama's most important industrial location incentive. Those industrial development methods which remain are thus increased in importance. The issuance of industrial revenue bonds also has been curtailed in the State of Mississippi.

but that State has established a State planning agency, and maintains a series of organized multicounty development districts to pick up some of the slack.

The economic development efforts of the Federal Government and the State of Alabama have been restricted except for industrial revenue bonds, which may shortly lose their tax exemption.

The problems of the rural South are not minor. The impact of outmigration and the need for jobs is graphically indicated by the 1960 level of underemployment in the 16 counties relative to the national rate of underemployment. That rate ranges from 18.8 percent for Macon County, to 49.7 percent for Perry County. Nine of the 16 counties had an underemployment rate of more than 40 percent.

These rates are relative to the national rate, and this relative

rate probably has not changed much in 8 years.

Nearly 2,000 of these underemployed are poor farmers and have banded together to create the Southwest Alabama Farmers Cooperative Association, SWAFCA. The Ten County Agricultural Production Cooperative, about which this Commission already has heard testimony, SWAFCA, Alabama Self-Help Housing Project, about which Reverend Harrell has testified, and the other self-help projects we heard Mr. Lewis Black describe, provide hope for reducing the rate of rural underemployment.

VICE CHAIRMAN PATTERSON. Thank you, Mr. Strejcek. You are

excused.

MR. GLICKSTEIN. May this report be introduced into the record, Mr. Chairman?

VICE CHAIRMAN PATTERSON. It is received.

(The document referred to was marked Exhibit No. 33 and received in evidence.)

VICE CHAIRMAN PATTERSON. Would you call the next witness,

please, Mr. Glickstein?

MR. GLICKSTEIN. The next witness will be Mr. John Bagwell, who will be questioned by Assistant General Counsel, Mr. Fleming.

(Whereupon, Mr. John Bagwell was sworn by the Vice Chair-

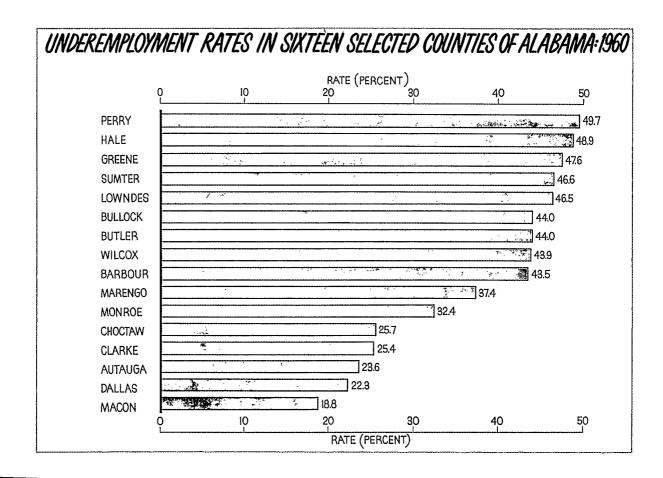
man and testified as follows:)

## TESTIMONY OF MR. JOHN BAGWELL, MONTGOMERY, ALABAMA

MR. FLEMING. Mr. Bagwell, will you please state your name and address and position for the record?

MR. BAGWELL. John T. Bagwell, Montgomery, Alabama. I am one of the field coordinators for the Economic Development Administration.

MR. FLEMING. You are a senior field coordinator for Alabama? MR. BAGWELL. I am not given such a title officially. Just field coordinator.



MR. FLEMING. What are the most important types of assistance provided by EDA in Alabama?

MR. BAGWELL. We have as the biggest program, the public works projects, and the next biggest is our business loan program, and there is following that in size, technical assistance programs and economic development districts.

Now these are national programs. And I am rating them in that size in proportion to the amount of money that is appropri-

ated for each of these programs.

MR. FLEMING. Information furnished by EDA shows that 12 of the 16 counties covered by our hearing investigation have been designated as eligible for public works grants and business loans under Title IV of the Act.

As I understand the Act, that means that they are entitled to receive direct grants for public works projects in addition to various forms of business loans that can be made in these counties. Is that correct?

Mr. Bagwell. On submission of approvable applications, yes, in 12 of those 16 counties.

MR. FLEMING. Yet, only four of the 12 counties have utilized EDA programs?

Mr. Bagwell. I believe that is incorrect.

MR. FLEMING. How many during the last year or two?

MR. BAGWELL. Would you like me to say which counties have received?

MR. FLEMING. Our figures show Bullock County, Macon, Monroe, and Sumter in the last EDA report for the period ending December 31, 1967.

MR. BAGWELL. There have been EDA projects approved in Bullock, Macon, Wilcox, Monroe, Sumter, and Greene. Some of those more than one project.

MR. FLEMING. That would be then six of the 12 counties. What accounts for the fact that not all of the counties are partici-

pating in EDA programs, in your opinion?

MR. BAGWELL. I think any number of things might account for it. The first thing I would say is that we simply haven't received enough applications for these counties to have had more projects. And if you go back of that, I am sure there are reasons for our not having received more applications.

MR. FLEMING. On this Wilcox County application, is this the

application that covered the Alabama River Bridge?

Mr. Bagwell. No, I spoke only of approved projects when I listed the counties a minute ago. There is a sewer project in the town of Pine Hill.

MR. FLEMING. Does Alabama have any economic development district approved and funded?

Mr. Bagwell. No.

MR. FLEMING. Are there any other Southeastern States in the

Southeastern region of EDA without a funded or approved economic development district?

MR. BAGWELL. I believe they all have at least one or more dis-

tricts, yes, sir.

MR. FLEMING. What is the Western Alabama Regional Economic Development Council group, known as WARDC, I believe, which was mentioned in Mr. Strejcek's report?

Mr. Bagwell. What is it?

MR. FLEMING. Yes, sir.

MR. BAGWELL. It is an organization that is formed by people from a group of counties there to engage in all types of work which will boost the economy of the area.

MR. FLEMING. Would you indicate on the map for the Commissioners, roughly the counties that are covered by WARDC, just

the regions, sir.

Mr. BAGWELL. These counties up here, the names are not on them. This may have changed.

MR. FLEMING. I realize the membership changes from time to

time.

MR. BAGWELL. To begin with, it was Walker County, Fayette County, Lamar, Tuscaloosa, Pickens, Bibb, Hale, Greene, Sumter, and Marengo. I believe I named 10.

MR. FLEMING. Thank you, sir. Did WARDC apply for designation as an economic development district and for funding?

Mr. Bagwell. Yes, sir.

MR. FLEMING. Why was WARDC not funded by EDA?

Mr. Bagwell. In fact I encouraged them to apply, and gave them all possible assistance in their effort.

EDA in their denial of the application stated as the reason that the WARDC organization did not propose to have as much Negro participation in the organization as EDA expected them to have. They didn't come up to EDA's requirements on the amount of involvement of the Negro.

Now there was intention of involvement of the Negro, but the manner, the denial was over the extent of it and the positions

they would be in.

MR. FLEMING. What was WARDC's proposal for the involvement of the Negroes on its board of directors?

MR. BAGWELL. Their proposal was to have local representation in each county on what they were calling the county council. And they felt that in that position the representation in that group then had its channel for election to the board of directors.

MR. FLEMING. They were not directly going to be members of the board. They were going to be members of these advisory councils in the county?

MR. BAGWELL. That WARDC did not agree to place Negroes on the board of directors by placement, they expected them to be elected along with everybody else.

MR. FLEMING. WARDC board members were to be elected as delegates from these various county councils, is that correct?

MR. BAGWELL. I'm sorry, I didn't get your question.

MR. FLEMING. How were the board members to be elected?

MR. BAGWELL. They were to be elected by the county councils.

MR. FLEMING. And how were the county councils to be chosen? MR. BAGWELL. It is my understanding that they were to be

MR. BAGWELL. It is my understanding that they were to be chosen as business leaders, and interested people in economic development, and elected officials. I don't know the fine details of how the 10, how they would be arrived at:

MR. FLEMING. They just came into existence through some

form of common consent, would you say?

MR. BAGWELL. The first group did. I don't recall from their articles of incorporation how they expected the county councils to work in subsequent years.

MR. FLEMING. And this pattern of Negro representation in the WARDC was similar to the pattern of representation developed

in Georgia for EDA districts? Is that correct?

MR. BAGWELL. No. In Georgia all of the—you're asking me questions that are involved with other States, in which I don't work, and if you care to involve the Southeastern region very much I would prefer that you get the area director.

Mr. Fleming. Let's exclude that question.

MR. BAGWELL. It is true that they were not set up the same.

MR. FLEMING. On the question of board membership, I just wanted to establish EDA's position was that there was to be direct Negro representation on the board of directors.

MR. BAGWELL. That's right, with a specified number.

MR. FLEMING. Do you see any practical advantage to having Negro representation directly on the board?

MR. BAGWELL. Yes.

MR. FLEMING. And what would that be?

Mr. Bagwell. Well, in those 10 counties there is a very high percentage of Negro population, and I think everybody would agree that that element of the economy should be represented in such groups for planning any economical group, and it was my understanding that WARDC expected that Negroes would be elected to that board. Although I did not set up the WARDC organization, and I can't give too many answers for them.

MR. FLEMING. You have indicated that you are familiar with the proposed Alabama River Bridge, and I believe at Pine Hill,

in Wilcox County?

Mr. Bagwell. Yes, sir.

MR. FLEMING. I believe that was also to service the MacMillan-Bloedel Company located near the bridge.

MR. BAGWELL. It was a proposed bridge which would connect the two sides of the river which should have a significant effect on the economy, because there was a tremendous wood-using industry being established there, and access to it from both sides of the river and access to the woods would make a great deal of difference to the economy.

MR. FLEMING. And EDA was, or had received a proposal for a \$3.7 million grant to assist in construction of the bridge, and this grant was refused approval. Why was that?

I might say we have heard testimony that it was because the company refused to sign the necessary Title VI assurances and

the form required by EDA.

MR. BAGWELL. In all of our public works projects, EDA requires that any beneficiary to the service that this project brings—if it's a water system, and there is an important industry—that will benefit by the use of this new water project, then that particular industry would be required to commit itself to nondiscrimination. And in this particular case of the bridge that you are asking questions about, it was determined that one of the important beneficiaries would be this company.

MR. FLEMING. Now we have indicated that there are two EDA projects which have fallen through in Alabama, WARDC and this EDA bridge to be built over the Alabama River, where it seems that racial issues prevented an Economic Development Administration-funded project from going forward. Is this your

opinion?

MR. BAGWELL. Well, I don't believe that would be a completely accurate statement, sir. The bridge is being built, it is being built by the State of Alabama, I understand.

MR. FLEMING. But Alabama is not receiving the benefit of well

over \$3 million worth of Federal funds.

MR. BAGWELL. That's right.

MR. FLEMING. And Alabama residents are paying approximately a million dollars of their tax revenues for this bridge.

MR. BAGWELL. And I understand that the WARDC organization is in existence, and indications are that they do still expect to work for the development of the economy, but without our funds——

MR. FLEMING. That is true, with funds raised by themselves. You indicated that Sumter County was an EDA county and did have a public works grant?

MR. BAGWELL. That's right, Sumter County has had two.

MR. FLEMING. What are EDA funds in Sumter County being used for?

MR. BAGWELL. Two, both the projects in Sumter County were public works projects, and one was in Livingston, and one was in York. They were, I believe both of them were involved with water, and I believe one of them was involved with water and sewer. I can give you exact information on it if you need it.

MR. FLEMING. What I would like to know is: are those funds

being used to help develop a municipal park, or recreational facilities?

MR. BAGWELL. Funds are being used in Livingston to serve an industrial park, not a recreational park, and by being used to develop it, I'm talking about furnishing these important public facilities to the industrial park for industry to use, and when we give a city a grant toward the financing of a water system to serve an industrial park, we require of the owners of this industrial park, a public group, we require that they commit themselves to the use of that park only by industries and commercial concerns who will meet the requirements of the Civil Rights Commission and the Federal Government under its grant programs.

Mr. Fleming. And the industries who will be located in that park are also required to sign Title VI assurances of nondiscrimi-

nation in employment?

MR. BAGWELL. That's right. Those that are there at the time and the city commits itself for at least 2 years to come that they will not accept any industrial plant that won't commit itself similarly.

MR. FLEMING. And after this 2-year period, does this assurance requirement expire and the small companies that are not covered by the equal employment law then would be exempt from any Title VI assurances?

MR. BAGWELL. Our requirement of them is that they commit themselves for 2 years from the date that they accept the funds for a period of 2 years.

MR. FLEMING. What steps have you taken to encourage and assist in the organization of Negro economic development corporations, or what steps have you taken to encourage such groups to take advantage of EDA programs?

Mr. Bagwell. I have never had any request from a Negro development organization to come and give them assistance. And

I don't know of very many.

I do know that there has been one in Tuskegee, and the organization, our organization, EDA, has had people assist that group. I was not the one.

MR. FLEMING. In your work, Mr. Bagwell, you go around the State meeting with officials and trying to encourage them to use EDA programs, do you not?

Mr. Bagwell. Yes I do.

MR. FLEMING. And the substance of your answer was that you

don't do that for Negro groups?

MR. BAGWELL. The only groups that I go around the State, as you say, to give them information about it, are groups where I'm able to get enough people together to make it practical for me to get there, and I'll go anywhere for any small group who requests it.

MR. FLEMING. What about a group such as SWAFCA, Southwest Alabama Farmers Cooperative Association? That's a group of 2,000 people. That's a large enough group to deal with, isn't it?

Mr. Bagwell. It is, and they have never requested my assistance. I understand that information had been publicized today that the Economic Development Administration has made an \$85,000 grant to SWAFCA in our technical assistance funds to be used in checking the feasibility of establishing some agriculturally based industries in that area.

MR. FLEMING. I'm happy to hear the news about that grant. Thank you, Mr. Bagwell. I have no further questions, Mr.

Chairman.

VICE CHAIRMAN PATTERSON. Do you have any questions, Mrs. Freeman?

COMMISSIONER FREEMAN. Mr. Bagwell, I believe your testimony stated that the Western Alabama Regional Development had an all-white board of directors, and for that reason they did not qualify?

Mr. BAGWELL. That's right.

COMMISSIONER FREEMAN. It is quite proper that they should not qualify.

MR. BAGWELL. That's right.

COMMISSIONER FREEMAN. What is the criteria for a development district to receive funds from EDA?

Let me give you this situation. Supposing that same 10-county area, that an organization that was predominantly black, but not all-black, that had maybe eight black people and two white persons, they became organized, and came to you and submitted a proposal. What would you do, and what would you expect from them, in terms of their continued operation or expertise?

Mr. BAGWELL. I do not have authority to approve or deny any project. And I would assist such a group to file application accord-

ing to the best dictates of my judgment.

The responsibility for actually organizing a district, and giving specific and direct guidance to the formation of such a group is in the hands of the Economic Development District Office in Washington.

COMMISSIONER FREEMAN. I understood you to say that you had

encouraged them.

Mr. Bagwell. I did, I did encourage.

COMMISSIONER FREEMAN. Would you give the same kind of encouragement to the group I talked about?

MR. BAGWELL. I would if I felt it had a chance of improving

the economy similarly, yes, ma'am.

COMMISSIONER FREEMAN. What kind of a showing would make you believe that they would have a chance of improving the economy? What would you look for?

MR. BAGWELL. I would look for a number of things. I would

look for a plan of operation to begin with, as to—now this economic development district is an action program, it isn't a hand-out proposition, where we are able to use it as a welfare program. This would have to be shown as an organization which could show leadership in the area, sufficient to give the economic boost that would be intended by these funds.

That is a general answer, maybe. I'm not trying to evade, I

would be glad to——

COMMISSIONER FREEMAN. We heard testimony concerning another kind of cooperative, where in a self-help housing cooperative,—would such an organization be eligible for a business loan from EDA?

MR. BAGWELL. Any borrower who can show economic feasibility for his project, is eligible for a loan from EDA, if it is in an eligible area. That does not mean that every application that comes in will be approved, of course, as you certainly know.

COMMISSIONER FREEMAN. Will you tell us what you mean by

economic feasibility?

MR. BAGWELL. Well, our law states as one of the requirements that there be reasonable assurance that a loan can be paid back from earnings, and going back of that, we would have to be convinced that it was economically feasible from the standpoint of the market of whatever product is to be sold.

And it would have to be feasible from the standpoint of raw materials. The access to raw materials. It would have to be feasible from the standpoint of the management of the organization. Things of that kind, that business generally looks to as the criteria for feasibility.

COMMISSIONER FREEMAN. Would you make a negative judgment because of the fact that the majority of the board might be black?

MR. BAGWELL. Certainly not. In fact, as I explained, I wouldn't make a judgment, because I don't approve the projects or disapprove the projects.

COMMISSIONER FREEMAN. Do you make recommendations?

MR. BAGWELL. I usually do not make recommendations. I think that when I have worked with an application rather extensively and turned it in, EDA might assume that I would hope that that application would be approved. I don't make formal recommendations, no.

COMMISSIONER FREEMAN. You stated that the other area is the business loan. How many business loans have been made to Negroes?

MR. BAGWELL. None.

COMMISSIONER FREEMAN. Will you state the reason for that? MR. BAGWELL. We have not had—I started to say that we have had no applications. We have had one application from a development corporation, which was not denied but was withdrawn. And we have had no other Negro applications from Alabama.

COMMISSIONER FREEMAN. Have you done anything to encour-

age the applications?

MR. BAGWELL. I will do all I can to encourage them when I have a spark of business interest. We, you know, if you are making a business loan, you naturally will have to have some business entity to make it to, and somebody who is interested in one. We can't just make them in a vacuum.

COMMISSIONER FREEMAN. We understand that. But assuming there is the entity that you are talking about, would you encour-

age the application?

MR. BAGWELL. I believe I stated that I would encourage, that I would give every possible assistance and I would expect that application to be approved just as quickly as anybody's application.

COMMISSIONER FREEMAN. This is in the future.

MR. BAGWELL. In the past, too.

COMMISSIONER FREEMAN. But you haven't had any in the past. Mr. BAGWELL. Haven't had the interest and haven't had the inquiries and haven't had the applications.

COMMISSIONER FREEMAN. Thank you.

VICE CHAIRMAN PATTERSON. Mr. Taylor?

MR. TAYLOR. No, sir.

VICE CHAIRMAN PATTERSON. Thank you very much for your testimony. You are excused, Mr. Bagwell. Will Counsel call the next witness please?

MR. GLICKSTEIN. The next witness is Mr. Paul Brunson.

(Whereupon, Mr. Paul Brunson was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF PAUL R. BRUNSON, REGIONAL DIRECTOR, SMALL BUSINESS ADMINISTRATION, BIRMINGHAM, ALABAMA

Mr. GLICKSTEIN. Mr. Brunson, would you please state your full name and address for the record?

Mr. Brunson. Paul R. Brunson, Regional Director, Small Business Administration, 908 South 20th Street, Birmingham, Alabama.

MR. GLICKSTEIN. Mr. Brunson, I understand that you have submitted to the Commission a statement and some exhibits that you would like included in the record.

MR. BRUNSON. I would like to have them in the record.

MR. GLICKSTEIN. May this be received into the record, Mr. Chairman?

CHAIRMAN HANNAH. It is received.

(The document referred to was marked Exhibit No. 34 and received in evidence.)

MR. GLICKSTEIN. Mr. Brunson, would you please briefly describe for the Commission what steps you have taken to improve SBA loan participation in Alabama and the results of your actions?

MR. BRUNSON. I have begun a series of seminars throughout

the State of Alabama, which I will complete next week, covering every county for the 44,000 small businesses to—for all businessmen and potential businessmen and women to understand the function of the Small Business Administration throughout this

State. This has been a tremendous undertaking.

But I feel that people in official capacities, regardless of whether they are Federal, State, or local officials, should explain their programs in which—especially to recipients of loans—where we can promote jobs and opportunities for people that it has not been afforded to before, that we can do this. And of course our loan record in Birmingham will indicate the tremendous growth that we have had, and the number of loans that we have made since 1964, when Alabama was the regional office and covered part of Northwest Florida. Loans were made in Washington and in Atlanta, and we have been given the complete delegation of authority to make loans in Birmingham, and if we make good loans, fine, if we don't make good loans, it is our fault.

But we have around \$39 million out on loans and less than 2 percent of that is what we call delinquent. But to further tell you what we are doing in Birmingham, we are—I know that I have one of the finest staffs that has the skill and knowledge of any staff throughout America. But even though they have the skill and knowledge, if they don't have the right attitude about making loans and helping people to help this State grow, I don't think that we have gotten very far. I hope that answers your

question.

MR. GLICKSTEIN. You have been head of the SBA for how long now?

Mr. Brunson. Going on 4 years.

MR. GLICKSTEIN. And I believe your statement indicates even more fully that you have indicated orally, that there has been a great increase in the number of loans that have been made over the last few years?

MR. BRUNSON. Yes, this present year we have loans already approved in excess of \$15 million this fiscal year. And I think that we have just begun to scratch the surface, because the people, as I have worked throughout Alabama, for 15 years, in every county, people don't understand the programs to be offered.

And I think that for them to fully understand what you can do and what our policies and programs are, especially with the banking and lending institutions, and help them to realize that there is not so much red tape in our programs. In fact, after an application is submitted to our office and accepted, the Small Business Administration, we don't take 3 or 4 months or 2 or 3 weeks to process that application. We let the recipient know within 7 to 10 days, whether he is going to receive the loan or not.

And I would like to say this, that last fiscal year, of the loans accepted, 81 percent of the loans were approved, and in this fiscal year, 91 percent of the loans have been in participation with the banks and, of course, where the loans can be made by local lending institutions, we are forbidden from making the loans. We are to fill the gap that other lending or financial institutions throughout the State are not able to make.

MR. GLICKSTEIN. So am I correct then in saying that most SBA loans go through banks and the SBA only makes direct loans in the event you can't find a bank that is willing to make the loan?

MR. BRUNSON. That's correct, and it makes good sense to me, and I think to the business community that using Federal funds and taxpayers' money, that if we're willing to believe in a man in a local community 90 percent and it cuts down on our processing time, why not the banks be willing to participate a minimum of 10 percent.

We usually require 25 percent bank participation, but it is not required. We ask for it, but if we can't get it, we'll take it on a 10 percent.

Of course, we have one of the finest programs that I know of in the Small Business Administration, our Guaranty Loan Program, where an applicant can make an application for a loan through a bank or a lending institution, and we will guarantee up to 90 percent say, on a \$20,000 loan, we can guarantee \$18,000 of the \$20,000 of the amount of the loan.

MR. GLICKSTEIN. Mr. Brunson, which of your programs do you feel has the greatest potential for stimulating economic development in rural areas?

Mr. Brunson. I think that Local Development Company Program or what we call in the Small Business Administration, our 502 Program, has the greatest potential throughout the State. In these seminars that we have conducted throughout the State, and lacking two completions, we have run an economic profile. And contrary to some of the facts that I have heard throughout our State is the fact that a lot of people think that the exodus of the people from this State is the Negro population. This is not true. It is white people. It is not just the masses of the Negro.

It is because in these economic profiles, the statistical gross, it has been shown, in very sparsely populated areas like Marion, Franklin, and Lamar Counties of the Negro there has been a 9.8 decrease in population. And what is happening is the people throughout this State are not taking advantage of financing that is available, and, of course, that has been my chief job this past year, to get out with them and show them about this Local Development Company Program, because we are losing the most priceless asset to other States in our youth and there are thousands of them going to graduate right away that are going to go

to other States for jobs and opportunities that are not being offered right here in Alabama.

MR. GLICKSTEIN. Could you just tell us very briefly what the 502 Program is, the Local Development Corporation Program is?

MR. BRUNSON. Well, our Local Development Corporation is where we make loans to a local development company. It is community planned, community organized, community initiated, and we provide the funds for the land, building, machinery, and equipment. This will be leased to a—this can be a profit or non-profit organization, and we can make these funds available to any local group, it can't be a municipality or county, it has to be a locally organized group.

And of course the local group leases the facility to a small business concern. Now, 31 of these local development companies have been organized and we have created, through this program, almost 3,000 jobs. And we are going next week to dedicate three of these projects which have been funded in the last few months over at Bridgeport, Scottsboro, and Collinsville, which will create an additional, over 400 jobs for Alabamians.

MR. GLICKSTEIN. You are talking about jobs. Am I correct that recipients of SBA loans are required to sign assurances that they will not discriminate in their employment practices or in the rendition of services?

Mr. Brunson. That is correct.

MR. GLICKSTEIN. Do you find that requiring people to sign such assurances has discouraged some people from seeking SBA loans or participating in your programs?

Mr. Brunson, No. I haven't. No.

MR. GLICKSTEIN. Have you ever had any complaints that recipients of SBA loans are not in compliance with the Title VI requirements?

Mr. Brunson, No.

MR. GLICKSTEIN. Do you have any program or procedures for checking on whether recipients of SBA loans are in compliance?

MR. BRUNSON. We have this form 712. When a loan officer goes into the field, that if he notices anything that does not go along with the compliance program, he has to report it to our area office. Now, that complete program is under the area office in Atlanta. The compliance program.

MR. GLICKSTEIN. And the area office in Atlanta is responsible for Title VI compliance throughout the Southeast?

MR. BRUNSON. That is correct.

Mr. GLICKSTEIN. Do you know how many people work out of that office?

Mr. Brunson. One.

MR. GLICKSTEIN. One person has that responsibility?

MR. BRUNSON. That's right. Right.

MR. GLICKSTEIN. For the entire Southeast?

Mr. Brunson. That's right.

MR. GLICKSTEIN. Mr. Brunson, are businesses that receive SBA loans required to post signs indicating that they are recipients of loans and are complying with nondiscrimination requirements?

Mr. Brunson. That's correct.

MR. GLICKSTEIN. Do you know if these signs are posted?

Mr. Brunson. In every business that my people have visited, and Mr. Scott, who is present today, in every business that he has visited, these signs have been posted.

MR. GLICKSTEIN. And this is one of the things that people like Mr. Scott, who you mentioned, would be required to check on?

Mr. Brunson. That's right.

MR. GLICKSTEIN. What percent of the businesses that receive SBA loans are visited?

MR. BRUNSON. Well, let's put it like this, that if a person is paying a loan, why should we visit him? When they sign these compliances, he signs that he is going to pay the note back, and when he signs these compliances we expect him to comply with the law.

Mr. Scott has periodic visits that he makes, and of course my own office makes these. We have no problem in this area.

MR. GLICKSTEIN. But in general if a recipient is not delinquent he is not subjected to visits. Is that correct?

MR. BRUNSON. That's right.

MR. GLICKSTEIN. So the vast majority of people that receive SBA loans are not subjected to on the spot visits?

MR. BRUNSON. Unless they get delinquent.

MR. GLICKSTEIN. Unless they get delinquent?

MR. BRUNSON. That's right. And then we're on their doorsteps. MR. GLICKSTEIN. So it is possible that there are many SBA recipients who haven't posted this notice?

MR. BRUNSON. We feel like that all of them are complying with

MR. GLICKSTEIN. You feel that since they are paying what they owe, they are not delinquent, they are probably also complying with the Title VI requirements?

MR. BRUNSON. Yes. In my statement, you notice that the number of people that are employed in these various programs—I means loans in this particular area, another thing I would like to point out to you in the statement—

MR. GLICKSTEIN. Are you suggesting that there are a small number of people employed?

MR. BRUNSON. I'm suggesting there is a large number of minority employed.

MR. GLICKSTEIN. I thought you meant in your own offices, there were a small number of people employed.

MR. BRUNSON. Well, in my own office we have two professional employees, and one steno, and I have 31 on my staff. But during

this period that we were speaking about, from '64 to '68, our records indicate that we made 772 loans, and 168—or 21 percent of the total number made in the 16 counties which you have your hearings concentrated on, 19 of the 164 loans were made in these counties can be identified as having been made to Negro, or to Negro owned businesses on the basis that we have kept since 1964.

Mr. GLICKSTEIN. What type of loans are you talking about

now?

Mr. Brunson. Well . . .

MR. GLICKSTEIN. Both business loans and Economic Opportunity loans?

Mr. Brunson. That's correct.

MR. GLICKSTEIN. Well the statistics that you have given us indicate that in the 16-county area there have been business loans totaling \$1,700,000. And of this amount, less than 3½ percent have been loaned to Negro businessmen. Is that accurate?

Mr. Brunson. No it isn't. One recipient of a loan is . . .

MR. GLICKSTEIN. This is since April 1967.

Mr. Brunson. That is not correct.

MR. GLICKSTEIN. Not correct?

Mr. Brunson. We made a loan to a Negro businessman since that, I know, to show you it is not correct, for \$100,000.

MR. GLICKSTEIN. When was this loan made?

Mr. Brunson. Oh, that was made since Christmas.

MR. GLICKSTEIN. Since Christmas?

MR. BRUNSON. I mean since the fiscal year. Since the beginning of the fiscal year, it has been 3 or 4 months ago, but I could check the record. It has been made during this fiscal year.

MR. GLICKSTEIN. Made since April 1967?

Mr. Brunson, Yes.

MR. GLICKSTEIN. So you think that more than 3½ percent of the business loans made in the 16-county area have gone to Negroes?

MR. BRUNSON. Yes, but you know, making loans is something that is unique. I think that not only the Negro, but the majority of the white people, we have 44,000 small businesses and I would like to point this out, that every county that we have concentrated these seminars in that every business owner has received a letter asking them to appear, to come to this meeting for the information to be disseminated.

I would like to further tell you that we have in the last 9 months put out 1,785 news releases and been on television 76 hours, explaining the functions of the Small Business Administration.

MR. GLICKSTEIN. Mr. Brunson, again, information that your office has furnished to us, shows that in the 16-county area, an area in which Negroes represent 62 percent of the population, and a very large proportion of the poor, that \$72,000 worth of Economic Opportunity loans have been made. As I understand it,

you can take greater risks on those loans, than otherwise. Is that correct?

MR. BRUNSON. That's right, but we expect the money to be paid back irregardless of whether it is either one of the two loans.

MR. GLICKSTEIN. Right. But you are able to take greater risks...

Mr. Brunson. Yes.

MR. GLICKSTEIN. Well, of this \$72,000 of money that you have loaned under this program, you have made only one-third of those loans to Negroes. How do you account for the relatively low participation of Negroes in this program?

MR. BRUNSON. From them not knowing about the OEO pro-

gram and our other programs.

MR. GLICKSTEIN. I just would like to clarify the record a little bit, going back to the question I asked you before about business loans. I have in my hand a document that was furnished to us by your office, and it indicates that the total business loans made in the 16-county area from April 1967 to March 1968, was \$1,700,000, a little bit more than that, which is the figure I used, and of that sum, 3.43 percent was made to Negroes.

You said you didn't think that was correct. Would you like to

look at this chart?

Mr. Brunson. Did that come in from my office?

MR. GLICKSTEIN, Correct.

Mr. Brunson. From my office in Birmingham?

MR. GLICKSTEIN. No, this came from the Washington office.

MR. BRUNSON. There is some discrepancy between the two offices. I've got it from the records of my office in Birmingham.

MR. GLICKSTEIN. You think there is some discrepancy?

Mr. Brunson. Could be.

MR. GLICKSTEIN. What do your records indicate to be the amount of loans made to Negroes, business loans?

MR. BRUNSON. I don't have the dollar amount. I have the number of loans. I have the number of loans, not the dollar amount. Of course you can't force people into your office to make loans and applications, irregardless of who they are.

MR. GLICKSTEIN. But you just indicated that you have a very extensive program, you go throughout the State, you encourage people to participate in SBA programs. And you hold seminars.

I think you said that your seminar program has now been

completed in all counties of the State.

Mr. Brunson. With the exception of two, Madison and Jackson, and we complete that next week. But all of this area that you're concentrating on has been covered by seminars and letters have gone to the businessmen in these areas.

And one other thing, in this particular area, there are 550 small businessmen in the minority that are in this area.

Mr. GLICKSTEIN. You said it is difficult to encourage people

to come in and get loans, or apply for loans. I think you said you can't force people to take a loan.

Mr. Brunson. That's right.

MR. GLICKSTEIN. I have a copy of a letter that you furnished to us in which you advised a Congressman of one of your series of seminars, and you give him the itinerary, program for the seminar, over a couple of day's period. And one of the activities that you mention in this itinerary is a 6 p.m. dinner at the Union Springs Country Club, with elected officials, bankers, industrial development boards, and civic leaders from Macon and Bullock Counties, two counties that have very large Negro populations.

Were many Negroes in attendance at that dinner?

MR. BRUNSON. If you recall, you asked me that same question before, and my answer is the same to you again, that that is a privately-owned club, and they invited me there as an individual to have dinner with them.

MR. GLICKSTEIN. This is part of an agenda of a Federal agency's program in a particular area?

Mr. Brunson. Yes.

MR. GLICKSTEIN. After the dinner there was a SBA meeting for Bullock and Macon Counties at the Union Spring High School. Was that meeting well attended by Negroes?

Mr. Brunson. I think there was—I'm sure there were better than 100 colored people there.

MR. GLICKSTEIN. How about some of the officials, bankers and industrial board and civic leaders that you had dinner with? Did they come to the meeting also at the high school?

MR. BRUNSON. I think everyone who was there came.

MR. GLICKSTEIN. The following day, I notice the itinerary has an item in it, you had a fish-fry at the Hartford Lake in Geneva. Did Negroes attend that fish-fry?

MR. BRUNSON. No, they didn't.

MR. GLICKSTEIN. I have no further questions, Mr. Chairman. VICE CHAIRMAN PATTERSON. Mrs. Freeman, do you have any questions?

COMMISSIONER FREEMAN. Mr. Brunson, it appears from the previous statements that your dissemination of information is on racially segregated lines. Do you consider this consistent with the Federal policy?

Mr. Brunson. How do you get that idea?

COMMISSIONER FREEMAN. You went to a fish-fry, sponsored at a place where Negroes were excluded, a country club, this kind of—

MR. BRUNSON. All right. I'm a Federal employee. I'm invited to a lot of functions. These functions are held by people at the local level. And when they are there, I don't tell them who they are going to invite. The only thing that I'm trying to do is to put

my programs across to the best of my ability, irregardless of race, creed, or color.

COMMISSIONER FREEMAN. What affirmative steps do you take to organize meetings where there will be no segregation on the basis of race?

Mr. Brunson. I go where I'm invited.

COMMISSIONER FREEMAN. You wait for the invitation?

Mr. Brunson. Not necessarily.

COMMISSIONER FREEMAN. That's why I asked. What steps do you take to have such meetings in a racially inclusive setting?

MR. BRUNSON. There is one colored gentleman here in the audience that asked me today what is the possibility of me coming to Lowndes County, and I said if he would get a group together that I would be glad to come myself or send a representative.

You see, this is kind of unique for a Federal agency to go out, even though that you're lending money, filling a gap for the community and for the State, trying to create jobs. It is something that I could sit back in my office in Birmingham and would never have to do if I really didn't want to, if I didn't have an interest in the State and in its people, and seeing jobs and seeing the people remain here at home.

I realize a lot of problems, and I imagine that I know this State as well as any individual in Alabama. And I plan to utilize our office in Birmingham to the best of my ability in making

loans for this purpose.

MRS. FREEMAN. Mr. Brunson, the recipients of SBA loans sign contracts which include the nondiscrimination clause. In response to Mr. Glickstein's question, you indicated that as long as the loan is being repaid, that the office does not take steps to assure compliance with that provision of the contract.

I would like to ask this question: Let us assume that an SBA loan had been made to a restaurant in the sum of \$250,000 and that after the loan was made, the owner of the restaurant transferred it to a gambling establishment and continued to make the payments. Would your office consider this a violation, or have any responsibility to check into it?

MR. BRUNSON. That is a hypothetical question, because gambling is not permitted under the laws of the Small Business Administration.

COMMISSIONER FREEMAN. Neither is racial discrimination.

Mr. Brunson. You take—well, let's put it like this, let's say that the transfer of the business, *per se*, was transferred under our authority and jurisdiction, and the ownership changed.

They would have to sign the same compliance that the original

people signed because—until the loan was paid off.

In other words, they assumed the loan, they would have to sign the same compliance as the original people. Of course at that time, they, a different group, would have come into my office to make application for the loan and sign the same compliance, and of

COMMISSIONER FREEMAN. How would you know it is a different group, you haven't been around. They keep sending you the checks.

Mr. Brunson. You see, Mr. Scott back there visits every—this is not my responsibility, you understand that, I think I pointed out in the beginning this is the responsibility of the area office, for all compliances, is the responsibility of the area office, and he visits this and if you would like to specifically question him he's back there in the audience.

COMMISSIONER FREEMAN. I'm pursuing the statement which you made, that as long as the loan is being repaid, that you were not concerned with noncompliance, with the equality of opportunity provision of that contract.

MR. BRUNSON. That is the area's responsibility.

COMMISSIONER FREEMAN. I have no further questions.

VICE CHAIRMAN PATTERSON. Do you have any questions. Mr. Taylor?

MR. TAYLOR. Mr. Brunson, as I understand it, the seminar that we were talking about, done in conjunction with Congressman Andrews, was a federally sponsored function. Is that not correct?

MR. BRUNSON. Was a federally sponsored function?

Mr. Taylor, Yes.

Mr. Brunson, No.

MR. TAYLOR. Well, who sponsored it?

MR. BRUNSON. The American National Bank, the Industrial Development Board, in Union Spring, Bullock County, And they did the inviting of the people that came.

Mr. Taylor. And what was the relationship of the Small Busi-

ness Administration to this function?

MR. BRUNSON. Well, we had had a strenuous day, and they had a dinner for us there, and prior to going to the Union Springs High School. And this is true practically everywhere I go.

MR. TAYLOR. You said that you had a program of seminars?

Was this not a part of your program of seminars?

Mr. Brunson. You mean the dinner?

Mr. Taylor. No, the whole function. It began 7:30 a.m. on

November 14 and ended at 7:30 p.m. on November 15.

Mr. Brunson. If you want to, it can be interpreted any way you want to interpret it. You can say it is an official part of my program. But you know, when you work from 8 to 5, even though it was-that itinerary that went to George Andrews, Congressman Andrews, you have to eat someplace.

MR. TAYLOR. Well, I don't wish to pursue this. Perhaps you are not aware that there is a Federal regulation, perhaps that has not been communicated to you, that prohibits Federal officials from participating in meetings in which any of the events are segregated, and from which Negroes are excluded. I'm sure if that is now brought to your attention officially, you will not have such functions again.

Can I assume that would be the case, if that is brought to your attention?

Mr. Brunson. If that is what they want, that is the way it will be.

MR. TAYLOR. I have no further questions, Mr. Chairman.

I think that Mr. Glickstein would like to—well, let us introduce them into the record. This letter from Mr. Brunson to Congressman Andrews dated October 24, 1968, which sets out the event described.

VICE CHAIRMAN PATTERSON. It is received for the record.

(The document referred to was marked Exhibit No. 35 and received in evidence.)

VICE CHAIRMAN PATTERSON. Are there any further questions of the witness? Thank you very much, Mr. Brunson. You are excused. Will Counsel call the final witnesses, please?

MR. GLICKSTEIN. The next witness is Dr. John Kain.

(Whereupon, Dr. John F. Kain was sworn by the Vice Chairman and testified as follows:)

## TESTIMONY OF DR. JOHN KAIN, BELMONT, MASSACHUSETTS

Mr. GLICKSTEIN. Would you please state your full name and address for the record.

Dr. Kain. My name is John F. Kain, 66 Watson Road, Belmont, Massachusetts.

MR. GLICKSTEIN. What is your educational background?

DR. KAIN. I received my bachelor's degree from Bowling Green State University; master's and Ph.D. from the University of California.

MR. GLICKSTEIN. What is your present employment?

DR. KAIN. I am presently professor of economics at Harvard University.

MR. GLICKSTEIN. What are your fields of special interest?

DR. KAIN. I have been concerned in my research and teaching primarily with the problems of urban and regional development.

MR. GLICKSTEIN. Professor Kain, have you been retained as a consultant to this Commission?

Dr. KAIN. I have.

MR. GLICKSTEIN. And you have been present during these hearings which began last Saturday?

DR. KAIN. Yes, I have attended virtually all of the hearings in the last 6 days.

MR. GLICKSTEIN. I understand that on the basis of your expertise in the field of economics and on the basis of the testimony

that you have heard here these last few days and the background papers that you have read in connection with this hearing, you are prepared to give the Commission some observations on what you think needs to be done with some of the problems that we have heard discussed.

Will you please proceed?

Dr. KAIN. Thank you.

My assignment has been to sit through these 6 days of hearings and try to digest the thousands, possibly millions, of words of testimony, and to suggest what all of this means for national policy.

I was selected for this task, not because I am greatly knowledgeable or have a special expertise about the rural South, but rather because of my research on urban problems and the relationship between the cities and the rural South.

There is no need for me to dwell on these interrelationships today, since the statistics on the levels and selective characteristics of migration from the rural South to the metropolitan North, have been strongly substantiated by the testimony presented at these hearings.

Every black witness before this Commission has relatives or friends in northern cities, and most have either lived or visited there. Programs designed to improve the very real and serious problems of the ghettos of the North will profoundly influence these levels of southern Negro migration.

The consequences of many well-intentioned efforts of this kind may be even more unemployed Negroes in the ghettos of the North. Similarly, efforts to increase the opportunities and incomes of the Negroes in the South will influence both the levels of migration to the northern ghettos and Negro unemployment and incomes there.

Programs of southern economic development that widen the opportunities available to the southern Negro in the South can be an extremely effective weapon for dealing with the problems of the Nation's cities. These patterns of selective migration are the result of marked differentials in economic opportunity available to the Nation's Negroes in the metropolitan North and the rural South.

The reasons underlying this differential in patterns of economic opportunity are many. However, the following are among the most important. First, the South's historic employment specialization in agriculture, combined with the relatively slow growth of demand for the output and rapid technological change in that sector.

A set of social, political, and economic institutions in the rural Southern economy which have effectively barred the Negro from meaningful participation in the economic system. In all fairness, it must be admitted that the North has nothing to brag about in this respect.

Nevertheless, it would appear that the restrictions on economic opportunity at least have been somewhat less constricting than those in the rural South. Third, the low incomes of the South as a whole, which derive in part from the above and which are a further legacy of the period of the Civil War and Reconstruction.

Fourth, high wage rates and the rapid growth of employment in the metropolitan centers of the North. Despite pervasive discrimination in employment, these forces have provided large numbers of employment opportunities for the southern Negro in northern industry.

Despite the massive Negro migration of recent decades and the many deprivations and indignities experienced by southern Negroes, black witnesses at these hearings have indicated a strong preference to remain in the South, if only they could obtain jobs here.

This is true in spite of, or perhaps because of, the fact that many, if not most, have first-hand knowledge of the cities of the North. All of the above reasons suggest that we strongly in the self-interest of the North and the Nation at large, be concerned with the development of the southern economy and the economic opportunities available to both poor whites and Negroes there.

This alone provides sufficient justification for a major program to improve conditions and increase opportunities in the rural South. However, these hearings have brought home forcibly another and more important reason for concern about southern rural poverty of both Negroes and whites. That is just simple basic humanity.

The conditions that we have seen in these past few days are intolerable in an affluent Nation such as ours. Up to this point, I have emphasized the nature and consequences of southern rural poverty. Let me now turn to the question of the choice of public policies for dealing with these evident and pressing problems.

While we must not tolerate any further delay in obtaining relief for the impoverished whites and Negroes of the rural South, any efforts to provide solutions must be lasting and consistent with the fundamental economic forces at work in the national economy and more specifically, in the southern economy.

Consideration of these forces argues for primary emphasis on three kinds of programs. These are, first, accelerated industrialization and urbanization of the southern economy. Second, strenuous efforts to insure equal opportunity in employment in the present and to undo the consequences of decades of labor-market discrimination. Third, an immediate and significant national income maintenance program.

Accelerated industrialization of the southern economy must be

regarded as a necessary long-run program needed to insure eventual parity between the South and the rest of the Nation.

Despite the long-run potential of a program of this kind, stronger and faster-acting medicine is needed to deal with the immediate pressing conditions of southern rural poverty. Effective progress toward solving these problems in any reasonable period of time can only be made by means of a major and large-scale national income maintenance program.

These hearings have shown the urgent need for a large-scale national income maintenance program of this kind. However, it is important to choose from a large number of possible programs one that does not hamper the essential long-run solution of southern economic development.

What is needed is a program that does not stifle initiative or discourage workers from seeking employment or better employment to further enhance their economic condition.

These requirements would appear to be most closely approximated by a program similar to the so-called negative income tax. I strongly urge that the Commission use its full influence and every means at its disposal to obtain enactment of a national income maintenance program similar to the negative income tax at the earliest possible date.

Nothing else is capable of dealing effectively and quickly with the conditions brought to light in these hearings. While the negative income tax has acquired widespread support in the past 2 to 3 years, there remains a great deal of confusion about its purposes and structure.

Much of the popular confusion about the proposal is traceable to the name, the "negative income tax." A term such as "employment incentive tax" would come closer to capturing the essential features of the proposal.

These are to provide a minimum income for every household, while at the same time not discouraging economically active households from providing for themselves to the greatest possible extent.

At the risk of creating some confusion, I will use the terms "negative income tax" and "employment incentive tax" interchangeably in the following discussion. What is attractive about the employment incentive tax is that, unlike most existing welfare and income maintenance programs, such as ADC and public assistance, it does not penalize the household that attempts to improve its economic status and reduce its welfare dependency.

This aspect of most existing welfare programs is a root cause of the cycle of poverty. Most existing programs have what amounts to a 100 percent tax on the earnings of recipients. It would take considerable skill and imagination to develop schemes which would more effectively stifle initiative and reduce the will to work.

The employment incentive tax would provide a floor for the incomes of every individual and family in the Nation. Each would receive as a matter of right from the Internal Revenue Service a certain minimum cash income.

This minimum cash income would vary according to the family size and composition. In this respect it is similar to many existing income maintenance programs. It differs from most of these programs in the use of a uniform national standard in allowing households to keep some percentage of any additional earned income.

The former has important consequences for migration behavior by insuring that individuals can exercise a free choice of where they will reside. As was noted previously, the latter is essential in terms of providing the incentives for households to do everything possible to become economically self-sufficient.

In addition to the obvious value of a proposal of this kind in terms of breaking the cycle of poverty in the rural South, there is still another and possibly even more important benefit that was brought home powerfully to me at these hearings.

This would be its effect in undermining and eventually destroying the system of economic bondage that continues to enslave and emasculate the poor white and poor Negro in the rural South. During the past 5 days of hearings, we have heard much testimony describing the instruments of this system and their skillful use.

In order to free the poor population of the rural South from real and imagined economic threats, and to restore its constitutional liberties, requires a fundamental change in the structure of these institutions. In particular, it is essential that the economic dependence of the poor Negro and white be reduced.

No fundamental social change will be possible so long as the poor white and Negro remains dependent on the white power structure. Only a measure such as the negative income tax, which provides a minimum income as a matter of right, will accomplish this end.

No amount of Federal dollars will lead to the independence necessary for full participation in society if they are channeled through these existing institutions.

The negative income tax would bypass these traditional arrangements entirely. Now, you might ask: would there be any benefits that would accrue to high-income whites from such a proposal? Would there be any reason why they should lend their support to such a proposal?

The answer, I think, is a clear yes. Much of the impression of the poor Negro and white is traceable to the poverty and narrowness of opportunity of the Southern economy as a whole. While it is true that the well-to-do white is at the top of the heap, the heap is a very tiny one. The carefully husbanded economic advantage of the southern white is in truth a very limited one. Because the South has more poverty than any other region of the country, the South as a region would be the principal beneficiary of the negative income tax.

While the economic hegemony of the well-to-do white would be sharply reduced, all would be compensated handsomely. The net result would be a greater economic, political, and social independence for all citizens and an eventual banishment of the fear which has been so characteristic of the hearings in recent days.

Let us not be mistaken: existing property owners would be enriched beyond measure. The result would be a richer and broader society in which all would be better off.

I envision that the regional redistribution of income from the rest of the Nation to the South, which would be a major consequence of the employment incentive tax, would be temporary. The long-run solution should be a redistribution of the Nation's productive resources in the development of the South's human resources.

As was noted above, an important feature of a proposal such as the negative income tax is that it permits a rapid solution to the problems of poverty and dependence, while at the same time not interfering with the longer-run solution of southern economic development.

To repeat, the employment incentive tax, since it allows recipients to obtain a significant fraction of anything they can earn, will not discourage work on the part of the able-bodied. In addition, a much enriched southern economy would be able to provide for the investments in human resources needed to achieve eventual production and economic parity with the rest of the Nation.

Dr. Mermann reported to us the disastrous effects of inadequate and insufficient diets on the school performance of impoverished school children. The negative income tax should insure that no child, white or black, will be unable to benefit from educational opportunities because he had too little or too poor food to eat.

Nor would the indirect benefits of an employment incentive tax stop at this point. A much wealthier southern economy would be able to tax itself to increase the educational opportunity provided to every child. It is well to remember that many of the inadequacies of southern education are traceable to its poverty.

As a percentage of per capita income, the South does about as well as the Nation as a whole. The difficulty is that this fraction of southern income buys far fewer educational resources. While the negative income tax, if set at reasonably high levels, it should, by itself, permit the South to radically improve the quality of its public education, health, and other investments in human resources.

These investments are so critical to the Nation as to strongly

indicate additional positive efforts. Even if a rapid expansion of economic opportunity, and employment in the South occurs, with the consequence of much reduced levels of outmigration from the South, the Nation will remain a highly interdependent whole.

Problems resulting from underinvestment in human resources in the South will continue to accrue to the metropolitan North. A number of staff reports have documented the rapid industrialization of the southern economy. The fact that this rapid industrial growth has not been sufficient to offset the still more rapid displacement from agriculture should not be allowed to obscure the importance of this growth to the southern economy.

It is strongly in the national interest that this process of southern industrial growth be accelerated further. The huge increase in purchasing power in the South that would result from an enactment of the employment incentive tax would by itself greatly accelerate this process by causing a massive expansion of its consumer markets.

Market-oriented producers of consumer goods would have a strong incentive to locate nearby these much expanded markets. This process would be further accelerated by the still low wage rates of the rural South.

As a slower-acting improvement in education and public health began to be felt in terms of a higher productivity labor force, there would be additional incentives for prospective employers to locate or expand production in the South.

The task is a large one. The objective should be the permanent elimination of the large disparities in income and productive resources that have separated the South from the rest of the Nation since the Civil War.

This argues for further positive efforts to encourage private investment in the southern economy. The task should be defined as the development of the southern economy as a whole. Capital subsidies in the form of business loans and tax-exempt securities, and public facility loans to develop a public infrastructure needed to support a modern industrialized and urbanized economy would appear to be the appropriate instruments for encouraging this private investment.

As testimony presented earlier in these hearings indicated, these tools are hardly new to the South. Tax-exempt municipal bonds have been widely used by communities throughout the South to attract new industry.

However, much of the advantage of these instruments has been lost as other and more prosperous parts of the country have imitated the South. I strongly recommend that the Commission urge Congress to enact legislation prohibiting the use of tax-exempt municipal securities in this way, except in those instances where such subsidies are consistent with the national policy of regional development.

Development of the rural South, particularly the Black Belt, should be the number one priority of such a national policy of regional development. Such legislation would restore the previous competitive edge of the South in attracting industry.

These legislative changes should be accompanied by a much enlarged program of business loans, community facilities, and other initiatives designed to further accelerate southern economic

development.

The final pressing need is to make every effort to insure that the southern Negro obtains a fair share of these expanding employment opportunities. These hearings have added to the already large body of evidence on the exclusionary and discriminatory hiring and employment practices rampant in southern industry.

The *quid pro quo* for a national program of southern economic development must be a change in these traditional labor market practices which have kept Negroes in the lowest-paying and least

desirable jobs.

Federal compliance activities relating to contractors is potentially the most potent weapon to insure that Negroes are afforded equal employment opportunities. It is essential that these legislative requirements be vigorously enforced.

Testimony by Federal compliance officers during these hearings has indicated both the promise and the limited progress that has been made in this area. There is no area of public policy that

promises more rapid or longer lasting results.

It is critical that the enforcement staffs of the contract compliance offices be greatly expanded, and that this effort be given the highest possible priority within the South. A crash program to insure compliance with Federal antidiscrimination requirements will have both immediate and long lasting benefits.

Testimony presented at these hearings supports the view that these enforcement activities must demand immediate results, and that they must go beyond dealing with current practices of discrimination in employment and in promotion and require that the decades of discriminatory practices be undone.

Again, these activities will be greatly assisted by a much accelerated pace of southern economic development. Economic develop-

ment and equal opportunity are highly complementary.

VICE CHAIRMAN PATTERSON. Thank you very much, Dr. Kain.

Are there any questions of this witness?

MR. GLICKSTEIN. No, sir, not from me.

VICE CHAIRMAN PATTERSON. I believe that we will spare you the questioning, Dr. Kain.

Before you leave the stand, I would like to say to you that this Commission is aware it has heard a very important paper from you. It is a thoughtful analysis of what has occurred here.

You have suggested some extremely sweeping changes. The national income maintenance program is a basic change in the

American economy and a far-reaching one. But I am inclined to agree with you that it is time for us to begin to look at far-reaching steps in this society.

And, therefore, I simply want to thank you for the perceptiveness of this paper, and for laying before us the challenge that probably will be before the country in the coming years. Thank you.

Dr. KAIN. Thank you.

VICE CHAIRMAN PATTERSON. You are excused. Ladies and gentlemen, this public hearing of the U.S. Commission on Civil Rights is coming to an end. I wish to express the Commission's appreciation to General John Carpenter, the Commanding General of the Air University, and to Colonel Paul A. Jones, the Commandant of Maxwell Air Force Base, for having made these facilities available for our hearing.

We also appreciate the services of the United States Marshals here present. The Commission also appreciates the cooperation of the officials of Alabama and the officials of the 16 counties covered by this hearing, and by the many private organizations and individuals who cooperated with us in holding the hearing.

For the past 5 days, this Commission has heard testimony concerning equal economic opportunity for Negroes in rural and nonmetropolitan areas of the State. Much of it was disturbing. The problems are by no means confined to Alabama. In varying form, they are all too general in America.

But we have looked at them here. There were certain themes that ran throughout the hearing. First, it was clear that deprivation and discrimination are continuing. Changes are taking place in the economy of the State, but little change in the situation of many poor people. The cycle of poverty and dependency is not being broken.

The testimony indicated several situations: a lack of adequate nutrition among people, a lack of clothing and shelter in many circumstances, poor and still segregated schooling in many areas, and perhaps one of the deeper problems that we encountered, a lack of job qualifications among Negroes because they lacked training, and a lack of training facilities for Negroes to qualify them for jobs—a cycle.

This lack of opportunity means that many young people are growing up without real hope. Second, the testimony before us has indicated that continuing violation of civil rights laws and failure of the Federal Government to devote adequate resources and commitment to enforcing them does continue.

Progress has been made in some areas, particularly in voting and in political participation, although even here some barriers remain. But in other critical areas, education, health and welfare, employment, and agricultural services, laws have not been made meaningful in too many cases.

Third, we have been impressed—this Commission has been impressed—with the many witnesses who told us they would like to remain in Alabama. At this point, it would be premature for the Commission to make any overall judgments on major policy issues growing out of the testimony that we have heard.

But we have been impressed with the many witnesses who want to stay in Alabama, and it is clear now, I think, that they should be given a choice. Many feel they do not have that choice. At the same time, we were impressed by the growing self-respect, the growing belief in self, among Negro citizens of Alabama who have undertaken self-help projects and have undertaken to raise themselves, as Sheriff Amerson said, by their own bootstraps.

Fourth, we feel from the testimony that to give the people a choice of staying or leaving they will need more resources, Federal resources as well as State and local. These are needed in education, in training, and the other fields that we have examined.

Of course, the Commission's interest in the problems discussed over these past 5 days will not terminate with this hearing. We will follow up with Federal agencies on the problems of Federal policy disclosed this week.

As we adjourn the hearing, I wish to point out again, as we have twice previously at this hearing, and quite generally to all witnesses who have appeared here, that they are protected against any threats or any effort to coerce or intimidate them.

Any coercions or threats of coercion, or intimidation should be reported to the Commission immediately, because such intimidation or coercion would amount to a Federal crime.

We believe that the testimony that we have heard will prove helpful in pinpointing the problems which must be dealt with in this area, in other areas of the South and in the Nation. It is our hope that this hearing will help local citizens and officials establish and improve communication between the various interests in their communities.

It is essential that we understand each other's problems and aspirations and the extent and the significance of the denials of equal opportunity that still exist in our country, so that we can take the effective action necessary to make America truly the land of the free.

This hearing is adjourned.

(Whereupon, at 12:15 p.m., the hearing was adjourned.)

# Exhibit No. 1

#### COMMISSION ON CIVIL RIGHTS

#### ALABAMA

#### NOTICE OF HEARING

Notice is hereby given, pursuant to the provisions of the Civil Rights Act of 1957, 71 Stat. 634, as amended, that a public hearing of the U.S. Commission on Civil Rights will commence on April 27, 1968, and that an executive session, if appropriate, will be convened on April 27, 1968, to be held at Maxwell Air Force Base, Montgomery, Ala., to collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin which affect the economic security of persons residing in the counties of Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox and in the State of Alabama; to appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin as these affect the economic security of persons in the counties above and in the State of Alabama, and to disseminate information with respect to denials of equal protection of the laws because of race, color, religion, or national origin in the State of Alabama in the fields of voting, housing, employment, public facilities, education, administration of justice, and related areas. Dated at Washington, D.C., March 27, 1968.

JOHN A. HANNAH, Chairman.

[F.R. Doc. 68-3643; Filed, Mar. 26, 1968; 8:46 a.m.]

#### Exhibit No. 2

STATEMENT OF C. H. ERSKINE SMITH, ATTORNEY-AT-LAW, BIRMINGHAM AND CHAIRMAN OF THE ALABAMA STATE ADVISORY COMMITTEE TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS, APRIL 27, 1968

Mr. Chairman and members of the United States Commission on Civil Rights, let me begin by saying, "It's nice to have you in Alabama". On behalf of the nineteen members of the Alabama State Advisory Committee to your Commission, and on behalf of thousands of Alabamians, black and white I extend to you and to the members of your claff. white, I extend to you and to the members of your staff, a warm and cordial welcome to the State of Alabama. While some persons in high places, who purport to speak for the citizens of this state, may express sentiments to the contrary, we are convinced that they are voices out of a dark and shameful past that represent an ever shrinking portion of our population. We are equally convinced that we speak for a large and ever expanding segment of our population, the voices of today and of a brighter tomorrow, when we say that we hope your stay here will be pleasurable and that as a result of your deliberations here, you will contribute to the elimination of racial discrimination and to the creation of a society where all citizens may walk in dignity, eat a wholesome diet, sleep in a decent house, live in economic and social freedom, and finally to die a timely death, unhurried by malnutrition and the lack of adequate medical services.

Mr. Chairman, as you know, the members of the Alabama State Advisory Committee serve without pay. Each has his or her own occupation and unfortunately each can give only a small share of time to the work of the Committee. Nonetheless, over the years we have carried out as vigorous a program as time and limited resources would permit. We are sure that much of what we have learned will be reported to you in graphic and detailed form by the many witnesses who are to follow me, so I will be as brief as

possible in summarizing our work.

I will report to you on our activities over the last three fiscal yearssince July 1, 1965. I would like to first summarize the projects conducted by our Committee, then make a few observations, and finally end with some recommendations from our Committee. In July of 1965 the Committee held an Open Meeting in Demopolis, Alabama covering developments in three blackbelt counties—Greene, Hale and Marengo—all counties which you are considering at this Hearing. The Committee heard testimony, sometimes under rather tense circumstances, from public officials and citizens on registration and voting, hospitals and health services, programs of the Department of Agriculture, employment, and the administration of justice.

administration of justice.

A year later, in July 1966, the Committee held an Open Meeting in Dothan, Alabama covering Barbour, Henry and Houston Counties. We considered school desegregation, the effect of anti-poverty programs and employ-

ment.

A third Open Meeting, or informal hearing was held in Selma, Alabama in May 1967, on the operation of the Agricultural Stabilization and Conservation Service (ASCS) of the Department of Agriculture. This inquiry covered the Counties of Dallas, Greene, Hale, Lowndes, Sumter and Wilcox, with staff reports on twenty other counties. The report of this inquiry, which is titled "The Agriculture Stabilization and Conservation Service in the Alabama Blackbelt", is being released today. I am pleased to present copies of the report to the members of the Commission. The Committee requests that the report be made a part of the record of this Hearing and that the members of the Commission give careful attention to the conclusions and recommendations contained therein.

In addition to the three Open Meetings, the Committee has carried out a number of other fact finding and fact dissemination projects. Shortly after the effective date of Title VII of the Civil Rights Act of 1964, July 2, 1965, the Committee held a series of three closed meetings with employers, labor officials and educators to gauge the impact of the new law on equal employment opportunity for Negroes of this state. Meetings were held in Birmingham in October 1965, in Mobile in November 1965 and in Huntsville in January 1966. A total of sixty-nine representatives of private employers, Federal agencies and labor unions met with the Committee. In addition, eight representatives of vocational schools reported on training opportunities for Negroes.

The Committee has long been concerned with the effectiveness of the HEW guidelines in producing school desegregation in Alabama. In June 1966 the Committee held a statewide conference to provide information on the guidelines. Approximately 1,300 civil rights and community leaders heard the Commissioner of Education and members of his staff explain the guidelines. More important, the Office of Education officials were able to hear from the citizens on the many problems they were experiencing at the local level

citizens on the many problems they were experiencing at the local level.

In 1967 the Committee sponsored six conferences or information meetings on the school desegregation guidelines. From February 17 to February 24, the Committee held one statewide conference in Montgomery and five area meetings in different parts of the state. Area meetings were held in Demopolis, Luverne, Tri-Cities area of Florence, Tuscumbia and Muscle Shoals, Anniston, and Huntsville. For each of these area meetings invitations were sent to public officials, educators, civil rights and community leaders in a four to ten county area surrounding the site of the meeting.

During the current fiscal year the Committee has been primarily concerned with urban problems and with job training and employment discrimination. Last summer two meetings were held with ghetto residents in Mobile and Birmingham to get their assessment of the nature of the problem. Police-community relations and employment emerged as the major problems. Because of the greater Federal leverage, the Committee decided to concentrate on job training programs of the Department of Labor and employment

discrimination.

Since Birmingham has one of only three Concentrated Employment Programs (CEP) in the South, and CEP is the Labor Department's newest tool for aiding the hard core unemployed, we began our inquiry in that city. During February and March of this year the staff in cooperation with the Jefferson County Committee on Economic Opportunity held five neighborhood level meetings in poverty areas of Birmingham to enable the poor and poverty workers to relate their experiences with CEP and the job market. Earlier this month the Committee held a two-day closed meeting to receive testimony from citizens and CEP officials on the operation of the program.

Although this inquiry is still in process, we have some tentative conclusions

to present.

Lastly, I would like to report that while our fact finding process has not proceeded very far to date, the Committee has a strong interest in the operation of the Selective Service System in this state. We have received a number of allegations, and our own Committee members report, that there is widespread discontent in the black communities of this state with the administration and operation of the draft and related programs in Alabama.

Mr. Chairman, this completes my summary of the Committee's activities over the last three fiscal years. Now I would like to make a few observations

based on our work.

I would like to begin with one general observation, and then move to several specific areas. It has been the Committee's observation that, for the most part, the Federal programs which are designed to aid the poor have had little impact on the black poor of rural Alabama. These people, who are among the poorest and most disadvantaged in the nation, have had their hopes raised again and again as they were told of the many Federal programs which were supposedly written with them in mind; only to find that in reality they were empty promises and a cruel hoax. There are many reasons for this situation and we hope the Commission will explore them thoroughly and come up with remedies. Among the reasons we have uncovered are:

The people do not know about the programs or how to apply for them.
 The legislation and/or agency regulations contain provisions which block their application to the poorest.

3. The persons who administer the programs do not share their goals

and do not assist the black poor in utilizing them.

4. The programs are controlled by the white power structure which is

not interested in helping the black poor.

5. The funds provided are not adequate to really make a dent on the problems.

Now a few specific points about specific areas. First to education. We have told you of our many meetings on school desegregation and our inclusion of education as a field of inquiry in Open Meetings. Everywhere we went in this state we were told repeatedly by local citizens, "Freedom of Choice must go"—and we reported it repeatedly to Washington officials. Your own report, "Southern School Desegregation, 1966–67", gives a number of examples of the ineffectiveness of the free choice system. Also, we were told in numerous meetings that Title I programs (under the Elementary and Secondary Education Act) were being used to further entrench segregation. As far as we could determine, there was no effective Federal enforcement program related to the granting and expenditure of Title I funds, for it was left largely to the state departments of education. Now we are told that state departments will have even greater control over Federal education funds. Gentlemen and lady of the Commission, in Alabama this gives us cause to wonder about the Federal intent. Finally let us consider the quality of education provided in the Negro schools which the overwhelming majority of Negro students still attend-fourteen years after the Brown decision, after several sets of HEW guidelines, and after the Jefferson decision. Again and again the Committee was told that the Negro schools were not turning out again the Committee was told that the Negro schools were not turning our graduates who were equipped to compete in this modern technological society. They can not pass employers' tests, or the Federal government's civil service examinations. At the Dothan Open Meeting the Committee was told that the Civil Service Clerk-Typist Examination had been given to 54 graduates of Negro high schools with commercial departments. The Federal personnel officer reported, "However, we were much discouraged to note that from five schools with 54 students, none of the students passed any portion of the examination, including the clerical aptitude test" . . . (transcript p. 387). Likewise I refer you to pages 338-340 of the Dothan transcript for a description of the property of the propert Likewise, I refer you to pages 338-340 of the Dothan transcript for a description of a Negro school in former Governor Wallace's home county of Barbour. After you read it you will not question why the score was 54 to nothing.

In March of this year HEW issued another set of guidelines, with another set of target dates. Freedom of choice is still permitted, but districts are told

It must work. It states that school systems have "the affirmative duty under law to take prompt and effective action to eliminate such a dual school structure and bring about an intergrated unitary school system". And it says that all shall be completed by "the opening of the 1968-69 or, at the latest, 1969-70 school year". Mr. Chairman, the black people of Alabama don't believe thees words, and they told us so in countless meetings across this state. We say it is a serious thing when people have lost faith in their government's words. Anything which you can do to correct this situation will be appreciated.

A few words about anti-populate account. it must work. It states that school systems have "the affirmative duty under

A few words about anti-poverty programs. What we have seen of community action programs (CAPs) in rural counties, gives us little hope that they will help break "the cycle of poverty" for rural Negroes. Too often they are controlled by the local white power structure, and have no meaningful program. With the exception of Head Start, which is a very useful program for pre-school children, but does little to help adults get out of poverty, a review of the programs of rural CAPs will reveal little that offers promise of fulfilling the objectives of the Economic Opportunity Act of 1964. In fact, the only anti-poverty programs which offer any real promise are those which are funded directly from Washington and have by-passed the local CAP. We understand that you will hear testimony of SWAFCA and on some of the programs funded by the Migrant Division of OEO in Washington. Without belaboring the point further, we suggest that the Commission compare the programs funded directly from Washington with those that operate through local CAPs. We think that such a comparison might prove revealing.

Now to registration and voting. It is true, of course, that things have improved considerably since we considered this subject at our Demopolis Open Meeting. The Voting Rights Act was of considerable help in those counties where Federal Examiners were assigned (and we suppose that their effect was felt in some of the other counties). But we were disappointed that the Attorney General chose to send examiners to only twelve Alabama counties. For even in those counties where local registrars agreed to register Negro citizens, there are strong deterrents to registration and voting. The

Federal presence in such counties would help to minimize fear.

We know that the Commission is just completing a study of the barriers to political participation in the South, so we shall not tarry long on this point. Suffice to say that there are still many barriers to the full political participation of Negroes, that the problem did not end when local registrars agreed to register Negroes. The "rules of the game" are being changed constantly to maintain white supremacy. Fear is still a formidable enemy and the lack of economic security among rural Negroes remains a serious obstacle. Again we have a vicious cycle, the lack of economic security leads to the lack of effective use of the franchise, which contributes to the lack of economic security.

In the area of administration of justice, again we can report that some progress has been achieved. However, while the worst manifestations of this problem have reduced markedly, the problem has not disappeared. The events of private and official violence reported at the Demopolis Open Meeting were once an almost daily event in so many Alabama Black Belt counties. Today it is an exception rather than the rule. But also much reduced are the civil rights workers, the "outside agitators", SCLC, SNCC, and the others—reduced is the direct confrontation with the white power structure which

produced so many of the violent acts.

In spite of the election of one Negro sheriff and the appointment of deputies in some counties, the face of justice in Alabama is still white! We commend to you the Southern Regional Council report on administration of commend to you the Southern Regional Council report on administration or justice in the South. Furthermore, we are inclined to believe that if there were an increase in direct confrontation there would be an increase in acts of violence. The Civil Rights Act of 1968 should be of some value in this area, if it is vigorously enforced by Federal authorities.

In the area of employment, the Committee found in its three meetings in Alabama cities that indeed employers were aware of Title VII and its provisions. In some cases, employers had hired one or two Negroes in non-traditional jobs just before or just after the effective date of the law. For

traditional jobs just before or just after the effective date of the law. For the most part, employers reported that they could not find qualified applicants among Negroes. The Committee found that a number of companies began using pre-employment tests and tests for upgrading near the time of the effective date of Title VII or whenever separate lines of progression or other discriminatory provisions were eliminated. The Committee found that the Negro high schools, de facto Negro vocational schools in Mobile and Huntsville and a Negro college were not turning out graduates who could meet the employers' qualifications, or were largely training students for traditional occupations. On the other hand, the Committee found little evidence of really affirmative action on the part of employers to recruit, train and employ Negroes. Few Negroes were found in white collar or upgraded positions. Some of the space age industries of Huntsville were an exception to some of these generalizations. However, it would appear that many of the Negroes employed in professional or upgraded positions with these industries were from outside of Alabama.

A few additional comments on the employment situation will be made in connection with the Committee's report of its urban activities.

In the area of agriculture, most of the Committee's comments can be found in the ASCS Report which I have just submitted to you. At the Demopolis Open Meeting information was received on the operation of the Farmers Home Administration and the Extension Service as well. Since the Demopolis data are now out of date, and the Commission, as I understand it, will be hearing information on all three programs, I will keep my comments brief.

In the Committee's judgment, although Department of Agriculture regulations have been changed a number of times, and although token advances have been made, the overall conclusion of the Commission's 1965 Report, "Equal Opportunity in Farm Programs", remains unchanged as far as Alabama is concerned, namely that Negroes have not shared equally the benefits of millions of dollars spent annually by the Federal government to

For instance, in Demopolis in 1965 the Committee was told by a Negro farmer that he, acting for a group of Negro farmers in Greene County, had considerable difficulty merely finding out about procedures for utilizing Department of Agriculture programs. Two years later in Selma a witness told the Committee, "information . . . has not really been given at all. It is sort of coerced out of the officials. If you don't know the right question, you don't get the information you need." This is just one way in which the system works against the Negro farmer and rural citizen. Our ASCS Report comments on several others.

The Commission's 1965 Agriculture Report created considerable discussion and resulted in a number of changes in Federal policy, but as our report reveals, the job is largely unfinished. We hope that, as a result of these Hearings, the Commission will continue the battle it started in 1965 and will

not cease until some fundamental changes have been made.

Before completing my observations, Mr. Chairman, I would like to tell you something about the Committee's recent work in urban centers. While the subject of this Hearing is economic security for Negroes in rural Alabama, the problems of the cities and the problems of the rural areas are inextricably interwoven. At the Selma Open Meeting a Committee member asked a witness where did persons go who were being forced from the land. His reply was, "they go to Detroit, Chicago, New York, Birmingham, the next county". At the Dothan Open Meeting and at our several area school desegregation meetings the Committee was told repeatedly of the exodus of high school graduates and others to the cities in search of the opportunities which were denied them in the small towns and rural areas.

Our meetings with ghetto residents of Mobile and Birmingham produced results similar to those heard in big cities outside of the South—that police mistreatment, unemployment and under-employment are the major problems. In our review of the Concentrated Employment Program (CEP) in Birmingham, which is continuing, we think we see another example of an ineffectual Federal program. This time the structure and the operating personnel appear to be capable, but the program is hamstrung by other factors which prevent it from realizing its potential. A huge structure is created for finding and training the hard core unemployed and the under-employed, but there is little money for skill training provided, or the period of time allotted to the adult basic education courses and the skill training is too short to complete the job adequately. The most serious problem of all is the lack of

cooperation by private and public employers in eliminating discriminatory practices or revising employment requirements to provide jobs for those who complete the program. Our Committee will have more to say on the Birmingham CEP when we have completed our investigations.

Finally, I come to the recommendations of our Committee. No attempt will be made here to offer detailed recommendations on each of the areas touched on earlier, for you have or will have our reports on each subject. Instead, we wish to make five general recommendations for your consideration:

1. We know that there are many pressures on the Commission to devote all of its energies to the pressing and complicated problems of the urban centers of our nation; and our Committee shares a concern that more of the Commission's resources be devoted to such problems; but we recommend that the people of rural Alabama and the rural South not be forgotten, and that a small task force on rural problems continue the work here.

2. We are convinced that the problems of the rural poor cannot be solved by patching up existing programs through changes in existing regulations. We think new structures and new personnel who are sympathetic to the needs of the people are needed, along with new programs. Therefore, we recommend that your recommendations, once you have studied the problems adequately, be bold and truly chart a

new future for a forgotten people.

3. We are deeply troubled by the Federal Government's Compliance program, by the countless number of compliance forms and assurances which flow between Alabama and Washington—but which signify which now between Alabama and washington—but which signify nothing. This is the age of "paper compliance". To remedy this situation, we recommend that you call for a results orientated compliance program, for new standards which say "the proof is in the pudding".

4. Although we have alluded only briefly to our concern with the Selective Service System as it operates an Alabama, we consider it one of

the most serious problems ever to confront this Committee. At a time when citizens are being called upon to die for their country, and many are doing so bravely, any hint of discrimination in the selection of those citizens is intolerable. Therefore, we recommend that Commission review the operation of the Selective Service System including employment practices, the National Guard, the Reserve and related services in the 16 counties which are the subject of this Hearing (where there are no Negro members of Draft Boards, despite the high Negro population) to determine if the suprime works to the disease. Negro population) to determine if the system works to the disadvantage of Negro citizens.

5. Lastly, our Committee is indebted to the field staff which you have assigned to our Committee. Without them we would not have been able to accomplish that which we have done. Yet, we are dissatisfied as we must share our field representative with two other states (and his family, who would like to see him occasionally). Therefore, we recommend that, in order to make the work of this Advisory Committee more effective, that more staff be assigned to the Southern Field Office so that our Committee can do a more effective job.

In closing, Mr, Chairman, let me say once again how pleased we of the Alabama State Advisory Committee are to have you in our state. We know that you are not unmindful of the fact that you are meeting in the city in which the martyred Martin Luther King, over twelve years ago, launched his career for freedom and justice; and in the state where he fought so many battles—Montgomery 1955-56; Birmingham 1963; and Selma 1965. And we know that you realize that in his famous "I Have a Dream" speech in Washington in 1963, Dr. King had a special dream for Alabama. Today, in our cities, many of our black citizens have lost faith in Dr. King's dream, as they have lost faith in America's promise. In the rural areas of Alabama, however, there are still many black citizens who share Dr. King's dream:

"I have a dream that one day the state of Alabama . . . will be transformed into a situation where little black boys and girls will be able to join hands with little white boys and girls and walk together as sisters and brothers."

It is our fervent hope that what you do here in the next few days, and what we do here in the many days to come, will contribute to making Martin Luther King's dream for Alabama come true—before it is too late! Thank you.

#### Exhibit No. 2

B.

# THE AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE IN THE ALABAMA BLACK BELT

A REPORT OF AN OPEN MEÈTING BY THE ALABAMA STATE ADVISORY COMMITTEE

TO THE U.S. COMMISSION ON CIVIL RIGHTS

**APRIL 1968** 

# ALABAMA STATE ADVISORY COMMITTEE TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS

# C. H. Erskine Smith, Chairman Birmingham

E. B. Goode, M.D., Vice Chairman Mobile

Mrs. Vera C. Foster, Secretary Tuskegee Institute

Orzell Billingsley, Jr.

Birmingham

John L. LeFlore Mobile

Rev. Dallas A. Blanchard\*

Mobile

Hon. Edward D. McLaughlin

Jacksonville

John L. Cashin, Jr., D.D.S.

Huntsville

Mrs. Frances P. McLeod\*

Montgomery

Louis Eckl\*

Florence

Jay W. Murphy University

Rev. Albert S. Foley, S.J.

Mobile

Miss Mary L. Pandow

Huntsville

Rev. Edward Gardner

Birmingham

J. A. Parker Tuskegee

Charles G. Gomillion

Tuskegee

Lucius H. Pitts Birmingham

Fred D. Gray

Joe L. Reed Montgomery

Montgomery

Roger W. Hanson, Ph.D.

Birmingham

Rev. Francis X. Walter

Tuscaloosa

James A. Head

Birmingham

Mrs. Kathleen K. Wood\*

Mobile

<sup>\*</sup>No longer a member of the Committee.

# 657

# CONTENTS

	Page
PREFACE	658
INTRODUCTION	659
THE AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE	660
Agricultural Conservation	660
Crop Acreage Allotments	660
Price Support	660
HOW ASCS FUNCTIONS	660
Employment	660
State ASCS Committees	662
County and Community Committees	663
Unequal Benefits	667
CONCLUSIONS	669
Employment	669
State ASCS Committees	669
County and Community Committees	669
Unequal Benefits	670
Summary Conclusion	670
RECOMMENDATIONS	67
APPENDICES	675

#### PREFACE

#### The United States Commission on Civil Rights

The United States Commission on Civil Rights is an independent agency of the Executive Branch of the Federal Government created by the Civil Rights Act of 1957. By the terms of that Act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission also is required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

#### The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Committees are made up of knowledgeable persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission upon matters which the State Committee has studied; assist the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any public hearing or conference which the Commission may hold within the State.

This report was submitted to the United States Commission on Civil Rights by the Alabama State Advisory Committee. The conclusions and recommendations are based upon the Advisory Committee's evaluation of information received at its open meeting held in Selma on May 26–27, 1967. This report has been received by the Commission and will be considered by it in making its reports and recommendations to the President and the Congress.

#### INTRODUCTION

On May 26-27, 1967 the Alabama State Advisory Committee to the U.S. Commission on Civil Rights held an open meeting in Selma to consider the operation of the Agricultural Stabilization and Conservation Service (ASCS) of the U.S. Department of Agriculture in six Black Belt counties: Dallas, Greene, Hale, Lowndes, Sumter, and Wilcox. Federal, State, and county ASCS officials, local residents, farmers, and civil rights workers were heard.

The meeting was in response to allegations that there was racial discrimination in ASCS elections, and the Service's employment practices and that the agency's programs had failed to involve poor Negroes. These allegations coincided with the conclusion of the U.S. Commission on Civil Rights 1965 Report, Equal Opportunity in Farm Programs, that:

The most serious problems of equal protection of the laws in the Agricultural Stabilization and Conservation Service programs are the exclusion of Negroes from the decision-making of State and county committees and from employment in county offices.

The Alabama State Advisory Committee undertook this study because ASCS programs, in addition to being decisive factors in the livelihoods of farm operators and the communities in which they live, are crucial to the

economy of the entire Nation.

In order to determine whether the situation described in the Commission's 1965 Report has remained unchanged in the Alabama Black Belt, individuals with first-hand knowledge of the programs—officials, farmers, and persons who have been working with the farmers—were invited to meet with the Committee. In addition, an analysis of the operation of ASCS in 26 Alabama counties was prepared by the staff of the U.S. Commission on Civil Rights. The 26 counties were selected because Negroes constituted 20 percent or more of the farm operators in 1964. In 12 of these counties, Negroes constituted more than 50 percent of the farm operators.

more than 50 percent of the farm operators.

This report explains the operation of the ASCS, and summarizes information collected at the meeting. The Advisory Committee's conclusions and recommendations are based on information presented at the meeting and staff

research.

The Alabama State Advisory Committee to the U.S. Commission on Civil Rights hopes that this report will stimulate appropriate action by the U.S. Department of Agriculture to correct whatever violations of Federal policy that exist.

## THE AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

The Agricultural Stabilization and Conservation Service (ASCS) was organized in June 1961 as the successor to agencies first established by the Agricultural Adjustment Act of 1933 to administer programs of agricultural conservation, crop acreage allotments, and commodity price supports. The basic purpose of such programs is to control surplus production and stabilize the income of farmers engaged in growing the allotted crops.

The ASCS is headed by an administrator in Washington, D.C. with six area directors, 50 State offices, and 3,061 county offices. There are 67 county

offices in Alabama.

ASCS is responsible for the administration of the following programs:

#### Agricultural Conservation

Farmers and landowners who participate in the Agricultural Conservation Program (ACP) receive assistance averaging about one-half the cost of carrying out soil and water conservation practices. This includes such operations as grass and tree planting and erosion control. Approximately \$225 million is spent on this program annually in the United States.

## Crop Acreage Allotments

Acreage allotments and diversions of land use are methods of controlling the production of such basic commodities as cotton, rice, peanuts, tobacco, wheat, and rice. More than three million farm acreage allotments are determined each year. National acreage allotments are divided among farms on the basis of past history of production of the crop within each State. For cotton, State allotments are apportioned among counties and the county allotment is then apportioned among farms. Commodity diversion payments are made to producers of feed grains, cotton, and winter wheat who agree to reduce their acreage planted in these crops. In fiscal year 1965, such payments amounted to \$947 million in the United States.

Other production adjustment programs include the Cropland Adjustment

Other production adjustment programs include the Cropland Adjustment Program, which seeks to encourage farmers to shift their croplands planted in surplus crops to long-range conservation, recreational, or open-space use, and the Conservation Reserve Program, or Soil Bank, under which producers agree to keep cropland out of production on a long-term basis. Although this program was closed in 1960, rental payments are still being made on acreage

covered prior to 1960.

#### Price Support

To insure stable market prices and to provide protection for farm income, the ASCS supports commodity price levels by loans to farmers, direct purchases of their crops, and price support payments on certain commodities. The dollar value of price support extended on 1964 crops was \$3.1 billion.

## How ASCS Functions

The Southeast Area office has supervisory authority for all ASCS activities in eight Southeastern states, including Alabama. Although the State and county ASCS offices carry out the program in the field, the area office is responsible for implementing nondiscrimination regulations in ASCS employment programs and administration. The area director and his staff exercise this responsibility through instructions to subordinate offices and through review and correction of justified complaints.

## Employment

State and county ASCS employees are paid wholly from Federal funds, though only the State employees are under the U.S. Civil Service System. However, they are all subject to the nondiscrimination requirements of the Federal Government and the Department of Agriculture.

Following passage of the Civil Rights Act of 1964, the ASCS administrator sent a letter to the Chairmen of State ASCS Committees on March 22, 1965

in which he announced the following policy:

Provide equal employment opportunities in the State and county offices during this and succeeding years. Full consideration will be given to the previous imbalance of employment which has prevailed. In each State, the goal will be to achieve a minority group employment percentage equal to the percentage of nonwhite farmers in the State.

This policy however was suspended in November 1966 because it was determined that it conflicted with Civil Service merit nonquota regulations. The policy was modified to provide that, without any formula, ASCS "continue to make available enlarged employment opportunities for disadvantaged people and people who are members of minority races."

Several participants in the open meeting reported that despite official pronouncements, employment discrimination is still widespread in Alabama

ASCS offices.

Robert Valder, Associate Director of the Alabama Council on Human Relations, said that, "The [ASCS] State office has about 43 employees. Two of them are Negroes. One is a female clerk-typist and one is a male clerical worker."

The Committee was told also that as of December 31, 1966, there were no

Negroes among the 25 professional employees in the State ASCS office.

When Jack Bridges, Alabama State ASCS Committee Chairman, was asked why none of the 25 professionals was Negro, he replied: "We have two or three Negroes in the State office." When it was pointed out that the Negroes were clerical and not professional employees, Mr. Bridges replied: "Well, we have what is called a program specialist. I don't think that we could find anyone who was qualified with the proper training. I do not say that there were none with the proper training but there were none with the proper training. were none with the proper training, but there was none available at that

In the 26 counties studied, only seven of the 130 regular county office employees and none of the 22 regular field employees were Negroes as of December 31, 1967. In 1966 there were six Negro employees among the 127 regular office personnel in the county ASCS offices and none prior to 1965.

Though six county office managers were invited to meet with the Advisory Committee, none appeared on the first day of the meeting. Because of the efforts of the ASCS Southeast area officials, two office managers and two

compliance supervisors appeared the following day.

Explaining why no Negroes were employed in the Sumter County ASCS office, Woodson Ennis, the office manager, claimed that there had been virtually no turn-over in his staff. He said: "... of the clerks that are in my office, they . . . have a period of service for over 100 years, collectively. Well, we have had no vacancy for a full time employee."\*

Jack Strother, Wilcox County ASCS office manager, stated that his office

Jack Strother, Wilcox County ASCS office manager, stated that his office has two field reporters who "have been doing that for over 15 years," but no new reporters have been hired in 1967. In 1966, "we had three reporters in the field . . . which were nonwhite," Mr. Strother said.

Gains in seasonal and part time employment for Negroes have been made, but little progress has been registered in permanent employment opportunities.

tunities.

In Dallas County where three of every four farm operators are Negro, there are no Negro permanent employees in the ASCS office. Milton Morrow, compliance supervisor, said that though the office employed no Negroes at the They were employed temporarily as field men to measure land.

Mr. Morrow said that persons hired as field men, "... have to be a high

school graduate [and] know how to figure ground measurements . . . There is no test." The six Negroes who worked in this capacity in 1965 were school

teachers, said Mr. Morrow.

Another compliance supervisor, E. B. Davis, employed by the Wilcox County ASCS office since 1934, was reluctant to meet with the Committee or answer any questions. When asked if a Negro could do the work he performs,

<sup>\*</sup>A Negro has been hired as a staff member of the Sumter County ASCS office since the Advisory Committee meeting.

Mr. Davis replied: "He could, but he wouldn't have the experience as I have." He then added, "I have had colored ... compliance boys work under me and I had one that was just as good as any white that I have ever had ... He checked land good. He didn't smoke and he didn't drink."

Negro farmers and civil rights workers charged that white landowners help perpetuate the system which excludes Negroes from employment in the ASCS offices. Shirley Mesher, a civil rights worker in Dallas County, accused ASCS officials of being more attentive to the interests of the white landowners than to the needs of Negro farmers. Because of their identification with the white community, ASCS officials help maintain the traditional patterns of racial segregation in the areas in which they work, Miss Mesher charged.

John Vance, ASCS Southeast Area Director, however claimed that the agency was making progress in the employment of Negroes. Explaining why there are no Negro county office managers, Mr. Vance said, "The county committee . . . is eleced by the farmers . . . (and) is entitled to appoint the

county office manager."

Equal employment opportunity is given time and attention comparable to that given any other phase of ASCS responsibility, Mr. Vance stated. Regarding complaints, Mr. Vance said, "To the best of my knowledge every instance where there has been an allegation of discrimination in the field of employment, we have religiously referred those complaints to the official investigative agency of the department, which is our Inspector General, and those complaints have been thoroughly investigated by experienced and trained agents, some of whom have included people from the Federal Bureau of Investigation. In every instance where a violation has been proven, to my knowledge, action has been taken."

A member of the Advisory Committee asked how could complainants expect justice when they are required to file their complaints with the county com-

mittee—the group they are complaining about.

Mr. Vance replied that the procedure provides that the first appeal be made to the county committee and that its ruling can be appealed to the State committee and finally to Washington.

Victor B. Phillips, Assistant to the Administrator of ASCS, said that "a notice of equal opportunity is posted in all county offices." Regarding em-

ployment, the notice states:

Every person has a right to equal employment opportunities in the ASCS. ASCS and USDA acknowledge and will protect this right. No person or employee or applicants will be discriminated against because of race, creed, color, sex, or national origin.

# STATE ASCS COMMITTEES

The farmer committee system is the most important element in the administration of the ASCS programs at the local level. Committees are responsible for the key decisions regarding crop allotment, price support,

and conservation—programs directly affecting the farmer.

The five-member State committee, the policy-making group in each State, is appointed by the Secretary of Agriculture for one-year terms to supervise the work of the county committees. Members are appointed to give representation to the major types of farming and geographical areas of the State. To be eligible for appointment, a person must be actively engaged in farming and must be interested in and sympathetic toward the ASCS programs.

Prior to 1965, no Negro had ever been appointed to a State committee in the South. In 1965 Negroes were appointed to State committees in Arkansas, Maryland, and Mississippi, and in 1967, to State committees in Alabama, Georgia, and South Carolina. The Negro member of the Alabama State committee appointed in 1967 is part owner of a 260 acre farm. The four white members own farms ranging in size from 320 to 6,218 acres.

Mr. Bridges said the Negro member of the Alabama State ASCS committee was appointed in 1967 following a policy enunciated by the ASCS Administrator that there should be a Negro State committeeman where there are 10 percent or more Negro farmers. The Negro appointee filled the first available vacancy on the committee, he said. Mr. Bridges said officials at Tuskegee Institute and other responsible Negro leaders were consulted about

the appointment.

According to Mr. Valder, the usual procedure is to have new State committee members recommended by the State director, the State committee, and the State congressional delegation. The committee's first Negro member however apparently was appointed without the knowledge of these individuals. The State director told Mr. Valder that he did not know anything about the appointment until he read the newspaper announcement.

On March 22, 1965, the Administrator of ASCS established a policy affecting 11 Southern States which required that:

an advisory committee of capable Negroes (be established) to assist the ASCS State committee in assuring:

(a) equal employment opportunities at both State and county levels, (b) equal opportunity to participate in ASCS programs, (and)

(c) full participation in community and county committee elections, both as voters and candidates."

These separate, all-Negro bodies were to be comprised of Negro educators, businessmen, ministers, and farmers. Only one of the four Negro members of

the State Advisory Committee in Alabama is a farmer.

The Alabama State Advisory Committee to the Commission was told by civil rights workers that the all-Negro State ASCS Advisory Committee is ineffectual and does not afford Negro farmers a meaningful degree of control over decisions affecting their livelihood. Neither does it provide equality of participation in the federally assisted farm programs. However, if it is viewed as a temporary effort to provide Negroes a voice in ASCS programs, it can be tolerated, the civil rights representatives asserted. Mr. Valder however contended that the committee had no authority and suggested that it be abolished.

Mr. Vance explained that the Advisory Committee met occasionally with the State Committee and advised it on equal opportunity matters. Mr. Bridges defended the Advisory Committee as being ". . . a fine group of

gentlemen . . . "

#### COUNTY AND COMMUNITY COMMITTEES

Each county is divided into communities. Farm operators in each community elect a community committee comprised of three regular and two alternate committeemen. The regular members convene with those from other ocmmunities in the county to elect a county committee of three regular and two alternate members. County committees are the primary point of control in local ASCS programs. They are responsible for setting the policy and goals of the county program, implementing it, supervising committee elections, hiring the county office manager, and fixing the rates of pay for office personnel.

Although the main function of the community committees is to inform farmers of the purpose and provisions of ASCS programs, most Negro farmers complained that they have not been informed by the committees

about the programs.

In concept, the committee system is intended to function as an institution of grass roots democracy and as an instrument of efficient administration of government agriculture policy. It has been criticized as being deficient on both accounts. As Morton Grodzins, a member of an independent study committee that reviewed the system in 1962, reported:

The very fact of intimate acquaintanceship with and participation in the local community may lead not to even handed justice but to sub-servience to the powerful and neglect of the weak. (It is worth noting that in all the county committees of the South there has never been, as far as I can discover, a single Negro member.) Justice, in other words, may be hindered by intimacy and fostered by aloofness. This is especially so in a rural community where powerful people have a great opportunity to punish their local opponents with a wide range of economic, social, and political weapons.

Until 1964, Negroes had not, with rare exceptions, participated in ASCS

committee elections in the South. After the 1966 elections, none of 4,146 regular county committeemen in any county in the South was a Negro. In fact, of 2,764 alternate county committeemen in the South, only two, both in Georgia, were Negroes. Of 27,198 regular community committeemen only 113 were Negro, and of 18,132 alternate community committeemen, only 430 were Negroes. Alternate committeemen are nonvoting members. There are 58 counties in the South where Negro farmers constitute the majority and approximately 320 where they constitute at least 20 percent of the farm operators.

For the six counties considered at the open meeting, 11 of the 104 regular community committeemen and 12 of the 76 alternate community committeemen were Negroes, although 63 to 74 percent of the farm operators in these

counties were Negro.

According to the Sumter County ASCS office manager there were so few Negro committeemen because "colored people . . . prefer that the white men

carry on their business activities."

The March 1965 ASCS policy stipulated that county committees were to place Negroes on the ballot for community committee elections in proportion to the number of Negro farmers in the county. In Greene County, 163 Negroes were nominated in eight communities for 40 positions. In Lowndes County, 135 Negroes were nominated in six communities for 30 positions.

Several Negro farmers charged that county committees deliberately nominated a large number of Negroes for election to the community committees in order to dilute the Negro vote thus assuring white control. To prevent such abuses in the 1966 elections, ASCS revised its nominating procedures to require that community committee nominations be limited to not less than six nor more than ten persons, exclusive of petitions, and that the slate contain Negro nominees in the same proportion as they are to the farm population of the community.

In 1966, as a result of the revised nominating procedure, 290 Negroes were nominated by the committees in the six Black Belt counties, whereas

in 1965, 601 Negroes were nominated by the committees.

Although Negro voting participation in committee elections is increasing, it is still proportionately less than that of whites. In some cases there have been declines in the number of Negro eligible voters.

Three of every four farm operators in Greene County are Negro according to the 1964 Census of Agriculture. In 1965, Negro eligible voters outnumbered whites, 1,305 (70 percent) to 560, with majorities in seven of Greene county's eight communities. There were 184 Negroes listed as candidates. Although whites voted a remarkable 92.5 percent of their eligibles, Negro votes still outnumbered whites 561 to 518. Twenty-four white and no Negro candidates were elected as regular committeemen. Only one of the 16 alternate committeemen elected was Negro.

In 1966 the number of Negroes eligible to vote dropped to 1,204 and the number of whites increased to 573, although Negroes continued in the majority in seven of the eight communities and accounted for 67.8 percent of all eligible voters. Again a remarkable percentage of white eligibles voted —90.6 percent—while the Negro vote dropped to only 40.3 percent of eligibles. As a result, more whites than Negroes voted—519 to 485. Eighty-nine Negroes were candidates for election, of whom 66 were nominated by the committees. One Negro was elected as a regular committeeman and another as an alternate committeeman. Both successful candidates were among the 23 Negroes who had been nominated by petition. The Negro elected as a regular committeeman lived in a community where Negroes outnumber white eligibles 308 to 82.

Negro voting in 1966 decreased in five of the seven communities in Greene County. Amazing differences in Negro and white participation occurred in the same communities. In one community (Eutaw and Springfield) 151 (93.3 percent) of 163 eligible whites voted but only 56 (28 percent) of 200 eligible Negroes voted. In another community (Union), 55 (96.6 percent) of 58 eligible whites voted but only 14 (20.5 percent) of 73 eligible Negroes voted.

Several persons told the Committee that Negro farmers, eligible to vote in the elections, are reluctant to do so for fear of economic reprisal. White landowners and farm operators are determined to maintain control. Where

Negroes are in the majority, said Rev. Percy McShan of Greene County, the white man is trying to force him out.

Rev. Thomas Earl Gillmore, also of Greene County, reiterated Rev. McShan's charge, claiming that Negro farmers are being evicted because they are attempting to exercise their rights to participate in ASCS elections. He estimated that 70 families in Greene County were evicted between May 1966 and May 1967. In one case 13 families were evicted from one farm and 10 from another he said "A man had lived on a white may place for "". 19 from another, he said. "A man had lived on a white man's place for 37 years, and his eviction notice was a matter of 'you be out tomorrow,'" said Rev. Gillmore.

Asked where they go when evicted, Rev. Gillmore answered: "They go to

Detroit, Chicago, New York, Birmingham, the next county.

Rev. McShan told the Committee that he spent a great deal of time explaining election procedures and getting people to vote. He said that he did not know of any meetings that ASCS had called. "The only thing that they

have done is to send out a letter from the office."

Mrs. Lillian S. McGill of Lowndes County told the Alabama State Advisory Committee that although ASCS elections began in 1933, Negroes had only recently realized their significance. In the past, she said, Negroes voted for the five or six white candidates listed on the ballots because they were told to vote "... in order to keep cotton in the State of Alabama so that they may be able to get the amount of acreage that they needed." According to Mrs. McGill, Negroes knew nothing about the ASCS elections or the ASCS programs until about 1965.

"In 1965 the Lowndes County Christian Movement was initiated and the Negroes began to take interest in finding out that the ASCS elections was one of the greatest organizations in the county and that it had full control over the price support and eligibility along with the amount of income that the farmers had," Mrs. McGill said. "That was when the average Negro income was less than \$500 savings a year after a starving family had worked themselves to death. At this particular time we decided that that year, 1965, that we would do something about trying to get Negroes on the ballot."

It was through the efforts of the civil rights organizations that Negro farmers met and became informed about the ASCS elections and programs, Mrs. McGill said. The Negroes were unsuccessful however in winning elec-

tion to community committees.

Mrs. McGill charged that the ASCS county committee nominated 75 Negroes in a successful effort to split the Negro vote. She also charged that "many Negroes voted for whites because the landlords took up the ballots and they voted the way they wanted them to vote." If Negro tenants refused to cooperate, the landlords reduced their farm acreage, raised their rents or evicted them from the farm, she pointed out.

Negro farmers from each of the six counties gave examples of irregu-

larities connected with ASCS voting and election procedures.

-One farmer alleged that where there were two or more Negro farmers in one house they received only one ballot, but frequently the wives and

children of white farmers received ballots.

—A Negro farmer elected as an alternate to a community committee claimed that he never was notified of or invited to committee meetings. Another alternate said that he was told his job would be to inform people about ASCS programs, but he was never given any information to transmit.

-Several tenant farmers claimed their landlords asked them for their ASCS ballot or told them how to vote. When they refused to comply, they were evicted. Other Negro farmers said they were evicted for encouraging people to vote or for being active in civil rights.

-A Dallas County tenant farmer said that the ASCS office manager prevented Negro watchers from observing the 1966 election ballots being

counted.

—A Greene County farmer alleged that the local nominating committee "loaded" the ballots with "Uncle Toms" and only five white names, so that the Negro vote would be split and the white would win.

—A Negro who filed a petition as a candidate for committeeman said that his petition was disqualified because it was alleged that the farmers who signed it did not live in the community. According to the candidate, his signers were community residents but some of them farmed in another community. Of the 11 farmers who signed the petition, six were disqualified. He needed six signers.

-When a civi rights group attempted to obtain the list of eligible voters

in Dallas County, it was told the list would cost \$285.

—A general complaint made by many Negro farmers and civil rights workers was that no meaningful effort is being made by ASCS to inform Negroes about the elections; Negroes are intimidated; and the ballots are tampered with.

Donald Jelinek, an attorney working with Negro farmers, stated that the Department of Agriculture "finally discovered the Negro in 1964," when ASCS election procedures made provision for Negro representation on community and county committees. But Negro farmers and civil rights workers were intimidated, arrested, and shot at, said Jelinek.

By 1965, Negroes planned to participate actively in the elections, but new techniques were found to block them, he continued. Scores of Negro names were added to the ballot; farmers were evicted; ballots were destroyed.

Observing that the Department of Agriculture every year reacts to the evasions of the previous year "and every year the South is one step ahead . . .," Mr. Jelinek suggested the following changes to correct the abuses in the ASCS election precedure: abuses in the ASCS election procedure:

A permanent election date.

-Regular quarterly visits by county committees to Negro areas to in-

form farmers of election procedures.

-A clearly written notice of elections containing the name of the district, a list of eligible farmers and a blank nominating petition should be mailed to each farmer.

-Eligibility should be limited to farmers working the land.

-A 30-day period should elapse between the notice and the election. -Nominations should be made by the farmers rather than the county committees.

-Lists of nominees, including the signers of their petitions should be

published. Individuals filing defective petitions should be given five days to cor-

rect the defect. Photographs as well as names of candidates should appear on the ballots.

Ballots should be mailed to a post office box and remain there until counted.

Ballots should be counted in a room large enough to accommodate observers.

In a prepared statement to the Committee, Mr. Vance outlined the following steps taken by ASCS to prevent discrimination in the 1967 elections:

All elections to be held during the third week of September.

A secret mail ballot.

-Notice of elections, petition, and boundaries were to be mailed to eligible voters 35 days prior to election as well as public notice.

-A list of all known eligible voters by community was to be available

for inspection in the county office 45 days before election.

-In communities with 10 percent or more eligible minority group voters the county committee must place a minority group member on the ballot unless nominated by the community committee or by petition. Uniform ballot format to be used throughout the country.

At least 10 days before return, ballot and instructions were to be mailed to each known eligible voter of record.

-Certification on ballot return envelope had been clarified.

-The location for counting ballots must not be segregated and should be large enough to accommodate all authorized persons. Any bona fide candidate or his designee, if requested, was to be al-

lowed to observe the counting of the ballots.

—ASCS was to make special efforts to encourage all, especially minority group farmers, to participate more fully in the committee elections.

Victor B. Phillips, Assistant to the ASCS Administrator, also expressed the hope that the new policy would increase the effectiveness of the minority group vote. It was pointed out that in 1964 there were no Negro community committeemen in Alabama. In 1965, 11 Negroes were elected regular community committeemen and in 1966, 23 Negro community committeemen were elected.

The 1967 figures reveal that despite the new policy, only 22 Negroes were

elected regular community committeemen in Alabama.

A letter appealing the results of the 1967 Macon County community committee elections was filed with the county, State, and Federal ASCS. (See Appendix 8). The appeal alleged that ballots mailed to Negroes were returned undelivered to the Macon County ASCS office and no effort was made to locate the voters. The appeal also alleged that the ballots of Negroes with improperly spelled or illegible signatures were disqualified. It was further alleged that white voters were solicited by the county office but Negro voters were not, and the white vote was solidified by nominating the minimum number of white candidates while the Negro vote was diluted by the nomination of an excessive number of Negroes in addition to those nominated by petition.

Mr. Phillips was asked if intimidation prevents Negroes from participating in ASCS elections. He admitted that there have been such allegations but "investigation reports do not substantiate this." He added that the reason mail ballots were substituted for polling places was to minimize intimidation.

Asked what action ASCS would take if a landlord marked a tenant's ballot, Mr. Phillips pointed out that the voter must certify that he has marked the ballot himself and misrepresentation is punishable by a \$10,000 fine and possible imprisonment.

## UNEQUAL BENEFITS

The Committee was told by both farmers and civil rights workers that if Negro farmers are uninformed about the election process, they know less about the ASCS programs. This critical lack of knowledge of ASCS procedures and benefits result in part from the absence of Negroes on committees and in professional positions in the ASCS structure, they pointed out. It was alleged that committeemen do not provide program information as they are required to do.

Miss Mesher, for example, told the Advisory Committee:

Information . . . has not really been given at all. It is sort of coerced out of the officials. If you don't know the right questions to ask, you don't get the information you need . . . There is no display of literature in the ASCS office . . . Even if you can get the information about cotton allotments, and the upland cotton program and about the feed grain program, they are almost impossible to interpret . . . Most of the handbooks are solely for internal purposes, and written for people who have extensive knowledge about the programs.

She added that the farmer who becomes knowledgeable of the things that are available to him and begins to demand them may lose not only his bene-

fits but his farm as well.

Mr. Phillips stated that while efforts to disseminate information are constantly being increased, funds for program administration have been cut. Nevertheless, ASCS insists that public meetings be held to inform farmers of program benefits and that the meetings be publicized through letters, posters, and notices to community and farm organizations. The ASCS office manager in Wilcox County asserted that the programs are publicized through the county paper and that information meetings are frequently held.

Despite the conflicting allegations, it was clear that Negro farmers feel that they are benefitting very little from ASCS programs. Among the

charges heard at the open meeting were:

—Negro farmers are assigned consistently less acreage allotments than whites. Negroes are allotted from one half to three fourths of the acreage they can care for while whites get more acreage than they can handle. Often they release it back to the county committee which redistribute it to persons who have applied for additional acreage.

—Negro farmers are frequently requested to plow under their crops because of incorrect measurement. One participant asserted that ASCS agents "would come out and tell you that you had too much cotton and would have to plow it up and . . . often on the side that had best yield."

-County committees estimate higher projected yields for white opera-

tors, despite previous production records.

—Negro farmers share unequally in the benefits of the Agricultural Conservation Program because they are not familiar with it, nor would they have the 20 percent of the cost of the improvement which is required as advance payment.

—Negro farmers are unfamiliar with the Cropland Adjustment Program which would permit the conversion of land to nonagricultural

use.

—Negro tenants generally assign their allotment checks to their landlords who advance fertilizer and seed but they are not told the amount owed or the amount of the check. Tenants were evicted for refusing to sign over their allotment checks to the landlords.

—Tenants are frequently forced to gin their cotton with or through the landlord and the cotton may be sold without the tenant's knowl-

edge.

--ASCS office personnel do not treat Negroes with respect or address them with courtesy titles.

-Tenants are forced to sign agreements which waive their rights to their personal property and their crop.

—There are no Negroes in the feed grain program although they all grow corn. For example, it was alleged that on one plantation the only persons enrolled in the Feed Grain Program were the owner and three white tenants.

—The ASCS programs as they now exist benefit the large farm operators to the detriment of the tenant farmers. Far from protecting the Negro farmer, ASCS works with landlords to deprive tenants of their rights. ASCS does not consult tenants about cotton allotment

and price support decisions.

There is only one Negro member of the Review Committee to which a farmer may appeal a decision he considers unfair. Although each county office manager must inform the complainant of his right to file an appeal, this is seldom done. The appeals system, as currently devised, is relatively useless to the small farmer. Most Negro farmers believe that when they file complaints of discrimination, the investigative findings are watered down and local officials are protected in their actions or inaction.

ASCS officials insisted that there is no discrimination in ASCS benefits

and that Negroes are treated equally.

Mr. Davis said that he had carried ASCS literature to Negro churches and that he had approved loans to Negroes for ponds and wells under the ACP program in Wilcox County. Mr. Ennis said that he encouraged Negroes and whites to participate in every ASCS program in Sumter County. Mr. Vance explained that the ASCS mails information on ASCS programs to farmers, develops informational brochures and holds educational meetings. Furthermore the Southeastern office had instructed county and State ASCS committees to review participation in the Cotton Diversion and Feed Grain Programs on every farm where there was a tenant or sharecropper to determine whether landlord relationships were proper. He asserted that the Cropland Adjustment, Cotton Diversion, and Feed Grain Program requirement that tenants not be displaced in anticipation of participating in such programs were rigidly enforced by his office and that program payments were denied anyone violating it. He also reported that the ASCS Southeast office conducts an annual survey of participation in the major farm programs by minority group members to determine if any group is denied program benefits.

#### CONCLUSIONS

Based on the information presented at the two-day open meeting as well as the data obtained before and after the meeting, the Alabama State Advisory Committee concludes:

# **Employment**

1. In the 26 counties studied, there are very few Negroes employed in either a clerical or professional capacity in State and county ASCS offices in Alabama despite the efforts of the ASCS Administrator and the Southeast Area Director. In 1967, there were only seven Negroes among 137 regular county office employees. Negroes were not employed as regular field employees, and accounted for only 10 of 98 limited\* field employees. The Advisory Committee believes that if the U.S. Department of Agriculture enforced its equal employment opportunity policy, many more Negroes would be employed and Negroes would be employed. ployed and Negro farmers would share more equally in the benefits of the ASCS programs.

2. Most of the Negro employees appear to have temporary jobs. If the number of temporary employees is reduced there will be a consequent reduction in the number of Negro employees.

#### State ASCS Committees

3. The interests of Negro farmers are not adequately represented by the State Committee, and its staff appeared to be unresponsive to the needs of the Negro and the poor farmer. The 1967 appointment of a Negro State committeeman is a commendable although belated first step.

4. Despite a structure which appears to be both logical and efficient, directives from the ASCS Administrator to the chairmen of State ASCS Committees are ignored, and are not communicated to or carried out by

county offices.

5. The all-Negro State Advisory Committee has no power or influence in ASCS programs in Alabama. Although the Advisory Committee meets occasionally with the State committee, it is unlikely that its members have adequate knowledge about the various ASCS programs to be able to do anything to remedy the denials experienced by Negro farmers.

#### County and Community Committees

6. The county committees which administer the ASCS programs on the local level have tremendous impact on the lives of the farmers in the coun-

ties. They are dominated by the white farmers who, through their control of the committees, control the appointment of the county office managers.

7. The fact that only two of the six county office managers invited to attend (and directed to do so by the ASCS Administrator) appeared at the Alabama State Advisory Committee's open meeting, is indicative of the lack of control by Washington over the county officials. They appear to be

loyal to the county committee, controlled by whites.

8. The county committeemen are able to perpetuate their control of the committees through control of nominations, and the machinery to inform voters of the election procedures. No Negro has ever been elected to a county committee, although they represent a majority of farm operators in 12 Alabama counties.

9. The community committees perform no function other than nominating county committees. They are ostensibly supposed to inform farmers about

ASCS programs but they fail to do so.

10. Negroes are significantly under-represented on the community committees. In 1966, only 23 of 590 regular committeemen were Negro in the

26 selected counties.

11. Civil rights and Negro organizations are to be credited for the election of the Negro committeemen. ASCS procedures and supervision had little to do with Negro election successes.

<sup>\*&</sup>quot;Limited" means other than regular or permanent employees. They may be part-time, seasonal, or more than 90 days, but less than one year.

12. Negroes nominated by petition are more likely to be elected than those nominated by the committees. Negro farmers expressed the belief that committee-nominated Negroes would be subservient to white landowners.

13. There have been several cases of voting irregularities, as well as intimidation of Negro tenant farmers who actively participated in the elec-

tion process.

# Unequal Benefits

14. There has been a failure by ASCS to communicate information about its programs to Negro farmers who could benefit most from them and as a result many programs designed to improve their operations go unused. Materials explaining grounds are not made available and, if obtained, are difficult to understand.

15. ASCS State and county staff appear to have vested interests in the system which excludes Negroes from sharing equally in ASCS program benefits. They were accused of not sharing information with Negro farmers

and not treating them with respect.

16. The ASCS programs offer no protection to tenant farmers who have been evicted from the land for not assigning their ASCS checks to their landlords.

17. The ASCS programs appear to benefit the large white farm operators

while the small Negro and white farmers are being forced off the land.

18. Greater equality would be achieved if ASCS enforced its nondiscrimination requirements. Little control or supervision appears to be exerted by Washington, Criteria for compliance has not been established.

## Summary Conclusion

19. In the introduction to this report it was noted that the U.S. Commission on Civil Rights in its 1965 Report on Equal Opportunity in Farm Programs concluded that Negroes were excluded from the decision-making committees of the ASCS and from employment in ASCS county offices. Although there has been some improvement in the situation as a result of ASCS's attempts to remedy the situation, the Alabama State Advisory Committee concludes that Negroes continue to be excluded from ASCS committees and from employment in ASCS offices and that Negroes continue to be denied the full benefits of ASCS programs. It is the State Advisory Committee's firm belief that this vicious circle of exclusion, though somewhat modified, continues to exist. It must be eliminated.

#### RECOMMENDATIONS

The Alabama State Advisory Committee to the U.S. Commission on Civil Rights believes there are serious deficiencies in the administration of ASCS in the Alabama Black Belt. It further believes that the recommendations made by the U.S. Commission on Civil Rights in its 1965 report—to end discriminatory practices which have barred Negro farmers from the services and benefits of farm programs; to assure Negroes the opportunity to participate in elections for local committees and appointment to committees; and to require that employment be without regard to race—are still applicable.
In addition, the Committee recommends to the U.S. Commission on Civil Rights that it urge the Department of Agriculture and the ASCS to:

1. Vigorously enforce its equal employment opportunity policy; supervise the implementation of its instructions that training classes for prospective minority group employees on both the professional and clerical level be developed.

2. Conduct training programs in intergroup relations for State and county

committeemen and staff in Alabama.

3. Abolish the all-Negro State Advisory Committee and enlarge the State committee to include persons who are sensitive to the needs of the Negro and the poor farmers.

Revise the election procedures so that nominations will be made only by petition and representation on the committees will reflect the racial and

economic composition of the community.

5. Initiate a program aimed at achieving maximum benefits from ASCS for the poor farmers, both Negro and white. Alternatives to the present check assignment system should be sought. Where farmers choose to leave the land, they should be assisted in the transition process.

# APPENDICES

1	Agricultural Stabilization and Conservation Service Policies on Equal Opportunity and Civil Rights 673
2.	Plan for Training and Developing Minority Group Members for ASCS Employment678
3.	ASCS County Office Employment—Office677
4.	ASCS County Office Employment—Field 678
5.	Election Procedures—Civil Rights678
6.	Special ASCS Election Plans for States with 10% or more Minority Group Farmers679
7.	Regular and Alternate Negro Community Committeemen, 26 Alabama Counties—1964—1967680
8.	Letter Appealing Results of 1967 Macon County Community Committee Elections 683
9.	Comparison of Negro and White Eligible Voters, Number and Percent Voting for 1965 and 1966 in Six Alabama Counties 683
LO.	Number of Farm Operators, by Tenure and by Race, Six Alabama Counties686
L1.	Percent Negro Farm Operators, Average Value of Farm Products Sold, and Percent of Households with Income of Less than \$3,000, 1964 686
l2.	Value of ASCS Program and Average Per Farm Operator in Six Alabama Counties, 1966 687

#### APPENDIX 1

United States Department of Agriculture, Agricultural Stabilization AND CONSERVATION SERVICE, OFFICE OF THE ADMINISTRATOR, WASHINGTON, D.C.

March 22, 1965

To: Chairmen, State ASC Committees

From: Administrator

Subject: Policies on Equal Opportunity and Civil Rights

ASCS has made considerable progress in the area of equal opportunity and civil rights in recent months. However, the pace is much too slow. As I stated in my recent memorandum to you transmitting excerpts from the Civil Rights Commission Report and statements by the President and the Secretary, our organization is dedicated to the elimination of any discrimination of any kind that may exist in the administration of ASCS Programs. In order to carry out this commitment, the following policies will be applied in connection, with our State and County operations:

applied in connection with our State and County operations:

1. Recommend appointment of a Negro to fill the first vacancy that occurs on the Committee for any State where Negroes constitute more than 10% of the total farmers in the State.

- 2. Provide equal employment opportunities in the State and county offices during this and succeeding years. Full consideration will be given to the previous imbalance of employment which has prevailed. In each State the goal will be to achieve a minority group employment percentage equal to the percentage of non-white farmers in the State. Major progress will be made this summer in the temporary county employment of Negroes as field and office employees. (Estimates indicate 2806 temporary office employees.) and office employees. (Estimates indicate 2,806 temporary office employees and 12,828 temporary performance reporters will be required this summer in the 15 Southern States covered by the Civil Rights Commission Report.)
- 3. Establish in each of the States of Texas, Louisiana, Alabama, Mississippi, Tennessee, Arkansas, Georgia, Florida, North Carolina, South Carolina, and Virginia, an advisory committee of capable Negroes to assist the ASC State Committee in assuring:
  - a. Equal employment opportunities at both State and county levels,
  - b. Equal opportunity to participate in ASCS Programs.
  - c. Full participation in community and county committee elections, both as voters and candidates. Advisory Committees recommended to the Secretary will have a membership numbering not more than the State Committee and comprised of Negro educators, businessmen, ministers, and farmers.
- 4. Establish a system of record-keeping in county offices in the 15 Southern States of the extent to which Negroes participate in and benefit from ASCS programs as compared with whites. These data will be used as the foundation for surveys of individual producers, to determine whether they had an equal opportunity with all others to benefit from the farm programs.
- 5. County committees will place on the ballot for community committee elections the names of Negro candidates in at least the same proportion as there are Negro farmers in the county.
- 6. Re-negotiate arrangements for office space to avoid segregation of employees or discrimination in the use of facilities. Where this cannot be done, arrange for space where equal opportunities can be provided.
- 7. Be prepared to take over the operation of any county office which does not operate in line with these goals and objectives or which you determine cannot or will not get the work done.

- 8. Plans for presenting these goals and policies to the county committees and the county office managers must be developed and carried out immediately.
- 9. A written report must be prepared and forwarded to your Area Director not later than April 10, 1965, indicating a plan and time table for achieving these goals this year, and indicating any special problems you expect to encounter together with suggested solutions.

  Your cooperation and assistance in faithfully carrying out these policies carefully and expeditiously are invited and expected.

#### APPENDIX 2

June 23, 1966

To: Chairman, ASC State Committee

Alabama Georgia North Carolina South Carolina Tennessee

From: Director, Southeast Area, ASCS

Subject: Plan for Training and Developing Minority Group Members for ASCS Employment

The progress we have made together in the field of civil rights and equal employment opportunity in ASCS is certainly encouraging. I take this opportunity to again express my sincere appreciation to you, your committee, and staff for the untiring personal efforts which each has put forth in that undertaking. I am well aware that these efforts are made even more impressive by the fact that each of you have at the same time successfully maintained a severe program workload operated under many urgent time deadlines and further complicated by new inter-acting program provisions. There could be no better evidence of loyalty and devotion to our concept of program operation and service to farmers.

Although we have made much progress in meeting our equal employment goals, we still have a long way to go. The main difficulty has been the lack of available qualified non-white clerical employees to fill vacancies. To overcome this, a plan has been developed in keeping with the agency equal employment policy which will ensure an active and systematic approach to achieving minority group employment goals in State and county offices. I believe this plan will in the long run be more economical than our present constant attempts to recruit and if properly implemented it will eliminate much of the trouble we now experience by work being delayed while trying to get a vacancy filled. The plan is as follows and it is requested that you move as rapidly as possible in getting it underway in your State:

- 1. The State committee and/or Executive Director with one or more members of the State Advisory Committee meet with school administrators, ministers, business leaders, and others as applicable, to develop a roster of potentially good non-white clerical employees.
- 2. In consultation with the State Advisory Committee select 6 or more of the most promising for six months of comprehensive training in ASCS operations.
- 3. Training will be under direct supervision of the State Training Officer with assistance from all program specialists in their line of operations. The first 4 months will be in the State Office Training Center. The last 2 months will be in a selected county office. (One trainee per county)
- 4. Training will be systematic and controlled beginning with fundamentals and advancing into ASCS operations along the lines most suited to the probable type of employment.
- 5. Before training is started, the State office shall develop a detailed training schedule which outlines day by day the topics to be discussed, the specialist to lead discussion, and the time alloted. This schedule will also provide the time and topic for personal study by the trainees. It will also include any other items needed to round out a complete training program.
- 6. Salary will be the beginning step of CO-2 and paid from county administrative funds on a reimbursable basis.
- 7. Before being accepted for this program, trainees must agree in writing to the conditions of the training plan including the last 2 months in a selected county office and including a provision that they will accept employment in any county office in the State to which employment is available.

However, it must be clear to all that this training does not in itself guaran-

tee permanent employment.

This plan can be a positive step toward our having better qualified applicants available in the quantity and at the time needed to fill vacancies and keep work current. The plan is to be continuous and I ask you to personally take the necessary steps to see that it is well understood in the State and county offices and that arrangements are made to have the first group of 6 or more trainees to begin training by August 1, 1966. Please give us a report on or about that date as to your progress in accomplishing this objective.

I will be glad to further discuss this with you at any time you may have

need for clarifying information.

signed/ John B. Vance

# APPENDIX 3

# Office—ASCS County Office Employment by Race for December 31, 1964, 1966, and 1967

Gounty -		Regular					Limited					
	19	1964		1966		1967		64	1966		1967	
	w	N	w	N	w	N	w	N	w	N	w	N
utauga	. 5		5		5_		1		1	1_		
Barbour	_ 6		6		8		1		1	1	1	
Bullock	5		4		4		1		1			
<u> Butler</u>	5		5-		6_		2		3	1_		
hambers	4		4		4_		2		1	1	1	
Choctaw	4		5		5		1		1		Z	
Clarke	b		4		9-		1				Z	
onecuh Dallas	<u>6</u> -		6		4-						3_	
Olmore	0-		4	1	6 5_		Z		4	3	o 1	
reene	P-		0	<u>-</u> -	3-	<del></del> 1	1			1	3	
Iale	- 0				5		2		4	2	3	
Ienry				1	6		9		7	1	2	
.ee	4		4	-	4_		8		2	2		
owndes	4		4				2		3	1	2	
Iacon	5		4		4	1	1		1	ī	ī	
arengo	6		5		6_		2		2	ī.		
onroe	. 4		6		6_		8		1	2	1	
lontgomery	- 4		4_		4_		3		3_			
erry	_ 4		4	1	4	1	3		3	1		
ickens	_ 5		5	1	5	1	1		4		1	
'ike	_ 6		6 <u>_</u> .		7		3		4	1	2	
ussell	_ 4		4	1	4	1	2		1		2	
umter	- 4		4		5	1	4		8	2	4	
alladega	5		4		5-		4			2	4	
Vilcox	_ 5		4		5		1		3			
Total			-	6	130	7			57	24	35	2

### APPENDIX 4

### Field—ASCS County Office Employment by Race for December 31, 1964, 1966, and 1967

			Reg	gular					Lin	ited	•	
County	19	64	19	966	1	967	19	964	1:	966	19	67
	w	N	w	N	w	N	w	N	w	N	w	N
Autauga			1		1_		6		6_			
Bullock	1		<u>1</u>				6		6_ 5		5	1
Butler	1		<u>†</u>		<u>i</u> -		10		9	2-	10	
Chambers			1_		1_		5		3	2 2	3	2
Choctaw		<b>-</b> -							4	1	1	
Conecuh	1		1				5 13		2	1	1	3
Dallas	1		· <u>i</u>				12		11	<u>2</u>	8	<u>-</u> 2
Elmore	î		1_		1		11_		10	ĩ	3	
Greene	1		1		1_		3		2_		4	
Hale	1		1				10 8_		15	1	7	1
Henry	1		<del> </del>		<u>-</u> -		7		5 6	1	3	
Lowndes	1		i_		i_		8_		5	2 2	5	
Macon	1		1_		1_		7		2_		6	
Marengo					1_		10		12	4	1	
Monroe	1				<u>-</u>		8		8	2 2_	8	1
MontgomeryPerry	1						8		6	1	2_	
Pickens							17_		21_		6	
Pike	1		1_		1_		8_		8	3	5	
Russell	1		1		1		5		6	1	2	
Sumter	1		1		1		7		12	6	2	
Talladega Wilcox	- <u></u> -		1		1_		6		0	6 2 3	1	
_												
Total	19		22		22		213		_178	40	88	10

## APPENDIX 5

July 26, 1966

### Election Procedures—Civil Rights

Following are changes in election procedure placed into effect in recent years which have a direct effect on civil rights.

1. Each eligible voter of record must be mailed a notice of the date, time, and place of the election. This individual notice is in addition to the

required regular public notice.

2. County employees when visiting a farm are required to obtain data on all persons who have an interest in the farm as owner, operator, tenant, or sharecropper. This information adds to and up dates the list of eligible voters in the county.

3. Each eligible voter of record must be mailed a notice of his right to nominate by petition candidates for membership on the community committee. This individual notice is in addition to the required regular public notice.

- 4. The number of signers to a petition to nominate a farmer as a candidate for community committee membership was reduced from ten to six. This was to make it easier for minority groups to nominate persons of their choice.
- 5. In polling place elections, procedure was changed to require community committee election ballots to be publicly tabulated immediately after the polling place closes for voting and immediately following tabulation, that they be delivered to the county office.
- 6. Emphasis has been placed on the use of mail elections in southern States in order to make voting easier for minority group farmers.
  - 7. Procedure was changed to require that any place where voting or

tabulating of ballots is done, it must be open to the public without restriction of any of its facilities because of race, creed, color, or national origin.

8. The slate of nominees for community committeemen established by the nominating committee must contain minority race nominees in the same proportion that they are to the total farm population (owners, operator, tenants, and sharecroppers).

9. Requires that tabulation of ballots and the county convention will be in a place sufficiently large to accommodate all interested farmers who might reasonably be expected to attend. (Increased space is to encourage minority group attendance.)

10. A special certification has been added to the election ballot envelope to insure the voter voted his own ballot. It also includes a provision for those who sign by mark.

11. A form has been developed for signature of a nominee to indicate his willingness to serve if elected and his willingness to settle a tie vote by lot.

12. Incumbent committeemen who become candidates for reelection are not permitted to continue performing election duties other than to assist in determining eligibility to vote and hold office.

13. It is made clear that no person shall be denied the right to vote or hold office because of race, creed, color, or national origin.

14. The slate of community committee nominees established by community and county committees must be not less than 6 or more than 10. This is to have a minimum number and yet avoid flooding the ballot with any particular race.

15. A special slide series has been developed for local use to explain voting procedure.

16. A special hand out has been prepared explaining elections and how they operate.

17. Special training sessions on elections are conducted at the local levels in all of the southern States.

18. During elections, special assistance is given in elections to minority group voters by ASCS employees at both the county and State levels.

### APPENDIX 6

## Special ASCS Election Plans for States With 10% or More Minority Group Farmers

1. News Media-To the extent possible, county offices will publicize in local newspapers and over radio and television the dates and other impor-

tant information about ASC elections.

2. County Office Communication—All county offices will inform all farmers of record, well in advance of the election date, of the community boundaries and their right to nominate by petition. A second letter to the farmer will include (1) the ballot, (2) voting instructions, (3) notice of time and place for both the ballot counting and the county convention, and (4) explanation that both the ballot counting and the county convention are open to the public.

3. Public Meeting—Require states to instruct those counties where 10 percent or more of the farmers are minority group members to hold at least one public county meeting, giving special emphasis to explaining ASC election procedures and answering questions on ASC elections. Additionally, I have asked that county offices be encouraged to hold other meetings in special areas of the county when this is deemed necessary and

feasible.

4. Informing Civil Rights Organizations, Farm Organizations, Rural Ministers and Others of ASC Elections—A letter from the Administrator, ASCS will be sent to heads of these local groups and others as appropriate, informing them about changes in ASCS election procedures, and enlisting their support in bringing these changes to the attention of minority group farmers.

5. Visual Aids-

a. The slide set and narration on election of ASC community committeemen is being reviewed and will be made available for showings by fieldmen and county office staffs in counties with a sizeable propor-

tion of minority group farmers.

b. The slide set and narration on ASC elections will also be available to civic, social, farm and civil rights groups requesting them. To the extent possible, ASCS personnel will be available to assist these groups in showing and explaining the slide set on ASC elections.

in showing and explaining the slide set on ASC elections.
6. Literature—The election leaflet, "Vote For Farmers of Your Choice," is being revised and will be made available through ASCS county offices to all farmers in counties with 100 or more minority group farmers. This leaflet will also be sent to leaders of civil rights organizations, minority group farm organizations, minority group farm organizations, Negro rural ministers and others in the South.

7. Posters—Again this year, we will prepare and distribute posters to call attention to the election and the final date for ballots to be in. These posters will be displayed in those counties with 10 percent or more minority

group farmers.

8. Conventions—In a number of Southern States where district church conventions will attract sizable numbers of minority group people, an effort will be made to set up our roto-photo showing of the slide set and narration on election procedures. These conventions are usually held in rural-oriented communities and are attended by many farm people.

APPENDIX 7

Regular and Alternate Negro Community Committeemen—
26 Alabama Counties—1964–1967

County	Percent Negro		d	Reg commi	ular teeme	n				ernate itteeme	en.
County	oper- ators	1964 Total	1964	1965	1966	1967	1964 Total	1964	1965	1966	1967
Autauga	34.6	18	0	0	0	0	12	0	0	0	0
Barbour		15	Ō	Ö	Ō	Ó	10	Õ	1	Ō	0
Bullock	62.9	15	Ö	Ò	Ò	0	10	Ō	Ō	1	1
Butler	31.0	21	0	0	0	0	14	0	0	0	0
hambers	34.4	18	0	0	0	0	12	0	0	2 7	0
hoctaw	50.1	36	0	1	0	1	24	0	11	7	8
larke	42.5	33	0	1	4	1	22	0	1	5	
onecuh	33.7	80	0	0	0	0	20	0	0	0	0
allas	74.4	18	0	0	0	0	12	0	0	0	Ó
Elmore	26.5	21	0	0	0	0	14	0	0	0	0
reene	76.7	24	0	0	1	1	16	0	1	1	1
Iale		15	0	0	0	0	10	0	0	0	0
Ienry	28.7	80	0	0	0	Ō	20	0	Ō	0	0
_ee	40.9	27	Ō	Ō	0	0	18	0	0	O,	1 3 8
owndes		18	Ō	8	8	3	12	0	_8	4	ă
/Iacon	72.4	15	0	0	3	4	10	0	10	.8	. 8
Iarengo	62.3	80	Ō	Ō	0	Ō	20	0	16	15	16
Ionroe	45.0	48	0	2	3	8	32	Ō	2	12	14
Iontgomery	44.5	21	0	0	0	1	14	0	1	2	2
erry	61.0	18	0	1	1	2 2 2	12	Ō	1 2	1	
ickens	43.1	83	0	0	1	2	22	O	2	Ō	0
?ike	23.8	33	0	0	0	2	22	Ō	0	_0	0
Cussell	66.3	15	0	0	0	0	10	Ō	10	10	10
umter	74.3	18	0	0	0	Ō	12	Ō	Ō	0	1
'alladega	26.9	33	0	0	0	0	22	Ō	0	0	.0
Vilcox	71.5	21	0	8	7	2	14	0	9	7	13
Totals		624	0	11	23	22	416	0	73	75	83

### APPENDIX 8

## Letter Appealing Result of 1967 Macon County Community Committee Elections

303-A Foster Street, Auburn, Ala. 36830 October 7, 1967

The Alabama State ASCS Committee Agricultural Stabilization and Conservation Service United States Department of Agriculture The Aronov Building Montgomery, Alabama Attn: Mr. Fred M. Acuff

Dear Sirs: The undersigned hereby appeal from the results of the Community Committee elections (ballots counted September 25, 1967) in Macon County, Alabama in Communities 1, 2 and 4\* and the corresponding election of the one white County Committeeman and the two white alternates

to the County Committee.

The following violations of ASCS election procedures resulted in the defeat of a sufficient number of Negro candidates from Communities 1, 2 and 4 to once again prevent the honest election of a Negro County Committee member. Our present information indicates that a mere addition of mittee member. Our present information indicates that a hiere addition of eight (8) votes in Community One, nine (9) votes in Community Two and eighteen (18) votes in Community Four (or a total of 35 votes in the entire county) would have provided enough Negro delegates to the County Convention for election of a Negro County Committeeman at the County Convention. All information will be fully substantiated once we have had full access to ASCS county records. Upon information and belief:

1. Envelopes which were improperly addressed containing ballots were returned by the U.S. Post Office to the staff of the ASCS Macon County Office ("COUNTY OFFICE") who made no reasonable efforts to locate these voters in spite of the fact that most of the ballots were returned on

these voters in spite of the fact that most of the ballots were returned on September 11, 1967 (eight (8) days before the deadline for return of ballots). As a result of a large number of eligible voters were disenfranchised.

2. Ballots were disqualified or "thrown out" for such reasons as illegibility of signatures and improper spelling of signatures in violation of Rules and Regulations of the United States Department of Agriculture as well as the intent of the USDA and the Congress of the United States. It is further submitted that the County Office ignored similar violations by white voters

3. The County Office violated Part 1, Section 3, Paragraph 22 of ASCS Handbook 7-CA dated 5-17-66 (which prohibits partisan ASCS election activities by ASCS employees) in the following particulars:

A. In using special lists of those who did (and did not) vote to aggressively solicit whites who had not voted to turn in their ballots (without similar efforts to solicit Negroes to vote);

B. In encouraging and soliciting whites to become eligible for more than one vote per piece of land and providing the expertise and knowledge to accomplish same (without similar efforts with Negro land-

C. In once again ignoring large numbers of potential Negro voters eligible to participate in ASCS elections but not placed on the eligibility

list by the County Office;

D. In nominating four to six Negroes in addition to Negro candidates already nominated by petition to make a total of nine (9) or more Negro candidates on each ballot in each contested community. This was done to "Split" the Negro vote while the white vote was solidified

<sup>\*</sup>Please be advised that similar irregularities occurred in Communities 3 and 5 but are not under contest at this time. However, these irregularities shall be used as evidence to establish the pattern hereinafter described.

by the nomination of the minimum (three) for whites (who had no

petitioned candidates) in these communities;

E. In failing to safeguard the returned ballots (in violation of Part 4, Section 3, Paragraph 46 of 7-CA) by failing to properly seal the ballot boxes. (IN Macon County, a metal box with a lock, plus tape and a date written on the tape constituted the seal. Needless to say the county office had both the key to the lock and additional tape. The above constituted no safeguard within the meaning of this Section).

For the above reasons and others, we ask that the results of both the Macon County ASCS Community Committee elections and the 1967 ASCS County Convention he set aside and now elections asked and the 1967 ASCS

County Convention be set aside and new elections scheduled not less than

thirty (30) days after announcement of new elections.

We further request that the following documents be impounded and preserved by the Macon County ASCS County Committee and be made available to us:

1. List of Eligible ASCS Voters-1967-Macon County, Alabama (the

alphabetical list);

2. List of Eligible ASCS Voters-1967-Macon County, Alabama (the

F.S.N. list);

3. The certification envelopes bearing signatures adjudged by the County Committee on 9-25-67 as invalid;

4. All documents, records and papers bearing the signatures referred to

in item 3 above;

5. The envelopes containing ballots which were returned by the U.S. Post Office because of improper addresses;

6. The "addressography" plates for those voters whose ballots were re-

turned by the U.S. Post Office;

7. Any and all documents, records and papers which contain the address information which was transferred to either the addressograph plates referred to in item 5 above or which were used to manually address those election envelopes referred to in 5 above;

8. All certificates indicating multi-ownership of land and bearing such language as "this certifies that my name is on the deed of conveyance for

some land covered under F.S.N."

9. The list of all persons participating in any Macon County ASCS programs in 1967 including, but not limited to, persons receiving payments due to said participation.

Very truly yours,

## APPENDIX 9

## Comparison of Negro and White Eligible Voters, Number and Percent Voting for 1965 and 1966 in Six Alabama Counties Dallas County—1965

	Eligible voters, number and percent voting										
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting					
One Two Three Four	140 296 195 173	56 65 68 75	78 192 132 129	150 541 457 808	25 26 19 68	37 140 86 206					
FiveSix	275 96	75 58 62	159 59	415 209	28 35	116 73					
Total	1,175	63.7	749	2,075	31.7	658					

## Dallas County-1966

_	Eligible voters, number and percent voting										
Name of community White	White	Percent voting	Number voting	Negro	Percent voting	Number voting					
OneTwoThreeFourFiveSix	138 292 197 229 270 94	48 84 83 85 67 64	59 245 163 194 180 60	143 478 448 292 861 203	57 84 81 79 75 50	81 162 188 230 270 101					
Total	1,220	73.8	901	1,925	51	982					

## Greene County-1965

	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
Eutaw & Springfield	163	97	158	180	32	57			
Forkland	64	92	58	285	30	85			
Boligee & Tishabee	87	98	85	359	43	154			
Mount Hebron	54	89	48	169	40	67			
Lewiston, Jena & Mantua		90	36	96	66	63			
Clinton	45	96	42	134	66	88			
Union		82	49	55	67	86			
Knoxville	47	91	42	27	44	11			
Total	560	93	518	1,305	43	561			

## Greene County-1966

	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
Eutaw & Springfield	163	93	151	200	28	56			
Forkland	63	95	59	252	39	98			
Boligee & Tishabee West Greene, Pl. Ridge.	82	85	69	308	44	132			
Mount Hebron	64	89	56	137	50	68			
Lewiston, Jena & Mantua	40	93	36	82	60	49			
Clinton	59	92	53	112	55	60			
Union	58	97	55	73	21	14			
Knoxville	44	93	40	40	20	8			
Total	573	91	519	1,204	41	485			

## Hale County-1965

	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
Community A Community B Community C Community D Community E	174 391 90 101 181	75 69 68 57 56	130 269 61 57 101	126 588 209 181 104	33 32 35 29 45	41 188 78 52 46			
Total	937	66	618	1,208	33	400			

## Hale County-1966

_	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
Community A Community B Community C Community D Community D	186 374 94 96 184	63 55 52 52 39	117 205 48 49 71	135 637 221 180 86	49 40 39 30 55	66 254 86 54 47			
Total	934	52	490	1,259	40.3	507			

## Lowndes County—1965

	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
A (Beats 1, 2, & 20)  B (Beats 17, 18 & 19)  C (Beats 3, 4, & 13)  D (Beats 12, 14, 15, & 16)  E (Beats 5, 6, 7, 9, & 21)  F (Beats 8, 10, & 11)	61 137 66 206 122 208	87 90 83 88 72 67	53 123 54 181 87 139	164 101 392 260 157 71	42 32 53 35 24 44	68 32 207 91 37 31			
Total	800	80	637	1,145	41	466			

## Lowndes County-1966

_	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
A (Beats 1, 2, & 20)  B (Beats 17, 18, & 19)  C (Beats 3, 4, & 13)  D (Beats 12, 14, 15, & 16)  E (Beats 5, 6, 7, 9, & 21)  F (Beats 8, 10, & 11)	61 125 65 213 134 216	95 88 80 86 84 66	58 110 52 183 113 143	134 75 363 239 111 64	50 27 60 34 26 34	67 20 219 81 29 22			
Total	814	82	659	986	48	488			

## Sumter County—1965

	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
OneTwoThreeFour	103 162 93 147 112 98	53 59 59 50 63 68	54 95 54 73 70 66	151 212 207 150 285 248	26 23 36 31 35 47	39 48 74 46 99 116			
Total	715	57.6	412	1,253	34.7	422			

## Sumter County-1966

_	Eligible voters, number and percent voting								
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting			
One	106 180 117 147 116 105	63 70 66 82 76 72	66 126 77 120 88 75	135 165 244 163 285 185	52 40 45 44 48 52	70 66 109 71 136 36			
Total	771	72	552	1,177	47	488			

## Wilcox County-1965

		Eligible v	oters, numb	er and pe	rcent votin	g
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting
A and M	88	60	52	146	46	67
B and T	76	82	62	130	46	59
CD and P	59	66	38	257	53	186
EF and G	191	50	95	348	43	149
H and O	111	74	82	192	48	92
IJQ and R	123	77	94	139	40	55 18
KLN and S	175	52	91	106	17	18
Total	823	62.4	514	1,318	43.7	576

## Wilcox County-1966

Name of community		Eligible v	oters, numb	er and pe	cent votin	g
Name of community	White	Percent voting	Number voting	Negro	Percent voting	Number voting
A and M B and T CD and P EF and G H and O IJQ and R KLN and S	104 - 80 - 58 - 187 - 119 - 122 - 180	69 69 64 61 71 70 63	71 55 37 114 84 85	125 126 226 385 186 111	73 84 59 60 77 49 37	91 105 156 231 143 54 41
Total	850	65.8	559	1,271	62.6	821

## APPENDIX 10 Number of Farm Operators, by Tenture and by Race, Six Alabama Counties

	Total		Owners		P	art own	ers		Tenant	3
County	cent Negro oper- ators	White	Negro	Per- cent	White	Negro	Per- cent	White	Negro	Per- cent
Dallas	74.4	299	347	53.7	169	145	46.2	53	1,045	95.5
	76.7	169	213	55.8	104	148	58.7	43	690	91.
Tale	62.5	336	373	52.6	145	176	54.8	64	361	84.
Lowndes	65.5	263	242	47.9	143	131	53.0	56	531	90.
Sumter	74.3	205	244	54.3	140	186	57.1	42	702	94.
Wilcox	71.5	242	295	54.9	130	177	57.7	41	581	93.
Totals		1,514	1.714	53.1	831	963	53.7	299	3.910	92.

# APPENDIX 11 Percent Negro Farm Operators, Average Value of Farm Products Sold, and Percent of Households with Income of Less than \$3,000, 1964

County	Percent Negro farm operators	Average value of farm products sold	Percent of households with incomes of less than \$3,000
Dallas	- 62.5 - 65.5	\$4,409 2,969 5,543 5,329 2,728 2,816	75.2 78.6 71.5 66.1 71.7 78.9
Total	71.3	3,978	73.8

## APPENDIX 12

## Value of ASCS Program and Average Per Farm Operator in Six Alabama Counties, 1966

County	Amount	Average per farm operator	
Dallas Greene Hale Lowndes Sumter Wilcox	\$1,985,299 - 936,145 - 1,235,116 - 908,732 - 1,127,057 - 831,701	\$937 682 848 627 740 566	
Total	6,974,050	757	•

## Exhibit No. 3

## STAFF REPORT

A Population, Employment and Income Profile

OF Negroes in a 16-County Area

OF South Central Alabama

TABLE OF CONTENTS

	TABLE OF CONTENTS
	. Introduction
	. Population and Patterns of Migration
	Income Industry
	Summary
•	· · · · · · · · · · · · · · · · · · ·
	TABLES
	Total and Nonwhite Population of 16 Alabama Counties, 1940, 1950, 1960 and 1964
	Farms, Farm Acreage, and Value of Land and Buildings, Alabama and Selected Counties, 1950 and 1964
	Capital Investment and Job Opportunities in Selected Alabama Counties, 1960 to 1967
	Negro Employment in the Federal Government in the State of Alabama, June 1966
	Major Occupational Groups in Nonagricultural Industries by Race, 16-County Area of Alabama, 1960
6.	Job Status of Negroes, by Industry, in 16-County Area of Alabama, 1966
	FIGURES
	Nonwhite Population As Percent of Total Population, 16 Selected Counties of Alabama, 1964
	Percentage Distribution of White and Nonwhite Population, by Type of Residence, in a 16-County Area of Alabama 1940, 1950, and 1960
	Net Migration by Race in 16 Alabama Counties, 1950-60 Employment in Agricultural, Manufacturing and Nonmanufacturing Industries in a Selected 16-County Area and in the Entire State of Alabama, 1960, 1965, and 1967
5.	Employment in Manufacturing Industries in a 16-County Area of Alabama, 1960, 1962, 1965, and 1967
6.	Employment in Nonmanufacturing Industries in a 16-County Area of Alabama, 1960, 1962, 1965, and 1967
	SUPPLEMENTARY TABLES
A.	Population by Residences and Color in a 16-County Area of Alabama, 1940, 1950, and 1960
В.	Age Group by Color, in a 16-County Area of Alabama, 1960
	Net Migration by Race in 16 Alabama Counties and State of Alabama, 1950–1960
	Size and White and Nonwhite Families in Urban, Rural Nonfarm, and Rural Farm Areas of Alabama, 1960
	Income in Households Headed by Farm Operators, 16 Counties and the State of Alabama, 1964
	Employment in all Industries 16-County Area of Alabama and the State of Alabama, 1960, 1965, and 1967
	Farm Operators, by Color and Tenure, in 16 Counties and in the State of Alabama, 1930 and 1964
Н.	Farm Acreage, by Color of Operator, in 16 Counties and in the State of Alabama, 1954, 1959, and 1964
I.	Average Size of Farm, by Color and Tenure of Operator, in 16 Counties and the State of Alabama, 1954 and 1964
J.	Employment in Nonmanufacturing Industries in 16-County Area, Alabama, 1960 and 1967

## I. INTRODUCTION

The area 1 studied by the Commission is comprised of 16 rural counties lying astride the south central part of the State. Nine of these counties, Bullock, Dallas, Greene, Hale, Lowndes, Marengo, Perry, Sumter, and Wilcox are black soil belt counties. The other seven counties lie in sandy uplands and coastal plains areas bordering the Black Belt. Although these seven counties differ in physical characteristics and agricultural practices from the Black Belt Counties, all 16 counties are similar in that (1) each has an extremely large Negro population (2) each is predominately rural and an extremely large Negro population, (2) each is predominately rural, and

(3) each has a large number of poor inhabitants. Perhaps the area's most distinctive characteristic is its high proportion of black inhabitants. Over three-fifths of the population in the 16-county area was Negro in 1964, one of the highest percentages for any area of equivalent size in the United States. (Figure 1). The large Negro population developed during the years when the cotton plantation system was at its peak. In those counties composing the Black Belt the population was once over 80 percent Negro; this percentage has declined as cotton farming has been displaced by more diversified agricultural activities. Most of the persons who have left the farm have departed from the 16-county area entirely. As a consequence the total population has been decreasing for nearly 60 years.4 In all counties the largest losses have been sustained by the Negro population. Of the several reasons accounting for this exodus, one of the more important is probably lack of employment opportunity.

Most of the counties in the area are predominately rural; only one city, Selma, has over 10,000 residents. Montgomery County, however, which intersects the eastern part of the 16-county area, provides much of its urban needs.<sup>5</sup> In addition to being the State capital and a center for Federal activities in the State, the city of Montgomery is a railroad center, a lumber market, and a peanut marketing center. It also has a number of other small manufacturing units. Selma serves as a minor focus of trade, manufacturing, and transportation. In addition to serving as a processing center for its agricultural hinterland, it has a nearby airbase and considerable employment by the railroads.6

Poverty is prevalent among nonwhites 7 in the 16-county area. Median nonwhite family income 7s in the 16-county area in 1959 was very low, only \$1,279 compared to \$4,259 median family income for whites. The level of living index for farm operative families in the black belt counties was among the lowest in the United States. Educational achievement is also low. In 1960, nonwhites 25 years and older in the 16-county area, had a median level of education of 5.5 years. The median level of education for whites on

the other hand was 10.8 years.

Though the economy of the study area has lagged badly behind the rest of the State, it is beginning to show appreciable growth. In agriculture, cotton largely has been superseded by livestock and dairy farming in the Black Belt, and by the raising of crops such as vegetables, soybeans and peanuts, or the growing of large stands of timber in the other counties, as well as in some of the Black Belt Counties. Farms on the whole are fewer but bigger and more productive.

New manufacturing and service industries have moved into the area. Before the 1960's most of the area's manufacturing was confined to the lumber, textile and apparel industries and provided few alternate sources of employment for people being displaced from agriculture. In recent years

<sup>&</sup>lt;sup>1</sup> Includes Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox Counties.

<sup>2</sup> Bogue, Donald J. and Calvin L. Beale, Economic Areas of the United States, New York, Glencoe Free Press, 1961, p. 310. The black soil belt, which extends into Mississippi, is designated such for its black prairie soil, so productive when first cultivated that the belt became a major cotton producing area in the decades before the Civil War.

<sup>3</sup> Ibid, p. 511.

<sup>4</sup> Ibid.

<sup>5</sup> Although a Black Belt County, Montgomery County is not considered a part of the study area,

because of its predominantly urban characteristics.

6 Bogue and Beale, loc. cit., p. 511.

71 It is estimated that better than 99 percent of all nonwhites in the study area are Negroes.

72 In this study in every instance the expression median family income includes the income of unrelated individuals attached to a family.

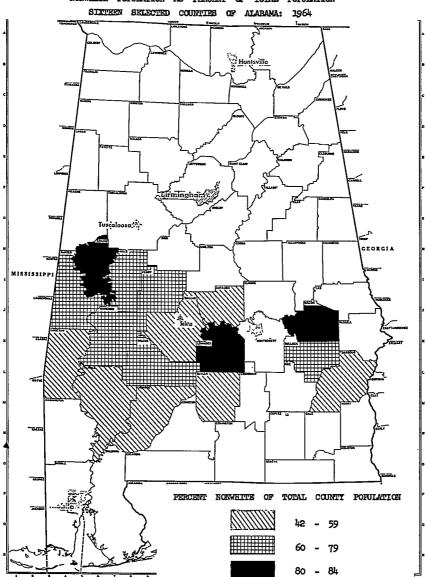


FIGURE 1.

NONWHITE POPULATION AS PERCENT OF TOTAL POPULATION

a number of other industries have moved into the area such as those that manufacture paper, machinery, fabricated metals and chemicals. Transportation and other utilities have expanded and there has been steady growth in the number of government employees.

In general, these changes portend the beginning of better times for an area that long has been economically depressed. But this picture has a basic flaw. Most of the inhabitants of the area are not benefiting from the changes being made, nor does it appear that the opportunities to do so will be available to them in the near future. These inhabitants are black.

The basic changes in the agricultural economy have, on the whole, not benefited the black farmer, laborer, or small farm owner. Although there has been a general shift away from cotton farming, the Negro is still largely confined to this activity. If he is a tenant, or laborer on a cotton farm, his endeavors are fast being replaced by the machine. The white landowner may allow him to stay on the farm but often without any visible means of livelihood. More often he must vacate the land, frequently becoming part of the atreem of migration out of the area. If the block former is ing part of the stream of migration out of the area. If the black farmer is an owner he usually lacks the land, equipment, and know-how to be a prosperous one. Bare subsistence is the rule for the black farmer.

In addition, the Federal Government's agricultural program has not resulted in the resolution of the black farmer's economic difficulties. For example, Negro tenants, and farm owners as well, are disadvantaged by their lack of influence on the decisions of the local agricultural administration. This is particularly true in regard to allotment of cotton acreage and benefit payments. In the 16-county area in 1967, the counties receiving the lowest acreage allotments and benefit payments per farm operator had Negro farm operator majorities.

Negro farm operator majorities.8

Only a small number of Negro farmers (probably less than 10 percent) have moved from cotton production to livestock farming or such other types of agriculture as vegetable growing or soybeans. One group of about 2,000 b have formed a cooperative called the Southwest Alabama Farmers Cooperative Association (SWAFCA) that has benefited them economically. Members grow corn, greens, okra, cucumbers, and peas as well as some cotton. To date, SWAFCA, which operates in 10 of the 16 counties, has been largely able to market crops at more favorable prices than farmers have received individually.

In manufacturing, Negroes generally have the lowest paying and least desirable jobs. Although Negroes recently have obtained jobs in industries from which they were formerly excluded, e.g. paper, apparel and textile mills, most of those who are hired usually are employed as laborers and menials. In few cases are they able to obtain employment as white collar workers; and even in these situations they are still relegated to the lowest paying office jobs.

In compiling the information used in this study, a check was made of Federal, State, and local government sources. Also searched were universities and private sources of data in the area. Much of the information on which the study relies, is dated.10

<sup>8</sup> U.S. Commission on Civil Rights, ASCS Operations in 26 Alabama Counties, Washington, D.C., May 1967, p. 8.

<sup>9</sup> This figure also includes a small number of whites.

<sup>10</sup> No information is available on county population by race after 1964. Information regarding net migration is limited to the 1960 census; there is a general lack of accessible data regarding the destination of migrants. Except for incomplete data collected by the Equal Employment Opportunity Commission (1966), statistics on employment and occupation by race were also generally tied to the 1960 census. Later date (1967) EEOC information has been collected but was not processed and available for use in this study. In addition, there is no current information on income and the extent of processing in the souther area. tion on income and the extent of poverty in the 16-county area.

## II. Population and Patterns of Migration

### A. POPULATION

According to a 1964 estimate, <sup>11</sup> there were approximately 362,000 persons living in the 16-county area of Alabama. (Table 1). They constituted about 11 percent of the State's estimated population of about 3,403,000. Sixty-two percent of the people living in the area were nonwhite, nearly all of whom were Negroes. In seven of the counties Negroes constituted more than 70 percent of the population. (see Figure 1) In none did they account for less than 40 percent

than 40 percent.

Since 1940, the whole area has lost a fifth of its population, declining from about 450,000 to 362,000. In the 1940-64 period, the nonwhite portion of the population declined by nearly 27 percent while the white population receded by about 8 percent. Fifteen of the 16 counties experienced a loss in total population; only Dallas County, because of urban development and industrial growth, showed an increase in total population. In the last quarter century, nevertheless, Dallas County lost approximately 20 percent of its nonwhite population. Other counties witnessing even larger losses of their Negro population were Perry, 40 percent; Bullock, 38 percent; and Lowndes and Marengo Counties each about 35 percent.

The significant decline in the population of the 16-county area.

The significant decline in the nonwhite population of the 16-county area was not reflected in the State as a whole or in larger urban counties with

sizable nonwhite populations.

(i	1940 n thousands)	1964 (in thousands)	Percent change 1940 to 1960
Alabama	983.1	1,006.8	2.4
Four urban counties*	- \$12.4	436.1	89.6
16-county area	- 305.7	224.1	—26.7

<sup>\*</sup>Jefferson (Birmingham), Mobile, Montgomery and Tuscaloosa.

Incomplete data indicate the large scale outmigration has accounted for the nonwhite population loss in the 16-county area. Although the birthrate was very high, it was not enough to offset the heavy movement of people out of the area. Natural increase was responsible for the gain in the Negro population of the four urban areas, although, even here, more nonwhites left the area than arrived.

<sup>&</sup>lt;sup>11</sup> Fantas Corporation Industrial Location Appraisals, Areas 1–8, Prepared for the State of Alabama Planning and Industrial Development Board, New York, n.d.

TABLE 1.—Total and Nonwhite Population of 16 Alabama Counties, 1940, 1950, 1960, and 1964

		1940			1950			1960			1964			
County	Total	Non- white	Per- cent non- white	Total	Non- white	Per- cent non- white	Total	Non- white	Per- cent non- white	Total	Non- white	Per- cent non- white		
	Thou	sands		Thou	sands		Thou	sands		Thou	sands			
Autauga Barbour Barbour Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Marengo Marrengo Monroe Perry Sumter	21.0 32.7 19.8 82.4 20.2 27.5 25.2 27.7 27.7 29.5 26.6 27.3 26.8	11.2 18.2 15.5 10.7 10.7 14.7 16.1 19.2 22.7 26.7 26.6 19.1 21.7 20.6	58 56 74 48 53 52 74 83 72 85 82 73 72 79 78	18.2 28.9 16.1 29.2 19.2 26.5 56.8 18.0 29.8 20.8 25.7 20.4 28.6 28.6	8.4 15.4 11.8 18.1 10.1 18.2 86.6 18.7 14.8 25.8 20.5 18.2 18.8 18.0	46 58 74 58 58 50 65 82 84 69 51 68 70	18.7 24.7 18.5 24.6 17.9 25.7 56.7 18.6 19.5 15.4 26.7 27.1 27.1 27.4 20.0	7.9 9.7 11.0 8.9 12.8 82.7 11.1 18.8 12.4 22.8 11.3 11.3 11.4	42 52 72 45 50 58 81 71 81 84 62 66 76	19.0 24.6 18.4 24.4 17.8 25.7 56.9 18.5 19.5 12.4 26.8 27.3 17.3 19.9	7.9 12.8 9.6 10.9 8.8 12.7 82.6 11.0 12.4 22.4 11.8 11.4 11.4 15.2	42 72 45 49 57 81 71 84 62 76 76		
Total	449.4	305.8	68	408.0	261.6	65	862.6	224.9	62	862.2	224.1	62		

Source: U.S. Census of Population: 1940, vol. II, Characteristics of the Population, pt. 1. U.S. Census of Population: 1950, vol. II, Characteristics of the Population, pt. 2. U.S. Census of Population: 1960, vol. II, Characteristics

of the Population, pt. 2. Fantus Industrial Location Appraisals, Alabama, Areas 1-8. Prepared for the State of Alabama Planning and Industrial Development Board, New York, n.d.

Proportionally, however, the nonwhite population decreased in all areas during the 1940 to 1964 period, approximately 5 percent in the State as a whole, and 6 percent in the 16-county area and a similar amount in the

four metropolitan counties.

The population of the 16-county area is predominately rural. Of the total population of 363,000 in 1960, 75 percent lived in rural areas. Of the non-whites, 80 percent resided in rural areas opposed to 64 percent of the whites. Almost two-thirds (65 percent) of the total rural population, however, was classified as nonfarm residents.

For several decades the population within the 16-county area has been undergoing a major residential change. (Figure 2). In the period from 1940 to 1960, population increased in the urban and rural nonfarm areas, whereas the rural farm population declined radically. This change was true for both whites and nonwhites. In the period 1940 to 1960 the rural farm population of both whites and nonwhites receded by about 72 percent.

In age composition nonwhites in the study area in 1960 had a far higher proportion of individuals in the very young age category than did whites, as

is shown in the following tabulation.

Age group	White (percent)	Nonwhite (percent)
Under 18	35.4 54.2 10.4	49.5 41.3 9.2

The comparative youth of the nonwhite population can be explained by the large number of children in nonwhite families. The small proportion of nonwhites compared to whites in the 18 to 64 age category is accounted for, at least in part, by large scale outmigration of Negro males under 40.

#### B. MIGRATION

The 16-county area has lost population by outmigration for several generations. In this respect its experience is similar to the experience in the South as a whole. It is experience is similar to the experience in the South as a whole. It is the period from 1910-20, coinciding with the increased job opportunities in the North due to the interruption in foreign immigration. During the period both whites and nonwhites left the South in large numbers. In the 1920's and 1930's nonwhite outmigration continued but at a lower rate. In the decade of the Great Depression, the lack of nonagricultural jobs in the North and West cut outmigration from the South by two-thirds. It was in this same period that employment in agriculture began its sharp decline, a process that is still continuing. Lack of effective demand for produce, particularly cotton, as well as low prices and crop control programs sharply reduced the level of income of both white and black farmers. In many cases these people not only left the farm but moved out of the South. It

these people not only left the farm but moved out of the South. The During the 1940-50 decade net migration from the South reached an all time high of over two million, of which about two-thirds was Negro. The pull of jobs in war industries and the displacement from agriculture resulting from mechanization, coincided to precipitate and sustain the heavy outmigration. Especially large numbers of nonwhite sharecroppers and other

tenants left the land.

During the 1950-60 decade net migration of whites declined, whereas Negroes continued to leave at a pace only slightly slower than in the previous decade. All of the 16 counties lost population both white and nonwhite by

<sup>12</sup> Spengler, Joseph J. "Demographic and Economic Change in the South, 1940-1960" in Sindler, Allan P. Change in the Contemporary South, Duke University Press, 1963, pp. 30-33. 13 Hamilton, C. Horace "Continuity and Change in Southern Migration" in 1940-1960 in Sindler, Allan P. Change in the Contemporary South, Duke University Press, 1963.

<sup>14</sup> Ibid. 15 Ibid.

<sup>16</sup> Hamilton C. Horace "The Negro Leaves the South", Demography, Vol. 1, No. 1, 1964. D. 284.

PERC	ENTAGE	DIS	TRIB	UTION	OF		ure e ani	2.	WHITE	3 PO	ULATI	ions,	БŸ	TYPE	OF	
RES	DENCE,	IN	A a	SIXTER	in-co	NTY.	AREA	Œ	ALABA	MA:	1940,	199	, 0	AND :	1960	
			<u>.</u>  .	, !	:				::::::	<del></del> 		- ,	E-		4 -	
			ij	ī.,					:::: :::::::::::::::::::::::::::::::::	量	TLEI	壨	ឝ		4	間
開車	1	; 940	ا نا	1 + i		7	!	1950	1111	Ħ		壨	1111	1960	I	揶
PERCENT		::! <b>'</b>		1		:1.	-::-	Γ	;	7	i	#	<u></u>		[	;''
100	14.5	<u></u>	7.9	間		. <u>;</u>	22.4	HH	12.5	罪		鄿	35.9	1	20.3	141
90 ; 80 :	28.8		12.5	朏	:		(.E.)-)	4-1	24.3	皿	#-		1117			Ħ.
			79.6	111	¦.,		38.i	-==;		##			11.7			
70			$\otimes$		17:1	Ξ		===	777		i <del></del>		***	.:.	119.1	事
60 -	56.7		繎		誧	冨		華	63•2 XXX		Ŧ.	1:1:	46.6	:Ej	11	H.
50 ·	$\otimes$					量			$\overset{**}{\otimes}$				14			. ‡i
40			$\overset{\sim}{\otimes}$				39.5		$\overset{\circ}{\otimes}$			<del></del>	///	, ,		1,51
30		- ;-!- 	$\overset{\circ}{\otimes}$							卌	購		11		77	
20		<del>  []  </del>	$\overset{\sim}{\otimes}$		 	-4= <u> </u>   <del>1</del>	$\otimes$					343.7°	777	] 	30.3 XX	155
10		i . , i	$\overset{\infty}{\otimes}$	###			$\bigotimes$						±7.5		$\bigotimes$	
0 -	WHITE WHITE	<u> </u>		##	##	144	⋘	1111			莊	t:lt:	⋘	17.5	XX	

URBAN

RURAL NOMFARM

RURAL FARM

313-244

migration during the period. More than 80 percent of the outmigrants, however, were nonwhite. Outmigration was heaviest in the Black Belt Counties

(Figure 3).

Migration rarely is nonselective by age and the movement from farms is no exception.<sup>17</sup> Net migration from the 16-county area is not an exception, particularly among nonwhites. In the decade of the 1950's, 33 percent of the nonwhites who left the area were less than 20 years and 46 percent more fell in the 20 to 34 age group.

Large family size, with accompanying economic pressures, probably still is a contributing factor to the extensive outmigration from the 16-county area. Precise information is not available however, concerning family size in the 16-county area. What is available is 1960 data on family size in the State as a whole—information applicable to the 16 counties as well. Nonwhites in both rural and urban settings in the State have much larger families than whites. As is evident in the tabulations below, an extremely high proportion of nonwhites compared to whites have families of seven or more members.

Percent of Families With Seven or More Members in State of Alabama, 1960

	White	Nonwhite
Urban Rural nonfarm Rural farm	8.1	18.3 27.0 37.3

On the other hand, over 50 percent of all white farm families compared to 32 percent of Negro families, have only three members or less. Nearly onethird of the white families have only two members. Thus, considering the nonwhites' low economic status and poor prospects of improving it in the study area, the burdens of supporting a large family would appear to be an important added inducement to leave the area.

## III. INCOME

The economic situation of the mass of Negroes living in the study area is very grave. Only a small minority own property; their housing and their household goods are mostly inadequate and dilapidated. Their incomes are not only low but irregular. They live from day to day and have scant security for the future.

A disturbing picture of the economic problems of nonwhites in the study area is revealed by an examination of median family income. 18 According to area is revealed by an examination of median family income. According to the 1960 census the nonwhite median family income in the 16-county area in 1959 was \$1,279 or only 30 percent of the white median. In all of the 16 counties median family income for nonwhites was less than the nonwhite median (\$1,655) in the State as a whole. Four of the counties, Bullock, Greene, Lowndes, and Perry had median family incomes below \$1,000. (Bullock County Negroes had a median family income of \$901, the lowest in the State.) Low as these figures are, they represent a substantial improvement in the 16-county area from a decade earlier: an increase of 126 for whites and 169 percent for populities between 1040 and 1050. whites and 169 percent for nonwhites between 1949 and 1959.

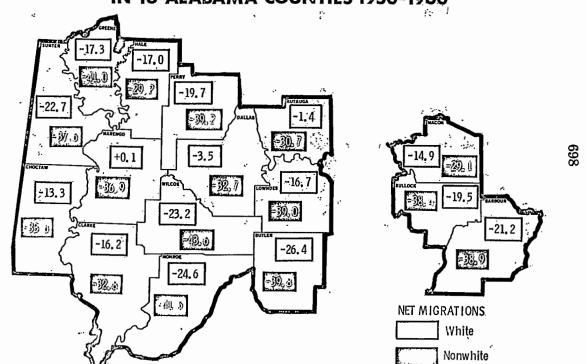
As to be expected nonwhites living in urban areas have a much larger median family income than those living in the 16-county area. In 1959, the median family income of Negroes in all urban areas in the 16-county area was \$1,993 or nearly 40 percent of that of the whites. In Mobile and Birmingham nonwhite median family incomes were among the highest in the State \$2,474 and \$2,362, respectively. In Montgomery however, nonwhite median family income was \$1,757 or only 27 percent of that of whites. Moreover, in all Alabama urban areas in the period from 1949 to 1959 non-

<sup>17</sup> Beale, Calvin L. "Rural Depopulation in the United States." Some Demographic Consequences of Agricultural Adjustments, Demography, Vol. 1, No. 1, p. 264. 18 No income data by race are available since the 1960 Census.

<sup>19</sup> This level is all the more serious when one considers family size, particularly among blacks in rural areas.

Figure No. 3

NET MIGRATION BY RACE
IN 16 ALABAMA COUNTIES 1950-1960



white median income increased at a slower rate than that of whites-57

percent for nonwhites and 78 percent for whites.

As measured by income, a very high incidence of poverty characterizes the rural residents of the 16-county area. In 1964, nearly 70 percent of all households headed by a farm operator had incomes below \$3,000 and almost two-fifths had incomes of less than \$1,000.

## Income of Households Headed by Farm Operators

Income (in dollars)	Percent of all households headed by farm operators
Under 1000	20.6 11.1 8.4 5.4

Significantly Negroes constitute the majority of farm operators in 11 of the counties and comprise almost 60 percent of all farm operators in the

16-county area.

Perhaps the most accurate index of poverty for the area is per capita income. Per capita income in Alabama is low in comparison to the rest of the Nation while in the study area it is low compared to the State of Alabama as a whole. In 1965, Alabama with a per capita income of \$1,920 ranked 47th in the Nation. Only in Mississippi, Arkansas, and South Carolina were per capita incomes lower. In 1965, none of the 16 counties had per capita incomes as high as that for the State as a whole. Four counties, Greene, Hale, Lowndes and Perry average less than \$1,000. Greene County, with a per capita income of \$849, was the lowest in the State.

In 1960, seven of the 16 counties—Bullock, Greene, Hale, Lowndes, Perry, Sumter, and Wilcox—ranked among the 100 lowest counties in per capita income in the United States. In fact, of the seven, only Bullock ranked higher than 38th. Lowndes was the lowest in the State and ranked 12th

from the bottom in the Nation.

### IV. INDUSTRY

The position of Negroes in industry is the key to their low economic status. The decline of traditional agriculture dominated by cotton, and lack of access to more lucrative types of farming have eliminated most black Americans from their historical main source of support. While nonagricultural industries provided the bulk of jobs in 1967 for nonwhites in the 16-county area, the expansion of employment in these industries has not been nearly extensive enough to absorb the surplus Negro labor. Moreover, what new jobs these industries have provided have been more likely to go to whites than to Negroes.

Total White and Nonwhite Employment, 16-County Area Alabama

	Number	Percent
Total employment	109.610	100.0
Nonagricultural employment	90,930	
Manufacturing	27.020	83.0 24.7
Nonmanufacturing	63,910	58.8
Agricultural employment		17.0

During the period from 1960 to 1967, a continual exodus from employment in agriculture coincided with the growth of other industry (Figure 4). In the 16-county area agricultural employment dropped by approximately 18 percent while employment in other industries increased by 22 percent. In

1							1	TGURE	L 4.								
EM	LOYME	NΤ	IN	AGR	ICULT	IRAL,	MAN	UFACI	JRING	, AN	ON C	UNAME	ACTUI	RING	INDU	STRIES	3
38	AS	स्त ख	TEN.	ST	CPEEN-	-can	· Δ'	REA .	AND	EN 19	ER KE	TTRE	STAT	er o	- AT	ABAMA:	
												11100	DIA.	LS C	r All	IDMPH:	
						19	960,	1965	, AN	D 190	57						i
L	11141	111		П.	142.11	r:::::	LLLL	13131	1	1.11.1	11:33				111	1::1:	
E:=1 '	111	ĦŦ	即	讄					L		<del>:#</del>			川田	111		
<u> </u>	1.11		96	_	抽拍	1334		#		-	#	177	=#	į.	196	, i	11=.1:
	+ 44.	4	90		.:::::		111	15_	196	,		11:::		Ξ	196	1 :	1   11
PERCENT	#i.;	:1:	=!:		11.	H	朏	IH.		!:! <u>"</u>		-1-1				Hir	J-51
100	1 1 1 1 1	<del>.   :</del>			<u> </u>	ار داداد. داداداد		100 100				e-p-i	4-1 1 1-	اسلساده - ترسوهره	1-1-1	1144	3 1 1
	23.	5 1	111	8.8		· : İ		18.6	出:	6.7	:::			17.0	陆	6.4	4417
90	1000		- 1	22.li	_	1		3-1-5-1	;-}-;-	23.7						25.4	11111
80	1	-	·	111.	1	"   .:		23.75	噩					1	III	177	H
1 80	-	<b>a</b>		177			<del>                                      </del>	22.7	<b>,,,,,</b>	1111	::::	HH		24.7	1.11	H	Ji;
70	19.	4		[[]		<u> </u>		777	1===	7777		##-		777.		111	1111
"		3	İ	68.8		7	;i		1	69.6				111	进出	68 2	曲
60	11	+		×××	<u> </u>		<u> </u>	277	—	XXX	1	;-! : 	- 1-1-	111	\	XX	j-L-j-1
İ	57	뉡	- 1	燚	.		- :	58.7	1	$\bowtie$		1	<b>#</b>	58.3		XXX	
50	XX	<del>,</del> [x		⋘			i	XXX		XXX	i-1-j			⋘		$\bowtie$	·
	≫	XI.		⋘	]	٠ .	!	XX	1	₩	-1::::			$\bowtie$	} .:::::	$\infty$	
10	-88	81-		ॐ		<u></u>	:	⋘	1	XX		===		繎	12		±1
20	⋘	Я		<b>XX</b>	1			$\otimes$	<b>.</b>	$\bowtie$	罪	:=1.	1111	⋘		$\otimes\!$	1-1:-1-
, 30	⋘	Χ	ł	ॐ	}			$\bowtie$	İ	$\bowtie$	1		[1]33	₩	1=1	燚	
20	⋘	X	-	✨	1			$\bowtie$		₩	.,		7.2"	$\bowtie$	3:	$\times$	:33.7
	$\otimes$	XI.	- 1	⋘				$\bowtie$		₩			<u>                                   </u>	₩		XXX	
10	$\otimes$	8		XX	1			$\otimes$	-	₩	<del>-</del>			$\bowtie$		<b>XX</b>	1-1-1-
	X		į	⋘	ļ			$\bowtie$	ł	₩	۱.,	11.	l::E	⋘	: E	XXX	
. 0	(XX	~·	1	XX.	! _		_,	KXX:	<del>!</del>	EXXX	<u> </u>	l		rxx.	<del></del>	~~~	: _
- 1	6-cour area	TY		SNTIR STATE				COUN ARBA	TY	ENTIR				-COUN AREA		enter State	
1 .			:		•												

AGRICULTURE



MANUFACTURING



NONMANUFACTURING

the State, employment in agriculture also declined by 18 percent while the proportional growth of other industries was about 16 percent.

### A. AGRICULTURE

For most Negroes who have remained in agriculture, getting a living is at best a difficult proposition. They live at a bare subsistence level and have little hope of escaping it if they remain in farming. Most whites, though by no means all, derive a better living from farming. Generally, they have benefited from the application to farming of modern science and technology.

benefited from the application to farming of modern science and technology.

The Agriculture Experiment Station of Auburn University reports that
the application of modern science and technology is changing a traditional

way of life to a modern commercial operation.20

"Individual farms are becoming larger, more mechanized, more specialized, more commercialized and with higher capital and managerial requirements. With fewer farms and fewer farm people, Alabama's commercial agriculture

is becoming more efficient and more productive." 21

Comments on the statewide condition of agriculture apply, at least in part, to the 16-county area as well. Table 2 shows that in six counties, which are more or less representative of the 16-county area, the number of farms as well as acreage have declined in the period 1950-64. For the State as a whole the number of farms has decreased by 56 percent. Among the six counties in the study area the decline in the number of farms has ranged from 47 percent in Bullock County to 56 percent in Wilcox County.

Statewide acreage in farms declined by more than one-fourth during the period 1950 and 1964. In the counties, the pattern of decline was erratic ranging from a 2 percent drop in Lowndes County, to a 35 percent decline in Greene and 32 percent in Barbour. On the other hand, the average value of farm land and buildings increased dramatically, in both the State and the study area. For the State as a whole, values of land and buildings rose by about four and one-half times; for both Bullock and Lowndes Counties about six and one-half times.

The growth in the size of farms and the concomitant improved technology, combined with such factors as government crop control programs and better employment opportunities elsewhere, have resulted in a decline in the number of farmers. Throughout the South, but particularly in the 16-county area, the largest number to leave, or be forced to leave the land, has been the black tenant farmers. In the period 1930 to 1964 the number of non-white farm operators dropped from 50,102 to 12,858 or almost 75 percent. Of this number, 36,000 were tenants. During the 34-year period, 85 percent of the nonwhite tenants in the 16 counties left the land.

TABLE 2.—Farms, Farm Acreage and Value of Land and Buildings, Alabama and Selected Counties, 1950 and 1964

County	Far (in thou	ms isands)	(in the	n farms ousands cres)	and bu aver per i (in the	Value of land and buildings average per farm (in thousands of dollars)			
	1950	1964	1950	1964	1950	1964			
The State Barbour Bullock Greene Lowndes Macon Wilcox	211.5 2.8 1.9 2.7 2.7 2.5 3.4	92.5 1.3 1.0 1.4 1.4 1.3	20,888.8 484.5 318.7 370.1 371.8 286.3 413.5	15,225.8 330.8 278.1 242.0 363.6 243.7 397.7	4.6 4.4 4.1 3.6 3.9 4.0 3.7	20.6 19.3 26.1 16.1 25.4 17.5 23.3			

Source: U.S. Census of Agriculture, 1954, county table 1. 1959, Statistics for Counties, table 1. 1964 Statistics for Counties, table 1.

<sup>20</sup> Agriculture Experiment Station, Recent Economic and Social Changes and Trends in Alabama Agriculture and Related Data, Auburn University, November, 1962, p. 5.
21 Ibid.

For some time the amount of acreage in farmland has been declining at both the State and the 16-county level. The rate of decrease, in total acreage operated by nonwhites in the 16-county area, was much greater than that operated by whites over the period from 1954 to 1964.

Total Acreage Operated by Whites and Nonwhites, 16 Counties, Alabama

	1954	1964	Percent
	acres	acres	change
NonwhitesWhites	1,284,694	691,021	-46
	4,922,191	4,047,673	-18

While farm acreage in the 16-county area in the period from 1954 to 1964 has gone down, the average size of farms has gone up. This growth, however, has been limited almost entirely to the holdings of white farmers. In the period from 1954 to 1964 the average size of farms owned by whites grew by more than 30 percent, the farms of Negroes by less than 6 percent. In 1964 the average size of farms operated by white farm operators was 462 acres; farms of nonwhite farm operators in that year averaged about 54 acres. In 1954, slightly more than 20 percent of the acreage was in farmland operated by Negroes, by 1964 the acreage operated by them had declined to 15 percent.

Also indicative of the modernization of agriculture have been important changes in the types of products grown, as well as pronounced increases in net production. Agriculture in the study area counties has shifted away from dependence on a single cash crop, cotton, to other crops and livestock.

A highly productive crop which recently has gained prominence on farms in the study area is soybeans. In 1960, soybeans were produced in only 10 of the 16 counties and annual production was only a little more than 35,000 bushels. By 1966, 15 of the counties were producing soybeans and production had soared to 678,000 bushels, a nearly twentyfold increase. Most of the increase occurred in just a 2-year period, 1964 to 1966, when soybeans production was stepped up by 500,000 bushels, or better than 400 percent.<sup>22</sup> Of even greater significance to the 16 counties is livestock. These counties have become the major beef and milk-producing area of the State. In 1967, they contained approximately one-third of the State's total cattle population.<sup>23</sup>

Cotton is still the basic crop grown by most of the black farmers in the 16-county area. This traditional crop affords a poor living for the black man who with his small farm, usually lacks the latest techniques, equipment, and fertilizer to make a good living. Moreover, cotton is an allotted crop the acreage of which, restricted by law, usually is in short supply and often contracting. In contrast many white farmers diversify their activities among livestock, poultry, dairying, timber, and the raising of several other crops, such as soybeans, sorghums, and corn.

In Alabama, as well as the South as a whole, livestock farming is of much greater economic significance to whites than to nonwhites.

"Nothing more sharply distinguishes white from nonwhite farmers in the South than the different degree of reliance on livestock. Ninety percent of the total value of products sold by nonwhite farmers in 1959 consisted of crops and only 10 percent of livestock and livestock products. On Southern white-operated farms, 52 percent of the total product value was from crops and 48 percent from livestock, almost an even balance." <sup>24</sup>

### B. NONAGRICULTURAL INDUSTRIES

### 1. Manufacturing

As of March 1967 there were reported to be more than 850 manufacturing units employing approximately 27,000 persons in the 16-county area of

 <sup>22</sup> Alabama Department of Agriculture and Industries, Alabama Agricultural Statistics, Bulletin 12. Montgomery 1967, pp. 30-31.
 23 Ibid, pp. 54-55.

<sup>24</sup> Beale, Calvin L., John P Davis, ed., "The Negro in American Agriculture," in The American Negro Reference Book, Prentice Hall, 1966, p. 178.

Alabama. This represents 8 percent of the manufacturing units and 9 percent of the total number of employees in Alabama in that year. Although manufacturing establishments were located in each of the 16 counties in 1966, slightly more than 25 percent were concentrated in two counties—Clarke and Choctaw.<sup>25</sup>

Throughout the 16-county area manufacturers of lumber and wood constituted 85 percent of all manufacturing concerns. Four-fifths of these concerns were small logging operations. Most of the other manufacturing units

were apparel, textile, or food concerns.

Approximately 62 percent of all those employed in manufacturing in the 16-county area in 1967 worked in a general category of employment described by the census as "other" manufacturing. Included in this category were furniture, chemicals, leather goods, rubber, paper, stone, clay, and glass products. Another 27 percent of the employed worked in the lumber and wood industries and the remaining 11 percent were divided among the textile, apparel, food, fabricated metals, and machinery industries.

In the period 1960 to 1967 such industries as fabricated metals and machinery paper and chemicals showed rapid growth both in total numbers.

In the period 1960 to 1967 such industries as fabricated metals and machinery, paper and chemicals showed rapid growth, both in total number of employees and in percent of all manufacturing industries in the 16 counties. (Figure 5). Total employment in the textile, apparel, and food industries also grew, but at a slower rate, and their proportional share of all employment in the study area declined. The single largest industry in the 16-county area, lumber and wood products, declined in both the total number of employees and in the percent of all manufacturing employment in the area. From the limited information available it would appear that the capital-intensive, high-wage industries (e.g. fabricated metal or chemicals) are expanding, whereas the traditional labor-intensive, low-wage industries (e.g. textiles and lumber and wood) are standing still or contracting.

How does the black American fit into the employment picture in manufacturing in the 16-county area? It can be said that his position in manufacturing has been influenced by two forces of change working in opposite directions. One force is the general expansion going on that is bringing new industries into the area. This tends constantly to increase the employment opportunities of Negroes as well as whites. The other is the competition from white job seekers. This tends to exclude Negroes from employment and press them downward in the employment scale. Thus, the data at hand <sup>27</sup> indicate that most of the Negroes are employed in unskilled jobs in traditional low wage manufacturing industries, primarily lumber and

wood and food processing.28

A further gauge of the contribution of manufacturing to the economic life of black Americans in the 16-county area is to show the amount of wages and salaries paid to them in comparison to that received by whites. This measure of economic status cannot be properly analyzed because of lack of data by race. An accurate account of wages and salaries paid to employees of individual industries is also generally not available. It is estimated, however, that the lumber and wood industry accounted for approximately 16 percent of the total payroll <sup>20</sup> in the 16-county area in 1966. <sup>30</sup> In 1956 this industry had accounted for approximately one-third of all wages and salaries paid in the area. <sup>31</sup> Although specific details are not available it is known that an increased share of wages was afforded employees of such manufacturing industries as fabricated metals and machinery, and

<sup>25</sup> U.S. Department of Commerce County Business Patterns CBP-66-2 Alabama Table 2, p. 27.
26 Unpublished statistics, State of Alabama, Department of Industrial Relations, March 1967.
A breakdown of employment by individual industries in this grouping is not available.

 $<sup>^{27}</sup>$  Equal Employment Opportunity Commission, EEO-1 Reports (1966) (see p. 39 and table 6 below in this).

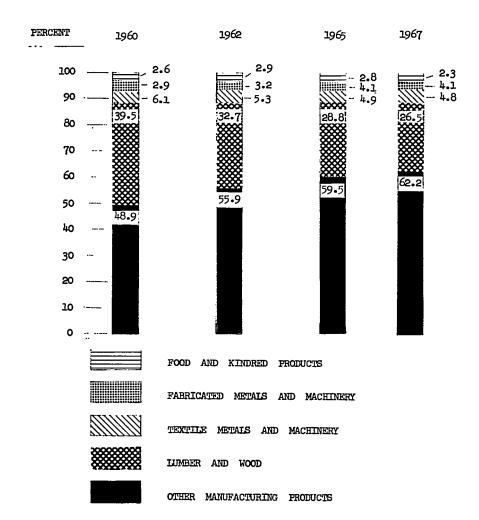
<sup>28</sup> It is worth pointing out that a current detailed description of employment by race in the manufacturing industries is not possible because this data has not been collected at any level of government.

<sup>29</sup> Includes both wages and salaries.

<sup>30</sup> Based on calculations made from statistics in County Business Patterns, 1966. op. cit. Table 2.

<sup>31</sup> County Business Patterns, Part Seven, East South Central States, 1956. Table 3.

FIGURE 5.
EMPLOYMENT IN MANUFACTURING INDUSTRIES IN A SIXTEEN-COUNTY AREA
OF ALABAMA: 1960, 1962, 1965, AND 1967



chemicals. Thus it appears that much of the Negro workforce is trapped in an industry that pays but a declining share of the total manufacturing pay-

roll. Few have managed to get jobs in those industries that are paying an increasing proportion of all wages and salaries.

An important measure of the development of manufacturing in the State of Alabama and the 16-county area is capital investment. In general, it is a measure of the economic growth of an area as calculated by the amount of money invested in new manufacturing plant development or the expansion of expansion of interpretable and in the state of the seconomic growth is the existing facilities. An important concomitant of this economic growth is the

number of new and expanded jobs it creates.

In the period 1960 to 1967 total capital investment in Alabama industry, approximated \$2.8 billion, \$1.0 billion of which was in new plants and \$1.8 billion in the expansion of existing establishments. A total of 147,530 additional jobs became available as a result of the investment (Table 3).

Table 3.—Capital Investment and Job Opportunities in Selected Alabama Counties, 1960 to 1967\*

		Population (196	64)	Job		Capital investment		
County	White	Nonwhite Thousands	Percent nonwhite	oppor- tunities new and expanded	New Industries	Expanded industries	,	Total
Autauga Barbour Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Monroe Perry Sumter Wilcox	11.1 11.8 3.8 13.5 9.0 13.0 24.3 2.5 5.7 3.0 4.4 10.3 11.0 5.9 4.7	7.9 12.8 9.6 10.0 8.8 12.7 32.6 11.0 13.8 12.4 22.4 16.8 11.3 11.4	42 52 72 49 49 57 81 71 84 66 78	1,176 2,573 297 1,327 1,557 8,294 2,103 402 402 306 164 663 2,902 1,293 836 878	\$ 50,170 9,745 1,410 7,180 990 17,685 81,592 360 685 10,660 225 1,660 2,175 691 4,707 77,420	\$ 7,488 8,890 1,088 2,640 54,690 18,400 8,128 780 678 100 100 1,000 3,382 6,505 2,080 1,285	\$	57,608 13,638 2,448 9,820 55,680 31,088 39,720 1,140 1,363 10,766 4,972 8,880 2,721 6,147 78,656
All 16 countiesEntire State	138.1 2,399.2	224.1 1,006.6	62 80	20,046 147,530	217,335 \$1,040,517	107,424 \$1,770,481		824,759 ,810,948

<sup>\*1966</sup> data covered the period Jan. 1 through Dec. 12, 1966.

Sources: State Planning and Industrial Development Board. Fantus Industrial Location Appraisals for Alabama Areas 1 through 8 n.d.

The total capital investment in the 16-county area during the 1960-67 period was in accord with the area's share of the State's population. The 16 counties contained approximately 11 percent of the population but received 12 percent of the capital investment. More than 80 percent of this capital was invested in five of the counties—Autauga, Choctaw, Clarke, Dallas, and Wilcox. Only one of these, Wilcox, had a higher percentage of Negroes, 78 percent, than the 16-county total of 62 percent. On the other hand, two counties, Macon County with 84 percent of its population nonwhite and Greene County 81 percent nonwhite, received less than 1 percent of the total capital investment in the study area. Most of the capital invested in the 16 counties went into new industries rather than in expanding ones, in contrast to the State where the opposite was true. Over \$77 million was invested in Wilcox County. Most of this capital was used to establish one plant, a paper mill operated by MacMillan-Bloedel.

The establishment of new industries and the expansion of old ones in the 1960 to 1967 period has resulted in approximately 20,000 new job oppor-

The establishment of new industries and the expansion of old ones in the 1960 to 1967 period has resulted in approximately 20,000 new job opportunities in the 16 counties or 14 percent of job opportunities that became available in the State during this time. Industries in seven counties—Autauga, Barbour, Butler, Choctaw, Clarke, Dallas, and Monroe—supplied 75 percent of the new job opportunities. All of these counties had Negro population ratios lower than the 16-county average of 62 percent. It may be noted that the least amount of job expansion took place in those counties with the highest proportion of nonwhites. Only 7 percent of the job opportunities in the 16-county area were provided by industries in the five Black Belt Counties—Bullock, Greene, Hale, Lowndes, and Macon. In all of these counties Negroes constituted more than 70 percent of the population.

### 2. Nonmanufacturing employment

The 16-county area, in March 1967, contained more than 3,500 nonmanufacturing establishments that employed approximately 42,500 persons. Included among these nonmanufacturing industries were concerns engaged in building and construction, wholesale and retail trade, government, finance, transportation and utilities, and services. In addition about 21,500 persons were working at other nonmanufacturing jobs including those who were self-employed, unpaid family workers and domestic servants in private households.

Most of these establishments were rather evenly distributed throughout the 16-county area. Only Dallas County had as many as 20 percent of these concerns. Less than 5 percent were located in Lowndes and Greene Counties. As in the case of manufacturing industries current information on the employment of Negroes in nonmanufacturing industries is lacking.

In 1960, almost two-thirds of the nonmanufacturing workforce in the 16-county area was concentrated in three types of employment: government, retail trade, and wholesale trade. (Figure 6). Government alone accounted for more than a third of the employees. Most of the remainder were engaged either in construction work or employed in one of the services such as hotels, launderies, automobile repairs, or medical services. In the period 1960 to 1967, employment in all nonagricultural industries increased by about 25 percent. Services and other nonmanufacturing industries 32 showed the greatest increases, 56 percent and 38 percent respectively, and retail and wholesale trade the least, 11 percent.

Data are limited concerning government employment in the 16-county area. The 13,800 civilian government employees in the area in 1967 were divided between Federal, State, and local government and represented approximately 7 percent of total government employees in the State. Statewide, 128,000 of approximately 191,000 government employees or 67 percent, worked for the State and local governments. Slightly more than half of these worked in the State's school system. Detailed statistics concerning nonwhite employment at the State and local government level are not available.

Data concerning Federal employment of nonwhites in the 16-county area are also not available. Data are available for the State as a whole, however, and the employment pattern there is believed to be similar to that of the 16 counties. In 1966, nonwhites accounted for a disproportionately small

<sup>32</sup> Includes transportation and other utilities, finance, insurance, and real estate and unclassified establishments.

EMPLOYMEN	r 1	NON R	MANU	FACTU			STRIF	JRE ( S IN 1965	A 8			UNTY	AREA	Œ	ALAB/	MA:
				: :	:		_		, .	-1	-	-	;-·	:		
PERCENT		1960		1962	,:-1	1965		1967		H 133	:::			1 .	.,	
100		7.0		6.8		6.7	#	7.2	1771	: !::: ONSTR			- <u>-</u> -			
							ii ,		Tr.	i				: i		
90												:		:i#i		
!	•	13.1	:	13.8	,	14.7		14.5	_ 0	THER	NONM	ANUFA	CTURI	NG -		
80				""						1.1			i -	L		
	: i										l	<u> </u>		ELI"		
70	<u>'</u>	16.3		16.5		17.8	<u> </u>	20.3	_ 4	ERVI(	ŒS	(EXCL	DVIICUU H	PRIO		_
- ! !									TE		FL.		۸۱.   ا <sub>نجا</sub> ــ			ŀ
ا ا			-:							#	盟	1:11	====	崖	Η,	蓝
60 	1 1		!							r::: :: :::	韫	72		壨	朣:	Œ
			: i		:!		:F		H							##
50 .	•				'							11:17				
	_ <u>'</u>	28.7		28.0	1::::	27.7		25.5	-4	HOLE		AND	RETA:		RADE	
40	***		٠.		1				'i.i' :	##			:::ti:			### ###
							:::			====		1	"E.			7::
30	<u>.</u>					· triff						1415		.;; <u>;</u>		
HITTE	<u>.</u>				,		!				毌		ĦI.	<u>.</u> :		: <u>:</u>
 	雌		1		:						讎	讎	肆	聞	朑	+ † !
	ļ <u>.</u>	2). 6		-1 0	:			32.5		TTT:		ा <u>ः ।</u> तक्का	ERAL,		::	r <sub>i</sub> :
	ĬĘ	34•9	111	34.8		33.1		34.5	G			A A I	ND L	OCAL)	, ,	;;;
10 	•		<u> </u>							!ä				i	-	-
									·	,			<u> </u>		:	

, {

share of Federal employees in the State (Table 4). Of a reported total of snare of Federal employees in the State (Table 4). Of a reported total of 57,489 Federal employees in Alabama about 6,700 or 12 percent were Negroes, which is considerably less than the 30 percent they made up of the State's population.<sup>33</sup> In classified service two-thirds of all Negro employees were concentrated in jobs GS-1 thru GS-4. Less than two percent were GS-9 or above. In Wage Board (blue-collar) jobs and Postal Field Service work, Negroes fared little better. Nearly 95 percent of Negro blue-collar earned less than \$6,500 a year. Only five Negroes out of more than 3,600 in blue-collar work earned \$8,000 or more a year. In the Postal Field Service, 95

Table 4.—Negro Employment in the Federal Government, in the State of Alabama, June 1966

		tified employme t of total employ	
Pay category		No	egro
	Employment	Number	Percent
Total all pay plans	57.489	6,670	11-6
Total class. Act or similar	. 31,364	1,852	5.9
GS-1 through 4	9.675	1.240	12.8
GS-5 through 8	7,243	379	5.2
GS-9 through II	. 7.173	193	2.7
GS-12 through 18	. 7.273	40	.5
Total Wage Board	. 17.849	3.674	20.6
Up through \$4,499	. 3.180	1.410	44.3
\$4.500 through 6.499	8 494	2.086	24.7
\$6,500 through 7,999	. 5.011	173	3.5
58.000 and over	. 1.224	5	.4
Total Postal Field Service	. 6.675	914	13.7
PFS-1 through 4 2	. 5,624	860	15.3
PFS-5 through 8	873	54	6.2
PFS-9 through 11	. 157		
PFS-12 through 20	. 21		
Total other pay plans	. 1.601	230	14.4
Up through \$4,499	258	127	49.2
\$4,500 through 6,499	. 498	89	17.9
\$6,500 through 7,999	203	5	2.5
\$8,000 and over	642	9	1.4

<sup>1</sup> Of 59,902 employees, 2,413 (4.0 percent) are unidentified. 2 Includes 4th class postmasters and rural carriers.

percent of all Negroes held PFS-1 through PFS-4 positions. There were no Negroes among the 179 employees who held PFS-9 through PFS-20 jobs.

## 3. Occupation and employment status

As can be seen from the previous discussion, employment in nonagricultural industries, although lagging behind that of the rest of the State and certainly the Nation, has begun to expand and diversify. Job opportunities in a number of new industries have become available. From the limited statistical information available on occupation and job status, it appears obvious that Negroes have in no way had the employment opportunities of whites.

Negroes are concentrated at the lower end of the occupational scale. This is evident from Table 5 which provides data on occupation within nonagricultural industries of the 16-county area in 1960. About one-third of the male Negro workers were unskilled laborers, mostly in the lumber industry. About 40 percent were classified as operatives or service workers, primarily truck drivers, delivery men, parking lot attendants, janitors, elevator operators and waiters. Less than 15 percent were employed as craftsmen and sales and clerical workers. These jobs which traditionally provided a major source of employment for poorly educated white males in the area have by and large been denied the nonwhite male. Employment in the crafts, sales, and clerical fields would offer Negroes the easiest means of economic advancement while at the same time requiring relatively little skill improvement. Only about

<sup>33</sup> U.S. Civil Service Commission, Study of Minority Group Employment in the Federal Government. Washington, 1966. p. 63.

5 percent of the nonwhite males had gained access to professional, technical,

or managerial jobs.

White males largely monopolized the high prestige better paying jobs. In 1960 approximately one-fourth were engaged in a professional or technical career or worked as managers, officials and proprietors. Only 6 percent were laborers and less than 4 percent service workers.

More than 50 percent of the employed nonwhite women in 1960 were private household workers (mostly maids). Slightly more than 20 percent were service workers and operatives chiefly laundresses, cooks, waitresses and charwomen. A comparatively high 13 percent were professional and technical workers; most of these women were elementary or secondary school teachers. Again, access to clerical and sales jobs were largely denied them. Less than 4 percent of the nonwhite women had obtained work in clerical and sales employment as compared to approximately 40 percent of the white females employed in these jobs. An equal number of white females were either operatives or professional or technical workers.

Negroes had made little, if any, improvement in their job status during the years 1960 to 1966 according to information obtained from the Equal Employment Opportunity Commission in 1966. Table 6 provides data on 8,000 employees of six manufacturing industries that have major economic importance in the 16-county area. As was previously pointed out, nonwhites, in 1964, accounted for about 62 percent of the population in all the study area counties. Yet with the exception of the lumber and food industries, which traditionally in the South hire large number of Negroes,35 the percentage of blacks employed is lower than their proportional share of the population. Machinery had the smallest representation (10 percent) of Negro employees.

Only a small number of Negroes obtain white-collar jobs. None of the 483 white-collar workers in the paper and allied products industry were Negroes and only 4 of the 328 white-collar employees in the machinery

industry.

In general, a larger proportion of Negroes have obtained employment as craftsmen than as white-collar workers. Negroes accounted for 32 percent of all craftsmen in the food industry and for 26 percent of the 232 craftsmen in the lumber and wood industry. Other industries were lagging. Only four Negroes (0.8 percent) were included among the 530 craftsmen employed by the printing and publishing industry; they accounted for only five of 171 craftsmen in nonelectrical machinery concerns.

### V. Summary

In this study it has been pointed out that the 16-county area of Alabama has long been characterized by its severe economic and social problems. The population has declined for decades, Negro more so than white; the inhabitants largely work as unskilled laborers in low wage industry or eke out a living as small subsistence farmers. Three-fifths of the population are Negroes, the majority of whom live in the gravest type of poverty. Large numbers of Negroes have left the area over the past two generations and are probably still leaving in substantial numbers but a high fertility rate, particularly among the black farm population, has somewhat mitigated this population loss. The median income of these people in the 16-county area is extremely low and though it has shown substantial increase in the past decade or so it probably remains at a level not more than a third of that of white income.

Attention has been directed to important economic changes which have begun to transform the area. New types of agricultural techniques and equipment are being used. Production of cotton has declined, what farms remain are larger and new types of agriculture, e.g. livestock raising and dairying have been adopted. Other industries have also penetrated the 16-

self-employment in the area.

<sup>34</sup> This figure includes an estimated 90 percent of the workforce in these industries in 1967 except for the lumber and wood industry. Units reporting for this industry accounted for only about one-third of its total employment. Reporting for other nonagricultural industries was extremely low.

35 Most work in small logging camps. This back-breaking type of work is the principal Negro

Table 5.—Major Occupational Groups in Nonagricultural Industries by Race, 16-County Area 1 of Alabama, 1960

				Employ	ees			
_		W	hite	Nonwhite				
Major occupational group	Male		Female		М	ale	Fer	nale
major occupational group	Number	Percent of total	Number	Percent of total	Number	Percent of total	Number	Percent of total
Professional, technical and kindred workers  Managers, officials, and proprietors, except farm Clerical and kindred workers Sales workers Craftsmen, Foremen, and kindred workers Operatives and kindred workers Private household workers Service workers, except private household Laborers, except farm and mine Occupation not reported	2,579 4,974 1,681 2,738 6,710 6,296  945 1,610 521	9.2 17.7 6.0 9.7 28.9 22.5 	1,906 1,080 4,035 1,981 204 4,160 260 1,157 21	12.5 7.1 26.5 13.0 1.3 27.2 1.7 7.6 .1 3.0	1,086 351 355 223 2,120 6,763 197 1,975 6,829 692	5.3 1.7 1.7 1.1 10.3 32.8 .9 9.6 33.2	2,295 194 437 246 58 1,801 9,717 2,415 146 470	13.3 1.1 2.5 1.4 7.5 56.2 14.0 9 2.7
Total	28,049	100.0	15,257	100.0	20,591	100.0	17,279	100.0

<sup>&</sup>lt;sup>1</sup> Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox Counties.

Source: U.S. Census of Population: 1960. vol. I, Characteristics of the Population. part 2, Alabama, tables 84 and 88.

Table 6.—Job Status of Negroes, by Industry, in 16 County Area of Alabama, 1966

		All occupation	s		White-colla	r	Craftsmen			
		No	egro	•	Negro			Negro		
Industry	Total	Number	Percent of industry total	Total	Number	Percent of industry total	Total	Number	Percent of industry total	
Food and kindred products	639 1192 2268 2586 1318	467 176 1448 294 141	78.1 14.8 63.6 11.6 10.7	83 61 247 483 328	6 1 13 	7.2 1.6 5.8 1.2	60 832 232 530 171	19 10 61 4 5	81.7 8.0 26.8 .8 2.9	
Totals	7953	2521	81.7	1202	24	2,0	1325	99	7.4	

<sup>&</sup>lt;sup>1</sup> Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox Counties.

Source: Equal Employment Opportunity Commission, EEO-1 Reports (1966).

county area. Apparel, paper mills, chemicals, fabricated metals, and machinery plants have opened in the area and provided new job opportunities. Despite these overall gains this study has demonstrated that these economic

Despite these overall gains this study has demonstrated that these economic changes have had little effect on the black majority. Negroes who have remained in farming are engaged in marginal production which hardly provides a livelihood. Their farms are small; they lack the necessary techniques and equipment for better performance. Federal programs designed to assist the farmer have generally failed to reach the black farmers of this area.

In addition the limited data available indicate that new job opportunities in new and expanding industries have for the most part gone to whites. Negroes who have been hired have generally been relegated to unskilled, deadend, menial tasks and for the most part are employed only in the formerly labor intensive industries such as lumber and wood and food processing, which are now showing a decline in manpower requirements.

Supplementary Table A.—Population by Residences and Color in 16-County <sup>1</sup>
Area of Alabama, 1940, 1950, and 1960

	19	940	19	50	19	60
	Number	Percent of total	Number	Percent of total	Number	Percent of total
White:						
Urban	20.861	14.5	31,776	22.4	49.512	35.9
Rural nonfarm	41.360	28.8	53,901	38.1	64.158	46.6
Rural farm	81,518	56.7	55,918	89.5	24,102	17.5
Total	143,739	100.0	141,590	100.0	137,772	100.0
Nonwhite: Urban	24,162	7.9	82,750	12.5	45.723	20.3
Rural nonfarm	38,252	12.5	63,561	24.3	110.998	49.4
Rural farm	243.323	79.6	165.073	63.2	68.122	30.3
Kurai iariii	240,323	19.0	160,010	00.4	00,122	
TotalTotal population:	805,737	100.0	261,384	100.0	224,843	100.0
Urban	45.023	10.0	64,526	16.0	95.235	26.3
Rural nonfarm	79,612	17.7	117.462	29.1	175,156	48.3
Rural farm	324,841	72.3	220,986	54.8	92,224	25.4
Total	449,476	100.0	402,974	99.9	362,615	100.0

<sup>1</sup> Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox Counties.

Source: U.S. Census of Population: 1940. Vol. II, Characteristics of the Population, pt. 1.

United States Summary and Alabama—District of Columbia. Table 21, pages 236-239; table 26, pages 267-271; and table 27, pages 273, 276. U.S. Census of Population: 1950. Vol. II, Characteristics of the Population, pt. 2, Alabama, tables 41, 48, and 49. U.S. Census of Population: 1960.

Vol. I, Characteristics of the Population, pt. 2, Alabama, tables 27 and 91.

Supplementary Table B.—Age Group by Color, 16-County <sup>1</sup> Area of Alabama, 1960

	Wh	ite	Nonwhite			
Age group	Number	Percent	Number	Percent		
Under 18	48,662 28,533 25,781 20,428 14,868 137,772	85.4 20.7 18.7 14.8 10.4- 100.0	111,332 38,471 29,259 25,118 20,663 224,843	49.5 17.1 13.0 11.2 9.2 100.0		

<sup>1</sup> Antauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox. Source: U.S. Census of Population: 1980. Vol. I, Characteristics of the Population, pt. 2, Alabama, table 27.

Supplementary Table C.—Net Migration by Race in 16 Alabama Counties and State of Alabama, 1950-60

	Total net	migration	White net	migration		white gration
Area	Number	Rate* (percent)	Number	Rate* (percent)	Number	Rate* (percent)
Alabama Autauga Barbour Bullock Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Monroe Perry Sumter Wilcox	-368,331 -2,709 -8,854 -8,858 -9,484 -4,592 -6,490 -12,646 -6,097 -5,321 -6,312 -6,312 -7,572 -8,718 -8,087	-12.0 -14.9 -30.6 -33.4 -32.4 -24.4 -22.5 -36.2 -25.5 -35.0 -25.6 -33.2 -34.0 -39.3	-144,130 -142 -2,852 -828 -4,264 -1,208 -2,164 -697 -483 -1,052 -536 -714 -11 -8,992 -1,811 -1,285 -1,141	-6.9 -1.4 -21.2 -19.5 -26.4 -13.3 -16.2 -8.5 -17.3 -17.0 -16.7 -14.9 -0.1 -24.6 -19.7 -22.7	-224,201 -2,567 -6,002 -4,540 -5,220 -3,384 -4,326 -11,949 -5,614 -4,269 -5,776 -5,459 -5,459 -5,459 -5,407 -6,754 -8,094	-22.8 -30.7 -38.9 -38.4 -39.8 -31.6 -32.8 -32.7 -29.2 -29.2 -39.0 -29.1 -36.9 -37.6 -43.6
Total	-116,178	-28.8	-21,780	-15.4	-94,420	-36.1

<sup>\*</sup> Figures for rate not taken from Economic Research Service Publication (see below) but computed on the same basis as that used in Current Population Reports.

Source: U.S. Department of Agriculture Economic Research Service Net Migration of the Population, 1950-1960 by Age Sex and Color Alabama, tables 1 and Za, 1965. U.S. Bureau of the Census, Current Population Reports Series P-23, No. 7, November 1962, table 1.

# SUPPLEMENTARY TABLE D.—Size of White and Nonwhite Families in Urban, Rural Nonfarm and Rural Farm Areas of Alabama, 1960

				Num	ber of family	members			Families
Area and color of head	Total families	2	8	4	5	6	7 or more	Average per family	<ul> <li>with 1 or more own children under 6</li> </ul>
WHITE									_
Urban: All families	827.888	100.335	80,570	72.056	42,743	18,909	18,225	8.54	107,153
Percent	100.0	80.6	24.6	22.0	13.0	5.8	4.0		82.7
Rural nonfarm:	195,626	55.117	42,704	40.258	26,979	14,687	15,884	8.84	65,030
Percent	100.0	28.2	21.8	20.6	13.8	7.5	8.1	0.04	33.2
Rural farm:									
All families	71,406	20,909	15,363	18,558	9,069	5,643	6,864	8.89	15,597
Percent	100.0	29.3	21.5	19.0	12.7	7.9	9.6		21.8
Urban:									
All families	117,546	88,154	22,387	16,657	13,227	10,608	21,568	4.87	86,747
PercentRural nonfarm:	100.0	28.2	19.0	14.2	11.8	9.0	18.8		81.8
All families	56,616	14.041	8,719	6,966	5.950	5,626	15.314	5.00	19.840
Percent	100.0	24.8	15.4	12.3	10.5	9.9	27.0		85.0
Rural farm:	04		0.000	0.000	0.000	1 000	0.004		0 507
All families	21,678	4,176 19 9	2,828 19.0	2,397 11 1	2,253	1,930	8,094 87 8	5.75	6,587 80.4
Percent	100.0	19.3	18.0	11.1	10.4	8.9	87.8		80.

Source: U.S. Census of Population: 1960. Vol. I, Characteristics of the Population, pt. 2, Alabama, table 110.

Supplementary Table E.—Income in Households Headed by Farm Operators, 16 Counties and the State of Alabama, 1964

	Number of households reporting income							
County	Under \$500	\$500 to \$999	\$1,000 to \$1,999	\$2,000 to \$2,999	\$3,000 to \$3,999	\$4,000 to \$4,999	\$5,000 and over	of households
Entire State	10,800	10,289	18,220	8,918	8.443	6,148	19,801	77,614
Autauga	89	105	82	83	78	98	196	721
Barbour	285	132	207	121	77	61	194	1,027
Bullock	231	170	144	67	100	81	104	847
Butler	133	188	241	160	116	118	201	1,157
Choctaw	104	229	218	136	95	55	238	1,070
Clarke	120	121	210	120	108	80	254	1,019
Dallas	866	348	878	207	103	50	276	1,728
Greene	303	262	232	128	71	48	133	1,177
Hale	267	195	275	120	70	$\tilde{71}$	200	1,198
Lowndes	185	185	232	133	147	31	199	1,112
Macon	247	187	245	88	66	51	128	1,012
Marengo	294	277	255	126	114	57	272	1,395
Monroe	229	288	302	168	180	60	194	1,366
Perry	198	125	229	92	98	78	144	954
Sumter	245	271	238	142	98	55	201	1,250
Wilcox	254	293	270	139	74	46	186	1,212
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	201							*,,,,,
All 16 counties	8,500	3,371	3,753	2,030	1,535	980	8,070	18,240

Source: Bureau of Business Research, School of Commerce and Business Administration *Economic Abstract of Alabama*, University of Alabama, Tuscaloosa, 1966.

# SUPPLEMENTARY TABLE F.—Employment in all Industries 16 County Area of Alabama and the State of Alabama, 1960, 1965, and 1967

	1960		19	65	19	67
Type of Employment -	Number	Percent	Number	Percent	Number	Percent
Total employment	1,044,940 958,260 233,675 719,585 91,680	100.0 91.2 22.4 68.8 8.8	1,131,160 1,054,980 268,000 786,980 76,180	100.0 93.3 23.7 69.6 6.7	1,176,300 1,101,400 298,400 803,000 74,900	100.0 98.6 25.4 68.2 6.4
	1960		19	65	19	67
	Number	Percent	Number	Percent	Number	Percent
B. 16-COUNTY AREA Total employment	97,140 74,270 18,890 55,380 22,870	100.0 76.5 19.4 57.1 23.5	101,630 82,670 23,060 59,610 18,960	100.0 81.8 22.7 58.6 18.7	109,610 90,980 27,020 68,910 18,680	100.0 88.0 24.7 58.3 17.0

Source: State of Alabama, Department of Industrial Relations, unpublished statistics, 1967.

717

# Supplementary Table G.—Farm Operators, by Color and Tenure, in 16 Counties and in the State of Alabama, 1930 and 1964

Country and terrors of an arotan	198	30	196	54	cha	cent inge 0-64
County and tenure of operator -	White	Non- white	White	Non- white	White	Non- white
Autauga:						
All farm operators Owners and managers Tenants Percent of all farm operators	1,057 563 494 46.7	1,924 364 1,560 81.1	577 584 43 7.5	305 238 67 22.0	-45.4 - 5.2 -91.8	-84.1 -84.6 -95.7
Barbour:						
All farm operators Owners and managers Tenants Percent of all farm operators	1,593 666 927 58.2	2,262 306 1,956 86.5	770 631 139 18.1	514 255 259 50.4	-51.7 - 5.8 -85.0	-77.8 -16.7 -86.8
Bullock:						
All farm operators Owners and managers Tenants Percent of all farm operators	448 246 202 45.1	2,478 214 2,259 91.3	863 330 33 9.1	618 248 370 59.9	-19.0 34.1 -83.7	-75.0 15.9 -83.6
Butler:						
All farm operators  Owners and managers  Tenants  Percent of all farm operators	1,906 1,014 892 46.8	1,695 259 1,436 84.7	889 815 74 8.3	400 227 173 43.3	-53.4 -19.6 -91.7	-76.4 -12.4 -88.0
Choctaw:						
All farm operators Owners and managers Tenants Percent of all farm operators	1,132 764 368 32.5	1,611 543 1,068 66.3	589 551 38 6.5	593 441 152 25.6	-48.0 -27.9 -89.7	-63.2 -18.8 -85.8
Clarke:						
All farm operators Owners and managers Tenants Percent of all farm operators	1,833 897 436 32.7	1,772 799 978 54.9	624 578 46 7.4	462 855 107 23.2	-53.2 -85.6 -89.4	-73.9 -55.6 -89.0
Dallas:						
All farm operators Owners and managers Tenants Percent of all farm operators	691 382 309 44.7	6,405 484 5,921 92.4	528 475 53 10.0	1,537 492 1,045 68.0	-28.6 24.8 -82.8	-76.0 1.7 -82.4
Greene:						
All farm operators	385 236 149 38.7	3,168 326 2,842 89.7	819 276 43 13.5	1,051 861 690 65.7	-17.1 16.9 -71.1	-66.8 10.7 -75.7
Hale:						
All farm operators Owners and managers Tenants Percent of all farm operators	960 449 511 53.2	3,873 654 3,219 83.1	546 482 64 11.7	910 549 861 89.7	-43.1 7.8 -87.5	-76.5 -16.1 -88.8
Lowndes:						
All farm operators	466 276 190 40.8	3,527 884 8,193 90.5	466 410 56 12.0	886 878 513 57.9	48.6 -70.5	-74.9 11.7 -88.9
Macon:						
All farm operators	600 304 296 <b>49.</b> 3	3,114 475 2,639 84.7	346 818 28 8.1	918 582 381 41.7	-42.8 4.6 90.5	70.7 12.0 85.6
Marengo:						70 °
All farm operators Owners and managers Tenants Percent of all farm operators	1,189 650 589 45.8	5,314 652 4,662 87.7	660 591 69 <b>10.</b> 5	1,091 586 505 46.3	-44.5 - 9.1 -87.2	-79.5 -10.1 -89.2

718

# TABLE G .- Continued

County and tenure of operator	19	30	19	64	Percent change 1930–64	
County and tendre of operator	White	Non- white	White	Non- white	White	Non- white
Monroe:						
All farm operators Owners and managers Tenants Percent of all farm operators	1,797 854 943 52.5	2,097 586 1,511 72.1	834 742 92 11.0	687 456 231 33.6	-53.6 -13.1 -90.2	-67.2 -22.2 -84.7
Perry:						
All farm operatorsOwners and managers Tenants Percent of all farm operators	912 471 441 48.4	3,435 480 2,955 86.0	450 403 47 10.4	706 362 344 48.7	-50.7 -14.4 -89.3	-79.4 -24.6 -88.4
Sumter:						
All farm operators Owners and managers Tenants Percent of all farm operators	592 371 221 87.3	3,812 444 8,368 88.4	891 849 42 10.7	1,132 430 702 62.0	-34.0 - 5.9 -81.0	-70.8 8.2 -79.2
Wilcox:						
All farm operatorsOwners and managers Tenants Percent of all farm operators	724 464 260 35.9	3,620 418 3,202 88.5	419 378 41 9.8	1,053 472 581 55.2	-42.1 -18.5 -84.2	-70.9 12.9 -81.9
All 16 counties:						
All farm operators	15,785 8,607 7,178 45.5	50,102 7,338 42,764 85.4	8,771 7,863 908 10.4	12,858 6,877 6,481 50.4	-44.4 8.6 87.4	-74.3 -13.1 -84.8
Entire State:						
All farm operators Owners and managers Tenants Percent of all farm operators	163,566 75,021 88,545 54.1	93,829 15,954 77,875 83.0	71,579 62,211 9,368 13.1	20,951 10,908 10,043 47.9	-56.2 -17.1 -89.4	-77.7 -31.6 -87.1

<sup>—</sup> Denotes a decrease.

.... Represents a zero.

Source: Alabama County Statistical Abstracts, 1944. Bureau of Business Research University of Alabama, 1944 county tables. U.S. Census of Agriculture: 1954. Vol. I, Counties and State Economic Areas, pt. 21, Alabama, ch. B, Statistics for Counties, table 2a. U.S. Census of Agriculture: 1959. Vol. I, Counties, pt. 32, Alabama, ch. B, Statistics for Counties, table 3. U.S. Census of Agriculture: 1954. Vol. I, State and County Statistics, pt. 32, Alabama. County, table 4.

# SUPPLEMENTARY TABLE H.—Farm Acreage, by Color of Operator, in 16 Counties and in the State of Alabama, 1954, 1959, and 1964

		1954			1964		Percent change in acreage		
		Operated	by nonwhites		Operated	by nonwhites		1954-64	
	Acres operated by whites	Acres	Percent of acreage total	Acres operated by whites	Acres	Percent of acreage total	White	Non- white	
utauga County	885,487 219,763 240,377 256,512 301,929 471,413 254,157 263,533 345,398 187,732 428,114 348,252 281,137	38,609 181,985 91,508 54,511 55,626 59,639 127,889 85,798 71,876 64,841 92,965 83,628 62,343 70,891 110,347	14.5 25.5 29.4 18.5 17.8 16.5 21.3 25.2 21.4 15.7 33.1 16.5 16.2 20.1	186,338 283,443 230,855 195,925 186,774 217,903 379,178 182,519 224,213 323,798 182,832 836,571 254,328 217,215	20,880 47,352 47,255 28,699 29,142 25,845 65,021 59,486 40,278 39,810 60,830 48,538 37,673 38,489 62,658	10.1 14.3 17.0 12.8 13.5 10.6 24.6 15.2 10.9 25.0 11.5 12.9 15.0	-18.1 -26.5 + 5.0 -18.5 -27.2 -27.8 -19.6 -28.2 -14.9 - 6.3 - 2.6 -20.5 -27.0 -22.7 -18.5	-45.9 -64.1 -48.4 -47.4 -47.6 -56.7 -49.2 -30.7 -44.0 -38.1 -34.6 -47.9 -39.6	

Source: U.S. Census of Agriculture: 1954. Vol. I, Counties and State Economic Areas, pt. 21, Alabama, ch. B, Statistics for Counties, tables 2 and 2a. U.S. Census of Agriculture: 1959. Vol. I, Counties, pt. 32, Alabama.

ch. B, Statistics for Counties, tables 2 and 3. U.S. Census of Agriculture: 1964. Vol. I, State and County Statistics, pt. 32, Alabama, Statistics for Counties, table 4.

Supplementary Table I.—Average Size of Farm, by Color and Tenure of Operator, in 16 Counties and the State of Alabama, 1954 and 1964

<b>a</b> t <b>a</b> -	Av	erage size of	farm (in	acres)		Percent change
County and tenure of operators		1954	1	964		
	White	Nonwhite	White	Nonwhite	White	Nonwhite
AUTAUGA						
All farm operators	272.1	56.5	322.9	68.5	18.7	21.2
Uwners and managers	298.7	67.1	328.4	77.4	9.9	15.4
Tenants	120.5	48.2	255.5	86.9	112.0	-14.6
BARBOUR						
All farm operators	280.8	117.7	368.1	92.1	31.8	-21.8 -39.9
All farm operators Owners and managers Tenants	139.0	191.1 81.2	367.8 371.8	114.8 69.8	5.2 167.4	-14.0
BULLOCK						
All farm operatorsOwners and managers	425.1	81.9	636.0	76.5	49.6	6.6
Owners and managers	479.9	131.9	676.1	119.1	40.9	- 9.7
Tenants	178.3	64.8	234.5	47.9	31.5	-26.1
BUTLER			200.4			
All farm operators Owners and managers	174.4 198.9	69.6 9 <b>7.4</b>	220.4 233.7	71.7 86.6	26.4 20.5	3.0 11.1
Tenants	84.8	54.5	74.2	52.2	-12.5	<u> 11.1</u>
CHOCTAW						
All farm operators	224.8	46.2	317.1	49.1	41.1	6.3
All farm operators Owners and managers	249.4	62.8	329.3	56.8	82.0	- 9.6
Tenants	69.9	23.6	139.9	26.9	100.1	14.0
CLARKE						
All farm operators Owners and managers	255.9	44.8	349.2	55.9	36.5	26.2 23.2
Tenants	67.3	58.9 19.6	361.2 293.5	65.3 25.0	29.6 336.1	27.6
DALLAS						
All farm operators	561.2	38.9	718.1	42.3	28.0	8.7
All farm operatorsOwners and managersTenants	658.2 198.1	84.2 26.5	754.9 389.0	71.0 28.8	14.7 96.4	-15.7 8.7
GREENE						
	566.1	49.0	572.2	56.5	1.1	15.3
Owners and managers	684.1	106.8	607.8	98.2	-11.2	- 8.1
Tenants	188.8	32.0	343.2	34.8	81.8	8.8
HALE				4		10.5
All farm operators	301.2 370.6	40.1 56.7	410.6 441.6	44.3 56.1	86.8 19.2	10.5 - 1.1
Owners and managers Tenants	80.1	27.8	117.8	26.3	122.0	- 5.4
LOWNDES						
All farm operators	639.6	40.4	694.8	44.9	8.6	11.1
All farm operatorsOwners and managers Tenants	699.0 317.1	75.2 28.2	723.5 485.3	67.7 28.4	8.5 53.0	<b>⊷10.0</b> 0.7
MACON All farm operators	367.4	64.7	528.4	66.6	43.8	2.9
Owners and managers Tenants	399.4 211.3	87.3 45.4	551.0 271.8	81.0 46.6	38.0 28.6	- 7.2 2.6
1 CHEMO	211.0	40.4	211.0	40.0	20.0	2.0
MARENGO	412.0	38.4	510.0	39.9	23.8	3.9
All farm operators	481.1	67.7	535.6		11.3	-22.6 18.4
All farm operators Owners and managers Tenants	155.4	22.4	290.5	52.4 25.4	86.9	18.4
MONROE						
All farm operators	250.2	42.1	804.9	54.8	21.9 8.3	30.2 15.1
Owners and managers Tenants	807.8 61.0	60.1 25.2	333.2 77,0	69.2 26.4	26.2	4.8
PEREY						
All farm operators	380.4	50.8	482.7	54.5	26.9	7.8
Owners and managers	453.4	84.0	517.7	81.3	14.2 24.1	- 3.2 -17.8
Tenants	147.0	32.0	182.5	26.8	24.1	-11.8

SUPPLEMENTARY TABLE I.—Continued

~~~	Αv	erage size of :	ecres)	Percent change		
County and tenure of operators		1954	19	964	C	nange
	White	Nonwhite	White	Nonwhite	White	Nonwhite
SUMTER						
All farm operatorsOwners and managers Tenants	558.1 671.3 94.8	52.6 102.8 36.8	748.2 808.9 243.5	55.8 87.9 85.4	34.1 20.5 156.9	-14.5 - 8.8
WILCOX						
All farm operators Owners and managers Tenants		39.6 75.8 23.4	843.1 901.4 805.5	41.9 68.8 20.0	44.4 85.8 187.4	- 9.2 -14.5
ALL 16 COUNTIES						
All farm operators Owners and managers Tenants		50.7 80.8 84.1	461.5 484.9 258.5	58.7 74.7 83.1	81.7 19.5 104.8	- 7.0 - 2.9
ENTIRE STATE						
All farm operatorsOwners and managers Tenants	140.4 161.2 80.8	52.7 78.8 89.4	196.1 207.1 122.9	56.9 74.8 88.0	89.7 28.5 58.1	8.0 1.4 - 3.6

Source: U.S. Census of Agriculture: 1954. Vol. I, Counties and State Economic Areas, pt. 21, Alabama, county table 2a. U.S. Census of Agriculture: Vol. I, State and County Statistics, pt. 82, Alabama, county table 4.

SUPPLEMENTARY TABLE J.—Employment in Nonmanufacturing Industries in 16-County Area, Alabama, 1960 and 1967

		1960	19	967		
Industry	Number	Percent of non- manu- facturing industries	Number	Percent of non- manu- facturing industries	Percent increase 1960–67	
Construction Wholesale and retail trade	2,380 9,750	7.0 28.7	3,060 10,840	7.2 25.5	28.6 11.2	
Services (excluding private householdsGovernment (including Federal,	5,540	16.3	8,620	20.3	55.6	
State & local)Other nonmanufacturing	11,880 4,460	34.9 13.1	13,800 6,170	32.5 14.5	16.2 38.3	
Total	34,010	100.0	42,490	100.0	24.9	

Source: Unpublished data Alabama State Department of Industrial Relations, 1967.

# Exhibit No. 4

#### STAFF REPORT

#### SUMMARY OF HOUSING CONDITIONS

The economic security of persons is directly affected by the inadequacy as well as the absence of housing. Further, both out-migration and health prob-lems can be traced to the lack of suitable shelter.

# Housing Conditions

An examination of eleven cities for which figures are available in the 16-county area reveal [Table 3] that nonwhites have significantly less sound housing, more deteriorating housing, and significantly more dilapidated housing. For the cities indicated, white sound housing in 1960 averaged 73.7 percent while nonwhite sound housing averaged 35.8 percent. Nonwhite deteriorating housing averaged 34.6 percent for the entire area while white deteriorating housing averaged 21 percent. Nonwhite dilapidated housing averaged 29.6 percent while white dilapidated housing averaged only 5.2 percent [Table 3].

In rural nonfarm areas of Alabama between 1950 and 1960, whites recorded a 13.8 percent increase in sound housing "with all plumbing facilities," while nonwhites registered an increase of 3.1 percent. In rural farm housing "with all plumbing facilities," white occupancy increased 20.2 per-

cent while nonwhite occupancy increased only 2.2 percent [Table 1].

A comparison of Negro housing conditions in Alabama with those generally prevailing in the State shows that Negro housing is substantially more crowded, Negroes own fewer owner-occupied dwelling units, and there is a noticeable disparity between the median dollar value of white and nonwhite owner-occupied units. Only in urban areas was the median dollar value of nonwhite owner-occupied units above \$5,000 in 1960 [Table 2].

### Low-Rent Public Housing

A number of rural communities and small towns have low-rent public housing. As of January 9, 1967, the latest compiled information from the

<sup>1</sup> Negroes constitute over 99% of the "nonwhite" population in the State of Alabama. The terms are used interchangeably.

2 Definitions of types of housing are separately appended.

 $<sup>^3\,\</sup>mathrm{A}$  unit with all plumbing facilities is equipped with piped hot and cold water, inside flush toilet, and a bathtub for the exclusive use of the occupant. See Table 1.

<sup>&</sup>lt;sup>4</sup> No community in Alabama participates in the recent supplement program. Telephone interview with Mr. Price, Deputy Assistant to William C. Hines, Director, Federal Housing Authority, Birmingham, Alabama, January 3, 1968.

statistics branch of the Housing Assistance Administration of the Department of Housing and Urban Development<sup>5</sup> showed 32,504 public housing units for Alabama. Of this number, 4,518 were in preconstruction, 1,162 were under construction and 26.824 were under management.

In the 16-county area, the total number of units was 1,736—256 in preconstruction and 1,480 under management. In addition, low-rent housing for senior citizens totaled 136 units—74 in preconstruction and 62 under man-

agement [Table 5].

Available racial data show that despite Executive Order 11063 issued November 20, 1962, requiring nondiscrimination in federally assisted housing, and Title VI of the Civil Rights Act of 1964, requiring nondiscrimination in programs receiving federal financial assistance, the public projects in the 16-

county area are segregated in fact.

Of the 31 projects in the 16-county area, 10 are all nonwhite, 10 are all white and six are segregated within the project by site. Of the remaining five, four are under development, and there is no racial data available for the remaining project (Eufaula, Ala. project No. 118-3). All senior citizens housing projects are located in cities which have segregated occupancy pat-

terns in low-rent public housing. [Table 5]

The actual racial occupancy of the low-rent public housing units closely parallels the racial proportion of the population, which is 62 percent non-white. Of the 1,164 units under management and for which data are available, 726 are Negro occupied, and 438 or 38% are occupied by whites.

# Need for Additional Public Housing

One result of declining agricultural employment is that the former tenant or farm worker not only loses employment, but he also loses a place in which to live. The Department of Agriculture has predicted that 2,000 farms will go out of operation in Alabama this year.6 This will mean an increased need for housing.

The 1964 Agricultural Census indicates that in the 16-county area, the highest tenancy rates among nonwhites were in Dallas, Sumter, Bullock and Lowndes Counties (all over 57% of the total nonwhite farm population), and that farm tenants in these counties are losing their farms at a rapid rate.

Housing data shows Lowndes County has no public housing units.

# OEO/FHA Self-Help Housing

Titles II and III-B of the Economic Opportunity Act of 1965 provide funds for non-profit corporations to assist low-income families in building their own homes. OEO grants are available for technical assistance and Farmers Home Administration credit for building materials. Under Title III-B, 100% grants for technical assistance are available where the potential participants derive at least 50% of their income from seasonal agricultural work. Under Title II, grants of up to 90% for "technical assistance" can be obtained to aid low-income families, regardless of their types of employment. Where OEO funds for technical assistance are not available, the Farmers Home Administration may provide a Construction Supervisor to an organized self-help housing group. "Technical Assistance" under Titles II and III-B includes:

1. recruiting families that will meet OEO's income and the Farmers Home Administration's credit requirements;

- 2. conducting weekly group meetings at which the program and subjects pertinent to home ownership, such as taxes, insurance, etc. are explained and discussed;
- providing assistance in the preparation of Farmers Home Administration applications for land and construction material loans;

assisting the participants in locating suitable building sites;

- supervising and training the participants in the construction of their homes
- 6. attempting to secure year-round employment and/or job retraining for participating heads of households, and

6 The Montgomery Advertiser, Jan. 12, 1968, p. 20.

<sup>&</sup>lt;sup>5</sup> Telephone interview with HUD official, Statistics Branch, Housing Assistance Administration, Department of Housing and Urban Development, January 3, 1968.

<sup>7</sup> Economic Opportunity Act of 1964; P.L. 88-452; 42 USS, 2781-2791, 2851-2854, as amended.

7. initiating a follow-up program to determine the extent to which the obtaining of a new house has influenced the families' lives and what,

if any, problems have arisen due to home ownership.

Participating families who are approved by the Farmers Home Administration may obtain rural housing loans to buy materials to pay for any skilled labor and contract costs required for work on their own homes and if necessary buy a building site. Basic construction labor is performed by families mutually helping each other, after forming an unincorporated or incorporated association for this purpose. This exchange of labor, without a cash cost to the families, is the key to the mutual self-help housing program. In this way the houses can be built for less cash cost than by customary methods.8

The insured loans are at an interest rate of 5% for up to 33 years for families living in rural communities with a population of not more than

5,500. No down payments are required

Farmers Home Administration credit requirements appear to be too high for most of the rural poor. There is presently only one Self-Help Housing Project in Alabama.<sup>9</sup> It is an all-Negro project located in Wilcox County. Thirty-nine families are participating in this venture which was supported by a \$38,000 technical assistance grant from the Office of Economic Opportunity. Guidance and technical assistance have been furnished by the Office of International Self-Help Housing Associates of Washington, D.C.<sup>10</sup>

In the Report by the President's National Advisory Commission on Rural Poverty, issued September, 1967, 11 the Commission found that the rural poor are the least able of all of America's citizens to provide adequate housing for themselves, yet they have had the least help. The Commission developed several recommendations for action by local, State and Federal governments or private enterprise in the area of rural housing. The Commission made the following recommendations for improving rural housing:

1. That funds for rent supplements be greatly increased to provide

rental housing for the rural poor.

That countywide housing authorities within area development districts be established for the purpose of administering a program of

public housing in rural areas.

3. That the States create statewide, nonprofit housing corporations through which private and public interests can combine to provide

housing.

4. That Federal funds for mutual self-help housing be appropriated to extend and place on a sustaining basis the experimental program

such as that of the Farmers Home Administration.

5. That Congress be requested to increase greatly appropriations for grants and loans for the repair and construction of housing for low income rural families.

6. That the rural housing programs be centralized and that a substantial portion of housing appropriations be earmarked specifically for

rural housing.

7. That the Commission on Equal Opportunity in Housing, created by

Executive Order 11063, be fully implemented.

8. That Title VI of the Civil Rights Act of 1964 be enforced to prohibit any federally insured bank, mutual savings bank, or savings and loan institutions from discriminating, on the basis of race, in making home mortgage loans, or from making home mortgage loans to persons who do not give legally enforceable assurances that they will sell or lease on a nondiscriminatory basis.

9. That the Congress enact the Fair Housing legislation now pending

before it in the Administration's Civil Rights Bill.

<sup>8 &</sup>quot;Mutual Self-Help Housing Guidelines", FHA Instruction 444.1 (PN 992) (1966).

<sup>9</sup> Southwest Alabama Self-Help Housing, Inc. Rev. Daniel Harrell, Project Director, 812 29th Avenue, Tuscaloosa, Alabama 35401.

<sup>10</sup> International Self-Help Housing Associates, Clay L. Cochran, Director, 1346 Conn. Ave., N.W., Washington, D.C. 20006.

11 "The People Left Behind", A Report by the President's National Advisory Commission on Rural Poverty, U.S. Government Printing Office, Washington, D.C., September, 1967.

10. That a unit of the agency administering rural housing administer a comprehensive housing program for Indian Americans, and that sufficient funds be appropriated to bring the housing for them to a par with that for other Americans as soon as possible.<sup>12</sup>

The pending Housing and Urban Development Act of 1968 (S. 3209) an administration bill introduced by Senator Sparkman, would authorize the Secretary of Agriculture to reduce the interest rates for low and moderate income families so they can borrow under existing rural housing loan programs and broaden the eligibility for credit under the rural housing loan program, and make low-income non-rural residents who have jobs in rural program, and make low-income non-rural residents who have jobs in rural areas eligible for housing loans. The President also has directed the Secretary of Housing and Urban Development to insure that the rent supplement program has maximum impact in rural as well as urban areas.

<sup>12</sup> Congress recently has enacted Fair Housing Legislation: Civil Rights Act of 1968, title VIII, P.L. 90-284, April 11, 1968.

726

# Table 1.—Occupancy of Alabama Sound Housing With All Plumbing Facilities\* 1950 <sup>1</sup>

Area	Total number of units	Percent of units with all plumbing facilities	Number of nonwhite units	Percent of nonwhite units with all plumbing facilities
State	843,857	30.7	230,306	6.7
Urban	388,723	51.0	118,342	11.6
Rural nonfarm	225,910	20.2	50,616	2.8
Rural farm	229,224	6.7	61,348	.6

# 1960<sup>2</sup>

Area.	Total number of units	Percent of units with all plumbing facilities	Percent increase 1950–60	Number of nonwhite units	Percent of non- white units with all plumbing facilities	Percent increase 1950-60
State	967,466	53.5	22.8	228,408	21.2	14.5
Urban	546,244	67.6	16.6	140,518	31.3	19.7
Rural nonfarm	323,293	37.1	16.9	64,900	5.9	8.1
Rural farm	97,929	29.1	22.4	22,990	2.8	2.2

<sup>1</sup> Bureau of the Census, 1950 Census of Housing, 1950 Census of Housing, vol. I, pt. 2, p. 2-7.
2 Bureau of the Census, 1960 Census of Housing, vol. I, pt. 2, pp. 2-5 and 2-12.
\*Note: A unit with all plumbing facilities is equipped with piped hot and cold water, inside flush toilet, and a bathtub for the exclusive use of the occupant.

TABLE 2.—Comparison of Negro Housing Conditions in Alabama With Conditions Generally Prevailing in the State

Area	Total number of occupied units		Percentage overcrowded 1		Percentage owner occupied		Median dollar value of owner occupied units	
	All	Nonwhite	All	Nonwhite	All	Nonwhite	All	Nonwhite
The State Urban Rural Nonfarm Occupied farm	884,116 509,466 874,650 276,721 97,929	228,408 140,518 87,890 64,900 22,990	19.4 15.9 24.1 23.8 25.1	38.0 33.7 44.9 42.9 50.9	59.7 58.2 61.8 59.2 69.1	42.3 43.4 40.7 41.1 39.5	8,600 9,900 5,600 5,600 (3)	(2) 5,400 (2) (2) (2) (3)

<sup>&</sup>lt;sup>1</sup> Units with 1.01 or more persons per room are considered overcrowded. The kitchen is counted as a room but the bathroom is not.

<sup>2</sup> Median is below \$5,000.

<sup>&</sup>lt;sup>3</sup> Base is less than 200. Source: Bureau of the Census, 1960 Census of Housing, vol. 1, pt. 2, pp. 2-5 and 2-12.

#### DEFINITIONS OF TERMS IN TABLE 3

# Sound Housing

Housing "which has no defects, or only slight defects which normally are corrected during the course of normal maintenance. Examples of slight defects are: Lack of paint; slight damage to porch or steps; slight wearing away of mortar between bricks or other masonry; small cracks in walls, plaster or chimney; cracked windows; slight wear on floors, doorsills, doorframes, window sills, or window frames; and broken-down spouts or gutters."

# Deteriorating Housing

Housing which "needs more repair than would be provided in the course of regular maintenance. Such housing has one or more defects of an intermediate nature that must be corrected if the unit is to continue to provide safe and adequate shelter. Examples of intermediate defects are: Holes, open cracks, rotted, loose, or missing material over a small area of the foundation, walls, roof, floors, or ceilings; shaky or unsafe porch, steps, or railings; several broken or missing window panes; some rotted or loose window frames or sashes that are no longer rainproof or windproof; broken or loose stair treads, or broken, loose, or missing risers, balusters, or railings of inside or outside stairs; deep wear on doorsills, door frames, outside or inside steps or floors; missing bricks or cracks in the chimney which are not serious enough to be a fire hazard; and makeshift chimney such as a stovepipe or other uninsulated pipe leading directly from the stove to the outside through a hole in the roof, wall, or window. Such defects are signs of neglect which lead to serious structural deterioration or damage if not corrected."

# Dilapidated Housing

Housing that "does not provide safe and adequate shelter and in its present condition endangers the health, safety or well-being of the occupants. Such housing has one or more critical defects; or has a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding; or is of inadequate original construction. The defects are either so critical or so widespread that the structure should be extensively repaired, rebuilt, or torn down."

### Critical Defects

Defects which are the result of "continued neglect or lack of repair, or indicate serious damage to the structure. Examples of critical defects are: Holes, open cracks, or rotted, loose, or missing material (clapboard siding, shingles, bricks, concrete, tile, plaster, or floorboards) over a large area of the foundation, outside walls, roof, chimney, or inside walls, floors or ceilings; substantial sagging of floors walls, or roof; and extensive damage by storm, fire, or flood." To be classified as dilapidated on the basis of intermediate defects, a housing unit must have "such defects in sufficient number or extent that it no longer provides safe and adequate shelter. No set number of intermediate defects is required."

#### Inadequate Original Construction

Inadequate original construction includes: "shacks, huts, or tents; structures with makeshift walls or roofs, or built of packing boxes, scrap lumber or tin; structures lacking foundations (walls rest directly on ground); structures with dirt floors; and cellars, sheds, barns, garages, or other places not originally intended for living quarters and inadequately converted to such use."

Source: 1960 Census of Housing. U.S. Summary, p. LXIII.

Table 3.—Comparison of Negro and White Housing Conditions in Selected Cities Within Hearing Area

Location	1	1	Number of ur	nits		ercent d housing	det	Percent eriorating nousing	dil	Percent apidated lousing
City	County	Total	White	Nonwhite	White	Nonwhite	White	Nonwhite	White	Nonwhite
Prattville	Autauga Barbour Bullock Butler Clarke Greene Hale Marengo Monroe Perry Sumter	1,912 2,607 1,227 2,134 1,447 893 898 2,247 1,138 1,058 878 16,484	1,504 1,657 555 1,433 988 487 480 1,234 870 562 464 10,194	408 950 672 701 449 456 418 1,018 268 491 414 6,240 5567	72.2 73.3 78.6 62.2 82.9 62.2 71.5 71.5 85.1 85.3 82.5	24.3 26.3 56.5 29.5 19.2 39.0 44.0 44.7 52.2 29.7 25.6	24.5 18.6 21.6 35.2 10.3 32.7 19.4 23.2 10.5 16.2 7.8	45.6 35.7 30.7 33.7 35.2 22.8 22.7 41.2 33.6 39.5 29.0	3.3 8.1 0.6 6.8 5.0 8.1 5.5 9.7	30.1 38.0 12.8 36.8 45.7 88.2 33.3 13.1 14.2 45.4

Source: Bureau of the Census, 1960 Census of Housing, vol. 1, pt. 2, pp. 2-51 to 2-55. Bureau of the Census, 1960 Census of Housing—Alabama, States and Small Areas, pp. 2-102 to 2-106. (Figures may not total precisely. See id., p. XVIII, vol. 1, pt. 2, for explanation.)

#### EXPLANATORY NOTES—TABLES 4 AND 5

Type of Contract (Column 1)

The entry "CC" after the name of the housing authority indicates that all of its projects are operated under a consolidated annual contributions contract. The entry "ACC" means that all of its projects are operated under a single annual contributions contract and not a consolidated contract.

Assigned Number of Housing Project (Column 3)

Program (Column 4)

HA-49-Projects initiated under the Housing Act of 1949.

Active Housing Units, Total (Column 5)

Total number of housing units currently in the project.

Preconstruction (Column 6)

Number of units under annual contributions contract, but on which construction or rehabilitation have not yet started.

Construction (Column 7)

Number of housing units for which a notice to proceed is effective, but construction or rehabilitation are not yet completed.

Under Management (Column 8)

Total number of completed units accepted for potential dwelling use, and not officially removed from the program.

Race (Column 9)

This item shows actual occupancy, not necessarily the occupancy pattern intended by the local authority. Racial occupancy patterns in the project are designated as follows:

- 0 Integrated (white and more than one nonwhite, including at least one Negro family)
- 2 Segregated within project by site

5 All nonwhite

6 All-white (with or without Latin Americans)

End of Initial Operating Period (Column 10)

Fiscal Years Ends (Column 11)

The fiscal year end is shown for the housing authority and applies to all of its contracts unless otherwise indicated. Designations for fiscal year end are: M—March 31, J—June 30, S—September 30, D—December 31.

Source: Department of Housing and Urban Development, Housing Assistance Administration, Statistics Branch, December 31, 1966.

Note: Data in this directory are based on documentation available to the Statistics Branch through January 9, 1967.

					housi u dev	ctive ng units nder velop- nent					
Local authority or manager	Location and project name	Project No.	Program	Total	Pre- con- struc- tion	Con- struc- tion	Under manage- ment	Race	End initial oper- ating period	End of fiscal year	
Clayton—Town of	Downs Manor and Westfield Cts.	158-1	HA 49	40			40	2	9-64	D	
Demopolis—HA City of—CC	Whitfield Homes Allen Gaston Lane N. C. Floyd—N. B. Fields Homes.	109-1 109-2 109-8	HA 49 HA 49 HA 49	26 74 20			26 74 20	6 5 6	12-58 8-59 8-64	D	
	Ruby G. Michael Homes	109-4	HA 49	60			60	5	3-64		-7
Eufala—HA City of CC	Western Hghts. CtsChatahoochee CtsUnnamedUnnamed	118-1 118-2 118-3 118-4	HA 49 HA 49 HA 49 HA 49	52 98 58 66	66		52 98 58	6 5 	9-57 8-58 8-66	D	731
Eutaw—HA City of	Western Hghts. Carver Homes.	146–1	HA 49	50		******	50	2	9-62	s	
Georgiana—HA City of—CC-	Pinehurst Apts Springfield Apt Unnamed	94-1 94-2 94-8	HA 49 HA 49 HA 49	88 20 42			38 20 42	6 5 2	9-54 9-54 9-65	M	
Greensboro-HA City of	Hobson Street Court	157-1	HA 49	50			Б0	2	3-63	D	
Grenville—HA City of—ACC	Northridge AptsSouthside Apts	155-1 155-2	HA 49 HA 49	90 50			90 90	6 5	3-63 12-62	ន	
Linden—HA City of	Linden Homes	120-1	HA 49	50			50	2	9-68	J	
Marion—HA of—CC	Cahaba Heights Homes Lincoln Heights Homes	161-1 161-2	HA 49 HA 49	22 88			22 88	<b>6</b> 5	12-65 9-65	M	
Monroeviile—HA City of	Unnamed	173-1	HA 49	100	100						
Prattville—HA City of—ACC	Pratt Court	131-1 131-2	HA 49 HA 49	42 84			42 84	6 5	3-61 8-61	J	

TABLE 4.—Continued

					housi u der	ctive ng units nder relop- nent				
Local authority or manager	Location and project name	Project No.	Program	Totai	Pre- con- struc- tion	Con- struc- tion	Under manage- ment	Race	End initial oper- ating period	5nd of fiscar year
Selma—HA—CC	G. Wash. Carver Homes Valley Creek Homes	8-2 8-8	HA 49 HA 49	216 84			216 84	5 6	12-52 12-52	D
Tuskegee—HA City of CC	Unnamed	160-1 160-2	HA 49 HA 49	50 100			50 100	6 5	8-65 8-65	8
Union Springs—HA City of ACC.	Cherry Laurel Mimosa Hill Unnamed	70-1 70-2 70-8	HA 49 HA 49 HA 49	14 86 40	40		14 86	6 5	12-58 6-54	M
Unlontown—HA	Unnamed	171–1	HA 49	50	Б0					
York—Town of	Cochran Village	116–1	HA 49	26			26	2		
Total				1,786	256		1,480			

TABLE 5.—Low Rent Housing for Senior Citizens Provided Under the Housing Act of 1956 as of Dec. 31, 1966

Local authority	Location and	Project	Program	Total	Active housing unit under development		Under manage-	
or manager	project name	No.	Frogram		Pre- construction	Construction	ment	
Demopolis—HA City of CC N. C. Floyd. Eufala—HA City of CC Georgiana—HA City of—	N. B. Field Homes Unnamed Unnamed	109-3 118-3 118-4	HA 49 HA 49 HA 49	6 14 10	 10		6 14 	
CC. Marion—HA City of—CC. Monroeville—HA City of.— Tuskegee—HA City of.—		94-8 161-1 161-2 173-1 160-1 160-2	HA 49 HA 49 HA 49 HA 49 HA 49 HA 49	10 6 6 80 12 8	== 80 ==		10 6 6 72 8	
Union Springs—HA City of ACC. Uniontown—HA Town of_ Totals	Unnamed	70-8 171-1	HA 49 HA 49	20 14 186	74		62	

# Exhibit No. 5

# PROGRESS AND POVERTY: THE PEOPLE LEFT BEHIND\*

by James T. Bonnen Michigan State University

Americans cannot escape the knowledge that central city ghettos and great urban poverty exist. But until fairly recently there has been little consciousness of, and even less action on, the more than 40 percent of all the poor who live in small rural communities, in open countryside, and on farms far from the megalopolis.

The President's National Advisory Commission on Rural Poverty was created, in part, because of this void. The Commission report, "The People Left Behind" was released in late 1967. It has contributed to a rising consciousness of the existence of rural poverty and its role as the seed bed of

much urban poverty.

The Commission was comprised of 25 people from many walks of life. Since it was created by executive order alone, it contained no congressmen or senators nor any members of a Federal government agency. The Commission was chaired by Governor Edward T. Breathitt of Kentucky who was, with one exception, the only active professional politician on the Commission. This was an exceedingly diverse strong-minded group of lay people

whose report, remarkably, was unanimous.¹

The Commission began its one year of life by holding three sets of hearings across the country, the first in Tucson, the next in Memphis, and another in Washington, D.C. Testimony was heard from the poor, those who worked most directly with the poor in various private, state, and Federal programs, the clergy, communications, labor, business, agriculture, and many individuals and organizations from local communities who had knowl-

edge of the problems of the rural poor.

How do you explain poverty in an affluent society? Let me say it straight out. That more than 30 million Americans are poor is not massive evidence of personal failure or fault. Rather it is evidence of a failure in society, a fault of our social system, for which you and I are as much if not more responsible than are the poor. For me this has been knowledge hard earned. It probably is for most, since it cuts across the grain of our society's older

It probably is for most, since it cuts across the grain of our society's order agrarian values.

Leland Hazzard, former Vice President and presently a Director of the Pittsburgh Plate Glass Company, puts it succinctly in the current issue of the Harvard Business Review. He says, "There is a defect in our system . . . (and) we cannot ignore its consequences—the poor." He goes on to argue that, "Business must put up its leadership and skills to help the poor—or shut up while government fumbles." <sup>2</sup>

I agree. And, not just business, but the university, the church, the professions, all the institutions and individuals of this society. We all have a major stake in resolving this social affliction—this cancer of the body politic.

major stake in resolving this social affliction—this cancer of the body politic. Let me address myself here to four matters: (1) who are the poor?, (2) the nature of poverty, (3) the changing structure of our society, and (4) I shall comment briefly on the Rural Poverty Commission's recommendations.

#### WHO ARE THE POOR?

Of the 34 million Americans who were classified by the Office of Economic Opportunity as poor in 1965, slightly over 40 percent or 14 million were rural residents. Of that 14 million, 10 million did not live on farms. And, due to occupational change and migration, the 4 million on farms is a rapidly declining group.<sup>3</sup>
Thus, rural poverty is not a farm problem. We have been exporting farm

<sup>\*</sup>Prepared for presentation at the Minneapolis Farm Forum in Minneapolis, Minnesota on March 6, 1968.

<sup>1</sup> One member, a lawyer, did join a federal regulatory body during the Commission's life. There was no minority report and only a few memorandum of reservation.

<sup>&</sup>lt;sup>2</sup> Leland Hazzard, "Business Must Put Up," Harvard Business Review, January-February 1968, pp. 2-6.

poverty for decades and have reached the point that only a little over 10 percent of all poverty can be found on the farm. Obviously then, farm programs are not meaningful tools with which to combat rural poverty. In fact, they have little relevance even for the farm poor, for farm programs are designed so that most of the benefits go not to hired laborers and the smaller farmers, but to the largest producers—who can hardly be classed as poor. We must end the political hypocrisy and self-delusion of claiming otherwise.

TABLE 1.—The Poor, March 1965\*

	Number of poor (millions)	-Percent distribution of poor	Percent of population that is poor
Total	- 33.7	100	17.7
Rural	13.8	40.9	25.0
Farm	3.9	11.6	29.3
Nonfarm		29.4	23.6
Urban**		59.1	14.8
Metro	13.5	40.1	12.6
Suburbs	. 3.3	9.8	6.7
Central cities	10.2	30.3	17.4
Small cities***	6.4	19.0	23.6

<sup>\*</sup>The People Left Behind, Report of the President's National Advisory Commission on Rural Poverty, p. 3.
\*\*Places of 2,500 persons or larger.

\*\*\*Places of from 2,500 to 50,000 persons.

Three fourths of all the urban poor live in the central cities of large metropolitan areas. Ten million poor, 30 percent of all the poor, live in central cities. Thus, 60 percent of all the poor in the U.S. are found in two large residence groups, the 10 million in central cities and the nearly 10 million in rural nonfarm areas.

The incidence of poverty, i.e., the percent of the population that is poor is greatest in the rural population. This is followed very closely by the incidence of poverty, not in the central cities as one might expect, but in the smaller cities of less than metropolitan size (2,500 to 50,000 people). Among families the highest incidence of poverty, rural and urban, is

found in those households headed by nonwhites, by females, and by the aged. In 1966, 70 percent of all the families headed by nonwhite females over 65 were poor. Thirty-eight percent of all nonwhite families were poor, 15 percent of all white households.

However, over 80 percent of all poor families in the U.S. in 1966 were white. Despite the intensity of the problems of poverty among Negroes, the vast majority of the poor are white. There are many ethnic and minority groups with great poverty problems, not only the Negro, but the Mexican-American, Puerto Rican, the Appalachian hillbilly, and the American Indian and many smaller groups. No more intense poverty, no greater public shame can be found than in the condition of the American Indian. Nevertheless, the largest part of the poor cannot be identified with any ethnic or minority groups—they are white Americans and like the others, they are poor.

Thus, what can we say about who the poor are? Despite popular misconceptions,

 The poor are not just Negro, they are, in fact mostly, Caucasians and are ethnically as diverse as is America itself.

(2) The poor are to be found not only in central city ghottos. There exists a rural poverty of greater intensity and of greater numbers.
(3) Rural poverty is not a farm problem.

#### THE NATURE OF POVERTY

Pat Moynihan keeps complaining that he cannot seem to get across to people that "poverty is not having enough money." But this immediately suggests the question, "enough money for what?" Already in this question

we are speaking of poverty as relative. There is some implied minimum

standard of comparison.

Many of today's poor live at higher levels of material welfare than did many of our grandfathers and great grandfathers. Despite the use of this fact to be loud the issues, this is not the relevant comparison, for we no longer live in grandfather's society with its vastly lower levels of material well-being, its agrarian economic and social organization and values. The relevant comparison and standard must be found—by each generation—

within its own time, social organization, and values.

The poor are not just people without money. There is more to it than that. Poverty has not only a material, but a psychic, basis. When everyone is and has been poor, there is no sense of deprivation or failure. When some prosper and develop their human capacities while others do not, a

great psychic malaise sets in.

In the 19th century and earlier the poor frequently lived in great cultural and social isolation from the broader society. In the 20th century, the interpenetration and shrinkage of social space begun by radio and newer forms of transportation has been completed by TV. The television particularly presents to the deepest denizen of any ghetto, urban or rural, a window into the world. It puts on display all of the material tinsel of the American middle class way of life. It changes the poor's view of the world and of their role in that world. It whets their appetite for the artifacts of the grad life while girmly presently confronting the with the derivation of the good life while simultaneously confronting them with the deprivation of their own way of life.

When a consciousness of deprivation prevails for years in the same community, individual self-confidence and ego collapse and an expectation of failure, a self-hatred and general hopelessness become endemic. Add racial discrimination and repeat-levels of individual and community bitterness,

Trustration, and desperation. Violence is an irrational but logical release.

When physical and psychic deprivation both prevail for decades there often results a "culture of poverty"—the intergenerational transfer of hopelessness and expectation of failure. This is a distinct culture with self-fulfilling expectations and behavior. It was described vividly by the Reverend A. J. McKnight in testifying before the President's Rural Poverty Commission in Memphis. Father McKnight said:

"Many of these underdeveloped people have developed a culture of poverty. They have been crushed psychologically and brainwashed by the system now trying to help them. Not only are they helpless, aparthetic, and listless, but their ambitions have been stiffed, their spirit killed, and their whole personality suffused with despair, emptiness, and hostility, and to repeat, I guess, something that you have heard already, the hard core poor are not just middle class people without

monev.

There is a cultural chasm between the middle class and the lower class. The poor think differently; they have a different sense of values. Just to mention a few examples: take the concept of education. To the middle class, it stands for the road to better things for one's children, and one's self. To the poor it is an obstacle course to be surmounted until the children can go to work. The concept of 'society' to the middle class stands for the pattern one conforms to in the interest of security and being popular. To the poor it is 'the man,' an enemy to be resisted and suspected. The concept 'future' to the middle class means a rosy horizon. To the poor it is nonexistent; there is no such thing as a future. The concept 'money' to the middle class means a resource to be cautiously spent and saved for future. To the poor it is something to be used now before it disappears.

The poor tend to be fatalistic and pessimistic because for them there is no future. Everything is today. They do not postpone satisfaction. When pleasure is available, they tend to take it immediately. They do not save, because for them there is no tomorrow.

The smug theorist of the middle class would probably deplore this as showing a lack of traditional American virtues. Actually, it is the logical and natural reaction of a people living without hope, without a future."

Rural or urban, the culture of poverty is a cancer in the body politic, a drag on the economy, and a source of social disorder. It has been feeding its poisons from rural into urban life through the migration of a million people a year over the last 25 years. This is the largest voluntary migration in

history and a very substantial part of these people are poor.

The reason for an immense migration of rural poor is easily seen. As bad as life in the central city ghetto is, it is still more attractive, holds more opportunities for the poor than does rural life. The poor tell you so, themselves. The more you are able to solve urban ghetto problems, the more attractive the urban environment becomes and the greater is the pull exerted on the rural poor to migrate. Thus, rural and urban poverty are not two problems but only one. They are linked indissolubly by a massive migration stream. They must be solved as one problem.

To date we have as a nation done very little about rural poverty. The time has come to face the fact that we must act on the poverty in rural life or we

has come to face the fact that we must act on the poverty in rural life or we shall likely never even solve the problem of poverty in urban life.

We must, in fact, act as a nation, not just city by city or state by state. The experience of Detroit is instructive. After the tragic riots of last July a prestigious New Detroit Committee of influential citizens was formed to help rebuild Detroit and to create jobs for the hard core poor. These gentlemen have worked hard with local business. About 55,000 new jobs have been created since last August, half of which went to Negroes. At least 15,000 went to hard core poor. Yet unemployment has risen from 30,000 to 31,000. Their efforts have been swamped by an influx of jobless from surrounding Their efforts have been swamped by an influx of jobless from surrounding cities and states. Detroit cannot solve the nation's unemployment problem alone. We must act as a nation, the action must be massive, not token, and we must act now.

### CHANGING STRUCTURE OF RURAL COMMUNITY

Why do we have so much poverty in rural life? Partly it is racial discrimination—against Negroes, Mexican-Americans, Indians, and other ethnic groups. These destructive prejudices are endemic in rural life. Partly it lies in two other things: the changing scale and nature of community in a modern industrial society, and the massive technological change in the indus-

tries that historically have supported traditional rural culture.

Professor Karl Fox of Iowa State argues that the minimum efficient size of community has increased by a factor of 100 since the early 1900's. This is the result mostly of a revolution in the technologies of communication and transportation upon which organization depends. The supreme characteristic of industrialization and technological change is an intense specialization of organization, function, and decision making. The many functional areas of community decision making that were once well knit together in every community have now been pulled apart into highly-specialized, vertically-organized, national decision-making systems for highways, housing, education, health, welfare, and so on. Decisions about highways are made without thought for effects on educational systems or housing. Only highway problems are considered—all other problems belong to someone else. Worse yet no longer can decisions about the financing, design, and location of roads for a community be made entirely within the community. Rather many decisions are made in state organizations and indeed in the federal agency which now channels vast funds into national road building. The same is true in varying degrees of all areas of community decision. The local community has, as a result, ceased to be the caster in its own house of those decisions that determine its future. The locus of decision has, in good part, moved from the local community to higher aggregates of society. As a result of specialization, communities, both urban and rural, have been pulled to pieces in this society making the process of community problem solving intensely difficult and often impossible.

Simultaneously, the economic base of rural life has been totally transformed by massive technological change in its characteristic industries. Traditional rural cultures have been supported almost exclusively by agriculture,

<sup>&</sup>lt;sup>4</sup> The annual rate is well below a million today and slowly declining.

<sup>5</sup> Karl A. Fox, "Change and Interest Adjustments: A Metamorphosis of Rural America."

forestry, and mining. In all of these industries since World War I, technological change while increasing productivity has destroyed rural employment potential to the extent that there has been an absolute decline in employment in all three industries. New jobs were created but for different skills and usually in urban communities. This would have resulted in problems enough even if the rural population had remained at turn of the century levels. However, the high birth rate of the rural population has led to a continued natural increase in population, many of which must migrate or live without a real means of livelihood outside of the economy and really outside of society.

Thus, even the sleepy, technologically backward little Mexican-American towns on the southern U.S. border, the bucolic communities of the northern lake states and the near 18th century culture of Appalachia have suddenly been disrupted. Even those who desire to go on in the life styles of their traditional culture, who have no ambition for a "better life" find this is no longer feasible. Migration and intense social misery have been the conse-

quence in these traditional cultures.

This, however, is not the end of the difficulty for rural community life. Those who have successfully adjusted to higher levels of productivity and new forms of employment now often commute to urban environments or are involved with urban institutions. This is true even of the successful commercial farmer. The materially successful of rural life now own most of the artifacts of middle class American life and have acquired an urban life style. As a consequence they desire the same goods and services as urban people. Thus, there has been a great increase in expectations among rural people who have the material well-being necessary to urban life styles. They expect a more varied and higher quality performance of the public and private institutions of rural life.

With their generally inadequate financial and organizational base, local rural communities usually fail to satisfy these needs in education, health, welfare, housing, and so on. By any reasonable standard, the institutions of rural life are inferior to those of urban life. It is directly evident in the lower quality of rural health, educational achievement, housing, and cultural attainment. Local rural government has not the resources or organization to satisfy the public needs of the economically successful who exercise the political power of rural life. It is not so surprising then that it does almost

nothing for the rural poor.

The rural poor, even more clearly than the urban poor, are the castoffs of society. In the process of transforming our society, in creating our economic growth, the poor, the uneducated, the ill, the handicapped, the low skilled and unemployable of society are "cast into outer darkness"—extruded from the society and the economy as so much waste material. These are the people who have been left behind in the great progress of American life. What has happened to these human beings constitutes a major unrecognized cost of this "progress." We must change the rules of our social system so that we do not make progress at the expense of the misery of millions of Americans.

#### REPORT OF THE COMMISSION ON RURAL POVERTY

Whenever you suggest action to alleviate rural poverty, certain questions

are invariably raised.

"Why do we have any public responsibility when the problems these people have are all their own fault, anyway?" I believe I have already met this argument, but let me add a comment. If I may quote Leland Hazzard again, "There is a lingering puritanism in America which still whispers that poverty, even disease, distress, disorientation, and maladjustment to the social norms—that all these are the fault of those who suffer the malady." The early Calvinist would argue that they were just the outward signs of a lack of inner grace. How utterly fatuous in a modern industrial society with its specialized and complex social organization! The social consequence of the Neanderthal puritan attitude used to be only individual human misery. Today, the consequence is rising protest, disorder, and a major unsolved social problem. But this unconstructive attitude is endemic and has unfortunate consequences for public policy.

A related matter is the fact that years ago poverty was scattered over the landscape. It was easy to ignore for there were few concentrations. Today,

in urban America, the poor are concentrated and, in many cases, organized in urban America, the poor are concentrated and, in many cases, organized and vocal—not organized as the poor, but organized in various forms to reflect and protest their intense ghetto problems. The 14 million rural poor are still scattered, unorganized, and generally not vocal. Particularly, the low income white that constitutes the majority of the rural as well as urban poor, are unorganized and lacking a public voice. The pragmatic American political system of greasing only the squeaking wheel has unfortunate consequences today. It is putting out a message that says, "organize, protest, resort to violence if you wish to effect the public policy." This is, indeed, a tragic message.

Those who suggest that we refuse to reward violence by doing nothing about the cause are responding as foolishly as those who resort to violence. They are equally fools. We must act to solve these problems immediately,

and we must do it for all who share this affliction.

One is also asked, "Do something about rural poverty? Don't we have farm programs for that?" As I have already indicated, the rural poor are not primarily farmers. Besides farm program benefits go to the affluent, not the poor. Farm programs are a relic from an older era and have absolutely no

relevance for the problems of poverty.

One also hears, often from eminent people, the suggestion that we move people back to the land. But poverty and related social problems simply cannot wait for a decentralization of American industry. The other form of this suggestion is to let them live in a subsistence agriculture. What a cruel social hoax! Many of these people have just escaped from such an environ-

social noax! Many of these people have just escaped from such an environment. If you will talk to the poor, you will learn that they do not want land. They want respect as individual human beings. They want justice. They want economic opportunity. They want political power—some control over their future, something they do not now have.

One is also asked, "What about our welfare programs? Aren't they taking care of this situation?" Yes, we have welfare programs, but they are in a tragic condition. They were designed to give the needy a pittance so that society might go about its business as usual. They treat not the problem, but a few superficial symptoms. We would probably he in worse shape without a few superficial symptoms. We would probably be in worse shape without them, but the welfare programs are in tragic condition. For example, the ADC program—aid to dependent children—actually destroys families. A "man in the house rule" frequently prevents any public aid as long as an adult of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state adult male lives in the house. So the father who cannot find employment is forced to leave his family so that they may eat. The destruction of the Negro family begun by slavery is being completed by welfare program rules. Congress, in its great wisdom a year ago, put a limit on the number of children that they would support in any case, thus adding to this program's capacity for cruelty.

The welfare system destroys all incentive to work. It taxes away from the recipient every dollar she earns as long as she is on welfare. The Commission heard case after case of heroic women trying to hold a home together on welfare who desperately wanted to work in order to retain their own selfrespect and to do more for their children. We had one woman testify in Memphis who had given up the welfare program to get MDTA job training. After finishing MDTA, despite all efforts, she could not find a job. She had been trained for a job that did not exist—at least for a Negro. She was repaid for her effort to earn a living by loss of all income for months while she struggled with "red tape" to reestablish her eligibility for welfare again. This woman, like many others, is desperately trying to provide a better life for her children than she had herself. I could give you endless examples from Commission testimony of how very admirable motivations are frustrated by the design of programs, by lack of resources, by the environment, and indeed, by the natural behavior of human beings. For example, this same woman told us:

"My son right now, he is going to school and he can get free lunches, but he don't want them, because he feels that his playmates are going to say that he has to accept free lunches, and I can understand it, but I can't make him, you know. I tell him, 'You get free lunches. Eat them, or don't eat all day.' He won't go in there and get a free lunch because he is thinking about what his little buddies will say. Children are like that . . . ".

What do we say to this woman?

The Rural Poverty Commission made many recommendations about the problems of the poor. Let me suggest only the four most important general areas.

(1) We must end racial discrimination. In access to opportunity in this society, in the administration of programs, we must end all discrimination by race and by residence. Racial hatred and discrimination is a malignant disease of white society which the President's Commission on Civil Disorder identifies as the major source of disorders driving this nation into two separate but unequal societies.

(2) We must embark on sound programs of income support and income maintenance, and we must modify the welfare programs. Let me indicate

some important parts of this.

a. We must set national minimum income standards for welfare, thus making aid to dependent children benefits the same in terms of real value in every state in the union. I don't believe that a child in Minnesota is worth four times one in Mississippi.

b. We must set a tax of no more than 50 percent on the poor. We now tax them 100 percent on their earned income if they are beneficiaries of the welfare program. After all, we only tax the very richest at about a 50 percent rate, why should we tax the poor more?
c. The earnings of children of families that are on welfare must be

exempt.

d. Though it is probably the most practical approach, this nation is not likely soon to enact any minimum income guarantee. Until this is possible, the Commission recommended a system of low income subsidies

for food, health, housing, and clothing—the essentials of life.

e. The Commission expressed itself strongly that if we are to have a minimum wage, that there must be no exemptions. Minimum wage legislation that exempts some occupations or employment causes the lowest productivity people, the so-called unemployables, to be pushed into uncovered employment areas to their detriment and that of the uncovered industry. The Commission also concluded that with the minimum wage went a public obligation for the government to stand ready to employ at the minimum wage or better all persons who cannot get a job who are willing and able to work.

(3) The third general area in which the Commission made recommendations was that of resource development where a series of recommendations were made which focused on the improvement of the capacity of rural society

for resource development—particularly as it touches the poor.

(4) Finally, the Commission concerned itself with planning the use of space for economic activity and the organization of Federal, state, and local government for growth. The Commission concluded that it was an error to isolate depressed areas as development regions when these areas did not contain the resources and capacity for sustained growth. The Commission recommended very strongly that all depressed areas be linked to growth areas in defining development areas for planning national growth. It recommended the delineation of development regions for the entire United States. It suggested that these regions be formed into multi-county area development districts and, that each development district include a viable growth center. Where growth centers did not exist, the U.S. was to concentrate social investment to create such growth points. It also recommended that all state and federal agencies reorganize their regional and district office structure to coincide with the development regions and areas. As things stand now, the organizational confusion of jurisdictions is incredible. If we are ever to revitalize the complementary role of state and local governments as decision units in our federal system, something like this must be done.

These are the highlights of the Commission's recommendations.

The problem we face today in eliminating poverty is quite different from that of the 1930's. Much of the poverty of the Great Depression was due to the business cycle, a massive decline in economic activity that left vast numbers of people unemployed, but who in a healthy economy were quite employable. Today our most pressing problems are structural or hard core poor—people who lack many of the assets for productive employment and for

a good life. They were there during the 1930's. We never did anything about them. They are here now in larger numbers, and unless we do something fundamental about the environment of the hard core poor, there will be an even larger number in the decades ahead. This problem will not go away. We must face it. And, the sooner we face it, the less it is going to cost us in money and societal scar tissue. Now don't misunderstand me. The total number of poor by practically any definition are still declining with each increase in economic activity. However, what we are faced with increasingly now is the hard core poor who have been there all along and for whom we now is the hard core poor who have been there all along and, for whom we have done almost literally nothing. These are the castoffs of society—the people left behind. It is time to act—now.

#### Exhibit No. 6

#### STAFF REPORT

#### ALABAMA AGRICULTURE

The 1960 rural population of Alabama was slightly less than 1.5 million persons—approximately 46 percent of the State's total population. Of the State's rural population, 422,000 or approximately 29 percent were Negro and of the rural Negro population, 295,000 or 70 percent live off farms and 127,000 or 30 percent live on farms. The Negro rural farm population is proportionately larger than for whites whose farm population is only 27 percent of the total rural white population.

Poverty is disproportionate among Alabama's rural population. Although the State's population is less than 46 percent rural, nearly 54 percent of all persons living in rural areas are poor. Proportionately, more Negroes than whites are poor. Although Negroes constitute less than 29 percent of the State's rural population, they account for over 45 percent of the rural poor. Nearly 360,000 of the 422,000 rural Negroes—some 85 percent—are in poverty. The proportion is approximately the same for rural farm and nonfarm Negroes.

nonfarm Negroes.

Although industrial development has permitted a diversification of the State's economy, agriculture has been and remains today one of the keystones of that economy. Until the late 1930s Alabama's economy was considered primarily agricultural. Agriculture in Alabama today, however, is in the midst of changing from a way of life to a commercial business operation.

In 1967, the total cash farm income received by Alabama farmers was over \$692 million. Of this total, \$435 million was from livestock and livestock products, \$167 million was from crops, and \$90 million was from government payments. The 70–30 break in farm income between livestock and livestock products and crops is a reversal in the sources of farm income from the 1930s when farmers derived over 80 percent of the total cash farm receipts from crop production. The trend away from field crops, especially cotton, is

<sup>1</sup> Based upon 1964 criteria of poverty established by the Social Security Administration as applied to the 1960 Census.

<sup>&</sup>lt;sup>2</sup> Federal expenditures play an important role in the agricultural economy of Alabama. In Fiscal Year 1967, agencies of the Department of Agriculture expended over \$195 million in gross program outlays in Alabama. Over half of the amount came from the Agricultural Stabilization and Conservation Service and the majority of this was in the form of price support payments:

Table 1.—Gross program outlays for Federal agricultural programs in Alabama, by agency, fiscal year 1967

Agency	Amount
Agricultural Research Service Agricultural Stabilization and Conservation Service Consumer and Marketing Service Cooperative State Research Service Economic Research Service Farmers Home Administration Federal Crop Insurance Corporation Federal Extension Service Forest Service Rural Community Development Service Rural Electrification Administration Soil Conservation Service Statistical Reporting Service	104,724,558 19,385,534 1,484,389 2,500 37,214,011 1,899,809 2,590,752 3,173,152 18,422 18,458,001 3,868,412 186,900
Total	195,272,016

expected to continue with grains, forage crops, and pasturage to support livestock and livestock products gaining in relative importance in the future. The major farm income producers in the State in 1967, in order, were:

Table 2.—Source of gross farm income, State of Alabama, 1967 3

[In millions of dollars]							
BroilersCattle, calves	121.0 87.0 81.0 59.0	Dairying	41.4				

Cotton, which was once the heart of Alabama's agricultural economy—over 3.5 million acres were planted in cotton in 1930—has become less dominant in the intervening years although it remains the third most important source of farm income. In 1964, only 800,000 acres of cotton were planted in Alabama, a decrease in acreage of some 77 percent from 1930. Although white farmers long ago began to shift their agricultural enterprises away from cotton, Negro farmers still depend on it quite heavily. Seventy-eight percent of the Negro-operated commercial farms were considered cotton farms according to the 1964 Census of Agriculture. Only 32 percent of the white-operated farms were so considered in that year.

Poultry, produced mostly under contract, is the major source of farm income in Alabama today. Some 4,600 broiler and 2,900 commercial egg producers in the State of Alabama combined in an enterprise which in 1967 accounted for 30 percent of the State's farm income. Approximately 87 percent of the broilers and 53 percent of the eggs produced in Alabama are 3.5 million acres were planted in cotton in 1930—has become less dominant in

cent of the broilers and 53 percent of the eggs produced in Alabama are consumed outside the State. Poultry is predominantly a white business. Only 32 of the State's nearly 5,900 commercial poultry farms, less than one per-

cent, are operated by Negroes.

Livestock, other than poultry and dairy, is the second most important farm income producer. While the number of farms selling cattle and/or calves has increased only slightly in the last 25 years, the number of beef cattle has almost tripled in the period, rising from 530,000 head in 1944 to over 1,600,000 head in 1967. But again, cattle and calves are predominantly white enterprises, with less than 4 percent of the Negro operated commercial

<sup>&</sup>lt;sup>3</sup>These are based on preliminary estimates of the Alabama Cooperative Extension Service. *Montgomery Advertiser*, February 25, 1968. Final figures may be slightly lower inasmuch as the preliminary estimates indicated a gross farm income of \$738 million whereas U.S. Department of Agriculture later reported the income as only \$692 million. *Montgomery Advertiser-Journal*, March 31, 1968.

farms considered livestock farms while nearly 19 percent of the white operated commercial farms so considered. Dairying, an enterprise which contributed an estimated \$50 million to Alabama's 1967 farm income, also is

contributed an estimated 500 million to Alabama 1507 lain income, 2150 is largely a white business in Alabama. Only 65—less than 5 percent—of the State's 1,400 commercial dairy farms in 1964, were operated by Negroes. Soybeans is a crop which has witnessed dramatic increases in production in just the last few years. While the State had a soybean harvest of only 135,000 acres in 1960, 280,000 acres were harvested in 1966 and over 475,000 acres were harvested in 1967. This acreage produced 12.8 million bushels of soybeans in 1967, most of which were exported, and returned approximately \$30 million to Alabama's 5,000 soybean growers. The Alabama State Extension Service has estimated that the State has a potential for one million acres in soybeans in the future. Negroes are not as likely to be soybean growers as whites because soybeans are grown on larger acreages and their cultivation is highly mechanized.

Vegetables, especially peas, cucumbers and okra, are crops where Alabama Vegetables, especially peas, cucumbers and okia, are crops where Alabama Negroes have been able to expand their production. This is primarily because vegetables are high labor crops. In 1967, an estimated 15,000 growers harvested about 70,000 acres of vegetables. Gross sales amounted to \$20 million. Included in this total were 560,000 bushels of cucumbers and four million pounds of okra. According to the Alabama State Extension Service, cucumber buyers will need approximately one million bushels of cucumbers in 1968 to meet their requirements. A notatival gross of \$40 million from vegetable to meet their requirements. A potential gross of \$40 million from vegetable production is predicted within the next few years, with processed vegetables having the greatest potential. Right now, fresh vegetables account for the biggest production of vegetable gross income.

According to the 1964 Census of Agriculture, there were 92,500 farm operators in the State of Alabama. An official of the State Extension Service staff informed Commission interviewers that this number dropped to an estimated 86,000 in 1967. Of the farm operators in 1964, 21,000, or almost 23 percent, were Negro. The Negro operators are concentrated in the South Central area of the State (see map, page 744). In all, there are 27 counties where Negro operators comprise 20 percent or more of all operators. There are 12 counties in which Negro operators constitute a majority of all operators.

As in other States, the number of farm operators in Alabama has been steadily decreasing over the years. This has been especially so for tenants where, since 1930, there has been an 88 percent reduction. This reduction has been uniform for both white and Negro tenants. Among owners, however, the reduction of Negro owners since 1930 has been 32 percent-almost twice that of white owners, whose decline since 1930 has been only 17 percent.

Negroes comprised almost 18 percent of the owners in the State in 1930 but comprise less than 15 percent of the owners today.

Most Negroes operate smaller farms than whites. The average size of Negro-operated farms in 1964 was 56.9 acres. The average size of white-operated farms was 196 acres. In 1964, there were 417 white-operated farms with 500 or more acres in crops in the State of Alabama. There were only 4 Negro-operated farms in this category in the same year. In were only 4 Negro-operated farms in this category in the same year. In 1964, 94 percent of the Negro-operated farms harvesting cropland had less than 50 acres of crops.

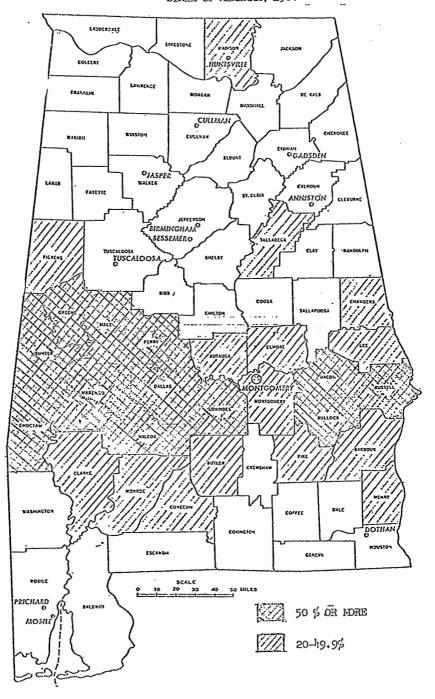
Negro farms are poorer than white farms. In 1964, 81.3 percent of the Negro-operated farms were valued at less than \$10,000. Only 42.2 percent

<sup>4</sup> In 1964, only 481 or 6.1 percent of the State's 7,900 commercial livestock farms were operated by Negroes.

<sup>&</sup>lt;sup>5</sup> As an example of the magnitude of increased soybean production experienced in some areas, Dallas County produced 5,000 acres of soybeans in 1966, and 15,500 acres in 1967 and estimates 22,000 acres in 1968. Bullock County produced only 100 acres of soybeans in 1966, and 4,300 acres in 1967 and estimates 7,300 acres in 1968.

<sup>6</sup> White farms are increasing in size but Neegro farms are not. In 1954, Negroes operated 11.7 percent of the farm acreage in Alabama. In 1964, they operated only 7.8 percent. In 1954, the average size of Negro-operated farms was 52.7 acres. The average size of white-operated farms was 52.7 acres. The average size of white-operated farms was 160.4 acres. In the next ten years, Negro-operated farms grew in size only 8 percent while white-operated farms grew some 40 percent. In the 16 counties including and adjacent to the Black Belt, the average size of Negro-operated farms in 1964 was 57.7 acres but the average size of white-operated farms was 461.5 acres. Ten years before, the average size of Negro-operated farms was 50.7 acres and the average size of white-operated farms was 350.3 acres.

COUNTIES WITH 20% OR MORE MEGRO FARM OPERATORS STATE OF ALABAMA, 1964



of the white farms were in this category. Ninety-eight percent of all Negro commercial farms had farm product sales of less than \$10,000 in 1964.7 Seventy-one percent of white commercial farms were in the same category. Of farms with less than \$2,500 in sales of farm products, 72 percent of Negro farms but only 29 percent of white farms were in this category.

It is the small, low-income farmer, whose total is comprised of a disproportionate number of Negroes, who constitutes the major problem group in Alabama. Such farmers are faced with the prospect of having to expand and diversify their operations—an unlikely prospect; finding part time, off-farm employment—something more and more farmers are doing, or leaving the farm altogether—the most likely prospect. Fifty-five percent of the Negro farm operators that were farming in Alabama in 1954, have left the farm. In short, the prospect is that, except for the few Negro farmers who can manage to expand their operations, the Negro has no future in farming in Alabama unless a massive effort is made to assist his farming operations to become viable.

As stated in a 1962 Alabama Agricultural Experiment Station report 8

If the job facing Alabama agriculture is to be done those who remain in farming must become even larger in size, more specialized, more highly mechanized, and more efficient. This raises important public policy issues. One of the most important is whether future policy programs will make it easier for farm people to choose between continuing in agriculture or accepting employment in other sectors of the economy.

# The report goes on to say

If Alabama's commercial agriculture becomes fully adjusted to the technological and scientific possibilities that exist today . . . the total number of farms in Alabama will have to be reduced to less than half

the number that exists today.

Alabama State Extension Service specialists interviewed by Commission staff were pessimistic about the future of the small farmer. They stated that, in order to survive, a portion of the small farmers can look to the encouraging experience with cooperatives. Other small farmers will have to develop new organizations on the order of present day corporate farming or turn to high labor, contract enterprises such as vegetable growing or raising feeder pigs.

#### Exhibit No. 7

#### STAFF REPORT

# EMPLOYMENT IN AGRICULTURE PROGRAMS

Persons employed in agriculture programs at the State and county level are not always classed as Federal employees. Extension Service workers and ASCS office employees at the county level are not Federal employees. Their salaries are paid, wholly or in part, with funds appropriated by the Federal government, but the Federal government has no direct control over their hiring, promotion, or assignment. Employees of the Farmers Home Administration are Federal employees. They are hired by Civil Service regulations just as any other Federal employee and are answerable to their supervisors in area offices within the States and in Washington, D.C.

Agricultural Stabilization and Conservation Service

Salaries for ASCS county personnel are paid with Federal funds yet such personnel are not Federal employees. They do receive Federal retirement

 $<sup>7\,\</sup>mathrm{The}$  Department of Agriculture has estimated that a farmer in 1959 had to gross \$10,000 in sales of farm products in order to net \$3,000.

<sup>&</sup>lt;sup>8</sup>Ben T. Lanham, Jr., Recent Economic and Social Changes in Alabama Agriculture and Related Data. Alabama Experiment Station of Auburn University, Auburn, Alabama, November 1962.

<sup>9</sup> Such a cooperative is the Southwest Alabama Farmers Cooperative Association (SWAFCA), a predominantly Negro cooperative of over 1,500 members, most of whom are small farmers and former tenants, from 10 Southwestern Alabama counties, SWAFCA is primarily a vegetable cooperative, specializing in peas, okra, and cucumbers, and produced over 1.2 million pounds of vegetables in its first year of operation and hopes for over 25 million pounds of vegetables to be produced this year.

and certain other fringe benefits provided Federal employees. County ASCS office managers are employed by farmer-elected county ASCS committees. Office employees are hired by the county office manager.

The policy on minority group employment in ASCS programs was set forth in a letter from the Administrator of ASCS to the Chairmen of State

ASCS committees, which stated in part:

Provide equal employment opportunities in the State and county offices.

. . . Full consideration will be given to the previous imbalance of employment which has prevailed. In each State, the goal will be to achieve a minority group employment percentage equal to the percentage of nonwhite farmers in the State.<sup>1</sup>

This policy was suspended in November 1966 before the goals could be achieved. The reason given for this action was that the policy allegedly conflicted with Civil Service merit regulations forbidding quotas.

In both 1965 and 1966, there were no Negroes among the 25 professional employees in the Alabama State office; only two of the 16 clerical employees

were Negro.

In 26 Alabama counties having 20 percent or more Negro farm operators, the record has been equally as bad: none of the professional employees is Negro and the only Negro regular office employees are those in clerical positions. Some Negroes, however, have been used as temporary employees.

Table 1.—ASCS Employment in 26 Alabama County Offices, 1964, Peak Summer Month of 1966, end of 1966, and 1967

•		Of	lice		Field			
_	Regular		Other a		Regular		Other a	
	w	N	w	N	w	N	w	N
December 1964	126 126 121 130	0 b6 b6 b7	50 56 57 35	0 34 24 24	19 22 22 22 22	0 0 0 0	213 240 178 88	0 58 40 10

a "Regular" refers to full time employees with permanent appointments. "Other" refers to either part time employees, employees working more than 90 days but less than one year, or those working for a temporary period as needed. This latter classification includes compliance checkers hired during the summer months to measure crop acreages.

b The Alabama State Advisory Committee to the U.S. Commission on Civil Rights, at an open meeting held in Selma, Alabama in May 1967, determined that these positions were all clerical and not professional. Subsequent inquiry to ASCS determined that the seventh employee in 1967 was also clerical.

was also clerical.

# Farmers Home Administration

Minority group employment in the Farmers Home Administration has never been significant and it remains low, in spite of limited gains since 1964. In 1964 only 57 of almost 2,000 FHA employees in 16 Southern States were from minority groups. By 1967 the number of minority group employees had risen to 201 out of 3,085 total employees.

In Alabama, in 1964, only 2 of 137 employees in the State were Negro.

As of February 1968, there only were seven Negro professional employees; six Negro professionals were located in two counties and one in the State

FHA office in Montgomery.

<sup>&</sup>lt;sup>1</sup> Letter, Administrator, ACSCS to Chairman, State ASC Committees, "Policies on Equal Employment Opportunity and Civil Rights," March 22, 1965.

Table 2.—Employment in Alabama State FHA Office and in 26 Counties February 1968

	State	office	26 counties		
•	w	NW	W	NW	
Administrative Professional Clerical	5 18 *12	0 1 0	0 88 88	о ье	

<sup>a</sup> One clerical employee is Mexican American.

# Cooperative Extension Service

Although over 35 percent of the funds expended for extension work in the United States in Fiscal Year 1967—in Alabama the figure was 41 percent—came from the Federal Government and most of this went toward salaries of extension workers, such workers are not considered Federal employees. While extension workers receive Federal retirement and other personnel benefits as well as Federal franking privileges for mail, they are considered "joint representatives" of the Department of Agriculture and the State Land-Grant College.

At the State Extension Office in Auburn University, there are 112 employees, only eight of whom are Negro, and two of these eight work out of district offices located elsewhere in the State. These Negroes formerly were located in Tuskegee Institute until they were transferred to Auburn in 1965 to fulfill requirements of Title VI of the Civil Rights Act of 1964.

Integrating the formerly segregated extension service structure has not resulted in elevating Negroes to positions of authority. Neither in Alabama nor in any other State in the United States does a Negro fill the chief extension position in a county office; rather, Negroes occupy subordinate positions.

Six of the Negroes in the State extension office, are subordinate to whites

in title, in assignment and in salary.

In 4-H work, the two Negroes are known as 4-H Club Specialists. Their two white counterparts are known as State 4-H Leaders. Both Negroes two white counterparts are known as State 4-H Leaders. Both Negroes have Master's degrees. Only one of the whites has a Master's degree. The Negro male began extension work in 1935, the white male in 1942. The Negro female began extension work in 1945, the same year as the white female. The Negro male receives an annual salary of \$11,100. The white male receives \$12,780. The Negro female receives an annual salary of \$10,560. The white receives \$11,220.

In Home Economics work, the two Negro women workers are known as District Home Agents. Their four white counterparts are known as Associate District Extention Chairman. The whites each serve one district of 16 or 17 counties. The Negroes each serve two districts comprising 32 to 34 coun-Master's degrees. One of the Negroes began extension work in 1937, the other in 1958. The whites began extension work in 1947 and 1949. The Negroes receive annual salaries of \$10,740 and \$10,820. Each

white receives an annual salary of \$12,000.

In work with farmers, the two Negroes are known as District Farm Agents. Their four white counterparts are known as District Extension Chairman. As in Home Economics work, each white serves one district. The Negroes must serve two districts each. One of the two Negroes has a Master's degree. Only one of the four whites has a Master's degree. Both Negroes began extension work later than their white counterparts—one in 1949 and one in 1952. The whites began extension work in 1934, 1939 and two in 1942. Both Negroes receive annual salaries of \$10,920. Each white receives an annual salary of \$15,000.

Of the remaining Negroes on the State staff, one is the former State Leader for Negro work. He now serves as an Assistant to the Director. He has a Doctor's degree and began extension work in 1935. He receives an

b Four Negro professionals in Macon County; two Negro professionals in Greene County.

annual salary of \$15,000. The only other person with the title of Assistant to the Director—a white—has only a Bachelor's degree and began exten-

sion work in 1927. He, too, receives an annual salary of \$15,000.

The other Negro on the State staff has the title of News Editor. He has a Master's degree and 39 hours toward a Doctor's degree in Journalism. He began extension work in 1955. Two white persons have titles of News Editor. One has a Master's degree. One white began extension work in 1959, the other in 1962. Both the Negro and the two whites receive annual salaries of \$11,160.

In the extension offices of Alabama's 67 counties, there are 397 professional and 139 clerical employees. Sixty-nine of the professional employees—or 17.4 percent—and 23 of the clerical employees—or 16.5 percent—are Negro. In 1960, the rural population of Alabama was 30.0 percent Negro.

Sixteen counties had majority Negro rural populations.

The primary administrators of the extension program at the county level are known as County Extension Chairman (male) and Associate County Extension Chairman (female). None of these employees is Negro.

The selection of chief extension personnel is a matter of local control. Although the appointment of extension workers is ostensibly a function of the State Extension Office, in practice the controlling factor is that of the candidate's acceptability to the controlling political force in the jurisdiction—usually the probate judge or the county board of supervisors. These positions are dominated by whites. The State will not overrule the wishes of the county political authorities, regardless of a candidate's qualifications.

Table 3.—Number of extension workers, average years of Service and average salary, by title and by race, Alabama Cooperative Extension Service, 1967

		White			Negro	,
Position	Num- ber	Average service (years)	Average salary (dollars)	Num- ber	Average service (years)	Average salary (dollars)
Male: County extension chairmen Extension farm agents Female:		23.2 9.6	12,089 9,190	38 38	11.9	8,962
Associate county extension chairmen Extension home agents Clerical	- 67 - 70 - 116	15.4 4.0	8,805 6,885 4,500	0 31 23	12.4	6,936 2,520

At the secondary level of employment, male personnel are known as Extension Farm Agents and female personnel are known as Extension Home Agents. The average length of service for white Extension Farm Agents is 9.6 years and their average annual salary is \$9,190. The average length of service for Negro Extension Farm Agents is 11.9 years and their average annual salary is \$8,962. The average length of service for white Extension Home Agents is 4.0 years and their average annual salary is \$6,885. The average length of service for Negro Extension Home Agents is 12.4 years and their length of service for Negro Extension Home Agents is 12.4 years and their average annual salary is \$6,936. Among clerical personnel the average annual salary for whites is \$4,500 while the average annual salary for Negroes is only \$2,520.

Proportionately, Negroes have a higher rate of Master's degrees among extension workers than do whites. Thirty of 69 Negro workers—some 43.5 percent—have Master's degrees while only 66 of 328 white workers—some 20.1 percent—have Master's degrees.

Table 4.—Education of extension workers, by race, Alabama Cooperative Extension Service, 1967

	White	Negro
No degree Bachelor's Master's	. 260	* 84 80
Total	. 328	69

Negro males have longer service than the white extension chairmen in four counties and higher educational degrees in 11 counties. They have longer service than the white extension farm agents in 18 counties and higher educational degrees in 16 counties. Negro females have longer service than white associate extension chairmen in 12 counties and higher educational degrees in five counties. They have longer service than the white extension home agents in 12 counties and higher educational degrees in six counties. (See Table 5.)

In only approximately half the counties where Negro male workers have higher degrees or longer service than white extension form agents do they

In only approximately half the counties where Negro male workers have higher degrees or longer service than white extension farm agents do they receive as much salary. In almost all cases where Negro female workers have higher degrees or longer service than white extension home agents,

their salaries are greater.

Table 5.—Alabama Counties where Negro Extension Workers Have Higher Degrees and Longer Service than White Extension Workers

#### COUNTIES WHERE NEGROES HAVE HIGHER DEGREES THAN WHITES

County extension chairman	Extension farm agent	Associate county extension chairmen	Extension home agent
Baldwin	Baldwin Bullock		
Colbert	Chambers Colbert	Colbert	Colbert
Conecuh	Conecuh		<i>a</i>
Dallas	Coosa Dallas		Coosa
Greene	Greene	Houston	Houston
Lauderdale	Lauderdale	_	_
Lowndes	Lowndes Macon	Lawrence	Lawrence
Marengo Monroe Montgomery	Marengo Monroe	Monroe	Monroe
Tuscaloosa	Sumter Talledega	Talledega	Talledega

# COUNTIES WHERE NEGROES HAVE LONGER SERVICE THAN WHITES

Autauga Butler Chambers	Barbour	Barbour
	Choctaw Colbert	Choctaw

#### Table 5.—Continued

County extension chairman	Extension far magent	Associate county extension chairmen	Extension home agent
	Coosa Dallas		Coosa
	Greene	Hale	Hale
	Jefferson	нате	Jefferson
	9 cherson	Lauderdale	Lauderdale
	Lawrence	Lawrence	
		Lee	Lee
	<b>*</b> 1	<b>~</b> 1	Limestone
	Lowndes Macon	Lowndes Macon	Macon
Madison	Macon	Macon	Macon
	Marengo		
		Morgan	
	Monroe	75.	Monroe
Dandalah	Montgomery	Montgomery	Montgomery
Randolph	Randolph Russell		
	Sumter	Sumter	
Tallapoosa	Tallapoosa	<del>,</del>	
			Talledega
$\mathbf{Wilcox}$	Wilcox		

# Exhibit No. 8 STAFF REPORT

# NEGRO PARTICIPATION IN DECISION-MAKING BODIES OF AGRICULTURE-RELATED PROGRAMS

An analysis of membership in seven county level bodies related to agriculture programs in 21 Black Belt area counties and for five State and area wide bodies indicates that Negroes do not participate in the decision-making processes of agriculture-related programs in anything like their proportionate interest in such programs.

# County Level

Agricultural Stabilization and Conservation Service Committees.—At the county level, there are no Negroes on the ASCS county committees, either as regular or alternate members, in the 21 counties surveyed.¹ These committees are the key points of control in programs which distributed almost \$105 million to Alabama farmers last year. In general, they are responsible for setting policy and goals in the county program operations, carrying out program responsibilities, employing the county office manager, fixing the rates of pay for all personnel, and supervising committee elections. Each county is divided into communities, usually approximating the political subdivisions in Alabama known as "beats." Each community has an ASCS committee, elected by the farmers in the community. The most significant function of the community committee is to elect the county committee. In the 21 counties surveyed, only 24 of the 438 regular community committee members are Negro. (Only regular members have votes in electing county committeemen.) Of 293 alternate committeemen, only 53 are Negro. Two of the 21 counties have "advisory" committees. All 13 of these advisory committee members are Negro. Advisory committees have no effective decision-making powers.

<sup>1</sup> There are no Negroes on any ASCS county committee in Alabama. Of over 4,100 regular county committeemen in the South, not one is Negro. Of over 2,700 alternates, only 3 are Negro.

Farmers Home Administration County/Area Committees.—In counties with significant numbers of farmers and rural residents potentially eligible for FHA loans, there are three-man committees, appointed by the State FHA Director, whose main function is to meet, consider, and pass upon applications for loans. Where the workload does not justify a committee for each county, a committee will serve an area which normally includes no more than two counties.

Prior to 1965, there were very few Negroes on FHA committees in the South.<sup>2</sup> In Alabama, there were no Negro regular committeemen.<sup>3</sup> In April 1965 the Administrator of the Farmers Home Administration directed that Negroes be appointed in every county of 11 Southern States where Negroes constituted 20 percent or more of the farmers.<sup>4</sup> By the following year, 30 of Alabama's 183 committeemen were Negro.

Of 21 Alabama counties surveyed in 1968, it was found that 17 of the 56.

Of 21 Alabama counties surveyed in 1968, it was found that 17 of the 56 FHA committeemen were Negro, yet in no county was there more than one Negro committeeman.

#### Extension Councils and Committees

In each county there is a County Extension Council, ostensibly comprised of a representative cross section of all persons in the county, who assist in of a representative cross section of all persons in the county, who assist in the planning, projecting and evaluating of Cooperative Extension Service programs. Each year the extension councils meet to assist the county agents in preparing a Plan of Work which seeks to define the problems and the needs of extension work in the year ahead. In the 21 Alabama counties surveyed, 272 or 28.0 percent of the 971 extension council members in those counties were Negro. The percent of Negro participation does not approach the percent of Negro rural population in the counties surveyed, however—a percentage which ranges from 36.4 percent to 86.9 percent and which a percentage which ranges from 36.4 percent to 86.9 percent and which

averages 63 percent.

The Extension Service also serves as the leader in organizing local Rural Area Development Committees. These committees are composed of representatives of agriculture, industry, business, supporting services, civic groups and individuals throughout the county. The primary purpose of these committees is to inventory the resources and potential for growth in the county and to develop plans and programs designed to result in economic improvement. The plans that are developed by these committees, known as Overall Economic Development Plans (OEDP), ultimately serve to obtain Federal participation in the financing of local projects to create jobs, improve municipal and rural facilities, and provide for technical assistance in district and regional economic planning. The Extension Service provides organizational and educational leadership at the local level. In the 21 Alabama counties surveyed, only 48, or less than 8 percent, of the 619 RAD committee members were Negro.

Technical Action Panels.—Since early 1967 there has been established in each county a group known as a Technical Action Panel. The primary purpose of these panels is to coordinate the activities of Federal agencies and programs which relate to problems of rural people. One of their main activities is to inform rural residents about available programs and to assist in developing projects which will upgrade the economic well-being of rural residents and their communities. Until recently, these TAPs were comprised of the chief officials of agricultural agencies within the county with the county FHA supervisor serving as chairman. Subsequent to their inception, the panels were expanded to include the chief officials of other Federal agencies or programs in the county. Generally, this has meant the addition of health, welfare, employment and education officials. Because these panels are comprised of chief program officials, this has meant that minority group

<sup>&</sup>lt;sup>2</sup> In 1964 there were 3,317 white and only 14 Negro regular FHA committeemen in the South. There were also 13 white and 97 Negro alternate committeemen. The category of "alternate" has since been abolished. As of June 30, 1967, there were 394 Negro and 15 Mexican American committeemen in the South. Two hundred and four of the Negroes served as chairmen of their committees. The number of white committee members was reduced proportionately.

<sup>3</sup> Only 16 out of a total of 198 committee members were Negro. They were all "alternates" who were seldom if ever called upon to participate in committee decisions.

<sup>4</sup> Letter, Administrator, FHA to State FHA Directors, 11 Southern States, "County Committee Vacancies," April 13, 1965.

members are unlikely to be represented, even where concerns are related to problems where minority groups are most involved. Thus, beginning in January 1968 the panels were expanded to include representatives from minority groups. At the time of Commission staff interviews in Alabama, Negroes were just being contacted and invited to become TAP members. Almost without exception, only two Negroes, the Negro male extension agent and a Negro vocational agriculture teacher were being invited. In the 21 counties surveyed, only 41, or 16.8 percent, of the 244 TAP members were Negroes.

Rural Electric and Telephone Cooperatives.—The Rural Electrification Administration provides long term, low interest loans to cooperatives to provide electricity and telephone service in rural areas. None of the 121 members of the boards of directors of rural electrical and telephone cooperatives providing service in the 21 Alabama counties surveyed were Negro. Soil Conservation Boards of Supervisors.—Rural areas are often divided into soil conservation districts which are organized as governmental subdi-

visions of the State and which, in cooperation with local farmers, plan and manage projects designed to conserve and more effectively utilize the soil and water resources of the area. The governing bodies of these districts are comprised of five members, known as supervisors, three of whom are locally elected and two of whom are appointed by a State Soil Conservation Committee. Although exact figures regarding the members of these district boards of supervisors were not available when this report was prepared, the Alabama State Conservationist stated that he did not believe that any of the supervisors in the 21 county area were Negro.

A summary of Negro membership on decision-making bodies in agricul-

ture-related programs at the county level shows:

TABLE 1.—White and Negro Membership on Decision-Making Bodies of Agriculture-Related Programs 21 Alabama Counties, 1968

	White	Negro
ASCS county committees  ASCS community committees FHA county/area committees County extension councils Rural areas development committees County technical action panels Rural electric and telephone cooperatives boards of directors County soil conservation boards of supervisors	414 39 699 571 203 121	0 24 17 272 48 41 0
Total	2,256	402

Note: Percent Negro 15.2.

## State Level

There are State committees for ASCS and FHA as well as a State Technical Action Panel and an ASCS Advisory Committee. The ASCS Advisory Committee is all-Negro and has no effective decision-making powers. Membership on the decision-making bodies is as follows:

<sup>&</sup>lt;sup>5</sup>The instructions from the State FHA office listing the Negroes to be invited were dated February 29, 1968. The Farmers Home Administration provided the U.S. Commission on Civil Rights a list of TAP members in the 21 counties on March 4, 1968 which indicated the Negroes as members. However, during the week of March 11, Commission staff interviewing in three counties determined that Negroes had not yet been contacted in two of these counties. Apparently, their names had been provided without their prior knowledge.

<sup>6</sup> According to the 1964 Census of Agriculture, less than 18 percent of the farms operated by Alabama Negroes had telephones. Over 63 percent of white operated farms had telephones. Sixty-three percent of the Negro operated farms and 88 percent of the white operated farms had television sets. Forty-three percent of the Negro operated farms and 74 percent of the white operated farms had home freezers.

Table 2.—White and Negro Membership on Decision-Making Bodies of Agriculture-Related Programs State of Alabama 1968

1	White	Negro
ASCS State committee		1 1 8
Total	36	5

Note: Percent Negro 12.2.

The above enumeration of members of county and State level decision-making bodies is not intended to be all-inclusive. There are other bodies for which membership by race was not obtained. These figures demonstrate, however, that Negroes do not have an effective voice in decision-making bodies of agriculture-related programs in Alabama.

# ASCS Community Committee Elections

One example of the denial of an effective voice to Negroes over the decisions that affect their lives is that of the annual elections of ASCS community committees. Historically, Negroes seldom if ever participated in the elections of these committees prior to 1965. In 1964, of over 50,000 ASCS community committeemen in the South, only 80 were Negroes. Many of these were in non-voting "alternate" committeemen positions. The results since then, while showing some progress, are nevertheless disappointing. In fact instead of continuing advances in 1967 that were made in early years. fact, instead of continuing advances in 1967 that were made in early years, the relative position of Negroes in committeemen positions actually worsened.

Table 3.—Negro Regular and Alternate ASCS Community Committeemen, the South-1965, 1966, and 1967

	Regular	Alternate	
1965	85 113 100	434 430 348	
		_	

Note: Total possible: approximately 45,300.

As noted previously, alternate committeemen do not vote in electing the county committee which, in ASCS programs, is the central point of control. Thus, in the South, where Negroes comprise over 13 percent of the farm operators, they have less than  $\frac{4}{10}$  percent of the voting power in selecting county committeemen. It comes as no surprise to learn, then, that not a single one of the approximately 4,100 regular ASCS county, committeemen in the South are Negroes and that of approximately 2,700 alternate county committeemen, only 3 are Negroes.

In Alchama of a total of approximately 3,100 community committeemen in

In Alabama, of a total of approximately 3,100 community committeemen in 1967, only 22 are Negro.

Table 4.—Negro Regular and Alternate Community Committeemen, State of Alabama—1965, 1966, and 1967

	Regular	Alternate	
1965	11 28 22	85 89 84	

Note: Total possible: approximately 8,100.

Thus, in a State where Negroes comprise almost 23 percent of the farm operators, only one percent of the voting power in selecting county committeemen is held by Negroes. The ASCS community committeemen elections in Alabama have had a history of alleged denials of equal opportunity for Negro farmers. The 1965 elections in Lowndes County were ordered reheld by the Department of Agriculture when investigations revealed irregularities in that election. A suit brought against the Department of Agriculture in 1966 resulted in an out-of-court agreement to postpone the elections in Alabama for 30 days in order to permit intensified efforts to educate Negro farmers concerning the elections.

The Alabama State Advisory Committee to the U.S. Commission on Civil Rights held an open meeting in Selma, Alabama in May 1967 to obtain information regarding ASCS employment and elections in the Black Belt area. A staff report, prepared for the open meeting in Selma noted that in 1965 the ASCS had directed that Negro names be placed on the election ballots. To dilute the potential Negro vote, white committees placed scores of Negro names on the ballots but limited the number of white names appearing on the ballot. The report also noted Negroes were voting in heavier numbers in 1966—53.5 percent of the eligible Negro voters in eight Black Belt counties voted compared to only 38.3 percent the year before—and that of those Negroes elected, the chances were greater that their names had been placed on the ballot by petition of their fellow Negro farmers than by the white dominated committees, thus placing in doubt whether the committees actually act in the best interests of Negro farmers.

Troubles in the Alabama ASCS committeemen elections continue. An appeal regarding the 1967 elections in Macon County alleged that the majority of ballots that were invalidated or which never reached the addressed voter were potential Negro voters. The appeal was denied, however.

<sup>7</sup> This resulted in such abuses as in Greene County where the white committees placed 163 Negro names on the ballot out of 40 possible positions to be elected and in Lowndes County where 135 Negro names were placed on the ballot out of a possible 30 positions to be elected. Although the practice of flooding the ballots with Negro names was reduced by an ASCS directive limiting the number of names to be placed on the ballot, abuses apparently continue. In the 1967 elections in Macon County, where Negroes comprise 72 percent of the farm operators and prior to 1966 no Negro had ever been elected to a community committeee, Negroes placed 16 names on the ballots in 4 of the county's 5 communities by petition. The incumbent committee, dominated by whites, placed 21 additional Negro names on the ballots in these communities and 6 more Negro names on the ballot in the fifth community. Only 3 white names, the maximum number of regular positions to be elected, were placed on the ballots. Although Negroes in each community outvoted whites by a total of 683 to 486, only four Negro regular committeemen, out of a possible 15 positions, were elected.

# Exhibit No. 9

# CHOCTAW COUNTY CIVIC LEAGUE LISMAN, ALABAMA

TO: U.S. Commission on Civil Rights

FROM: Choctaw County Civil League

Lisman, Alabama

SUBJECT: Public Hearings of the U.S. Commission on Civil Rights

Mr. Chairman: The Choctaw County Civic League, Lisman, Alabama, submits the following information in the best interest of our citizenry and to the best of our ability based on the information we had at our disposal. There is a possibility of a few errors because of the lack of cooperation in getting the desired information. Therefore, we accept any corrections made. The local government of Choctaw County spends approximately one-half million dollars for its operation and very few Negroes are employed in any capacity. In fact, our research reveals that there is only one Negroe employed.

capacity. In fact, our research reveals that there is only one Negro employee that receives any portion of this half million dollars. However, all of this money is not spent on salaries but is allocated in the following manner: \$150,000,00 for operation of local government, \$350,000.00 for road construction, and \$12,000.00 for extension services, etc., and approximately \$125,000.00 tion, and \$12,000.00 for extension services, etc., and approximately \$125,000.00 of Federal funds were received for the Master Teachers Program, of which there exists a School Improvement Office in Butler, Alabama. No Negroes are employed in any phase of this project. The Choctaw County Library Board propose to construct a \$100,000.00 library of which \$60,000.00 will come from Federal funds. There are no Negroes on the Board and none employed in the Public Library in Butler, Alabama.

Without extensive deliberations, this report seeks to point out job discriminations against Negroes in Choctaw County, Alabama. We have carefully compiled the following chart in order to show that Choctaw County continues to discriminate against her Negro citizens in spite of the many acts passed by the Federal Government to insure equal job opportunities.

# People Employed in Choctaw County

County Commissioners (4) Farm to Market Road Judge of Probate's Office County Solicitor's Office Inferior Court Office Health Department	(Secretaries) Persons employed—2 Persons employed—2	Negroes 0 Negroes 0 Negroes 0 Negroes 0
Pension and Security	by State and county) Persons employed—8 (approx.) (Paid by State and county) Persons employed—1	Negroes 0
	(Federal Government employee)	Negroes 0
Selective Service	Persons employed—1	Negroes 0
Farmers Home Administration	Persons employed—4	Negroes 0
Department of Agriculture	Persons employed—1	Negroes 0
Soil Conservation	Persons employed—1	Negroes 0
Forestry	Persons employed—4 on tower (one extra)	Negroes 0
ASCC Department of Agriculture	Persons employed—5	Negroes 1
Choctaw County School Improve-	Persons employed—6	Negroes 0
ment Office—Title III.	Master teachers	
	Project director—1	
	Secretary—1	Negroes 0
Extension Service	Persons employed—6	Negroes 2
Game Warden	Persons employed—2	Negroes 0
Tax Collector's Office	Persons employed—2	Negroes 0
Tax Assessor's Office	Persons employed—2	Negroes 0
Sheriff's Office	Sheriff—1	Negroes 0
	Deputies—2	
Police Department	Persons employed—2	Negroes 0
City Hell	Persons employed	Negroes 0
Superintendent's Office	Persons employed—5	Negroes 0
County Bus Garage	Persons employed	Negroes 0
Public Library	Persons employed-7	Negroes (1)
		Subsidiary employee
Food Stamp Office	Persons employed—4	Negroes 0
Board of Registrars	Persons employed—8	Negroes 0
Postal Workers	Persons employed—35 (approx.)— (Including substitutes)	Negroes 0
The largest employing agency in	Persons employed—1600 (approx.)	
Choctaw County—American Can	Population of the county	Negroes-80-90
Company.	Whites—Approx. 51 percent	(Approx. No. less
~ · · · · · · · · · · · · · · · · · · ·	Negroes—Approx. 49 percent	than 100)
	xxpprom xp porocing	
Caravan	Persons employed—2	Negroes 0
Adult Education	Persons employed—12	
(All Negro students)	(Teachers—11, Director—1)	(White director)
/	,	,,,

Note: There are several small plants that are not included in this report.

We express appreciation for being given the opportunity to present this report and hope that immediate steps will be taken to correct or move the barriers which deny Negroes equal opportunities to participate as Americans.

Humbly submitted by:

Choctaw County Civic League Lisman, Alabama April 27 1968

#### Exhibit No. 10

#### STAFF REPORT

#### COOPERATIVE EXTENSION SERVICE

Cooperative agricultural extension work is the means by which advances in agricultural science and technology are transmitted to the rural people of

America.

Systematic agricultural and vocational education in the United States began with the Morrill Act of 1862, the same year that the Department of Agriculture, which had formerly been a minor division of the Patent Office, was raised to the status of an independent agency. The Morrill Act authorized the donation of public land for the establishment, in every State, of at least one land-grant college. The agricultural colleges that were thereby established assumed leadership in promoting education on agricultural subjects and several colleges established departments of agricultural extension in the 1890's.

Cooperative extension work was formally authorized on a national basis

by the Smith-Lever Act of 19142

to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home

economics and to encourage the application of the same.

The basic job of the Cooperative Extension Service is to help rural people identify and solve their farm, home, and community problems through the use of research findings and programs administered by the Department of Agriculture. This work is carried out by the State Extension Service in the land-grant colleges of each State through a system of over 11,000 farm and home agents in almost every county of the United States. These agents, acting as joint representatives of the Department of Agriculture and the land-grant colleges, work with local people on how to apply knowledge and information developed at the colleges to improve their farm, home, and community life. Linking the agents to the colleges are subject matter specialists who keep the agents informed of new agricultural advances and conduct demonstrations of the application of these advances. Administrative staff are located at the State and district level. At the national level, the Federal Extension Service provides leadership and technical and organizational assistance to the States in developing extension programs.

Extension betwee provides readersing and terminal and organizations assistance to the States in developing extension programs.

Extension work is financed from Federal, State, county and local sources. Primarily the funds are used to employ the county agents and specialists who conduct the educational programs of the Cooperative Extension Service.

Nationally, Federal funds account for more than a third of the total funds,

Nationally, Federal funds account for more than a third of the total funds, amounting to over \$200 million annually, expended for extension work. In the South, the Federal portion averages close to 40 percent of all funds expended. In Alabama, recent expenditures for extension work have been as follows:

Year	Total	Federal	Percent Federal
1965	\$5,312,833	\$2,425,662	45.7
	6,117,489	2,493,452	40.8
	6,239,474	2,590,752	41.4

From its inception, extension work in the South was segregated. Every Southern State established separate land-grant colleges for whites and Negroes. Separate lines for the administration of extension work were established although the white land-grant colleges invariably controlled the Federal funds allotted to each State for support of extension work and invariably the Negro colleges received less than their share. In Alabama,

<sup>1 7</sup> U.S.C. 301.

<sup>27</sup> U.S.C. 341.

<sup>&</sup>lt;sup>3</sup> See, Department of Agriculture and Related Agencies Appropriations, 1968. Hearings before the House Subcommittee on Agricultural Appropriations, Part 2, page 425.

work with Negroes was administered out of Tuskegee Institute while work with whites was administered out of Auburn. As a general rule, offices for Negro workers at the county level were separate from the offices of white workers. Facilities and clerical assistance for Negro workers were limited. Training of Negro workers was inferior to that provided white workers. Salaries of Negro workers, although performing the same work, were less than for white workers. With more white workers than Negro workers assigned to extension work, even in counties with majority Negro rural populations, and with white workers limited to working only with whites, the workloads of Negro agents were heavier than for whites. Service to Negro rural residents was segregated and inferior. Many Negroes were never served at all.

Title VI of the Civil Rights Act of 1964 forbids discrimination in programs receiving Federal financial assistance. This ostensibly precludes segregated and inferior services to rural Negroes by the Alabama Cooperative Extension Service. To be sure, in the three and a half years since the passage of Title VI, several changes have occurred. Separate and inferior offices are being eliminated although Negro agents have not in every case been functionally integrated in extension offices. Administration of Negro work from Tuskegee has been transferred to Auburn, although most of the Negro staff workers, as noted in the agriculture employment report, have separate titles and less responsibility than their education or previous experience warrants. Training opportunities for Negro workers apparently are being equalized. Separate plans of work at the county level are reported to have been discontinued. Separate awards in 4–H Club projects that existed prior to 1965 have been integrated. These changes, however, were the easiest to accomplish. In the all-important areas of services and participation, Negroes continue to receive infrequent and inferior service.

In a supplement to its Plan for Compliance with Title VI of the Civil Rights Act, the Alabama Cooperative Extension Service stated that county extension staff had been "assigned to work with all people regardless of race, color, or national origin." To assess the extent to which this policy was being complied with, Commission staff analyzed weekly activities reports of office and field visits made by county extension personnel in 12 Alabama counties in April and October of 1967. In these counties, there are 46 white extension workers and 26 Negro extension workers. The rural population of

the counties is 73 percent Negro.

#### Segregated Services.

The analysis showed that extension services remain almost totally segregated: 89 percent of the visits of white male agents were made to other whites and that 96 percent of the visits of Negro male agents were made to other Negroes; 94 percent of the visits made by white female workers were to other whites and 554 of 556 visits made by Negro female workers—a figure of 99.6 percent—were to other Negroes. In two counties, Negro male agents had not serviced any whites in the two months surveyed and in 8 of 10 counties Negro female workers had not serviced any whites. Although every white male agent reported having serviced some Negroes, white female workers in 7 counties had serviced only whites. When combined, the figures indicated that 91 percent of the visits made by white extension personnel were to whites and 97 uercent of the visits made by Negro extension personnel were to Negroes.

<sup>4</sup> Report, Director of Alabama Cooperative Extension Service to Administrator of Federal Extension Service, January 14, 1965.

Table 1.—Office and Field Visits of County Extension Workers in 12 Alabama Counties, by Race of Worker and Race of Recipient April and October 1967

	Male						
County _		White agents			Negro agents		
	To Negroes	To whites	Percent	To whites	To Negroes	Percent	
Bullock	. 69 . 12 . 23 . 89	341 272 530 524 537 419 262 350 188 543 588 899	92.7 93.4 97.4 97.9 84.3 81.2 79.1 96.7 89.1 85.9 94.8	055535262025	124 126 5 405 71 143 205 124 154 110 122 153	100.0 96.2 50.0 92.0 95.9 96.6 99.0 95.4 98.7 100.0 98.4	
Total	. 638	4,953	88.6	70	1,742	96.1	

TABLE 1.—Continued

	Female						
County _	· · · · · · · · · · · · · · · · · · ·	White agents			Negro agents		
	To Negroes	To whites	Percent	To whites	To Negroes	Percent	
Bullock	- 0	91	100.0				
Choctaw	- 0	88	100.0	0	34	100.0	
Dallas		196	96.6	0	23	100.0	
Greene	- 0	45	100.0	0	100	100.0	
Hale	- 0	107	100.0	0	100	100.0	
Lowndes	- 5	65	92.9	1	7	87.5	
Macon	- 18	71	79.8	0	84	100.0	
Marengo	- 0	88	100.0	1	50	98.0	
Perry	- 15	128	89.5	_			
Russell		66	97.0	0	65	100.0	
Sumter	0	72	100.0	Ö	47	100.0	
Wilcox	- 0	127	100.0	0	44	100.0	
Total	. 47	1,144	93.7	2	554	99.6	

# Unequal Workloads.

Providing services on a segregated basis has resulted in unequal potential workloads of white and Negro extension workers. In the 12 counties surveyed, potential recipients of extension services include farm operators, rural youth and women of whom there were 72,280 Negro and 26,817 white rural residents in the age groups counted or an average of 2,780 Negro residents per Negro extension worker and 583 white residents per white extension worker.

Table 2.—Potential Workload of White and Negro Extension Workers
12 Alabama Counties

			Male				
County	Extension workers			Rural male population =		Potential workload per <b>a</b> gent	
	White	Negro	White	Negro	White	Negro	
Bullock	3 2 3 2 2 3 2 2 2	1 2 1 1 2 1 1 1	600 1,684 1,329 435 1,076 679 845 1,167 873 952 769 878	1,745 1,841 4,635 2,459 2,789 2,652 3,394 2,840 2,148 2,414 3,118 3,315	300 842 443 216 359 340 423 389 487 476 256 489	1,745 1,841 2,318 2,459 2,789 2,652 1,697 2,840 2,148 2,414 3,118	
Total	26	14	11,287	33,350	439	2,382	

a Number of farm operators 1964 plus number of rural males age 10-19, 1960.

Table 2.—Continued

			Female				
County	Extension workers			Rural female population <sup>b</sup>		Potential workload per agent	
	White	Negro	White	Negro	White	Negro	
Bullock	. 1	1	591	1,892	591	1,892	
Choctaw Dallas	. 2	1	2,848 2,716	2,364 4,777	1,424 1,358	2,364 4,777	
GreeneHale	. 2	1	358 1,143	2,389 3,091	358 572	2,389 3,091	
Lowndes Macon	. 1	į	763 1,125	3,259 4,759	763 1,125	3,259 4,759	
Marengo Perry	. 2	1	1,288 1,074	3,053 2,539	644 537	3,053 2,539	
Russell Sumter Wilcox		1	1,676 898 1.050	3,612 3,410 3,785	838 449 525	3,612 3,410 3,785	
Total	. 20	12	15,530	38,930	777	3,244	

<sup>&</sup>lt;sup>b</sup> Number of rural females age 10-19, 1960 plus number of rural females age 20-50, 1960.

Adjusted for the average percent of services provided across racial lines, the figures are 2,693 Negro rural residents per Negro extension worker and 551 white rural residents per white extension worker or an average potential workload for Negro workers of almost five times that of white workers. These figures indicate that Negro rural residents do not receive service from county extension personnel equal to that provided whites.

# 4-H and Home Economics Clubs.

Not only are office and field visits segregated, but 4-H and Home Economics clubs, activities sponsored and directed by extension agents for rural youth and homemakers, are segregated as well.

Alabama has the third largest 4-H Club enrollment in the Nation. But of 117,000 members, more than 95,000, over 80 percent, are in segregated clubs. Of the less than 22,000 members who attend clubs with white and Negro membership, less than 1,900, or only 8.7 percent, are Negro.<sup>5</sup>

<sup>5</sup> For a county listing of 4-H Club enrollment, see Appendix A.

Table 3.-4-H Clubs and Membership, by Race, State of Alabama, 1967

	Clubs	Men	nbers
		White	Negro
All white	892	57,812	
All NegroIntegrated	998 561	19,773	37,527 1,877
Totals	2,451	77,585	39,404

Of nearly 28,000 rural homemakers in home economics clubs in Alabama, 99 percent attend segregated clubs. Less than 200 women attend clubs which have both white and Negro members.  $^6$ 

Table 4.—Home Economics Clubs and Membership, by Race, State of Alabama, 1967

	Clubs	Men	ibers
	,	White	Negro
All white	991 287 5	22,749 	4,791 43

By comparing the enrollment in 4-H and Home Economics clubs with the number of rural youth (313,300) and homemakers (253,700) in age groups most likely to participate in the club activities sponsored by the Alabama Cooperative Extension Service, it may be seen that the 4-H Clubs enjoy fairly popular participation although there is a high degree of segregation. Less than 5 percent of the Negro youth enrolled in 4-H Clubs are in clubs with whites. In home economics clubs, on the other hand, in addition to the almost total segregation of white and Negro homemakers, only a very small percentage of rural women, white or Negro, are members.

# 4-H Club Projects.

In Commission staff interviews with Negro extension workers, it was learned that many of the workers believed that white youth participated in more 4-H projects than Negro youth. To test this hypothesis, the Commission obtained 1967 enrollment figures, by race, in 4-H Club projects, for 12 Alabama counties. An analysis of the figures supported the Negro agents' beliefs: white youth were enrolled in an average of 2.4 projects per person while Negro youth were enrolled in only 1.5 projects per person.

<sup>6</sup> For a county listing of Home Economics Club enrollment, see Appendix B.

 $<sup>^7\,\</sup>mathrm{This}$  category includes rural youth, male and female, age 10-19, and rural females age 20-50 in 1960.

Table 5.—4-H Club Projects and Average Number of Projects Per Person by Race, 12 Alabama Counties, 1967

		l club Ilment		project lment	Average number of projects		
County	White	Negro	White	Negro	White	Negro	
Bullock	209	858	648	891	3.1	1.3	
Choctaw	893	917	1.770	741	1.9	.8	
Dallas	490	793	1.050	732	2.1	.9	
Greene	271	1.110	1.136	2.165	4.1	1.9	
Hale	392	1.807	1,228	5.232	3.1	.28	
Lowndes	144	789	332	1,382	2.3	1.7	
Macon	117	550	451	957	3.8	1.7	
Marengo	903	1.872	1,670	1.475	1.8	.8	
Perry	610	771	1.235	26	2.0	.03	
Russell	823	2,125	2,160	4,234	2.6	1.9	
Sumter	420	779	1,059	1,318	2.5	1.6	
Wilcox	282	604	705	788	1.8	1.3	
Total	5,654	12,975	13,444	19,941	2.4	1.5	

An analysis of the kinds of projects which white and Negro youth are enrolled in indicates a predominance of one race in the following projects.

17/	há	+0

Beef Conservation Tractor Home Management Personal Development

Personal Development Career Explorations

Judging Wildlife

Demonstrations

# Negro

Field Crops
Horticulture
Poultry
Swine
Bread-Cereal

Health and Physical Education

# 4-H Club Awards.

Under the segregated system of extension work in the South prior to the Civil Rights Act of 1964, there were separate awards systems for whites and Negroes excelling in 4–H Club projects. As noted in the U.S. Commission on Civil Rights 1965 report, Equal Opportunity in Farm Programs, the awards for Negro youth were inferior. White State winners went to national contests and competed for college scholarships while Negro winners received only \$25 or \$50 bonds at the State level and did not go on to national contests. Beginning in 1965, the separate awards system was abolished and Negro and white youth competed against each other for the awards. While the Commission did not obtain information on the quality of the awards 4–H in Alabama in 1967, it did obtain information on the number of youths, by race, who competed for and won awards in 8 Alabama counties. It was found that 93 percent of the white youth enrolled in 4–H Clubs in the 8 counties competed for awards whereas only 36 percent of the Negro youth competed. Very few youths, white or Negro, won awards beyond the county level. Of all awards won, 14 percent of the white youths competing won awards and 8 percent of the Negro youths competing won awards.

<sup>8</sup> For enrollment figures in selected projects in counties surveyed, see Appendix C.

<sup>&</sup>lt;sup>9</sup> In the eight counties, white youths won 7 awards at the district level and 11 awards at the State level. Only one Negro youth won an award at the district level. No Negroes won any awards at the State level.

<sup>10</sup> For a listing of youths competing for and winning awards, see Appendix D.

**7**63

# APPENDIX A.—Enrollment in 4-H Clubs, by Race, State of Alabama, 1967

	Al	l white	All	Negro		Integrated	
Counties	Clubs	Members	Clubs	Members	Clubs	White	Negr
Lutauga	16	383	10	401	3	58	8
Baldwin	38	820	1	18	0	0	0
arbour		351	20	567	7	163	19
ibb		626	14	504	5	157	14
lount	28	787	0	0	10	354	31
ullock	8	133	29	855	2	76	
utleralhoun	34	829	18	717	22	631	28
alnoun	44	1,603	4	137	1	144	18
hambers	40	949	35	1,023	13	273	44
herokee	27	799	4	132	7 0	224	20
hilton hoctaw larke	42 38	1,261	10	288	6	82	10
lorko	38 25	811	28	907	6	233	1
llow	25	576 685	5 4	102 185	ĭ	255 54	1
layleburne	24	601	2	51	12	425	1
offee	36	905	6	238	2	101	
olbert,	27	611	12	1,025	11	481	2
onecuh	24	625	14	766	- <del>5</del>	181	-
0088	14	379	14	571	š	283	2
ovington	56	1.225	8	313	11	222	3
renshaw	17	601	4	171	10	391	3
ullman	76	2,135	Õ	110	7	344	3
ale	iš	489	ĕ	153	22	754	8
allas	17	371	29	789	'4	119	
eKalb	61	2.148	ž	77	3	138	
lmore	12	369	18	603	16	494	7
scambia	52	1,009	6	244	14	409	6
towah	51	1,939	5	226	9	373	2
'ayette	22	572	2	66	14	427	3
ranklin	34	1,200	0	Ô	7	384	9
eneva	28	966	8	327	2	82	
reene	2	34	12	1,086	8	237	2
lale lenry	13	181	58	1,778	9	211	2
enry	13	314	10	388	.7	190	
touston	22	881	10	800	10	607	6
ackson	42	1,207	2	32	14	631	6
efferson	59	2,009	66	3,332	7	256	1
amar	25	882	4	212	$\begin{smallmatrix} 6\\24\end{smallmatrix}$	205	11
auderdale	32	880	4	92		·817	11
awrence		1,228	14	582	4	172	1
ee		1,025	37	956	6	148	٠.
imestone	40	1,544	18	579	10 1	444	· 3
owndes	5	113	19	785	2	31	_
faconfadison	4	92	29	529	12	25	2
adison	36 26	1,164	19	634	6	311	3
arengo		751	54	1,859	14	152	1
[arion [arshall	58	955 2,258	2	36		751	3
larsnan	48	1,397	2 2	81	2 7	100	
onroe	18	505	18	87	62	326 20	1
OHOO P	38	1,887		638	10		_
organ lontgomery		890	16 27	557	10	522	3
ontgomery	30	249	18	967	11	0	
erryickens	22	714	9	741 374	3	361	3
ike	19	403	18		12	138	
andoinh	25	708	19	633	10	245 296	2
ussell	21	433	63	666 2.064	15	296 390	1
t. Clair	27	777	12	2,064 426	14	596	6
helby	50	1,294	10	351	i	51	4
ussell t. Clair helby umter	10	273	24	771	5	147	
aliadoosa	8	258	21	738	21	614	8
alledega	18	511	22	1.150	15	606	8
alledega uscaloosa	46	1.506	27	1,256	14	466	2
/alker	37	1.861	20	1,200	18	894	12
Vashington		547	6	251	15	403	12
Vilcox	21	382	8	604	0	.0 403	Z
Vilcox Vinston	22	933	ő	0	2	153	
			•	v	-	700	

764

Appendix B.—Enrollment in Home Economics Clubs, by Race, State of Alabama, 1967

	Ali s	white	All Neg	ro	I	ntegrated	
Counties	Clubs	Members	Clubs	Members	Clubs	White	Negro
Autauga	10	196	10	201	0	0	0
Baldwin	16	434	0	0	Ó	Ó	0
Barbour	11	178	5	97	0	0	0
Bibb	12	165	1	16	0	Q	0
Blount	25	806	1	23	0	0	Ó
Bullock	2	18	6	130 114	0	0	0
ButlerCalhoun	18 29	304 561	6 1	25	1	125	5
Chambers	15	394	8	196	i	20	5 1 0
Cherokee	20	507	ž	40	ō	ő	õ
Chilton	20	354	2 1 5 2	16	Ō	0	0
Choctaw	6	129	5	184	0	0	0
Clarke	10	153	2	25	0	0	Ō
Clay	13	364	2	15	0	0	0
Cleburne	16	750	1	24	0	0	0
CoffeeColbert	15 7	412 215	0 7	0 170	0	0	0
Conecuh	ıí	170	ıí	140	ŏ	Ö	0
Coosa	12	255	<b>-</b> 9	153	ŏ	ŏ	ň
Covington	-8	200	ĭ	10	ŏ	ŏ	0 0 0
Grenshaw	13	170	0	0	0	Ō	Ō
Cullman	31	1,008	1	21	Ō	0	0
Dale	10	193	0	0	0	0	Ō
Dallas	9	102	7	84	0	0	Ó
DeKalbElmore	23	415 296	1 7	16 64	ŏ	0	0
Escambia	16 12	296 133	2	28	ŏ	ŏ	ŏ
Etowah	20	350	ĩ	15	ŏ	ŏ	ŏ
Fayette	16	700	2	51	Ō	0	ŏ
Franklin	14	229	1	12	0	0	0
Geneva	8	180	1	19	0	Ō	0
Greene	9	309	6	105	0	0	0
Hale	9	95	12	142	0	0	0
Henry	21	360	4 7	38	0	0	0
Houston Jackson	12 16	211 285	í	86 9	Ö	0	0
Jefferson	27	987	i	7	ŏ	ŏ	ŏ
Lamar	Ĩ0	417	î	17	ŏ	ŏ	ň
Lauderdale	13	229	ō	Ö	Õ	ŏ	0 0 0
Lawrence	10	129	6	93	0	Ō	Ŏ
Lee	11	196	6	120	Ō	Ó	0
Limestone	19	310	_8	108	Ŏ.	0	0
Lowndes	5	59	15	218	0	0	0
MaconMadison	6 33	151 710	7	163 150	1	0 6	Ų
Marengo	14	155	9 7 1	112	Ô	ŏ	ñ
Marion	-9	218	i	14	Ŏ	ŏ	ň
Marshall	25	480	ō	Ō	0	0	0 8 0 0 0
Mobile	21	328	2	24	0	Ō	Ō
Monroe	.8	110	2 9 8 9	113	Ó	0	0
Morgan	20	348	8	113	0	0	0
Montgomery Perry	13 9	289		111	ŏ	0	0
PerryPickens	31	118 780	6 3	73 53	ŏ	Ö	0
Pike	9	150	ő	0	ŏ	ŏ	0
Randolph	17	381	11	150	ŏ	ŏ	ŏ
Russell	8	112	4	76	0	0	ŏ
St. Clair	13	248	0	0	1	1	9
Shelby	14	737	1	30	0	0	0
Sumter	.9	125	8	140	1	2	20
Tallapoosa Talledega	14 20	324 620	7 10	124	0	0	0
Tuscaloosa	33	620 895	10 4	200	0	0	Ŏ
Walker	25	1,020	3	56 55	Ů	0	0 0 0
Washington	8	94	1	14	ŏ	ŏ	Ů
Wilcox	10	149	7 1	168	ŏ	ŏ	ŏ
Winston	12	271	4	20	ŏ	ŏ	ŏ

Appendix C.—Enrollment in 4-H Club Projects, by Race, 12 Alabama Counties 1967

Projects		Bullock	Cho	ctaw	Da	llas	Gr	cone	1	Iale	Lov	ndes	Ma	acon
rrojects	w	N	w	N	w	N	W	N	w	N	w	N	w	N
Automotive	8	0	77	25	2	10	4	41	0	39			7	14
8cef	45	6	48	18	26	0	84	12	100	75	16	86	22	18
onservation program	25	0			81	84	189	22	52	98	10	16	18	18
Forestry	25	0	67	8			57	5	15	34	7	5	2	1
Wildlife	8	2	169	87			78	2	80	24	1	11	16	12
airy					2	0	11	10	6	56	0	14		
lectric	15	4	55	25	80	26	35	15	14	155	39	10	41	2
ntomology	1	4	22	13	49	10	16	41	5	176			1	2
ield crops	10	0	41	85	32	27	41	320	17	76	13	172	11	2
lome grounds beautification	17	18	116	24	10	10	20	39	51	161	4	2	9	4
lorses and ponies	16	0	110	13	41	0	47	2	15	11	3	2	14	
[orticulture	20	30			5	110	10	76	5	872	14	72	7	9
oultry	5	21	25	31	3	75	5	10	29	175	5	26	1	Ē
wine				0	9	30	Ō	295	49	99	7	104	2	Ē
ractorractor	5	4	89	š	4	0	11	4	8	12	48	8	4	
lothing	61	106	227	144			86	200	172	489	19	294	88 88	14
amily life education	18	49			36	0	61	50	102	166	6	87	38	
oods and nutrition	80	259	214	117	202	186	86	239	92	857	21	197	44	7
Bread-cereal	24	70					22	85	56	589	10	100	0	1
Canning—freezing	71	125	13	20			16	117	17	167	9	51	44	E
Dairy foods	0	20					-ŏ	9	19	101	2	46	0	_
ome improvement	. 4	16	33	18	9	44	24	ğ	69	146	8	16	11	4
ome management	17	24	118	15	115	ō	10	Õ	21	86			32	
ersonal development				10			-6	Ŏ	44	70			48	
rts and crafts			57				ŏ	230	ō	80	-0	69		
ealth and physical education		22	69	ă	34	40	14	85	24	855	18	47	0	1
hotography	š	-5	85	ă	25	47	-8	ŏ	21	100	ō	Ŕ	Š	2
ublic speaking	10	š		-	29	- i	1Ĭ	1Ž	11	ĨĎ				_
ecreation	10	_			-5	ñ	2	84	$\overline{17}$	52	10	0	7	-8
ifety	F.4		40	29	186	1Ž	13	80	81	888	10	40	ó	
emonstrations	7	ň		23			61	82	70	15	36	40		_
adging	19	ŏ:			15	0	15	12	6	Õ	12	10		
ress reviews	41	91			79	67	12	59	40	3 <b>6</b>		•	-8	
areer exploration	41	31			76	Ϋ́Ó	12	00	10	17			ă	
eadership			2		10	v			v				-	

Projects	Maren	ngo	Per	rry	Rus	seli	Sum	iter	Wil	cox	To Proj	
	w	N	w	N	W	N	w	N	w	N	w	N
Automotive  Beef  Conservation program  Forestry  Wildlife  Dairy  Electric  Entomology  Field crops  Home grounds beautification  Horses and ponies  Horticulture  Poultry  Swine  Tractor  Clothing  Family life education  Foods and nutrition  Bread  Canning  Freezing  Dairy foods  Home improvement  Home improvement  Personal development  Arts'and crafts  Health and physical education  Photography  Public speaking  Recreation	7 44 10 46 11 58 27 24 48 9 23 11 158 177 17 3 144 147 944	38 26 	10 66 28 80 18 	0 13 13 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	3 48 23 16 11 30 21 4 196 52 104 28 47 12 23 203 184 87 69 64 48 87 4 4 17 15 15	95 30 	0 88 84	2 10 12 	0 81 622 27 85 2 26 16 9 2 26 8 77 8 94	28 8 14 14 0 0 0 10 99 8 81 24 110 10 75 15 100   85 15 25	103 462 506 261 338 138 175 569 497 821 125 202 203 1,508 1,664 228 292 169 897 6144 187 198 207 188	287 284 326 142 263 597 286 9068 457 1,030 506 919 63 2,447 7,766 2,411 2411 2411 2411 2411 2411 2411 241
Safety		120   21 0	29  48 	0  0 	42 50 294 89 12 20	829 52 64 266 84 28	30  8 57 86	84  0 0 0	61 9 5 57 8	20 0 0 2 	494 233 868 421 128 88	1,105 99 76 521 81 48

767

APPENDIX D.-4-H Club Project Awards, by Race, 8 Alabama Counties, 1967

Counties		I–H llment		mber peting	as pe	mber peting ercent enroll- ent	Cou	umber	winni Dist		vards Sta	te	win as pe of nu	mber ning ercent imber eeting		otal ards
	w	N	w	N	$\overline{\mathbf{w}}$	N	w	N	W	N	w	N	w	N	w	N
Choctaw	893 490 392 144 903 610 420 382	917 793 1,807 789 1,872 771 779 604	453 1,197 100 158 1,261 108 452	304 663 16 440 836 16 621 73	50 244 24 109 139 17 107 50	33 83 08 55 44 20 79	46 155 45 24 172 12 57 23	53 81 8 49 52 2 31 23	0 1 3 0 2 0 1	0 1 0 0 0 0	0 0 0 0 2 1 1	0 0 0 0 0 0	10 13 48 15 13 12 13 15	17 48 50 11 62 12 49	46 156 48 24 176 13 59 30	53 32 8 49 52 2 31 23
Total4	,234	8,322	3,921	2,969	92.6	35.6	534	249	7	1	11	0	14.07	8.42	552	250

# Exhibit No. 11

#### STAFF REPORT

#### FARMERS HOME ADMINISTRATION

The Farmers Home Administration provides financial and management assistance to farmers and rural residents to operate, develop, and purchase family farms; to buy, build, and improve homes and farm buildings, and to raise income and living standards. It also provides financial and management assistance to groups to develop community water supply systems and for the development of recreational facilities. FHA loans are made only to individuals and groups who cannot secure conventional financing.

For individuals, five categories of loans are important:

1. Operating loans.—not to exceed \$35,000 at 5 percent interest repayable over 7 years. Loans are used primarily for purchase of feed, seed, fertilizer and chemicals but also may be used for purchase of equipment and livestock, for refinancing debts, and for carrying out forestry purposes.

2. Emergency loans.—3 percent interest. Loans are made to farmers in designated areas hit by natural disasters, such as floods and droughts, to enable the financing of costs necessary to resume normal farm

operations.

3. Farm ownership loans.—not to exceed \$60,000 at 5 percent interest repayable over 40 years. Loans are used to buy or enlarge and develop farms and include the construction and repair of buildings or facilities, the improvement of land and the development of resources.

the improvement of land and the development of resources.

4. Rural housing loans.—not to exceed 5 percent interest repayable over 33 years. Loans are made to construct and repair homes, purchase

buildings or buy sites on which to build homes.

5. Economic opportunity loans.—not to exceed \$3,500 at 4½ percent interest repayable over 15 years. Loans are made to low-income farm and rural families for both agricultural and nonagricultural enterprises to improve their economic circumstances through the acquisition and development of resources. Loans repayable over 30 years also may be made to local cooperatives who will provide services and supplies to low income families where such assistance is not presently available. (The funds for this program are furnished from the appropriation of the Office of Economic Opportunity.)

Farmers Home Administration loans are approved by local three-man loan committees who meet and pass upon applications made. Loans are supervised by the county FHA supervisor who is a Federal employee. A State office supervises and assists county office personnel and the Farmers Home Administration in Washington provides overall direction of the programs at the national level. In fiscal year 1966, FHA serviced approximately 280,000 individual borrowers and some 2,300 association borrowers serving approximately 330,000 families. Principal indebtedness was over \$3.2 billion.

When an application for a FHA loan is made, the FHA supervisor usually

When an application for a FHA loan is made, the FHA supervisor usually draws up a farm and home plan with the applicant. This plan analyzes the debts and assets of the applicant and sets forth a program for the allocation of money to be loaned. Following the loan approval, the supervisor will visit the borrower periodically to determine if the plan that has been prepared in working out and to provide any technical assistance the situation distance.

is working out and to provide any technical assistance the situation dictates. The degree of supervision provided the borrower is important to the success of the farmer. It also is one of the limting factors in the program. In its 1965 report; Equal Opportunity in Farm Programs, the U.S. Commission on Civil Rights noted that Negro borrowers received less supervision than white borrowers. In March of 1968, Commission staff members reviewed FHA office files in three county offices. Although no attempt was made to judge the quality of supervision provided to white and Negro borrowers, the review indicated no discrepancies in the number of the trips made to white and Negro borrowers. In fact, it was clear in several instances that Negroes were receiving extensive supervision.

In cases where the workload does not warrant a full time person, the county FHA office may administer loan programs in more than one but generally no more than two counties.

Supervision is a function of the number of persons being served and the number of FHA personnel available to do the job. On more than one occasion, FHA personnel admitted that more could be done in reaching additional sion, FHA personnel admitted that more could be done in reaching additional farmers, but that the county staff lacked sufficient manpower. A comparison of the number of FHA personnel assigned in Alabama with workload criteria 2 established by the Farmers Home Administration indicated that, based on the 1967 workload, FHA in Alabama is short of personnel by some 47 supervisors and 25 clerical personnel. In 21 of the 27 counties in Alabama where Negroes comprise a least 20 percent of the farm operators, including 8 counties in which Negroes comprise a majority of the farm operators 8 counties in which Negroes comprise a majority of the farm operators, county FHA offices were short of personnel.3

## ANALYSIS OF LOAN APPLICATIONS AND LOANS MADE

Analysis of FHA loan statistics by race for Alabama and for selected counties in which Negroes comprise at least 20 percent of farm operators shows that Negro loan applicants are less likely to be approved for loans, tend to apply more frequently for current expense type loans, receive fewer dollars per loan and receive, as a class, a smaller proportion of dollars although the numbers of loans made to Negroes in certain cases is greater than the number of loans made to whites.

# Initial Loans and Initial Applications 4

Negro applicants for initial FHA loans in Alabama are less likely to have their applications approved than whites. The difference between white and Negro borrowers in the percentage of initial applications approved is

significant.

Table 1 compares the number of applications for initial FHA loans and the number of initial loans approved in Alabama. For the three fiscal years for which loan information was obtained, Negroes have received a lower for which loan information was obtained. Negroes have received a lower percentage of loans applied for than whites in every year in almost every category of loan. In 1967, Negroes received only 24 percent of the farm ownership loans they applied for while whites received 32 percent. The year before, Negroes received only 16 percent of such loans applied for while whites received 27 percent. In 1967, Negroes received 32 percent of the rural housing loans they applied for while whites received 48 percent. The year before, Negroes received 27 percent of such loans applied for, while whites received 39 percent. received 39 percent.

From Table 1 it also may be seen that Negro applications for initial FHA from Table 1 it also may be seen that Negro applications for initial randons are concentrated in the operating and economic opportunity loan categories. Negroes accounted for 42 percent of initial applicants for operating loans and 47 percent of initial applicants for economic opportunity loans in 1967. Negroes, however, represented only 14.8 percent of initial applicants for farm ownership loans and 23.1 percent of initial applicants for rural

housing loans.

## Number and Amounts of Loans Made 5 6

Since 1965, the number of Farmers Home Administrations loans to Negroes in Alabama for capital purposes has increased, especially in the category of rural housing. As shown in Table 2, the number of rural housing

<sup>2</sup> FHA Bulletin 2267 (040), April 27, 1966 establishes criteria to measure the number of personnel that are necessary to meet the workload requirements in a county. The criteria consider both number of loans and service provided plus allowances for such local variables as the economy and geography of the area, the literacy rate in the area, administrative complexities and appraisal responsibilities.

<sup>3</sup> For a list of FHA personnel shortages in the 27 Alabama counties with 20 percent or more farm operators, see Appendix A.

<sup>4 &</sup>quot;Initial" loans are those provided borrowers doing business with FHA for the first time. They do not include "subsequent" loans which are made to borrowers who have previously received FHA loans. In Table 1, only applications for initial loans and initial loans approved are compared by race. In Table 2, the number of loans listed includes all loans, both initial and subsequent, which were made in the fiscal year indicated.

<sup>&</sup>lt;sup>6</sup> For a county listing of 1966 and 1967 FHA loans in the 16 county-area of special interest in the Commission's hearings, see Appendix B.

Table 1.—Number and Percentages, by Race, of Applications for Initial FHA Loans and Initial Loans Obligated and Percent, by Race, of Applications Approved, State of Alabama, Fiscal Years 1965, 1966, and 1967

	Applications for initial loans					Percent of applications approved b				
Category	Wh	ite	Negro		White		Negro			
	Number	Percent ·	Number	Percent	Number	Percent	Number	Percent	White	Negro
Operating:										
1965	1,061	53.9	907	46.1	751	54.1	638	45.9	70.8	70.3
1966	813	48.2	875	51.8	537	51.2	504	48.8	66.1	57.6
1967	841	57.9	611	42.1	523	56.3	406	43.7	62.2	66.4
Emergency:					•		•			
1965	. 0		0		0		0			
1966	0	70.1	227		461	71.0	188	29.0	86.8	82.8
1967	. 531	70.1	227	29.9	461	71.0	199	29.0	80.0	04,0
Farm Ownership:	. 982	01.0	93	8.7	254	92.7	20	7.3	25.9	21.5
1966	1,219	91.3 84.0	232	16.0	326	89.8	37	10.2	26.7	15.9
1966		85.2	206	14.8	382	88.6	49	11.4	32.2	28.8
Rural Housing:	1,100	00.2	200	14.0	004	00.0	40	11.4	04.4	20.0
1965	1,269	86.6	196	13.4	695	93.8	46	6.2	54.8	23.9
1966		75.1	632	24.9	747	81.5	170	18.5	39.2	26.9
1967	0.510	76.9	758	23.1	1,210	83.3	242	16.7	48.1	31.9
Economic Opportunity:	2,010	. 0.0	. 30	-311	-,4-0	23.0		-511	-512	0-10
1965	274	54.9	225	45.1	123	58.9	86	41.1	44.9	88.2
1966		37.8	656	62.2	241	42.0	333	58.0	60.6	50.8
1967	200	52.7	323	47.3	185	53.2	163	46.8	51.4	50.5

<sup>&</sup>lt;sup>a</sup> These columns compare the total number of initial loans approved for whites with the number approved for Negrocs. For example, in 1967, 56.3 percent of all operating loans went to whites; 43.7 percent to Negrocs.

<sup>&</sup>lt;sup>b</sup> These columns compare the percentage of the Negro applications for loans that were approved with the percentage of white applications for loans that were approved.

loans to Negroes in 1967 was well over four times what it was in 1965. Farm ownership loans to Negroes more than doubled in the same period. Even in current expense loan categories, the number of loans to Negroes increased nearly 11 percent from 1965 to 1967. In 1966, the first full year of operation for economic opportunity loans, 388 or 59 percent of all such loans were made to Negroes. Although the number of economic opportunity loans to Negroes in Alabama declined in 1967, the Negro percentage of all loans made was nearly 50 percent. Similar advances were recorded in 26 counties where Negroes comprise 20 percent or more of the farm operators in the county. in the county.

As the number of loans to Negroes increased, so did the proportion of all loans made to Negroes increase. As Table 2 indicates, Negroes have received a considerable proportion of the current expense category (operating and emergency) and economic opportunity loans for the past three years. In the 26 counties, Negroes have received a majority of all such loans made. Farm ownership loans and rural housing loans also have shown an increase in the proportion of total loans made that are made to Negroes. The percentage of farm ownership loans made to Negroes has increased from 6.3 percent of the total loans made in 1965 to 10.7 percent in 1967. This figure is still less than the percentage of Negro farm owners in the State, (15 percent) and the total number of farm ownership loans to Negroes in the last three years—117—is a very small percentage of the number of Negro farm owners in the State of whom there are almost 11,000. This latter comparison computes to 1.07 percent of the Negro farm operators. Farm ownership loans to whites during the same period—1213—computes to 1.94 percent of the over 62,000 white farm owners in the State—almost twice the rate for Negroes.

Probably the most encouraging development regarding FHA loans to Negroes has been in the category of rural housing loans. The percentage of such loans made to Negroes has increased from 6.0 percent of the total loans made in 1965 to 16.5 percent in 1967. The condition of rural housing occupied by Negroes in Alabama is extremely poor. One study done in Eastern Mississippi and Western Alabama indicates that 95.6 percent of rural housing occupied by Negroes are distributed by Negroes are distributed by Negroes and State of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of ing units occupied by Negroes are either dilapidated, deteriorating, lack indoor plumbing facilities, or have a combination of these conditions. Almost four out of every ten of the Negro occupied units (14,300) are technically unsafe to live in and considered a danger to health.

Although the number of loans made to Negroes and the percentage of all loans made that go to Negroes has increased in Alabama, the percent of all money loaned that goes to Negroes is still not proportionate to the need that exists. This also may be seen from Table 2. Although Negroes received 35 percent of the operating loans made in 1967, thye received only 16 perso percent of the operating loans made in 1967, thye received only 16 percent of the total money loaned, less, in fact, than the 19 percent of money loaned for this category which they received the year before. Similarly, in emergency loans in 1967, Negroes received 31 percent of the loans but only 11 percent of the money loaned. For farm ownership loans: 11 percent of the loans made but only 8 percent of the money loaned. For rural housing loans: 17 percent of the loans made, but only 10 percent of the money loaned. Even in economic opportunity loans, where Negroes have received a

<sup>7</sup> Since emergency loans serve much the same purpose as operating loans, their totals for 1967 were combined for sake of comparison with the 1965 operating loan totals.

<sup>8</sup> Housing conditions of rural nonwhites is bad throughout the United States. According to the 1960 Census of Housing, 31 percent of all housing units occupied by rural nonwhites were unsafe to live in. Only 5 percent of the units occupied by rural whites were in a similar condition. In Appalachia, by comparison, 10.3 percent of the rural housing units were unsafe to live in. Of all rural housing in the United States occupied by nonwhites, 83 percent was inadequate, that is, either deteriorating, dilapidated, or lacking indoor plumbing or a combination of these conditions. The comparable figure for rural whites was 28 percent. U.S. Bureau of the Census, Census of Housing, 1960, Vol. VI, Rural Housing. U.S. Government Printing Office, Washington, D.C. 1963.

<sup>9</sup> Sixty-five percent of the Negro occupied units in the 17 counties of the Alabama-Mississippi economic subregion was built over 30 years ago. In the units considered to be unsafe to live in and a danger to the occupant's health, the median number of Negro persons residing in such housing was 4.3 for owner occupied units and 5.7 for renter occupied units. Sixty-nine percent of the inadequate housing units occupied by Negroes was by renters. Forty-six and five-tenths percent of the owner occupied Negro rural housing units had median family incomes of less than \$1,000. Fifty-six and four-tenths percent of the renter occupied units were in this category.

TABLE 2.—Number of FHA Loans, Percent of Loans Made, Total Money Loaned, Percent of Money Loaned, Average Size of Loan, Difference in Average Size of Loan, and Size of Average Loan to Negroes As Percent of Size of Average Loan to Whites, by Race, State of Alabama and 26 Alabama Counties, Fiscal Years 1965, 1966, and 1697

	19	965 ª		19	66		1967			
Category of loan	Alal	ama	26 Co	unties	Alabama		26 Counties		Alabama	
	White	Negro	White	Negro	White	Negro	White	Negro	White	Negro
-					Number of	loans				
Operating	2,864	1,037	361	785	1,911	1,061	406	750	1,734	980
Emergency b	338	28 28	62	27	423	41	22 88	124 40	495 452	218 54
Rural housing	718	46	159	87	758	172	288	141	1,252	248
Economic opportunity	124	86	48	290	267	888	84	175	256	249
				1	Percent of los	ans made				
Operating	69.5	30.5	81.5	68.5	64.8	85.7	35.1	64.9	65.1	84.9
mergency arm ownership	(°) 98.7	(°) 6.3	69.7	30.3	(°) 91.2	8.8	15.1 68.7	84.9 81.8	69.4 89.8	80.6 10.7
Rural housing	94.0	6.0	64.6	85.4	81.8	18.2	67.7	32.3	83.5	16.5
Economic opportunity	95.9	4.1	14.2	85.8	40.9	59.1	16.3	88.7	50.7	49.8
				Total	money loane	d (thousands	1)			
Operating	\$6,803	\$1,410	\$1,382	\$966	\$6,094	<b>\$1,</b> 418	\$1,687	\$820	\$5,915	\$1,117
Emergency	.16 8.458	.02 164	727	155	.15 4.745	272	79,000 1,119	75 316	1,880 5.424	167 465
Rural housing	6,554	214	1.403	817	6,817	698	2,874	741	12,822	1,875
Economic opportunity	204	75	69	868	455	461	67	257	452	856
				Pe	ercent of mo	ney loaned				
Operating	82.8	17.2	58.8	41.2	81.2	18.8	67.3	82.7	84.1	15.9
Emergency	95.5	4.5	82.4	17.6	94.6	5.4	51.3 88.0	48.7 22.0	88.8 92.1	11.2 7.9
Rural housing	96.8	3.2	81.6	18.4	90.8	9.2	79.5	20.5	90.0	10.0
Economic opportunity	78.0	27.0	16.0	84.0	49.7	50.8	19.9	80.1	65.9	44.1

TABLE 2.—Continued

		1965 =		19	966		1967				
Category of loan	Ala	ıbama	26 (	Counties	Al	abama	26 Counties		Alabama		
	White	Negro	White	Negro	White	Negro	White	Negro	White	Negro	
<del>-</del>					Average siz	e of loan					
Operating Emergency Farm ownership Rural housing Economic opportunity	\$2,878 c 800 10,231 9,193 1,647	\$1,360 • 780 7,129 4,653 877	\$3,827 11,731 8,823 1,438	\$1,281 5,748 3,642 1,251	\$3,189 c 1,500 11,218 9,053 1,706	\$1,331  6,644 4,032 1,188	\$4,155 3,588 12,712 9,978 1,875	\$1,093 604 7,907 5,254 1,467	\$3,411 2,688 12,000 9,842 1,765	\$1,201 768 8,608 5,544 1,430	
				Differ	ence in aver	age size of lo	an				
Operating Emergency		\$—1,518 c —20 —3,102 —4,540 —700		\$2,596 5,988 5,181 187		\$—1,858 ° —1,500 —4,574 —5,021 —518		\$—3,062 —2,984 —4,805 —4,724 —408		\$—2,210 —1,920 —3,892 —4,298 —385	
			Size	of average Ne	gro loan as	percent of siz	e of white lo	an			
Operating Emergency Farm ownership Rural housing Economic opportunity		47.3 69.7 50.6 53.2		32.2 49.0 41.3 87.0		41.7 59.2 44.5 69.6		26.8 16.8 62.2 52.7 78.2		35.2 28.6 71.7 56.3 81.0	

a 1965 loan data on 26 counties not available.
 b There were only 3 emergency loans made in Alabama in 1965 and 1 in 1966.

c Number of loans too small to be statistically significant.

large proportion of all such loans made, they received 49 percent of the

loans in 1967 but only 44 percent of the money loaned.

Differentials between the number of loans to Negroes and the percent of all money loaned that goes to Negroes also are apparent in the 26 counties where Negroes comprise a significant proportion of the farm operators. Although Negroes received 65 percent of the operating loans made in these counties in 1967, they received only 33 percent of the total money loaned, considerably less than the 41 percent of money loaned which they received for the category in 1966. Similarly, in emergency loans in 1967, Negroes in these counties received 85 percent of all such loans but only 49 percent of the money loaned. For farm ownership loans: 31 percent of the loans made but only 22 percent of the money loaned. In rural housing loans: 33 percent of the loans made but less than 21 percent of the money loaned. Only in the category of economic opportunity loans, where the size of the farming percent is not a factor which might percentage account for differentials. ing operation is not a factor, which might partially account for differentials elsewhere, does the percent of loans received by Negroes approximate the

percent of money loaned to Negroes.

The average size of FHA loans received by Negroes is significantly lower than that received by whites. The size of a loan is closely related to the ability of the borrower to repay the loan and those borrowers with larger operations, proportionately more of whom are white, are more likely to be willing and able to repay larger loans. But the differentials in the size of loans received by Negroes as compared to white are so great as to raise loans received by Negroes as compared to whites are so great as to raise the question of whether or not differences in size of operations and repay-ment ability alone account for such differentials. Table 2 shows the differentials in the average amount of loans to whites and Negroes in the State of Alabama and for 26 of the 27 counties in Alabama where Negroes con-

stitute 20 percent or more of the farm operators.

The average size of farm ownership loans received by Negroes in Alabama in 1967 was \$8,600 while the average size of loans received by whites was \$12,000. The difference in average sizes was nearly \$3,400. In the 26 counties the average size of farm ownership loans to Negroes was \$7,900 while the average size of loans received by whites was \$12,700. The differ-

ence in average sizes was over \$4,800. The average size of rural housing loans received by Negroes in Alabama was \$5,545 while the average size of loans received by whites was \$9,840. The difference in average sizes was nearly \$4,300. In the 26 counties, the average size of rural housing loans to Negroes was \$5,255 while the average size of loans to whites was \$9,980. The difference in average sizes was over

Not only are the differences in average sizes of operating loans to white and Negro borrowers-\$2,210 for the State of Alabama and \$3,060 for the 26 counties—great, but the size of average operating loans to Negroes is only 35 percent of the average loan to whites in the State of Alabama and only 26 percent of the average loan to whites in the 26 counties.

A similar disparity exists in the category of emergency loans, where only

the 1967 experience can be measured because such loans were not made in Alabama in the two preceding years. The difference in the average amount of such loans to whites and Negroes was \$1,920 for the State of Alabama and \$2,985 for the 26 counties. This meant that the size of average emergency loans to Negroes in the 26 counties was less than 17 percent of the average loan to white: average loan to whites.

Even in economic opportunity loans, the difference in the average size of such loans to Negroes was \$335 in the State of Alabama and nearly \$410

in the 26 counties.

<sup>10</sup> Certain differentials may account, in part, for this. Although Negroes constitute almost 23 percent of the farm operators in Alabama, they account for only 15 percent of the farm owners. The average size of Negro operated farms is 56.9 acres whereas the average size of white operated farms is 196.1 acres. 81.3 percent of Negro operated farms are valued at less than \$10,000 whereas only 42.2 percent of white operated farms are in this category. Proportionately, 80 percent more Negro operated farms than white operated farms reported crop failures in 1964.

775

# APPENDIX A.—Number of FHA Personnel Short of Weighted Workload Authorizations, 27 Alabama Counties, 1967

Counties**	Percent Negro Operators	Assistant supervisors	Assistant clerks	Part- time clerks
Autauga		1 1 1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	            	1  1   *1    1         
Totals		21	7	7

<sup>\*</sup> Bullock County served by Macon County office.
b Hale County served by Greene County office.
c Lee County served by Chambers County office.
d Lowndes County served by Montgomery County office.
c Sumter County served by Choctaw County office.
Positions subsequently filled on a temporary or emergency basis.
\*\*Every county has a supervisor assigned.

APPENDIX B.—Number and Total Amount of FHA Loans, 16 Alabama Black Belt Counties, Fiscal Years 1966 and 1967

County/Loan	1966				1967				
	White		Negro		White		Negro		
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	
Autauga:	_								
Operating	. 7	\$26,900	19	\$40,660	11	54,490	20	\$33,760	
Emergency	. v		Ų	8.400	Ų	11.500	Ö		
Farm ownership		20,000	į.		Ţ	57.800	11	58.010	
Rural housing Economic opportunity		42,500	?	29,850 480	Ô		7,0		
Barbour:	. 0		1	480	U		U		
Operating	. 80	142,010	10	20,810	11	18,660	89	218,760	
Emergency		142,010	10	20,010	10	10,000	30	210,100	
Farm ownership		29,550	0		š	35.180	ň		
Rural housing		96.150	ĭ	600	13	136,600	Ň		
Economic opportunity	. 2	3,500	13	20,800	10	2,500	Ä	4,800	
Bullock:	• 4	0,000	10	20,000	*	4,000	*	2,040	
Operating	1	10,000	37	38,640	ĸ	30.250	48	48,410	
Emergency	. ħ	10,000	δŅ	00,010	ň	00,200	-0	10,110	
Farm ownership		55.000	ň		ž	17.000	ĭ	8,480	
Rural housing		9,720	ĭ	4.780	ĩ	4,930	ō	0,100	
Economic opportunity	i i	2.050	â	13.540	ā	4,000	ž	7,660	
Butler:	• •	4,000	•	10,040	ŭ			1,000	
Operating	. 23	57.610	26	65,940	32	80,300	23	58,490	
Emergency		01,020	ő		4	5,140	15	16.340	
Farm ownership		66,820	ž	10,300	10	80,280	-4	20,200	
Rural housing		136,700	5	3,230	26	262,400	5	21,100	
Economic opportunity	. 5	7,980	11	17.080	6	12,680	8	4,020	
Choctaw:	_	.,		,	_		-	-	
Operating	. 6	17,810	18	15,550	9	87,950	25	28,740	
Emergency	. 0		0		Ō		0		
Farm ownership	. 1	28.500	ī	10,500	8	54,000	0		
Rural housing		17,500	14	36,090	15	82,540	20	82,580	
Economic opportunity	0		6	10,170	0		4	8,960	
Clarke:									
Operating	1	2,000	8	8,990	2	8,000	5	5,800	
Emergency	. 0		0		0		Q		
Farm ownership			0		1	10,000	0		
Rural housing	_ 0		8	8,500	6	62,000	1	7,000	
Economic opportunity	1	280	8	6,870	1	280	2	500	
Dallas:	_				_			-0 -00	
Operating	6	58,100	<b>68</b>	41,270	9	68,220	49	88,570	
Emergency	0		Q.		1	88,000	0		
Farm ownership	. 1	8,500	0		0		8	24,020	
Rural housing	- 1	11,000	1	8,500	1	12,500	7	28,500	
Economic opportunity	0	***************************************	5	2,970	0		γ	11,650	

## APPENDIX B.—Continued

1966

1967 White Negro White Negro County/Loan Number Amount Number Amount Number Amount Number Amount Greene: Operating..... 33.560 187 102,780 83,800 51 34.680 Emergency.... 72 28,410 0 480 Farm ownership\_\_\_\_\_ 15.950 20.750 21.090 \_\_\_\_ Rural housing 8 3.800 5.880 9.500 Economic opportunity\_\_\_\_\_  $2\overline{4}$ 16 81,980 .18,910 \_\_\_\_ \_\_\_\_ Hale: Operating\_\_\_\_\_ 22 21 22,550 22.150 6.150 12,850 Emergency..... 8.090 15 7.400 0 \_\_\_\_\_ \_\_\_\_\_ Farm ownership 0 18,000 26.450 Rural housing\_\_\_\_\_Economic opportunity\_\_\_\_ 19,000 3.000 84.260 0 3 0 2 12 19.870 4,160 -----Lowndes: 29 52 54,030 Operating\_\_\_\_\_ 17.070 30,700 58,100 Emergency\_\_\_\_ 0 0 Farm ownership 2 6 60.900 15,500 10,000 Rural housing\_\_\_\_\_ 25.200 1 5,000 600 46.160 Economic opportunity\_\_\_\_\_ 27 37,500 15 25,940 \_\_\_\_\_ Macon: Operating\_\_\_\_\_ 31 20,850 39 32,200 16.020 40,030 Emergency..... O 0 O \_\_\_\_\_ Farm ownership\_\_\_\_\_ 5.220 0 14.620 Rural housing.... 2 20,630 4.750 12,500 ------Economic opportunity\_\_\_\_\_ 11 8.840 1 1.700 11 12,290 Marengo: Operating\_\_\_\_\_ 48,280 69 102,190 14 90,120 101 126,090 Emergency..... 0 0 \_\_\_\_ 11,500 Farm ownership\_\_\_\_\_ \* 46,780 0 171,550 Rural housing\_\_\_\_ 34,000 17.000 13 43,500 6 184.820 Economic opportunity..... 26 40,430 1 8,460 24 48,480 \_\_\_\_\_ Monroe: Operating\_\_\_\_\_ 18 19 14 80.590 27,890 57.240 30,410 Emergency\_\_\_\_ 0 Farm ownership 14,000 42,500 1 6,500 11,000 Rural housing\_\_\_\_\_ ī 9 60.350 8.750 13 180,500 53,400 Economic opportunity..... 2,400 4 4,950 1.800 4 4,630 Óperating\_\_\_\_\_ 12 19 11,330 17,330 58,430 25,010 Emergency..... 0 0 Farm ownership\_\_\_\_\_ 21,790 14,640 28,420 0 Rural housing\_\_\_\_\_Economic opportunity\_\_\_\_\_ 14,820 24,500 1 10,000 9.500 3.120 2,450 ----

# APPENDIX B .- Continued

County/Loan	1966				1967			
	White		Negro		White		Negro	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Sumter:								
Operating	. 8	6,350	38	36,820	8	27,430	30	19,850
Emergency Farm ownership	. 0		0		0		0	
Farm ownership	. 2	48,710	4	12,640	4	48,700	0	
Rural housingEconomic opportunity	. 3	31,960	7	57,900	1	11,500	4	80,250
Economic opportunity	. 1	2,000	8	12,990	2	8,000	4	9,450
Wilcox:								
Operating		12,110	84	72,120	5	10,940	87	58,680
Emergency	. 0		0		0		0	
Farm ownership	. 1	28,500	6	24,420	8	39,560	.5	82,480
Rural housing	. 9	89,990	7	25,200	7	68,900	19	77,690
Economic opportunity	. 0		43	48,570	1	310	19	82,200
6 Counties:								
Operating	. 152	557,290	603	683,370	154	650,930	623	810,880
Emergency	. 0		_0		.9	41,660	102	52,150
Farm ownership	. 28	389,722	21	118,470	48	561,110	82	240,910
Rural housing	. 64	588,890	68	224,130	120	1,141,410	92	440,460
Economic opportunity	. 11	18,160	202	258,750	15	25,680	137	206,890
Total	. 255	1,554,062	889	1,284,720	341	2,420,790	986	1,750,240

#### Exhibit No. 12

## STAFF REPORT

#### HEALTH

In 1967, Alabama spent \$1.70 per capita for general health services—well below the national average. Each of the 67 counties in Alabama has a county health department. Services provided by the county departments vary according to the amount of county funds available. During 1967, only six county health department expended over \$2.00 per capita: Jefferson, Montgomery, Etowah, Bibb, Greene, and Sumter. Seven expended less than \$1.00; in nine counties the total local appropriation was less than \$10,000, an amount considered to be half the minimum requirement for adequate opera-

tion of even the smallest unit.

There is a shortage of both doctors and nurses in Alabama—21 health officers (medical doctors who administer the county health programs) served 55 counties during 1967. Twelve county health departments had no health officers services. There are 167 doctors serving the 362,300 persons in the

16-county area.1

Clinics operated by the county health departments provide the following

services to indigent families:

1. Well-baby clinics.—A public health nurse or a doctor, where available, examine infants and provide advice as to what needs to be done. If treatment is required it must either be provided by local doctors free of charge or the money for the treatment obtained from local service organizations. One-half of the Alabama counties have these clinics;

2. Maternity clinics.—These clinics provide prenatal and postnatal

care but do not deliver babies;
3. TB clinics;
4. VD clinics;
5. Immunization shots.

Twenty-nine counties operate dental clinics for all medically-indigent persons.

Six counties have a diabetes detection and medical care program.

Eight of the counties in the hearing area have school health programs financed under Title I of the Elementary and Secondary Education Act. Under this program, school children are examined for medical and dental defects by nurses hired with Title I funds. Federal money is provided for treatment of any defects found in needy children, but it is up to the child's parents to find a doctor who will treat the child.

Sixty-three counties have a Hospital Service Program for indigents financed by matching state and county funds. The program provides hospital care for medically indigent persons under 65 who are acutely ill or injured. To participate in the program an indigent must be certified as needful of hospitalization by a doctor and determined by a County Admissions Committee to be indigent. Most of the counties set limits as to the number of days any person can be hospitalized.

Alabama does not have a program that provides for hospital deliveries for expectant mothers who cannot afford hospitalization costs. As a consequence, many indigent mothers have their babies at home, with only a mid-wife's assistance. In 1966, there were 6,968 midwife-assisted deliveries out of a statewide total of approximately 66,000 deliveries.<sup>2</sup>

Under a special projects grant from the Children's Bureau of the Department of Health, Education, and Welfare, hospitals in Tuskegee, Birmingham, and Mobile provide up to one years treatment and hospitalization for abnormal or complicated maternity and infant cases. Since the cost of transportation to these hospitals is not provided under the program, the availability of this treatment has little significance to rural indigent families.

For Old Age Assistance recipients who are ineligible for Medicare benefits there is available 14 days care in a hospital each fiscal year; care in a licensed nursing home when recommended by a legally licensed physician;

<sup>1</sup> Physicians—Population Ratio Chart, Bureau of Maternal and Child Health, Alabama Department of Public Health, 1967.
2 Statistics obtained from Dr. Harold Klinger, Director, Maternal and Child Health Bureau, Alabama Department of Public Health, April 29, 1968.

and for recipients in nursing homes, one routine visit from a physician each

calendar quarter.

For Aid to the Blind recipients over 65 years of age who are ineligible for Medicare and for Aid to the Blind, Aid to the Permanently and Totally Disabled and Aid to Dependent Children recipients under 65 years of age, care in a licensed nursing home is available under the circumstances already specified.

For general medical treatment indigent families must rely on the good will of local doctors who must provide their services free if necessary treatment is to be rendered. Local service organizations must be petitioned for funds for necessary drugs and other corrective items. Home health care services are generally unavailable—the ill must either be able to travel to

the county health clinic or go untreated.

The Federal government's medical assistance program, Medicaid, provides The Federal government's medical assistance program, Medicald, provides grants to states to operate a medical program which would provide such services for all federally aided public assistance recipients; for comparable groups of medically needy people who have enough income or resources for daily living but not for medical expenses, and who, except for income, would meet their states' eligibility requirements for public assistance; and for all children under 21 whose parents cannot afford to pay their medical bills. Alabama does not have a Medicaid program. The Federal share of Alabama's medical assistance expenditures under Medicaid would be 83 per cent per cent.

Exhibit No. 13

# TICEP HEALTH SURVEY FOR LOWNDES COUNTY, ALABAMA

152 Broad Street, Guilford, Conn. 06437 April 11, 1968.

ALAN C. MERMANN, M.D. PETER R. CUNNINGHAM, M.D. E. M. WAKEMAN, M.D.

To Whom it may Concern;

I conducted the study, prepared this statement and it is true to the best of my knowledge and belief.

Sincerely,

ALAN C. MERMANN, M.D.

Personally appeared, Dr. Alan C. Mermann, Charlotte K. Lazarevich, Notary.

LOWNDES COUNTY, ALABAMA

TICEP HEALTH SURVEY—SUMMER 1966

ALAN C. MERMANN, M.D. 6 Fair Street, Guilford, Conn. 06437

Lowndes County lies in south central Alabama, its northern edge, the Alabama River, connecting Selma and Montgomery. The population is approximately 16,000, of whom 81 percent are Negroes. The economy is rural farming, with cotton and cattle as its base. There are two physicians (white) in practice in the county: one in Benton in the northwestern corner of the county and the other in Fort Deposit, a town of 1,400 people in the southernmost part of the county. The nearest hospital facilities are in Selma and in Montgomery, an hour's drive for most of the people in the county. There is one drug store in the county.

county. There is one drug store in the county.

As a MCHR physician assigned to TICEP for this survey, I attempted to examine as many children and adults as possible during my short stay in the county. I also tried to familiarize myself with as much of the demographic material available as it related to health knowledge and practices in the county. The survey involved only Negroes, and 709 children and 110 adults were examined by a team consisting of six nurses, one medical student, a social worker, several veterinary students and the physician. These people were examined at the TICEP centers, the loci for the summer education

project operating in five centers in the county.

Briefly, the children received a screening physical examination which included examination of the skin, eyes (including ophthalmoscopie), ENT, heart, chest, abdomen (examined erect for enlargement of liver and spleen), genitalia (boys only), and posture. The adults were examined in the standard way on a table and the examination included a bimanual and speculum examination of the women and a rectal examination of the men. Before the physical examination occurred, the other members of the team had recorded blood pressure, height and weight, dip stick test for urinary albumin and sugar, hemoglobin and Snellen vision readings. An important qualification must be anticipated in interpreting the results of this survey. The examinations were briefer than would be performed in a pediatrician's office, but it must be remembered that the purposes of this survey were (1) to get an impression of the health status of the community, (2) talk with as many people as possible, (3) to give a reasonable examination to as many children as possible (approximately 90 percent of whom gave a history of never having visited a doctor), and (4) to find defects which could be followed up, referred and treated at a later date. If a more comprehensive examination had been possible, I am confident that even more pathologic conditions would have been found.

#### CHILDREN

- I. General: the initial impression of the examiner, as he watched the children playing and studying, was that they were in good health—slender, active and cheerful, although ragged clothes and dirty bodies were much in evidence.
- II. Specific fiindings:
- Å. Skin:

 almost universal presence of current or healed infection secondary to insect bites or injury.

 alarmingly high incidence of healed burns of every part of the body ranging from 2-3 cms. to disfiguring facial and body burns.

healed lacerations not surgically repaired.
 general lack of personal hygiene.

B. Eyes:

1. Approximately 0.6 percent of children wearing glasses.

2. fundiscopic examination routinely normal except for diopter variations caused by near or far sightedness.

3. eye infection rare.

C. ENT:

 ear drums routinely normal with almost no evidence of past or current infection.

2. tonsils routinely small, smooth and not infected.

D Tooth

1. elementary grade children had minimal caries.

2. obvious caries appearing in increasing percentage with age associated with poor dental hygiene.

E. Chest:

1. rare finding of wheezes, usually associated with a history of allergy.

2. rare evidence of poorly healed fracture of collar bone.

F. Heart:

1. the incidence of functional and organic heart murmurs seemed average for private practice.

2. two children had abnormalities of heart rhythm.

G. Abdomen and genitals:

routine absence of organ enlargement.

2. occasional hernias, usually umbilical or epigastric.

3. one boy with bilateral undescended testes, one circumcision.

4. girls not examined (genitalia).

H. Lymphatic system:

1. vast majority of children have generalized adenopathy, probably due to repeated skin infections (see A).

a. femoral, inguinal, axillary and epitrochlear nodes routinely felt.

b. cervical adenopathy minimal (see C).

2. Splenomegaly absent.

I. Skeletal:

- general incidence of congenital anomalies seemed average for age groups EXCEPT in complete lack of therapy for congenital dislocation of hip, post-polio deformity (?), traumatic amputations, etc.
- flat feet, knock-knees, gait abnormalties, etc., seemed in normal distribution.

J. Sociopersonal aspects:

1. children generally shy and embarrassed at examination.

2. marked lack of conversational ability during examination.

a. lack of verbal communication between parents and children; e.g., many children aged 6-9 did not know birthday or other familiar information.

b. type of speech was more than "southern accent;" primitive type of non-sentenced structure.

c. examination done by white northern physician of children with minimal contact with M.D. except when sick or injured.

K. Laboratory:

1. hemoglobin: 18 percent of children under age 15 had values over 9.4 gms.; 30 percent of those over 15 had a hemoglobin of over 9.4 gms.

2. Protein in urine: 8.0 percent of the children (36) had 30 mgms or more of albumin in the urine, and 15.0 percent of the adults (30)

3. blood pressure: 6.0 percent of the children (28) had readings greater than 110/70 and 18.0 percent of the adults had readings greater than 140/90.

4. vision: approx. 25 percent of the children from 5-15 had visual acuity less than 20/30, and 40 percent of the adults.

# Summary:

Superficially, the Negro children examined in this survey seemed to be in good health. Abnormalities found in physical examination did not seem to be in greater numbers than expected, except that they were untreated. Visual problems are almost routinely ignored. Dental caries are widespread and untreated. Skin infection and secondary lymph node enlargement are universal. Albuminuria is frequent and anemia, often profound, occurred in more than four out of five children examined. The anemia could be due to a variety of causes, all very possible in this sample: (1) inadequate maternal stores (80 percent of adult women had hemoglobins below 10 gms.), (2) chronic infection (skin), (3) iron deficient diet, (4) blood loss (parasitism) or (5) blood destruction (sickle cell anemia). The presence of protein in the urine of 30 mgm percent or more may be evidence of preceding or current urinary tract disease. See adult. The lack of specific symptomatology with diseases of the urinary tract may well account for the lack of treatment, the children being treated at home for "fever."

It would seem that no clearer examples could be shown of the effects of lack in the traditional areas of soil and land use, diet and food preparation, regulation of family size, management of perinatal care, public water, private sanitation, hygiene, health and sex education, public health measures of TB and VD control, recognition of congenital abnormalities and their referral well child and preventive pediatrics, immunizations and treatment of acute and chronic disease. The effects of only one of these problems, anemia for example, on the economic life of the Negro cannot be overestimated. The teachers report children asleep in class by midmorning, and fatigue is a common adult complaint.

#### ADULT

The adults were examined in the more traditional way, draped and examined both sitting and supine. The women were examined vaginally and the men had a digital rectal examination. Health questions were asked and answered, but no recommendations were made except referral to the person's physician. From these conversations, several generalizations can be made:

1. General information about well adult care is minimal. One woman out of 70 had heard of self-examination of the breast, and none had any knowledge of the importance of vaginal bleeding or spotting unrelated to menses.

 Most adults who had had surgery did not know the reason for the operation or what had been done, except for hernia repair.
 Adults had little information on illnesses for which they had been treated, and referred to symptoms rather than to disease entities.

4. The medicines which they received were mysteries to them as far as

expected results, duration of treatment, or what the medicine was.

5. Deaths in the first year of life were not understood as having been caused by any specific disease or abnormality. Newborns were thought to have died because they did not feed well; and older infants "took sick and died."

6. Most adults lacked the sophistication about the practice of medicine common in urban areas, and seemed to see sickness and death in terms

of "The Lord giveth and the Lord taketh away."

# General findings:

A. Obesity:

1. nearly without exception, women were markedly overweight.

a. possibility of obesity being a culturally desirable body habitus.

b. diet is probably an important factor along with a complete absence of traditional means of exercise and recreation.

2. role of obesity as a cause or complication of other medical problems.

a. hypertension.

b. obstetrical and surgical problems.

B. Hypertension: present in many young and middle-aged adults; differential diagnosis not possible at this time.

C. Varicose veins and hemorrhoids are very common. D. Anemia: as with children, this was a common finding.

1. causes: would be the same as for children, plus the factors of blood loss from hemorrhoids, repeated pregnancies.
2. effects: standard, such as fatigue, loss of appetite and lowered resist-

ance to infection.

E. Caries: the long term effects of the caries seen in children are apparent in the large number of adults with dentures and missing teeth.

F. Loss of hearing: this was a common complaint, but actual hearing loss

could not be determined.

G. Vision: poor vision is reported by many, and is untreated for financial

H. Urinary tract: night-time voiding is an almost universal complaint, particularly with women, ranging from one to six voiding in an eight hour sleep period. This finding could not be pursued, but its relationship to childhood proteinuria should be defined.

Vaginal: although not a specialist in OB-GYN, there seemed to be many

women with

vaginal discharge
 vaginal tears
 cervical inflammation and erosion

4. vaginal prolapse

5. retroversion of uterus

J. Skeletal:

1. very common complaint of pains in knees, low back and ankles. a. role of obesity

b. early arthritis

c. two possible cases of acute rheumatic fever, now quiescent.

2. general muscle tone of adults is fair, ranging from poor in women to excellent in male laborers.

On review of the findings of this survey, and before the final statistical tabulations are done, I believe that certain definite conclusions can be drawn and recommendations made. An immediate approach to the health problems of Lowndes County can be made without intensive medical and paramedical assistance. There are several outstanding exceptions to this statement, however: (1) urinary tract symptoms and disease, (2) high infant death rate (23/265 Negro births in first year), (3) complications of current obstetrical care and (4) correction of visual defects.

I would consider that the problems which can be attacked immediately

 Anemia.—The first step would be documentation of the types of anemia present. This laboratory work could be done on a representable sample of adults and children without too much cost and effort. Plans could then be made for therapy and prevention.

2. Obesity.—This problem would lead naturally into the entire field of nutrition—diet and food preparation.

3. Soil use.—This topic is quite central to other nutritional difficulties, since the vegetables and animals raised on the land cannot contain nutrients which the soil does not. Information is probably obtainable from agricultural agencies.

 Large family size.—Almost without exception, women questioned about limitation of family size were desirous of information about this. They seemed to appreciate the economic and health problems associated with

multiparity.
5. Public health.—Public water supplies are very limited. Cooperative well sharing, using deep, drilled and covered wells, would be helpful. The use of the shallow out-house should be abandoned. Screening of windows is almost absent and flies abound. Farm animals live near and occasionally with, the families. Because of the above problems, personal hygiene is difficult, and may be a causal factor in parasitism and gastrointestinal diseases.

6. Dental diseases.—Caries are not simply a matter of diet and brushing of teeth. These factors are important, though, and could be pursued. The use of fluoride seems unlikely on a widespread basis.

7. Recreational facilities.—These seem to be totally lacking.

8. Referral of cases.—Existing agencies and services should be utilized for

the management of individual cases uncovered in any survey.

9. Use of existing health and welfare laws.—There must exist, on the statutes and directives, facilities for medical and welfare assistance which are not being used because they are not known.

Possible methods of improving health and health knowledge in Lowndes

County:

 Social situations.—There seems to be a built-in social organizational pattern well-suited to education and community action. The county is divided into many small communities composed of families, often related to each other, and having church and school in common. It is in these areas, as a matter of fact, where TICEP has organized its centers. The profusion of churches may indicate independent religious interpretation and close relationship to the community, both desirable factors in communal education.

2. Political situation.—The Negroes in Lowndes County are in the process of planning a political company of independent confidence under the LCEO.

of planning a political campaign of independent candidates under the LCFO. The possibility exists that a real change will take place in the basic political structure with all its attendent changes in taxation, education, health and welfare services and all the other crucial political needs of man. The practical political training which the Negro is receiving in this struggle will

serve well in continuing the processes necessary for health and welfare.

3. Means of accomplishing the basic, short-range goals.—

a. Demonstration project.—With the TICEP Centers as a focal point, elementary, but essential projects could be begun. Obvious but uncomplicated tasks might include screening, well-drilling, out-house construction.

b. Health education.—This discipline, taken in its broadest meaning, could

be started with resources currently available in nurses, teachers, interested M.D.'s from the area, and parents with some training in elementary health practices. "Throw-away sheets" with simple anatomic drawings and instructions could be the basis of a single night's instruction. Colleges and graduate schools in the area might provide resource persons trained in dealing with the uneducated, particularly for an organized, county-wide project.

c. Land use.—Farming practices in other parts of USA would suggest a future decline in importance of farming to the economy of the county. The use of the land for subsistence farming will continue, however, and a direct effort to document the nutritional values of the land and improve it, if neces-

sary, should be started now.

d. Tabulation of existing services.—Local committees would be ideal re-

d. Tanulation of existing services.—Local committees would be ideal repositories for listings of health and welfare services available to all citizens. With this knowledge, citizens could press for fulfillment of services such as TB and VD testing, mental health, water pollution, parasite control.

e. Relating health and welfare to practical politics.—Persons responsible for the political advances being made should be informed of the relationships between health and the political-economic life of man. The effects of anemia, parasitism, chronic infection, poor nutrition and vision defects on the wage earner and the mother are too great to be ignored in planning for the wage earner and the mother are too great to be ignored in planning for the future.

Means of accomplishing the long-range goals.-

a. Planning for a health center in Lowndes County.—Construction of a diagnostic or screening center would provide the locus for the health activities of the county. With modest beginnings and careful planning, it could expand to include referral and treatment.

b. Health insurance.—A dismal reality is to be found in the fact that, while health insurance is rare, burial insurance is common. The co-op, credit union type of plan could be developed for health insurance, and particularly

in reference to the health center.

c. Careers in health.—Encouragement of training in paramedical services would be most helpful to the county in bringing in practical nurses, sani-

tarians, etc., to work in their home county.

d. Cooperation and co-sponsorship of a medical school.—This could be the most exciting part of the project because of the long-range benefits to the county, the medical school, the physicians in the area, and the country at large. The John A. Andrew Hospital at Tuskegee Institute is in a unique position to initiate this part of the project. As a sponsor knowledgeable in the specific medical problems of rural Alabama, the hospital staff could make the country at the country at the country at large. in the specific medical problems of rural Alabama, the hospital stail could enrich the medical training of the house staff of a medical school, and reap the rewards of the inevitable medical and social dialogue which would result. Specialty services such as psychiatry, cardiology, preventive pediatrics, rehabilitation and plastic surgery could be available. The organization of such a program would be a very difficult task. Personality conflicts, status problems and professional jealousy are not unknown in medicine and would be a stumbling block, but could hardly be allowed to be insurmountable.

August 18, 1966.

# Exhibit No. 14

#### STAFF REPORT

# Public Assistance in Alabama

THE ADMINISTRATION AND DESCRIPTION OF WELFARE PROGRAMS IN ALABAMA

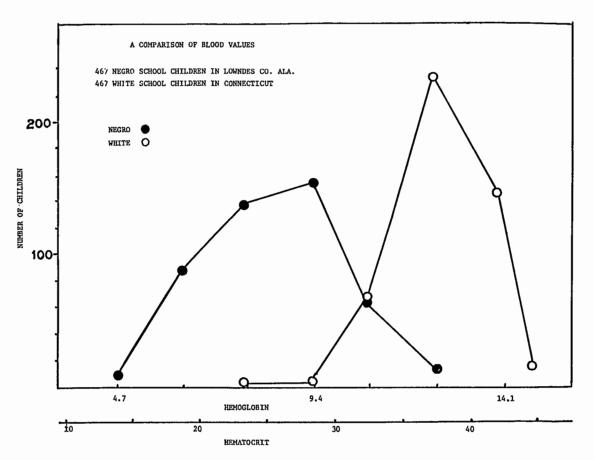
Organization of Department of Pensions and Security.-In Alabama, the State public welfare agency is known as the Department of Pensions and Security. The top administrative official of the department, the Commissioner, is appointed by the State Board of Pensions and Security. The Board is appointed by the Governor, who is ex-officio chairman, and confirmed by the State Senate. There are six Board members in addition to the Governor. Two of the members must be women. The State Board of Pensions and Security is the relief possible of the policy making heady in the case of public againtness and save Security is the policy making body in the area of public assistance and any change in policy must be approved by it. At the present time the State

Board is comprised of white members only.

There are 67 county departments of Pensions and Security which operate under Federal and State laws and according to rules and regulations of the State Board and the State Department. Each county has its own 7 member board, including at least 2 women, whose members are appointed by the county governing body. The Commission staff was furnished, at its request, with the names of members of all county boards of pensions and security in Alabama including the 16 county hearing area. In his transmittal memorandum, the State Commissioner stated that he had no information as to

the race of members of county boards.

Public assistance policies of county boards of pensions and security cannot be in conflict with the policies of the State Board. A county appropriates some funds of its own for special needs in the public assistance



area, but the bulk of its funds come through the State Department of Pensions and Security. Until 1951 a county board could decide on the distribution of funds between programs and the preponderance of power rested with the County Board. In that year financing was centralized in the State so that uniformity could be achieved through the State Board and the State Department as its agent.

Employees of the State Department of Pensions and Security are appointed by the Commissioner. County directors are appointed by the county boards. Other county staff members are appointed by the county director subject to the approval of the county board. Both State and county staff members

are under the State merit system.

When an opening exists for county director, the State Department of Pensions and Security may recommend a person from the register to the County Pensions and Security Board which makes the appointment. The County Director and the County Pensions and Security Board together decide

on the other employees in the county department.

Racial Composition of the Staff of the Department of Pensions and Security.—The employment of the Alabama Department of Pensions and Security in Montgomery and in the field totals 1,804. Of this number 18 security in Montgomery and in the field totals 1,804. Of this number 18 are Negroes. In the State office, out of an employment of 220, there is one Negro, a child welfare supervisor. In the field, out of an employment of 1,584, there are 17 Negroes distributed as follows: 12 caseworkers, 3 child welfare workers and 2 clerk typists, grade 1.

All employees of the Department of Pensions and Security are covered by the State merit system. Alabama, however, has refused to amend its merit system to conform with Federal requirements.

The State Department of Pensions and Security has corresponded with

The State Department of Pensions and Security has corresponded with colleges in the State about opportunities in the Department in an effort to bring in Negroes at professional and supervisory levels. Operation Native Son was developed to publicize the recruitment of persons for the Department. County Directors send announcements to colleges alerting them to upcoming examinations for positions in the Department. Until three or four years ago, a person from the State Office was assigned to visit colleges. The lack of adequate staff made it necessary to leave the bulk of this activity to County Directors.

activity to County Directors.

In the Dallas County Department of Pensions and Security there are approximately 43 employees. With the exception of the janitorial staff, with four Negro men and one Negro woman, all employees are white. Examinations are held for clerical aides for summer work in county departments. Last summer there were four such aides, all of whom were

white.

No Negroes are employed in the Butler County Department of Pensions No Negroes are employed in the Butler County Department of Pensions and Security at professional tasks. The Director stated that she has had no openings in the past six years. She said, however, that she has no systematic procedure for bringing Negroes into the Department. The Director stated that she has not encouraged Negroes to enter the Department. There are no qualified Negroes in Camden, she said. She added that Negro caseworkers might be harder on Negro clients than white caseworkers. She has not gone to schools of social work to encourage Negroes to take State Merit examinations for positions in social work

examinations for positions in social work.

There are no Negroes in the non-janitorial positions in the Monroe County Department of Pensions and Security. The Director stated that she would like to have a qualified Negro caseworker but she has not sought systematically to get Negroes in as caseworkers. Two Negro teachers came to her on their own about two years ago. Both were given applications. One was encouraged to go to a summer school. The other came to inquire about the qualifications. The Department heard nothing further from either.

Programs of the Department of Pensions and Security.—The State Department of Pensions and Security, through the county departments of pensions and security, administers the public assistance programs of Old

<sup>&</sup>lt;sup>1</sup> The Director of the Dallas County Department of Pensions and Security stated that her immediate superior is the chairman of the County Board of Pensions and Security but that she is supervised by the appropriate field service person in the State Department. Her county chairman must approve new hires and he is really "on top of everything she does," she said.

Age Pensions (OAP), Aid to the Blind (AB), Aid to the Permanently and Totally Disabled (APTD), Aid to Dependent Children (ADC), and Medical Assistance, Temporary Aid, Confederate Pensions, child welfare medical Assistance, Temporary And, Confederate Fensions, Child Weitare services and food surplus and food stamp programs. In addition to the ADC program, there is a program of Aid to Children in Foster Care and Aid to Children Receiving Day Care either in day care centers or in family day care homes. For adults who receive aid under OAP, AB, APTD and ADC and who need care in a licensed nursing home, payments may be made by the State Department to institutions for nursing home care including medical services.

The payments for Aid to Children in Foster Care, Aid to Children Receiving Day Care and Temporary Aid are exclusively State funds. Other programs receive payments from both State and Federal funds. With respect to the Aid to Children in Foster Care program, however, Federal funds are available for child welfare services only. Payments from Federal funds can also be made for the day care of children whose mothers are working

or are seeking employment.

Alabama has not adopted the Aid to Dependent Children with Unemployed Parents Program or a work experience and training program for ADC recipients and other low-income persons who could benefit from such a program. Federal financial assistance is available for both programs.

Alabama does not have, as do many other States, a program of general assistance. No Federal aid presently is available for a general assistance program, although the 1967 Social Security Act Amendments provide Federal assistance for this program, which goes into effect July 1, 1968. Alabama does have a program of temporary aid created by an emergency, for short periods of need, such as an illness. To be eligible for this program a person must have been a resident of Alabama for 6 months. The most that can be paid from State funds to an eligible person is \$12.50 a month for a period of 3 months or \$37.50 a year.

The governing body in a county, the county commissioners, decides whether there shall be a surplus food or food stamp program or neither. The county must pay the administrative costs; the Alabama Department of Pensions and Security does not finance either program but does furnish technical assistance. In surplus food programs the costs must be met in

full by the county without reimbursement whereas in the food stamp program the Federal government reimburses the county for part of these costs.

The State Department of Pensions and Security is seeking to obtain a home economist who will demonstrate to public assistance families good practices in purchasing and preparing food. The surplus food program does not require case workers whereas the food stamp program does. The higher

skills needed in the latter results in a more expensive program.

In the surplus food program the food is brought in to the distribution point or points free of charge; the county must pay for the cost of trucking, the warehouse facilities used, the office manpower involved plus incidental expenses.

Forty-five of the 67 counties in Alabama have surplus food programs; 17 have food stamp programs. In one county, Clarke, the food stamp program has been approved but is not yet in operation. Thus, in Alabama, 63 counties have one of the food programs in effect or scheduled. In the remaining 4 counties, two have officially requested the food stamp program. One of the counties requesting food stamps is Barbour, which withdrew a prior request for the surplus food program. Two others, outside the hearing area, have not requested either program to date.

In the 16 county hearing area seven counties have a surplus food program in effect. These counties are Macon, Marengo, Monroe, Butler, Wilcox, Autauga and Lowndes. Seven counties also have a food stamp program in operation. These counties are Bullock, Dallas, Greene, Hale, Perry, Sumter and Choctaw. The situation in the remaining two counties, Clarke

and Barbour, was noted previously.

The racial composition of public assistance recipients.—In December 1967, there were a total of 152,967 public assistance cases in the State of Alabama. The number of such cases in the 16 county hearing area total

<sup>2</sup> These programs are dealt with later in this report.

ŗ.

23,891 or 15.5 percent of the State total. Of all cases in Alabama receiving public assistance, 55 percent involved white and 44 percent involved Negro families. This situation was markedly different in the county hearing area;

77.5 percent were Negro and only 21.5 percent were white.

The bulk of the cases in the State receiving public assistance, 75 percent, were in the OAP program. The next largest program was ADC with 12 percent of the cases, followed closely by APTD with 10 percent of all cases. While 80 percent of all white cases were in the OAP program, the comparable figure for all Negro cases in the OAP program was 69 percent.

In Alabama 68.5 percent of the ADC cases were Negro; in the 16 county

hearing area, 91.5 percent were Negro.

The program of Temporary Aid, which carries no Federal assistance, is of minor importance in Alabama. The number of such cases in December 1967 totaled 68 or 0.04 percent of the total of all cases. Ten of these 68 cases, 14.5 percent, were in the 16 counties.

The economic status of Alabama farm operators.—Any discussion of the details of Alabama's public assistance program should be viewed in the context of the economic security of farm operators in that State and the

difference in this regard between white and nonwhite farm operators.

The U.S. Department of Agriculture prepares indices of the level of living of farm operators. These indices are designed to measure the relative well-being of farm operator families in the United States, in individual States and in individual counties.<sup>3</sup>

The following observations can be made about the developments in the farm operator level of living index in Alabama over the period 1950-1964: The combined index for white and nonwhite farm operators rose but the rise was much greater for white operators (76 index points) than for non-white farm operators (44 index points).

The index for nonwhite farm operators remained substantially below the index for white operators in all three years, 1950, 1959, and 1964. In 1964, for example, the index for white operators was 103 relative to 1959 whereas the index for nonwhite farm operators was 53. In 1950 the index for whites

was 27; the index for nonwhites was 9.

The differential between the races widened between 1950 and 1964, in favor of the white farm operator. In 1950 the nonwhite operator index was 18 points below the index for white operators. The differential rose in 1959 to 45 points, so that the nonwhite index was that number of points below the index for the white farm operator. In 1964 the differential had further widened to 50 points to the disadvantage of the nonwhite farm operator. widened to 50 points, to the disadvantage of the nonwhite farm operator.5

It is evident, then, that while there has been improvement in the level of living for both white and nonwhite farm operators in Alabama between 1950 and 1964, the improvement has been substantially less for nonwhite farm operators than for white operators. The difference between the economic status of these racial groups, their material well-being, were neither narrowed nor stabilized in this period.

It is clear, therefore, that while there are many white farm operators who live close to the margin of subsistence and who may need recourse to the public assistance system in Alabama, this is true to a much greater

degree for nonwhite farm operators.

The preceding analysis has been in terms of racial differences. It is important also to take note of Alabama's rank in terms of the level of living index for all its farmers, both white and nonwhite, in comparison with other

<sup>&</sup>lt;sup>3</sup> The indices are derived from five variables obtained from the quinquennial Census of Agriculture; average value of products sold per farm, average value of land and buildings per farm, percentage of farms with telephones, percentage of farms with home freezers and percentage of farms with automobiles. The index for a State is an average of county indices in the State unweighted for differences in the number of farms within counties. The farm operator level of living index for the State of Alabama is available by race for 1950, 1959, and 1964, but is not available for individual counties in Alabama in those years.

<sup>4</sup> The average county index for the United States in 1959 equals 100.

<sup>5</sup> The disparity in the level of living indices between white and nonwhite farm operators is not explained by the differential distribution of farmers by tenure status. Racial differences occur within each tenure category in Alabama. The increase in the index was greater for white farm operators than for nonwhite farm operators among the part-owner and tenant groups and was only slightly less for white farm operators than for nonwhite farm operators in the full-owner category.

owner category.

In 1964, Alabama ranked 47th among the 50 States. This rank was about

the same as Alabama held in 1950, 48, and 1959, 47.
All 16 counties in the hearing area had an index in 1964, for both white and nonwhite farm operators, that was lower than the index for the entire State of Alabama. In fact, of the 10 counties in the United States with the lowest level of living index in 1964, one, Dallas, is included among the 16 counties selected for study by the Commission. Dallas County had an index of 58 which compares with 92 for all of Alabama in 1964.

# INADEQUACIES OF ALABAMA WELFARE PROGRAMS

The failure of cash payments to meet budget requirements.—One measure of the adequacy of public assistance in Alabama is obtained by examining the estimated budget for a family and comparing that to the cash payment actually made to that family.

The basic requirements for an ADC family of four in January 1968, as determined by the Alabama Department of Pensions and Security, cost \$177.00 per month. The components of the basic requirements are food, clothing, medicine chest supplies, household supplies, fuel, lights, water, shelter and incidentals. The cash payment to such family in January 1968 was \$89.00, 50 percent of need.

The estimated budget of \$177 for an ADC family of four was set in Janu-

The cash payment to an ADC family of four in Alabama has been moving up. In 1963 the cash payment represented 38 percent of the budget of \$177 and in 1966 was 41 percent of the latter. In view, however, of the rise in prices since 1963, \$177 does not today represent the cost of purchasing the items included in the estimated budget.

Some indication of the impact of meeting only 50 percent of basic budget requirements for an ADC family of four may be obtained in the following way: In the basic budget for January 1968, the amount available for items other than shelter and utilities represented 72.5 percent of the total budget. In January 1968, an ADC family of four after paying for shelter and utilities, had an amount left for food and all other items which represented 45.5 percent of the total payment rather than 72.5 percent as provided for

45.5 percent of the total payment rather than 72.5 percent as provided for in the budget. To put this point in a slightly different way, the amount available for food and other items, excluding shelter and utilities, was only 31.5 percent of the amount allowed for them in the budget.

The failure of cash payments to meet Federal index of poverty.—The payment to an ADC family of four in Alabama also can be viewed in the context of the widely applied Federal index of poverty. In March 1967, the most recent date for which the index is available, a farm family of four with a female head needed \$2,320 a year to afford even the minimal diet that could be expected to provide adequate putrition and still leave four with a female head needed \$2,520 a year to allow even the minimal diet that could be expected to provide adequate nutrition and still leave enough to pay for other living essentials. By comparison, as of January 1967, an ADC family of four in Alabama received, on a 12 month basis, \$876 in cash payments. This amount represents only 37.5 percent of the Federal poverty index. Even if the average monthly value of surplus food and food stamps averaged for all families on public assistance, amounting to \$61 per year is added to \$876 the new total, on a 12 month basis, is and 1000 stamps averaged for all families on public assistance, amounting to \$61 per year, is added to \$876, the new total, on a 12 month basis, is still only 40.5 percent of the index of poverty. In January 1968, one year later, the cash payment to a family of four, together with the average addition for all public assistance recipients resulting from the surplus food and food stamp program, represented 48.5 percent of the index of poverty for March 1967, which is still more than 50 percent below the poverty

Failure of cash payment to support an adequate diet.—Another view of the adequacy of the ADC payment can be gained by comparing the dollar

<sup>6</sup> Alabama is tied with Kentucky at 47.

7 The value of surplus food and the food stamp bonus averaged over only the persons on public assistance who participated in these programs amounts to \$195 per year for a family of four. This amount when added to \$876 is still only 46 percent of the index of poverty.

8 The cash payment for an ADC family of four in January 1968 was \$1,068 on a 12-month basis. When \$195 (as explained in the preceding footnote) is added to \$1,068, the new total represents 54.5 percent of the index of poverty for March 1967.

amount for food covered by the cash payment to an ADC family of four

with the amount needed for an adequate but modest diet.

In the autumn of 1966, the U.S. Department of Labor estimated that the average annual cost of food in nonmetropolitan areas in the South totaled \$1,925 for a family of four. If the amount of money remaining from the cash payment in 1966 to an ADC family of four in Alabama, after deducting shelter and utilities, was in fact, available for expenditures for food, this amount equaled only 18 percent of what the Department of Labor estimated was needed by a family of four to maintain an adequate but modest level of living with meant to food. Inslued in the cash nature is the value of living with regard to food. Included in the cash payment is the value of surplus food and the food stamp bonus averaged over all public assistance families, on a 12 month basis. In January 1968 the comparable figure for food expenditure was only 28 percent of the required expenditure for food in 1966.<sup>10</sup>

Inadequacy of the ADC cash payment relative to the cash payment for

the other welfare programs.—The cash payment retailed to the cash payment for the other welfare programs.—The cash payment in the OAP, AB and APTD programs in January 1968 is a larger percentage of the basic budget requirements than is the case for an ADC family of four in Alabama.

In the OAP program the cash payment for a recipient, not living in a household with other recipients, is \$85 per month or 66.5 percent of the basic requirements. The cash payment in the OAP program is larger than the payment to a single recipient in any of the other categorical programs.

The payment to a single person in the APTD program represents 58 persons.

The payment to a single person in the APTD program represents 58 percent of the budget. In the AB program, the payment varies between 71.5 and 74 percent of the budget depending upon whether the recipient has special

needs for laundry and transportation.

In the ADC program the payment to a single person is 50 percent of the budget as was shown to be the case for the ADC family of four.

The payment of varying percentages of a State's budgetary standard in

federally assisted welfare programs is not dictated by Federal law.

Participation in the food programs.—One measure of the need of the Alabama population for public assistance is experience with surplus food and food stamp programs. Eligibility in these programs, although based on need, is not limited to public assistance recipients. It is important, therefore,

need, is not limited to public assistance recipients. It is important, therefore, to take note that in Alabama the public assistance recipients who participate in these programs are a relatively small proportion of all participants. In the period October 1, 1966—September 30, 1967 the nonpublic assistance recipients represented between 72.5 and 82.5 percent of all participants in the surplus food program in Macon, Marengo, and Monroe Counties. The data for January 1968 for Butler and Wilcox reveal a comparable situation. In Butler County, 76.5 percent of the participants were nonpublic assistance recipients; in Wilcox County the comparable figure is 86.5 percent.

The situation just described for certain counties in the 16 county area is true also for Alabama as a whole with regard to the surplus food program.

true also for Alabama as a whole with regard to the surplus food program. In the period October 1, 1966 to September 30, 1967, 63 percent of the total number of participants in all surplus food programs in the State were not

public assistance recipients.

In the food stamp program not only is participation less than in the surplus food program but an even smaller proportion of the participants are public assistance recipients. During the year October 1, 1966 to September 30, 1967, in Bullock, Dallas, Greene and Hale Counties the nonpublic assistance participants represented between 88 and 97 percent of all participants. In January 1968 in Perry County, the nonpublic assistance participants represented 72 percent of the total participants.

Similar results occur for Alabama as a whole. In the period October 1,

<sup>9</sup> Nonmetropolitan areas refers to places with a population ranging between 2,500 and 50,000.

10 When the value of surplus food and the food stamp bonus is averaged over only the persons participating in these programs the amount available for food in January 1966 to an ADC family of four is 25 percent of the Department of Labor's estimate of what is needed for food for a family of four. On the same basis the amount available for food in January 1968 represents 35 percent of the Department of Labor's estimate.

11 In addition to the budget requirements not being met because of the use of a percentage of under 100 percent, Alabama places a maximum limitation on the cash payment that can be made in the OAP as well as other programs. In the OAP program, the maximum amount that is payable to one person in the circumstances described is \$85 per month.

1966 to September 30, 1967, 75.5 percent of the participants in all food stamp

programs in the State were nonpublic assistance recipients.

One explanation for the high proportion of nonpublic assistance participants in the food programs is that the welfare programs subsidized by the Federal government disqualify many persons who are in need because qualifi-cations other than need are applied, such as being 65 or over, blindness, permanent and total disability, children who are in need because of the separation of the parents, etc. When the test of eligibility is income, as is separation of the parents, etc. When the test of enginity is income, as is the case in the surplus food and food stamp programs, many more needy persons are able to qualify. This is then reflected in the ratio of nonpublic assistance participants to the total number of participants. The large proportion of nonpublic assistance participants in these programs is a revealing indication that many needy persons slip through the loose mesh of which public assistance programs in Alabama is woven.

On the other hand, not all public assistance recipients participate in food programs. The rate of participation in food stamp programs is less than that

of the surplus commodity program.

For example, in Macon and Marengo Counties in the 16 county hearing area, the proportion of public assistance recipients who participated in the surplus food program in the period October 1966-September 1967 was 73.8 and 75.5 percent respectively. In Butler and Wilcox Counties, because of their recent adoption of the program, information is available for one month, January 1968. In these counties, 80 and 77 percent of the public assistance

recipients participated in the programs.

Considerations such as the following help explain the less than 100 percent participation in the surplus food program. A county usually only has one distribution point for this program. The distance involved and the lack of public or private transportation may present difficulties for the aged, the blind, the disabled and others. If the cost is \$5.00 per round trip, some recipients may feel that participation is not worthwhile relative to what is obtained. The Director of the Bureau of Commodity Distribution of the State Department of Pensions and Security pointed out that the volume of food to be picked up also may present a problem. Some 21 or 22 pounds of food are provided per person per month which amounts to a sizable load where there are several persons in a family.

In the 4 counties in the 16 county hearing area where statistics are available for the fiscal year ending September 30, 1967, the proportion of public assistance recipients who participated in the food stamp program is considerably smaller, ranging from 8.5 percent in Greene County to 24.5 percent in Hale County. In Perry County, the comparable percentage for the

month of January, 1968 is 35 percent.

One factor which accounts for the much smaller participation in the food stamp program is the cash outlay that is needed to purchase the stamps. For example, a family with no income at all, must somehow raise \$.50 per member to purchase the stamps each month. Furthermore, stamps can be

purchased, usually at one place only in the county.

When a county shifts from a surplus food to a food stamp program, a substantial drop occurs in participation of recipients on the public assistance rolls as well as of nonpublic assistance recipients. Two counties in the 16 county hearing area, Dallas and Greene, shifted in this fashion in the 1966–1967 fiscal year. While these counties were on the surplus food program in this period, October 1966-September 1967, 57 and 78.5 percent, respectively, of the public assistance recipients participated. When these counties were on the food stamp program in the same period, the comparable proportions were 13.5 and 8.5 percent, respectively. In Dallas County the number of

<sup>12</sup> The Director of the Monroe County Department of Pensions and Security stated that the disproportionate number of nonpublic assistance participants in the surplus food program recently initiated in the county was because the public assistance programs were so categorical that not many could qualify. Eligibility in the surplus food program is based on need only and permits many more persons to qualify. The Director of the Wilcox County Department of Pensions and Security gave the same reasons. The Monroe County Director also added that the majority of the nonpublic assistance participants, perhaps as much as three-fourths, was made up of Negroes. The caseload of her own department, she said, was 51–52 percent Negro.

13 The Director of the Monroe County Department of Pensions and Security noted there is one distributing center in her county, Frisco City on Route 21. This point may be as far as 65 miles to the border of the county. 12 The Director of the Monroe County Department of Pensions and Security stated that the

recipients dropped from 2,657 to 635; in Greene County, the number dropped from 924 to 99. Participation of nonpublic assistance recipients also dropped from 924 to 99. Participation of nonpublic assistance recipients also dropped substantially; in Dallas County from 8,836 to 4,602; in Greene County from 5,742 to 3,586. Thus, the total number of participants in the food stamp program was substantially less than in the surplus food program; in Dallas County 5,237 rather than 11,493; in Greene County 3,685 rather than 6,666. Inadequate provisions for medical care.—There are many gaps in the health services available to public assistance recipients in the 16 county hearing area either because the Department of Pensions and Security does not provide them on heaving the community in which recipients reside or

not provide them or because the community in which recipients reside or

organizations or agencies therein do not provide them.

٠,

In a letter to the Commission, the Commissioner of the State Department of Pensions and Security stated:

In Montgomery [which is not part of the 16 county hearing area] there is a City-County Charity Clinic which provides treatment, including drugs, for indigent patients. There is no similar clinic in . . . [the 16] . . . counties . . . Plans are under way for an OEO project in Lowndes County to provide broad medical services to residents there, but the pro-

gram is not yet in operation.

In general, health services are not adequate for any group of public assistance recipients. Relatively, however, the services are much closer to adequacy for OAP recipients than for ADC recipients. For example, unlike ADC recipients, OAP recipients who are covered by the Federal Hospital Insurance Program of Title XVIII,<sup>14</sup> are eligible for a specified inpatient hospital care for each illness and outpatient hospital diagnostic services. Similarly, OAP recipients who are not carried by Title XVIII are eligible for a specified number of days of hospital care and outpatient hospital diagnostic services.

For ADC children who are in the care of a foster family, but not for other ADC children who are the largest number in this program, care for the child is available in a licensed hospital at a maximum of \$2.00 a day except in an emergency when payment may be made at a specified higher rate; the services of a physician and dentist at certain maximum rates for a physician's visit and for specified dental work; the services of a registered nurse or a licensed practical nurse for an ill or disabled child during any month, with

a maximum cost fee set.

The budget for an ADC family of four provides \$1.60 per month for medicine chest supplies. Since only 50 percent of the family's budget is covered in the payment at the present time, it is likely that this money is diverted in the payment at the present time, it is likely that this money is diverted to food, rather than medicine chest supplies. There also is a \$20 item in the budget for incidentals. This, too, to the extent it appears in the payment, is likely to be used for food to replace the funds projected but not available for this purpose. There is no item for health needs as such in the ADC family budget. There is such an item in the OAP budget, \$3 per month, in addition to an item for incidentals. No program other than OAP has an item for health needs. The budget for an AB recipient includes an item for special needs which, however, is limited to laundry and transportation. There are no such items in the budget for ADC recipients.

The absence of inpatient hospital and of medical care for most ADC families (and the other programs such as AB and APTD) makes it evident that the meeting of these needs will depend upon local institutions, resources

that the meeting of these needs will depend upon local institutions, resources and willingness. An example of the kind of provision made for meeting such needs in one county in the 16 county hearing area is as follows: The Director of the Butler County Department of Pensions and Security stated that there

<sup>14</sup> Medicare, health insurance for the aged, is a Federally administered program provided for by Title XVIII of the Social Security Act as amended, which affords two kinds of benefits for persons aged 65 or older: Hospital insurance (for hospitalization and related care) and supplementary medical insurance (for physicians' services and some other medical services). Eligibility for hospital insurance is a right for almost all aged persons, but medical insurance is a voluntary program. Medical assistance sometimes referred to as Medicaid, is a Federal-State program, authorized by Title XIX of the above Act, which is designed to provide medical care for needy persons under a definition of need defined by each State. Medicaid complements the hospital insurance provisions of Medicare by paying the deductible amounts for needy aged persons who are insured; it may implement the voluntary medical insurance provisions if a State wishes to pay the monthly premiums for recipients of old-age assistance. It supplements the insurance program by providing services for persons aged 65 or over in addition to those made available under the insurance provisions.

is no program which takes care of the medical needs of ADC families. The County Health Department does provide immunization shots, prenatal and postnatal clinics and the like but there is no public health clinic. The Stabler Memorial Hospital in Greenville does have an out-patient department. The Director reported that if an ADC child needs glasses, for example, the case worker will refer the child to a local charitable organization for financial assistance to get the glasses. There is no program for providing such items

out of public funds.

Failure to adopt an ADC-UP program.—Alabama has not adopted a program of aid to dependent children of unemployed parents, for which the Federal government provides financial assistance. This program defines a needy child as one deprived of parental support or care by reason of the unemployment of a parent.<sup>15</sup> State money is not available in Alabama for this program principally because nearly seventy-five percent of the public assistance funds must be used for the OAP program, because the Legislature has earmarked funds for this purpose. Funds for other public assistance programs are not similarly earmarked; they must share the remaining 25 percent. For these programs, the Commissioner prepares a suggested allocation which is submitted for review to the State Board of Pensions and Security. The addition of a new program, therefore, would result in reducing the available money for the remaining programs. The Commissioner, however, made it clear that even if funds were available he would not favor such a program because if there are two able-bodied persons in the house, one should be working.<sup>16</sup>

Failure to adopt a program to move public assistance recipients toward economic independence.—No systematized procedure has been developed in the Department of Pensions and Security to assist public assistance recipients, and more particularly ADC recipients, to attain a position of economic

independence.

each ADC family.

The Department has a formalized service plan for each ADC family,17 at least one of whose purposes it is to assist in reaching this objective. ADC recipients are referred, where feasible, to the vocational rehabilitation agency. ADC mothers are expected to work if they can. If appropriate arrangements can be made for the children while the mother is at work, the mother is referred to the State Employment Service for placement. Where a local employment office is not in the county where the mother resides, arrangements are made to have her travel to a local office on a scheduled basis. If an ADC mother is offered suitable employment and refuses, she can be taken off the ADC rolls. If there is a question with regard to employability, the mother may be sent to a physician for an examination to determine the question. The Commission investigators were told that it is not possible to say how many ADC families in Alabama were enabled to become selfsupporting as a result of this procedure since relevant statistics were not maintained.

The Director of the Monroe County Department of Pensions and Security stated that to bring an ADC mother to a self-supporting status depends upon the mother. It would be difficult to find employment for a mother who only has had field work experience. Training would be considered, however, for a mother who seems trainable and whose children would be taken care of in her absence. The County Department of Pensions and Security referred two ADC mothers to a training course for Nurses' Aide. These mothers are now employed at the Monroe County Hospital and are off welfare rolls. The ADC mother is not simply told that she must work. If there is a health

<sup>15</sup> The Social Security Act Amendments of 1967 limit the unemployment to the father.

16 Some county directors likewise said they were not in favor of an ADC-UP program. The Director of the Butler County Department of Pensions and Security said that either one or both parents could find a job in the county. Negroes, she said, just do not want to work. The Director of the Monroe County Department of Pensions and Security said she was not especially in favor of the ADC-UP program. The amount of work available in the county is limited. She is concerned that if there is an ADC-UP program, there would be "takers." She cited the situation where white and Negro males had declined to work for an oil drilling company located in the County because their wives were working. The Director emphasized that this is truer for whites than for Negroes. The oil drilling company found that it could not hire enough men and, therefore, hired high school boys instead when school closed down. The Director believes that a person who wants to work can find a job in Monroe County.

17 The Social Security Act Amendments of 1962 provided for a formalized service plan for each ADC family.

problem, a doctor must examine her and she may be referred to the Voca-

tional Rehabilitation Service.

The Director of the Wilcox County Department of Pensions and Security stated that the caseworker determines the employability of an ADC mother. There are extenuating circumstances laid down by the Commissioner of Pensions and Security as to which mothers are employable. If a mother could make arrangements for her children but refuses to take a job, then she is not eligible for public assistance. The Director of the County Department said that a representative from the Employment Service in Selma, Alabama travels to Camden to interview persons for jobs in Camden or elsewhere. The Department refers ADC recipients to him. There is no systematic program, however, for bringing ADC families to a self-supporting status. If an ADC person is handicapped, he is referred to the Vocational Rehabilitation Service, a representative of which comes to Camden once a week. ADC mothers are not referred for occupational training to programs carried on under the

Manpower, Development and Training Act.

The Director of the Butler County Department of Pensions and Security stated that there is no systematic program for making ADC recipients employable. Those who are employable are told to report to the nearest State Employment Service. There are various extenuating circumstances, such as the presence of infant children or an invalid mother, which would alter the instruction. If these circumstances are not present and employment is offered and refused without good cause, then the recipient is dropped from the welfare rolls. The Director also indicated that all income earned is deducted

from the cash payment and only the difference is paid.

# REQUIREMENTS OR RESTRICTIONS RECENTLY PLACED ON ALABAMA'S WELFARE PROGRAM

Title VI of the Civil Rights Act of 1964.—Title VI of the Civil Rights Act of 1964 requires that all programs receiving Federal financial assistance must extend services to all persons without regard to race, color, or national

origin.

Alabama contested the regulations enacted under Title VI, but after the Supreme Court refused to review an advance decision of the U.S. Court of Appeals, Fifth Circuit, in Gardner v. State of Alabama (No. 24561), the State Commissioner of Pensions and Security, under date of January 18, 1968, executed a Statement of Compliance with Title VI together with a statement of implementing plan material as required. These statements are part of Alabama's State plans for administering the federally assisted public assistance and child welfare programs. In the Statement of Compliance the Commissioner added the language,

"Provided that nothing herein shall be construed as obligating the State [of Alabama] to do more than try, persuade, negotiate, or act in good faith, in accordance with the language of the opinion in Gardner v.

State of Alabama . . .

The Statement of Compliance was accepted by the Department of Health,

Education and Welfare.

The Commissioner, in his Statement of Compliance, provides that any contractor furnishing services for which the Department is to make payment or which accepts referral from the Department will be notified of the Federal requirements under the Civil Rights Act of 1964.

"The Department . . . will request that they comply with these requirements, will negotiate with them and work towards securing their compliance and when necessary will eliminate the discrimination by sub-

stituting the use of other complying services and facilities."

In the event an applicant or recipient has a question whether he is being given proper consideration or is being discriminated against under the Civil

Rights Act and investigation discloses that a contractor is not complying, "This Department will work with such . . . contractor toward securing compliance and when necessary will eliminate the discrimination by substituting the use of other complying services and facilities."

The Department is making payments to contractors for services performed for public assistance recipients and for those who are 65 or older, who are not receiving an old age pension and are in financial need for inpatient hospital care under Title 18 of the Social Security Act. As of September 1, 1967, out of a total of 139 licensed hospitals in the State, 114 had been certified for participation in the medical care program under Title 18. In addition, 14 hospitals had been certified to provide emergency care under the same Title.18

The Department is making payments to contractors for extended care provided public assistance recipients by nursing homes certified as eligible to participate in the provisions of Title 18. As of September 1, 1967, 82 licensed nursing homes out of 174 had been certified as extended care facilities. The State Department of Health certifies hospitals and extended care facilities.

On September 1, 1967, there were 15 child-caring institutions, 7 detention homes and 189 day care centers, licensed by the Department; there were 3 State training schools providing care for children committed to these institutions and 3 maternity homes licensed by the State Department of Public Health .The Department of Pensions and Security estimates that 70 of these facilities [31 percent] are in compliance. The Department recognizes that some licensed child-caring institutions, day care centers and training schools are not in compliance but asserts that children would experience severe hard-

ships if the present plan is changed.

The Department plans to notify all child-caring institutions, day care centers, State training schools and maternity homes of the Civil Rights Act

requirements. The plans state:

"Annual review will be made of the extent of compliance of child-caring institutions, child placing agencies, day care centers, and State training schools by the Department . . . The Department will take reasonable steps to eliminate prohibited discrimination . . . requesting that [agencies] comply with . . . requirements, negotiating and working towards compliance by them, and when necessary will eliminate the discrimination by substituting the use of other complying services and facilities."

With regard to maternity homes, the Department intends to send a letter

to each requesting the administrator to sign a statement as to whether the

institution is in compliance.

In February 1968 the Department sent a letter to all nursing homes not currently certified as extended care facilities. The administrator of such homes was requested to sign the form enclosed which certified that the nursing home is or is not in full compliance with Title VI.

The Department prepared a form to accompany each voucher presented by a physician requesting payment for services rendered by the Department. The notice quotes Title VI and the physician signs the following statement and checks the appropriate box:

"The attached voucher is presented for payment on the basis that the services rendered the person or persons designated have not

have been rendered in full compliance with the Civil Rights Act of 1964." A complaint procedure is established to handle complaints of alleged

discriminatory conditions or practices in the operation of the program.

Annual on-site reviews of nursing homes will be conducted by the Department; annual review will be made of the extent of compliance of child-caring institutions through the Department's licensure authority; there will be continuous reviews of operations for which the Department is fully responsible through the regular supervisory channels of the State and local departments.

The Department prepared a pamphlet entitled "Alabama Pensions and Security Programs—Compliance with Civil Rights Act of 1964." This pamphlet was mailed to each public assistance recipient with the February 1968 check.

The interviews with a number of County Directors of Pensions and Security indicated that these directors had taken no steps to determine whether nursing homes, for example, were, in fact, complying. This matter,

they thought generally, was one for handling by the State Department.

The Director of the Butler County Department of Pensions and Security stated that there is a nursing home for Negroes in Andalusia, the William Christian Old Folks Home. The Greenville Nursing Home is for whites, in

<sup>18</sup> Exclusive of TB sanatoria and mental hospitals; the Department has not yet implemented this aspect of the State plan.

Greenville. To date, she said, nothing has been requested from either with

regard to compliance.

The director of the Monroe County Department of Pensions and Security stated there were 36 OAP recipients in nursing homes; only one Negro is among them. Four APTD recipients are in nursing homes, but she has no information as to how many are Negroes. The Director provided a list of nursing homes to which clients are referred but was not sure about their racial composition. Negroes, in her opinion, are more likely to want to take care of their old persons at home, than are whites. She said that she does not check whether nursing homes are complying. This is up to the State Department, she said.<sup>10</sup>

Invalidation of substitute father policy.—The Court of Appeals, Fifth Circuit in Smith v. King (277 F. Supp. 31, 1967) invalidated the substitute father policy. The Supreme Court granted a stay, but vacated its stay in father policy. The Supreme Court granted a stay, but vacated its stay in February 1968. Under the substitute father policy an ADC mother who cohabits with a man in or outside her home is declared ineligible for the welfare payment for herself and her children because of the presumed presence of the substitute father. County directors were instructed by the State Department of Pensions and Security to reinstate the families that had been put off as a result of this provision and who were still otherwise eligible. The directors were instructed to report to the State Department by February 23. Radio and TV facilities were used to make known to persons who had been directly affected that a change had occurred which might affect who had been directly affected that a change had occurred which might affect who had been directly affected that a change had occurred which might affect their eligibility under the changed conditions. The Social Security Act Amendments of 1967 provide that in any quarter after June 30, 1968 Federal financial participation in the ADC program would not be available for any excess over the proportion of children receiving ADC to the total number of children in the State under 18 as of the first quarter of 1968. It would be to the benefit of Alabama to get all eligibles back on the rolls so that when the "Federa" provision goes into effect the rotic for determining the number the "freeze" provision goes into effect the ratio for determining the number of eligibles will be as large as possible, so that if the policy is struck down, the State will not be faced with a huge increase in ADC recipients for which no Federal funds would be available. It needs also to be kept in mind in this connection that Federal law requires that a family that is eligible for, say, the ADC program, must be taken on and paid for by State funds even if the maximum number for whom Federal funds could be obtained has been reached. In Alabama, if the total funds are not increased to meet these circumstances, then the amount available per recipient would have to be reduced.

The director of the Dallas County Department of Pensions and Security

The director of the Dallas County Department of Pensions and Security said that 249 cases were closed because of the substitute father policy instituted in July 1964.<sup>20</sup> The Director was interviewed by Commission investigators on February 8, 1968. She stated that of the 249 cases, 67 had been recertified because the relation between the mother and the substitute father had been broken. Of the remaining 182 cases, 59 were ineligible because of emigration from the county, because the mother was employed or had married. Of the 123 who might still be eligible, 52 had been recertified and were back on the rolls. Thus, a total of 119, or 47.5 percent of the 249 cases, had been recertified. The remaining 71 cases were being checked into to determine whether they were eligible to be put back on the rolls. The director of the Butler County Department of Pensions and Security stated that the reduction in ADC cases in the first six months after the policy went into effect was 30-40 terminations. Persons terminated have been con-

went into effect was 30-40 terminations. Persons terminated have been contacted and about 40 applications have been taken. The Director does not know how many will be placed back on the rolls. She is not, she said, going to seek out persons who might not have filed an application for ADC assistance in the intervening period because they thought it would be rejected because of the substitute father policy.

The director of the Monroe County Department of Pensions and Security

said the effect of the substitute father policy was to reduce the county ADC

<sup>19</sup> The Director of the Wilcox County Department of Pensions and Security also stated that she does not check whether nursing homes are complying, believing that this matter is handled by the State Department.

20 On the basis of the average number of ADC cases in Dallas County receiving assistance during the fiscal year ending September 30, 1963, 38 percent of the cases were affected.

rolls by about 50 families.<sup>21</sup> Since the change in policy, the families declared ineligible were contacted and are being reprocessed. Perhaps 25 of these families, the director thought, would not be eligible because of a change in circumstances. The director has not asked radio and TV stations to carry or make announcements about the change in policy. It has been covered adequately in the news coverage, she said. In reprocessing families she has not

gone beyond the 50 denials.

The director of the Wilcox County Department of Pensions and Security did not have figures which indicated the quantitative impact of the substitute father policy. She said that eligible cases have been put back on the rolls. In January 1968 there were 124 ADC cases in Wilcox County; 14 of these, she said, were reinstatements as the result of the change in substitute father policy. The Department has not gone beyond denials and closures. The Director said that Negroes have radios and television sets and don't have to be informed about the change in this policy or in any other rules having to do with the public assistance program.

Table 1.—Number of public assistance cases receiving payment in the State of Alabama and in the 16 county hearing area, by county, by race, December 1967

16 county hearing area, by county:	Total	White	Negro	Other	Race not reported
Autauga Barbour Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Monroe Perry Sumter	1,155 1,869 1,027 1,572 1,419 1,308 3,423 1,066 1,386 1,003 1,480 1,689 1,368 1,410 1,511 1,205	440 560 154 743 455 472 492 91 230 79 187 260 500 268 130	715 1,307 868 868 829 962 2,881 953 1,150 883 1,330 1,425 866 1,133 1,874 1,040	0 0 0 0 0 1 0 0 0 0 1	0 2 5 0 2 11 50 22 6 41 12 4 1 9 7
Total Percent  All counties in Alabama: Total Percent All counties in Alabama (percent) 16 county hearing area (percent)	23,891 100.0 152,967 100.0 100.0 15.6	5,146 21.5 83,998 54.9 100.0 6.1	18,540 77.6 67,151 43.9 100.0 27.6	183 .1 100.0 1.6	202 .8 1,635 1.1 100.0 12.4

<sup>1</sup> Less than 0.1 of 1 percent.

<sup>21</sup> Fifty families represents 41.5 percent of the average number of ADC cases in the county during the fiscal year ending September 30, 1963.

Table 2.—Number of public assistance cases receiving payment in the State of Alabama, by program and by race,
December 1967

	Total		White		Negro		Other	Not reported
	Number	Percent	Number	Percent	Number	Percent	Number	Number
Total	153,301	100.0	1 84,049	100.0	2 67,376	100.0	183	1,693
Old age pension	114,858 1,867 15,671 •18,171 2,058 599 68 9	74.9 1.2 10.2 11.9 1.3 .4 (2)	67,810 904 9,800 5,480 985 92 23 5	80.1 1.1 11.1 6.5 1.2 .1 (2)	46,399 940 6,235 12,506 812 487 44 8	68.9 1.4 9.3 18.6 1.2 .6 .1	93 4 29 57 0 0 0	1,056 19 107 178 261 70 1

<sup>&</sup>lt;sup>1</sup> The totals for December 1967 in Administrative Letter Number 2395 dated Jan. 23, 1968, "Public Assistance Data," prepared by the Alabama Department of Pensions and Security, differ from those shown because in the letter recipients who received more than 1 type of public assistance

were counted only once in the total. This procedure was not followed in this table.

2 Less than 0.1 of 1 percent.

TABLE 3.—Alabama Farm Operator Level of Living Index, by Race, 1950, 1959, and 1964

	1050	1050	1004		rential in x points	
	1950	1959	1964	Between 1950-64	Between 1959-64	
All farm operators	23 27 9	65 76 31	92 103 58	+69 +76 +44	+27 +27 +22	
Number of index points nonwhite index is below white index	18	45	50			

TABLE 4.—Participation in surplus food program in selected counties in 16-county hearing area, Oct. 1, 1966-Sept. 30, 1967 or Jan. 1968, and in the State of Alabama, Oct. 1, 1966-Sept. 30, 1967

	Total		Participants Public assistance Nonp			onpublic assistance		ns in public e programs
	Number	Percent	Number	Percent	Number	Percent	Number	Percent who participated in surplus food program
Selected counties in 16 county hearing aren:								
MaconMarengo Monroe Butler (January 1968 only)2 Wilcox (January 1968 only)2 The State of Alabama	8,082 9,860 7,498 6,670 9,340 152,818	100.0 100.0 100.0 100.0 100.0 100.0	1,897 1,718 1 2,056 1,558 1,268 56,323	17.4 17.4 27.4 23.4 13.6 36.9	6,685 8,142 5,440 5,112 8,072 96,495	82.6 82.6 72.6 76.6 86.4 63.1	1,892 2,279 1,658 1,940 1,642	78.8 75.5 (3) 80.8 77.2

<sup>&</sup>lt;sup>1</sup> This statistic, from records of the Alabama Department of Pensions and Sccurity, appears to be in error because it is larger than the average number of public assistance recipients in the fiscal year.

<sup>&</sup>lt;sup>2</sup> The county began to operate the surplus food program after the 1967 fiscal year had closed.
<sup>3</sup> See footnote 1.

Table 5.—Participation in food stamp program in selected counties in 16-county hearing area, Oct. 1, 1966—Sept. 30, 1967, or Jan. 1968, and in the State of Alabama, Oct. 1, 1966—Sept. 30, 1967

	Total		Public As		icipants Nonpublic assistance		Persons in public assistance program	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent who participated in food stamp program
Selected countles in the 16 county hearing area:								
Bullock	2,741 5,287 3,685 3,800 2,692 31,655	100.0 100.0 100.0 100.0 100.0 100.0	161 635 99 461 760 7,681	5.9 12.1 2.7 12.1 28.2 24.8	2,580 4,602 3,586 8,389 1,932 23,974	94.1 88.8 97.8 87.9 71.8 75.7	1,265 4,652 1,178 1,883 2,152	12.7 13.7 8.4 24.5 85.8

<sup>&</sup>lt;sup>1</sup> The county began to operate the food stamp program after the 1967 fiscal year had closed.

Table 6.—Monthly allowance for an ADC family of 4 in Alabama provided in family budget, compared with payment, 1963-68

Chronology	Dollar value of budget	Payment	Payment as percent of the budget	Maximum payment
January 1963, 1964, 1965	\$177	\$67	38.0	\$78
January 1966 and 1967	177	73	41.0	81
January 1968	177	89	50.0	90

Table 7.—Monthly budget, by component, for an ADC family of 4 in Alabama, 1963-68

Total	<b>\$177.</b> 00
Food	
Clothing	<b>24.20</b>
Medicine chest supplies	1.60
Household supplies	4.40
Fuel	<b>7.2</b> 0
Lights	.75
Water	.75
Incidentals	20.00
Shelter	40.00
Amount allowable in budget for food and other nonshelter items Amount allowable for food etc. as percent of total budget	

Table 8.—Monthly payment to an ADC family of 4 in Alabama as a percent of total budget amount and in relation to the amount budgeted for food, 1963-68

	Sanuary 1968, 964, and 1965	January 1966 and 1967	January 1968
1. Total cash payment	\$67.00	\$73.00	\$89.00
2. Amount allowed in budget for shelter and utilities	48.70	48.70	48.70
3. Amount allowed in budget for food and other nonshelter items	128.30	128.30	128.30
4. Amount available for food and other non- shelter items from cash payment 1	18.30	24.30	40.30
5. Item (4) as a percent of item (1)	27.3	33.3	45.3
6. Item (4) as a percent of item (3)	14.3	18.9	31.4

<sup>1</sup> Item 1 minus item 2.

Cash navment as percent of

Table 9.—Cash payment to ADC family of 4 in Alabama, January 1967 and January 1968, in relation to the Federal poverty index, March 1967

	family of 4 i on 12-month l		economy level for family of 4 with female head, farm residence, March 1967	poverty index		
	January 1967 payment	January 1968 payment	•	January 1967	January 1968	
Excluding average yearly value of surplus food and food stamp bonus	\$876	<b>\$1,068</b>	\$2,320	87.8	46.0	
Including average yearly value of surplus food and food stamp bonus 1	987	1,129	2,820	2 40.4	2 48.7	

Cash payment to ADC

If the aggregate value discussed above is divided only by the average number of public assistance recipients who participated in the food programs, the added value per person per year is \$48.77 or \$195 for a family of 4, which raises the payment to \$1,071 or 46 percent of the poverty index. If the average value of \$195 is added to the cash payment for a family of 4 in January 1968, on the 12-month basis, the total, \$1,268, is 54.5 percent of the poverty index.

2 See preceding footnote,

Social Security Administration poverty index per year on

national basis at

The average yearly value for 4 persons in the fiscal year Oct. 1, 1966—Sept. 1967 is \$61. The total value of surplus food used in this period in Alukama is \$7,123,478. The portion applicable to public assistance recipients was allocated on the basis of the proportion of such recipients to all participants in the surplus food program. A similar procedure is followed to allocate the food stamp bonus in the period. The aggregate value thus obtained is divided by the average number of public assistance recipients in the fiscal year in question. This calculation provided a value per person per year of \$15.29 or \$61 for a family of 4.

Table 10.—U.S. Department of Labor's city worker's family budget for 4 for food in nonmetropolitan areas in the South, autumn 1966, in relation to amount available for food from each payment to ADC family of 4 in Alabama, 1966

Amount allowed for food at home in city worker's budget for family of 4, annual basis	family of 4, including va	rom cash payments to ADC slue of surplus food and annual basis, using:	Amount available for food as percent of the amount budgeted in city worker's budget			
	January 1966 payment	January 1968 payment	1966	1968		
\$1,925	1 \$352	2 \$545	s 18.3	4 28.8		
1 If the yearly value of \$195 dis amount available for food out of rather than \$352, for those famil which is 25 percent of the amoun family budget. 2 If the yearly value of \$195,	the January 1966 payment ies participating in the food t budgeted for food in the cit	otals \$487 programs, y worker's family b 3 See footnote	1.			

TABLE 11.—Comparison between participation in surplus food and in food stamp programs in Dallas and Greene Counties, Ala., Oct. 1, 1966–Sept. 30, 1967 and December 1966 and December 1967

	Total		Participants Public assistance Nonpublic assistance			All persons in public assistance programs		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent who participated in given program
Oct. 1, 1966-Sept. 80, 1966:								
Surplus food: Dallas	11,493	100.0	2,657	22.2	8,836	76.9	4,652	57.1
	6,666	100.0	924	18.9	5,742	86.1	1,178	78.4
Food stamp: Dallas Greene December 1966 compared with December 1967:	5,237	100.0	685	12.1	4,602	87.9	4,652	18.7
	3,685	100.0	99	2.7	3,586	97.8	1,178	8.4
Dallas: December 1966—surplus food December 1967—food stamp Greene:	18,560	100.0	8,086	22.8	10,474	77.2	4,546	67.9
	6,662	100.0	1,294	19.4	5,368	80.6	4,948	26.2
December 1966—surplus food	6,904	100.0	984	14.8	5,920	85.7	1,161	84.8
December 1967—food stamp	4,321	100.0	412	9.5	8,909	90.5	1,825	81.1

# Exhibit No. 15

#### STAFF REPORT

### EMPLOYMENT

In the two decades from 1940 to 1959 a vastly greater number of Negroes than of whites were giving up farming in the 16-county area of Alabama under study. In this period 24,700 Negroes ceased farming (a decline of 60 percent), while only 7,244 whites ceased farming (a decline of 42 percent).

What happened to the thousands of Negroes when they thus became available for absorption into the nonagricultural labor market? Negro outmigration from the 16-county area during this period was enormous. During the single decade 1950 to 1960 net Negro outmigration was 94,420, while the net

outmigration of whites was less than one quarter this figure, or 21,780.3 While many different factors contributed to this significantly greater exodus from the area of Negroes than of whites, a most significant factor was the racial pattern in employment, which amounted to the existence of

was the racial pattern in employment, which amounted to the existence of two essentially distinct, racially separate, job economies.

For example, in the 16-county area in 1960, although the population was 62 percent Negro, the occupational group described as "sales workers" was comprised of 2,733 white males and 223 Negro males; similarly, the category "managers, officials and proprietors" was comprised of 4,974 white males and 351 Negro males. On the other hand, the occupational group "private household workers" was comprised of 260 white females (representing 1.7 percent of total white females employed) and 9,717 Negro females (representing of total white females employed) and 9,717 Negro females (representing 56 percent of total Negro females employed). Similarly the category "laborers (except for farm and mine)" was comprised of 1,610 white males and 6,829 Negro males.5

These essentially separate Negro and white job economies also show themselves in terms of family income. While Negro families in the 16-county area were more than 36 percent larger than white families, 6 their median family income in 1959 was just 26 percent that of white families.7 On this basis, income per family unit member was more than five times

greater for whites than for Negroes.

In the seven and one half years since 1960, a substantial number of new jobs have been created in the 16-county area. To what extent has this improved the employment picture for the area's Negroes?

This development has largely by-passed Negroes. In the period 1960 to 1967, approximately 20,000 new industrial jobs were created in the 16-county area. Although no comprehensive data on the proportion of these new jobs going to Negroes and to whites are available, the position of Negroes can be seen clearly from the following:

Relatively few Negroes are employed, and are in relatively menial positions, in the units for which information is available. From data for companies in the 16-county-area reporting to the Equal Employment Opportunity Commission in 1967 (Table 1), Negroes account for only 22 percent of all reported jobs. Negroes represent just 8 percent of skilled and whitecollar employees, but 63 percent of unskilled employees.9

Negroes are concentrated in nongrowth industries. From 1960 to 1967, while manufacturing industries, exclusive of the lumber and wood industry, were expanding by 45 percent and creating 8,430 new jobs, the lumber and

9 Source: Equal Employment Opportunity Commission, EEO-1 Reports (1967).

<sup>1</sup> Includes Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox Counties.

2 Source: Alabama County Statistical Abstracts, 1944, U.S. Census of Agriculture: 1959. Vol. I, Counties, Part 32, Alabama. Chapter B, Statistics for Counties. Table 3.

3 Source: U.S. Department of Agriculture Economic Research Service, Net Migration of the Population, 1950-60 by Age Sex and Color, Alabama, Tables 1 and 2a, 1965. U.S. Bureau of the Census, Current Population Reports Series P. 23, No. 7, November 1962, Table 1.

4 Source: U.S. Census of Population: 1980, Vol. II, Characteristics of the Population, Part 2, Alabama.

Alabama.
5 Source: Id.

<sup>6</sup> Source: Id., Tables 27, 91 and 110.
7 Source: U.S. Census of Population: 1960. Vol. I, Characteristics of the Population, Part 2, Alabama, Tables 86, 88. 8 Source: Unpublished data, Alabama State Department of Industrial Relations, 1967.

wood industry was contracting by 4 percent, losing 300 jobs. 10 Based on data for companies in the 16-county area reporting to the Equal Employment Opportunity Commission in 1966, the lumber and wood industry in that year accounted for 57 percent of reported Negro industrial employment and only 15 percent of reported white industrial employment. On the other hand, paper and allied products, a growth industry with 32 percent of the area's employment reported to the Equal Employment Opportunity Com<sup>1</sup> mission, accounted for 41 percent of white industrial employment reported and only 12 percent of Negro industrial employment reported.11

In the past two years, three large paper mills and a manufacturing company have begun operation in the area.<sup>12</sup> Of the 782 new jobs they created, 112, or 14 percent, are held by Negroes. Similarly, for all companies in the area reporting increases in male employment from 1966 to 1967 (in reports to the Equal Employment Opportunity Commission), only 24 percent of the new jobs went to Negroes.<sup>13</sup>

The continued existence of two racially separate job economies further appears in the following facts regarding employment in the 16-county area, drawn from 1967 reports to the Equal Employment Opportunity Commission (Table 1) See page 807.

Of all employees in the area above the semi-skilled level, 92 percent are white. While 44 percent of Negro employees are in unskilled positions, only

7 percent of white employees are.

Another important difference between employment of whites and of Negroes is the relatively unfavorable position of Negro males as compared Negroes is the relatively untavorable position of Negro males as compared with Negro females. For example, while 56 percent of male Negro employees occupy unskilled jobs, only 19 percent of Negro females occupy unskilled jobs. Among whites, 9 percent of males and 5 percent of females are in this category. Similarly, while 45 percent of Negro female employees are above the semi-skilled level, only 6 percent of Negro male employees are. Among whites, 55 percent of white males and 74 percent of white females are above the semi-skilled level.<sup>14</sup>

<sup>10</sup> Source: Unpublished data, Alabama State Department of Industrial Relations, 1967.

11 Source: Equal Employment Opportunity Commission, EEO-1 Reports (1966).

12 Hammermill Paper Company, Dallas County (198 total employees, 20 Negro); Union Camp Company, Autaunga County (186 total employees, 10 Negro); MacMillan-Bloedel, Wilcox County (298 total employees, 68 Negro); Arvin Industries, Monroe County (manufacture automobile replacement tail pipes, 100 total employees, 19 Negro). Data gathered by staff of United States Commission on Civil Rights.

13 Source: Equal Employment Opportunity Commission, EEO-1 Reports (1967).

14 Source: Id.

807

Table 1.—Employment Data for 53 Reporting Units from 16 County Area of Alabama

	All employees			White employees				Nonwhite employees		
	Total	Male	Female	Total	Male	Female	й я	Total	Male	Female
All categories of employees Skilled and white collar employees Semiskilled employees Unskilled employees	13,668 7,886 4,216 2,116	7,923 8,358 2,872 1,693	5,745 8,978 1,844 423	10,630 6,755 3,092 788	5,875 3,228 2,103 549	4,755 3,532 989 284		8,038 581 1,124 1,838	2,048 185 769 1,144	990 446 855 189

Source: Equal Employment Opportunity Commission, EEO-1 Reports (1967).

# Exhibit 16(a)

			Busice sean Approval Bot Resented
FORM EDA-SOJ	U.S. DEPA ECONOMIC DEV	ENT OF COMMERCE	ne of Project Wilcox County
		NCE WITH THE DEPARTMENT OF ONS UNDER TITLE VI OF THE	City and State Wilcox County, Alabama
		HTS ACT OF 1964	Project No. 04-1-60366

"Beneficiary"

"Beneficiary"
Lilan\_Bloedel\_United\_Incs\_\_\_(logginality called the Nizotxixty) hereby warrants, covenants, agrees,
assures, and undertakes that as a griting of the control of the transfer of the Economic Development AdministraacMillan\_Blocdel tion, for the propert about the first is will trouble with Tida XI of the fivel lights Act of 1964 (P.L. 101-192), the tequirements imposed by or parament is Regulations, issued for the Department of Commerce and designated as Part II of Subtitle A of Title 15 of the Code of Federal Regulations, a copy of which is attached hereto, to the end that no person in the United States shall on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the ARREST STATES. receives Federal financial assistance from EDA; and hereby further gives assurance that it will immediately take any measures necessary to effectuate this agreement.

Beneficiary In accord with such assurances, and without limiting the above, the Registry agrees:

- 1. That it will not engage in the discrimination prohibited in subparagraph (1), (2), or (3) of Section 8.6(b) of the Department's Regulations as applicable to its program, and in any prohibited act or course of conduct with respect thereto as further described in Section 8.4 of the Department's Regulations, except that the provisions of Section 8.4(c) shall not be applicable.
- oly of the contract of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contraction of the contr Sign's
- with Title VI and the Royulation ise obligation for omplin -recognisses activities but also in accord with Section 8.5(b)(4) of said Regulations to assure that, where applicable, the contractors, subcontractors, suppliers, lessees, and other parties directly participating in the Recipient's project will comply with Title VI and the Regulations with respect to such project. To that end, the Recipient seres; (a) that it will obtain as part of its contractual arrangements with such parties, as a minimum form of assurance, their agreement in writing that such parties, their assignees and successors,

"during and in equnection with the associated agreement relating to the Federally assisted program, (i) will comply, to the extent applicable, as contractors, subcontractors lessees, suppliers, or in any other capacity, with the applicable provisions of the Regulations of the United States Department of Commerce (Part 8 of Subtitle A of Title 15 of the Code of Federal Regulations) issued pursuant to Title VI of the Civil Rights Act of 1964 (P.L. 89-52), and will not thereby discriminate against any person on the ground of race, color, or navional origin in their employment practices, in any of their own contractual arrangements, in all retvices or accommodations which they offer to the public, and in any of their other business operations, (ii) they will provide the information required by or pursuant to said Regulations to ascertain compliance with the Regulations and these assurances, and (iii) their noncompliance with the nondiscrimination requirements of said Regulations and these assurances shall constitute a breach of their contractual arrangements with the Recipient whereby said arrangements may be cancelled, terminated or suspended in whole or in part or may be subject to enforcement otherwise by appropriate legal proceedings";

(b) that it will secure the compliance, and assist and cooperate actively with EDA in obtaining and enforcing the compliance, of said contracting parties with the nondiscrimination required by the Act and Regulations and their respective contractual arrangements, and in the event the Recipient becomes involved in litigation with a noncomplying party, it may request EDA to enter into such litigation to protect the interests of the United States in the inforcement of these obligations; and (c) it will obtain and furnish to the EDA Administrator such information Co he may require for the supervivion or securing of such compliance.

Beneficiary

4. That where the Printing is an institution referred to in Section 8,5(b)(9) of the Department's Regulations, the provisions of that Section will be applicable to the Printing Program.

USCOUN-DC 55473-P65

Beneficiary

- 5. That where EDA's, financia sistance to the Araticians is to provide: real property or structures thereon, the Araticians assurances shall be in effect for the period during which the real property or structures are used for a purpose for which the assistance is extended or for another purpose involving the provision of similar services or benefits; (b) personal property, the assurances shall be in effect for so long as the Araticians whereship or possession of the property, but in any event the time, shall not be less than the term of the lonn and any extensions thereof, and (c) any other type or form of assistance, the assurances shall be in effect for the duration of the period during which the assistance is extended to the program.
- 6. That any failure by the Beneficiary with these assurances shall constitute a breach of the agreement under which the stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the Stationary of the

	Sixwix (Beneficiary)
	By Angus J. Gardner
	Vice President
	mans ard
I,, as Secretary of	
Inc., a corporation organized and existing by virtue of	the laws of the State of;
or as of the State of	; or as Astony Gulle
of the county or municipality of	in the State of
do hereby certify that the foregoing officer who execut In witness whereof I set my hand and affix the corpora day of	ed this assurance has full authority to bind the NECKING.

(SEAL)

\*\*Confidence of Alabaca at Large. My Conscietion expires August 7, 1953. Bonded by Hartford Accident & Indonnity Company.

MacMillan Bloedel United Inc

# Exhibit 16(b)

ASSURANCES OF COMPLIANCE WITH THE DEPARTMENT OF COMMERCE REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

CIVIL RIGHTS ACT OF 1964

Project Wilcox County Road and Bridge City and lease Wilcox County, Alabama

Project No. 04-1-00306

Harmac Alabama, Inc.

"Beneficiary"

MANAGEMENT CONTROL (hereinafter called the XROGIOGON) hereby warrants, covenants, agrees, assures, and undertakes that as a property of the project above identified, it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), the requirements in the Control of the Will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), the requirements in the Control of the Code of Federal Regulations, a copy of which is attached hereto, to the end that no person in the United States shall on the ground of race, color, or national origin be excluded from participation in the control of the Code of Federal Regulations, or on national origin be excluded from participation in the Code of Federal Rights and the property of the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Rights and the Code of Federal Righ

Beneficiary

In accord with such assurances, and without limiting the above, the XXXXXXXX agrees:

- 1. That it will not engage in the discrimination prohibited in subparagraph (1), (2), or (3) of Section 8.6(b) of the Department's Regulations as applicable to its program, and in any prohibited act or course of conduct with respect thereto as further described in Section 8.4 of the Department's Regulations, except that the provisions of Section 8.4 (c) shall not be applicable.
- and a supplementation of the supplementation of the supplement of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of the supplementation of th
- 3. That it recognizes its obligation for compliance with Title VI and the Regulations extends not only to its direct activities but also in accord with Section 8.5(b)(4) of said Regulations to assure that, where applicable, the contractors, subcontractors, suppliers, lessees, and other parties directly participating in the Recipient's roject will comply with Title VI and the Regulations with respect to such project. To that end, the Recipient agrees; (a) that it will obtain as part of its contractual arrangements with such parties, as a minimum form of assurance, their agreement in writing that such parties, their assignees and successors,

"during and in connection with the associated agreement relating to the Foderally assisted program, (i) will comply, to the extent applicable, as contractors, subcontractors, subcontractors, suppliers, or in any other capacity, with the applicable provisions of the Regulations of the United States Department of Commerce (Part 8 of Subtitle A of Title 15 of the Cod of Federal Regulations) issued pursuant to Title VI of the Civil Rights Act of 1964 (P.L. 88-552), and will not thereby discriminate against any person on the ground of race, color, or national origin in their employment practices, in any of their own contractual arrangements, in all ervices or accommodations which they offer to the public, and in any of their other business operations, (ii) they will provide the information required by or pursuant to said Regulations of a secretain compliance with the Regulations and these assurances, and (iii) their noncompliance with the nondiscrimination requirements of said Regulations and these assurances sholl constitute a breach of their contractual arrangements with the Recipient whereby said arrangements may be cancelled, terminated or suspended in whole or in part or may be subject to enforcement otherwise by appropriate legal proceedings";

(b) that it will secure the compliance, and assist and cooperate actively with EDA in obtaining and enforcing the compliance, of soid contracting parties with the nondiscrimination required by the Art and Regulations and their tespective contractual arrangements, and in the event the Recipient becomes involved in litigation with a non-complying party, it may request EDA to enter into such litigation to protect the interests of the United States in the inforcement of these obligations; and (c) it will obtain and furnish to the EDA Administrator such information to be now require for the supervision or securing of such compliance.

Beneficiary

4. That where the Exciption is an institution referred to in Section 8.5(b)(9) of the Department's Regulations, the provisions of that Section will be applicable to the Exciption program.

/Beneficiary's

313-244-

Page 1

UECOMM-DC 68473-P64

That where EDA's financial to an effect for the period during which the feel property or structures the Beneficiary of the property of structures are to purpose for which the assistance is extended or for another purpose involving the provision of similar so benefits; (b) personal property, the assurances shall be in effect for so long as the first feeling own possession of the property, but in any event the time shall not be less than there of the loan and any sions thereof; and (c) any other type or form of assistance, the assurances shall be in effect for the during which the assistance is extended to the program.  Beneficiary  That any failure by the Assistance is extended to the program.  Beneficiary  That any failure by the Assistance is omply with these assurances shall constitute a breach of the quire which the Assistance is inancial assistance from EDA, that in such case of breach the Government fuse to make further disbursements under said agreement, may accelerate the maturity of the ENGLED obligations to the Department, and may take any other enforcement or remedial action or remedies provide Act and the Department's Regulations or otherwise by law, which action shall be severable and cumulat that the enforcement by the Government of one or more rights shall not be prejudicial to its right to obta relief and/or take any other action available under the Act, Regulations, and Enciptions's agreements with partment.  Beneficiary  That these assurances shall be binding upon the Recipions, its grantees, assignees, transferces, lessee cessors in interest.  Beneficiary  The Recipions acknowledges that it has received and read the Department's Regulations.  This assurance is made and accepted this							
	Vice Pres						
I <sub>1</sub>	, as Secretary of						
	cisting by virtue of the laws of the State	of					
or as of Authorized State Official of the county or municipality of do hereby certify that the foregoing	of the State of in the State of officer who executed this assurance has addefix the corporate, state, or municipal	; or as Astary Julic. Authorised difficient  Beneficiary.  full authority to bind the Rengiging.					
(SEAL)	Ċ	(Secretary or other Official)  Other Public, State of Alabama at Large, My  omenistion expires Acquest 7, 1968, Bonded  Hartford Accident & Indemnity Company.					
FORM EDA-503 (1-85).	Page 2	USCOMM-DC 55473-P68					

# Exhibit 16(c)

ASSURANCES OF COMPLIANCE WITH THE DEPARTMENT OF COMMERCE REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Hudget Bureau Approval Not Required.

Name of Project

City and State

Project No. 04-1-60300

Wilcox County Alabama (hereinafter called the "Recipient") hereby warrants, covenants, agrees, assures, and undertakes that as a recipient of Federal financial assistance from the Economic Development Administration, for the project above identified, it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), the requirements imposed by or pursuant to Regulations, issued for the Department of Commerce and designated as Part 8 of Subtitle A of Title 15 of the Code of Federal Regulations, a copy of which is attached hereto, to the end that no person in the United States shall on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the Recipient receives Federal financial assistance from EDA; and hereby further gives assurance that it will immediately take any measures necessary to effectuate this agreement.

In accord with such assurances, and without limiting the above, the Recipient agrees:

- That it will not engage in the discrimination prohibited in subparagraph (1), (2), or (3) of Section 8.6(b) of the Department's Regulations as applicable to its program, and in any prohibited act or course of conduct with respect thereto as further described in Section 8.4 of the Department's Regulations.
- That as to employment practices it will take the actions specified in Section 8.5(b)(2) of the Department's Regulations.
- 3. That it recognizes its obligation for compliance with Title VI and the Regulations extends not only to its direct activities but also in accord with Section 8.5(b)(4) of said Regulations to assure that, where applicable, the contractors, subcontractors, suppliers, lessees, and other parties directly participating in the Recipient's project will comply with Title VI and the Regulations with respect to such project. To that end, the Recipient agrees; (a) that it will obtain as part of its contractual arrangements with such parties, as a minimum form of assurance, their agreement in writing that such parties, their assignces and successors,

"during and in equnection with the associated agreement relating to the Federally assisted program, (i) will comply, to the extent applicable, as contractors, subcontractors, lessees, suppliers, or in any other capacity, with the applicable provisions of the Regulations of the United States Department of Commerce (Part B of Subtitle A of Title 15 of the Code of Federal Regulations) issued pubsuant to Title VI of the Civil Rights Act of 1964 (P.L. 88, 352), and will not thereby discriminate against any person on the ground of race, color, or national origin in their employment practices, in any of their own contractual arrangements, in all services or accommodations which they offer to the public, and in any of their other business operations, (ii) they will provide the information required by or pursuant to said Regulations to ascertain compliance with the Regulations and these assurances, and (iii) their noncompliance with the nondiscrimination requirements of said Regulations and these assurances shall constitute a breach of their contractual arrangements with the Recipient whereby said arrangements may be cancelled, terminated or suspended in whole or in part or may be subject to enforcement otherwise by appropriate legal proceedings";

- (b) that it will secure the compliance, and assist and cooperate actively with EDA in obtaining and enforcing the compliance, of said contracting parties with the nondiscrimination required by the Act and Regulations and their respective contractual arrangements, and in the event the Recipient becomes involved in litigation with a non-complying party, it may request EDA to enter into such litigation to protect the interests of the United States in the enforcement of these obligations; and (c) it will obtain and furnish to the EDA Administrator such information as he may require for the supervision or securing of such compliance.
- 4. That where the Recipient is an institution referred to in Section 8.5(b)(9) of the Department's Regulations, the provisions of that Section will be applicable to the Peripient's program.

- 5. That where EDA's financ assistance to the Recipient is to provide (1) ret. operty or structures thereon, the Recipient's assurances shall be in effect for the period during which the real property or structures are used for a purpose for which the assistance is extended or for another purpose involving the provision, of similar services or benefits; (b) personal property, the assurances shall be in effect for so long as the recipient retains ownership or possession of the property, but in any event the time shall not be less than the term of the loan and any extensions thereof, and (c) any other type or form of assistance, the assurances shall be in effect for the duration of the period during which the assistance is extended to the program.
- 6. That any failure by the Recipient to comply with these assurances shall construte a breach of the agreement under which the Recipient receives financial assistance from FDA, that in such case of breach the towerment may refuse to make further disbursements under said agreement, may accelerate the maturity of the Recipient's financial obligations to the Department, and may take any other enforcement or remedial action or remedies provided in the Act and the Department's Regulations or otherwise by him, which action shall be severable and cumulative; and that the enforcement by the Government of one or more rights shall not be prejudicial to its right to obtain judicial relief and/or take any other action available under the Act, Regulations, and Recipient's agreements with the Department.
- 7. That these assurances shall be binding upon the Recipient, its grantees, assignees, transferees, lessees, and successors in interest.

  The Recipient acknowledges that it has received and read the Department's Regulations.

  This assurance is made and accepted this 12 day of April 1, 19.66, in Camden, Alabama.

Wilcox County, Alabama

(Recipient)
BILL DENNELLY

	Bill Danrierly
	Judge of Probate
	Bill (Signature) Danne My
	Bill (Signature) Danne Ziy
I, Bill Dannelly , us Secretary of	
Inc., a corporation organized and existing by virtue of t	he laws of the State of
or asAuthorized State Official of the State of	; or as Judge of Probate
of the county or municipality of Wilcox County	
do hereby certify that the foregoing officer who execute In witness whereof I set my hand and affix the corporat	d this assurance has full authority to bind the Recipient. e, state, or municipal scal this 12
day of April 19 66	

(SFAL)

Judge of Probate, Wilcox County,

FORM EDA-503 (1-66)

Page 2

USCOMM-DC 5547 1-1767

# Exhibit No. 17

# LETTER TO CHAIRMAN AND COURT OF COUNTY COMMISSIONERS OF WILCOX COUNTY, ALABAMA

In reply refer to Project No. 04-1-00306:

July 27, 1967

CHAIRMAN' AND COURT OF COUNTY COMMISSIONERS OF WILCOX COUNTY County Courthouse Camden, Alabama 36726

GENTLEMEN: This is in reference to your application to the Economic Development Administration, filed under date of April 12, 1966, for financial assistance in the construction of a bridge and access road. In compliance with the requirements of the Department of Commerce Regulations, you accompanied the application with a properly executed EDA Form 503, Assurance of Compliance with the Civil Rights Act of 1964.

The two major beneficiaries of the proposed project, listed in your application as Harmac Alabama Incorporated, and MacMillan Bloedel United Incorporated, forwarded to this agency on July 12, 1966, what purported to be properly executed Forms 503. In each instance, however, pertinent language in the body of the form had been arbitrarily deleted, thereby invalidating the purpose of the document.

Unless and until the Department of Commerce Regulations have been fully complied with, both by the applicant as well as by all major beneficiaries of

the project, an EDA application must be considered as incomplete and not eligible for our consideration toward a final determination.

Notwithstanding your own efforts and primary responsibility toward securing the required assurances, and after several conversations by EDA officials with representatives of the above-named concerns and their counsel, properly executed Forms 503 have not been filed, and your application remains incomplete.

In view of these facts, we have concluded that it is not possible for you to satisfactorily complete the necessary documentation of your application.

We must, therefore, decline to give it further consideration.

Under separate cover we are returning those materials which were furnished in support of the application, in the event you may wish to pursue other possible sources of financial assistance.

Sincerely yours,

EDA/PW-1 O'Malley/Abbott/net Project File Lambert S. O'Malley Signer Deputy Assistant Secretary McKee for Operations 7/24/67 Congressional Liaison State Agency LDC Chron Br. Chief Field Coordinator Reading File (Abbott)

# Exhibit No. 18

BEFORE THE U.S. COMMISSION ON CIVIL RIGHTS SITTING AT MONTGOMERY, ALABAMA

APRIL 30, 1968

STATEMENT OF VANITY FAIR MILLS, INC. REGARDING MINORITY GROUP EMPLOYMENT IN CHOCTAW, MARENGO, CLARKE, AND MONROE COUNTIES, ALABAMA Ву

Mr. Lee Du Vall, Vice-President and Mr. George M. Heard, Director of Personnel

In Response to the Commission's Subpoenas.

#### I. NATURE OF THE BUSINESS:

Vanity Fair manufactures lingerie and related apparel. We manufacture quality garments requiring detailed sewing procedures on hundreds of style

lines which are continually changed as fashion requires. We now employ more than 4,900 persons at 8 plants in Alabama. To give precise, timely information on employment of minority groups, we have reproduced and attached pertinent excerpts from our EEO-1 Reports, highlighting 1966-67 changes, particularly in the skilled category. We also attach a list of job categories which will help explain our industry and aid the Commission in reading the EEO-1 excerpts.

Notice that minority group employment rose from December 31, 1966 to December 31, 1967 in seven (7) out of eight (8) Alabama plants. Notice further that these increases are registered heavily in our skilled categories. We have embellished the EEO-1 excerpt by calculating and inserting rough percentages for minority group employment by plant and with particular reference to the skilled category.

#### II. Policy:

Vanity Fair reaffirms today its commitment to obey Title VII of the Civil Rights Act of 1964. We began in 1964 with internal directions to supervisors to obey the law. We also held a series of meetings with civic groups from all races and economic levels seeking understanding and help. Broad community cooperation has helped us to progress and is a prized ingredient in the solution to these problems. We are a growing company, with hopes of continued expansion. Whenever we consider a new town for a possible plant-site, we include the following paragraph in an open letter to local officials and community leaders:

Paragraph K, Civil Rights: Vanity Fair and its officials have adopted a policy of complete compliance with the Civil Rights Act of 1964. We conduct our employment and employee relations on a non-discriminatory basis. We consider it essential that the community at large and its citizens shall know of this policy and we look to the community to shape community policies and actions in a sensible, harmonious manner.

# III. RECRUITMENT:

The growth in minority group employment in Vanity Fair comes partially from individual applicants. Going in the other direction, we have conferred often with community leaders, urging referral of possible employees. We actively participate in high school career conferences and we meet with home economics classes at all schools in the community. In addition to the usual advertising techniques, we use special handbilling where community residents congregate, even in small groups. The job requirements in the skilled categories cannot be lowered without risk; therefore, we uniformly administrate the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of t ister 5 pre-hire tests. A battery of three tests for dexterity and two tests for limited academic qualifications, with an 86 degree correlation factor, is used. Applicants must pass any three out of the five tests.

#### IV. TRAINING:

We emphasize skilled training because we have a high-quality line which changes frequently to suit the fashion market. We have invested major resources in regular training procedures with written schedules and maximum personnel attention by supervisors. This enables us to employ many persons who might not seem ready for employment by a casual observer. Frankly, needle trades training in advance of employment by schools or special government programs is not helpful to us to any measurable degree. In some instances, such pre-hire training actually forces us to retrain in order to meet higher, commercial standards. During training and orientation we regularly include an affirmative discussion of Title VII so it is well-understood by all employees and immediate level supervision. We conducted such a briefing for all employees when the Act passed and we regularly repeat it with all trainees, supervisors and those who process personnel matters.

The Company's obligations under the law are obviously applicable to promotion as well as initial employment. We are faced, however, with the real necessity for high skill and lengthy experience before any employee is qualified to supervise. The continuing style changes and special techniques of manufacturing used by us requires from five to eight years of experience in skilled jobs on a variety of machines and processes before any

employee becomes a supervisor. With rare exceptions, this experience requirement had been enforced long before Title VII and we do not contemplate reducing the experience and quality standards for supervision.

#### VI. THE FUTURE:

Vanity Fair believes it has moved effectively to comply with the law while at the same time preserving the good will of all elements of the communities in which it is an employer. We remain committed to such progress.

The Commission inquires publicly about what other groups or government agencies might do to improve employment and productivity in this area. We have only a few suggestions, without attempting a comprehensive reply to this inquiry. For one thing, we do not think pre-employment training in needle trades is a good allocation of resources; each employer is likely to require extensive re-training in the special, sophisticated procedures it prefers. We do think, however, that pre-hire vocational training for such jobs as electrician, plumber, welder, inside machinist, carpenter, data processer, secretary and clerk would be very useful. Such preparation, generally speaking, is now lacking in the area under study. We have not received enough qualified applicants for these jobs. In particular, there is a real need for people in administrative, clerical and data processing jobs. Finally, any attempts to set up needle trades training schools which are allowed to manufacture and market garments should be avoided as being unfair to competitors in the private sector, particularly those who continually demonstrate their good faith under the law. Without expressing any self-satisfaction, we respectfully submit to the Commission that we can continue to progress without extensive government participation in our training and recruitment efforts.

#### ATTACHMENT

# EXCERPTS FROM

# STATISTICAL DATA COMPILED FOR EEOC

Officials and managers—Plant IE Personnel managers

# Professional-

Nurses (Except # 6—Tech.) Industrial engineers Chief payroll clerks R&D engineers

#### Technician—

Jr. industrial engineers Standards analysts Trainers Chief sewing machine fixers R&D nondegree engineers Quality control supervisors

Operatives, Semi-skilled— Examiners Packers Hand operators Lace burners Helpers—Separators Bushelers

EEO Report Comparison—Total Only—Apr. 8, 1968\*

	Escambria (1)		Monroe (Drury) (2)		Clarke (3)		Marengo (4)		Choctaw (5)		Monroe (6)		South Baldwin (7)		South Mobile (8)	
-	'66	'67	'66	'67	'66	'67	'66	'67	'66	'67	'66	'67	'66	'67	'66	'67
Official managers Professionals Technicians Sales	14(0) 4(0) 1(0)	11(0) 4(0) 13(0)	16(0) 1(0) 2(0)	15(0) 4(0) 7(0)	21(0) 4(0) 8(0)	21(0) 7(0) 7(0)	8(0) 3(0) 3(0) 0(0)	6(0) 2(0) 7(0)	6(0) 3(0) 3(0)	5(0) 3(0) 4(0)	43(0) 21(0) 5(0)	44(0) 22(0) 11(1)	11(0) 3(0) 2(0)	9(0) 3(0) 8(0)	3(0) 0 0	6(0) 2(0) 6(0)
Office and Clerical Craftsman (Skilled) Percent Opcratives (Semi-skilled) Laborers Service workers Total 1966 & 1967 Percent	21(0) 851(53) 6.2 12(1) 2(2) 34(6) 939(62) 6.6	27(0) 733(74) 10.1 215(8) 1(1) 39(7) 1,043(90) 8.6	32(0) 912(112) 12.3 26(0) 34(0) 13(10) 1,036(122) 11.8	32(0) 766(134) 17.6 178(0) 0 35(13) 1,037(147) 14.7	18(0) 665(69) 10.4 147(7) 7(7) 10(7) 880(90) 10.2	19(0) 600(127) 21.2 181(8) 2(2) 21(10) 858(147) 17.2	11(0) 597(44) 7.4 11.(0) 3(3) 5(2) 641(49) 7.6	13(0) 496(60) 12.2 113(0) 0 16(4) 653(64) 9.8	9(0) 456(54) 11.8 4(1) 0(0) 17(4) 498(59) 11.8	8(0) 388(53) 14.9 64(1) 0 15(4) 487(63) 12.9	173(2) 87(1) 11.5 246(21) 18(18) 22(12) 615(54) 8.8	177(1) 107(1) 9.4 261(28) 12(12) 21(11) 655(54) 8.3	16(0) 752(47) 6.2 0 0 29(3) 813(50) 6.1	15(0) 579(59) 10.2 179(0) 0 23(2) 816(61) 7.5	3(0) 94(1) 1.1 2(2) 0 0 102(3) 2.9	6(0) 295(26) 8.8 59(0) 7(3) 381(29) 7.6

<sup>\*</sup> Figures in parentheses indicate minority group employment.

Craftsmen (Skilled)-

Sewing machine operators

Maintenance

Machine shop personnel

Sewing machine fixers

Work distributor clerks

Laborers (Unskilled)-

Outside grounds keepers (handymen)

# Service workers-

Janitors

Handymen

Work handlers

Watchmen

Charwomen

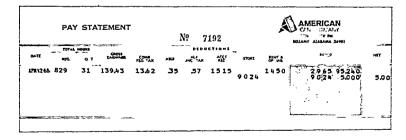
# Exhibit No. 19

A Comparison of Prices Charged by Sherer Bros. with those at the IGA Grocery Store in Livingston, Ala. Made on Mar. 14, 1968 and on Mar. 15, 1968, by Staff Attorney George Bradley.

Product	Size	Sherer	IGA	Cost difference	
Ivory Liquid SaranWrap French's Mustard	50 ft	\$0.75 .45 .17	\$0.59 .33 2/.25	+\$0.16 +.12 +.04	
Hunts Whole Tomatoes Van Camp's Pork & Beans		.39 .25	(.13) .39 2/.49 (.25)		
Jello	3 oz	.15	2/.23	+.03	
Campbell Veg. Beef Soup	10¾ oz	.20	(.12) 2/.39 (.20)		
Duncan Hines Pineapple	1 lb. 2¼ oz	.49	.41	<del>- </del> 08	
Supreme Cake Mix. Del Monte Chunk Light Tuna Morton's Iodized Salt	6½ oz 26 oz	.39 .15	*.47 2/.25	08 +.02	
Maxwell House Fine Grind Coffee Kelloggs Corn Flakes		1.00 .27	(.13) .79 .23	$^{+.21}_{+.04}$	

<sup>\*</sup>IGA had special of its own brand selling for 3 cans for a dollar.

# Exhibit No. 20



#### Exhibit No. 21

STATEMENT BY HUGH C. SLOAN TO EMPLOYEES AT AMERICAN CAN COMPANY BELLAMY, ALABAMA

The U.S. Commission on Civil Rights is having hearings in Montgomery, and the Company has been called to testify on Tuesday, April 30, 1968. One of the things we expect the Commission to ask us is whether the Company housing situation at Bellamy will be changed. Right now we are not sure what we will be able to do, because of costs and other problems.

The recent open housing law may force us to stop renting any houses to

The recent open housing law may force us to stop renting any houses to either white or colored employees in the near future, if it is not possible for us to make changes. All possibilities are now being considered. No final decision has been reached yet. But there is a chance that because of the

law, we may have to stop all renting soon.

We hope that we will be able to find some lawful solution to this whole problem that will be satisfactory to all. We felt we owed it to you to tell the satisfactory to all.

you about this.

# Exhibit No. 22

a.

LETTER WRITTEN BY WILLIAM L. TAYLOR, STAFF DIRECTOR, U.S. COMMISSION ON CIVIL RIGHTS TO E. T. KLASSEN, PRESIDENT, AMERICAN CAN COMPANY, REPLY FROM MR. KLASSEN AND STATEMENT OF AMERICAN CAN COMPANY.

April 12, 1968.

MR. E. T. KLASSEN, President American Can Company 100 Park Avenue New York, New York 10017

DEAR MR. KLASSEN: The United States Commission on Civil Rights will hold a public hearing in Montgomery, Alabama, beginning April 27, 1968, to collect information concerning the economic security of Negroes in predominantly rural areas of that State. One of the matters to be investigated is employment opportunities available to minorities. We expect to hear testimony about the operations of your company at its Naheola and Bellamy Plants. The Commission has authorized the issuance of subpenas for two of your officials—Mr. Owen Hanson and Mr. Hugh C. Sloan.

I am enclosing copies of the Commission's statute and rules and a brochure describing the Commission. Under our rules, if testimony is likely to reflect unfavorably on some person, the Commission is required to hear that testimony in executive session before it is presented publicly. The Commission has determined that testimony regarding your Bellamy operation falls into this category. Accordingly, Mr. Owen Hanson will be sent a notice advising him of his opportunity to appear at an executive session of the Commission on April 27th. He will be told that the Commission anticipates testimony that will show that your company at Bellamy maintains segregated housing and community facilities and that the conditions of Negro housing in the town are substantially inferior to those prevailing in the white housing.

I understand that your company is a member of Plans for Progress and that officials of the Company have been involved actively in the Urban Coalition. Accordingly, the Commission feels that it is appropriate that you be advised in advance of the testimony we expect to hear in Alabama. Our present schedule is for testimony regarding the American Can Company to be presented at public session on April 30, 1968. On behalf of the Commission I invite you to be present on that day to hear the testimony of the officials of your company who have been subpensed. At such time, the Com-

mission would be happy to hear any comments you might have.

Sincerely yours,

WILLIAM L. TAYLOR.

cc: Mrs. Adkins Office Chron

OGC: GBradley/HAGlickstein/WLTaylor 4-12-68

h.

#### AMERICAN CAN COMPANY

E. T. Klassen, President

100 Park Avenue, New York, N.Y. 10017

April 23, 1968.

MR. WILLIAM L. TAYLOR, Staff Director United States Commission on Civil Rights Washington, D.C. 20425

DEAR MR. TAYLOR: I have your letter of April 12, 1968, inviting me to be

present at the Commission's public session on April 30, 1968.

I regret that I shall be unable to accept your invitation since the annual meeting of stockholders of American Can Company will be held on April 30 and I am required to be present.

Sincerely,

E. T. KLASSEN.

COVINGTON & BURLING UNION TRUST BUILDING WASHINGTON, D.C. 20005 REPUBLIC 7-5900

July 3, 1968

Mr. William L. Taylor Staff Director United States Commission on Civil Rights Washington, D.C. 20425

Dear Mr. Taylor:

At the hearings of the U.S. Commission on Civil Rights which were recently held in Montgomery, Alabama, testimony was received in regard to the American Can Company's operations in Bellamy and Butler, Alabama. The American Can Company believes that portions of this testimony present an inaccurate picture of the Company's Alabama operations and facilities located there. The Company officials who testified at the hearing were unable, largely due to time limitations, to more fully inform the Commission with respect to the facilities and operations in Alabama.

Accordingly, the Company has prepared the enclosed statement which describes in detail the Company's sawmill operations and the facilities in Bellamy and its pulp and paper operations in Butler. We respectfully request that this statement be included in the official and printed record of the Commission's proceedings.

> Sincerely, lione belieur

Jerome Ackermań Attorney for the American Can Company

at encl

Dr. John A. Hannah Hon. Eugene Patterson Hon. Frankie M. Freeman Hon. Robert S. Rankin Howard Glickstein, Esq.

# STATEMENT OF AMERICAN CAN COMPANY

The following statement is submitted to the United States Commission on Civil Rights for inclusion in the record of the Commission's hearings on the economic situation of Negroes in a 16-county area of Alabama, said hearings being held on April 27 - May 2, 1968, in Montgomery, Alabama. This statement outlines for the Commission the American Can Company's sawmill operations at Bellamy, Alabama, and the Naheola Pulp and Paper plant operations at Butler, Alabama.

# Southern Sawmills, Allison Lumber Company, American Can Company, Bellamy, Alabama

The Allison Lumber Company was acquired by the American Can Company on May 27, 1960. Among the acquired assets were a complete sawmill plant and office facilities at Bellamy, Alabama, approximately 126,000 acres of timberland located primarily in Sumter County, Alabama, approximately 172 houses in the immediate vicinity of the sawmill, approximately 38 houses located elsewhere on Company property used by the sawmill personnel at Whitfield, several miles to the south, two church buildings, one community building, two school buildings, a theatre, a hospital, a hotel, two filling stations, a general store, a branch store, a warehouse, a post office, the three-mile Sumter & Choctaw Railway, and a swimming pool.

The Allison sawmill, which probably is the largest Southern pine mill east of the Mississippi, currently produces approximately 60 MM board feet of lumber per year. This lumber is sold throughout the Southeastern and Mid-western United States and approximately 10% annually is sold for export overseas. Some of the timber from which this lumber is produced is purchased from independent loggers, although most of it comes from Company-owned timberlands. This mill also produces several specialty lumber items for the trade, and recently has been engaged in the manufacture of pallets for other American Can Company plants, as well as minor quantities for the general market.

The Company currently employs approximately 303 hourly and approximately 31 salaried employees at the Allison sawmill plant. This includes 3 hourly employees and 1 salaried employee of the Sumter & Choctaw Railway, the switching facility of the sawmill. Of these 334 employees, approximately 78% are Negro. Since the acquisition of the Allison sawmill by the American Can Company in 1960, local management has made continuing efforts to upgrade Negro employment opportunities in this plant. This program has included promotions in job classification as well as developmental and merit-pay increases on the same job. As a result, over the last 8 years, Negroes are now filling a

total of 138 jobs as technicians (12), office (1), craftsmen (7), semi-skilled (118), and currently there are three Negro assistant foremen in the mill. In these and other jobs, Negro employees work side-by-side with white employees in the performance of their respective employment duties.

The hourly wages of the Allison sawmill employees ranges from \$1.60 per hour to \$3.30 per hour, and on the average compare favorably with wages paid by sawmills in the Central South. Negro and white employees in the same job classification are paid the same basic wage to which is added any deserved developmental and merit increases in pay. Employees at the Allison sawmill are given four paid holidays each year, and are entitled to an annual one-week paid vacation after the first year of employment. The Company also provides group life, health and medical insurance for all of its employees. These fringe benefits are believed to be greater than or at least equivalent to the prevailing level of fringe benefits in the Central South sawmill industry.

The Allison sawmill has no cafeteria or locker room facilities, but the restrooms and drinking fountains are integrated.

The housing which the American Can Company acquired in the 1960 purchase of the Allison Lumber Company included approximately 172 dwellings in the immediate

vicinity of the sawmill, in an area known as the Bellamy community. Some 38 residences are located in a small community called Whitfield, several miles south. No new dwellings have been built by the American Can Company since the acquisition of this property, but a few have either burned or been removed since that time. At the present time, approximately 50% of the sawmill employees occupy these Company-owned houses, and this constitutes 73% of the white employees and 47% of the Negro employees. The remaining employees own or rent houses in nearby towns, such as Livingston or York, live in rural areas of their choice, or live on a subdivided tract of land known as the Hudson Estate which adjoins Company property less than a mile east of the sawmill. White and Negro employees and nonemployees who live on this tract of land have, in some cases, purchased Company houses for relocation to their property or have built their own homes. Lumber purchased from the Company by employees has been sold to them at wholesale prices. Company has assisted employees in obtaining bank financing for the purchase of these lots and for the construction of their homes. Lots are currently available on this tract of land for any person who desires to buy land within walking distance of the sawmill.

<sup>\*/</sup> Employees have been permitted to pay for the lumber in installments over an extended period of time without any interest charge.

New employees in the sawmill are frequently trained on the job under the supervision of departmental foremen or assistant foremen. At the public hearings before the Civil Rights Commission in Montgomery, Alabama, an employee of the Company testified that he had trained many white employees who were subsequently promoted to better positions. The Company is unaware of any on-the-job training that has been supervised or conducted by this employee.

The Company-owned houses in Bellamy range from tworoom dwellings which normally rent for as low as \$3.50 per
month to seven-room dwellings all of which rent for \$50 per
month or less, except one house. The exception rents for
\$100 per month. The book value of these dwellings ranges
from approximately \$500 to \$13,000. The average rent on
homes occupied by white tenants has been increased approximately 41% over the last 8 years. During the same period,
rent increases on homes occupied by Negroes occurred generally
in connection with the installation of inside plumbing at the
request of the tenant, the addition of a room at the request
of a tenant, or the addition of Butane gas tank and heaters
at the request of the tenant. There were approximately 22
increases in rent related solely to a change in tenancy, but
the increase of rent on these homes has averaged only 11.4%.

At the present time, the average home occupied by a white employee consists of 6.2 rooms, has a book value of

approximately \$6,000, and rents for \$41.00 per month. The average home occupied by a Negro employee consists of 3.4 rooms, has a book value of approximately \$1,200, and rents for \$14.85 per month. Electric power, which is purchased by tenants directly from the Alabama Power Company, is distributed to each home. Water-supply lines are located adjacent to all residences in Bellamy. All of the white residences have inside running water and sewer outlets; eight of the Negro residences have these same facilities. Water supply for the remaining residences is available from convenient outside faucets, and toilet facilities for such homes are the usual out-door type. All water is furnished by the Company at no cost to tenants of any house.

Up until April 30, 1968, Butane gas had been available from the Company for purchase by tenants for heating and cooking at a price 3 cents to 6 cents per gallon lower than if the gas were purchased directly from the supplier.\*/

The Company also provides for the maintenance of each of the Company owned dwellings, including painting the outside of each house periodically and making necessary repairs. Paint is also supplied by the Company at no cost to

<sup>\*/</sup> The Wage & Hour Division of the U.S. Department of Labor has recently objected to the Company's practice of buying propane gas for resale to tenants of Company-owned houses and deducting the price of this gas from the employee's paycheck. Accordingly, as of April 30, 1968, the resale of propane gas to employees by the Company was discontinued.

any tenant who wishes to repaint the inside of his home. Repairs on Company-owned houses are made by the carpenters who work in the Allison sawmill. When a tenant requests that repairs be made, or whenever the Company feels that repairs are necessary, the work is scheduled as promptly as possible, depending upon the urgency of the repair and the workload of the carpenters. As a general rule, most nonemergency repairs are made within 30 days after the request is submitted. All routine repairs are made solely at the Company's expense, although tenants are free to make additional improvements if they desire. During the last three years the Company's rental properties have operated at a loss of between \$77,000 and \$80,000 per year.

At the time of acquisition, three of the Companyowned houses occupied by Negroes had inside water or toilet
facilities and 123 did not. The Company established the
policy of installing these facilities when requested to do
so by the tenant. The cost of such installation and the
maintenance thereof would be reflected in a monthly rent
increase of \$12.50. Since this policy was established five
tenants have requested and received these indoor plumbing
facilities. This improvement involves the installation of
a septic tank, water lines, indoor facilities, and the construction of a separate room which is added to the existing
structure.

Although within the Bellamy community the houses that are occupied by white employees are grouped together, these houses are in some instances immediately adjacent to homes occupied by Negro families. Negro employees are free to and frequently do walk through the area of homes occupied by white employees. No Negro employee has ever sought to rent a house previously rented to a white employee in Bellamy, and no white employee has ever sought to rent a home previously rented to a Negro employee in Bellamy during American Can Company's ownership.

The State maintains a paved road which passes through the Bellamy Community. Houses occupied by both Negroes and whites face on this road. The remainder of the houses in Bellamy, occupied by both Negroes and whites, face on dirt roads which are maintained by the Company. Gravel is periodically placed on <u>all</u> dirt roads in the Community.

When Company-owned housing in the Bellamy community has been available, employees who choose to live there have applied for it. But employees are completely free to live wherever they wish. Non-Company housing is available within walking distance of the mill, and since approximately

one-half of the employees have automobiles, it is also feasible for employees to live in nearby towns, as many have chosen to do.

In general, the dwellings in the Bellamy community are in better condition and are cheaper to rent than houses of comparable size in the immediate vicinity. Comparable housing in York, Livingston and in nearby rural areas rent for from \$12 to \$20 per month, without indoor plumbing, which is in compariosn to the \$3.50 to \$17.00 price range at Bellamy. Some of these houses are wired for electricity, and the tenant pays the electric bill in addition to his rent, as do the tenants in Bellamy. Houses in these rural areas with indoor plumbing rent for from \$35 to \$40 per month, plus electricity. The highest rent at Bellamy for a Negro house with plumbing facilities is \$32.50.

In July, 1967, the American Can Company concluded that it should investigate the possibilities of divesting itself of its Bellamy housing properties. Since the housing operation was consistently unprofitable, the Company sought to determine whether a reasonable program for the divestment of the housing and community facilities could be developed without creating undue hardships on the tenants in the Bellamy community. However, union organizational efforts, an NLRB election, and related NLRB proceedings which were not concluded

until early April, 1968, made it extremely difficult as a practical matter for the Company to go forward with its investigation during the pendancy of the NLRB matters.

At the time the American Can Company acquired the Allison Lumber Company, there existed upon the property a swimming pool which had been built by and at the expense of the white tenants in Bellamy. This swimming pool was and continues to be operated by a committee of white tenants.

At the request of Negro residents of the Bellamy community, the American Can Company within the first year of ownership, at its expense, built another swimming pool, larger than the one previously built by the white tenants. This pool cost the Company approximately \$23,000 and is currently operated by a committee of Negro residents of the Bellamy community. To the Company's knowledge, no Negro has ever sought admission to the swimming pool built by the white tenants and no white has ever sought admission to the swimming pool built by the swimming pool built by the American Can Company.

Two churches are located on Company property adjacent to the sawmill. Negroes attend one church and whites attend the other. The governing bodies of both churches have indicated an interest in acquiring the property upon which their churches

stand as well as the two swimming pools which now exist on Company property. No decision on this matter has been reached by the Company, and no statement was ever made by the Company or anyone acting on its behalf to the effect that either or both pools might be rendered unusable.

For a short time after the Allison Lumber Company was acquired by the American Can Company, the general store which is located on Company property continued to be operated directly by the Company. However, on March 1, 1963, the Company terminated this operation and the building was leased to the Sherer Brothers, who operate three other similar stores in Alabama and one in Florida. For the convenience of employees, the Company continued to permit them to authorize payroll deductions and direct payment by the Company to Sherer Brothers. No such payroll deductions were made without specific written authorization of the employee in connection with each purchase. Long-term credit is also available to employees who shop at the Sherer Brothers' Store. Thus, if an employee purchases an item such as furniture or an appliance, arrangements can be made to have the payroll deductions spread out over an extended period. Although the amount of merchandise which an employee purchases at the Sherer Brothers' Store, and thus the amount which is deducted from his pay, is solely within the responsibility of the employee, The Wage and Hour Division of the

U.S. Department of Labor has, within recent months, raised a question as to the propriety of the practice. In view of this and the fact that such bookkeeping operations constitute an added expense to the Company, such payroll deductions have been terminated as of May 31, 1968.

Sherer Brothers pay a fixed monthly rental for the use of the store buildings. American Can Company has no financial interest in or control over the prices which the Sherer Brothers charge. No employee is required or even encouraged to shop at this store. At least two other small grocery stores are within walking distance of the sawmill. There are, moreover, other independent stores in the area which may easily be reached by automobile. The prices of staples in the other independent stores are generally in line with the prices charged by Sherer Brothers according to a spot-check made by American Can Company personnel. See Exhibit A attached hereto.

The gasoline stations which are located on Company property are also leased to the Sherer Brothers and gas is sold at competitive prices.

The theatre and hotel which were acquired by American Can Company were closed in previous years for economic reasons.

At one time (1926), the property upon which the school is located was deeded in fee simple to the Sumter County Board of Education by the predecessor Company. However, for reasons unknown to American Can Company, the property was subsequently deeded back (1950) to the predecessor Company. On April 19, 1968, American Can Company agreed with the Sumter County Board of Education to return this school property to the County, and since then has delivered to the Superintendent of Education a deed to the property. During the past 8 years the American Can Company maintained the building and the county was solely responsible for the administration of the school. The county also furnished all the facilities for heating and everything inside the school building, such as desks, blackboards, and other equipment.

No improvements had been made on this building recently because of the anticipated construction of a new school facility nearby. The American Can Company had, in June 1966, tendered to the County for a consideration of \$1.00, approximately 17 acres of land adjoining Highway #80 for the County to use in constructing a new public school building. Delivery of the deed is being withheld by mutual consent until the County is ready to begin construction on this building.

The new school facility will be available for all children living in the Bellamy community. At the present time,

approximately 220 Negro and no white children who live in Bellamy attend the county school which is located on Company property. The remainder of the children living at Bellamy, both white and Negro, travel on the same school bus to the public schools in Livingston, Alabama.

The Company presently provides facilities for a first-aid station and clinic in the old "hospital" building at Bellamy and has an arrangement with a nearby doctor who visits the clinic one day each week and employs a registered nurse who is on duty each day. The clinic waiting room and toilet facilities are integrated. The medical services performed by this doctor are a private matter between the doctor and his patient and are paid for by the patient, although an employee-patient may choose to have these expenses deducted from his paycheck. Negroes and whites are charged the same fees by this doctor -- approximately \$4 per office call.

In order to facilitate communication between Negroes and the management of the Company at Bellamy, an informal group of Negro residents was asked five or six years ago to meet with the Company from time to time to discuss matters of interest to the Company and to residents of the Companyowned houses. Many Negroes who might otherwise have been hesitant about communicating with Company officials, utilized

this informal group to make suggestions, inquiries, and/or complaints about various matters. More recently, Company employees have organized a Community Relations Committee, which has assumed the functions previously performed by the informal group. This Committee consists of 12 employees, all Negroes, who were elected from each of the 12 departments in the sawmill. The current members of this Committee are as follows:

Marshall Harris Joe Smith Willie G. Edwards Albert Ward Henry Robinson Otto Sampson Robert Pierce A. Spencer L.C. Lard Bud Donald Jerry Triggs Esasau Woodard

At their first meeting, the Committee elected Jack Raleigh, a white employee, to serve as Secretary of the Committee.

At the present time, employees at the Allison sawmill are not represented by any union. In September 1960, an election was held, but the employees voted against the union. In 1967, the Carpenters and Joiners Union engaged in a unionization drive and an election was held on October 25, 1967. A majority of the employees again voted against the union, but because of challenged ballots and other objections, the results were not certified until April 8, 1968. From the beginning of the unionization drive in August 1967, until the resolution of the election case, the Company was

subject to sharp restrictions in making any changes in its facilities, benefits or plant operations, since almost any change might have been construed as an attempt to influence the Company employees (whether white or Negro) in connection with the union drive.

# Naheola Mill, American Can Company, Butler, Alabama

The Naheola Mill of the American Can Company is the largest industrial employer in Choctaw County, Alabama. It was obtained as part of the acquisition of the Marathon Corporation on December 3, 1957.

At the Naheola Mill, pulpwood logs -- some cut from Company timberlands and others purchased from independent suppliers -- are debarked, reduced to chips, chemically treated, and converted into pulp which is used to produce a variety of paper products.

The American Can Company employs approximately 1,600 workers at its Naheola Mill. Of this number, approximately 110 are Negro. At the present time Negroes occupy the following skilled positions:

- 1 Crane Operator
- 1 Carpenter

There is presently one Negro office employee at the Naheola mill. However, the Company stands ready to hire

any Negro qualified to fill office openings and has actively solicited qualified Negroes for these positions. Contacts have been made with Negro community leaders, such as Mr. Alphonso Marsh, Principal of the East Choctaw High School. The Company has sought his cooperation in referring qualified Negro applicants with stenographic or other office skills. In the fall of 1966 a visit was made to the Tuscaloosa Trade School in search of Negro stenographic candidates.

Prospective employees at the Naheola plant are given a standard preemployment test which was developed by combining different parts of professionally developed tests. The correct completion of at least 53 out of 83 questions on this test is a prerequisite to employment at the Naheola plant. Over the last several years, approximately 71% of the white applicants have passed this test, while only 12% of the Negro applicants have passed. The Company has hired approximately 61% of the successful Negro applicants and 42% of the successful white applicants.

Because of the marked difference between the number of white and Negro applicants who pass the tests, the Company in mid-1967, in cooperation with the Equal Employment Opportunity Commission and the Department of Labor, undertook a validation study to determine whether the test was "culturally determinative" and/or job related. An overall

re-evaluation of the Company testing program at Naheola will be undertaken after the results of this validation study are known.

Employees at the Naheola plant are represented by two international unions. The electricians, instrument men, and Power House employees are represented by the International Brotherhood of Electrical Workers. At the present time, two Negro employees hold positions within this bargaining unit. The remainder of the unionized employees are represented by the International Brotherhood of Pulp, Sulphite and Paper Mill Workers. This union has four separate locals at the Naheola Mill. These locals and their jurisdictions within the plant are as follows:

Local 950 - converting & Pulp mill

Local 952 - maintenance, storeroom & yard switching

Local 953 - woodyard & general mill yard

Local 966 - papermill & shipping

At the present time, Local 953's membership is exclusively Negro. However, there are three white employees working on jobs under the jurisdiction of Local 953. Also, Local 952, 950 and 966 have Negro members, and the Company has actively sought Negroes from Local 953's membership to move into openings within the jurisdiction of the other

locals. When a Negro moves from a job within the Local 953's jurisdiction to a job within another local's jurisdiction he is expected to transfer his union membership to the new local. Since 1966, the Company has been notified of 7 such applications for transfers. (Alabama is a "Right to Work" state, and the maintenance of union membership is a matter of individual choice).

In 1966, the Company merged certain lines of progression at the Naheola Mill. The lines of progression are now functional in nature and there are no bars to movement up through functionally related jobs by either white or Negro employees. Negroes currently hold positions in approximately 6 of the 18 progression lines within the plant.

As provided by the terms of the collective bargaining agreements, seniority at the Naheola plant is first by job, then by line of progression, and then by total service time on any job within the jurisdiction of the local union. There is no overall plant seniority.

The total integration of all facilities at the Naheola plant began in 1964. Subsequently, all "colored" and "white" signs were removed from the restrooms and drinking fountains, and these facilities are now freely used by employees of both races. Separate pay lines and time clock facilities have been abolished. Prior to 1966, the cafeteria

had two serving lines and two separate dining rooms. Traditionally, Negroes used one serving line and dining area and whites used the other. This pattern continued even after the Company announced that all facilities were being integrated. In 1966, the Company closed the smaller of the two dining rooms and enlarged the other, thus creating a single integrated dining facility.

In connection with locker and shower facilities, initially a door was opened between the previously all-white and all-black locker rooms. However, since both white and Negro employees continued to use the same lockers as before, the Company, in 1967, assigned all lockers on an alphabetical basis, thus achieving full integration of these facilities. Although this change by the Company did not result in any destruction of property (as has happened in other Southern plants taking the same action) or violence, at the present time very few white employees utilize the Company's locker or shower facilities.

In addition to the affirmative steps which the Company has taken to integrate all plant facilities, to place Negroes in previously all-white lines of progression, and to recruit qualified Negro personnel, the Company and its officials have also been involved in other community activities beneficial to the Negroes in the area. The Company, for example has made a grant of \$178,000 to Auburn University to

study and upgrade the public education system of Choctaw County. Likewise, beginning in 1963, the Company granted \$4,500.00 per year for four (4) years to the school system in Linden, Alabama. This money was used to provide annual summer school training for 15 teachers. Each year either 7 or 8 of them were Negro.

# EXHIBIT A

April, 1968

	Sherer Brothers Bellamy Ala.	Mundy Grocery Bellamy Ala.	Williams Grocery York Ala.	Vaughan Grocery Livingston Ala.	
Tall Milk	\$0.20	\$0.20	\$0.20	\$0.20	
25# Flour	2.75	3.35	2.98	2.95	
10# Sugar	1.49	1.43	1.40	1.39	
Standard Tomatoes	.23	<b>.</b> 25	.23	.20	
Treet	.69	.67	<b>.</b> 69	.62	
l# Grits	.16	.21	.15	.23	1-1/2#
140 DM Catsup	<b>.</b> 29	<b>.</b> 30 .32	.30	.30	
10# Sunflower meal	1.00	•99	•94	.90	
Reg. Tide	<b>.</b> 43	.40	•39	•39	
Giant Tide	•95	.98	•99	•93	
l# M. H. Coffee	1.00	.98	.89	•95	
3# Snowdrift	1.00	.98	.89	.85	
Eatwell Sardines	.25	.28	.25	<b>.</b> 25	
8 Oz. K. Corn Flak	es .27	.29	.29	<b>.</b> 25	
Nor. Toilet Tissue	2/.25	4/.50	.12	4/.49	
Eggs	.50	•59	<b>.</b> 50	<b>.</b> 50	
4# Carton Lard	<b>.</b> 69	•79	.69	•79	
Pork Chops	<b>.</b> 69	•79	.70	<b>.</b> 75	
#2-1/2 D.M. Peache	s .41	.25	(303 .40 can)	•39	
Vienna Sausage	<b>.</b> 25	.30	.25	.27	
2# Rice	<b>.</b> 39	•59	(#3) .40	.45	

	Sherer Brothers Bellamy Ala.	Munday Grocery Bellamy Ala.	Williams Grodery York Ala.	Vaughan Grocery Livingston Ala.
Red Potatoes New	\$0.10	\$0.08	\$0.08	\$0.08
Cigarettes	.38	.38	.40	.384043
P. I. Can Corn	.29	.30	.29	.29
D. M. Green Peas	•30	.29	•35	•30
Tall Boy Veg. Soup	.25	. <b>•2</b> 5	.25	. 0
D.H. Cake Mix	.45	.49	.43	.43

# Exhibit No. 23 CONTRACTS COMPLIANCE PROGRAM

Authority: Presidential Executive Order 11246

Responsibility: Department of Labor, Office of Federal Contracts Compliance (OFCC)

Policy Direction: Department of Defense, Office of the Assistant Secretary of Defense (Manpower)

Program Administration: Defense Supply Agency, Defense Contract Administration Services

# FIELD OPERATION RESPONSIBILITY DEFENSE CONTRACT ADMINISTRATION SERVICES REGION, OFFICE OF CONTRACTS COMPLIANCE

Directives:
Presidential Executive Order
Rules and Regulations
DOD Directives
DSA OCC Manual
DCASR Directives

#### MISSION

Administers the Defense Contracts Compliance Program under the provisions of Executive Order 11246 and DOD Policy and Procedures. Assures that Government contractors provide equal job opportunity and equal treatment in all phases of employment without regard to race, religion, color or national origin and that contractors adopt affirmative action programs to achieve these goals.

### AFFIRMATIVE ACTION

One.—The initiative which a contractor undertakes toward successfully achieving the goals of the Executive order in providing equality of opportunity.

Two.—The undertaking of continuous actions beyond those traditionally executed by all means that management has at its disposal to achieve meaningful, measurable results in the recruitment, testing, placement, upgrading, and training of minorities in all job categories. A contractor's action cannot be considered affirmative if it does not produce these effects.

# EXECUTIVE ORDER 11246 EQUAL EMPLOYMENT OPPORTUNITY

Section 202 Paragraph (1) The contractor—

"Will not discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The contractor will take

affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to race, religion, color, or national origin.

Such action shall include, but not be limited to, the following:

Employment, upgrading, demotion, or transfer; recruitment or advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship clause."

# Assurance of Non-Segregated Facilities (DPC #58 effective 1 March 1968)

# BIDS ON CONTRACTS IN EXCESS OF \$10,000 WILL INCLUDE Certification of Non-Segregated Facilities

Segregated facilities are any facilities provided for employees that are segregated by explicit directive, or in fact segregated on the basis of race, color or national origin because of habit, local custom, or otherwise (de facto segregation).

# SEGREGATED FACILITIES

A. Waiting Rooms

B. Work Areas

C. Rest Rooms D. Wash Rooms

E. Restaurants

F. Other Eating Areas G. Time Clocks

H. Locker Rooms

I. Other Storage or Dressing Areas

Parking Lots

K. Drinking Fountains

L. Entertainment Areas M. Transportation

N. Housing Facilities

### PROGRAM OBJECTIVES

To insure that contractors take affirmative action as required by section 202(1) of Executive Order 11246 which shall result in the increased utilization of minority workers at all employment levels through affirmative recruitment, selection, placement, promotion, and training.

# OFFICE OF CONTRACTS COMPLIANCE

DCASR, ATLANTA, STAFF

(DCRA-V)

Professional = 11

Clerical

# REQUIRED WORK

One.—Compliance Reviews Two.—Follow-Up Reviews Three.—Pre-Award Reviews Four.—Complaint Investigations

#### COMPLIANCE REVIEW

A comprehensive examination of the personnel practices and procedures of contractors with an indepth study of those factors and procedures resolved to be deficient to ensure compliance with the provisions of Executive Order 11246.

# FOLLOW-UP REVIEW

A comprehensive examination of the personnel practices and procedures of contractors with an indepth study of those factors and procedures found to be deficient in the compliance review, that remedied actions were required and agreements were reached to ensure equal employment opportunity compliance.

### Pre-Award Review

An examination of the personnel practices and procedures of a contractor prior to the award of any formally advertised (IFB) DOD contract of \$1 million or more as requested by the principal contracting officer or administrative contracting officer or other governmental procurement agencies to insure non-discrimination in employment practices.

# COMPLAINT INVESTIGATIONS

An allegation by any person by himself or an authorized representative filed in writing alleging violation of the equal employment opportunity clause.

# COMPLIANCE STATUS SUMMARY

1. Posters Adequately Displayed

2. Standard Form 100 Filed

- 3. Equal Opportunity Employer Caption in Recruitment Ads
- 4. EÉO Clause in Purchase Orders or Sub-Contracts 5. Assurance of Non-Discrimination in Facilities Filed 6. Facilities Integrated

7. Employment Programs and Activities Integrated 8. Sub-Contractors Notified of EEO Requirements

9. Application Forms Non-Discriminatory

10. EEO Policy and Management Procedures are Producing EEO Results
11. Recruitment Sources Producing EEO Results

12. Selection and Placement Procedures Providing EEO Results
13. Transfer and Promotion Practices Providing EEO Results
14. Training Program Results in Minority Participation
15. Union Contracts Non-Discriminatory
16. Other

CONCLUSIONS REACHED AS RESULT OF REVIEW OR INVESTIGATION

One.—Compliance or has the Ability to Comply (Acceptable Plan)

Two.—Non-Compliance Three.—Violation—No Violation

### COMPLIANCE

One.—The Contractor Demonstrated Ability to Employ and Advance Minorities in all Job Levels in His Work Force

Two.—The Degree of Management Determination and Direction and the Quality of Intensity of Management's Affirmative Action to Recruit, Hire, and Promote Minorities into all Job Levels

# NON-COMPLIANCE

The failure of a contractor or potential contractor to present material evidence that he has accomplished the actions required by paragraphs one through seven of Executive Order 11246 and the refusal on his part to develop and implement a satisfactory program leading to full employment.

# CONCLUSIONS

One.—The contract compliance clause of the contract must be met in the same manner as all other clauses of the contract.

Two.—Limited assignment of manpower prohibits 100 percent coverage of government contractor facilities. 83 percent of facilities in the Atlanta Region have not been reviewed.

Three.—Concentrate OCC manpower in areas where contractor affirmative action must be achieved.

#### Workload Data—All Regions

Region	Facilities assigned fiscal year 1966	Allowance professionals	Facilities assigned fiscal year 1968	Gain
Atlanta Boston Chicago Cleveland Dallas Detroit Los Angeles New York Philadelphia St. Louis San Francisco	4,414 3,093 3,074 2,336 3,923 1,156 2,696 2,710 4,178 3,676 3,592	11 10 10 9 11 8 12 12 10 9	5,818 4,317 4,130 4,961 4,640 1,794 5,740 6,013 5,166 3,767 4,036	1,404 1,224 1,056 2,625 517 638 3,044 3,308 988 911
Totals	34,848	110	50,387	15,339

# Populations

State	Total population	Nonwhite population
Alabama Florida. Georgia Mississippi North Carolina South Carolina Tennessee	3,266,740 4,951,560 3,943,116 2,178,141 4,556,155 2,382,594 3,567,089	1,305,696 891,280 1,007,742 921,354 1,156,262 953,038 588,570
Totals	24,845,395	6,823,942

# DOD-NASA Facilities

en t	0-50 employees 51-100 employee		mployees	Over 100 employees		Totals		
State	DOD	NASA	DOD	NASA	DOD	NASA	DOD	NASA
Alabama	314	8	104	1	292	7	710	11
Florida	643	16	106	5	386	4	1,135	25
Georgia	530	4	150	1	444	3	1.124	8
Mississippi	169	0	39	2	139	Ō	347	2
North Carolina	410	ĭ	147	1	504	š	1,061	1
South Carolina	183	3	61	ō	279	ŏ	523	7
Tennessee	368	ĭ	115	i	355	ě	838	Ř
Puerto Rico	4	ō	2	ã	12	ő	18	ŏ
Subtotal	2,621	28	724	11	2,411	23	5,756	62
Total	2,	649	7	35	2,	,434		5,818

	N	lumber of emplo	yees	
	0-50	51–100	Over 100	Total
ALABAMA DOD-NASA facilities	. 317	105	299	721
Standard Metro Areas: Birmingham	. 148	60	80	283
293,714 Nonwhite Mobile	56	9	18	83
100,968 Montgomery 169,210	- 34	14	14	62
64,474 Huntsville 117,348	_ 34	4	21	59
21,910 Phenix City	2	1	13	16
Total	. 269	88	146	503
FLORIDA DOD-NASA facilities	646	111	390	1,147
Standard Metro Areas: Miami-Palm Beach 1,596,099 Total population	_ 106	31	72	209
235,153 Nonwhite (90 M Cubans) Jacksonville 455,411	_ 79	<b>2</b> 5	44	148
105,910 Orlando/Cocoa	69	18	41	128
55,249 Tampa/St. Petersburg 754,453	59	21	30	110
89,155 Pensacola	25	7	13	48
Total	338	102	200	640

	N	lumber of emplo	yees	
	0-50	51–100	Over 100	Total
GEORGIA			-	
DOD-NASA facilities	534	151	447	1,132
Standard Metro Areas: Atlanta 1,017,188 Total population	208	70	136	414
231,049 Nonwhite Macon	23	2	25	50
170,403 55,892 Savannah	24	7	11	42
188,299 63,930	10	-	10	41
Augusta 135,601 42,513	18	7	16	41
Columbus 158,623	19	7	14	40
37,929 Albany 75,680 25,922	7	1	10	18
	299	94	212	505
MISSISSIPPI DOD-NASA facilities	169	41	139	349
Standard Metro Areas:				
219,949 Total population 98,380 Nonwhite	74	10	24	108
Biloxi/Gulfport 189,050 Total population 32,120 Nonwhite	31	3	13	47
Total	105	13	37	155
NORTH CAROLINA DOD-NASA facilities	411	148	507	1,066
Standard Metro Areas: Winston-Salem/Greensboro 435,948 Total population	58	30	140	228
96,818 Nonwhite Durham/Raleigh 212.052	60	23	57	140
58,458 Charlotte 272,111	70	24	30	124
66,701 Wilson/Rocky Mount 111,781	9	3	12	24
71,750 Asheville 130,074	10	2	11	23
14,040 Total	207	82	250	539
SOUTH CAROLINA DOD-NASA facilities	186	61	274	530
Standard Metro Areas: Charleston	95	31	63	189
137,449 Total population 78,488 Nonwhite Columbia	42	18	45	105
301,075 108,796 Greenville/Spartanburg 274,301 92,654	95	31	63	189
Total	232	80	171	483

Number			
Number	OT.	emn	PAGANU

0-50	51–100	Over 100	Total
369	116	361	846
89	36	59	184
56	18	42	116
37	8	29	74
. 29	8	12	49
211	70	142	423
	. 369 89 56 . 37 . 29	. 369 116 89 36 56 18 . 37 8 . 29 8	. 369     116     361       . 89     36     59       . 56     18     42       . 37     8     29       . 29     8     12

# DOD-NASA Facilities

State	Total number	Total number reviewed* 1963 to date	Number reviewed since* Jan. 1, 1966
Alabama	. 721	212	73
Florida	1,160	183	60
Georgia	. 1,132	194	75
Mississippi	. 349	99	-30
North Carolina	. 1,062	154	64
South Carolina		22	40
Tennessee		165	95
Puerto Rico		Ô	Õ
Totals	. 5,818	1,029	437

<sup>\*</sup>Compliance Review, followup, preaward, complaint.

Contractor workload region	Contractor w	orkload 30 metropolitan a	reas of region
N			Percent
Number employees:	2,649	1,558	60
51–100 101 and over	735 2,434	510 1,139	70 
Total	5,818	3,207	52

# Manpower Requirements

	Average compliance action (Per CRS)	Number Required
Facilities (5,818)	84 84	70 39 30 20

# Personnel Requirements

DCRA location I	ofessionals	Clericals	Increase		
DCRA location Pro	rotessionais	Ciericais	Professional	Clerical	
Atlanta	5 4	4 2 2 2 2	1 2 4 4	1 1 2 2	
Total	22	10	11	6	

# Contractor Workload Per CRS

DCRA location	Personnel requirements	Facilities over 50 employees SMA (Per CRS)	Total facilities (Per CRS)
Atlanta Birmingham Orlando Burlington	9 professional—4 clerical—5 professional—2 clerical—4 professional—2 clerical—4 professional—2 clerical——	76 76	270 259 284 266

# Number of Directed Actions Received—3rd Quarter, Fiscal Year 1968

Compliance review 101	review Followup		Complaint investigation 104	Total
<b>≑71</b>	11	46	24	152

<sup>\*</sup>Includes 63 CRs-Carolina textile industry project.

# Direct Manhours Expended—Fiscal Year 1968 [As of end of \$d quarter]

1st quarter 2d quarter		3d quarter	4th quarter	Total
fiscal year 68 fiscal year 68		fiscal year 68	fiscal year 68	
1,324	2,433	3,147		6,904

#### Exhibit No. 24

# STAFF REPORT

# "MAIN STREET" SURVEY

During February and March 1968, staff members of the U.S. Commission on Civil Rights surveyed employment practices of retail businesses in 21 major cities and towns within the 16 county hearing area. This "main street" survey was undertaken to determine the extent of minority employment in the retail trade in those communities. It includes an average of 80 percent of the stores and businesses located within these "main street" areas but does not include barber shops, bars and pool halls. These stores were all located in the "downtown" or main shopping centers of each of the 21 cities.¹

<sup>1</sup> Stores were not included if they were closed at the time of the survey; if the owner or manager refused to be interviewed; or if the owner or manager was away from his business at the time of the survey and information could not be secured.

Managers, owners or employees in charge of retail stores or businesses were questioned with regard to their employment practices including the number

of employees by race.

Negroes constitute 99 percent of the nonwhite population in Alabama and 30 percent of the state's total population. In the 16 county area, Negroes constitute more than 60 percent of the population. The survey shows that of a total of 2,504 jobs in retail businesses, only 497 or 19.8 percent were held by Negroes. Of the total number of positions held, 14 percent were held by Negroes employed on a full-time basis. Of the 497 jobs held by Negroes, 156 (31.4 percent) were part-time. Part-time white employment constituted only 16 percent of total white employment.

The only city in which Negroes had as much as 50 percent of the employment in main street businesses was a Tuskegee, located in Macon County (80 percent Negro). In Tuskegee, Negroes totaled 44 percent of the full-time employment and 72 percent of the part-time employment. The lowest rate of Negro employment was registered in Prattville, (located in Autauga County (42 percent Negro)), where 7 percent of all part-time employees and 8 per-

cent of all full-time employees were Negroes.

Part-time employment includes casual hiring. Of the three Negro parttime positions listed for Greensboro, one of the positions includes "a boy off the street [who] is hired from time to time to help us lift things." Since this may or may not always be the same person, there may actually be no measurable economic gain by any single Negro person hired in that particular "part-time" position.<sup>3</sup> At a business in Greenville, a Negro was hired part-time because "he's working out a debt." No other Negroes were hired in that store although 8 whites worked there.

Although there were two Negro produce managers in food stores and a few Negro clerks in other establishments and some trade school graduates employed in positions using their specific skills, most jobs held by Negroes were menial positions. The predominant position held by Negro males was

porter or janitor.

Few Negroes handled cash receipts or came in direct contact with customers at the store. In Perry County, for example, in the cities of Marion and Uniontown, only one Negro handled cash receipts in a white business-a Negro lady who handled such receipts occasionally. In Greenville, one Negro was employed in a cash-receipts position in the main shopping area. In Prattville, the only Negro sales clerk was not allowed to use the cash register. In Demopolis, a Negro who worked part-time did "some selling" at a-business.

At least two owners indicated present intentions of hiring Negroes in Jackson and Monroeville while many other reflected apparent willingness to hire if others did so or if their businesses were not financially threatened by

white community hostility.

Some managers or owners freely expressed their opinions on the subject

of Negro employment when questioned by Commission staff:
Some openly expressed racist views: "I am a member of the KKK and wouldn't hire any niggers" (Demopolis);
"They only do what niggers 'spose' to do" (Selma);

"Don't hire Negroes to clean up because I do my own nigger work" (Demopolis).

Others portrayed Negroes as lacking in ability or dependability: "Negroes can't weigh things nor figure prices, we tried" (Butler); "Problem with Negroes is not their education but their dependability"

(Union Springs)

Many expressed fear that community customer reaction to hiring Negroes would adversely affect their businesses (wouldn't hire Negroes because of the "explosive nature of this little town" (Prattville); "Wouldn't want to break the color line . . . it would kill us (Thomasville):

<sup>&</sup>lt;sup>2</sup> See Commission Staff Report by Francis Knorr, "Population, Employment and Income Profile in a 16 county area of South Central Alabama." Exhibit No. 10.

<sup>3</sup> In the same city, a white resident reported that a Negro who was physically incapable of speech and was referred to a "Dummy" around the city, had recently been hired for a full day's labor and after doing the work was paid a bottle of soda pop.

"Won't hire Negroes because it would adversely affect my business"

(Clayton);
"Once hired Negroes when his business depended upon them, but not now. "It would cost me 80-90 percent of my white clientele here." (Eufaula);
"I hired them, but I was criticized too much" (Linden)
One expressed willingness to hire Negroes "if other businesses would"

(Butler). One employer who had hired a Negro office worker said "Best office worker I got" (Selma). Another employer who had hired a Negro in a significant position because of the Civil Rights Act of 1964 said, "Only a few whites objected" (Greene County).

Tuskegee (Macon County) excepted, Negro businesses were generally not located within the "main street" sections of the 16 county area and

therefore were not included in this survey.4

Nonwhite businesses in the cities visited represented a small percentage of the total retail trade. The largest number of Negro business were funeral

homes, small groceries and restaurants.

Negroes owned or operated service stations in Jackson, Uniontown, Greensboro and Tuskegee, among other places. In these and other towns Negroes also own or operate taxi services, laundromats, a small chemical plant, an income tax service, small cafes and several other businesses.

The result of this survey, therefore, is that Negroes have a disproportionately small share of employment in retail trades within the 16 county

area.

# "Main Street" Survey

	Number of businesses surveyed	Total employ- ment	Total part-time employ- ment	Total Negro employ- ment	Total Negro part- time employ- ment
		(a)	(b)	(c)	(d)
Butler	27	180	53	37	11
Camden	11	42	6	13	4
Clayton		61	24	12	10
Demopolis	33	234	69	59	13
Eufaula	29	221	45	44	14
Eutaw	16	69	23	20	8 1 3 7 7 2 10 8
Frisco City	15	227	9	4	1
Greensboro	29	82	8	7	3
Greenville (and shopping area)	34	197	20	36	7
Jackson (and shopping area)	34	207	21	25	7
Linden	9	48	14	13	2
Livingston	10	48	16	15	10
Marion	18	72	23	12	8
Monroeville	20	143	32	20	4
Oak Hill	12	40	9	5	0
Prattville (and Prattville Square).	35	228	48	18	4
Selma	30	223	27	37	6 8
Thomasville		91	24	19	8
Tuskegee	33	133	25	58	18
Union Springs		94	18	27	8
York		64	26	16	10
Total		2,504	540	497	156
Percentage of column (a)			21.6	19.8	6.2

<sup>4</sup> In Tuskegee 6 Negro businesses were operating within the "main street" area.

# Exhibit No. 25

# STAFF REPORT

# PUBLIC EMPLOYMENT IN THE 16-COUNTY HEARING AREA

Commission staff members obtained statistics on the number of Negroes employed in those Federal and State agencies which constitute the major sources of public employment in the 16-county hearing area. Similar statistics were obtained for hearing area county employees and employees of selected cities in the hearing area.

The small number of Negroes employed by any of the governmental bodies suggests that the constitutional guarantees of nondiscriminatory treatment

are not being fulfilled.

### I. FEDERAL EMPLOYMENT

The two major sources of Federal employment in the 16-county hearing area are the Farmers Home Administration and the Post Office Department. Although a total of 650 jobs are available in these agencies, only 42 are filled by Negroes. Agency offices in half of the hearing counties employ no Negroes despite the fact that discrimination on the basis of race is prohibited in the Federal Civil Service System.

#### FARMERS HOME ADMINISTRATION

FHA offices in the 16-county hearing area employ 39 persons, only six of whom are Negro. The six are members of the professional staffs in the Greene County and Macon County offices. None of the 16 clerical workers employed by FHA is Negro. A county listing of employees by race and category is contained in Appendix A.

#### POST OFFICE DEPARTMENT

Of 611 Post Office employees in the 16-county hearing area, only 36 are

Negro. Eight of the counties have no Negro postal workers.<sup>1</sup>

With the exception of two Negro employees at the Tuskegee Institute Station in Macon County, none of the Negroes is employed at a higher grade than PFS-5.3 For a listing of employees by county, see Appendix B.

### II. STATE EMPLOYMENT

Through the Agricultural Stabilization & Conservation Service, the Alabama Cooperative Extension Service, the Alabama State Employment Service, and the Alabama Department of Pensions and Securities the State of Alabama provides 560 jobs in the 16-county hearing area. Eighty-two Negroes are employed by these State agencies, 38 of whom hold part-time or janitorial positions.

# AGRICULTURAL STABILIZATION & CONSERVATION SERVICE

The Agricultural Stabilization & Conservation Service employs 203 persons in the 16-county hearing area, 27 of whom are Negro. Of these 27 Negroes, only 4 are employed year round by the Service. Fifteen are part-time or seasonal workers in the offices and eight do part-time or seasonal work in the field, measuring land for compliance with acreage allotments. None of the full-time field workers is Negro.

County office employees are hired by the county office manager subject to minimum qualification requirements set by the Agricultural Stabilization and Conservation Office in Washington. Since county employees are paid entirely from Federal funds and receive retirement and certain other fringe benefits provided Federal employees, they are subject to the nondiscrimination requirements of the Federal Government. For a county breakdown of employees, see Appendix C.

<sup>&</sup>lt;sup>1</sup> Autauga, Butler, Choctaw, Clarke, Lowndes, Perry, Sumter, and Wilcox.
<sup>2</sup> The station has one Negro employee at Grade PFS-9 and one Negro employee at Grade PFS-10.
<sup>3</sup> PFS means Postal Field Service.

#### ALABAMA COOPERATIVE EXTENSION SERVICE

In the 16-county hearing area, none of the county extension chairmen or assistant chairmen is Negro. Of 40 Extension Farm Agents, 17 are Negro; of 25 Extension Home Agents, 14 are Negro. Only nine Negroes are employed as clerical workers in the county offices out of a total of 38 such positions. The County Chairman and his professional staff are hired by the District Supervisors, subject to the approval of the Director of the Service. County chairmen must have a grade point average of 1.5 or better on a 3.0 system, be a graduate of a land grant school of agriculture or have an equivalent B.S. degree, and have 5 years field experience. Members of the professional staffs must have the same qualifications except for field experience. In addition, their reputation, standing in the community, and integrity are taken into consideration. The Service has no regulations prohibiting racial discrimination.

#### ALABAMA DEPARTMENT OF PENSIONS & SECURITIES

Of the 220 persons employed by the Department in the hearing area, six are Negro. All of the six do part-time janitorial work.<sup>5</sup>

Employees of the county offices of the Department of Pensions & Security are hired under procedures established by the State Merit System. However, the only type of discrimination prohibited by the System is discrimination because of political or religious opinions or affiliations. Although Federal law requires welfare personnel to be employed under personnel standards substantially equivalent to the Federal Merit System Standards which prohibit racial discrimination, Alabama has not amended its Merit System to preclude such discrimination. See Appendix D for county office statistics.

#### ALABAMA STATE EMPLOYMENT SERVICE

The five State Employment Service offices located in the 16-county hearing area employ 35 persons, nine of whom are Negro. Four of the Negroes are Employment Service Local Representatives who work in the Service's outreach and follow-up programs and are paid on hourly rate when and as needed. The remaining five Negroes are custodial and service workers. Title VII of the Civil Rights Act of 1964 forbids racial discrimination by State employment agencies. Employees of the Employment Service are also covered by the Alabama State Merit System. See Appendix E for individual office statistics.

# III. COUNTY EMPLOYMENT

Of approximately 1,337 county employees in the 16-county hearing area, 267 are Negro, but only 239 of this number are employed full-time. Only four counties, Autauga, Bullock, Dallas and Macon, have Negroes on their law-enforcement staffs. Only one county, Macon, has full-time Negro clerical workers. The largest concentration of Negro employees, 184, is found in county road departments.

None of the 16 counties has a county civil service system. Employees are hired by county officials. Statistics for individual counties may be found in

Appendix F.

# IV. CITY EMPLOYMENT

The 16 cities surveyed in the 16-county hearing area employ a total of 933 persons, 350 of whom are Negro. Only 330 of the Negroes are employed full-time. The largest concentrations of Negro employees are found in the Sanitation and Street Departments of the cities. Eight of the cities have fulltime Negro policemen. None of the cities has a civil service system. Employees are hired by city officials. Appendix G contains statistics on individual cities.

<sup>4</sup> Figures obtained from Auburn University, December 31, 1967. Until 1965, Negro workers were employed in a separate Negro Extension Service.

5 This number does not include food stamp program personnel. These personnel, although considered State employees and subject to the State Merit System, are paid by the county and are located in separate offices in each county. Statistics for these personnel are contained in Appendix F. Appendix F.

6 Clarke County has one part-time Negro clerical worker.

# APPENDIX A

Farmers Home Administration Employees by Race and Category in the 16-County Hearing Area—February 1968  $^{\rm 1}$ 

Unit	Administrative/ management		Professional		Clerical	
	w	N	w	N	w	N
					(1-Sp.	Am.)
ALABAMA STATE OFFICE	5	0	18	1	12`	´ 0
Autauga	0	0	,, 1	0	1	0
Barbour	0	0	1	0	1	0
Bullock		No em	ployees—serv	iced by Macon	County	
Butler	0	0	1	0	1	0
Choctaw	0	0	8	0	2	0
Clarke		No emplo	yees—service	d by Washingt	on County	
Dallas	0	0	1	0	1	0
Greene	0	0	2	0	2	0
Hale				iced by Greene		
Lowndes		No emplo	yees—serviced	d by Montgom	ery County	
Macon	0	0	2	4	2	0
Marengo	0	0	2	0	2	0
Monroe	0	0	1	0	1	0
Perry	0	0	1	0	1	0
Sumter		No emp	oloyees—servi	ced by Choctav	v County	
Wilcox	0	0	2	0	2	0
Total	5	0	35	7	28	0

<sup>&</sup>lt;sup>1</sup> Figures obtained from the Farmers Home Administration, Washington.

APPENDIX B

Employment by U.S. Post Office Department in 16 Alabama Counties as of Nov. 17, 1967  $^{\rm 1}$ 

County	Total employees	Whi	te	Negro		
		PFS employees	Rural carriers	PFS employees	Rural carriers	
Autauga Barbour Bullock Butler Choctaw Clark Dallas Greene Hale Lowndes Macon Marengo Monroe Perry Sumter Wilcox	42 21 40 18 41 112 36 18 37 45 36 36	29 29 13 27 14 34 84 13 25 14 18 34 25 14 25 29	8 12 6 13 4 7 15 6 9 4 6 9 9 7 8	0 1 2 0 0 0 13 1 2 0 13 2 0	000000000000000000000000000000000000000	
Total	611	441	134	36	0	

 $<sup>^1</sup>$  Figures obtained from the U.S. Post Office Department. 75 fourth class post offices in the hearing area did not submit statistics to the Department, These offices generally have 1 or 2 employees each.

# APPENDIX C

Alabama Agricultural Stabilization and Conservation Service, County Office Employment in the 16-County Hearing Area by Race—Dec. 31, 1967 <sup>1</sup>

	Office 2				Field <sup>3</sup>			
County	Full time		Other 4		Full time		Other	
	w	N	w	N	w	N	w	N
Autauga Barbour	5 8	-	- <u>ī</u>	ī	1	=	<del>-</del> 5	ī
Bullock Butler Choctaw	4 6 5	-	 - <u>-</u> 2	1 1 1	1	Ξ.	10 1	Ξ
Clarke Dallas Greene	4 6 3	- ī	2 3 3	3	1 1 1	=	1 8 4	3 2
Hale Lowndes	5	-	3 2	1 2	1	Ξ	7 5	ī -
Macon Marengo Monroe	6 6	- -	- <u>1</u>	1 3	1 1	-	1 8	- ī
Perry Sumter Wilcox	4 5 5	1 1	- <del>-</del> 4		1 1 1	=	2 1 1	=
Total	80	4	22	15	14	0	60	8

Figures obtained from the Agricultural Stabilization and Conservation Office. Washington,

# APPENDIX D

Department of Pensions and Security, Employment by Race and Category in the 16-County Hearing Area <sup>1</sup>

	Administrative and clerical				Janitorial			
Counties	Full	time	Part	Part time		time	Part time	
-	w	N	w	N	w	N	w	N
Autauga	11							
Barbour	18							
Bullock	9							
Butler	13							1
Choctaw	15							3
Clarke	12							
Dallas	35							1
Greene	8							
Hale	12							
Lowndes	10							
Macon	13				1			
Marengo	14							
Monroe	10							1
Perry	12							
Sumter	12							3
Wilcox	9							3
Total	213				1			6

Information obtained from county offices, April 1968.
 Includes director and caseworkers.

<sup>2</sup> Includes office manager and staff.
3 Field employees measure land for compliance with acreage allotments,
4 Includes part-time and seasonal workers.

# APPENDIX E

Listing of Employees in the 6 Employment Service Offices Located in the 16-County Hearing Area as of Jan. 31, 1967 <sup>1</sup>

	White	Negro
Eufaula (Barbour County):		
Managerial and supervisory	1	
Professional and technical		
Professional and technical (hourly rate) 2		
Clerical and office		
Custodial and service		-7
		<b>T</b>
Greenville (Butler County):	-	
Managerial and supervisory	<u>‡</u>	
Professional and technical	2	
Professional and technical (hourly rate)	<u>-</u> -	2
Clerical and office	1	
Custodial and service		1
Jackson (Clarke County):		
Managerial and supervisory	1	
Clerical and office	2	
Custodial and service		1
Selma (Dallas County):	<del></del>	
Managerial and supervisory	1	
Professional and technical	<del>7</del>	
Professional and technical (hourly rate)		2
Clerical and office	<del></del>	_
Custodial and service		77
		-
Demopolis (Marengo County):		
Managerial and supervisory	<u>1</u>	
Professional and technical	<u>1</u>	
Professional and technical (hourly rate)	1	
Clerical and office	2	
Custodial and service		1
Total	26	9

# APPENDIX F

County Employment in 16-County Hearing Area 1

		Law enfo	orcement 2	i		Cler	ical		
County	Full	time		time	Full -	time	— Part	Part time	
	W	N	w	N	W	N	W	N	
utauga	4			3	9		4		
arbour	8				Ž		ī		
Sullock	3	1			3				
utler	3				6		1		
hoctaw	3				6				
larke	3				7		2	1	
allas	11	2	2		18			_	
reene	2				3 5		1	-	
ale	3						1	_	
owndes	3				2			_	
[acon		5			4	3		_	
arengo	4				_6				
Ionroe	3				11			_	
erry	4				6		2	-	
umter	2				3		z	-	
Vilcox	2				5				
Total	58	8	2	3	101	3	14	•	

Figures obtained from county officials, April 1968.
 Includes sheriff, deputies, and jailors.

<sup>1</sup> Figures obtained from the Alabama State Employment Service.

This job category applies to Employment Service local representatives.

#### APPENDIX F-Continued

		Mainte	nance 3	•		Ŗ	oad 4		Fo	ood commod pr	ity or food ogram	stamp
County	Full	time	Part	time	Fu	ll time	Par	time	Ful	l time	Part	time
·	w	N	w.	N	w	N	w	N	w	N	W	Ŋ
Autauga		2			44	4			3	1	1	1
Barbour	1	3			72	15			(6)			
Bullock					29	5 24			4			
Butler		2			95				6	1		
Choctaw	1	2			57	1			4			
Clarke		2			39				(7)			
Dallas		3			( <sup>9</sup> )	77			7			
Greene	4	4	1	1	40	40			3	1		
Hale		1			100				5		77	77
Lowndes		2			29	57			4	Ť.	14	10
Macon		2		ř	29	24				7		D
Marengo	Ţ	8		2	47 97	10			(8)	4		
Monroe	1	4			57	4			(6)			
Perry					41	37			5			
Sumter		Ţ			41	25			4			-7
Wilcox		Z			41	20			3		1	4
Total	8	33	1	4	817	184			53	11	16	20

<sup>3</sup> Includes courthouse maintenance. 4 Includes road department, repair shop, and farm to market department. 5 Statistics cited are for 3 of 4 road districts. 6 Has neither program.

 <sup>7</sup> Food stamp program not in operation yet.
 8 Commodity program administered by local community action program.
 9 The Dallas County engineer and the clerk of the county revenue court refused to give Commission staff members this information.

APPENDIX G City Employment in 16-County Hearing Area <sup>1</sup>

		Cle	erical		_	Police d	epartment			Fire der	partment		
City	Full	time	Part time		Full	Full time		Part time		Full time		Part time	
	w	N	w	N	w	N	w	N	w	N	w	N	
amden	1				3								
Demopolis	3				15				3				
ufaula					10	2							
lutaw					3		1						
ort Deposit			1		4		2		(3)			_	
reensboro					5				(3)		1		
reenville	3				10	2			(3)				
ackson	4				8	2			(3)				
inden	2				4			2	1		26		
Ionroeville	2				6	2			(3)≆				
Iarion	1				7				8				
rattville	3				14	1	<del>,</del>	1	6		15		
elma	9				47	4			47				
uskegee	5	1			4	14			6	6			
nion Springs	2				8				9				
ork			2		2	1		- <del>-</del> -					
Total	35	1	3		150	28	3	3	78	6	42		

 $<sup>^{\</sup>rm 1}$  Figures obtained from city officials, April 1968.  $^{\rm 2}$  Includes utilities, recreation and cemetery departments.

<sup>3</sup> Volunteer, no Negroes.
4 The city has a combined sanitation and street department.

### 860

#### APPENDIX G-Continued

		Serv	rices 2			Street de	partment			Sanitation	departmen	ıt
City	Full	time	Part	time	Ful	l time	Part	time	Ful	l time	Part	time
-	w	N	w	N	w	N	w	N	w	N	w	N
Samden				90 M)					8			
Demopolis	15	4			6	30			10	24		
Cufaula					18	10		••••	8	2		
Lutaw	4	8			10	7			3	3		
ort Deposit										1		2
reensboro	8			4	(4)				2	8		
reenville	8	4			5	3			12	4		
ackson	4	8			6	10						
inden	2	2			3		1	2		. 5		
Ionroeville	4	15			5	8			8	10		
larion	1	8			2	1			.4	. 1		
rattville	2	1	2		. 8	6			12	11		
elma	21	. 8	4	9	19	. 8			85	21		
uskegee	12	15			2	19			1	34		
nion Springs		3			4	12			6	4		
ork	5				2	4				8		
Total	81	56	6	13	85	108	1	2	99	131		2

#### Exhibit No. 26

#### STAFF REPORT

#### EDUCATION

#### GENERAL BACKGROUND

By national standards the quality of education in the rural Black Belt of Alabama is very poor. Alabama school districts averaged only \$390 per pupil in school expenditures in the 1966-67 school year, placing it 46th in the Nation. This statewide figure was higher than the per pupil expenditure in the State's rural school districts.

County support for public schools is weefully inadequate. State funds accounted for approximately 78 percent of the non-Federal revenues for public elementary and secondary schools in Alabama in 1966-67.<sup>2</sup> Despite this substantial State support, State revenue does not meet the educational needs of the students in rural school districts. The National Education Association, in a recent report of its investigation in Wilcox County, noted that:

The gap between income and need is particularly glaring in the rural Black Belt counties . . . where the land is undervalued, underassessed and underdeveloped; where the majority of the population is poor; and where even the meager sources of tax revenue available are underutilized.3

Following is a discussion of the extent of student and staff desegregation, and disparities between the quality of education in the Negro and predominantly white schools in the hearing area.

I. Extent of Student and Staff Segregation.—The hearing area includes 16 county school systems and six independent city school systems. Figures are available for 15 of the 16 county systems and five of the six city systems. The total enrollment in the 20 county and city systems is 87,789. Sixty-four percent (56,418) are black. Despite Federal school desegregation requirements promulgated by the Department of Health, Education, and Welfare and legal suits and court orders in every one of the systems only 984, or 1.7 percent, of the black students are attending formerly all-white schools.4

Teaching staffs are similarly segregated. Of the 2,075 5 Negro teachers in the 15 county systems only 55 are assigned full or part-time to white schools. Conversely, only 59 white teachers out of a total of 1,061 are assigned to

Negro schools.

During the 1967-68 school year, the following school systems in the hearing area covered by the decree in *Lee* v. *Macon*, (see *infra*) have less than one full-time desegregating teacher per school: Clarke, Dallas, Greene, Marengo, Monroe. Selma, and Thomasville. Systems having less than two but at least one full-time desegregating teacher are Autauga, Demopolis, Linden, and Marion. Only Butler and Eufaula have two or more such teachers per school.<sup>6</sup>

Table A provides data on the extent of segregation of students and teachers in the 15 county school systems.

II. Comparison of Financial Resources for Negro and White Schools.—The disparities in financial resources devoted to the education of Negro and white children in the hearing area are illustrated by Table B below. Table B shows that in the 1966-67 school year, the schools in the 16 county school systems attended by white students had an average value of more than four times the schools attended by Negro pupils.

<sup>1</sup> National Education Association, Wilcox County Alabama: A Study of Social Economic and Educational Bankruptcy. 68 (June 1967).

<sup>4</sup> Enrollment figures obtained from the Office of Education, Department of Health, Education, and Welfare (DHEW) and the Department of Justice. Figures are for September 1967.

<sup>&</sup>lt;sup>5</sup> The fractional figure generally denotes inclusion of part-time teachers and professionals who are not regular classroom teachers on a fractional basis.

<sup>6</sup> Letter from Stephen Pollak, Assistant Attorney General in charge of the Civil Rights Division, Department of Justice to Dr. Ernest Stone, State Superintendent of Education, State Office Building, Montgomery, Alabama, March 13, 1968 (hereafter called "Pollak letter").

Table A.—Student Enrollment and Faculty Distribution by Race

	Total	Enrol	Ilment	Total	Faculty in	Faculty in
County	enrollment	White school	Negro school	faculty	white school	Negro school
Autauga*	4,296(W) 2,278(N)	4,296(W) 79(N)	0(W) 2,199(N)	165 (W)	159(W) 11(N)	6(W)
Barbour	906 (W) 2,246 (N)	906 (W) 61 (N)	2,185(N) 2,185(N)	87 (N) 62 (W)	58(W)	79 (N) 4 (W)
Bullock**	786 (W) 2,796 (N)	786(W) 84(N)	2,188(N) 0(W) 2,762(N)	98 (N) 53 (W)	5(N) 41(W)	93 (N) 12 (N)
Butler	2,962(W)	2,962 (W) 41 (N)	0(W)	115.5(N) 130(W)	1(N) 119(W)	114.5(N) 11(W)
Choctaw**	3,020(N) 2,340(W)	2,340(W) 13(N)	2,979(N) 0(W) 2,494(N)	131 (N) 101 (W) 102 (N)	10(N) 101(W)	121 (N) 0 (W)
Clarke*	2,507(N) 2,642(W)	2,642(W) 53(N)	0(W) 8.837(N)	64(W) 181(N)	60 (W) 0 (N)	102(N) 14(W)
Dallas*	3,390 (N) 2,177 (W)	2.177 (W)	0(W) 4.999(N)	89(W) 218(N)	6(N) 84(W) 1(N)	125(N) 5(W)
Greene*	5,012(N) 507(W)	13(N) 507(W) 36(N)	0(W) 2,965(N)	20(W) 119(N)	18(W) 3(N)	217(N) 22(W) 116(N)
Hale**	3,001(N) 1,093(W)	1,093 (W) 85 (N)	0(W) 2,527(N)	57 (W) 189 (N)	55(W) 3(N)	2(W) 136(N)
Lowndes**	2,612(N) (3)	• •	, , ,	,	, ,	, ,
Macon*	429 (W) 5 4,178 (N)	428( <b>W</b> ) 167( <b>N</b> )	4,011(N)	36(W) 178(N)	4 81 (W) 2 (N)	7(W) 177(N)
Marengo*	771 (W) 3,233 (N)	771 (W) 4(N)	0(W) 8,229(N)	89(W) 144(N)	89(W) 3(N)	0 (W) 131 (N)
Monroe*	2,373 (W) 3,553 (N)	2,373 (W) 30 (N)	0(W) 8,523(N)	109(W) 148(N)	1.5(N) 5.5(N)	4(W) 142.5(N)
Perry**	600 (W) 2.806 (N)	600 (W) 79 (N)	0(W) 2.727(N)	36 (W) 90.25 (N)	32.5(W) 105(W)	8.5(W) 88.57(N)
Sumter*	874 (W) 4,596 (N)	874(W) 11(N)	0(W) 4.585(N)	42 (W) 201 (N)	87(W) 8(N)	.5(W) 198(N)
Wilcox**	1,087 (W) 3,954 (N)	1,087(W) 63(N)	0(W) 3,891(N)	58(W) 174(N)	58(W) 0(N)	0(W) 174(N)
Total	23,843 (W) 49,182 (N)	23,842(W) 769(N)	1(W) 48,412(N)	1,061(W) 2,075.57(N)	997.5(W) 55(N)	59(W) 2,024.25(N)

Source: Department of Justice and Office of Eduaction, DHEW. Figures

<sup>\*</sup>School district is subject to court decree in Lee v. Macon County Board of Education, 267 F. Supp. 458 (M.D. Ala. 1967), affirmed 389 U.S. 215.

\*School district is subject to a separate court order.

1 In addition, there is 1 part-time white teacher in a Negro school.

2 In addition, there is 1 white guidance teacher in a Negro school.

<sup>3</sup> No statistics available. Many white students have boycotted public schools

No statistics available. Many white students have beyoutted public schools in favor of private schools.

1 No statistics are available on 1 Negro school.

5 In addition, there is 1 Negro reading instructor in a white school, 1 white reading teacher in a Negro school, and 1 white librarian in a Negro school. There also are 2 guidance counselors, 1 art teacher, and 1 music teacher serving all schools.

Table B.—Value Per Pupil of School Buildings and Contents—1966-67

County	White	Negro
Autauga	\$454	\$355
Bullock	1,042	397
Butler	509	396
Barbour	1,174	200
·Choctaw	1,143	402
Clarke	569	188
Dallas	645	377
Greene	847	249
Hale	1,176	300
Lowndes		120
Macon		354
Marengo	750	228
Monroe	807	287
Perry	1,134	214
Sumter	679	241
Wilcox	733	221
Total	15,699	4,529
Average	981.18	283.06

Source: Brief for the United States in Lee v. Macon, table III, app. C, p-C-13, C-23.

In seven of the school districts in the hearing area and covered by Lee v. Macon there was a large difference between the per pupil insurance valuation of the Negro schools and the traditionally white schools in 1967–68 (Table C).

Table C.—Insurance Valuation of Building Per Pupil

	School system	Predominantly white schools	Predominantly Negro schools
Butler		475.55	347.77
Clarke		399.00	265.00
Dallas		511.32	819.68
Demopolis		911.00	486.00
Marengo		624.00	295.00
Selma		632.31	525.14
Thomasville		480.29	411.30

Source: Pollak letter.

Six of the school districts in the hearing area and covered by *Lee* v. *Macon* had a significantly lower per pupil value for furniture and fixtures at the Negro schools and had not formulated a plan to correct this disparity (Table D).

Table D.—Insurance Valuation of Furniture and Fixtures Per Pupil

	School system	Predominantly white schools	Predominantly Negro schools
Autauga		28.05	22,53
Dallas		31.97	23.14
Demopolis		, 147.00	75.00
Marengo		95.00	24.00
Selma		61.55	46.57
Thomasville		76.05	59.96

Source: Pollak letter.

Another indication of the comparative quality of school buildings for Negro and white students is the respective number of Negro and white small schools with inadequate enrollments. State surveys revealed that in the 16 school districts within the hearing area, there were 212 sub-standard schools in the 1965-66 school year; 169 of them or 80 percent were Negro schools.

Many of the systems within the hearing area and subject to the decree in Lee v. Macon still maintain Negro schools with subminimal enrollment

(Table E).

Table E.—Negro Schools Having Subminimal Enrollments

School system		Grades covered	Recom- mended enroll- ment	Enroll- ment
Autauga Co	New Salem	1-6	175	20
Marengo Co	Shiloh Jones Chapel Putnam St. John Myrtlewood Jefferson	1-6 1-8 1-6	175 175 175 175 300 175 300	50 70 63 30 97 85 189
Marion	Faunsdale Coxheath Lincoln School Ada Hanna	1-9 1-9 K-12 1-9	350 350 525 350	152 329 321 50
Monroe Co	Greer Jr. High Vredenburgh Jr. High Uriah Jr. High Monroe Jr. High Alberta Elementary School	1-9 1-9 1-9 1-6	350 350 250 350 175	319 201 180 274 55
Sumter Co	Alma Jr. High Clarke Co. Training School James Chapel Elementary Lilly Valley Elementary Little Grove Elementary Mackey Branch Jr. High Morvin Jr. High Kinterbish II McGowen Judkins Arrington Epes Gainesville	1-8 1-6 1-8	350 525 175 300 175 800 350 175 175 300 175 175 800	175 426 36 44 52 214 96 58 64 77 99 78 108
Dalias Co	Whitfield Bellamy Sumterville Belmont Kinterbish High Shiloh High School Hazen Harrell High Tyler Union High E. M. Brown High School Hunter Mission Elementary School	1-8 1-8 1-12 1-12 1-12 1-12 1-12 1-12 1-	300 300 300 525 525 525 525 525 525 525	118 180 167 251 410 458 457 418 392 155

Source: Pollak letter.

III. Instructional Quality.—Several objective measures of instructional quality are available for the 16 county school systems.

The number of elective courses offered to high school students, for example, is generally greater at all-white or formerly all-white schools than it is at Negro schools. In the 16 county school systems during the 1966-67 school year, white high schools offered 117 elective courses that were not offered at Negro schools, but only 88 elective courses were offered at Negro schools which were not offered at white high schools. Not only is the number of courses offered at white schools generally greater than at Negro schools but the quality of course offerings is more substantial at white schools. In a compliance review of the schools in Autauga County in January 1967, HEW

<sup>7</sup> Brief for the United States in Lee v. Macon, Table I, Appendix B, P. B-1-B-5. 8 Brief for the United States in Lee v. Macon, Appendix D, p. D-1—D-23.

investigators found that "[c]ourses such as geography, journalism, speech, speed reading, advanced foreign languages, business math and English are offered at one of the predominantly white schools but are not offered at either of the two Negro schools.9

There are generally fewer library books per student in Negro schools than in white schools in the 16 school districts. In the white schools there is an average of 13.8 books per child, while there are only 5.9 books per child in

four within the hearing area (Clarke, Monroe, Greene, and Sumter) had not

Negro schools. 10
A letter from Stephen Pollak, Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice, to State Superintendent of Education Ernest Stone, regarding compliance with the court's decree in Lee v. Macon, noted that some Alabama school systems, including

sought to correct the inequalities in instructional facilities by devoting a larger share of resources to the Negro schools.11

School system.	Number of libro	ry books per pupil
	·	
	W	N
Autauga Co	12.3	7.6
Butler Co		3.8
Sumter Co		5.23

The State of Alabama assesses the quality of a school's instructional program through the process of accreditation. Accreditation is particularly important for students who want to go on to college. In the 16 county school systems, all-white high schools were accredited by the State of Alabama in 1966-67, but only 66 percent of the Negro high schools were accredited.<sup>12</sup>

The Pollak letter notes that in Clarke County, 66 percent of the Negro high schools are unaccredited; in Sumter County the figure is 40 percent.

In addition to the State, the Southern Association of Colleges and Secondary Schools—a regional accreditation body—accredits high schools in Alabama. In some of the 16 school districts, white high schools are accredited by the Southern Association, but Negro schools are not. For example, in the Butler County School System, there are three white high schools, all of which are accredited by the State and two of which are accredited by the Southern Association. There are two Negro high schools in Butler County, both accredited by the state of Alabama, but neither accredited by the Southern Association. Similiarly in Greene County there are two Negro high schools and one white high school. All three are accredited by the State, but only the white high school is accredited by the Southern Association.

In addition to disparities in the number of elective courses, the number of library books per child and the accreditation of schools, there are other important distinctions between Negro and white schools in counties within the hearing area. For example, a compliance review of Autauga County Schools by the Department of Health, Education, and Welfare in January 1967 revealed "fewer hours per week in Negro schools than in predominantly white schools devoted to the teaching of any subject." <sup>16</sup>

The compliance review also disclosed sharp differences between Negro and white schools in the extra funds raised from student fees, school activities and community donations. HEW found that "the expenditures per pupil from

<sup>&</sup>lt;sup>9</sup> Autauga County, Alabama, Summary of Compliance Review at 2. The following systems in the hearing area and covered by *Lee* v. *Macon* have not, according to the Justice Department, adequately explained substantial differences between the number and variety of courses offered at the Negro and traditionally white schools: Autauga, Clarke, Dallas, Demopolis, Linden, Marion, Monroe, Selma.

<sup>10</sup> Brief for the United States in Lee v. Macon, Table III, Appendix C, p. C-13.

11 The Pollak letter notes significant disparities between the number of library books available per pupil at the Negro and white schools. Included are the following districts in the hearing area covered by the decree in Lee v. Macon: Autauga, Butler, and Sumter:

12 Pollak letter.

<sup>12</sup> Brief for the United States in Lee v. Macon, Table III, Appendix C, c-13 et. seq. 13 Summary of Equalization Report on Butler County School System. Office of Civil Rights, DHEW.

 <sup>15</sup> Summary of Equalization Report on Greene County School System. Office for Civil Rights,
 DHEW.
 DHEW, Autauga County, Alabama, Summary of Compliance Review, at 2.

these funds in the predominantly white schools range from \$1.51 to \$38.83 while in the Negro schools the range is from \$0.19 to \$5.70." 17 V. School Achievement.—The differences in education for Negro and white students in the Alabama Black Belt also indicated by school achievement data collected in the Title IV survey of the Office of Education (known as the Coleman Report). Data available are for Negro and white students in the rural South compared to the average scores for white students in the urban North. Table F shows the marked disparities in achievement between white and Negro students at three grade levels (grades 6, 9 and 12) on three types of standardized tests.

Table F.—Comparison of School Achievement of White and Negro Students in the Rural South

		Grade levels behind*	
	6	9	12
Verbal ability:			
White students	0.7	1.0	1.5
Negro students	2.5	3.9	5.2
Reading comprehension:			
White students	.5	.8	1.0
Negro students	2.7	3.7	4.9
Math achievement:	_	_	
White students	.7	.9	1.4
Negro students	2.6	3.7	6.2

\*Grade levels behind refers to the number of months behind the average white in the metropolitan Northeast, the national standard of comparison used in the title IV survey.

Source: Coleman et al., Equality of Educational Opportunity, tables 3.121.1, -3.121.3, 274-275 (1966).

Federal Programs. Federal education funds for Alabama in 1966-67 totaled \$49,406,139; <sup>18</sup> State funds totaled \$183,718,520; county funds \$27,264,658; district funds \$23,226,422 and other funds \$11,203,645. The breakdown of Federal revenues is as follows:

Federal Funds

	Counties	Cities	State
•			
Vocational Education	3,359,960	1,675,258	5,035,218
Public Law No. 815 1	8,466	98,211	106,677
Public Law No. 874 2	4,055,143	3,483,463	7,538,606
Public Law No. 85–864, Title III program 3	1,057,428	577,629	1,635,057
Public Law No. 85-864, Title V program 4	277.661	141,276	418,937
Illiteracy, Adult Basic Education	501,288	192,191	693,479
Elementary and Secondary Education Act of 1965, P.L.	•	•	•
89-10, title I 5	23,170,983	7.266.954	30,437,937
Elementary and Secondary Education Act of 1965, P.L.			
89-10, title 2 6	1,012,176	406,618	1.418.794
Elementary and Secondary Education Act of 1965, P.L.	-,,	,	_,,
89–10, title 3 <sup>7</sup>	945,299	380,038	1.325.337
Other	236,121	559,976	796,097
	200,121		
Total Federal funds	34,624,525	14.781.614	49,406,139
	0 -,02 -,020		-0,200,200

<sup>1</sup> School assistance to federally affected areas—aid for school construction.

School assistance to federally affected areas—aid for general operating expenses.
 National Defense Education Act—financial assistance for strengthening science mathematics and modern foreign language programs.

4 National Defense Education Act—financial assistance for counseling and guidance training

institutes.

<sup>5</sup> Title I authorizes Federal support to local public educational agencies for special educational programs for educationally deprived children in attendance area where low-income families are concentrated.

Title II authorizes Federal financial assistance for school library resources.
 Title III authorizes Federal financial assistance for supplementary educational centers and services.

<sup>17</sup> Id.

<sup>18</sup> State summary from Annual Report (1961); Statistical and Financial data for 1966-67, issued by the State Board of Education, Part II, p. 18.

#### Exhibit No. 27

TESTIMONY OF GEORGE W. DORSEY TO BE GIVEN BEFORE THE HEARING OF THE U.S. COMMISSION ON CIVIL RIGHTS MAY 1, 1968, MONTGOMERY, ALABAMA

My name is George W. Dorsey and I reside at 1009 Cresthaven Drive, Silver Spring, Maryland 20903. I was appointed as Acting Director, Civil Rights Program Policy Staff, Office of the Administrator January 9, 1968, and Director as of April 18, 1968.

The administration of General Services responsibilities under Parts II and III of Executive Order 11246, as amended, is a joint responsibility of the Civil Rights Program Policy Staff, Office of the Administrator; Civil Rights Division, Office of Management Investigations and Review; Deputy

Contracts Compliance Officers; Civil Rights Program Coordinators; Contracting Officers; and other procurement officials and program managers.

The Civil Rights Program Policy Staff, the Director of which is designated as the Contracts Compliance Officer, is responsible for the overall administration of the total GSA Equal Employment Opportunity Program, under the policy direction of the Deputy Administrator. The Civil Rights Program Policy Staff consists of a Director, two full time staff assistants, one Area Coordinator for Construction (OFCC) and two clerical assistants.

The Civil Rights Division, under the Office of Management Investigations and Review, is responsible for the compliance review and inspection program. They conduct three types of compliance reviews: (1) Routine, (2) Special and (3) Preaward, upon request from the Civil Rights Program Policy Staff. The staff of the Division consists of 10 professionals and 4 clerical employees. The investigators or agents are located in the cities of Washington, Atlanta, Chicago, New York, San Francisco and Fort Worth. Other

agents are utilized on occasions for compliance surveys.

Routine reviews are general "on-site" surveys made through the use of GSA Form 1953, Nondiscrimination Survey of Government Contractor, to ascertain the compliance of a contractor or subcontractor. The Special Agent making the survey may make recommendations to a contractor designed to correct deficiencies in equal employment policies and practices detected during the survey. Examples of such recommendations are the elimination of segregated facilities, improvement of recruitment techniques, promulgation of plans to merge functionally related but racially segregated lines of progression. He does not advise the contractor that he is in compliance or will be in compliance if he adopts recommendations of the Agent. Copies of Form 1953 and recommendations are forwarded to the Civil Rights Program Policy Staff for evaluation and a determination as to the contractor's compliance posture. Analysis of the report may reveal deficiencies and a peed for correspondence with the contractor's compliance ciencies and a need for correspondence with the contractor to take remedial action. Sometimes the review indicates a need to request corporate officials to confer with the Civil Rights Program Policy Staff in Washington about their equal employment opportunity posture. Failure of the contractor to remedy deficiencies in his equal opportunity policies and practices, may form the basis for the imposition of sanctions. The Civil Rights Program Policy Staff makes recommendations regarding sanctions to the contracting officer.

Special reviews are more comprehensive and include a narrative report in addition to a completed GSA Form 1953. On occasion these reviews may be made at the request of the Office of Federal Contract Compliance when they are monitoring a specific industry or there have been a large number of compliants. In such instances, a copy of the completed survey report with comments by the Civil Rights Program Policy Staff is forwarded to the Office

of Federal Contract Compliance.

Contracting Officers are required to request Preaward Compliance Reviews of the employment practices of the apparent low bidder of any formally

advertised supply contract of \$1 million or more.

If GSA is the designated compliance agency, the Civil Rights Division is requested to make a comprehensive review of the contractor's employment practices and policies unless a survey was made during the past six months. When another agency is designated as the compliance agency, they are asked to conduct the survey with a request for a report on findings and conclusions within 30 days.

Discrimination complaints by applicants or employee against contractors for which GSA is the compliance agency are investigated by the Civil Rights Division. Reports of the investigation and recommendations as to the merit of the complaints are forwarded to the Civil Rights Program Policy Staff for evaluation and final agency determination. Reports on the findings and conclusions of all such complaints are reported to the Office of Federal Contract Compliance.

Before making a determination regarding a prospective contractor's ability to comply with the provisions of the Equal Opportunity clause, contracting officers are required to coordinate with the Contracts Compliance Officer.

In general, compliance surveys continue to reveal the traditional pattern of Negro employees occupying primarily unskilled and semiskilled jobs. Notwithstanding efforts made by contractors to desegregate facilities, there are instances of Caucasians boycotting the integrated facilities and Negroes continuing to utilize the former segregated facilities.

Exhibit No. 28

EXDO Tomoto

## Dixie Tomato & Produce Co., Inc.

Office of President
450 FINLEY AVENUE, W.
BIRMINGHAM, ALABAMA 35204
April 29, 1968

HERMAN S. CHEMELL

EXDO Bonon

Commissioner
Ciyil Rights Commission
Maxwell Air Force Base
Montgomery, Alabama

Dear Sir:

With reference to the public hearings now in session at Maxwell Air Force Base as to "Why unemployed farm people who have migrated to urburn areas in Chicago, Detroit and other northern states are causing riots, unrest and other unlawful acts", I wish to submit some ideas for solution of this migration problem for the Commissioner's consideration.

In 1965, the Honorable Vice President Hubert H. Humphrey had a plan to do something about the migration to the north problem. I worked with a field representative out of Vice President Humphrey's office in the Selma, Alabama area on the feasibility of this program. In my mind it was a workable plan. Being a farmer and from a twenty-five year association with 40% of the produce farmers in this area, I have knowledge of the change over due to the demise of King Cotton as the primary cash crop in Alabama and the changes therefrom. This caused thousands of acres of farm land to become idle and thus the migration of the small farmers and tenant farmers to the cities of the north hoping to land a job.

With the cooperation of the U.S. Department of Agriculture, Washington, D.C. and the Office of Economic Opportunity (OED), the Southwest Alabama Farmer's Co-op Association (S.W.A.F.C.A.), Selma, Alabama, was organized in 1967, for the purpose of lending a helping hand to the small family farm operation and sharecroppers in ten counties in Central Alabama.

It is my understanding from what I read in newspaper articles that this organization's function was to find a market and a sale of farm produce - peas, okra, sweet potatoes, etc. This was to be accomplished with a full staff to work with the member (article in Birmingham paper by Mr. James Free, Washington News Correspondent).

Page: 2

The Co-op had sales in 1967 of \$115,099.00 for the first year of operation. Even accounting for unforseen pitfalls, it is not unrealistic, using the 1967 sales figure, to envision a break even point within five years. Through efficient organization and administration, not only could the S.W.A.F.C.A. be the means of stopping the migration to the north of unemployed workers but could be a profit making organization.

It is my hope that co-ops patterned after the S.W.A.F.C.A., Selma, Alabama will be organized in Texas, Georgia, North and South Carolina, or any state in the union that has this change-over problem. The only self sustaining plan for the "Forgotten Small Farmer" is to stay at home and have a market for what he produces on the farm.

Just as in 1933, the small grocery stores thoughout the land saved themselves from being run out of business by the large chain store operations by establishing successful co-ops, such as Associated Grocers of Alabama and other associated grocery co-ops in other states, this same method can keep the small, one man farm operation in existence.

4.5

Your friend,

Herman Chemell,

President

HC/das

#### Exhibit No. 29

#### STAFF REPORT

#### Vocational Education in the 16 COUNTY HEARING AREA AND IN ALABAMA

During the year ending June 30, 1967, 477 schools in Alabama offered vocational education. The bulk of these schools, 448 or 94 percent, were regular or comprehensive secondary schools; 27 were technical or vocational schools; one, a junior or community college; and one a college or university. The secondary schools provide vocational training for in-school youth; the technical or vocational schools provide vocational training for out-of-school wouth and adults. All are under south orders to describe the description.

youth and adults. All are under court orders to desegregate.

In the fiscal year ending June 30, 1967, a total of \$21.4 million was spent for vocational and technical education in Alabama. The Federal contribution was \$4.4 million or about 21 percent. The remainder of about \$17.1 million was divided between the State and localities. The localities contributed almost 47.5 percent and the State 32 percent of the total. In addition, \$2.7 million was spent for area vocational school construction, which was divided equally between the Federal Government and localities. Three-quarters of the work study program expenditures of \$54,000 were supplied by the Federal Govenment and one-quarter by localities. Work study programs provide parttime employment for youths who need the earnings to continue vocational schooling on a full-time basis.

In the current fiscal year, which ends June 30, 1968, the Alabama Division of Vocational Education estimated that a smaller sum would be spent than in fiscal 1967, namely, \$19.5 million, on vocational education in Alabama, exclusive of construction for area vocational schools and the work study program. Estimated expenditures are 8½ percent less than those in fiscal 1967. The major reduction is in expenditures of localities which will drop from \$10.1 million in fiscal 1967 to \$7.4 million in fiscal 1968. Federal expenditures will remain about the same in both fiscal years, \$4.4 million; expenditures of the State will rise from \$6.9 million to \$7.8 million. The amount estimated to be spent on area construction will rise from \$1.4 to \$1.5 million, to be shared equally by the Federal Government and localities in Alabama. Expenditures for the work study program will also rise from \$54,000 to \$250,000, shared by the Federal Government and the localities in the ratio of

75 and 25 percent, respectively.

During the 1967 fiscal year, 127,011 individuals were enrolled in vocational education courses in Alabama; 72,226 or 57 percent, were in secondary

schools.

This report examines a selected number of State trade schools located in the 16 county hearing area or serving that area and the vocational education departments of a selected number of secondary schools in the same area.

#### STATE TRADE SCHOOLS

The 27 State trade schools in Alabama are authorized on the basis of three State acts, the first of which was passed in 1947 and the last in 1963. Federal monies were not involved in their construction. The Federal financial assistance in these schools is in such services as practical nursing, computer programming, drafting and design, and electronics technology. Otherwise, these schools are State operated and State financed. The State trade schools are subject to the State Department of Education and fall, more particularly, in the jurisdiction of the division of vocational education.

State trade schools are examined in two contexts:

A. Where two schools are located in the same city, namely, Tuscaloosa

and Montgomery.

B. Where individual schools are located in different cities and counties, namely, Eufaula (Barbour County), North Evergreen (Conecuh County), Opelika (Lee County), Selma (Dallas County) and Thomasville (Clarke County).

#### A. PAIRED SCHOOLS

An examination of the two cases of schools in pairs, in terms of total enrollment and enrollment by course by race, indicated that one school in each pair is essentially the Negro school with very few white students in it and the other school is essentially the white school with some Negro students in it.

Enrollment Pattern

Two State trade schools are located in Tuscaloosa, the Tuscaloosa State Trade School, and the Shelton State Technical Institute. The Shelton school

opened in 1953 and the Tuscaloosa School in 1965.

The enrollment at the Tuscaloosa State Trade School is 205, all of whom are full-time day students and all of whom are Negro. At the Shelton State Technical Institute, also in Tuscaloosa, there are 332 day students of whom 25-30, or about 9 percent, are Negro; the remainder are white. There also are 39 half-time night students at Shelton, of whom between 10-15 are Negro.

The Tuscaloosa School has 13 instructors, all of whom are Negro; the

Shelton School has 25 instructors, all of whom are white.

A similar comparison of the two State trade schools in Montgomery, both of which opened in 1966, also shows racially separate enrollments. The enrollment at the Harper Council Trenholm State Vocational Technical School is 334, all of whom, but one, are Negroes. The enrollment at the John M. Patterson State Vocational Technical School, also in Montgomery, is 332, of whom 15 are Negroes, about 4½ percent of the total. The Trenholm School has 19 instructors all but one of whom is Negro. The white instructor teaches the unit record curriculum for data processing. There are 29 instructors at the Patterson School, all of whom are white.

structors at the Patterson School, all of whom are white.

In Tuscaloosa, the predominantly white Shelton School serves all of Tuscaloosa County, except the upper one-fifth, parts of Pickens and Sumter Counties and all of Greene, Hale, and Bibb Counties. The Tuscaloosa School serves all of the counties served, in whole or in part, by the Shelton School. Thus, Negroes in these counties who desire to go to a State trade school and who have the qualifications to do so may choose a Negro school and, clearly, most of them have chosen to go to the premodinantly Negro Tuscaloosa School. And, white students are provided with an opportunity to choose a

white school.

The Tuscaloosa School also serves five counties not served by the Shelton School. Two of these counties are in the 16-county hearing area—Marengo, served by the predominantly white Richmond P. Hobson State Trade School at Thomasville, and Perry, served by the predominantly white William Rufus King State Trade School in Selma. Thus, the effect is to present potential white and Negro students with an opportunity to choose schools segregated by race.

A student is not necessarily restricted to the trade school serving his area. For example, if a school does not offer a desired course, a student may enroll in another State trade school. But bus service to a school is provided

only in the area served by it.

Montgomery presents a similar situation. The predominantly Negro Trenholm School serves all of Montgomery County and eight other counties besides.<sup>2</sup> In fact, according to the school's catalog, the school serves an additional 20 counties. The original jurisdiction, the director said, was based on the belief that the school would be the only trade school for Negroes in that part of Alabama. However, this has changed. There exist a number of other State trade schools in the area which provide some openings for Negroes, thus making it unnecessary for the Trenholm School to handle the needs of all Negroes. The director of the Trenholm School stated that, effectively, the school serves eight counties, in addition to Montgomery. No bus service is provided to Barbour, Russell, Coffee, Covington, Coosa, and Talladega Counties and students from these counties board in Montgomery.

The predominantly white Patterson School serves Montgomery, all of two counties, and portions of four other counties all but one<sup>3</sup> of which also are

served by the Trenholm School.

The Trenholm School also serves an additional three counties—Dallas, Butler and Macon—in the 16-county hearing area which also are served by predominantly white schools. The predominantly white King School serves

<sup>&</sup>lt;sup>1</sup> The director of the Tuscaloosa School said that he sought to make a distance of 70–75 miles from the school the outermost limit; a student should not need to ride the bus for more than two hours.

<sup>Statement of school director.
Chelton County.</sup> 

Dallas County. The predominantly white Ed E. Reid State Trade School serves portions of Butler County. The predominantly white Opelika State Vocational Technical Institute serves Macon County. Thus, the effect is to present potential Negro students in these three counties with an alternative to choosing a white school and the major response has been to choose the Negro school, namely, the Trenholm School.

The directors of both trade schools in Tuscaloosa told staff members that if a chulent lives outside of the district reserved by their school has in permitted

if a student lives outside of the district served by their school he is permitted to attend their school only if a course he desires to take is not offered in the trade school serving the area in which he lives. Nevertheless, in counties in which only one trade school is located, students are permitted to attend a school in another district regardless of availability of courses. In the hearing area these schools—which share the jurisdiction of the county in which they are located with another trade school—without exception are predominantly white and the school that they share jurisdiction with is predominantly Negro.

For example, some Negro students from Selma travel 51 miles to the Trenholm School instead of attending King School in Selma. Only seven

Negro students attend the predominantly white King School.

#### Recruitment among one race only

Another factor that explains the enrollment results described above is that

the directors of the schools recruit among the members of one race only.

The director of the Tuscaloosa School stated that, although the school is open to Negroes and whites, only Negro students apply. He stated that he has not tried to recruit white students. He has visited only Negro secondary schools for this purpose.

The director of the Shelton School in Tuscaloosa stated that he has no systematic procedure for contacting potential Negro students for his school. He talks to seniors in white secondary schools and invites groups from local white high schools to visit the school, but very few groups from Negro schools visit the Shelton School.

The director of the Trenholm School in Montgomery said that he has not sought invitations from the principals of white schools to speak before their interested seniors. He has received one invitation from a white school to speak at a career day conference, which he attended. He has sought invita-

tions from Negro high schools.

The director of the Patterson School stated that he has not written to the principals of Negro high schools for permission to speak before the graduating seniors who do not plan to go on to college (although he does recruit from white schools.) He has not been invited to a career day in a Negro high school. The principal or guidance counselor of a Negro high school can write in and ask for a tour of the Patterson School and tours for such students have been conducted.

#### Identical course offerings

A second finding with regard to the paired schools is that, though within relative proximity of each other, a significant number of identical course

offerings are given at both schools.

Seven identical courses are taught in both the Tuscaloosa and Shelton Schools. These courses are: autobody and fender repair, auto mechanics, electricity, radio and television repair, refrigerator and air conditioning, cosmetology, and practical nursing. The Tuscaloosa School offers a course which covers typing, bookkeeping, shorthand, and accounting. The Shelton School offers stenography as a separate course.

In Montgomery, 10 identical courses are taught in both the Trenholm and Patterson Schools, namely, cosmetology, business education, data processing (or computer programming), practical nursing, automotive mechanics, autobody and fender repair, electricity, electronics technician, radio and television repair, and refrigeration and air conditioning.

Duplicated courses such as those listed above support an inference that the schools are intended to serve racially different populations. They also suggest that an integrated institution would provide savings which could be used to support needed additional courses or needed ancillary services not presently available, for example, guidance counseling.

Cosmetology is among the duplicate courses in the above lists. It is argued that a cosmetology course for white beauticians is a different course than one for Negro beauticians because of differences in hair and styling. There appears to be a difference of opinion on this matter: nevertheless, this practice has an effect on the racial imbalance of the schools.

Dissimilar course offerings

Differences in course offerings have the effect of limiting Negro students to traditional jobs and to lesser skilled trades. Examination of the offerings suggests that some of the skills taught at the white schools and not taught at the Negro schools are of a relatively high level which also tend

to provide higher paying jobs.

The white Shelton School in Tuscaloosa offers the following courses which are not offered at the Negro Tuscaloosa School; electronics technician, data processing, mechanical drafting and design technology, cabinet making, diesel mechanics, machine shop practice, welding, barbering, and stenography (as an intensive course). Negro students could enroll in these courses at the Shelton School; however, few Negroes do so, 35-45 out of a student body

Two courses are given at the predominantly Negro Tuscaloosa School which are not given at the Shelton School, upholstering and clerical. Both are low-skill jobs in the Birmingham area.4

A comparable situation exists in the two Montgomery schools. The following courses are taught at the predominantly white Patterson School but not at the predominantly Negro Trenholm School: barbering, welding, automotive and furniture upholstering, machine shop, mechanical drafting and design technology, offset duplicating technology, watch repair and gasoline and diesel farm and industrial equipment repair. Three courses are given at the Trenholm School but not at the Patterson School, namely, brick masonry, carpentry and building construction, and commercial sewing. These are traditional Negro occupations in the Montgomery area.

Requirement for a high school diploma

The evidence suggests that the proportion of students who are high school graduates or the equivalent, is higher at the Tuscaloosa and Trenholm Schools than at the white schools.

The director of the Tucaloosa School stated that only a small percentage of the students, 1 percent, enrolled in this school do not have a high school diploma or its equivalent. However, high school dropouts with nine years of schooling are considered for some courses, such as auto mechanics, autobody and fender repair and radio and television repair. Dropouts with less than nine years of schooling are \*also considered for some courses.

The director of the predominantly white Shelton School said that about 50 percent of the students enrolled in the following courses do not have a high school diploma or its equivalent: autobody and fender repair, auto mechanics, electricity, cabinet making, and welding.

At the Trenholm School, the director stated that between 80-85 percent of the students have a high school diploma or its equivalent. In courses such as auto mechanics, autobody and fender repair, refrigeration and air conditioning, cosmetology, commercial sewing, and carpentry, students with a 10th grade education or higher can be enrolled. In a number of courses, brick masonry and autobody and fender repair, students with less than a 10th grade education can be entered but in no case with less than an 8th

The director of the predominantly white Patterson School stated that 60 percent of the enrollees do not have a high school diploma or its equivalent. A diploma or equivalent is required in the secretarial course (with which general clerical and junior accounting are combined), computer programmers, IBM operations, practical nursing and mechanical drafting and design technology. For cosmetology, completion of the 10th grade is required. An applicant who has not completed the 8th grade will be permitted to enter the upholstering and autobody and fender repair courses.

<sup>4</sup> The director of the Tuscaloosa School acknowledged that in choosing courses he had, perhaps, not given much consideration to the economic opportunities offered by the various skills.

#### B. NON-PAIRED STATE TRADE SCHOOLS

In addition to the two sets of State trade schools in Tuscaloosa and Montgomery, five other schools were examined at individual locations in the 16-county hearing area or, if located outside that area, nonetheless serve that area, in whole or in part. The schools and their locations are the Hobson School in Thomasville, the King School in Selma, the Opelika School in Opelika, the Reid School in North Evergreen and the Sparks School in Eufaula. These schools are located in counties originally intended to be conved by the Thomason and Translem Schools served by the Tuscaloosa and Trenholm Schools.

One finding which emerges from this examination is that two of the five, the Hobson School and the King School, are essentially white schools. The Hobson School, with an enrollment of 150, has one Negro. The King School, with an enrollment of 139, has seven Negro students.

In the remaining three schools, however, the number of enrolled Negroes represent significant proportions of the total enrollment. In the Opelika School, out of an enrollment of 400, about 60 students or 15 percent are Negroes. In the Reid School, out of an enrollment of 140 students 25 or 17 Negroes. In the Reid School, out of an enrollment of 140 students, 25 or 17 percent are Negroes. In the Sparks School, 31 Negroes are enrolled out of 140 or 22 percent.

The instructors at all five non-paired State trade schools are white. The director of the Opelika School said that he is looking for a Negro instructor in three courses, practical nursing, data processing, and business education. At this time, there is one opening. He has contacted, he said, Tuskegee and other institutions but has not found someone to fill the vacancy.

Recruitment for students

Information is available about the recruitment activity of the directors of four of the schools (excluding the Sparks School). Although none of the directors carries on an aggressive recruitment program among potential Negro students, there is some evidence that the directors of the schools with relatively large percentages of Negroes were more active in appearances before Negro audiences than was the case for directors of schools with small percentages of Negroes.

The director of the Hobson School said he did not know why there are so few Negroes at the school for they would be processed in the same manner as white applicants. He thought that, since the school opened, between 6-10 Negroes have applied. The director stated that he does not have specific procedures to publicize the courses given in the school; the school, when built, received publicity.

The director of the King School stated that he has no systematic pattern for recruitment. In general, he will wait until invited to speak before secondary students. He has on occasion spoken to Negro Parent-Teachers Associations and to Negro Boy Scout Troops. His assistant attended two career days in Negro secondary schools. The director said he would go anywhere in the area which his school serves, if invited. He believes that the students at the local Negro school in Selma, the Hudson School, would feel invited to the King School because some Negro students are already enrolled. invited to the King School because some Negro students are already enrolled.

The director of the Reid School (17 percent Negro enrollment) explained that in connection with recruitment a series of articles about the school that in connection with recruitment a series of articles about the school and its offerings are prepared for six county newspapers and for two Montgomery papers. Local residents in the area served by the Reid School read these newspapers. The director said he does not regularly address secondary school students, but will address them if invited. He has appeared at three Negro schools. The director noted that he does not, however, actively solicit invitations. The reason for this is the limited budget on which the school is operating. He hopes to be given permission to hire a recruiter. The director stated that he makes no effort to keep in touch with white and Negro leaders in the community.

white and Negro leaders in the community.

The director of the Opelika School (22 percent Negro enrollment) stated that he or his representatives will speak before school audiences on invitation only. Last year, representatives from Opelika School visited three or four predominantly Negro schools, Darden, Tallapoosa, Auburn and Drake High Schools. Assemblies and career days were attended. An assembly program about the Opelika School was presented at the Randolph County Training School in Roanoke. News media, including the radio are also used.

#### Employment experience

The director of the predominantly Negro Trenholm School stated that the employment experience of the few classes that had graduated has been good. Of 51 graduates, 41 or 86 percent are employed in the trade for which they were trained and three in related, but lesser skilled positions. The remainder have left the labor force because of marriage, have gone on to college, or information about them is not available.

The director of the predominantly Negro Tuscaloosa School knew of the employment experience of the 90 students who had graduated since July 1, 1967. Seventy-five students, 83 percent of those who had graduated, are employed; seven students, 7½ percent, are unemployed. Of those who are employed, 68 or 75½ percent are in jobs for which they were trained or in allied jobs; seven students, 7½ percent of the total, are in other jobs. The status of eight graduates is not known.

Some information regarding the employment experience of graduates from the Patterson School is available, although not on the same basis as the information previously described. In the period 1963-1968 there were 580 graduates from the school. Only 318 of these responded to a request for a follow-up report. Of those who thus responded, 238 or 74.5 percent reported they are gainfully employed; the bulk of those employed, 221, are working at skills for which they are trained or in related skills; seven graduates or 7 percent are working at unrelated skills. Information is not available as to the employment status of the remaining 80 who did respond and of the 262 who did not respond.

#### Vocational Education in Secondary Schools

This section examines vocational education programs offered by public schools in the 16-county area under study. After a brief introduction, this section reviews public school vocational education in school systems located in Butler, Monroe, Dallas, and Clarke Counties.

Public schools in Alabama variously offer: (i) intensive programs of vocational education, (ii) non-intensive programs of vocational education, or (iii) some combination of the two. Individual school systems fashion their own programs, and there is wide variation among school systems in what is

Under non-intensive vocational education, vocational courses are taken one period each day, like regular academic subjects. Courses widely offered on this basis in the 16-county area are the following:

(1) Vocational agriculture. Originally designed as a course to train high school students for farming, this course has typically been broadened in recent years to include vocational skills useful around the home and farm, with an emphasis on farming practices.

(2) Vocational home economics. This course teaches cooking, sewing, home

management, and similar skills.

(3) Business education. Courses widely offered are typing, shorthand, and bookkeeping.

Two different types of intensive vocational education programs, also,

are taught in some public secondary schools in the 16-county area.

(1) Day trades. Under the day trades vocational program, high school students spend two years studying a specific trade; one half of each school day is devoted to academic courses and the other half to instruction in the trade, conducted in the school. Graduates of this program are qualified to enter their trade after graduation.

(2) Cooperative education. As in the day trades program, high school students study a specific trade, generally for two years; the distinctive feature of cooperative education is that the student spends about half each day actually practicing the trade with an employer in the community. Cooperative education programs are, in turn, of two types:

(i) Industrial cooperative training. Trades taught in industrial cooperative training are those pertaining to design, manufacture and servicing of goods, and furnishing of technical services.

(ii) Cooperative distributive education. This program teaches trades in the field of merchandising.

Prior to the opening of school in the fall, a survey is made of local business establishments to obtain commitments with regard to trainees for industrial cooperative training and cooperative distribution education programs. The matching of a particular student to a particular establishment is worked out on the basis of interviews between the employer and the potential trainee. Since private employers are the source of training, the refusal of white businessmen to hire Negro employees, together with the low number of Negro businesses, have prevented the establishment of cooperative education programs in all but a few Negro high schools in the State.

During fiscal year 1968, the only vocational education offered in the secondary schools of eight<sup>5</sup> of the 16 counties under study was vocational agriculture and home economics. In the same period, among all of Alabama's 67 counties, only nine others similarly offered only vocational agriculture

and home economics.

#### A. DALLAS COUNTY (SELMA)

In predominantly white Parrish High School,<sup>6</sup> in Selma, about 1,150, or 75 percent of the students are pursuing college preparatory work. The principal of this school stated that perhaps 800 of these will stay in the program until graduation. In Hudson High, (Negro),<sup>7</sup> also in Selma, about 500, or 31 percent of the students pursue the college preparatory course of study.

The remaining students in both schools are enrolled in the general course

of study and in vocational and commercial courses.

#### Vocational courses

The vocational courses at the white and Negro schools are similar in

certain respects but differ in others.

Business education courses are taught in both high schools. Both schools in Selma have a program of industrial cooperative training. The trades taught in this program at Parrish High include auto mechanic, electrician, auto body and fender repair, medical-technical assistant and X-ray technician. At Hudson High, the trades include mortician, barber, X-ray and laboratory assistant, dental assistant, tailor, auto mechanic, IBM computer training, meat cutting, and nurses' aide.

The coordinator of vocational education at Hudson High further stated that after training in such trades as laboratory assistant, dental assistant, auto mechanic, nurses' aide, cosmetology and office occupations, Negro trainees find it necessary to leave Selma to seek employment elsewhere.

Vocational agriculture is given at predominantly white Parrish High, but not at Hudson High. This program involves one period of instruction each

day for four years. In their senior year, students can work for a half day in a training station in agriculture or in a related occupation.

Parrish High has a program of cooperative distributive education; Hudson High does not. The coordinator of vocational education at Hudson High said that he has tried to obtain a cooperative distributive education program but has been unsuccessful. The State authorities informed him, he said, that because there is little employment opportunity for Negro trainees in

this type of work in Selma, a program would not be justified.

The students enrolled in this program at Parrish High are in retail and wholesale trade, finance, insurance, real estate, and other fields.

Hudson High has a day trade program whereas Parrish High does not. The trades offered are a preparatory course for office occupations, which includes bookkeeping, typing, shorthand, business mathematics, and English; cosmetology; auto mechanics; trowel trades (bricklaying, cement finishing, and plastering); and occupational home economics, which consists principally of commercial sewing. (The machines for this course were provided by Laura Industries at Selma.) The day trade classes at Hudson High, the coordinator of vocational education said, for the most part are not included among the trades covered in the industrial cooperative training program.

The coordinator of vocational education at Hudson High indicated that

separate job surveys are conducted for the industrial cooperative education

Autauga, Bullock, Choctaw, Hale, Marengo, Perry, Sumter, and Wilcox Counties.
 Enrollment: 1,575 white students; 36 Negro students.
 Enrollment: 1,614 Negro students.

programs at his school and at Parrish High. He said he contacted both Negro and white business establishments in his own survey, but that it was his understanding that the coordinator of vocational education at Parrish High contacted white establishments only. He stated that the industrial cooperative training program at Hudson is limited essentially to Negro establishments in the town of Selma. He has found that few white business owners were prepared to cooperate with him in accepting trainees for his program. Furthermore, he has found that in white establishments the duties of the Negro trainee frequently deteriorate into cleaning and dusting.

#### B. MONROE COUNTY (MONROEVILLE)

At predominantly white Monroe High School about 80 percent of the graduates go to college. At Union High, (Negro) 10 out of the enrollment of 721, about 21 percent are pursuing a college preparatory course of study. Both schools are located in Monroeville.

#### Vocational courses

Both schools offer vocational agriculture. The courses are more related to shop skills than to farming. At Union High some welding is taught in the vocational agriculture course.

Both schools offer home economics. At Union High, the course is divided between vocational economics for the home and occupational home economics. The latter course was introduced in 1968.

Both schools provide business education courses in typing, shorthand, bookkeeping and office practice. The principal of Monroe High said that these courses at his school do not prepare students for an occupation.

Union High generally offers a full curriculum in commercial courses. The business education teacher left recently and has not been replaced as yet; the school therefore is offering at this time only typing, shorthand, and office practice. Students may take instructional training at the school and be employed part of the day.

Neither Monroe High nor Union High has a cooperative distributive

education program.

There are significant differences among the vocational offerings at the schools. Monroe High School has an industrial cooperative training program; Union High has none. The occupations offered in this program at Monroe High include, among others, dental assistant, doctor's assistant, home appliance repair, auto body and fender repair, auto service specialist, and commercial photographer. No Negro students at Monroe High have applied for this program.

Union High has a two-year day trades course in brick masonry, whereas there are no day trade classes at Monroe High. Brick masonry is a traditional Negro trade in the area.

#### C. BUTLER COUNTY (GREENVILLE)

Vocational agriculture and home economics are given at both the predominantly white Greenville High School and the Negro Southside High School in Greenville. Vocational agriculture, however, is being phased out at Southside High. Both schools provide business and office education, as a preparatory course for clerk typist or file clerk. The subjects covered include typing, shorthand, filing, basic bookkeeping and clerical record keeping.

Both schools have an industrial cooperative training program. The trades involved in this program at Southside High include nurses' aide, dry cleaning,

10 Enrollment: 721 Negro students.

<sup>8</sup> The coordinator provided the Commission staff investigator with a recapitulation of the annual survey made in the summer of 1967 for the Hudson industrial education program. The survey indicates the number of cooperative students needed, and the number of Negro cooperative students the establishments visited were prepared to take Fourteen butchers are listed as needed, but only one Negro trainee will be taken; eight clerks needed, but no Negro trainees will be taken; 11 telephone operators needed, but no Negro trainees will be taken; seven cashiers needed, but only one Negro trainee will be taken; 47 nurses needed, but only three trainees will be taken; 12 bookkeepers needed, but no trainees will be taken; nine laundrymen needed, but no trainees will be taken where the establishments were not prepared to take any trainees, the director of vocational education at Hudson High said, the reason was that no Negro trainees were wanted.

9 Enrollment: 588 white students; 12 Negro students.

barbering, commercial cooking, dietetic aide and meat cutting. The trades offered in the program at Greenville High include nurses' aide, laboratory and X-ray technician, hospital attendant, auto body and fender repair, auto mechanic, carpentry, electronics, plumbing, drafting, television repair, sheetmetal work, cosmetology, floral design and mortician's assistant.

Both schools have cooperative distributive education programs. However, the size of the programs differ substantially; 44 students are enrolled in the program at Greenville High and seven at Southside High. The trades taught at Greenville High include selling jobs. At Southside High, there are taught selling jobs, but only such as stock clerk and bag boy. The director of vocational education in Butler County stated that some of the small merchants will not accept Negro trainees. He added that the program at Greenville High has been in existence longer than the program at Southside High, and that, therefore, merchants are more familiar with it.

Day trade classes are offered at Southside High but not at Greenville High. These classes were started two years ago. The crafts offered are masonry, carpentry, cosmetology, and auto mechanics. Some students from Austin High School, a Negro school in nearby Georgiana, also attend these classes. The director of vocational education in Butler County stated that, in his judgment, there is a great need for day trade classes in the white high school. An application for a day trade class in mechanical drafting has been submitted. Another submission is to be made for day classes at Green-

ville High for welding, metal work and plumbing.

Greenville High has a cooperative business and office education program; none is offered at Southside High. This program has the same cooperative feature as the industrial and distributive education programs. The trainees in the business and office education program are in the following kinds of offices: insurance, law office, hospital and doctor's clinic, tractor company, auto dealer, bank, utility and credit bureau.<sup>11</sup>

#### D. CLARKE COUNTY

Clarke County offers its students few vocational education courses. There are six secondary schools in the county: Wilson Hall, Clarke County Training School, and Harper High which are all-Negro schools, and Clarke County High School, Coffeeville High School and Jackson High School, which are predominantly white schools.

Vocational offerings

In both the white and the Negro schools in Grove Hill, vocational agri-

culture, home economics, and commercial courses are given.

The commercial courses taught include business education, typing, stenography, bookkeeping and business law. Unlike vocational agriculture and home economics, the county receives no reimbursement for the salaries of

the teachers in the commercial courses.

At both the white and the Negro schools in Coffeeville, the vocational offerings are the same: vocational agriculture, home economics and business

education.

In Jackson a significant difference exists between the vocational course offerings. The white school, Jackson High, has industrial cooperative and distributive education programs; the Negro school, Harper High, has neither.

There are no cooperative training programs at any of the other schools

in the county.

The trades covered in the industrial cooperative training program at Jackson High include auto mechanics, machine shop practice, radio and television repair, cosmetology, nurse's aide, appliance repair and dry cleaning. The establishments covered in cooperative distributive education include supermarkets, appliance stores, dry goods and apparel, food service and others.

Jackson High has, in addition to the above programs, vocational agriculture, home economics and commercial courses. Harper High, the Negro

<sup>11</sup> Apart from the in-school training described in the text, a one year post-graduate course is being given for Licensed Practical Nurse. The first class consisted of 12 students, 10 white and two Negroes. Of the 12, all of whom completed the course, nine passed the State examination; seven white and two Negro. Six whites and two Negroes are enrolled in the course at present.

school, has home arts and commercial courses but no vocational agriculture. The superintendent of education in Clarke County said that a request has been made for a unit of vocational agriculture at Harper High.

been made for a unit of vocational agriculture at Harper High.	uamı 1069
TABLE I.—Shelton State Technical Institute, Tuscaloosa, Ala., February [Tuscaloosa County]	
Date school opened Total enrollment	Jetober 1983
Doy students	335
Full-time day students Half-time high school day	305
Half-time high school day	27
Half-time night studentsNumber of Negro students	3545
Day	25-30
Night	10-15
Total number of instructors	25-29
Number of Negro instructorsCounties review Counties review Creams Hele Ribb Three-lease (Treemt portless one 66th) Di	(one
half), Sumter (upper half)	скень (оне
Courses Enrollment Numbe	r of Negroe
Autobody and fender repair 12 So	me
Automotive mechanics 33 Sc	me
	me me
	o course
Cosmetology	me
Data processing 23	or 2
Diesel mechanics	me
	one one
Machanian Julitium and Jacks task-alam	one me
Practical electricity 36 Sc	me
Practical nursing 20 Sc	me
16   Sc	one one
Stenography45 Sc	me
UpholsteringNo course N	course
Welding 19 No	one
Date school opened [Tuseanosa County]  Total enrollment [Tuseanosa County]  Day students [Tuseanosa County]  Full-time day students [Tuseanosa County]  Half-time high school day [Tuseanosa County]  Half-time high school day [Tuseanosa County]  Half-time high school day [Tuseanosa County]  Number of Negro students [Tuseanosa County]  Night [Tuseanosa County]  Full-time day students [Tuseanosa County]  Number of Negro instructors [Tuseanosa County]  Counties served: Tuseanosa County [Tuseanosa County]	20 Non 20 20
Courses	Enrollmer
Autobody and fender repair	17
Automotive mechanicsBarbering	No course
Cabinet making	No course
Clerical	9
Cosmetology	17
Data processing	No cours
	No cours
Machine shop practice	No cours
Machine shop practice  Mechanical drafting and designing technology  Practical electricity	
Dec att = 1	21
ractical nursing	4 F
Radio and TV repair	4 F
Refrigeration repair and air conditioning	15 16
Practical nursing Radio and TV repair Refrigeration repair and air conditioning Stenography (Business education) 2 Upholstering Welding	15 16

<sup>&</sup>lt;sup>1</sup> Six part-time day students are included who are veterans and who are enrolled in the auto mechanics course. These students have part-time jobs and wish to take part of the training at a time.

These states states and office procedures and practices.

2 Business education at the Tuscaloosa School includes typing, bookkeeping, shorthand, accounting, business English, business mathematics and office procedures and practices.

## Table II.—John M. Patterson Vocational-Technical School, Montgomery, Ala., February 1968

[Montgomery County]

[montgomery county]		
School began to operate		September 1962
Total enrollment		332
Full time day students		
Number of night students		0
Number of Negro students		15
Total number of instructors		29
Number of Negro instructors		0
Counties served: Montgomery, Elmore, Pike, portions of	Autauga, Ch	ilton, Lowndes and
Crenshaw		
Courses	Enrollment	Number of Negroes
		<del></del>
Acetylene and electric welding	12	2
Autobody and fender repair	13	None
Automotive mechanics	18	1
Automotive and furniture upholstery	îĭ	3 or 4
Barbering	15	None 2
Brick masonry	No course	No course
Carpentry and building construction	No course	No course
Commercial sewing	No course	No course
Cosmetology	40	None
Data processing: 1	40	Mone
Computer programmer	13	None
IBM	13 12	None None
Electricity	15	None
Electronics technician	22	None 3
Gasoline and diesel farm and industrial equipment	12	None
Machine shop	14	Mone
Mechanical drafting and design technology	15	None
Offset duplicating technology	14	4
Offset duplicating technology	30	3
Practical nursing	30 17	None
Radio and TV repair	10	None None
Refrigeration and air conditioning	19 23	None 5
Secretarial (includes general clerical and junior accounting)		
Watch repair	12	None 8

<sup>1</sup> The course for computer programmer is said to be a more sophisticated course than the IBM operations course.

<sup>2</sup> One Negro applied for the course, was accepted, was placed on the waiting list to be called in as soon as a vacancy is created by a graduate from the course.

3 The course started with two Negroes in it but they were dropped because they could not keep up with the work. An entrance examination is given to applicants. Ten Negro applicants took the test and two passed. These two, as indicated, were subsequently dropped.

4 Negro applicant was accepted for the course and was asked to come in but he has not

The Negro applicant was accepted for the State of the papers for a Negro applicant are being cleared. As soon as this is accomplished, he will be able to enter the course by Monday, Mar. 25, 1968.

## Table II-a.—Harper Councill Trenholm State Technical School, Montgomery, Ala., February 1968

#### [Montgomery County]

School began to operate	334 334 0 1 333 19
Courses	Enrollment
Acetylene and electric welding Autobody and fender repair Automotive mechanics	32 32
Automotive and furniture upholstery	No course 20 14
Commercial sewing Cosmetology Data processing: 3 Computer programmer (Unit record)	30
IBM operations (Computer training)  Electricity (Industrial electricity)  Electronics technician  Gasoline and diesel farm and industrial equipment	20
Machine shop	No course No course No course 16 20
Refrigeration and air conditioning	. 21 24

<sup>&</sup>lt;sup>1</sup> The single white student was referred from the Patterson School. He wanted to train in masonry. The Trenholm School is the only school in the area offering such course.

<sup>2</sup> The service area listed in the School's catalog includes these additional counties: Coosa, Tallapoosa, Chambers, Lee, Russell, Bullock, Barbour, Covington, Coffee, Dale, Henry, Geneva and Houston.

<sup>3</sup> The course for computer programmer is said to be a more sophisticated course than the IBM operations course.

#### Table IV.—Hobson State Technical Institute, Thomasville, Ala., January-February 1968

#### [Clarke County]

Date school opened Decemi	ber 1966
Total enrollmentFull time day students	142
Full time day students	1 142
Number of evening students	0
Number of Negro students	
Total number of instructors	13
Number of Negro instructors	0
Counties served: Clarke, Marengo, Choctaw, Washington, ¼ of Monroe, ½ of Wilcox as Sumter	ıd ½ of

Courses	Enrollment	Number of Negroes
Autobody and fender repair Automotive mechanics Business education Cabinet making Cosmetology Data processing Diesel heavy equipment repair Electronics Electroity Machine shop technology Mechanical drafting Practical nursing Radio and TV repair Refrigeration and air conditioning Textile technology Welding	9 10 27 No course 32 11 No course No course 4 No course 10 10 13 No course 16	None None None No course None No course No course No course None No course None No course None None None

<sup>&</sup>lt;sup>1</sup> The Director of the School stated that a number of students are brought to the School for vocational work in the morning and are returned to their school for academic work in the afternoon. The number of such students is not known.

#### Table IVa.—William Rufus King State Vocational Technical School, Selma, Ala., January-February 1968

#### [Dallas County]

Date school opened March 1966 Total enrollment 138
Full time day students139
Number of evening students
Number of Negro students
Total number of instructors 14
Number of Negro instructors
Counties served: Dallas, Perry, west ¾ Chilton, northeast ¼ Wilcox, West ½ Lowndes, west ½ Autauga

Courses	Enrollment	Number of Negroes
Autobody and fender repair Automotive mechanics Business education Cabinet making Cosmetology Data processing Diesel heavy equipment repair Electronics Electricity Machine shop technology Mechanical drafting (technical) Practical nursing Radio and TV repair Refrigeration and air conditioning Textile technology Welding	7 11 12	0 0 0 No course 0 No course 0 No course 0 4 1 1 No course

<sup>&</sup>lt;sup>1</sup> Up to a few weeks ago one Negro was enrolled in the course but he was dropped because of an excessive number of absences. The Director of the School said that had the Negro been a white boy, he would have been dropped sooner.

## Table V.—Opelika State Vocational Technical Institute, Opelika, Ala., February-March 1968

[Lee County]		
Date school opened		January 1966
Total enrollment		300
The 11 Aires of an attribute		400
Number of evening students		Not known
Number of Negro students		About ou
M-4-1 mumber of instructors		02
Number of Negro instructors		
Number of Negro instructors	tions of Russell	, Randolph and Clay.
Courses	Enrollment	Number of Negroes
Autobody and fender repair	. 16	5
Autobody and lender repair	. 35	4 or 5
Automotive mechanics (technician)	. 85–100	25-30
Cabinet making		4-6
Cosmetology		ō
Data processing		About 5
Diesel heavy equipment repair		No course
Electronics (technology)		Maybe 1
Electricity (industrial)		About 3
Machine shop technology		1 or 2
Mechanical drafting (and design)		2 -
Practical nursing	•	14 or 15
Radio and TV repair		About 3 or 4
Refrigeration and air conditioning		About 3-5
Textile technology		Don't know
		A
Upholstery		8
Welding	_ About 20	0

## Table Va.—Ed. E. Reid State Trade School, Evergreen, Ala., February-March 1968

[Conecuh County]	
Date school opened	
Full time day studentsNumber of evening students	150
Number of Negro students	25
Total number of instructors	

Courses	Enrollment	Number of Negroe
Autobody and fender repair	6	4
Automotive mechanics	10	6
Business education	1.0	03
Cabinet making	No course	No course
Cosmetology	21	0
Data processing (automatic)	192	0
Diesel heavy equipment repair	No course	No course
Electronics	28	4
Electricity	8	0
Machine shop technology	No course	No course
Mechanical drafting	No course	No course
Practical nursing	12	2
Radio and TV repair	8	1
Refrigeration and air conditioning	9	Ō
Textile technology	No course	No course
Upholstery	No course	No course
Welding	21	K

<sup>1</sup> Includes one part-time day student.
2 Students in automatic data processing also take those parts of business education dealing with accounting, business mathematics and business law but not typing and stenography.
3 One Negro was enrolled in the business education course (preparatory to going into the automatic data processing course) until the morning of the day on which the Commission's investigator conducted the interview with the Director of the School. The Negro student transferred to autobody and fender repair. The Commission investigator was shown the student's signed request for the transfer.

#### TABLE Vb.—Chauncey Sparks State Trade School, Eufaula, Ala., February-March 1968

#### [Barbour County]

Date school opened Not known Total enrollment 140
Full time day students Not known
Number of evening students Not known
Number of Negro students
Total number of instructors 13
Number of Negro instructors0
Counties served: Barbour, eastern half of Bullock, southern half of Russell, upper ½ of Henry

Courses	Enrollment	Number of Negroes
Autobody and fender repair	8	2
Automotive mechanics	10	3
Business education		12
Cabinet making	No course	No course
Cosmetology	16	0
Data processing	No course	No course
Diesel heavy equipment repair	No course	No course
Electronics	7	2
Electricity	18	ō
Machine shop technology	No course	No course
Mechanical drafting	8	0
Practical nursing	21	1 <b>0</b>
Radio and TV renair.	6	2
Refrigeration and air conditioning	š	ō
Textile technology	No course	No course
Upholstery	No course	No course
Welding	10	n course

Table VI.—Vocational Offerings in Secondary Schools in Monroeville, Ala., February 1968

#### [Monroe County]

[Monroe County]			
	Monroe County High School	Union High School	
Total enrollment in school Number of Negroes Vocational courses:	600 12	721 721	
Is vocational agriculture taught? Number enrolled Is home economics taught? Number enrolled	Yes About 90 Yes About 90	Yes 100 Yes 81 (Vocational home) 46 (Occupational home)	
Are commercial courses taught? (typing, shorthand, bookkeeping?) Number enrolled	Yes 100	Yes	
Is there an industrial cooperative education program? Number enrolled Trades involved	Yes About 30 Dental assistant Doctor's assistant Home appliance repair Autobody repair Auto mechanics Auto service specialist Carpentry and residential construction	No None Commercial photography Printing and book binding Shoe repair Meat cutting Tractor and farm machinery mechanics Others	
Is there a cooperative distributive program?  Number enrolled	No None	No None	
Are there day trade classes? Number enrolled Trades involved Is there a cooperative business and office education program?	None No None None No	None Yes 38 Brick masonry No	
Number enrolled Trades involved	None None	None None	

## Table VIa.—Vocational Offerings in Secondary Schools in Selma, Ala., February 1968

#### [Dallas County]

	A. G. Parrish High School	R. B. Hudson High School
Total enrollment in school	1,611 36	1,614 1,614
Is vocational agriculture taught? Number of enrolled	Yes About 50 1	No None
Is home economics taught? Number enrolled Are commercial courses taught?	No None Yes	Yes 41 <sup>3</sup> (Occupational home) Yes
(typing, shorthand, bookkeeping?) Number enrolled Is there an industrial cooperative	48 2 Yes	35 Yes
education program? Number enrolled Trades involved	21 Auto mechanics Electrician Autobody and fender	24 Mortician Barber X-ray assistant
	Medical technical assistant X-ray technician	Laboratory assistant Dental assistant Auto mechanic IBM computer training Meat cutting Nurses' aide
Is there a cooperative distributive program?	Yes	No No
Number enrolled Trades involved	29 Selling goods in wholesale and retail stores, service and service trades	None None
Are there day trade classes? Number enrolled Trades involved	No None None	Yes 186 Office occupations Cosmetology Auto mechanics Trowel trades (bricklaying, cement finishing, plastering) Occupational home economics
Is there a cooperative business and office education program?	Yes	No
Number enrolled Trades involved	12 Not available	None None

<sup>1</sup> Eighteen girls are also taking floral cutting. A student in the vocational agriculture course in his senior year may work in a training station for half a day in an agriculturally related occupation. Two students are involved in this cooperative training aspect.

2 See the cooperative business and office education program. There are 36 students in their junior year. In the senior year students are given institutional training but may also work on the job.

3 See day trades.

Table VII.—Vocational Offerings in Secondary Schools in Greenville, Ala., February 1968

[Butler County]

	Greenville High School	Southside High School
Total enrollment in school Number of Negroes	About 580	580 580
Vocational courses:	U	500
Is vocational agriculture taught?	Yes	Yes
Number enrolled	82	117
Is home economics taught? Number enrolled	Yes 193	Yes 245
Are commercial courses taught?	Yes 1	Yes 1
Number enrolled	51	45-48
Is there an industrial coopera- tive education program?	Yes	Yes
Number enrolled	37	23
Trades involved	Nurses' aide	Nurses' aide
	Laboratory technician X-ray technician	Dry cleaning Barbering
	Hospital attendant aide	Commercial cooking
	Autobody and fender	Dietetic aide
	Auto mechanic	Meat cutting
	Aircraft operation	
	Carpentry Electrician	
•	Plumbing	
	Draftsman	
	TV repair	
	Sheet metal Cosmetology	
	Floral design	
	Mortician's assistant	
s there a cooperative distributive education program?	Yes	Yes
Number enrolled Trades involved	44	7
Trades involved	Sales people in men's cloth- ing, shoes, ladies clothing stores, cosmetic depart- ment, etc. Service station attendant, parts depart- ment, grocery and gen- eral merchandise stores, etc.	Stock clerk and bag be in department store grocery stores, par department
Are there day trade classes?	No	Yes
Number enrolled	None	97
Trade involved	None	Masonry
		Carpentry
		Cosmetology Auto mechanics
s there a cooperative business and office education program? Number enrolled	Yes	No No
Number enrolled	15	None
Trades involved	Business and office work in insurance establishments, attorney's office, hospital and doctor's clinic, trac- tor company, bank and others	None

<sup>1</sup> Called husiness and office education, a preparatory course.

Table VIII.—Vocational Offerings in Secondary Schools in Grove Hill, Ala., March 1968

#### [Clarke County]

	Clarke County High School	Wilson Hall High School
Total enrollment in school	801	1,041
Number of Negroes	6	1,041
Vocational courses:		
Is vocational agriculture taught?	Yes	Yes
Number enrolled	Not available	Not available
Is home economics taught?	Yes	Yes 1
Number enrolled	Not available	Not available
Are commercial courses taught?	Yes	Yes
Number enrolled	Not available	Not available
Is there an industrial cooperative	No	No
education program?		
Number enrolled	None	None
Trades involved	None	None
Is there a cooperative distributive	No	No
education program?		
Number enrolled	None	None
Trades involved	None	None
Are there day trade classes?	No	No
Number enrolled	None	None
Trades involved	None	None

<sup>&</sup>lt;sup>1</sup> Home arts is taught rather than home economics. This means that the cost of the teacher is not reimbursed by the State because the teaching unit is not approved by the State Department of Education.

Table VIIIa.—Vocational Offerings in Secondary Schools in Coffeeville, Ala., March 1968

#### [Clarke County]

	Coffeeville High School	Clarke County Training School
Total enrollment in school	228	429
Number of Negroes	0	429
Vocational courses:	•	340
Is vocational agriculture taught?_	Yes	Yes
Number enrolled	Not available	Not available
Is home economics taught?	Yes	Yes
Number enrolled	Not available	Not available
Are commercial courses taught?		Yes
Number enrolled	Not available	Not available
Is there an industrial cooperative	No	No
education program?		
Number enrolled		None
Trades involved	None	None
Is there a cooperative distributive	No	No
education program?		
Number enrolled	None	None
Trades involved	None	None
Are there day trade classes?	No	No
Number enrolled	None	None
Trades involved	None	None

#### Table VIIIb.—Vocational Offerings in Secondary Schools in Jackson, Ala., March 1968

#### [Clarke County]

	Jackson High School	Harper High School
Total enrollment in school Number of Negroes	639 27	1,124
Vocational courses:	41	1,124
Is vocational agriculture taught?	Yes	No
Number enrolled	Not available	None
Is home economics taught?	Yes	Yes 1
Number enrolled	Not available	Not available
Are commercial courses taught?	Yes	Yes
Number enrolled	Not available	Not available
Is there an industrial cooperative	Yes	No
education program? Number enrolled	A h 1.4	37
Trades involved	About 14 Auto mechanics	None None
Trades involved	Radio & TV repair	None
	Nurses' aide	
	Dry cleaning	
	Machine shop practice	
	Cosmetology	
	Appliance repair	
Is there a cooperative distributive	Yes	No
education program?		
Number enrolled	32	None
Trades involved	In supermarkets: stock,	None
	price and pack and bag merchandise: in dry	
	goods and apparel—sell:	
	in restaurants and cafes	
	—serve food, clean up	
Are there day trade classes?	No	No
Number enrolled	None	None
Trades involved	None	None

<sup>1</sup> Home arts is taught rather than home economics. This means that the cost of the teacher is not reimbursed by the State because the teaching unit is not approved by the State Department of Education.

# HARPER COUNCILL TRENHOLM STATE VOCATIONAL TECHNICAL SCHOOL

Montgomery, Alabama



Authorized by the Alabama State Board of Education

GENERAL CATALOG

1967-68

Harper Councill Trenholm State Vocational Technical School is a state-supported institution.

## Authorized by Alabama State Board of Education



Harper Councill Trenholm State Vocational Technical School reserves the right to make changes in the offerings and regulations announced in this publication as circumstances may require.

VOLUME 1 NUMBER 1

## TABLE OF CONTENTS

	Page
Alabama State Board of Education	
Administrative Staff	4
Instructional Staff	5
Calendar for 1967-1968	6
Map Showing Area Served by School	7
Map of Bus Routes	8
History	9
Objectives	9
Course Offerings	10
Entrance Requirements	
Eligibility	10
Procedures	10
Veterans, Educational Acts Dependents, Rehabilitation	11
Library	
Cafeteria	
Student Expense	
Tuition	12
Student Insurance	
Graduation Fee	12
Books, Supplies, and Tools	12
Transportation	12
Scholastic Requirements	12
Academic Regulations	
Class Attendance	· 13
Withdrawals	13
Leaving the Campus	
Probationary Period	14
Remedial Classes	14
Work and Outside Interests	14
Graduation	
Placement and Follow-Up	14
Conduct	14
General Regulations	15
Courses of Instruction	
Automobile Body and Fender Repair	18
Automobile Mechanics	19
Brick Masonry	20
Business Education	21
Carpentry and Building Construction	22
Commercial Sewing	23
Cosmetology	
Data Processing	
Electronic Technology	26
Industrial Electricity	27
Practical Nursing	
Radio and Television Repair	20
Refrigeration and Air-Conditioning	20

#### ALABAMA STATE BOARD OF EDUCATION

## GOVERNOR LURLEEN BURNS WALLACE, PRESIDENT MONTGOMERY, ALABAMA

## DR. ERNEST STONE, EXECUTIVE OFFICER STATE SUPERINTENDENT OF EDUCATION MONTGOMERY, ALABAMA

Dr. James D. Nettles	First	Congressional	District
Mr. Ed Dannelly	Second	Congressional	District
Mrs. Carl Strang	Third	${\bf Congressional}$	District
Mr. Fred L. Merrill	Fourth	Congressional	District
Mr. Victor P. Poole	Fifth	Congressional	District
Mr. Harold C. Martin	Sixth	${\bf Congressional}$	District
Mr. W. M. Beck, Vice President	Seventh	Congressional	District
Mr. W. C. Davis	Seventh	Congressional	District
Mr. Cecil Word	Eighth	Congressional	District

### ADMINISTRATIVE STAFF



MR. L. W. SMILEY, DIRECTOR

Mr. M. D. Smiley	Assistant Director
Mr. F. D. Burks	Business Manager
Mrs. Edrice C. Thomas	Clerk-Stenographer
Mrs. Mamie Flowers	Clerk-Typist
Mrs. Ann R. Smith	Clerk-Typist
Mr. Ernest Sharpe Buildings	and Grounds Superintendent

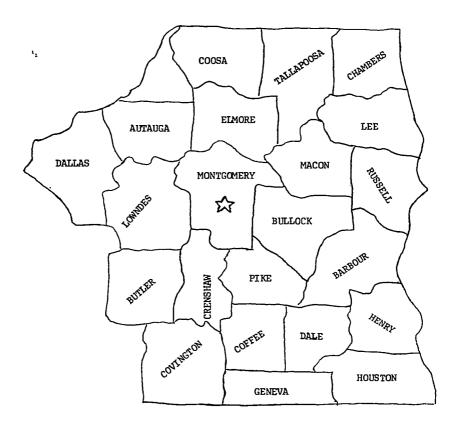
## INSTRUCTIONAL STAFF

Mr. James Bates	Automobile Body and Fender Repair
Mr. Sherman McMillan	Automobile Mechanics
Mr. Herbert Sharpe	Automobile Mechanics
Mr. Issac Bracey	Brick Masonry
Mrs. Bennye B. Reasor	Business Education
Mrs. Arcadia C. Tate	Business Education
Mr. Julius J. Alexander	Carpentry and Building Construction
Mrs. Margaret B. Beverly.	
Mrs. Clarissa Chambliss	Cosmetology
Mrs. Gladys Laster	Cosmetology
Mr. Horace Coursey	Data Processing
Mr. James Howard	Data Processing
Mr. Melvin Flowers	Electronic Technology
Mr. James Pierce	Industrial Electricity
Mrs. Virginia Bell	Practical Nursing
Mrs. Yvonne L. Caple	Practical Nursing
Mr. William Singleton	Radio and Television Repair
Mr. Thomas J. Henry	Refrigeration and Air-Conditioning

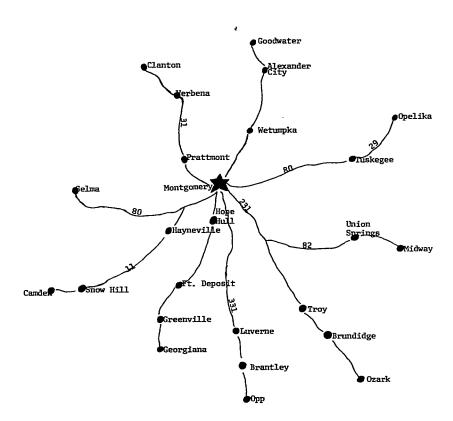
## **CALENDAR FOR 1967-1968**

August 28, 1967First Period Begins
September 4, 1967Labor Day
October 6, 1967First Period Ends
October 9, 1967Second Period Begins
November 17, 1967Second Period Ends
November 20, 1967Third Period Begins
November 23, 24, 1967Thanksgiving Holidays
December 16, 1967 through January 1, 1968Christmas Holidays
January 12, 1968
January 15, 1968Fourth Period Begins
February 23, 1968Fourth Period Ends
February 26, 1968Fifth Period Begins
March 14, 15, 1968ASTA Meeting
March 29, 1968Fifth Period Ends
April 1, 1968Sixth Period Begins
May 10, 1968Sixth Period Ends
May 13, 1968Seventh Period Begins
June 21, 1968Seventh Period Ends
June 24, 1968 Eighth Period Begins
July 4, 1968Independence Day
July 15-26, 1968Summer Vacation
August 16, 1968Graduation
August 19-23, 1968Workshop and Conference
August 26, 1968First Period Begins

# MAP SHOWING AREA SERVED BY THE SCHOOL



## MAP SHOWING SCHOOL BUS ROUTES



The map shows the number of bus routes, starting points, and towns on the route.

## HISTORY

The Harper Councill Trenholm State Vocational and Technical School in Montgomery, one of the many trade schools erected during Governor George C. Wallace's administration, is located on one of the most attractive sites in Central Alabama. The thirty-five acres of beautiful terrain at 1225 Air Base Boulevard is an ideal spot for a growing campus. Situated on the East side of U.S. 31 By-Pass, the school is easily acces-

sible to all freeways entering Montgomery.

The establishment of the school was authorized by the Alabama Legislature under Act No. 93 during the administration of Dr. A. R. Meadows, State Superintendent of Education and Mr. J. F. Ingram, Director, Division of Vocational Education. Construction was begun on this plant layout, comprising six buildings, August 19, 1965 and completed August 8, 1966 at a cost of approximately one and a quarter million dollars. The City of Montgomery and the Montgomery County Board of Revenue made a contribution of \$40,000 each toward the construction of the cafeteria. As a result of these contributions, the cafeteria was approved and included in the State's plan.

The air-conditioned facilities include an administration building, cafeteria-auditorium, and four shop buildings. well-equipped classrooms and shops are designed to accommodate approximately 300 students. Classes began August 15,

1966.

The school is named for the late Dr. Harper Councill Trenholm, a past president of Alabama State College. It serves twenty-three surrounding counties in Central and Southeast Alabama. Students are transported at public expense by a

fleet of ten school buses.

Mr. Lucious W. Smiley, who was Assistant Supervisor of Vocational Education for the State of Alabama, was appointed Director of the new school February 1, 1965. Mr. Smiley is ably assisted by a staff of thirty-three, including eighteen instructors. All instructors have received special training and vocational experience in the areas in which they teach.

## **OBJECTIVES**

The Trenholm State Vocational and Technical School aims to provide a program of instruction for out-of-school youth and adults which will combine and coordinate related instruction with field, shop laboratory, cooperative work, or other experiences to fit individuals for gainful employment in the vocational and technical areas included in the curriculum.

It places primary emphasis upon assisting people in choosing a suitable trade, industrial, or technical occupation; preparing themselves for it; gaining advantageous entry into it; and making satisfactory progress in it. It is intended to serve those who want it, need it, can profit by it, and will use it in

useful and productive work.

In recognition of society's responsibility to its citizens and the individual's responsibility to society, the school aims to develop abilities and skills essential for constructive functioning in a democratic society.

## COURSE OFFERINGS

Automobile Body and Fender Repair
Automobile Mechanics
Brick Masonry
Business Education
Carpentry and Building Construction
Commercial Sewing
Cosmetology
Data Processing
Electronic Technology
Industrial Electricity
Practical Nursing
Radio and Television Repair
Refrigeration and Air-Conditioning

## ENTRANCE REQUIREMENTS

The school is a co-educational institution. Requirements will vary, however, according to the particular course chosen. An applicant should be in good health and possess aptitudes, interests, and education that indicate his ability to profit from the instruction given by the school.

#### ELIGIBILITY

1. Enrolling students must be 16 years of age or over.

2. High school graduates (or persons having high school equivalency ratings) are preferred. Non-graduates may be enrolled if they are at least 16 years of age and have not attended school for a period of nine months.

#### PROCEDURES

1. Applicants should visit the school in person to secure application forms. When this is impossible, application forms will be mailed upon request.

2. An application form should be submitted to the Office of the Director. All items on the form should be filled in

completely and the form notarized as requested.

3. A recent photograph should be attached to the form as requested.

4. A transcript of the applicant's school record must be fur-

nished by the school last attended.

5. After the applicant is notified of his acceptance and given instructions by the school, he must visit the Business Office to make financial arrangements and complete registration forms.

# VETERANS, EDUCATIONAL ACTS DEPENDENTS, STATE REHABILITATION

Persons qualifying for training under special federal and/or vocational programs may attend this institution. Further information may be obtained from the Office of the Director.

## LIBRARY

An adequate and up-to-date library is maintained in each department.

## CAFETERIA

Wholesome and appetizing lunches will be served daily at a minimum cost to students. All meals are served on a nonprofit basis.

Refreshments are available in the cafeteria before school and during "breaktime," and various vending machines are lo-

cated on the campus for the convenience of students.

## STUDENT EXPENSE

The Trenholm State Trade School receives a substantial amount of its operating funds from the state. Therefore, the cost to the student is nominal.

#### TUITION

The tuition fee, required of each student, is \$180 per year payable in twelve (12) monthly installments.

\$15.00 per month	
7.50 per month	
5.00 per month	

Payments are due on or before the first of each month. A fee of \$5.00 is charged for payments made after the fifth of the month.

12

Α	student	withd	rawing	from	school	may	be	refunded	for
a part	of the t	uition	paid as	follov	vs:				

<del>=</del>	
\$10.00	Withdrawal before classes begin
7.00	Withdrawal during the first week
5.00	Withdrawal during the second week
	After the close of the second week

### STUDENT INSURANCE

(Premiums subject to change)

- \$ 3.00 Covers accidents in school and while on buses. This insurance is required of all students.
  - 12.00 Twenty-four hour protection available to any student desiring such coverage.

## GRADUATION FEE

(To be announced)

## BOOKS, SUPPLIES, AND TOOLS

Each student will furnish his own books, supplies, uniforms, and tools. Books and supplies will be kept at school for students to purchase at their convenience. Students are not obligated, however, to purchase supplies at the school. The school will give assistance in obtaining tools by posting a list of various vendors handling tools required.

#### TRANSPORTATION

Free express bus service is provided in the area served by the school. Students should contact the school office for information about transportation routes.

## SCHOLASTIC REQUIREMENTS

A student must maintain satisfactory progress as determined by the instructor to remain in school. The criteria for determining grades are neatness, quality, and quantity of daily work and periodic examinations. Letter grades are used in reporting progress as follows:

A — Excellent (90-100)

B — Good (80-89)

C — Average (70-79)

D — Poor (60-69)

F — Failure (Below 60) W — Withdrawal

I — Incomplete

Satisfactory grades are A. B. and C. Although D is a passing grade, it is not considered as satisfactory. Students must maintain a C average to graduate. An F denotes failure and unsatisfactory work. Withdrawal is shown by the letter W, and I indicates incomplete.

### **EXAMINATIONS**

Examinations consist of regular examinations, special examinations, and unit examinations. To complete the requirements for graduation, students must take all examinations required.

## ACADEMIC REGULATIONS

### CLASS ATTENDANCE

A full-time schedule consists of six hours per day totaling 30 hours of instruction per week, Monday through Friday. Classes are scheduled from 8:00 a.m. to 2:40 p.m. One-half hour is scheduled for lunch. Students are not permitted to forfeit the lunch period in order to leave early.

Students are required to attend all scheduled classes. The student is either present or absent and his attendance will be so recorded. Excessive absences will not be permitted. Students must not be absent any three (3) consecutive days without proper administrative permission or approval. Any accumulation of three (3) unexcused absences in any six-week period will be grounds for dismissal. In case of emergency, the school must be contacted.

Students are expected to be in class prior to the sounding of the last bell for beginning of class. Only in extreme cases will tardiness be excusable. Each case of absence or tardiness will be handled on an individual basis in light of the circumstances

#### WITHDRAWALS

Students who drop out for health reasons, or reasons beyond their control, may be considered for re-enrollment upon presentation of proper justification for enrollment. Such justification may be presented in writing by a medical doctor, or by reliable persons designated by the Director.

### LEAVING THE CAMPUS DURING SCHOOL HOURS

Under no conditions are students allowed to leave classes or campus, other than at lunch time, without an excuse. Failure to report on time for class after lunch or break will result in disciplinary action.

### PROBATIONARY PERIOD

All students are enrolled on a six-week probationary period. An evaluation of the student's progress will be made at the end of this period. If any student's progress is found unsatisfactory, he will be called in for counseling. After consultation with the Director, another six-week "period of improvement" may be granted, or the student may be advised to change to a course more suitable to his aptitude. If at the end of the second six-week period progress is not evident, the student's training will be interrupted.

## REMEDIAL CLASSES

The school will offer an opportunity for remedial instruction in any area where there is a need. These classes will be held from 2:40 p.m. to 3:40 p.m. daily. Students are to confer with their instructors relative to their needs.

## WORK AND OUTSIDE INTERESTS

Outside jobs and interests will not be accepted as excuses for poor attendance and low scholastic achievement.

### GRADUATION

Students successfully completing their course requirements will be presented a certificate of graduation signed by the Director of the School, the Governor of the State of Alabama, and the Superintendent of Education.

### PLACEMENT AND FOLLOW-UP

The school will assist its graduates in finding suitable and profitable employment. The administration and faculty maintain up-to-date records and contact on job opportunities for the benefit of students and graduates seeking employment. The school will keep a five-year follow-up record on each student in order to determine the effectiveness of its program and improve the instruction to meet the ever-changing needs of society.

## CONDUCT

It is assumed that students enrolling are mature and have a desire for constructive learning, and are coming to this school with that purpose in mind. The purpose of the school is to help people develop their talents in a trade that will enable them to earn a living. Students dismissed from school for disciplinary actions will find it difficult to re-enroll at a later date.

## **GENERAL REGULATIONS**

- 1. All fees should be paid on time.
- 2. Students are expected to exhibit high moral and scholastic standards, to be courteous, cooperative, reliable, loyal, and law-abiding
- 3. Students are expected to observe class rules and give due respect to teachers and the administration.
- 4. Students are expected to make satisfactory progress in their training. Unsatisfactory grades will be cause for dismissal.
- 5. Students are required to dress properly for the departments in which they are enrolled.
- 6. Cleanliness and neatness are important phases of training and should be practiced by students at all times.
- 7. Students are required to purchase supplies and tools which will be used in their areas of training.
- 8. Students are held responsible for notices on bulletin boards and for information given at assemblies. Students are not to mar, alter, or remove bulletin board notices.
- 9. Students who negligently lose, damage, destroy, sell, or otherwise dispose of school property placed in their possession, or entrusted to them, will be charged for the full extent of the damage or loss and will be subject to disciplinary action.
- 10. Under no condition will alcoholic beverages or liquors be permitted in or on the school property. No one under the influence of alcohol or narcotics will be allowed on the campus. Violators will be liable to expulsion.
- 11. Students who engage in such acts as stealing, gambling, profanity, personal combat, and possession of firearms and dangerous weapons make themselves liable to disciplinary action.
- 12. Smoking will be permitted in the designated areas only.
- 13. Students must secure permission to leave the campus during school hours from the Director or his Assistant.

## **COURSES OF INSTRUCTION**

- 4

## AUTOMOBILE BODY AND FENDER REPAIR 24 Months



The repair and maintenance of automobile bodies form a very profitable branch of the automobile business. The volume of repair business is increasing rapidly because the number of vehicles on the highways has been growing every year. As a result of this rapid growth there are more collisions, more wrecked bodies, and more damaged fenders. This means more work and higher paying jobs for the skilled repairman who is well trained in new repair techniques.

The two-year course in auto-body and fender work consists of planned and supervised work including experiences similar to those to be performed on the actual job. The course covers collision work, in all aspects; building from the basic concepts of body and frame construction; and working step by step through tools, welding, repair of doors, hoods, fenders, deck lids, frame alignment, refinishing, and painting.

Surveys made by independent organizations show that in one year over seven million fenders were straightened; five million pieces of glass were installed; over five million body repair jobs were done; six million touch-up paint jobs were done; and nearly two million complete paint jobs were completed.

Not only is the volume of body repair work large, but the profits to be made are probably greater than for other types of automotive maintenance. Working conditions are good, and they are improving. A high degree of skill can be obtained after a period of intensive study and practice. For the properly trained technicians, lucrative pay and steady employment are almost assured.

## **AUTOMOBILE MECHANICS**

24 Months



The demand for trained mechanics grows as steadily as the manufacture of automobiles and trucks each year. The trained mechanic who applies himself sincerely to his work will find employers waiting with open arms offering good salaries, good working conditions, paid vacations and holidays, and many other company benefits including an opportunity to advance in the company.

The curricular offerings in Automotive Mechanics are geared to meet the demands of the automotive service industry

by developing trained mechanics.

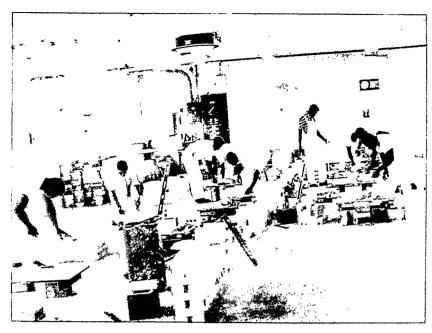
Special and intensive training is given in all of the areas of automotive service for a period of two years. Each area of study begins with the simple or fundamental principles of Automotive Mechanics and progresses to the more technical areas, and gives each student the opportunity to learn the theory and to perform the actual work in the prescribed manner for today's modern automobiles and other "over-the-road" vehicles.

Students enrolling in Automobile Mechanics will receive their training through two hours of related study and four hours of shop practice in the areas of Automotive Tools, Automotive Chassis, Automotive Electricity, and Automotive Ser-

vice and Trouble Shooting.

## BRICK MASONRY

### 24 Months



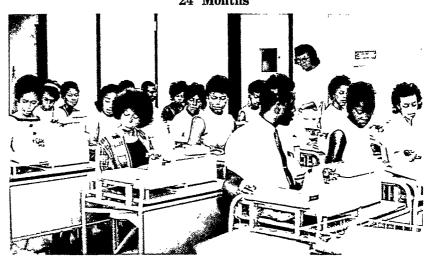
Brick masonry was one of the first crafts to be organized. The organization was formed during the construction of King Solomon's temple about three thousand years ago. Of the different classifications of the organization, bricklayers constitute approximately 73% of the membership.

The building activity in this country has been responsible for large numbers of new workers finding employment in the building trades, and a substantial share of these have entered the field of masonry. Since the building boom is continuing on the up-swing and the trend is toward brick structures in all areas, opportunities for success in this field are unlimited.

The course includes a practical and theoretical study of Tools and Equipment, Mortar, Blueprint Reading, Bricklaying, Jointing and Pointing, Foundations and Footings, Bonding, Plans and Bonding, Chimneys and Fireplaces, Ornamental Brickwork, Concrete Masonry Construction, Laying Other Clay Products, Miscellaneous Brick Construction, and Mixing Concrete.

One of the most important units of brick masonry is blueprint reading. The ability to read blueprints quickly, accurately, and easily is the first skill one must learn.

## BUSINESS EDUCATION 24 Months



The Business Education program is designed to prepare youth for entrance into and progress in the business occupational areas such as clerical, stenographic-secretarial, and bookkeeping. The curriculum encompasses not only specialized business subjects; but also integrates related subjects especially in the fundamentals of grammar, punctuation, and spelling and the basic arithmetic processes involved in solving ordinary business problems. Courses include typewriting, shorthand and machine stenography, filing, bookkeeping, business law, office machines, secretarial office practice, business English, and business mathematics.

Instructional emphasis is placed on good grooming and the development of positive social traits; improvement of the student's oral and written communication skills; developing student awareness of the importance of organizing job assignments, work simplification techniques, following oral and written instructions, and problem-solving abilities; and the development of student attitudes toward the importance of understanding desirable employer-employee relationships.

The instruction further aims to correlate the content and nature of job assignments with local business needs and practice; provide students with a minimum understanding of and a working relationship with those office machines commonly used in the business community; and provide students with practice in locating, applying for, and being interviewed for employment.

The curriculum is so planned and operated that a wellintegrated person becomes the final product.

## CARPENTRY AND BUILDING CONSTRUCTION

24 Months



This area, while placing major emphasis on the carpentry trade, is intended to train the student not only to be a master carpenter, proficient in all phases of the trade, but to also have a comprehensive knowledge of the related trades of building Since the carpenter is the key tradesman in construction. building construction and usually moves up to the positions of construction foreman or construction superintendent or even enters the contracting business, it is very important that his training extend beyond the confines or limits of the carpentry trade. It is the purpose of this course to give to each student the training and information necessary to accomplish this end.

The two-year course is planned to train the student to use and care for tools, know the materials of the industry, read and understand blueprints, take measurements, locate building lines on building sites, lay out buildings and set up batter boards, determine elevations, build forms for concrete foundations and other standard concrete parts, frame and enclose superstructure, do exterior and interior finish carpentry, and install finish hard-

ware.

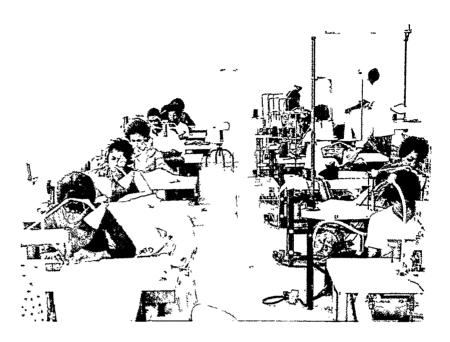
Further instruction will be given in the use of the several types of wall, ceiling, and floor coverings; interior millwork and cabinet work; and the various types of fastening devices including adhesives.

Related information will be given to correlate and coordinate the several trade activities which are involved in building construction.

There is an ever-present demand for the skilled carpenter.

## COMMERCIAL SEWING

### 24 Months



Commercial sewing is a two-year course designed to train young men and women who possess the interest. ability, and aptitude for success in the needle trade; and to develop skills and extend their knowledge of simple and complicated sewing for the family, home, factory, and the commercially self-owned dress or tailor shop.

The course begins with the fundamentals of sewing including basic stitches, seams, machine operation, pattern layout, and garment construction. It acquaints the student with power machine operation and line production techniques. Training is given in custom tailoring and all types of alterations.

The student is trained to determine if there is something wrong with a garment the moment he sees it on the customer, to fit the garment to the individual, and to achieve a finished and well-dressed look. The techniques of selecting fabrics, harmonizing colors, building wardrobes, and designing are stressed.

Persons interested in a career in commercial sewing will find that the field is wide open, and there is an increasing number and a variety of job opportunities available.

## COSMETOLOGY 12 Months



The field of cosmetology is a high paying profession for those who enter it with the determination to acquire the knowledge, understanding, technical skills, and appreciation of the theory and practice of cosmetology. This profession offers innumerable opportunities to serve others, as well as to gain personal monetary satisfaction. It is a stimulating and challenging field, for it can provide an outlet for a host of diversified talents, allowing full expression of artistic ability and creative imagination, as well as mechanical dexterity.

General objectives are to prepare the student for gainful employment and to assist the student in preparing for the State Board of Cosmetology examination in order to obtain a license

to practice cosmetology.

The course is designed for the mastery of the basic skills for treating the skin, scalp, hair and nails. The importance of clean, orderly and systematic habits of workmanship is stressed.

Units of training include Orientation, Hygiene and Personality, Sterilization and Sanitation, Anatomy and Physiology, Diseases of the Skin, Scalp, and Hair, Facial Treatments, Manicuring, Shampoos and Rinses, Hair Tinting and Bleaching, Haircutting, Hair Shaping, Hairstyling, Thermal and Chemical Hair Relaxing, Wigs and Hairpieces, Trade Ethics, and Beauty Salon Management.

Health requirements for entrance and information concerning items needed for the course may be obtained from instructors in the Cosmetology Department.

## DATA PROCESSING 12 Months or 24 Months



Technological and economic developments mean changing manpower needs in the United States in the coming years. Expanded training efforts are required to assure that the rapidly growing work force will be trained to meet shifting needs. One of these expanding areas is the field of electronic data processing. In data processing we deal with data, which is just another word for facts. However, facts by themselves mean nothing until they have been refined into something which we call information. Data becomes information by the things we do to it—that is by manipulating it, summarizing it, evaluating it, analyzing it, and reporting it. The name that is given to this operation is processing. Data processing is, therefore, the handling of facts for the purpose of presenting information in an accurate, concise manner in order that management can make decisions.

The basic goals are the development of skills used in specific business data processing occupations such as keypunch equipment operations, tabulating machine operation, tabulating machine wiring, console operation, and computer programming.

Any student who would like to enter this program should have demonstrated competence in high school mathematics, especially algebra. In addition, he should have shown an aptitude for logical reasoning. The latter may be considered more significant in the student's progress than credit in advanced mathematics courses. The student should find Data Processing an interesting area of study. This interest should be deep enough to enable him to study Data Processing Theory and its related courses of study without any feeling of boredom because this knowledge is necessary for success.

## ELECTRONICS 24 Months



The Electronics program consists of 2796 hours of instruction. Graduates of this program will receive certificates as Electronic Technicians. They will be prepared to work as Microwave Technicians, Industrial Electronic Technicians, Radio and Closed Circuit TV Repairmen, Assistant Engineers in Radio or TV Stations (those who can successfully pass the FCC exam), and Computer Repair Technicians. The technician who successfully completes this program will find many opportunities for well-paying jobs.

The Micro-wave Technician is a relatively new occupation specialty, and opportunities are great in this area. A large amount of communication that passes through the telephone company is transmitted from city to city through micro-wave relay stations. Hundreds of electronic technicians are needed

to maintain and repair this equipment.

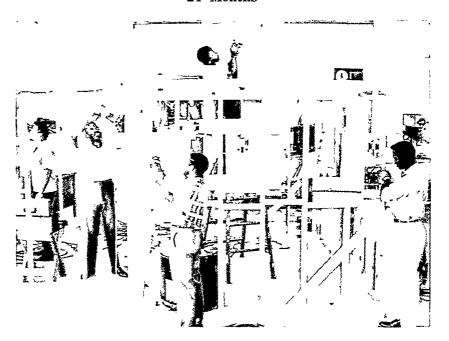
"Electronics in industry represents a tremendous new field, the surface of which has just been scratched." There are electronic door openers, equipment used to count finished components coming off assembly lines, electronic devices are used to inspect manufactured parts, electronic controls for street lights, and many other devices. There is hardly an industrial process in which electronics cannot be put to use advantageously.

Technicians who are successful in getting an FCC license could work in radio stations as assistant engineers. They would be responsible for maintaining the electronic equipment in the station such as the transmitters.

For those technicians who would like to work as computer repairmen, opportunities are great with companies such as IBM and RCA.

## INDUSTRIAL ELECTRICITY

24 Months



Industrial Electricity combines theoretical and practical knowledge of many areas of electrical work.

Industries, quite often, demand an electrician who has obtained knowledge and skill in installations, maintenance, and repair of electrical equipment of many types.

One of the primary objectives of this course is to meet the demands of industries for highly trained and efficient technicians.

During this two-year period, the students will be taught fundamentals of electricity, estimating, basic wiring techniques, Ohm's law, and the latest wiring methods and materials.

Blueprint reading and sketching for residential, commercial and industrial wiring along with the National Electric Code are vital parts of the course. Motor repairs, maintenance, and rewinding are also included.

## PRACTICAL NURSING 12 Months



There is always a place for one to assist in the care of the sick and the prevention of diseases. The Licensed Practical Nurse serves under the direction of a Licensed Physician or Registered Nurse.

Graduates of this course are eligible for admission to the licensing examination administered by the State Board of Nurses' Examiners. After successfully passing this examination, a graduate becomes a Licensed Practical Nurse.

The course is divided into the "pre-clinical" and "clinical" phases. It is presented as an integrated course in basic practical nursing, stressing the normal and abnormal states of the human body and special practice in methods of observation, procedure and application for the alleviation of suffering and the prevention of the spread of infection. The Practical Nursing student is expected to be prepared to recognize the importance of her role as an integral part of the health team. Guidance is given in practicing good interpersonal relationships, stimulating curiosity and developing integrity in caring for the sick.

Persons between the ages of 18 and 50, who have completed high school training or its equivalent, may apply. They must also meet specific health requirements.

## RADIO AND TELEVISION REPAIR 24 Months



The ever-increasing number of television sets, radios, and stereophonic record players in homes has caused a greater and greater demand for technical personnel and skilled technicians in the areas of manufacture, installation, and maintenance of this complex equipment than ever before. This field of work is constantly changing and expanding.

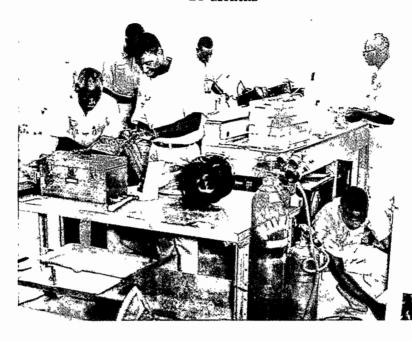
The increasing demand for radio and television technicians has created many employment opportunities. One may even decide to own and operate his own business after completion of

this course.

The Radio and Television Repair course is divided into the following six major phases: Basic Electricity, Basic Electronics, Basic Radio and Radio Servicing, Television Antennas and Installation, Black and White Television, and Color Television.

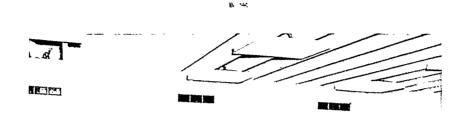
The six major phases and their related units of work embodied in this course of study are designed to equip the student with a thorough knowledge of the mechanics and theory of radio and television. Learning experiences include actual test, repairs, and adjustments under the guidance and supervision of a competent instructor. This gives the student technical knowledge, skills, confidence, and experience necessary to prepare him for employment in industry.

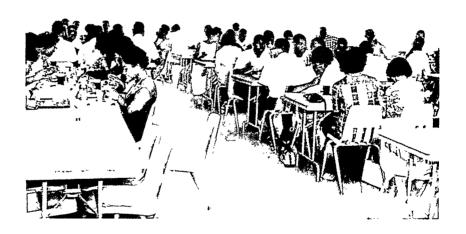
## REFRIGERATION AND AIR-CONDITIONING 24 Months



The goals of the Refrigeration and Air-conditioning course are to develop essential skills, knowledge, and understanding necessary for its trainees to participate profitably in all phases of the refrigeration and air-conditioning industry. There is a definite need for trained persons in this field as refrigeration and air-conditioning uses are steadily increasing.

The course provides intensive study in the basic mathematical sciences in which the refrigeration process is founded. A thorough understanding of this phase is essential for achievement in the course. The course is so arranged that the trainees progress from the initial stage and simple information and skills to the more complex. The related information, theory, and practical applications are co-ordinated to achieve the maximum from the instruction given. Careful observation is made in an effort to evaluate the individual student's understanding of the related information. The proper use and care of tools and equipment and the development of the essential skills are stressed.





"TYPICAL LUNCH HOUR"

## TRENHOLM STATE TRADE SCHOOL BULLETIN

TRENHOLM STATE TRADE SCHOOL 1225 Air Base Boulevard Montgomery, Alabama 36108

(Return Postage Guaranteed)

076

#### Exhibit No. 31

## BEFORE THE COMMISSION ON CIVIL RIGHTS MONTGOMERY, ALABAMA

#### STATEMENT BY H. P. MARTIN, VICE PRESIDENT Mc GREGOR PRINTING CORPORATION

Mr. Chairman: I have with me here today, Mr. Louis Quedeweit, who is under subpoena of your commission. Mr. Quedeweit is manager of our plant in York, Alabama. I am appearing voluntarily to assist with presenting

pertinent information concerning our company.

First of all, I should explain the nature of our business. We manufacture and sell business forms. We sell commercially throughout the eastern part of the United States, with emphasis on the southeastern states. We also sell to the Federal Government, and are a "Complying" company. Our ability to succeed in this highly competitive market is measured in direct proportion to the quality of our products, competitive pricing, and the service we render to customers. These products are custom manufactured to strict specifications and if rejected by customers are a total loss to our company if they are printed wrong or constructed wrong. The productive efficiency of our York plant is vital to our continued success.

Your staff representatives, in a visit with us at our plant on April 18, were good enough to outline the anticipated scope of our company's participation in your deliberations. We appreciate the opportunity thus afforded us to be prepared. We paraphrase the questions posed by your staff rep-

resentatives and give the information sought by these questions.

1. What reasons prompted McGregor Printing Corporation to locate its plant in York, Alabama?
The answer to this question is two-fold.

First, we believe the economic and industrial growth of the South suggests increasing market potential in the years ahead. Secondly, and as to the site selection, the city of York and the county of Sumter appealed to us because of the physical facilities offered, an adequate labor supply, public transportation, and the local interest in bringing an industry such as ours to the community.

2. How did McGregor Printing Corporation get and process job applica-

tions at the beginning of its Alabama operation?

The immanence of job opportunities at our plant was publicized in the local newspapers and by word of mouth, when it was announced that we would locate a plant in York. While the physical facilities were under construction, all persons interested in employment by our company were invited to make application at the York Chamber of Commerce. Volunteer local citizens, working at the Chamber of Commerce Building, accepted applications and did the initial interviewing of applicants. From this group of

citizens, working at the Chamber of Commerce Building, accepted applications and did the initial interviewing of applicants. From this group of
applications, our company selected the names of applicants appearing, from
the record, to possess the qualifications needed for the jobs available.

(I might add parenthetically, that these applications contained no reference
to race, creed, or color; therefore, when they were reviewed, we had no
insight into this consideration.) Each applicant, so selected, was then
interviewed by our company officials to more accurately judge his or her
qualifications for specific job requirements. From these several hundred
initial applications we began employment as rapidly as we could assimilate initial applications, we began employment as rapidly as we could assimilate

new workers into our operations.

This continued for the first 12 months or so, until our manpower needs began to level off. By this time, we also found that this first group of applications was "stale" because of address changes, employment elsewhere, and the like. So, we began taking new applications at our plant, and continue to process them in much the same way, as new job openings occur.

Before actual employment, we obtain, through local voluntary sources, an

advisory evaluation of the applicants' moral integrity, trustworthiness, and work record. This is done without distinction as to race, creed or color.

3. What are the educational and other qualification requirements for unskilled jobs, for semi-skilled jobs, and for skilled jobs?

Unskilled Jobs.—We have no minimum educational requirement. These jobs require only reasonable intelligence, indications of probable moral integrity and trustworthiness, responsible attendance record, good physical condition and diligent work.

Semi-Skilled Jobs.—We have no fixed minimum educational requirement, but seek, insofar as possible, applicants with a 10th grade education or its equivalent. Employees in these jobs must possess indications of probable moral integrity and trustworthiness, responsible attendance record, mental alertness, dexterity of the hands, the ability to count accurately, read and add figures, read and understand written matter, and the capacity to learn from on-the-job training.

Skilled Jobs.—We have no fixed minimum educational requirement for these jobs, but seek, within practical limitations, employees with a high school education or equivalent. Employees in these jobs must possess indications of probable moral integrity and trustworthiness, responsible attendance record, the ability to read, interpret and understand written matter, the ability to write legibly, and reasonable competency with figures, weights, and dimensions, including fractions. They must be mentally alert, have mechanical aptitude and dexterity of the hands, and be capable of learning from on-thejob training.

4. How are employees promoted?
We have two types of promotions.
The first is the promotion of an employee from one job category to another. These promotions are based upon demonstrated aptitude and ability of the employee to perform a different type of job.

The second type of promotion is a straight pay increase, without change in job classifications. These are merit raises based upon the progress of the

individual employee in his job category.

Both types of promotions are granted periodically, based upon a review and evaluation of all employees in comparable job categories. These judgments are formed collectively by the department heads, the plant superintendent, the plant manager, and at least one officer of our company. Performance records, attendance records, application to duties, and ability to progress are all factors considered in these judgments.

5. What is the ratio of colored to white employees in your York plant? Although we have no personnel records that would reflect this information,

we have conducted a head count which discloses the following:

$P_{i}$	ercent
Plantwide	23
By job category:	
Unskilled	83
Semi-skilled	33.3
QI-illod	16 32

6. What is the ratio of colored to white employees in management positions? We have no colored employees in management positions, nor have we received applications from colored people with the experience to qualify for these positions.

We have attempted, in this statement, Mr. Chairman, to answer the

questions for which we were alerted to prepare.

#### Exhibit No. 32

## STAFF REPORT

#### VOTING AND POLITICAL PARTICIPATION BY BLACKS IN THE 16 ALABAMA HEARING COUNTIES

#### A. ENFORCEMENT OF THE VOTING ACT

Eight counties within the hearing area—Autauga, Dallas, Greene, Hale, Lowndes, Marengo, Perry, and Wilcox Counties—were among the first in the South to be designated for Federal examiners to list persons as qualified

to vote under the provisions of the Voting Rights Act of 1965, enacted in August, 1965. There was immediate and extensive opposition to the implementation of the Act in six of these counties. In September and October State courts in Dallas, Hale, Marengo, Perry, Wilcox, and Lowndes Counties issued injunctions prohibiting voter registration officials from adding to the official lists of registered voters the names of those persons listed as qualified by the Federal examiners. In November the Department of Justice obtained a Federal district court order voiding the state court injunctions and compelling the voter registration officials to conform to the procedures established by the Voting Rights Act.<sup>2</sup>

As of December 31, 1967, 12 Alabama counties had been designated by the Attorney General for Federal examiners to list persons as qualified to vote. Nine of these counties—Autauga, Dallas, Greene, Hale, Lowndes, Marengo, Perry, Sumter, and Wilcox Counties—lie within the 16 county hearing area. Federal examiners had listed 29,659 nonwhites and 758 whites as eligible to vote in these counties. In all but two of the counties, the non-whites listed as eligible to vote exceeded 50 percent of the unregistered nonwhite voting age population. In three of the counties within the hearing area less than 50 percent of the nonwhite voting age population is registered to vote—Butler (38.1 percent), Clarke (44.8 percent), and Macon (45.3 percent)—but they have not been designated for Federal examiners. The relatively low Negro registration and the lack of Federal enforcement activity in Butler and Clarke might account for the fact that no Negroes in these counties ran for office in 1966—the last major election year in Alabama (see Section C of this report). In Macon County, although less than 50 percent of the voting age Negroes are registered, registered Negroes still constitute a substantial majority of the registered voters in the county, and there has been extensive political activity there.

Federal observers, assigned at the request of the Attorney General to monitor elections under the Voting Rights Act, were assigned to all nine counties either during the May 3 and May 31 primary election and primary run-off or during the November 8 election in 1966, the last major election year in Alabama. In the May 3, 1966 primary election the Attorney General requested the assignment of Federal observers to observe elections in Greene, Sumter, and Marengo Counties. The county Democratic executive committees and the probate judges of those counties, charged under State law with the administration of primary elections, denied to Federal observers the opportunity to observe assistance in the voting booth being rendered by election officials to illiterate or incapacitated voters. The Federal district court, in suits brought by the Department of Justice, ordered the election officials to permit the Federal observers to witness the assistance when

their presence was requested by the voter.3

Observers have not been assigned to observe elections in other counties within the hearing area, despite the fact that some of these counties reportedly met the Justice Department's criteria for the assignment of observers 4 and there were reports of election day irregularities relating to elections in which Negro candidates were running for State and county offices. See, e.g., the reports from Barbour, Bullock, and Macon Counties, described in Section D of this report. Under the Voting Rights Act, Federal observers may only be assigned to counties which have been designated for Federal examiners, 5 and these counties had not been so designated. The Justice Department, however, might have followed the procedure it followed in designating Choctaw County for examiners and assigning Federal

persons as eligible to vote, and the appropriate state voter registration and election officials are required by the Act to place on the official voting lists those persons listed as qualified by the Federal examiners. Voting Rights Act of 1965, §§ 7 (a)-(d).

2 Reynolds v. Katzenbach, 248 F. Supp. 593 (S.D. Ala. 1965).

3 United States v. Executive Committee of Democratic Party of Greene County, Ala., and Executive Committee of Democratic Party of Sunter County, Ala., 254 F. Supp. 543 (N.D. Ala. 1966); and United States v. Executive Committee of Democratic Party of Marengo County, Ala., 254 F. Supp. 543 (S.D. Ala. 1966).

4 These criteria includes whether election officials have appointed Negro polling places officials and whether they have nurred the votors' lists of all persons who have been disquelified

<sup>1</sup> Technically, Federal examiners do not "register" voters. Rather, their function is to list persons as eligible to vote, and the appropriate state voter registration and election officials are

cials and whether they have purged the voters' lists of all persons who have been disqualified through death or moving away.

5 Voting Rights Act of 1965 § 8.

observers on the eve of the May 31, 1966 primary run-off election after complaints of irregularities in the conduct of the May 3, 1966 primary elec-

tion in that county.

In Dallas County, when the county Democratic executive committee in the May 3, 1966, primary attempted to disqualify six ballot boxes containing mostly the votes of Negroes listed by the Federal examiner, the Department filed a suit which resulted in the inclusion of those votes in the final results of the election.<sup>6</sup>

Because of the Department's action, Wilson Baker, the moderate white candidate for sheriff, was declared the winner over James Clark, a well-know segregationist opposed by the Negro community. Federal observers had

been present for that election.

#### B. VOTER REGISTRATION

The suspension of voter registration tests and administrative implementation through the appointment of Federal examiners of the Voting Rights Act had a tremendous impact upon Negro voter registration in the 16 hearing counties. As Table I indicates, prior to the passage of the Act only 8.2 percent of the nonwhite voting age population of these counties was registered to vote. In two counties—Lowndes and Wilcox—no Negroes at all were registered. Since the passage of the Act and as of October 31, 1967, 53,503 Negroes have qualified to vote in the 16 county area, and more than half of these have been listed by Federal examiners. Although nonwhite registration remains less than 50 percent of the nonwhite voting age population in three counties, registration is 60.5 percent of the total nonwhite

voting age population for the entire area.

White registration, however, also has increased during this period so that in many counties it exceeds the white voting age population according to the 1960 census. Thus, despite the tremendous increase in Negro registration, Negroes, who constituted a substantial majority of the voting age population of the hearing counties in 1960, comprise only 37.9 percent of the registered voters. In only four counties—Greene, Lowndes, Macon, and Wilcox—do Negroes constitute a majority of the registered voters carried on the county registration books. However, in some counties white registration figures are so overinflated as a result of the failure to purge voters who have died or moved away that the figures exceed the 1960 white voting age population. If the 1960 white voting age population is substituted as a basis for calculations, Negroes would constitute a majority of voters in four other counties—Bullock, Hale, Perry, and Sumter—as well.

#### C. NEGRO CANDIDATES FOR OFFICE

The last major election year in Alabama was 1966 when elections were held for all countywide public and party offices. In that year 74 of the 107 Negro candidates running for public and party office in the State in the May 3 Democratic primary election ran for positions in the 16 hearing counties. (See Table II) Negroes ran for the Democratic nomination for member of the State legislature in Dallas, Macon, Perry, Sumter, and Wilcox Counties, for county sheriff in Barbour, Bullock, Greene, Hale, Macon, Perry, and Wilcox Counties, and for member of the county governing board in Barbour, Choctaw, Dallas, Macon, Perry, and Wilcox Counties. For most areas these were the first Negro candidates to run for any position in recent times. No Negroes ran for public or party office in the Democratic primaries in Butler, Clarke, Lowndes, or Monroe Counties, although Negroes did run as independent candidates for county office in the Novemeber general election in Lowndes County.

Although in eight of the 12 counties in which Negroes ran for office, Negroes constituted a majority of the 1960 voting age population and in all but one of these Negroes may fairly be considered to have constituted a

<sup>&</sup>lt;sup>6</sup> United States v. Executive Committee of Democratic Party of Dallas County, Ala., 254 F. Supp. 537 (S.D. Ala. 1966). The facts of this case are described more fully in Section D of this report.

Tomparison of actual and potential voter registration usually is based upon the voting age population as determined by the 1960 census, the last census from which county figures are available.

majority of the registered voters, Negroes won the nomination to county office only in Greene and Macon Counties. No Negro candidate won the nomination for member of the State legislature, but single Negro candidates for the first time since before the turn of the century won nomination for sheriff, member of the county governing body, member of the county board of education, and tax collector. Negroes were elected to the county Democratic executive committees in Greene, Choctaw, and Macon Counties, and in Macon County obtained a majority of the committee seats.

Federal lawsuits charging discrimination and fraud in the conduct of the elections in Dallas, Barbour, Bullock, Macon, and Greene Counties, are discussed in Section D. During a field investigation, complaints were received by Commission staff charging discrimination and fraud in the conduct of the

Democratic primary election in Choctaw County (also discussed in Section D).

All four Negro candidates who won Democratic nominations were successful in the general election. Negroes running as independent candidates in the November general election in Dallas and Lowndes Counties were all unsuccessful, as were write-in candidates in Perry and Wilcox Counties in the general election. The only successful write-in effort was in Sumter County, where James Weatherly, a Negro, was elected county coroner. During a field investigation Commission staff received complaints of discrimination in the conduct of the general election in Dallas County (see Section D).

To sum up, in the hearing counties 63 Negro candidates ran for county office and 26 Negro candidates ran for party office in primary and general elections in 1966. There were no Negro candidates in three of the 16 counties. Only five Negro candidates were successful in gaining county office. These were concentrated in three counties, in all of which Negroes constituted a majority of the registered voters. Twelve Negro candidates in two counties were elected to county Democratic executive committees.

#### D. COMMISSION FIELD INVESTIGATIONS

During 1966 and 1967 Commission staff members visited four of the counties within the hearing area-Choctaw, Dallas, Lowndes, and Macon Counties—as part of a field investigation of political participation by blacks in the South. Commission staff also examined court decisions and pleadings relating to political participation in the counties visited and in additional counties within the hearing area. While the following accounts do not portray obstacles to Negro political participation in the Alabama Black Belt exhaustively, in general they reflect typical problems experienced by Negroes in this area.

#### 1. Racial gerrymandering

Macon and Bullock Counties-In 1962, a three-judge Federal district court, in a decision affirmed by the Supreme Court, held that malapportionment in the Alabama Legislature violated the equal protection clause of the 14th amendment. The court rejected two measures passed by the Alabama Legislature because they failed to correct the inequities, but ordered into effect a combination of the two plans as a provisional measure until the legislature passed a constitutional scheme.<sup>13</sup>

The Alabama Legislature did not pass further reapportionment legislation until its Second Special Session in the fall of 1965, 14—six weeks after passage of the Voting Rights Act of 1965—when a new apportionment plan consisting of two acts was signed into law. The three-judge court held the

<sup>8</sup> Lucius Amerson of Macon County.
9 Harold Webb to the Macon County Board of Revenue.

<sup>10</sup> Rev. Peter Kirksey of Greene County.

11 L. A. Locklair of Macon County. The gains in Macon County cannot be attributed exclusively to the effects of the Voting Rights Act. Negroes in the county have been politically active for some time and since 1964 have held positions on the county board of education, the city council of Tuskegee, and the county seat, and as justice of the peace.

12 Weatherly was unopposed in the general election, as were the other Negro candidates with

the exception of Amerson.
13 Sims v. Frink, 208 F. Supp. 431 (M.D. Ala. 1962), aff'd, Reynolds v. Sims, 337 U.S. 533

<sup>14</sup> Ala. Acts 1965, 2d Sp. Sess., No. 47, p. 69 (senate) and No. 48, p. 70 (house of representatives).

act providing for reapportionment of the State senate constitutional, but ruled the act reapportioning the house invalid. $^{15}$ 

The main objection to the senate plan was that it provided for one district which comprised a population 25.7 percent greater than the average. This deviation, the court ruled, was justified because it maintained the integrity of the county unit and minimized the number of multimember districts. Noting that strong inferences of a legislative purpose to prevent the election of Negroes to the State senate could be drawn, the court nevertheless concluded that inferences indicating a legitimate purpose

were equally justifiable.

The court found, however, that 21 districts in the house deviated irrationally by more than 10 percent from the population norm, and that the house scheme violated the State constitutional prohibition against multimember districts. In addition, the court held "that the legislature intentionally aggregated predominantly Negro counties with predominantly white counties for the sole purpose of preventing the election of Negroes to House

membership." 17

The plan grouped predominantly Negro Macon County and predominantly white Elmore and Tallapoosa counties into a single house district alloted three representatives, with the stipulation that the district delegation must include residents of each county but be elected by a majority vote of the

entire district. Analyzing the purpose of the plan, the court concluded:

The conclusion is inescapable that Elmore, Tallapoosa and Macon were combined needlessly into a single House district for the sole purpose of preventing the election of a Negro House member. In the Bullock-Pike-Coffee-Geneva House district to which the Legislature proposes to allot three members, the inference is also clear that there is no purpose other than racial considerations. The obvious effect of this grouping, from a racial standpoint is to equalize the 71.9 percent of nonwhite citizens in Bullock county. 18

Holding that the house plan contravened both the 14th and 15th amendments to the U.S. Constitution, the court declared it invalid and enjoined its

enforcement.19

#### 2. Switching to at-large elections

Barbour County—As a result of voter registration following passage of the Voting Rights Act of 1965, Negro registrants became a majority in four beats (districts) in Barbour County.<sup>20</sup> In March 1966 the county Democratic executive committee altered the method of selecting its members by converting from election by beats or districts to countywide election. Conversion to the new method was made 16 days after six Negroes had qualified as candidates for committee membership.

When the six Negro candidates were defeated in the May 1966 primary election—held countywide under the new rule—they brought suit in Federal district court attacking the action of the committee. Answering the complaint, the committee argued that the change had been made to comply with the constitutional principle that elected public officials must represent, equal, or nearly equal population areas. Looking at the context of the change the court termed this justification "nothing more than a sham".<sup>21</sup> It held that

<sup>15</sup> Sims v. Bagaett, 247 F. Supp. 96 (M.D. Ala. 1965).

16 The population mean, or norm, is reached by dividing the total State population by the number of seats in the legislative house to be apportioned.

<sup>17 247</sup> F. Supp. at 109.

<sup>18</sup> Id. (footnote omitted). Referring to the recent passage of the Voting Rights Act, the assignment of Federal examiners to the State, the history of racial discrimination in Alabama, and that State's denial to Negroes of constitutionally protected voting rights, the court

observed:

The House plan adopted by the all-white Alabama Legislature was not conceived in a vacuum. If this court ignores the long history of racial discrimination in Alabama, it will provide that justice is both blind and deaf.

In the present case, we have a situation where nonwhites have been long denied the right to vote and historically have not been represented by nonwhites in the councils of

state.
19 On Oct. 4, 1965, the district court decreed a plan of apportionment for house of representatives districts in the Nov. 8, 1966 general election.
20 Information on Barbour County taken from the findings of fact in Smith v. Paris, 257

F. Supp. 901 (M.D. Ala. 1966). 21 Id. 905.

the change was racially motivated and "born of an effort to frustrate and discriminate against Negroes in the exercise of their right to vote" in violation of the 15th amendment and enjoined the Committee from holding future elections under the new scheme.22

3. Extending the terms of incumbent white officials

Bullock County.—In Bullock County, the county commissioners are elected to staggered terms. Primary elections to nominate candidates for two county commission seats were scheduled to be held on May 3, 1966. In July 1965, shortly before enactment of the Voting Rights Act of 1965, legislators representing Bullock County, where the Negro voting age population is almost twice as large as the white voting age population, introduced local legislation to extend for two years the terms of office of the Bullock County commissioners. The bill was passed by both houses and approved by the Governor on August 20, 1965, two weeks after passage of the Voting Rights Act.<sup>23</sup> The effect of the new law was to cancel the previously scheduled primary

An action was brought in Federal district court to void the new law as unconstitutional, and the court, one judge dissenting, issued an injunction against its enforcement. 25 Circuit Judge Rives, in his opinion, concluded that the statute had a racially discriminatory effect:

Act No. 536 freezes into office for an additional two years persons who were elected when Negroes were being illegally deprived of the right to vote. Under such circumstances, to freeze elective officials into office is, in effect, to freeze Negroes out of the electorate. That is forbidden by the Fifteenth Amendment.<sup>26</sup>

Judge Rives also believed that Section 5 of the Voting Rights Act encompassed any kind of practice with respect to voting, and therefore enforcement of the change embodied in the new legislation, without approval of the U.S. District Court for the District of Columbia or the U.S. Attorney General, contravened that section.

District Judge Johnson, concurring in the decision believed that the history of voting discrimination against Negroes in the county, taken with the absence of any reasonable explanation for the statute, justified a conclusion that the introduction and passage of the statute were racially motivated.27

#### 4. Withholding Information from Negro Candidates

Dallas County.—Organizers of the Dallas County Independent Free Voters Organization—an independent Negro political organization—reported difficulty in obtaining the necessary information to run independent Negro candidates for county and State offices in the November, 1966, general

Stuart House, Negro field secretary for the Student Nonviolent Coordinating Committee and one of the organizers of the Free Voters Organization, reported that he visited the office of Bernard Reynolds, probate judge of Dallas County, in late April, 1966, seeking information on how independent candidates could qualify.<sup>28</sup> According to his account, the judge's secretary

<sup>22</sup> Id. at 904.

<sup>23</sup> Ala. Acts 1965, No. 536. The text of the statute may also be found at 11 Race Rel. L. Rep. 980 (1966). The factual description relating to the passage of the Bullock County statute is taken from the opinion of the Federal district court, cited Note 79, infra.

24 According to a press report, when would-be Negro candidates visited the county courthouse in late February 1966 to qualify to run for the office of county commissioner, they were tall that a classing for the office were to be held in 1966. Until then they had been purposed.

of the change, N.Y. Times, March 12, 1966, at 16.

25 Sellers v. Trussell, 253 F. Supp. 915 (M.D. Ala. 1966).

26 Id. at 917 (citations omitted).

27 253 F. Supp. 918-19.

<sup>27 253</sup> F. Supp. 918-19.

28 Interview with Stuart House, April 25, 1967. Under Alabama law, the probate judge of the county has numerous responsibilities with regard to primary and general elections. He has the duty of having printed on the official ballots the names of all candidates who have been nominated or have otherwise qualified to run for office in primary and general elections. Ala. Code, tit. 17, § 145 (1960). He also is custodian of the official list of registered voters, Ala. Code, tit. 17, § 38, 39, and serves as a member of the three-man appointing board which selects election officials, Ala. Code, tit. 17 § 120, custodian of the sealed election returns, and member of the board which canvasses the results of general elections. Ala. Code, tit. 17, § 8, 139, 199 §§ 139, 199.

told him that Judge Reynolds was "not there right now" and added: "You can wait for him the hallway." House reported that Judge Reynolds was in another room but came out when he heard the discussion whereupon House questioned him about the method by which independent candidates could qualify. Judge Reynolds allegedly responded that he was not a lawyer and duality. Judge Reynolds allegedly responded that he was not a lawyer and that the Alabama Code was just as ambiguous to him as it was to House. House reported that Judge Reynolds chastised him for not obeying the secretary's order to wait in the hallway and that he eventually was told not to return to the office again. House indicated that other visits to obtain information from Judge Reynolds also were unsatisfactory and that the judge had failed to answer most of the questions posed by representatives of the Free Voters Organization.

Questioned about these requests for such information, Judge Reynolds said that he did not remember specific visits but acknowledged that during this period he had received frequent requests for information from civil rights workers.<sup>29</sup> When asked by a Commission attorney about his responses to such requests, Judge Reynolds replied: "I gave damn few answers and said the answer to most questions could be found in the Alabama Code." He conceded that many of the Code's election provisions were ambiguous. The judge admitted that he might have given some rude answers to civil rights workers seeking election information, but maintained that he had been very busy during the period in question. He said he was not a lawyer and thus not in any position to give legal opinions on matters involving interpretation of the Alabama Code. Further, he claimed he was not under any legal obligation, as probate judge, to respond to every question about candidates qualifying to run for office.

### 5. Disqualification of Negro Ballots on Technical Grounds

Dallas County.—In the 1966 Democratic primary election in Dallas County, five Negro candidates sought nomination for county offices. In addition, Wilson Baker, a moderate white candidate supported by the Negro community, sought the Democratic nomination for the office of sheriff against white incumbent James Clark, who had the reputation of being hostile toward civil rights and Negro progress.

When the ballot boxes were canvassed by the county Democratic executive committee to tabulate the official returns, the committee voted to exclude the votes in six ballot boxes. 30 The vast majority of the votes in these boxes had been cast by Negroes registered by Federal examiners under the provi-

sions of the Voting Rights Act of 1965.

The county executive committee said the votes were excluded from the canvass because no certificates of results had been prepared by election officials and placed in or attached to the outside of the boxes, as required by Alabama law. The votes in these boxes were rejected despite the absence of evidence of vote fraud, and even though members of the county Democratic executive committee had been able to conduct unofficial tabulations of the vote in the disqualified boxes with little apparent difficulty, and some of the vote in the disqualined boxes with little apparent difficulty, and some of the persons conducting such tabulations had urged inclusion of some of the boxes. In a suit brought by the U.S. Department of Justice challenging the exclusion, the Federal district court held that failure to count the votes in the excluded boxes violated rights secured by the Voting Rights Act of 1965 and was inconsistent with State law, and ordered that the votes be counted. Although the court-ordered inclusion of the six boxes did not affect the results of the election as far as the Negro candidates were concerned, it did obtain the promination of the moderate white candidate for sheriff who did obtain the nomination of the moderate white candidate for sheriff, who was elected to the office in November.32

Choctaw County.—In the May 1966 Democratic primary and run-off elections in Choctaw County Rev. Linton I. Spears, a Negro, was defeated

<sup>29</sup> Interview with Bernard A. Reynolds, probate judge of Dallas County, April 26, 1967.
30 Unless otherwise noted, the facts concerning this incident are taken from the findings of fact and opinion of the court in *United States v. Executive Committee of Democratic Party of Dallas County, Alabama*, 254 F. Supp. 537 (S.D. Ala. 1966).
31 There was evidence that the election officials who had failed to resolve all tally discrepancies and fill out the certificates of results had been inadequately trained and instructed by those responsible for the conduct of the election.
32 N.Y. Times, May 5, 1966, at 1.

in his bid to obtain the Democratic nomination for the District Two seat on the Board of County Commissioners 33 although Negroes constituted a majority of the registered voters in the district. 34 Rev. Spears and civil rights leaders charged that he did not get a majority vote in the first primary election because of racially motivated irregularities, including disqualifica-

tion of ballots by election officials in violation of State law.35

Negro poll watchers reported that nine ballots at the Halsell polling place were disqualified because the voters' "X" marks were placed on the wrong side of Rev. Spears' name. Since in the first primary the Negro candidate had been only six votes short of a majority, the nine disqualified ballots, if counted, might have made him the winner. Asked about this complaint, the counted, might have made film the winner. Asked about this complaint, the chairman of the county Democratic executive committee acknowledged that under Alabama law if the election official can determine from the ballot precisely how the voter intended to vote, the ballot should be counted even though the voter may not have followed the directions on the ballot exactly. Thus, according to the chairman, if an "X" is made beside the name of a candidate but not in the box specified, the ballot nevertheless should be tallied.

Rev. Spears complained about the disqualified ballots to the chairman of the county committee.<sup>38</sup> The chairman advised him to ask for a recount, and that he would need a lawyer for this purpose.<sup>39</sup> Rev. Spears contacted a Negro lawyer in Mobile but later decided that he could not afford to contest the election and dropped his challenge. He belives the failure to count the

nine disqualified ballots was racially motivated.40

### 6. Failure to Provide or Allow Adequate Assistance to Illiterates

33 According to the official returns, the vote in the first primary was:

Bullock and Barbour Counties.—Under Alabama law governing primary elections, if a qualified elector is unable to read or is physically incapacitated from marking his ballot, he may request assistance from two polling place inspectors who must assist him in the presence of each other. 41 Alabama illiterates also are entitled to assistance at the polls by virtue of the Voting

In a suit to void the results of the 1966 run-off primary election, Fred Gray, an unsuccessful Negro candidate for the State house of representatives, alleged that at several polling places in Bullock and Barbour Counties election officials refused to adequately assist Negro voters, including illiterates, as required by State and Federal law. The complaint stated:

At several polling places in Bullock and Barbour Counties election

officials refused to assist Negro voters requiring help because of unfamiliarity with voting machines and procedures; refused to assist Negroes who could sign their names but were otherwise functionally illiterate; refused to permit Negroes to use persons of their choice to assist them in voting at voting machines as required by the law of

Spears \_\_\_\_

Spears \_ Ezell
Reynolds
Total Votes of Opponents.
The Vote in the primary run-off election was: Ezell ... 539 Ezell \_\_\_\_\_

<sup>34</sup> Interview with William H. Harrison, president of the Choctaw County Civic League, a civil rights organization, Jan. 4, 1967, and Anthony S. Butler, chairman of the Civic League's Franchise Committee, Jan. 4, 1967.

35 Id. and interview with Rev. Linton I. Spears, Jan. 4, 1967. Other complaints were that the Civic League was not permitted to obtain lists of the registered voters for each box to determine whether voters were casting their ballots in the proper boxes; the white employers of local Negroes intentionally were placed as election officials at District Two boxes to intimidate their Negro employees; that the election officials, all of whom were white, harassed and intimidated Negro voters; and that there was discrimination in the selection of election officials.

36 Harrison and Spears interviews.

<sup>36</sup> Harrison and Spears interviews.

37 Interview with Albert H. Evans, Jr., chairman of the Choctaw County Democratic Executive Committee, Jan. 4, 1966. See Ala. Code, tit. 17, § 193 (1959).

<sup>38</sup> Spears interview. 39 Evans interview.

<sup>40</sup> Spears interview. 41 Ala. Code, tit. 17, § 359 (1958).

the State of Alabama; refused to supply the proper number of voting officials to assist Negro illiterates and attempted to humilate and mortify Negroes requesting assistance. White electors requesting assistance at all times received polite and courteous treatment from poll officials. 42

The court found that no voter was refused assistance, but that there was a dispute as to who were the proper parties to render assistance. The court held that the evidence was insufficient to establish a "burdensome discriminatory practice." 43

Dallas County.—Under Alabama law governing general elections, a voter who needs assistance in filling out his ballot because of illiteracy or physical handicaps "may have the assistance of any person he may select." 44 In two nancicaps may nave the assistance of any person he may select." <sup>44</sup> In two reported instances in Dallas County, Negro poll watchers allegedly were denied the opportunity to assist illiterate Negro voters requesting their help. <sup>45</sup> In describing one of these instances, Mrs. Clara Walker, a Dallas County Free Voter Organization poll watcher at a polling place in precinct four, complained to a Commission staff member that the election officials managing the polling place refused to allow her to assist a Negro voter who requested help. <sup>46</sup>

Greene County.—In Greene County, Negro voters in the 1966 Democratic primary election reportedly were denied on account of their race the use of sample ballots to assist them in voting. It also was reported that voting officials, in purporting to assist Negro illiterates in casting their votes, marked the ballots contrary to the wishes of the voters they assisted.

marked the ballots contrary to the wishes of the voters they assisted.

Four Negro candidates and four functionally illiterate Negro voters sued to void the primary election. Their complaint stated that sample ballots were used by voter organizations in instructing illiterate Negroes on voting procedures so they could cast their ballots within the 5-minute limit imposed by Alabama law 47 without having to seek assistance from voting officials who were almost exclusively white. The plaintiffs alleged that prior to the election the county probate judge instructed election officials not allow illiterate Negro voters to enter the voting booths with sample ballots or cards bearing the names of candidates. Voting officials, however, were instructed to allow literate voters and white illiterate voters to take sample ballots or cards into the voting booths, the complainants alleged 48

ballots or cards into the voting booths, the complainants alleged. 48
On election day, the complaint says, illiterate Negro voters uniformly and consistently were not allowed to use sample ballots and thus were forced to request the assistance of white voting officials. The plaintiffs alleged that out of sight of Negro poll watchers and Federal observers "[t]he great majority of Negro illiterate voters instructed the voting officials assisting them to mark their ballots for the various candidate plaintiffs. In numerous instances the white voting officials failed and refused to mark the ballots as instructed. Rather they designated a vote for the various white candidates."49

## 7. Discriminatory Purging of Voter Lists

Bullock, Barbour, and Macon Counties.—As previously indicated, Fred Gray, a Negro who sought the Democratic nomination for a seat in the Alabama house of representatives in the May 1966 Democratic primary election, was defeated in the primary run-off according to the official returns. Four other Negro candidates running for local offices in Bullock County were defeated as well. All three of the counties in the house district in which

<sup>42</sup> Complaint in Gray v. Main, Civ. No. 2430-N. M.D. Ala., filed July 5, 1966, at 14, 15. Racial discrimination in the assistance of voters and the denials of adequate assistance allegedly "had the purpose, intent, and effect of discouraging and excluding from the elective process other Negro electors who needed assistance in casting their ballots." Gray complaint at 18. 43 Gray v. Main, supra, March 29, 1966, slip opinion at A-6 to A-7. 44 Ala. Code, tit. 17, § 176 (1958). 45 Interview with Clarence Williams, chairman of the Dallas County Independent Free Voters Organization, Nov. 9, 1966. 46 Interview with Mrs. Clara Walker, Nov. 9, 1966. 47 Under Alabama law, when voters are waiting to vote and the other voting booths are filled, the voter is not permitted to take longer than five minutes to mark his ballot. Ala. Code, tit. 17, § 177 (1958). 48 Gilmore v. Greene County Democratic Party Executive Committee, Civ. No. 66-341, N.D. Ala., complaint filed May 27, 1966, at 3-8, hereafter cited as the "Gilmore complaint."

Ala., complaint filed May 27, 1966, at 3-8, hereafter cited as the "Gilmore complaint." 49 Gilmore complaint at 8.

Gray ran were predominantly Negro. At the time of the election, the number of Negroes registered to vote exceeded the total white voting age population

as set forth in the 1960 census.50

After the election, the Negro candidates and Negro voters in the May 31 primary run-off election sued in Federal district court to set aside the election, charging, among other things, that many white persons had been permitted to cast illegal ballots to prevent the election of the Negro candidates.<sup>51</sup> The complaint alleged that at the time of the election, in each county in the district, the number of white persons on the registration rolls exceeded the white voting age population. It was further alleged that

because of the failure of defendant Boards of Registrars and their chairmen to purge the registration lists as required by law,<sup>52</sup> at least approximately 5,547 names of white persons are listed as eligible to vote in Alabama House District 31 in excess of the number of white persons eligible to vote in the said District. Votes may be entered in the names of these persons without any discrepancy, imbalance, fraud, or error being evident upon the face of the officials records . . . . <sup>53</sup>

The plaintiffs charged that in violation of the 14th and 15th amendments to the U.S. Constitution, "[n]umerous white persons in Barbour, Bullock and Macon Counties were permitted to cast illegal absentee or regular

ballots by the various election officials of those counties . . . . 54

In its opinion, the Federal district court concluded that despite extensive investigation and use of discovery by the plaintiffs and the Department of Justice, no specific evidence had been uncovered of illegal voting by whites. The court found that census data were not an accurate standard by which to judge excessive registration because many persons not physically present in the county, and thus not counted by the census, might be qualified under Alabama law to vote in the county. 55 However, in Bullock County there was evidence that when voter registration officials purged the voter lists different standards had been applied to white and Negro voters which appeared to discriminate against Negro voters. The court found that the manner of purging those who had died or moved away from the county gave rise to suspicion, and the court established a procedure for fair and nondiscriminatory purging of voter lists.56

Further, in a stipulation attached to the opinion, the plaintiffs and Macon County voter registration officials agreed that the official voter list for the 1966 primaries contained a number of names of persons who were not legally qualified voters in the county and that these names should be removed. They also stipulated that a purge list submitted to the probate judge in January 1966 had not been acted upon and that the names on that list should have been purged from the registration rolls. The parties agreed to a consent decree, made part of the court's decree, which established a fair

procedure for purging disqualified voters.<sup>57</sup>

## 8. Exclusion of and Interference with Negro Poll Watchers

Dallas County.—Under Alabama law each candidate in a primary election is entitled to appoint for each polling place a poll watcher who is entitled to watch the conduct of the election and, after the polls have closed, to observe the counting of the ballots.<sup>58</sup> In general elections each qualified party is entitled to watchers—appointed by the chairman of the county executive committee, the beat committeeman, or the party nominees-having the same privileges.50

In the 1966 Democratic primary election in Dallas County, five Negro candidates associated with the Dallas County Voters League ran for State

<sup>50</sup> Voter Education Project, Voter Registration in the South, Summer 1966. 51 Gray v. Main, Giv. No. 2430-N. M.D. Also filed July 5, 1966. 52 Ala. Code, tit. 17, § 44 (1958) requires that the board of registrars of each county must purge the voter registration rolls every two years.

urge the voter registration rolls every two years.
58 Gray complaint at 8, 9.
54 Id., at 17.
55 Gray v. Main, Civil No. 2430–N, M.D. Ala., Mar. 29, 1968, slip opinion at 18–29.
56 Id. at 38–40, 45.
57 Id. at A.–9 to A.–13.
58 Ala. Code, tit. 17, § 357 (1958).
59 Ala. Code, tit. 17, § 126 (1958).

and county offices. Negro poll watchers named by these candidates to observe the conduct of the election experienced no difficulties or mistreatment, accord-

ing to one of the candidates.60

On November 8, Negro candidates affiliated with the Dallas County Independent Free Voters Organization—reportedly the more militant of the two Negro organizations—ran for county office as independents and appointed watchers for each polling place in the county. 61 In contrast to the treatment accorded poll watchers of the Voters League candidates, and to the practice in Lowndes County (where independent Negro candidates associated with the Lowndes County (where independent Negro candidates associated with the Lowndes County Freedom Organization were allowed to assign poll watchers to observe the November election), the chairman of the Free Voters Organization reported that its Negro poll watchers were excluded and in some cases chased away from five polling places. <sup>62</sup> In one polling place, Negro watchers reportedly were threatened with a shotgun. <sup>63</sup> Additional complaints were voiced that in violation of State law, some Negro poll watchers were denied an opportunity to challenge ballots cast by persons whom the poll watchers knew or suspected were not qualified to vote. 64 The probate judge said he was satisfied with the conduct of the election. 65

Bullock County.—In the May 1966 Democratic primary election in Bullock County, Negro candidates qualified and ran for office for the first time in recent history. Three Negro candidates ran for the offices of member of the State house of representatives, tax assessor, and sheriff, respectively. Two Negro candidates ran in a special election the same day for seats on the Bullock County Court of County Commissioners. All five candidates received large numbers of votes but each failed to receive a majority, necessitating a

run-off primary election on May 31, 1966, in which they were defeated.

Before the election the attorneys for the Negro candidates reportedly explained to the Bullock County probate judge and his legal adviser that their clients planned to assign poll watchers to every voting machine or ballot box, and asked the probate judge to inform the election officials of the rights of the Negro watchers. In the suit brought by Fred Gray, candidate for the State house of representatives, to void the run-off, however, it was alleged that the Bullock County election officials were not instructed to allow the Negro watchers freedom of movement and inquiry, and that at a meeting of election officials severe restrictions were placed upon the freedom of the Negro watchers to communicate with others, and to enter, remain, leave, and record events at the polling places. 67

The complaint stated:

On the morning of May 31, 1966, poll watchers in Bullock, Barbour, and Macon counties reported to their assigned polling places and presented letters from Negro candidates authorizing them to act as poll watchers. They brought with them paper, pencils and lists of registered voters assigned to ballot boxes for machines for which they were to act

as poll watchers.

In Bullock County attempts of poll watchers to perform their lawful tasks were uniformly resisted. They were informed of the meeting of voting officials held the night before and told that as a result of the said meeting they had no right to use paper, pencil or registration lists; that their presence was in violation of law; that they must leave the polling place immediately or face arrest, conviction, fine and/or imprisonment. In some polling places poll watchers were completely excluded. In other instances at other polling places poll watchers were made to conform to rules which were so rigorous and unreasonable that it was impossible for them to perform their assigned tasks. Where poll

<sup>60</sup> Interview with Rev. F. D. Reese, president of the Dallas County Voters League, Nov. 9,

<sup>61</sup> Interview with Clarence Williams, Chairman of the Dallas County Independent Free Voters Organization, Nov. 9, 1966.

<sup>63</sup> Īď.

<sup>64</sup> Id. 65 Interview with Bernard Reynolds, probate judge of Dallas County, April 26, 1967. 66 Interview with Solomon S. Seay, attorney for Fred D. Gray, candidate for State house of representatives, Nov. 11, 1966. 67 Complaint in *Gray* v. *Main*, Civ. No. 2430-N, M.D. Ala., filed.

watchers insisted that they had a lawful right to remain at the polling places and did so, they were not permitted to use public bathroom facilities or drinking fountains. They were not permitted freedom of movement or lawful inquiry at the polling places.68

In its opinion the Federal district court found that there was a conflict of legal authority on the number of poll watchers allowed by Alabama law for each polling place and on the rights of poll watchers to check off the names of the voters who cast their ballots on election day. The court also deterwith voters who cast their bands on election day. I he court also determined that there was sufficient provocation on the part of some Negro poll watchers to justify disciplinary efforts by polling place officials. On these issues the court held that the actions of the polling place officials were not arbitrary or wrongful. However, the court found that the closing of the restroom facilities at one polling place was an "instance of discrimination" and condemned the restrictions placed upon the poll watchers' use of pens, pencils, and paper. 71 In its decree, the court enjoined further such inter-

## 9. Discrimination in the Selection of Election Officials

Bullock, Barbour, and Macon Counties.—Alabama law provides that each candidate in a primary election may submit to the county executive committee of the party in whose primary he is running a list of nominations of persons to serve as election officials 12 at each election precinct and forward this list to the county appointing board, composed of the probate judge, the sheriff, and the clerk of the county circuit court. If the list submitted to the board contains a sufficient number of names of persons who are qualified

to serve, the county appointing board appoints those whose names appear on the list to conduct the primary election.

Solomon Seay, attorney for the Negro candidate seeking the Democratic nomination for a seat representing Bullock, Barbour, and Macon counties in the State house of representatives indicated that Negro election officials were appointed in each county for the May 1966 Democratic primary and run-off.73 Negro election officials, he reported, generally were selected from lists of names submitted by the Negro candidates for office. He believes, however, that the respective probate judges selected some Negroes whose names did not appear on these lists because they had opinions acceptable to the white community.

Choctaw County.—In 1966, the Democratic primary election in Choctaw County was held on May 3; hence, the deadline for the submission of candidates' lists of election officials (25 days earlier) was April 8. On April 7, Rev. Linton I. Spears, a Negro candidate who sought the Democratic nomination for Choctaw County Commissioner, submitted to Albert H. Evans, Jr., chairman of the county Democratic Executive Committee, a list of 22 persons all Negroes to serve as election officials at eight hoves in the primary persons, all Negroes, to serve as election officials at eight boxes in the primary election. A On April 9, Rev. Spears received a letter dated April 8 from the chairman of a subcommittee of the county executive committee charged with managing the primary election, stating that prior to receipt of the Spears list "the subcommittee had already met and named the election officials for the May primary." 75

Upon receiving this letter the Negro candidate, according to his account, arranged to meet immediately with Evans in an effort to have Negro election officials appointed.76 Approximately four meetings took place, but the chair-

man refused to commit himself to the appointment of Negro officials.<sup>77</sup>
In the May 3 primary, Rev. Spears was six votes shy of a majority and the election was forced into a runoff on May 31.<sup>78</sup> The Choctaw County Civil

<sup>68</sup> Id. at 13-14. 60 Gray v. Main, Civil No. 2430-N, M.D. Ala., March 29, 1968, slip opinion at 29-34, 70 Id. at 35.

<sup>70</sup> Id. at 36.
71 Id. at 36.
72 Ala. Code, tit. 17, § 349 (1958).
73 Interview with Solomon Seay, attorney for candidate Fred D. Gray, Nov. 11, 1966.
74 Interviews with Rev. Linton I. Spears and with Albert H. Evans, Jr., chairman of the Choctaw County Democratic Executive Committee, Jan. 4, 1967.
75 Id. copy of letter supplied by Evans.

<sup>75</sup> Id., copy of letter supplied by Evans. 76 Spears Interview.

<sup>78</sup> See infra, pp. 928-29.

League sought on behalf of the candidate the appointment of Negro election officials to serve at the May 31 election, at which he was defeated. A petition containing 169 signatures of local Negroes was sent to the county Democratic executive committee requesting, among other things, the appointment of two Negro election officials for every ballot box in the county from a list of nominess submitted by the Civic League. On May 16, according to the president of the Civic League, a committee of five Civic League members met with Evans to complain of irregularities and to request the appointment of Negro officials.<sup>80</sup> The request was denied and only white persons served as election officials in the runoff.81

The question officials in the runon. The question officials was critical to Choctaw County Negroes. Both the Negro candidate for county commissioner and the president of the Civic League had received many reports from Negro voters and poll watchers in the May 3 primary that Negro voters had been abused, intimidated, illegally disqualified, and instructed by white election officials to place their ballots in the wrong box, nullifying votes for election officials to place their ballots in the wrong box, nullifying votes for Rev. Spears.<sup>82</sup> In a complaint to the Attorney General of the United States, the Civic League president attributed many of these irregularities to the fact that the election officials were white and the refusal of the county executive committee to appoint Negroes as election officials.<sup>83</sup>

The chairman of the Choctaw County Democratic Executive Committee acknowledged that Rev. Spears had asked him on April 7 to appoint Negroe election officials.<sup>84</sup> He indicated that he had forwarded the request to the palarity of the subcommittee which had been delegated the request to the

chairman of the subcommittee which had been delegated the power to conduct the party primary election. The county committee did not submit the names of any Negroes to the appointing board, Evans related, because on April 6, one day prior to receiving Rev. Spears' request, the subcommittee already had met and drawn up a list of nominees to serve as election officials.

Evans stated that he did make an effort to permit Negroes to serve as election officials by encouraging white persons appointed to such posts not to appear at their assigned polling places on the morning of the election. Alabama law provides that when no election officials report for duty by eight a.m., the voters at the polling place may select from among themselves officials to conduct the election. 85 This effort to obtain Negro election officials failed, the chairman said, because the white appointees refused to cooperate. 86

Greene County.—In a suit to void the results of the primary election in

Greene County Negro candidates complained, among other things, of discrimination in the selection of election officials. According to their complaint, 81 percent of the county population and a majority of the registered voters are Negro. Pursuant to Alabama law, they claimed, the Negro candidates submitted the names of 75 persons to serve as election officials. Of the approximately 100 officials chosen, however, only four were from the list submitted by the Negro candidates. As of Feb. 28, 1968, the Federal district court had not ruled on this portion of the complaint.88

Dallas County.—Negro candidates sought nomination for county office in the May 1966 primary election in Dallas County. According to the probate judge of the county, without any request from the Negro community for the appointment of Negro election officials, the appointing board met and decided on its own to ask Negro candidates and leading members of the Negro community, selected by the appointing board, to submit names of Negroes to serve. So Leaders of the Dallas County Voters League, a Negro political and civil rights organization with which the five Negro candidates in the

<sup>79</sup> Interview with William H. Harrison, president of the Choctaw County Civic League, Jan. 4, 1967; U.S. Commission on Civil Rights Complaint No. 6257 from William H. Harrison.

<sup>81</sup> Id.

<sup>82</sup> Harrison and Spears interview.

<sup>83</sup> A copy of this complaint was sent to the U.S. Commission on Civil Rights. Harrison complaint.

<sup>84</sup> Evans interview

<sup>85</sup> Ala. Code, tit. § 349 (1958). 86 Evans interview.

<sup>87</sup> Gilmore v. Greene County Democratic Party Executive Committee, Civil No. 66-341, N.D. Ala., filed May 27, 1966, item VI.

88 Information supplied by clerk's office, Feb. 28, 1968.

<sup>89</sup> Interview with Judge Bernard A. Reynolds, April 26, 1967.

primary election were associated, were among those who submitted names.<sup>90</sup> The appointing board selected persons whose names were submitted by the Voters League leaders. 91

According to Voters League officials, however, Negroes served as poll officials only in the Negro areas of the county. 92

10. Harassment and Intimidation of Negroes Employed in Political Activity

Choctaw County.—Rev. Linton I. Spears, a Negro candidate for county commissioner of Choctaw County, reported numerous instances of harassment and intimidation of Negro voters in the May 3, 1966, Democratic primary election. Negro poll watchers at one ballot box allegedly overheard an election official ask Negro voters: "Why do all you niggers went to vote for Spears?" 93

The candidate's wife, who served as a poll watcher at the Lisman polling place in a predominantly Negro area, reported instances of harassment there. 94 All election officials at the polling place were white. 95 Mrs. Spears stated that Negroes waiting to vote were not permitted to talk to each other and that she heard one election official use abusive language when addressing

Negro voters.

Dallas County.—In Alabama the chairman of the Dallas County Independent Free Voters Organization—the Negro political organization which ran eight Negro candidates as independents for county offices in the November 1966 general election-complained that arrests and prosecutions three days before the election of three workers of the Student Nonviolent Coordinating Committee who were campaigning for the Negro candidates were designed to harass the candidates and interfere with their campaign.96

The petition of one of the SNCC workers for removal of the prosecutions from the State court to the Federal district court provides this version of

the incident: DT

From May to November the SNCC workers campaigned for the election of Free Voters Organization candidates. On the afternoon of November 5. one of the workers, Thomas Lorenzo Taylor, was operating a sound truck in Selma from which he broadcast voting information and encouraged Selma residents to vote for the Negro candidates. Other campaign workers were distributing leaflets urging voters to vote for the same candidates. When he double-parked the truck in front of the building housing the offices of SNCC and the Free Voters Organization, Taylor said, he left two lanes free for moving traffic but was ordered by a city policeman to move the vehicle. While he was preparing to comply with the order, Taylor alleged, the policeman struck him through the open truck window and when Taylor rolled up the window to defend himself, the police officer allegedly got a shotgun with which he struck the closed window of the truck. Meanwhile, 10 other police officers had converged on the scene, and when Taylor stepped from the cab of the truck, he allegedly was struck with the muzzle of the shotgun and forced at gun point to the nearby city jail. On the way to the

<sup>90</sup> Interview with Reverend F. D. Reese, president of the Dallas County Voters League, Nov. 9,

<sup>92</sup> Id., and interview with the Reverend P. H. Lewis, first vice-president of the Dallas County Voters League, and candidate for the State house of representatives in the 1966 Democratic

Voters League, and candidate for the State house of representatives in the 1966 Democratic primary election, Nov. 9, 1966.

32 Interview with Rev. Linton I. Spears, Jan. 4, 1967.

34 Interview with Mrs. Linton I. Spears, Jan. 4, 1967.

35 A timely request for the appointment of Negro election officials nominated by the Negro candidate was turned down. See pages 596 ff. infra.

36 Interview with Clarence Williams, Nov. 9, 1966.

37 Petition for Removal in City of Selma v. Carmichael, Crim. No. 15,015, S.D. Ala., filed Nov. 6, 1966. The removal statute, 28 U.S.C. § 1443, provides in part: "Any of the following civil actions or criminal prosecutions commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending: (1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States or of all persons with the jurisdiction thereof; ... "Removal in civil rights cases is discussed in U.S. Commission on Civil Rights, Law Enforcement: A Report on Equal Protection in the South 130-35 (1965). See Amsterdam, Criminal Prosecutions Affecting Federally Guaranteed Civil Rights: Federal Removal and Habeas Corpus Jurisdiction to Abort State Court Trial, 113 U. Pa. L. Rev. 793 (1965); Georgia v. Rachel, 384 U.S. 780 (1966); and City of Greenwood v. Peacock, 384 U.S. 808 (1966).

jail, he allegedly was further assaulted by city policemen and firemen. He

was charged with "Blocking Traffic-Resisting Arrest."

After Taylor was arrested and while he was being taken to jail, another SNCC worker, William Stuart House, began addressing a crowd which had gathered. According to the petition, House urged Selma residents to vote and elect Free Voters Organization candidates to end police brutality in Selma. Within a few moments, an official of the Selma police department demanded that House stop speaking to the crowd because it might cause a riot. House allegedly responded that the people were orderly and "it was only the city police which continuously rioted." He was then arrested for "Inciting to Riot." It was alleged that the Negroes who made up the crowd had remained to the sidewalls in an endealth engage.

on the sidewalk in an orderly and peaceable manner.

Also after Taylor was arrested, but before House was taken into custody, the third worker, Stokely Carmichael, who then was chairman of SNCC, drove the sound truck from the scene and broadcast over the loudspeaker that Selma police used brutality and harassment to interfere with the campaign of the Negro candidates. Subsequent to House's arrest, as Carmichael picketed the city jail to protest the interference by police officers, he was approached by the mayor of Selma and police officers who ordered him to stop picketing. When he refused, he was arrested for "Inciting to Riot." The official report of Carmichael's arrest attached to the petition for

removal read:

Made remark in front of city building about Black Power & made provacative [sic] move toward police—also was on loud speaker urging a large group of Negroes to go to the jail and see about their brother. Also yelling Black Power.

In his petition, Carmichael charged that he

was arrested by Police Officials of the City of Selma while peaceably engaged in activities which were designed to encourage voting in the November 8, 1966 elections and which are protected from prosecution by the Voting Rights Act of 1965. The arrests, on the other hand, were effectuated for reasons of race and color for the sole purpose of discouraging activities on behalf of the Negro electorate of Selma which might result in Negro participation in local affairs and the government of Dallas County.98

The three SNCC workers failed in their attempt to have their case removed to a Federal court. 99 On November 29, according to a newspaper report, they were tried and convicted in Selma Recorder's Court. 100 Taylor was sentenced to pay a \$60 fine or serve 74 days in jail, House was sentenced to 30 days at hard labor and fined \$100, and Carmichael was sentenced to 60 days hard labor and fined \$100.

Members of a Negro family in Dallas County believe their landlord refused to renew their lease partly because of their voter registration and other

civil rights activities.

Until September 1965 Will and Pearl Moorer had been tenants farming 90 to 100 acres of land on the Minter Plantation for about 31 years. 101 In September 1965 Will Moorer was the first Negro to be registered in the county under the Voting Rights Act of 1965. According to the Moorers, the owner of the plantation, James Minter, formerly had been willing to take his rent in kind, but in April 1966, Minter told the Negro family that he wanted the rent paid in cash only. In May 1966, Mrs. Pearl Moorer became the candidate of the Dallas County Independent Free Voters Organization for a cost in the State house of representatives 102 for a seat in the State house of representatives. 102

In November 1966, the Moorers reported, Minter gave notice that he would not renew the lease on their farmland for 1967. Without this land to farm,

the Moorers were unable to remain on the plantation.

<sup>98</sup> Petition for Removal, supra note 443, at 4.
99 City of Selma v. Carmichael, 12 Race Rel. L. Rep. 349 (S.D. Ala. 1966).
100 N.Y. Times, Nov. 30, 1966, at 23.
101 Interviews with Will and Pearl Moorer, April 26, 1967.
102 Mrs. Moorer did not get on the ballot in November because she failed to file a timely statement of financial responsibility with the probate judge of the county as required by the Alabama Corrupt Practices Act.

The Moorers believe that their political activity was one of the reasons why Minter failed to renew their lease. According to their account, at one point Minter said to them: "If it weren't for you two. I could have handled the rest of the Negroes." The Moorers believe this was a reference to the fact that as a result of their efforts the Negroes on the Minter plantation overcame their fears and registered to vote. 103

#### E. ECONOMIC DEPENDENCE AS A DETERRENT TO FREE POLITICAL PARTICIPATION BY BLACKS

In Miles v. Dickson, 104 20 Negro residents of Lowndes County filed a complaint in Federal district court against 10 white Lowndes County landowners charging that the landowners had conspired together and had evicted Negroes or had terminated tenancy or sharecropping arrangements with Negroes for the purpose of interfering with the rights of Negro citizens in the county to register and vote. The court, however, found no evidence of a conspiracy among the defendants to exert economic sanctions and no threats of coercion and intimidation on the part of the defendants, as individuals, directed toward Lowndes County Negroes for the purpose of interfering with voting rights. A similar suit in Louisiana filed by the Department of Justice also failed for lack of sufficient evidence of acts of economic coercion. 105

In its field investigation the Commission staff found that in many parts of the South whites are able to maintain their positions of political and economic dominance without resort to specific acts of physical violence or economic reprisal or to electoral irregularities. Throughout most of the South, the land and industry are owned exclusively by whites, and this economic domination of the region, together with a history of racial violence, infects the entire political process in many areas. Although Negroes in theory may have the right to a secret ballot, in many cases a Negro will not go to the polls or cast his ballot according to his choice if he thinks in so doing he might offend the white persons who own the land and the industry and upon whom he is absolutely dependent for his livelihood.

In these circumstances, there is no need for the white landowner or the white employer to direct the Negro sharecropper or worker not to run for office, not to vote, or to vote only for the white candidates favored by the landowner (although this sort of direction often does occur). In many cases the Negro worker knows what his white landlord or boss wants him to do and naturally conforms. As a Negro brickmason in a rural North Carolina county told a Commission staff member, "You just know what you are supposed to do and what you are not supposed to do." 107

Economic factors reportedly played an important role in the November 1966 general election in Lowndes County, Alabama. In that election seven Negro candidates of the Lowndes County Freedom Organization were overwhelmingly defeated even though Negroes constituted a majority of the county's registered voters. 108 Substantial efforts had been made to conduct

According to press reports, approximately two hours after the polls had closed 52-year-old Andrew Jones was standing beside his automobile, which was parked in front of the Fort De-Andrew Jones was standing beside his automobile, which was parked in front of the Fort Deposit City Hall, the area polling place, waiting for a Negro election official who was counting the votes inside. A white man allegedly approached him and asked him what he was doing there. He responded, according to his account, that he was waiting for one of the clerks at the polling place, and that he was going to leave when she finished counting the bellots. The white man reportedly told him to get out of there and swung at him, and thereupon another man ran up behind him and knocked him out. After he came to, he reportedly was taken to a local hospital where he was treated for a severe blow to the head. (Montgomery) Alabama Journal, Nov. 10, 1966, at 37; Birmingham News, Nov. 11, 1966, at 6.

104 11 Race Rel. L. Rep. 1357 (M.D. Ala. 1966).

105 United States v. Harvey, 220 F. Supp. 219 (E.D. La. 1966).

106 United States v. Harvey, 220 F. Supp. 219 (E.D. La. 1966).

107 Interview with Richard Butler, July 29, 1967.

108 As of the summer of 1966, Negro registration in the county was 2,758. The white voting age population was only 1,900 (1960 Census). However, in the closest race, the one for sheriff, the white incumbent Frank Ryals received 2,320 votes to 1,643 votes for Negro candidate Sydney Logan.

<sup>103</sup> The Moorers also believe Minter was motivated partially by the desire to gain control over more land to increase his farm subsidy payments under the Food and Agriculture Act of 1965. In Lowndes County, Alabama, the chairman of the Lowndes County Freedom Organization, which ran seven independent Negro candidates in the November 1966 general election, reported that a Negro organizer for the Freedom Organization in the Fort Deposit area was beaten by unidentified white men after the polls had closed and hospitalized. Interview with John Hulett, Name of 1965.

the election fairly. The probate judge had appointed Negroes nominated by the Freedom Organization to serve as polling officials at every polling place, and poll watchers of the Freedom Organization, as well as Federal observers, were placed at every polling place. There were almost no instances of discrimination or election irregularities which could have affected the outcome of the election. The chairman of the Freedom Organization, asked by a Commission attorney to explain the defeat of his candidates, gave economic dependence as his first reason and complained that Negro voters were controlled by white plantation owners in at least three of the county's eight voting precincts. 110 A Commission attorney who was in the county on election day observed that the voting was heaviest in the area of Benton, where many of the Negro landowners of the county live.

#### F. CONCLUSION

Prior to the passage of the Voting Rights Act, discrimination in voter registration effectively denied to the vast majority of the Negro residents of the hearing area any voice in the political process. After the passage of the Voting Rights Act, however, nine of the 16 hearing counties were designated for Federal examiners and voter registration tests were suspended in all the counties with the result that 60.5 percent of the voting age Negroes in the hearing area are now registered to vote, although registration remains relatively low in three of the counties. More than one-fifth of the registered Negroes in the State are registered in the counties within the hearing area. The tremendous increase in Negro registration has been accompanied by

unprecedented political activity by Negroes in the area. Almost two-thirds of the Negro candidates seeking State and county office in Alabama in 1966 ran for positions in counties encompassed within the hearing area. Despite heavy Negro registration, however, few Negro candidates have been elected. Of the 89 Negro candidates to run for office in the primary and general elections in 1966, only five were successful; three of the five were elected in Macon County, where Negroes have been active politically for several years. No Negroes have been elected to the State legislature, and only one Negro

candidate for sheriff won office.

Whites residing in these counties have attempted to frustrate the achievement of the goals of the Voting Rights Act through racial discrimination in the electoral process and through election contrivances designed to prevent Negro candidates from winning and to weaken the voting power of Negro voters. Such discrimination and contrivances have included: racial gerry-mandering of State legislative districts, extending the term of office of incumbent white officials, exclusion of and interference with Negro poll watchers, refusing to provide or allow adequate assistance to illiterate Negro watchers, refusing to provide or anow adequate assistance to interace Negro voters, discriminatory purging of voter lists, discrimination in the selection of election officials, withholding information about elective office, disqualification to ballots cast by Negro voters on technical grounds, and harassment of Negro voters, poll watchers and campaign workers.

An additional, and perhaps more significant barrier to free and equal political participation by blacks in the Alabama Black Belt has been the settem of conserve where when white for lond credit and signs. Even

pattern of economic dependence upon whites for land, credit, and jobs. Even if the Voting Rights Act were enforced to the letter in these counties, there is evidence that this dependence would still keep many Negro voters from registering to vote, from voting for the candidates of their choice, and from

running for elective office.

109 The most significant incident of discrimination involved segregated parking facilities

anintained at the polling place in Lowndeshoro. A Commission staff member at the scene, however, did not believe that this segregation affected Negro voting patterns substantially.

110 Interview with John Hulett, Nov. 9, 1966. Hulett also gave the following additional explanations for the defeat of the Negro candidates: (1) white people were more experienced in voting and thus more willing to come out and vote; (2) the election officials who were in charge of the voting machines were white; and (3) the Freedom Organization could have done more to organize and educate Negro voters in some areas. "A lot of people were even afraid to go out to the polls," he reported.

TABLE I .- Voter Registration in the 16-County Hearing Area

	1960	voting	. 1	react regis	tration**		P	ostact regist	ration***		Listi	ing by
County	age po	pulation*	Number		Perce	ntage	Number		Percer	ıtage	Federal	examiner
	w	N	w	N	w	N	w	N	w	N	w	N
Autauga	6,353	3,651	4,991	50	78.6	1.4	7,508	2,391	100.0	65.5	275	1,01
Barbour	7,383	5,787	7,107	450	96.9	7.8	9,931	3,684	100.0	63.7		
Bullock	2,387	4,450	2,300	1,200	96.4	27.0	3,431	2,854	100.0	64.1		
Butler	8,363	4,820	7,239	248	86.6	5.1	8,036	1,885	96.1	38.1		
hoctaw	5,192	3,982	5,163	252	99.4	6.3	5,953	3,044	100.0	76.4		
larke	7,899	5,833	8,350	650	100.0	11.1	10,579	2,614	100.0	44.8	-55	
allas	14,400	15,115	9,463	320	65.7	2.1	13,134	10,644	91.2	70.4	75	8,97
reene	1,649	5,001	2,305	275	100.0	5.5	2,057	3,953	100.0	79.0	49	2,05
Iale	3,594	5,999	4,824	236	100.0	3.9	4,517	4,104	100.0 +	68.4	34	3,57
owndes	1,900	5,122	2,314` 3,733:	3,479	100.0	0.0	2,854	3,025	100.0	59.1	23	2,73
Iacon	2,818	11,886		295	100.0	29.3	5,066	5,879	100.0 *	45.8	193	7.000
Iarengo	6,104	7,791	6,280	325	100.0	3.8	7,403	4,821	100.0	74.7	199	4,890
Ionroe	6,631	4,894	7,017	289	100.0	6.6	7,647	2,515	100.0	51.4	87	2,73
erry umter	3,441	5,202	3,006	209 875	87.4	5.6	5,563	3,861	100.0	74.2	81	2,73
Willer	3,061	6,814	3,275		100.0	5.5	3,848	3,443	100.0	50.5	11	8,660
Vilcox	2,624	6,085	2,974	0	100.0	0.0	3,679	3,780	100.0	62.1	11	8,000
Total	83,799	102,432	80,341	8,444	95.9	8.2	101,206	61,947	100.0	60.5	756	29,641

available, registrars frequently fail to remove the names of dead or emigrated voters and thus, report figures which exceed the actual registration. Unofficial figures which come from a variety of sources are subject to even greater inaccuracies."

\*\*\*In this report the term "Post-Act Registration" is intended to refer to the total number of persons registered before and after the passage of the Voting Rights Act, and not only to persons registered since thee passage of the Act.

Source: U.S. Department of Justice. All figures are as of Oct. 31, 1967.

\*The source of all population data in this appendix is the 1960 census.

\*The source of all data on registration before the passage of the Voting Rights Act of 1965 is Information Center, U.S. Commission on Civil Rights, Registration and Voting Statistics, Mar. 19, 1965. The introduction to that report states: "The figures reproduced here are those currently available in Commission files from official and unofficial sources... Registration figures themselves year, widely in their accuracy. Even whose official figures are themselves vary widely in their accuracy. Even where official figures are

## TABLE II.—Negro Candidates for Office in the 16-County Hearing Area in the 1966 Democratic Primary Election

Autauga County: Macon County: County coroner-1 State house of representatives—3 Sheriff-Barbour County: -1 County board of revenue—2 County board of education—1 Sheriff-1 County board of education—3 Tax collector—2 County Democratic executive committee-County Democratic executive committee-Bullock County: Marengo County: Sheriff—1 Court of county commissioners—2 Tax assessor—1 Tax assessor-1 Perry County: State house of representatives—1 Sheriff—1 Choctaw County: Gounty commission—2 Gounty board of education—2 Tax collector—1 County commission—1
County Democratic executive committee— Dallas County: County Democratic executive committee State house of representatives—1 Sumter County: County board of revenue—2 State house of representatives—1 County board of education—1 Tax collector-1 County coroner-1 Greene County: Sheriff—1 Tax collector-Tax assessor-County board of education—2 Wilcox County: Tax collector—1 Tax assessor—1 State senate Sheriff-1 County Democratic executive committee County commission—2 County board of education—2 Hale County: Tax assessor—1 Sheriff-1

Exhibit No. 33

#### STAFF REPORT

## ECONOMIC DEVELOPMENT IN 16 BLACK BELT COUNTIES

#### Introduction

The area of Alabama studied by the Commission is comprised of 16 counties in the southern central part of the State. All 16 counties are similar in that 1) each has a predominantly Negro population, 2) each is predominantly

nonmetropolitan, and 3) each has a large proportion of poor inhabitants.

The population of the 16-county area in 1964 was 362,000.2 More than three-fifths of the population was Negro, one of the highest percentages for any area of equivalent size in the United States. The population was once over 80 percent; however, it has declined as diversified agricultural activities displaced persons engaged in cotton farming.

Severe economic and social problems characterize the 16 country area.

Severe economic and social problems characterize the 16-county area. Poverty is prevalent, particularly among Negroes. Median nonwhite family income in 1959 was only \$1,279 compared to \$4,259 median family income for whites. Educational achievement also is low. In 1960, nonwhites 25 years and older in the area had a median level of education of 5.5 years. The median for whites was 10.8 years.

Though the economy of the study area has lagged badly behind the rest of the State, important economic changes are beginning to transform it. In agriculture, cotton no longer dominates as the single cash crop and has been supplemented by livestock, poultry, dairying, vegetable growing, and other activities. New manufacturing and service industries such as those that manufacture paper, machinery, fabricated metals, and chemicals have moved

into the area and provided new job opportunities.

The purpose of this paper is to examine the effectiveness of the economic development taking place in the area and of those Federal and State programs which are aimed specifically at economic development. A detailed exposition of the population, employment and income in the area is presented in the Staff report which is reproduced as Exhibit No. 3 in the transcript of the Commission's hearing in Montgomery, Alabama, April 27-May 2, 1968.

<sup>&</sup>lt;sup>1</sup> The counties are Autauga, Barbour, Bullock, Butler, Choctaw, Clarke, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Sumter, and Wilcox.

<sup>2</sup> Fantos Corporation Industrial Location appraisals, Areas 1-8, prepared for the State of Alabama Planning and Industrial Development Board, New York (n.d.).

## Factors Limiting Economic Development

A significant result of outmigration of nonwhites and whites from the area has been the sharp decline in numbers of persons of prime working age. In addition, the continued dependence upon agricultural employment by many—17.1 percent of those working are in agriculture—represents large numbers of untrained workers for whom the transition from farm work to industrial employment is very difficult. These problems, coupled with the low educational attainment of the population in the 16-county area, indicate serious manpower problems for any incoming industry and have made the area less attractive to potential business and industrial investment.

## Economic Underdevelopment

Table 1 shows the investment per job for new and expanding industries in each of the 16 counties from 1960 through 1967. The average investment per job is low compared to the Alabama average. Such low investment per job means that labor intensive industries are being established. It is likely that these industries can pay only low wages, while capital intensive industries can afford to pay higher wages because they gain their competitive advantage in the market primarily from their sophisticated technology. For example, the new and highly automated papermills in Wilcox, Clarke, Dallas, and Autauga Counties can afford to pay, and do pay, the highest industrial wage rates in the area, even to unskilled workers. Thus, a probable consequence of low investment per job will be low wages paid.

Nevertheless, the economy of the 16-county area seems to be developing at a rate somewhat faster than that of the State as a whole.<sup>4</sup> But this rate is not fast enough to overcome the extensive underdevelopment which is reflected in median income and by other indices such as the underemployment rate.<sup>5</sup> Table 2 shows the 1960 male median income and the underemployment rate for each of the 16 counties. Of the 16 counties, only Macon County has an underemployment rate of less than 20 percent; two counties have rates between 30 and 40 percent, and nine counties have underemployment rates between 40 and 50 percent.

Table 3 shows the rate of economic development in the 16 county area in terms of county per capita income relative to State per capita income and in terms of a "coefficient of development". The table shows that the area is developing at a rate of somewhat faster than that of the State. Yet, in spite of a faster development rate (almost 7 points) the 16-county area was able to gain only two-tenths of 1 percent in per capita income relative to the per capita income for the State.

In summary, economic development is occurring in the 16-county area. It is not taking place, however, at a rate rapid enough to have substantial effects upon the poverty of the predominantly Negro population.

## FEDERAL AND STATE GOVERNMENT ECONOMIC DEVELOPMENT ASSISTANCE

The Federal Government has developed a number of programs aimed at countering economic underdevelopment. Although many other Federal programs have a development result, this analysis concerns only those specifically devised to accelerate economic and social improvement and examines their impact, particularly upon Negroes.

<sup>&</sup>lt;sup>3</sup> See Table 2.

<sup>4</sup> The method of calculating the underemployment rate used here was devised by the Economic Research Service of the Department of Agriculture. In this method the male median income for the 16-county area is compared, with certain adjustments, to the male median income for the Nation. The comparison is expressed as a percentage, which is the underemployment rate for the area.

<sup>&</sup>lt;sup>5</sup> See Table 3.

<sup>6 &</sup>quot;Coefficient of development" is a statistical expression of the rate of economic development in an area. It is obtained by a method devised by the Economic Research Service of the Department of Agriculture using 21 economic indicators which generally are accepted as valid measures of economic growth, such as increases in total bank deposits, sales tax receipts, total payroll, and so on. The percent of increase or decrease for each indicator from 1960 to 1966, adjusted by a system of weights, is totaled to obtain the coefficient figure. Table 3 reproduces the coefficients for each county.

TABLE 1.—Average Investment per job, Alabama (16 counties)
1960-67 in 1966 Constant Dollars
[In new and expanded industries]

<b>A</b>	1000	4001	1000	1000 05	19	66	196	37
County	1960	1961	1962	1963-65	New 1	Expanded 2	New	Expanded
Autauga Barbour Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Morroe Perry Sumter	\$4,511 3,911 (3) 5,648 1,581 10,884 18,291 6,448 (3) 1,100 2,561 1,800 2,514 2,071 1,161	\$12,745 42,211 1,090 3,204 836 (3) 5,339 (3) (3) (3) (4) 10,900 5,450 1,001 1,685 5,450 (8)	(3) \$3,923 (3) 9,441 74,900 4,708 8,789 (3) 4,458 7,579 (3) 8,454 4,211 (3) (3) (3)	\$102,242 2,292 3,352 593 64,970 11,338 100,489 2,600 9,273 37,408 591 16,361 4,093 1,602 10,361 135,581	(3) \$5,357 (3) 14,656 10,000 20,000 896 600 668 (3) 833 62,500 (3) (3) 1,632 (3)	\$10,000 1,646 (3) 10,714 (3) 382 70,000 (3) (3) (3) (3) (3) (3) (3) (3)	667 25,923 (3) (3) (3) (4) 6,636 5,625 1,724 (3) (3) 5,556 (3) 0,109 (3)	18,000 (3) (3) (3) (3) (3) (10,500 80,000 (3) (3) (3) (3) (3) (3) (3) (3) (3) (3)
Total—16 county	5,836	6,043	15,774	20,666	4,596	2,677	9,645	19,812
State	15,888	10,561	12,511	18,494	7,879	17,912	22,950	58,823

Source: Alabama State Planning and Industrial Development Board. 1 Investment per job in new industrial enterprises.

<sup>&</sup>lt;sup>2</sup> Investment per job in expanding existing industrial enterprises. <sup>3</sup> None available.

Table 2.—Underemployment Rate 1960, 16 Counties in Alabama

County	1960 Median income for males	1960 underemployment rate
Autauga	\$2,105	23.6
Barbour	1.384	43.5
Bullock	1.066	44.0
Butler	1.431	44.0
Choctaw	1.642	25.7
Clarke	1.816	25.4
Dallas	1.890	22.3
Greene	918	47.6
Halei.	998	48.9
Lowndes	865	46.5
Macon	1,358	18.8
Marengo	1,434	37.4
Monroe	1,626	32.4
Perry	1,007	49.7
Sumter	971	46.6
Wilcox	930	43.9

Source: U.S. Bureau of the Census, U.S. Census of Population: 1960, General Social and Economic Characteristics, U.S., Final Report, PC(1)1D, Table 222 and 223. U.S. Bureau of the Census, U.S. Census of Population: 1960, Social and Economic Characteristics, Alabama, Final Report, PC(1)C, Table 83; PC(2)5B, Table 6; PC(1)B, Table 27.

Table 3.—Coefficient of Development, 16 Counties of Alabama and the State, 1960-66

County	1960 county per capita income relative to State per capita income (percent)	1966* county per capita income relative to State per capita income (percent)	Coefficient of development 1960-66
Autauga Barbour	69.1 63.7	77.0 61.6	69.8 61.1
Bullock		57.4	44.7
Butler	63.8	64.3	45.8
Choctaw		77.8	68.5
Clarke	74.4	76.7	56.4
Dallas	79.4	81.0	53.2
Greene	48.2	43.3	47.0
Hale	54.2	47.4	40.5
Lowndes	43.3	45.5	83.3
Macon	56.8	59.8	40.2
Marengo	64.7	67.0	45.6
Monroe	68.5	67.7	41.8
Perry	54.0	48.4	40.9
Sumter	55.0	55.1	40.8
Wilcox	49.7	54.7	57.4
Average	61.4	61.6	52.3
State			45.4

<sup>\*</sup>Based on preliminary figures.

Source: Table 29, p. 42, 1986 Alabama Economic Abstract, Bureau of Business Research, University of Alabama; table III, p. 11, "Alabama Business," 2/15/68; vol. 38, No. 6, Bureau of Business Research, University of Alabama, and the coefficient of level was developed by the Commission from 21 time series of the type in "U.S. Department of Agriculture Economic Research Service," An Economic Indicator System for Measuring Progress in Rural Renewal Areas, April 1967.

#### PUBLIC WORKS AND BUSINESS AID

Public works grants and loans and incentives to increase business investment are some of the most important existing tools for economic development. There are many and varied efforts operating to direct business investment into particular geographic areas.

## Economic Development Administration

The Economic Development Administration (EDA) of the Department of Commerce has a number of tools with which to encourage economic development specifically in underdeveloped areas. The largest aid program of EDA has been public works grants and loans in designated redevelopment areas. Since August 1965, when legislation creating EDA was passed,7 \$448 million has been allocated for public works grants and loans. The second most important tool has been business loans for which more than \$98 million has been obligated. The latest information available, however, suggests that Alabama has benefited more from business loans than from public works projects. Table 4 indicates that \$8 million has been obligated in business loans while just a little more than \$7 million has been granted or loaned for public works projects. Only Georgia, Maine, and South Carolina also use more business loan funds than public work grants. Moreover, \$6,875,000 of the \$8 million in business loans in Alabama was for one lumber processing plant in Cordova, Alabama, the largest single business loan ever made by EDA.º

EDA can make business loans only in "designated redevelopment areas" 10 having Overall Economic Development Plans. The projects for which the loan is granted must fulfill the goals of the area's Overall Economic Development Plan 11 (OEDP) and "result in long-term employment opportunities." 12

<sup>7</sup> Public Law 89-137, August 26, 1965.

<sup>8</sup> Economic Development Administration, U.S. Department of Commerce, Directory of Approved Projects, as of December 31, 1967, Office of Planning Support, p. iv. 9 Supra, note 8 at iv, 2.

<sup>10</sup> An area can be designated as a redevelopment area when it meets any of the following criteria:

a. The current rate of unemployment for the most current year is in excess of 6 percent.
b. The annual average rate of unemployment is at least 50 percent above the national average for three of the preceding four calendar years, 75 percent above the national average for two of the preceding three calendar years, or 100 percent above the national average for one of the

preceding two calendar years.

c. The area suffered a 25 percent or more loss of population between 1950 and 1960, and has an annual median family income of not more than \$2,830 as determined by the 1960 census.

d. An area has an annual median family income of less than \$2,264.

d. An area has an annual median family income of less than \$2,264.

e. Other criteria for designation are related to Indian Reservations or special cases as determined by the Administrator.

Designated redevelopment areas also are eligible for planning assistance, which is described in this report under Federal Planning Assistance programs.

11 This plan is produced by officials of the designated area outlining the area's economic and social problems and prospects, and a plan of action to overcome them. The OEDP is required after designation of the area as a redevelopment area.

12 The Public Works and Economic Development Act of 1965 403(a) (3) (B), 42 U.S.C. of \$121(a) (B) (1964)

<sup>3171(</sup>a)(3)(B)(1964).

TABLE 4.—Economic Development Administration: Total Approved Project Assistance as of Dec. 31, 1967

## (Four Counties and Rest of State)

#### [Thousands of dollars]

	Public	works		
County	Grants and Supl.	Loan	Business loans	Other*
Bullock	249		151	185
Macon	268 669			<u>-</u> 2
SumterRest of State	700 3,617	204 1,355	7,850	268
Total	5,503	1,559	8,001	455

Source: Economic Development Administration, Directory of Approved Projects, as of Dec. 1967, pp. 1-2.
 Working capital guarantee, planning grant, technical assistance.

Table 4 shows the limited impact of EDA on the 16 study counties. Only four of the 16 counties have ever received any type of aid and only in Bullock County has a business loan been made. In addition, none of the \$8 million in EDA business loans made in the State was made to a Negro businessman or Negro-owned business.13

## Small Business Administration

In contrast to EDA, the Small Business Administration (SBA) does not limit its loans and financial assistance solely to areas in need of economic development. SBA makes loans to businesses and prospective businessmen throughout the Nation. By far the largest number of loans are made as regular business loans under Section 7(a) of the Small Business Administration Act. To be eligible for a regular business loan, the applicant must be unable to obtain financing on reasonable terms elsewhere. In addition, six other criteria apply to the loan:

A local bank must participate in the loan.

(2) SBA will not lend nor guarantee more than 90 percent of the face value of the business loan; the remainder must be furnished by the local participating bank or by some other means available to the borrower.

(3) The maximum amount of the SBA share is \$350,000.
(4) Maximum interest allowable is 5½ percent.
(5) Maximum term for any loan—including extensions—is 10 years except that loans made for construction of facilities may be extended up to 15 years.

(6) Collateral for the loan is required.

Other loan programs of SBA include disaster loans, loans to local development companies, loans to small business investment companies, loans to businesses displaced by urban renewal and public construction projects, and

economic opportunity loans.

Loan funds are obligated according to a set of lending objectives established by SBA which favors "those small firms which did the most to help meet national goals and community needs." <sup>14</sup> The priorities favor plants manufacturing defense materials, plants engaged in control or abatement of air and water pollution, companies which create job opportunities, businesses which assist in the development of depressed areas and firms offering new products or processes.15

15 Supra, note 14 at p. 10.

<sup>13</sup> Information furnished by Economic Development Administration, February 27, 1968.
14 1966 Annual Report, Small Business Administration, p. 10.

The total amount of Small Business Administration loan activity in Alabama is shown in Table 5. From January 1964 to March 31, 1968 over \$37 million has been loaned; more than one-third of the money—over \$14 million—has been loaned since April 1, 1967. Nevertheless, the increased pace of loan activity in Alabama has not benefited Negro businesses—only \$72,500 or less than one-half of 1 percent of the total since April 1, 1967, has been loaned to Negroes. (Information on the race of loan recipients has been kept by SBA only since April 1, 1967.)

## Table 5.—Alabama Small Business Administration Loans January 1964-March 1968—State Totals

Total business loans (dollars) 1964 to March 1968 Total business loans (dollars) April 1, 1967 to March 1968	.\$37,229,489 . 14.341.464
Dollars identified to Negroes from April 1, 1967 to March 1968*	72,500
Percent to Negroes	_ 0.51
EOL II loans 1964 to March 1968 (dollars)	407,500
EOL II loans April 1, 1967 to March 1968 (dollars)	_ 237,500
EOL II loans to Negroes April 1, 1967 to March 1968 (dollars) *	_ 53,500
Percent EOL II loans to Negroes*	22.50
EOL I loans 1964 to March 1968 (dollars)	
EOL I loans April 1, 1967 to March 1968 (dollars)	24,200
EOL I loans to Negroes April 1, 1967 to March 1968 (dollars) *	
Percent EOL I loans to Negroes*	_ 0.00

Source: Small Business Administration, March 1968.
\*Information identifying the race of loan recipients has been maintained only since April 1, 1967.

EOL = Equal Opportunity Loan.

Another important loan activity is the Economic Opportunity Loan (EOL) program which was established by Title IV of the Economic Opportunity Act of 1964. Until 1966, when Congress amended the legislation, Economic Opportunity Loans could be granted only in larger cities which had Small Business Development Centers, Now EOL loans are available in all jurisdic-

tions through the SBA regional offices.

There are two types of economic opportunity loans, known as EOL–I and EOL–II. EOL–I is designed primarily to help people already in business whose income provides them and their families with only a marginal existence. EOL–II is designed to help people whose incomes provide more than a marginal existence, but who, because of lack of opportunity, have been handicapped in establishing or expanding small businesses. To Only \$31,600 has been loaned in the EOL–I program in Alabama since 1964. None of this money has been loaned to Negroes. EOL–II loan activity since 1964, as indicated by Table 5, has amounted to \$407,500 and most of this money, \$237,500, has been approved since April 1, 1967. Of the latter amount, 22.5 percent has been loaned to Negroes.

In Table 6 total business and EOL loan activity for each of the 16 counties is reported for 1964 through March 1968 and for the period beginning April 1, 1967 when SBA began keeping racial data. Minority group members have participated far below their potential suggested by population. With the exception of Macon County, where a \$50,000 loan has been approved, there have been practically no business loans made to Negroes in the 16 counties. The picture is not brighter in the EOL—II loan categroy. In only five of the 16 counties have any EOL loans been made, and only in three counties have loans been made to Negroes. No EOL—I loan has been granted to a

borrower in any of the 16 counties.

<sup>16</sup> The EOL program makes loans from \$3,500 to \$25,000 to applicants seeking to establish or expand businesses. There is no collateral requirement and the loan may be repaid in 15 years. The Regional Director of SBA may defer payments on the principal for a grace period and may require the applicant to take steps to improve management skills in order to qualify for the loan. The interest rate is related to current Treasury obligations of comparable maturity plus a program charge, except that the interest rate shall not exceed 6 percent in designated redevelopment areas.

17 Small Business Administration, "The Chance to Go...", p. 2 (1967).

The administration of the SBA program in Alabama is carried out by a staff of 36 people based in Birmingham. The Director, Paul Brunson, does "not believe that SBA is in the business of creating Negro small business-

Mr. Brunson has established an extensive information program which consists in part of day-long informational meetings and other activities in each county throughout the State to encourage participation in SBA loan programs. As part of this program, he has visited all of Alabama's 67 counties. In the first 56 meetings this program has drawn a cumulative audience of "thousands" of people of which 385 have been minority group members.20 While this would be an average of seven minority group members per meeting, several of the meetings were attended predominantly by Negroes.

The ability of SBA to reach the minority group population can be gauged from an analysis of inquiries by race and the number of applications handed out by race. Since 1966 records of minority group contacts have been kept. Table 7 shows a summary of these contacts by year and by calendar quarter

for 1966 through the first month of 1968.

In 1966, of 5,985 inquiries, 97 were from minority group members, and eight out of 498 applications given out were to minority group members. The record improved slightly in 1967—of 7,088 inquiries, 145 were from minority group members, and 52 out of 420 applications were given to Negroes. Apparently, SBA has not been satisfied with this record. On January 15, 1968, SBA announced a "minority group outreach program." The effectiveness of this program has yet to be established.

Firms receiving SBA loans must implement a nondiscrimination policy in hiring and promotions. Civil rights compliance activity has involved inspections of 29 Alabama firms. Table 8 shows the employment by occupation of minority groups involved. There were 1,439 persons employed, of whom 307 were minority group members (including six American Indians). This is 21 percent of all employment. Of the 219 white-collar workers, however, only five are Negro; only one of 77 is managerial.

#### Farmers Home Administration

The farming "business" cannot qualify for loans from the Small Business Administration. The Farmers Home Administration (FHA) of the Department of Agriculture, however, provides loans to farmers for a number of purposes similar to the Small Business Administration. While the SBA approves loans for the expansion or the establishment of a business, as well as working capital loans, the FHA provides operating loans and farm ownership loans, among others. The impact of FHA programs is discussed in full in the staff report on agricultural programs.

#### FEDERAL ASSISTANCE FOR MANPOWER TRAINING

Funds are available from the Office of Education, the Vocational Education and Vocational Rehabilitation sections of the Department of Health, Education, and Welfare, and particularly from the Bureau of Work Programs and the Office of Manpower Development and Training of the Department of Labor for manpower training purposes. Additional training funds for demonstration purposes are available from the Office of Economic

Opportunity.

These funds in fiscal year 1967 amounted to more than \$36 million for Alabama.<sup>23</sup> Very few of these opportunities have reached the 16 counties under study here. These programs are discussed, in part, in the staff report

on Vocational Education.

20 Letter and materials from Paul Brunson SBA to Commission, February 28, 1968.
 21 Letter from W. P. Turpin, Assistant Administrator for Administration, SBA, to Commission.

<sup>18</sup> Interview with Paul Brunson, SBA Regional Director in Alabama, February 6, 1968.

<sup>22</sup> Of the 29 Alabama business firms eight employed less than 10 people, seven employed 10 to 25, six employed 25 to 50, five employed 50 to 100 and three employed more than 100; the largest employed 327 persons.

23 Summary of Federal Programs, A Report of Federal Program Impact on the Local Community, Fiscal Year 1967, Office of Economic Opportunity, p. 1-10.

948

TABLE 6.—Business and Economic Opportunity Loans for 16 Alabama Counties, 1964 Through March 1968

		Business loans		Economic	opportunity loans (EOL	<b>–II</b> )
County	Total loans (dollars) (1964–March 1968)	Loans—April 1967- March 1968 (dollars) 1	Percentage of dollars to Negroes (April 1967– March 1968)	Total loans (dollars) (1964-March 1968)	Loans—April 1967- March 1968 (dollars) 1	Percentage of dollars to Negroes (April 1967- March 1968)
Autauga Barbour Bullock Butler Choctaw Clarke Dallas Greene Hale Lowndes Macon Marengo Monroe Perry Sumter	815,000 250,000 221,000 28,500 	100,000 315,000 250,000 221,000 8,500 	0 0 0 0 0 0 0  0 0 71.42 100.00 8.12 0	13,000 12,000 	18,000 12,000 	100.00
Wilcox		12,000	8.43	37,000 142,000	15,000 87,000	55.16

<sup>1</sup> SBA began collecting information on race of borrowers beginning Apr. 1, 1967. Source: Small Business Administration, special printout.

Table 7.—Minority Group Contact SBA in Alabama; Inquiries and Applications Handed Out (1966), (1967), and (1968)

	1st quarter	2d quarter	3d quarter	4th quarter	Total
1966:					
Inquiry:			_		
Majority group	529	1,883	1,672	1,804	5,888
Minority group	13	42	26	16	97
Applications out:					
Majority group	13	186	147	144	490
Minority group	0	1	4	3	8
1967:	-				
Inquiry:		4			
Majority group	1.996	1,726	1,834	1,387	6,943
Minority group	27	49	37	32	145
Applications out:					
Majority group	108	77	88	95	368
Minority group	104	77 15	16	95 17	52
1968 (January only):	•				
Inquiry:					
Majority group	656				656
Minority group	18				18
Applications out:	10				10
Majority group	43				43
Minority group	40				***
minority group	1				1

Source: Small Business Administration.

Table 8.—Employment Composition of 29 Alabama Business Loan Recipients, 1967

	Male employees			Female employees				
,	Minority groups		y groups	•	Minority groups			
Occupations	Total males	Negro	Ameri- can Indian	Total females	Negro	Ameri- can Indian	Total all em- ployees	
Officials and managers Professionals Technicians Sales workers Office and clerical Craftsmen (skilled) Operatives (semiskilled) Laborers (unskilled) Service workers	77 5 6 39 13 199 398 194 12	1 1 2  60 98 114 8	   2 2	3 2 1 8 65  381 17 19	  1   12 4		80 7 7 47 78 199 779 211 31	
Total	943	284	6	496	17		1,439	

Source: Small Business Administration.

#### FEDERAL PLANNING ASSISTANCE

In many respects, the most significant aid from the Federal Government is financial and technical assistance to encourage and assist State and local planning efforts. Not only do Federal planning grants provide more than 50 percent of funds, but often other Federal financial assistance becomes possible. Eligible planning units range from a Neighborhood Action Committee to a huge Multi-State Region.

#### Small Areas

One of the largest planning assistance programs is known as the "Section 701 Comprehensive Planning Grant" program for small areas administered by the Department of Housing and Urban Development. This type of planning has had relatively little impact in the State of Alabama. In fiscal year 1967 the Department of Housing and Urban Development committed only \$520,000 to the "701" planning program in Alabama.24

## County and Multi-County Areas

The most viable planning structure thus far developed by the Federal Government is administered by the Economic Development Administration (EDA) of the Department of Commerce. EDA uses the county as the basic planning unit. Eligibility requirements for Federal assistance are based upon the economic condition of the county which is referred to as the Redevelopment Area. Current Redevelopment Areas include many of those units taken over from the Area Redevelopment Administration. Each county designated as a Redevelopment Area to receive Federal grants for public

designated as a redevelopment Area to receive federal grants for public purposes must develop an Overall Economic Development Plan (OEDP).<sup>25</sup>

These OEDP plans do several things: (1) they survey economic and social conditions of the area; (2) they pinpoint basic problems which underly the unsatisfactory economic situation; (3) they establish a priority list of public responses necessary to change the situation. The OEDP's often are prepared by committees of local lay persons and representatives of existing Federal and State agencies active in the area.

EDA although using the county as a basic planning unit believes that in

EDA, although using the county as a basic planning unit, believes that in multi-county planning units more significant programs may be undertaken and more resources marshaled. More than 100 multi-county "Development Districts" in the United States have been designated by EDA. No Develop-

ment District has been designated in the State of Alabama.

Proposed EDA Districts in Alabama.—Attempts have been made to establish EDA Development Districts in Alabama. The establishment of a District in six Southeastern Alabama counties is under active consideration. Because this effort does not include any of the 16 counties and because discussions are still preliminary, it will not be discussed in the report.

Recently, however, a 10-county group, the West Alabama Regional Development Council (WARDC), was denied planning funds by the Economic

Development Administration because of a failure to comply with civil rights

The West Alabama Regional Development Council was initiated by a number of businessmen, primarily in Tuscaloosa County, with significant assistance by the Tuscaloosa Chamber of Commerce.<sup>26</sup> The organizing membership comprised "recognized Chamber of Commerce, civic or trade associative that the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contract of the contra bership comprised recognized chamber of Commerce, cive of trade associations" in the 10 counties. Each county was to have one vote in a 10-member council <sup>27</sup> Its major purpose is the promotion of general and economic welfare of the people living in the 10-county area.

WARDC's board subsequently became interested in becoming the board for a proposed EDA Development District covering the 10 counties. In order

to be designated, WARDC had to change its membership to include, not only other sectors of the community, but to provide specifically for minority

group representation and involvement.

EDA required WARDC to include a significant number of Negroes on

<sup>24</sup> Supra note 23, p. 4. 25 Public Works and Economic Development Act of 1965 § 202 (b) (10). 26 Commission interview with the Tuscaloosa Chamber of Commerce, February 20, 1968. 27 Constitution of West Alabama Regional Development Council, June 1966.

its board of directors. This the board refused to do, arguing that membership in county committees was open to qualified Negroes and that they would have to be elected to the board as any other director. EDA concluded that this proposal, in light of previous experience, did not meet its minority group participation requirements. Thus, it denied planning funds to WARDC.

State and Regional Areas

Some States, including some in the South, have organized statewide planning efforts; for example, Georgia. In addition, there are five multi-State planning regions, of which two operate in the South—the Appalachian Economic Development Region and the Coastal Plains Economic Development Region in Georgia, South Carolina, and North Carolina. Currently 35 counties in Northern Alabama are included in the Appalachian Region. This region contains most of the industry in Alabama; it is the TVA Service Area; and it has established the North Alabama Development Group, a private planning group, which last year received two-thirds of all private investment in new and expanding industries.

#### STATE DEVELOPMENT AIDS

Economic development efforts are encouraged by the State government with technical assistance provided by the State Planning and Industrial Development Board and financial assistance provided through Industrial Bonds issued under the authority of the Wallace Act and Cater Act

programs.

The State Planning and Industrial Development Board is charged by law to "develop programs designed to accelerate the State's orderly and diversified economic growth" and "to aid communities to prepare for well balanced industrial, commercial, and social development through workable comprehensive plans, which point the way to the best possible utilization of natural, human and economic resources." <sup>28</sup> The Board carries out this mission in cooperation with the Chamber of Commerce, local development groups and local governments. It has provided planning services in over 60 communities during the last four years and given technical advice to another 110 communities.<sup>20</sup> Few communities in the hearing area, however, have requested or received planning assistance during this period.

The principal force behind economic development in Alabama has been the capital available to new and expanding industries through Industrial De-

velopment bonds authorized by the Cater and Wallace Acts.

The Wallace Act 30 authorizes municipalities to finance the acquisition, construction, and equipping of industrial facilities through revenue bonds payable solely out of the revenues obtained from leasing such properties. In addition, the Act specifically exempts the bonds from State taxation and the property, which is vested in the municipality, is not subject to local or State property taxes.

The Cater Act 31 authorizes the formation of municipal industrial development boards, which function as an agency of the municipality. These boards have the power to finance industrial properties through revenue bonds payable in the same manner as bonds authorized by the Wallace Act. The same

tax advantages accrue to both bondholder and tenant.

Income from Industrial Revenue bonds, until June 28, 1968, has been exempt from Federal Income taxation, because the bonds have been treated as coming within the municipal bond exemption of the Internal Revenue Code. For this reason they can be sold at lower interest rates than are obtainable for private bond issues.

A prospectus of the Alabama State Planning and Industrial Development Board explains "Alabama's financing plan" as follows:

THIS COULD BE YOU! A 52 per cent bracket corporation negotiates a new plant contract with a municipality to cost \$400,000. The municipal government or its corporate agent floats a \$400,000, 5% percent, 30year bond issue, constructs and equips the plant. You sign a lease

<sup>28</sup> State of Alabama, Alabama's Economic Progress, 1963-1966, p. 21, (1967). 29 Supra, Note 28 at p. 4. 30 Ala. Code § 511 (20) - (32) (1959). 31 Ala. Code § 37-815-30(1) (1959).

renting the plant for 30 years at an annual rental of approximately \$28,000 with a renewal option for another 30 years at \$1 per year. NOW YOU HAVE ACQUIRED the right to occupy and use a new plant and machinery for at least 60 years without one cent of capital outlay.

THE ANNUAL RENTAL of \$28,000 is deductible as operating expense and is worth \$14,560 tax dollars.

WITH THE TITLE STILL VESTED in the municipality or its corporate agent, you will pay no real property taxes.

Industrial investments financed by industrial development bonds are substantial. A \$70 million bond issue floated by the Camden Industrial Development Board in Wilcox County to build a new papermill and other facilities for the MacMillan Bloedel Company was the largest industrial development bond issue up to 1966.<sup>32</sup> It subsequently has been surpassed by a \$97 million issue floated to finance a plant expansion for Revere Copper a \$97 million issue floated to finance a plant expansion for Revere Copper & Brass in Scottsboro, Alabama, in addition to several issues in other States of more than \$100 million. The Alabama State Planning and Industrial Development Board estimates that industrial development bonds provided financing for 90 percent of the \$655,000,000 invested in the State in new and expanded industries in 1967.<sup>33</sup> The Investment Bankers Association of America reports that 18 percent of all industrial development bonds issued in 1967 were floated by Alabama municipalities and local industrial development boards <sup>34</sup> development boards.34

Recent action by the Congress has ended the tax exempt status of industrial development bonds. The Act amends the Internal Revenue Code to end the tax exempt status of industrial development bonds issued after April 30, 1968, except where a commitment has been made by local voters before that time. The legislation, however, includes an exemption for industrial development issues of \$1 million or less.

Officials in Alabama have expressed concern over the loss of tax exempt status for industrial development bonds.<sup>36</sup> But the competitive advantage obtained by offering industrial development financing through tax exempt bonds is being offset by the increasing use of industrial development bonds throughout the Nation. Presently, 40 States offer industrial revenue bond financing. Information collected by the Investment Bankers Association suggests that already the competitive advantage accruing to a State by offering industrial development bond financing may have disappeared. In one case listed by the Association, Pascagoula, Mississippi and Quincy, Massachusetts both have authorized \$100,000 industrial development bond issues to finance the same proposed shippard; the company has yet to select the site.37

## APPENDIX

#### ECONOMIC AND SOCIAL PROJECTIONS FOR SEVEN COUNTIES IN ALABAMA

Projections may be made concerning the composition of economy and population in the 16-county area in the future. An extensive economic base study recently has been completed for the Department of Interior's Mobile-Alabama-Coosa River Basin project. The area of that study was quite large and seven of the counties included in that area are in the 16-county group. In table 9 population projections are shown for 1980 and the year 2015. These projections are refined to include estimates of urban, rural non-farm, and rural farm populations.

35 Revenue and Expenditure Control Act of 1968, P.L. 90-364, June 28, 1968. 36 Supra, Note 33 at p. 1. 37 Supra, Note 32 at p. 2.

Lowndes County and Wilcox County are projected to have the smallest growth and to develop the smallest urban population. The population of Dallas County, is expected to double, while the population of Monroe County is expected to triple.

<sup>32</sup> Investment Bankers Association of America, Largest Municipal Industrial Bond Issues

<sup>1968).

33</sup> Montgomery Advertiser, March 9, 1968, p. 1.

34 Investment Bankers Association of America, Municipal Industrial Bonds, January through December 1967 (1968).

Table 10 shows the projected white and nonwhite population of the seven counties. In each county the absolute population of both races is expected to grow. The white population in the seven counties is projected to increase from 63,288 in 1960 to 135,780 in the year 2015, while the nonwhite population is expected to increase from 112,721 in 1960 to 220,934 in the year 2015, slower than the white. Thus the proportion of nonwhite will have decreased only 2.1 percent in 55 years.

Labor Force projections in Table 11 for the year 2015 describe a substantial employment force available. The total employment available for the seven counties is projected to be 109,365 in 2015; this is 94 percent greater than the labor force in 1960. In Table 12 employment projections for the seven counties by nine industry groups have been made. The table indicates that significant groupth will take placed in manufacturing wholesale and that significant growth will take place in manufacturing, wholesale and retail trade, and services.

Table 9.—Population Projections for Seven Counties in Alabama: Urban, Rural Nonfarm, and Rural Farm

County	Population group	1960	1965	1980	2015
Autauga	Urban	6,616	7,850	8,912	15,677
	R(NF)	8.374	11.204	14.229	21,596
	R(F)	3,749	3,180	2,400	1,920
	Total	18,739	22,234	25,541	39,193
Dallas		28,385	28,992	30,946	68,502
	R(NF)	18.348	19,617	25.034	40,968
	R(F)	9,934	9,270	5,800	4,700
	Total	56,667	57,879	61,780	114,170
Lowndes	Urban			2,600	5,500
	R(NF)	9.460	9.143	10,028	17,028
	R(F)	5,957	5,680	4,400	3,600
	Total	15,417	14,823	17,028	26,128
Macon	Urban	7,009	7,200	8,100	12,910
	R(NF)	14,222	13,840	18,278	30,095
	R(F)	5,486	4,900	3,420	2,720
	Total	26,717	25,940	29,798	45,725
Monroe	Urban	3,632	3,900	7,000	16,000
		13,174 🦡 🛚		26,259	47,780
	R(F)	5,566	5,200	3,600	2,920
	Total	22,372	24,476	36,859	66,700
Perry		3,807	4,000	4,811	8,501
	R(NF)	8,093	9,528	10,833	22,603
	R(F)	5,458	4,500	3,600	2,900
	Total	17,358	18,028	19,244	34,004
Wilcox	Urban				3,500
		11,749	12,807	15,456	23,294
	R(F)	6,990	6,170	4,800	4,000
	Total	18,739	18,977	20,256	30,794

Symbol: R(NF) is Rural Non-farm Population projection.
R(F) is Rural Farm Population projection.
Source: Economic Base Study of the Mobile-Alabama-Coosa River Basin, "Statistical Summary of County Projections (app. C)," Bureau of Business Research, University of Alabama, June 1967, Tables C-2, C-3, C-4, pp. 117-121.

Table 10 .- Projections of White and Nonwhite Population in Seven Counties in Alabama

<b>4</b>	1960		1965		1980		2015	
County	White	Nonwhite	White	Nonwhite	White	Nonwhite	White	Nonwhite
Autauga	10,839 23,952 2,978 4,405 11,030 5,943 4,141	7,900 32,715 12,439 22,312 11,342 11,415 14,598	12,851 24,483 2,861 4,280 12,067 6,184 4,194	9,383 33,396 11,962 21,660 12,409 11,844 14,783	14,763 26,133 3,286 4,917 18,172 6,601 4,477	10,778 35,647 13,742 24,881 18,687 12,643 15,779	22,654 48,294 5,043 7,545 32,883 11,663 7,698	16,539 65,876 21,085 38,180 33,817 22,341 23,096
Total	63,288	112,721	66,920	115,437	78,349	132,157	135,780	220,934

Source: Economic Base Study of the Mobile-Alabama-Coosa River Basin, "Statistical Summary of County Projections (app. C), "Bureau of Business Research, University of Alabama, June 1967, table C-5, pp. 123 and 125.

TABLE 11.—Labor Force, Employment, and Unemployment Projections for Seven Alabama Counties—1960, 1965, 1980, 2015

County	Year	Labor force	Total employ- ment	Total unemploy- ment
Autauga		6,160	5,818	342
	(1965)	8,404	8,109	295
	(1980)	9,322	8,949	373
	(2015)	14,109	13,516	593
Dallas	(1960)	19,544	16,829	2,715
	(1965)	19,829	19,135	694
	(1980)	20,200	19,432	768
	(2015)	34,251	32,813	1,438
Lowndes	(1960)	4,601	4,359	242
	(1965)	4.743	4.511	232
	(1980)	5,415	5,145	270
	(2015)	7,838	7,446	392
Macon	(1960)	8,212	7.820	392
	(1965)	8,301	7,836	465
	(1980)	9,476	8.964	512
	(2015)	13,718	13,032	686
Monroe	(1960)	7,277	6.957	320
moni ocaaaaaaaaa	(1965)	7,832	7.495	337
	(1980)	11,721	11,194	527
	(2015)	20,010	19,090	920
Perry	(1960)	5,525	5.138	387
1 (11)	(1965)	5,769	5,314	455
	(1980)	6,120	5,722	398
	(2015)	10,201	9,640	561
Wilcox	(1960)	5.412	5.159	253
## IIIU	(1965)	6.072	5,829	243
	(1980)	6.441	6,170	271
	(2015)	9,238	8.813	425
	(2010)	0,200	0,010	740

Source: Economic Base Study of the Mobile-Alabama-Coosa River Basin, "Statistical Summary of County Projections (app. C), Bureau of Business Research, University of Alabama, June 1967, tables G-7, C-9, C-10, pp. 129, 132, 134.

oce

Table 12.—Employment Projections by Major Industry for Seven Counties in Alabama

County	Year	Agricul- ture	Mining	Con- struction	Manufac- turing	Trans- portation	Whole- sale and retail trade	Finance and insurance	Services	Govern- ment	Non- classi- fiable
Autauga	(1960) (1965) (1980) (2015)	1,271 1,078 792 634	8 12 12 14	388 560 618 946	1,425 2,188 2,805 3,514	291 446 492 743	820 1,260 1,280 3,003	126 203 224 465	1,049 1,584 1,927 2,926	355 576 635 1,160	85 202 164 111
Dallas	(1960) (1965) (1980) (2015)	2.918 2.722 1,704 1,880	13 13 20 25	724 853 921 1,602	3.025 3,575 3,860 6,817	863 1,017 1,098 1,910	2,783 3,296 3,559 6,390	422 492 531 924	4,827 5,691 6,145 10,692	973 1.148 1.240 2,457	281 328 354 616
Lowndes	(1960) (1965) (1980) (2015)	2,032 1,940 1,503 1,280	 	321 355 503 858	426 468 663 1,131	128 141 200 342	427 473 670 1,144	59 64 91 155	808 892 1,264 2,157	118 134 189 323	40 44 62 106
Macon	(1960) (1965) (1980) (2015)	1,690 1,509 1,053 838	  	288 291 364 549	503 519 649 1,012	253 259 324 500	857 886 1,107 1,829	115 120 150 354	3.753 3,872 4,841 7.072	232 240 301 610	184 140 175 268
Monroe	(1960) (1965) (1980) (2015)	1,451 1,855 938 761	  	383 430 718 1,283	2,464 2,745 4,482 7,643	200 221 369 660	837 939 1,569 2,804	91 104 174 495	1,267 1,412 2,359 4,216	129 141 380 861	135 148 205 867
Perry	(1960) (1965) (1980) (2015)	1,722 1,420 1,136 915	4 4 6 10	217 249 293 558	801 910 1.072 2,039	173 198 234 444	661 755 888 1,691	75 86 101 192	1,267 1.451 1.708 3,164	161 183 215 497	57 58 69 130
Wilcox	(1960) (1965) (1980) (2015)	1,929 1,708 1,325 1,103		157 202 237 378	1,140 1,456 1,759 2,799	113 144 170 270	510 652 766 1,218	64 82 97 154	1.062 1.357 1.594 2,537	127 161 190 301	57 72 32 58

Source: Economic Base Study of the Mobile-Alahama-Coosa River Basin, "Statistical Summary of County Projections (app. C)," Bureau of Business Research, University of Alabama, June 1967, table C-11, pp. 137, 142, 143 and 144,

## Exhibit No. 34

STATEMENT OF PAUL R. BRUNSON, REGIONAL DIRECTOR, SMALL BUSINESS ADMINISTRATION, BIRMINGHAM, ALABAMA, TO U.S. COMMISSION ON CIVIL RIGHTS, MAXWELL AIR FORCE BASE, MONTGOMERY, ALABAMA, MAY 1, 1968

Mr. Chairman and Members of the Commission:

As you conduct these public hearings to collect information concerning the economic security and economic opportunities of Negroes in this state, and to appraise the laws and policies of the Federal Government which affect that economic security and opportunity, I welcome your invitation to come and tell you something of what the Small Business Administration is doing and is seeking to do in this area. SBA, your sister Executive Agency, has felt and keenly feels its responsibility to carry out its legislative mandate,

"... to aid, counsel, assist and protect, insofar as is possible, the interests of small business concerns in order to preserve free competitive enterprise ... and to maintain and strengthen the overall economy of the Nation",

and to do this even-handedly and without discrimination as to race, color, religion or national origin.

The Birmingham Regional Office, of which I am Director, is responsible for executing the Agency's programs of financial and management assistance in Alabama. However, there are certain Agency functions in Alabama which are not handled by the Regional Office; for example; Small Business Investment Company programs are handled by the Central Office; the Section 502 Development Company loan program; the Loan Liquidation program; Equal Opportunity Compliance program, and Procurement programs are administered by the Southeastern Area Office in Atlanta.

The primary functions of the Birmingham Regional Office of SBA are: (1) to render financial assistance to Alabama small business concerns, and (2) to furnish management assistance, through education and counselling, to small businessmen in Alabama.

The Agency has furnished to the Commission current copies of the Small Business Act; the Small Business Investment Act; the Economic Opportunity Act of 1964 and the Economic Opportunity Amendments of 1967 (Title IV of which pertains to SBA); this comprises our basic statutory authority and responsibility. We also furnished to the Commission the Annual Reports for 1966 and 1967, and a number of other reports and summaries of our operations in Alabama.

We have reviewed our financial assistance activity in Alabama from July 1964 through March 1968, and can summarize that activity for you. This is a period of nearly four (4) years; whereas, the period in which the Birmingham Regional Office has been authorized to make EOL loans, without a local S.B.D.C. is only from November 1966 to date; or, approximately one (1) year and five (5) months. Prior to November 1966, local S.B.D.C.'s did not function to the extent that an EOL loan could be made. Authority to make EOL loans was granted to SBA Regional Offices by the SBA Administrator in November 1966, and is set forth in ND 510–1 S/C 9 (a copy of which is attached hereto). Therefore, in evaluating the data presented in this Statement, the short period of time in which EOL financing through Regional Offices has been authorized, should be considered.

I. The number of minority inquiries as to SBA services and the number of applications for financial assistance given minority applicants, for the calendar years 1966 (November through December); 1967; and 1968 (through March) was:

	Minority inquiries	Minority applicants
1966	95	8
1967	145	52
1968	107	37

State-wide, the total number of all inquiries and applicants for the same periods was:

1966	<b>5,</b> 915	488
1967	7,088	420
1968	4,627	344

I am advised that the percentage of total inquiries as to SBA assistance, nationally, coming from the minority groups rose from 6 percent in 1966 to almost 9 percent in calendar year 1967. From the foregoing you will notice that in my own office during the calendar year 1967, we recorded 145 inquiries from Negroes (only 2 percent of our total inquiries) but we handed out 52 loan applications (of 420 total) to Negro prospects. The 1966 monthly averages of inquiries from Negroes was 9.7; in 1967 this average rose to 12 per month.

For the fiscal year 1967-68 the number of minority applications accepted and the total number of all applications accepted, as well as the number of minority loans approved and the total number of all loans approved, through the early part of April, 1968 are:

appli	cations Minori epted loans	ed applicatio	
7(a)	6 5	267	234
EOL(1)	1 0	5	0
EOL(2)	8 6	21	14
DBL	1 0	8	0

II. During this period from July 1964 to April 1968, SBA has made 772 loans in Alabama, of which 168, or 21 percent of the total number, were made in the eighteen (18) counties in which you are concentrating this study. Nineteen (19) of the 164 loans made in these counties can be identified as having been made to Negroes or to Negro-owned small businesses, on the basis of records kept since July 1964. This represents slightly more than 11 percent of the loans made in these eighteen (18) counties, and is believed to be better than the national average.

During the period covering the fiscal year 1965, to date, the following minority loans were made in the counties in question. (Although the Notice of this public meeting appearing in the Federal Register named only sixteen (16) counties in Alabama into which inquiry would be made, nevertheless to assist you in your fact-finding, I am including in this Statement information applicable to the eighteen (18) counties about which inquiry was made by your Director, Office of Federal Programs, U.S. Commission on Civil Rights by letter dated February 29, 1968, directed to our Washington Office):

According to the 1960 U.S. Census (Table 58, Self-Employed Managers, Officers, Proprietors), Alabama had 32,663 self-employed whites and 1,856 (6 percent) self-employed non-whites. Thus, our loan activity among Negroes in the eighteen (18) county area appears to parallel the Census figures on the relative number of prospective Negro borrowers in that area.

You will be interested in knowing that, of the 164 loans made in the eighteen (18) counties since July 1964, 97 were made after the effective date of our Equal Opportunity Program, March 7, 1966, therefore, these 97 are subject to compliance with our Equal Opportunity Regulations. (Title 13 CFR. Part 113; 31 Fed. Reg. 2374 published February 4, 1966, effective March 7, 1966.)

III. The impact of SBA assistance on the economic development of the state of Alabama, including minority loans, is reflected in the "Success Stories" attached hereto, which serve to illustrate marked increases in em-

County	City	Loan No.	Kind	Amount	Type of business	Total loans by counties
Autauga						7
BarbourButler			73			5
Bullock	Union Springs		Direct		Picture studio	
Clarke	Selma		Direct		Supermarket	
Do	do		do		Drug storeBeauty supplies	17
Elmore						4
GreeneHale						2
Lowndes Macon	Tuskegee	480,222	Direct	9,500	Service station	
Do	do		do		Mop and Broom Mfg	
Do	do	484,570 484.571	do		Grocery	
Do Do	do	706,910	do	5,000	Shoe store	
Marengo	Demopolis	707,095	Part	7,000	do	4
Monroe (business in Mobile)	Prichard	•	do	•	School supplies	
Montgomery	Montgomery		Direct	15,000	Dry cleaning	
Do	do		do		Coin operated laundry	64
DoPerry	Union Town	484,503	do	25,000	Laundry & dry cleaning Cafe & undertaker	
Sumter					oute & underwied	4.0
Wilcox				315.000		8

## Other minority loans made within the State for the same period were:

County	City	Loan No.	Kind	Amount		tal loan countie
Jefferson	Birmingham do	480,276 481,567 196,412 199,509 198,017 199,599 706,940 727,927 198,025 707,127 481,578 484,581 795,745	Direct	\$4,000 7,575 6,000 9,000 15,000 5,000 82,750 7,500 15,000 37,500 5,000 15,000 218,500 6,000 4,000	Cafedo	91

The total minority loans within the State for the above period are: \$315,000 442,025

750,025

ployment and payrolls noticeably augmenting the flow of funds in these areas:

Gaston's Supermarket	Selma, Ala.
Thompson Dry Cleaning & 1 Hour Modernizing.	
Robbins Machinery Co	Birmingham, Ala.
Vick Lumber Co.	
Dixie Electrical Manufacturing Co	
Resource Management Service, Inc.	
Burgreen Contracting Co., Inc.	
Swalley Printing Co.	
Quality Foods, Inc.	
C. F. Clegg, Inc.	Heflin, Ala.
Jaffey Whol Iron & Metal Co.	
Southeastern Products Corp.	Birmingham, Ala.

IV. I began my duties as Regional Director of the Birmingham Regional Office of SBA in January, 1965. During my first year in this position two large public information seminars were presented by SBA; the first was in Birmingham on May 7, 1965, at which over 812 persons attended; the second was in Mobile on September 24, 1965, at which over 1,000 persons attended. Minority members were present at both meetings, attending both by specific notification and public announcement. These seminars began our

by specific notification and public announcement. These seminars began our concentrated program of taking information regarding the available services of SBA to small businessmen throughout the state of Alabama. Immediately following the September 24, 1965 seminar in Mobile, this Agency was out of loan funds. This condition persisted until July 1966 and had a marked effect on the economic development of the state of Alabama; having completely curtailed our lending activities in all areas other than through guaranty loans.

This office has made the most extensive efforts possible to place information.

This office has made the most extensive efforts possible to place information as to available services of the Small Business Administration before the general public, on a broad, thorough and impartial basis, as is evidenced by the data herein submitted. Of the sixty-seven (67) counties in the state of Alabama, sixty-five (65) have now received public information seminars conducted by me and my staff in an effort to make certain that no area of this state is not fully informed of the available services of the SBA. During the month of May we will complete coverage of all sixty-seven (67) counties by public information meetings which have generated a noticeable response in loan applications. Almost all such meetings were a noticeable response in loan applications. Almost all such meetings were attended by Negroes. We recorded 385 Negroes as having attended these information meetings.

We have during this fiscal year alone, put out over 1,700 Press Releases and have utilized more than 76 hours of TV time presenting functions of

During the fiscal year 1964, only 125 loans were made by the Birmingham SBA Office; whereas during the fiscal year 1966 and fiscal year 1967 and 1968 to date, 154, 220, and 261 loans respectively have been made. This

increase is noteworthy.

V. Another of our programs involves what we call our OUTREACH Project. We have furnished to the Commission a copy of our current directive on this project. Essentially, OUTREACH is a special effort to broaden and expand the awareness of minority groups as to the availability of SBA assistance. The scope of the Birmingham SBA Regional Office OUTREACH Project is indicated in the attached resume covering "grassroots" seminars; workshops; panels; radio; television and news coverage; special group meetings; Program and Management Assistance activities and Circuit Rides made by this office throughout the state of Alabama from March of 1966 through March of 1968. This resume identifies seventy-three (73) specific meetings held, with an aggregate recorded minority attendance of one thousand fifty-seven (1,057) persons. You will further notice that at an additional number of the listed meetings no record was made of attendance; however, minority attendance is cited in all instances wherein it was observed. Thus, the recorded number is indeed a conservative estimate. Participation of U.S. Congressmen; other Government Agencies; Colleges

and Universities is also shown. Attention is especially directed to the fact that public information meetings have been in ALL of the eighteen (18)

counties under consideration.

You will be interested to know that in order to make the Agency more accessible to the small businessmen throughout the state, my office has five (5) regular "Circuit Rides" with Agency Loan Officers using a "sub-office" at least one day a month in Montgomery, Mobile, Huntsville, Florence and Dothan, Alabama. The schedule for these "Circuit Rides" is as follows:

\_\_\_\_ First and third Thursday each month

Montgomery Second Thursday each month Dothan Fourth Thursday each month

Florence \_\_\_\_ Second Thursday each month Huntsville \_\_\_ The Wednesday prior to the second Thursday of each

month

VI. Turning now to the Agency's activities in the field of equal opportunity, I would note that we are applying the provisions of The Civil Rights Act of 1964, Executive Order 11246, and the Attorney General's Guidelines for Enforcement of Title (12-27-65). Soon after the passage of the 1964 Civil Rights Act, SBA issued Regulations prohibiting discrimination by businesses receiving financial assistance under the Economic Opportunity Act, under the Development, Company Joan program and Opportunity Act, under the Development Company loan program, and under the business loan program which permitted a four (4 percent) percent interest rate to borrowers in certain economically distressed areas. (Part 112, SBA Regulations, 30 Fed. Reg. 298 published January 9, 1965, effective February 8, 1965.) A year later, the Regulations were broadened to cover all of our programs of assistance other than disaster loans to owner-occupied homes. (Part 113, SBA Regulations, 31 Fed. Reg. 2374, published February 4, 1966, effective March 7, 1966.)

Every applicant for financial assistance from SBA is required to execute an "Assurance of Compliance" (SBA Form 652) by which he agrees that

an "Assurance of Compliance" (SBA Form 652), by which he agrees that his business will be operated without descrimination on the basis of race, color, or national origin, and that he will comply with Title VI and the Regulations. (Copies of SBA Form 652, and its variations for particular types of loans, are attached.) Our Loan Officers must have this executed agreement in and before the loan can be made.

Further, if construction exceeding \$10,000.00 is involved in the loan purposes, the applicant must execute an "Agreement of Compliance" (SBA Form 601), binding him to abide by the provisions of Title VI and the Regulations in entering into the construction contract and sub-contracts. If he already has a construction contract, he must agree (by SBA Form 601-A) to amend the contract to comply with Title VI and the Regulations. Our Loan Officers must have these executed agreements in hand before the loan can be made. (Copies of SBA Form 601 and 601-A are attached for your information.)

Under our Loan Guaranty Program, in these loans in which no Federal funds are injected until the Guaranty is purchased by the Agency, the Borrower is required to complete Compliance Form 652-C, (a copy of which is attached for your information).

These agreements acknowledges that the Federal assistance is predicated

on the fulfillment of the agreements and that we have the right to enforce

on the fulfillment of the agreements and that we have the right to enforce the agreement, by judicial action if necessary.

At the time the loan is closed, or disbursed, we deliver to the Borrower a "Notice to New SBA Borrowers" (SBA Form 793; a copy attached), which outlines six basic requirements to be met by the Borrower as minimum compliance with SBA equal opportunity objectives.

After the financial assistance has been given and the recipient has agreed to comply with the provisions of the Act and our Regulations, there is the matter of assurance of compliance: As I mentioned earlier, the Birmingham Regional Office has the responsibility for executing the Agency's programs of financial and management assistance, with certain exceptions programs of financial and management assistance, with certain exceptions—the Investment Company Program (handled by Washington), the Development Company Program, the Loan Liquidation Program, and the Procurement Assistance Program (handled by the Southeast Area Office in Atlanta),

and the Equal Opportunity Compliance Program.

The centralized operation of these particular programs is the result of a judicious management determination of the best use of the resources available to the Agency, both in manpower and operating funds.

The Compliance Program is coordinated by a specialist at the Area Office devoting his FULL time to this program. In our case, Mr. Bill Scott is the Area Economic Opportunity Coordinator and Mr. Scott is present today and is available to answer your questions as to his activity.

Each Regional Office, including my own, has designated one staff member to render assistance to Mr. Scott upon request. My designee is Mr. Waid J.

Edmondson, in the Birmingham Regional Office.

Again, with the desire to put our maximum effort into the area where it will produce maximum results. Mr. Scott concentrates on those borrowers having ten (10) or more employees. To these he sends our "Compliance Report" (SBA Form 707, copy attached), which is in effect a self-evaluation report by the Borrower. He is required to make an on-site compliance review of borrowers having fifty (50) or more employees, or in the event of a complaint. He advises me that no complaints have been received from the eighteen (18) counties in question.

eighteen (18) counties in question.

Mr. Scott has advised me that in this eighteen (18) county area of Alabama, he has reviewed fifty-eight (58) loans made subsequent to March 7, 1966; eight (8) have ten (10) or more employees and have been furnished a Compliance Report for completion. Four (4) of these, including the largest employer, have returned their Compliance Reports. The reports

received show the following:

	$Total\ Employees$	Negroes	Percent Negroes
(1)	14	5	36
(2)	9	6	67
(3)	29	18	62
(4)	25	8	32
	Totals $_{}$ $\overline{77}$	37	48

Additional favorable evidence of compliance is reflected in further information furnished me by Mr. Scott on his review of the area neighboring the sixteen county area in question; specifically, in Montgomery, Opelika, Bay Minette and Mobile, Alabama, the following is shown:

	Total Employees	Negroes	Percent Negroes
(1)	47	5	11
(2)	67	45	67
(3)	278	. 88	32
(4)	74	60	81
	Totals 466	198	43

In the course of the latter compliance reviews, Mr. Scott reported hearing from the Alabama Field Director of NAACP enthusiastic praise for the progress being made in this area and for the Agency's information and

counselling programs.

Mr. Scott further advises me of an October, 1967 resurvey of borrowers who had been reviewed for compliance at least six months previously. This small sampling, involving nine (9) or ten (10) firms in the area, reflected that their percentage of minority employees increased from approximately twenty (20 percent) percent in 1966 to twenty-five (25 percent) percent in 1967.

As I have said, Mr. Scott is here today from our Area Office in Atlanta and we have Mr. Edward S. Dulcan, who is Director of our Equal Opportunity Office in Washington, with us also, to answer your questions and to assist you in your fact-finding and appraisal efforts in this important area.

to assist you in your fact-finding and appraisal efforts in this important area.

This Statement is made from the official records of the Small Business Administration and is true and correct to the best of my knowledge and belief

THIS, the 26th day of April, 1968.

PAUL R. BRUNSON, Regional Director SMALL BUSINESS ADMINISTRATION 908 South 20th Street, Birmingham, Ala. 35205

#### STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, the undersigned Notary Public, in and for the said county in said state, personally appeared PAUL R. BRUNSON, with whom I am acquainted and who, upon oath, acknowledged himself to be Regional Director, Birmingham Regional Office, SMALL BUSINESS ADMINISTRATION, and that he, as such Regional Director, being authorized so to do, executed and delivered the foregoing Statement for the purposes therein expressed, by signing the name of said SMALL BUSINESS ADMINISTRATION by himself as said Regional Director.

WITNESS MY HAND and official Seal in Birmingham, Alabama, this the 26th day of April, 1968.

Rose C. Miller, Notary Public.

My Commission expires: February 5, 1971

November 9, 1966

SC9/ND 510-1

# \*21. ECONOMIC OPPORTUNITY LOAN PROGRAM—EOL (1) and EOL(2)

a. Statutory Authority. Title IV of the Economic Opportunity Act of 1964 authorizes the making, participation in or guaranteeing of loans to assist in the establishment, preservation and strengthening of small businesses. The SBA share of such loans, participations or guarantees, shall not exceed \$25,000 for a term not to exceed 15 years. Participation in the program by banks and other lending institutions shall be sought and encouraged. The EOA authorizes the use of the SBA revolving fund for the operation of Title IV. The EOA provides that borrowers may be required to improve their management skills as a condition of obtaining financial assistance. A borrower may be required to participate in an approved management training program.

No loan shall be made unless the following conditions are satisfied:

(1) There is reasonable assurance of repayment of the loan;

(2) The financial assistance is not otherwise available on reasonable terms from private sources or other Federal, State or local

programs.

(3) The amount of the loan, together with other available funds, is adequate to assure completion of the project or achievement of

the purposes for which the loan is made;
(4) The loan will not be used to relocate establishments from one

community or local area to another;

(5) The loan will not be used to finance subcontractors to enable them to undertake the work theretofore performed in another community or local area by subcontractors or contractors.

(6) The borrower agrees not to discriminate on grounds of race,

color, creed or national origin.

b. Purpose and Scope of EOL(1) and EOL(2)

(1) EOL(1).—The purpose of the EOL(1) program is to make funds available on reasonable terms to persons engaged in the operation of small business where the efforts of such persons to date have afforded them only a marginal economic existence. Primary emphasis will be placed on existing businesses. Where there is a promising projection and management appears capable, a loan may be made to establish a new business. Every EOL(1) loan will be expected to assist in raising the applicant's family's standard of living to above marginal levels. Special consideration shall be given to loans which will afford disadvantaged persons, specifically including minority group members, business opportunities traditionally not available to them.

(2) EOL(2).—The purpose of the EOL(2) program is to make funds available on reasonable terms to persons engaged (or planning to engage) in the operation of small businesses which do not qualify for financial assistance from any other source including EOL(1) or 7(a) lending programs of SBA. This program is intended to assist those persons who have suffered from lack of opportunity and thereby have been denied the chance to compete in business on equal terms. As in the case of EOL(1), emphasis shall be placed on assisting disadvantaged persons, specifically including minority group members.

c. Eligibility

(1) General.—Section 7(a) eligibility restrictions shall generally apply to both types of EOLoans. Exceptions are:

(a) Restrictions shall not be strictly applied with respect to the

payoff of unsecured creditors;

(b) A loan will not be made if the purpose of the applicant in applying for such assistance is to effect a change in ownership of a business, unless such change will promote the sound development or preserve the existence of a small busines or, in connection with the making of a loan under the EOL program, will provide for the acquisition of all or part of such concern by a person or persons the EOA of 1964 was intended to benefit.

(c) Change of location of a business under provisions of the

EOA as is otherwise covered herein.

- (2) Specific
  - (a) EOL(1).—To be eligible, each applicant must be a person or persons whose income from all sources other than income derived from payment in the nature of welfare is below that required to meet the basic needs of themselves and those of their immediate families who are dependent upon them. Where there are two or more principals involved in an EOL application, the application may be considered eligible if 50% or more of the business equity is owned by persons who qualify under the criteria. Since no dollar amounts will be used to establish income eligibility, each case must be evaluated on its own merits. This evaluation will be based on, but not necessarily limited to, a careful analysis of:

(1) Total family income and expenses;

2) Family size;3) Personal net worth including type of assets;

(4) Location and type of residence.

(b) EOL(2).—Applicant is a person or persons whose income is above that required to meet the basic needs of themselves or their immediate families, but have lacked the opportunity to accumulate or acquire capital necessary to establish, expand or strengthen a small business. The applicant's business to be financed by EOL(2) must be the primary source of income for the applicant and his dependents. Applicant must have the education, training, technical background, management or business experience, or other qualities which indicate a strong managerial capability. Emphasis will be given to those loans which will:

(i) Establish, strengthen or expand businesses engaged in manufacturing, research and development, wholesaling or distribution; offer the owners future opportunities for substantial business expansion, and those retail and service fields which are not traditionally operated by disadvantaged

nergong: or

(ii) Strengthen the economy of low-income areas by providing services or products not otherwise available in ade-

quate supply in those areas; or

(iii) Provide employment for unemployed, unskilled and/or underemployed persons, especially when the business

will enable unskilled persons to upgrade their capabilities.

(3) Form of Business Organization.—Applicants may be a sole proprietorship, partnership, or corporation. A cooperative association is also eligible provided its members are eligible small business concerns. Consumer cooperatives are not eligible.

(4) Availability of Funds.—A determination should be made that funds are not otherwise available on reasonable terms from private sources, or local, State or other Federal programs. Letters of decline from banks are not required. However, the applicant's bank of account, if any, should be contacted to determine its willingness to finance the applicant independently, in participation with SBA, or with an SBA guaranty. The applicant's financial statement and any other relevant information will be the basis for determining his ability to supply funds from his own resources. The loan processor shall comment in his report on the availability of funds from these sources.

(5) Relocation.—The EOA provides that financial assistance shall not be extended when it is determined that the loan funds will be used in relocating establishments from one area to another. (Relocation within a community or local area shall not be con-

sidered relocation from one area to another).

#### d. Criteria

(1) Character.—Good character is a basic necessity for the EOL applicant. A character evaluation is of prime importance even though the documentation may be more difficult since the applicants have usually been in a deprived, economically depressed status. An investigation of character will be made from the best sources that are available: past sources of credit, employers, and any others who may have knowledge of his general honesty, personal habits, sense of family responsibility, and determination to succeed in business. The SBA must also be able to reasonably conclude that the applicant's character is of a type which indicates that he accepts his financial obligations as morally binding and that he will make every reasonable effort to meet his obligation to the Government.

In cases where there is evidence that applicant in the past has failed to meet his obligations due to circumstances beyond his control, such as major illness in the family or prolonged unemployment, SBA should carefully evaluate such factors in arriving at its conclusion, and explain the circumstances in their

reports.

SBA teams have the responsibility of becoming aware of the socio-economic problems in the areas they serve, and these teams should have a sensitive understanding of those problems prevalent among those individuals whom the EOL program is in-

tended to assist.

It is expected that applicants will not necessarily be declined because of a criminal record. When it is determined that a criminal record exists, applicant's age at the time of the offense or offenses and his ensuing rehabilitation efforts should be given major consideration in overall character analysis. A felony of any kind naturally calls for a more extensive investigation than is necessary with a misdemeanor. An application will not be accepted from a person who is currently on probation or parole, nor will an application be accepted where probation or parole is lifted solely because it is an impediment to obtaining an EOL. Also, applicants who have pending criminal cases against them will not be considered until the matter has been resolved satisfactorily.

If the Loan Specialist has any information that might assist the Washington Office in evaluating applicant's character, he should forward this information with Form 281. If the information is developed after the Form 281 has been forwarded, the information should be sent to the Office of Audits and Investigation,

Security and Investigations in Washington.

(2) Credit.—The credit criteria for making loans under EOL(1) and EOL(2) are broader than 7(a) business loans and will involve the taking of calculated risks. In each case, however, there must be a basis for the determination that there is a reasonable assurance of repayment. Every effort should be made to find a basis for approval when the granting of such assistance is consistent with the Economic Opportunity Act of 1964, as amended.

In making a loan to establish a new venture, it is not necessary that the borrower provide an equity investment equal to the loan request. In some cases a considerably lower investment will be sufficient. Where there is an especially promising projection and the applicant has demonstrated capability, little or no equity investment need be required.

investment need be required.

e. Amount and Terms of Loans

(1) General.—Section 402 of the EOA provides that no loans shall be made, participated in, or guaranteed if the total amount of such assistance under the EOA of 1964 to a single borrowing entity outstanding at any one time exceeds \$25,000 as the SBA share.

Where two more individuals are associated in a business entity, the limit applies collectively to all such loans made to such individuals and such entity. (Although loans may be made to individuals to start businesses, the total amount of such loans outstanding to any partnership or corporation so started or to members of such partnership, or officers of such corporation collectively shall not exceed \$25,000, SBA share, at any one

The maximum maturity of loans, including extensions, shall

not exceed 15 years.

Note.—Until further notice, the \$25,000 limitation stated herein is reduced to \$15,000 for EOL(1) loans the limit is \$25,000 for

EOL(2) loans.

(2) Loan Conditions.—Repayment should be provided for at the earliest feasible date giving consideration to the use to be made of the funds and indicated ability to repay. Generally, working capital loans should be limited to 10 years. Longer terms may be extended up to the legal limit of 15 years where the proceeds are for acquisition of realty or other fixed assets. Where a combination of purposes is involved, the period for repayment may be adjusted accordingly. Loans generally shall be repayable in regular monthly installments including principal and interest.

(3) Grace Periods or Special Conditions.—If necessary, grace periods for payments of principal may be established for not to exceed 13 months from date of note. Interest payments must be made during such grace period. Other methods may be used in setting repayment terms, such as smaller payments for the early years of the loan and increasing in later years, as appropriate, to assure successful establishment and operation. A fluctuating repayment schedule may be established for seasonal businesses. Prepayments on the loan can be made at any time and in any amount without penalty.

f. Interest and Fees

Type of loan Direct	Interest rate 5½%
	5½% on SBA's share; legal and reasonable but not in excess of 8% on
Guaranteed loans	participant's share.  Legal and reasonable but not in excess of 8%, including SBA guarantee fee of ½ of 1%
Designated loans in EDA areas.	4%%. This rate applies to direct loans and to SBA and the bank's share of participation loans, either immediate or guaranteed.

### g. Participation Amount and Fees

Tuve of loan FeeGuaranty may be up to 100% of an EOL. Same guaranty fee will be Guaranteed loans . charged banks as is applicable to regular business loans. Immediate participation \_\_\_\_ SBA participation not to exceed \$25,000\* or 90% of loan, whichever is lesser. Service fees charged by bank may equal but not exceed those which it charges on regular business loans.

\*\$15,000 for EOL(1) loans until further notice.

## h. Use of Proceeds

(1) General.—Proceeds of Economic Opportunity Loans may be used for any purpose which will carry out the intent of the Act as set forth herein. The Economic Opportunity Act pro-hibits loan proceeds to be used for financing subcontractors to enable them to undertake work heretofore performed in another area by other subcontractors or contractors; how-ever, loan proceeds may be used to enable subcontractors to com-pete for contracts or subcontracts in their area.

(2) Management Training.—Where participation in a management training program is a condition of the loan, the cost of such

training may be paid from the loan proceeds.

#### i. Collateral

(1) General.—There are no statutory requirements with respect to collateral for loans. Inadequate collateral shall not be used as a reason to decline unless the applicant refuses to pledge whatever worthwhile collateral is available.

(2) Collateral Not to be Required.—The following items of collateral will not be taken:

(a) Mortgages on residences occupied by the principals.(b) Liens on the furniture, fixtures or equipment used in principals' homes.

(c) Assignments of life insurance.

(d) Automotive equipment except where purchased with loan proceeds or where it is an important part of the collateral

available and has substantial value.

(3) Collateral to be Taken or Items Checked

(a) Fixed assets purchased with loan proceeds should be taken as collateral. No title or lien searches will be made, except in cases where business real estate is taken as collateral and there is reason to believe that a title search is necessary to protect the Government's interest.

Accounts receivable or inventory may be taken when needed but only in those States where a good lien can be perfected under the Uniform Commercial Code or applicable factors' lien laws; no cash collateral accounts will be required. Loan processor should comment in his report on his decision to take or not to take a lien under the code.

(c) In the interest of the borrower, hazard insurance should

be required whenever deemed advisable.

(d) Where applicant is renting, check should be made to determine that a satisfactory lease or other arrangement is in effect.

(e) Guarantees of principal stockholders will be required in

appropriate cases.

j. Filing and Numbering of Applications.—Applications shall be filed on SBA Application Form 6B. The prefix "EOL(1)" or "EOL(2)" shall be used and the regular loan number sequence will be followed. k. Interview Procedure.—Experience indicates potential EOL applicants need special attention and assistance. The interviewer will make certain that prospective EOL applicants fully understand what is required to complete the application and the reason for those requirements. The interviewer will assist the applicant in filling out the application to the extent necessary.

1. Loan Processing

(1) Loan Specialist shall determine that the applicant has com-

olied with paragraph 28, b and c, of this directive.

(2) With emphasis placed on future prospects, the loan specialist and/or the applicant will work out a realistic earnings projection. For existing ventures explanation should be provided covering anticipated improvements in operations.

(3) Due regard will be given to projected cash flow to service

(4) There must be reasonable assurance that the loan will be repaid. Calculated risks will be assumed with respect to earnings provided the potential appears reasonably favorable. Consideration should be given to the good character and past record of the applicant in meeting obligations.

(5) There is no specific rule as to what constitutes an acceptable debt-to-net worth ratio. Emphasis will be placed on applicant's ability to repay the loan from earnings of the business.

(6) There must be reasonable evidence that the loan, together with other funds available, will be adequate to assure the completion of the project or achievement of the purposes for which the loan is made.

(7) The loan processor's report will include a detailed discussion of applicant's eligibility per 21 c (2) (a) or 21 c (2) (b.

(8) The basis for determining that funds are not otherwise available shall be included in the loan specialist's report.

\*(9) The basis for determining that the application does not meet 7(a) requirements shall be included in the loan specialist's report.

(10) The loan processor's report will include an analysis of applicant's management capabilities and deficiencies and recom-

mendations for strengthening these deficiencies.

(11) The loan specialist's report shall be prepared on SBA Form 531. The authorization if loan is approved, should be prepared on SBA Forms 408C, 408D or 408E, as applicable. One copy of the loan specialist's report and authorization shall be sent to the area administrator and one copy sent to the Director, Office of Business Loans, Washington.

m. Procedures for Implementation.—It will be the responsibility of each regional office to (1) bring these programs to the attention of those intended to be assisted by EOL(1) or EOL(2); (2) encourage individuals to apply for assistance; (3) interview, evaluate and assist persons interested in obtaining this assistance; (4) process the applications of eligible persons; (5) service loan recipients; and (6) provide management training and counseling to loan recipients and others who are eligible for such assistance.

(1) Community Involvement.—In order to insure maximum community involvement in the implementation of this program, regional offices will establish and maintain working relationships with community action agencies and local business, civic,

governmental, religious and other organizations representative of individuals these programs are intended to assist.

(2) Outreach.—Experience has shown that unless a special effort is made to bring word of the EOL programs to the attention of individuals they are intended to assist, many potential applicants remain unaware of the availability of the programs. Community action agencies which serve the low-income community should be asked to disseminate information of the EOL programs through these agencies' regular programs of neighborhood field workers, circulars and newsletters, community meetings, etc. Leaders of other local organizations should be asked to assist by disseminating information to members. SBA technical personnel should be made available to actively participate in community meetings or meetings of appropriate local organizations. The role of community organizations will be to disseminate information about this program, guide and counsel prospective applicants and refer prosepective applicants to SBA.

(3) Interviewing.—SBA personnel will interview those seeking assistance, eliminating as tactfully as possible those who are ineligible and giving in-depth evaluation to those who appear to merit serious consideration. The SBA loan processor will complete page 1 of Form 680 for each EOL applicant whose applica-

tion is accepted.

Interviews will be conducted by SBA personnel at SBA offices or, when appropriate, at locations most accessible to prospective applicants. Regional offices will assume responsibility for arranging for SBA personnel to be available on a regularly scheduled basis at community action agencies, neighborhood centers and other organizations with offices in low-income

neighborhoods.

In most places the EOL(1) program will be making funds available to many individuals who have never before qualified for any type of business financing, who have never before dealt with government or private financial institutions, and who may not understand the need for documentation required for an SBA loan. Exeprience has shown that a number of these individuals may feel apprehensive, overwhelmed or discouraged during the early or middle stages of the application-taking period. While no loan should be made to an individual who is not fully qualified, seriously interested in a business career, and prepared to furnish information to complete an application, it is SBA's responsibility to encourage potential loan recipients to complete their applications. This should be accomplished by making certain that those inquiring about the program or applying for loans understand why certain requirements have been imposed. SBA personnel, with the help of volunteers, should assist them in the completion of their applications.

\*(4) Management Analysis and Assistance.—The PM officer will be notified in writing by the Chief, ACT Division, whenever an EOL application has been accepted. Within 10 days of such notification the PM officer will submit, to the loan officers handling the case, a management evaluation guide which will become a permanent part of the loan file. The Guide will contain one of the

following statements:

(a) Based on my evaluation of this applicant, it is my opinion that there is reasonable likelihood that the applicant can

manage this business successfully.

(b) Based on my evaluation of this applicant it is my opinion that there is not reasonable likelihood the applicant can manage this business successfully.

(c) It is my opinion that if this applicant satisfactorily completes the following management assistance program(s), there is reasonable assurance that he could successfully

manage this business.

When the Guide contains the third statement above, the loan applicant will be encouraged (to follow the specified management assistance programs). The PM officer shall be responsible for arranging any recommended program and will report in writing to the loan officer whether or not the applicant has participated in and completed the program and with what results. The loan officer will take into consideration the PM officer's

written guide before recommending final action on the case and will comment briefly on the PM officer's evaluation in a separate paragraph on "Management" in the narrative portion of SBA Form 531, "Loan Officer's Report". In those exceptional cases when the loan officer recommends approval over the negative recommendation of the PM officer, the loan officer should include a detailed justification of his recommendation in the SBA Form 531.

When appropriate, disbursement of a loan may be withheld until loan applicant has satisfactorily completed a specified management program. When a loan is declined because applicant lacks management ability, the formal reason for decline will be coded "Reason 02-Lack of reasonable assurance of ability to repay the loan (and other obligations) from earnings".\*

(5) Whenever the Officer of Economic Opportunity authorizes Small Business Development Centers, SBA will cooperate with such Centers in providing counseling, guidance, and management training. SBDCs shall refer applicants for financial assistance, coming to their attention, to SBA.

n. Servicing.—EOL loans will require constant and careful servicing. As the need is indicated, Financial Assistance will arrange, through PMA, for personnel, including SCORE, to provide services such as counseling in marketing, production and management.

o. Default.—Within 30 days after default, a loan specialist will visit the borrower and guarantors. Once a decision has been made that nothing more can be done to keep the borrower in business and collect the loan, liquidation must be rapid.

p. Loan Closing

- (1) Loan specialists are responsible for closing loans. Counsel will render a closing opinion only on loans where title or lien searches are made. In all other EOL loans, counsel will review and initial the file copy of all closing documents before execution by borrower or participating bank. The team member who processed the loan will sign SBA Forms 191 "Request for Check" and 192 "Notification of Disbursement or Purchase", as the "Recommending Official" and the team leader will sign as the "Approving Official". If the team leader processed the loan, he will sign as the "Recommending Official" and the Chief, or Assistant Chief, FAD, will sign as the "Approving Official".
- (2) In guaranteed loans, SBA Form 597 provides for a written opinion by bank's counsel. However, where bank requests review by SBA counsel in lieu of opinion by bank's counsel, counsel shall review the bank's closing documents and render a written opinion or initial the documents pursuant to subparagraph (1) hereof.
- q. Applicability of other instructions.—Except as specifically set forth herein, the processing, closing and disbursing of loans under the EOL programs shall be the same as regular business loans.

r. Information required on SBA Forms 149 and 680

- (1) SBA Form 149 for each EOL inquirer who does not receive an application form must contain the specific reason he was found to be ineligible. For all EOL inquiriers, the minority group coding will be placed in the upper right-hand corner of SBA Form 149.
- (2) Team members responsible for processing applications accepted by SBA will fill out page 1 of SBA Form 680 "EOL Interview Form." The loan case number will be placed in item 2 of SBA Form 680 in lieu of the "client number" formerly used by SBDCs. A copy of page 1 of SBA Form 680 will be forwarded to the Office of Business Loans along with loan processor's report at the time that final action is taken.

Re: GASTON,S SUPERMARKET Selma, Alabama SBLP-481,577-BHAM

#### AN ALABAMA SUCCESS STORY

In central Alabama, which is enjoying prosperous farming and industrial growth, Mr. J. M. Gaston established a grocery store operation in 1945. It started as a typical small neighborhood grocery store. Through the capable management of Mr. Gaston, it has shown steady growth with ever-increasing earnings and sales. It is the largest supermarket in Selma, Alabama by 20 percent. Mr. Gaston is not affiliated with any national supermarket chain; however, the supermarket chains are represented in the trade area.

In 1964, Mr. Gaston sustained a very costly fire which destroyed his building, equipment, and inventory. Shortly after the fire, Mr. Gaston, through his local bank, approached this Administration and, as a result, filed an application for a \$350,000 loan with a local bank taking 25 percent of that amount. The loan was approved in December, 1965 and shortly thereafter, we received a balance sheet and profit and loss statement as of December, 1965 showing sales of \$1.6 million and a substantial net profit.

We are advised that this business continues to grow and prosper with a substantial reduction already being made in the outstanding balance. We are further advised that this loan resulted in making available to the local population free competitive food prices, which has been of material benefit to the entire trade area.

Re: Solomon Thompson, d/b/a
THOMPSON DRY CLEANING
AND ONE HOUR MODERNIZING
Montgomery, Alabama
RSL-196,441-BHAM

#### AN ALABAMA SUCCESS STORY

Solomon Thompson, born 1922, native of Macon County, Alabama, started working in the laundry and dry cleaning business at the age of seventeen. In 1942, he became employed in Montgomery, Alabama, with Airway Cleaners and was diligent in learning the laundry and cleaning business. In 1953, he had accumulated a small amount of capital which he was willing to risk in a business for himself, believing in his ability and having the desire to own a business of his own, though realizing it would not be an "easy road to travel". Later, the second outlet was opened and additional equipment purchased.

On September 29, 1964, Solomon Thompson applied to SBA for a direct loan in the amount of \$15,000.00; the proceeds of which were applied toward liquidating short-term equipment indebtedness, thereby providing a cash flow sufficient to operate the business. At the time of the first loan, he had eight employees and Applicant's combined business and personal net worth were indicated to be \$16,604.00.

Thompson's business has found need for additional expansion and we are now considering a bank participation application to refund the balance due on his present loan, to make leasehold improvements, and purchase additional equipment. His present financial information is indicative of hard work and good management, since his combined business and personal net worth is now shown as \$44,620.00.

The original loan enabled him to build his business so that at this time a conservative bank believes that it should cooperate with us in additional sound development. He now employs ten and volume and profits have increased through industrious, frugal, and capable management. Thompson is a minority member, whose trade is from a mixed lower income group. He is situated in Montgomery, Alabama. Participating Bank has confidence in Thompson and his ability, and unhesitatingly recommends additional assistance.

Re: ROBBINS MACHINERY COMPANY 500 North 28th Street Birmingham, Alabama L-192,645-BHAM

#### AN ALABAMA SUCCESS STORY

Business was started as a machine shop in 1950, its primary purpose at that time was to repair machinery and equipment for Robbins Coal Company, Inc. Their strip-mining operations became more and more difficult as the overburden became thicker and heavier, and cost had to be reduced to profitably mine a seam of coal 30 to 40 inches thick. This overburden runing to a depth of 138 feet had to be moved cheaper. This led to the development of the Robbins Rotary Drill that will cut a hole up to 15 inches in diameter, and will do it quickly and cheaply. It is said that this diamond bit drill will cut 9 feet in solid rock in less than a minute.

As competitors and others saw what this machine would do, they urged Davis Robbins to manufacture the drills commercially. Therefore, a new

corporation was formed for this purpose.

The financial condition of the corporation in October 1961 reflected total

assets of \$1,307,028 to debt of \$816,377.

An SBA-Bank Participation Loan of \$500,000 was made to this company An SBA-Bank Participation Loan of \$500,000 was made to this company in the latter part of 1961 for debt payment and working capital. The corporation reported gross sales for Fiscal Year ending August 31, 1961 of \$1,769,500 with a net profit of \$35,984, and paid income taxes of \$6,900. Employment at this period was approximately 54 personnel.

Today, this corporation has assets in excess of \$2,300,000. Net worth has increased from \$490,000 to \$776,000. Annual sales are in excess of \$4,500,000 with net profits for Fiscal Year ending August 31, 1966 of \$245,148. This firm paid Federal and State income taxes of \$118,957. Borrower is now

firm paid Federal and State income taxes of \$118,957. Borrower is now

employing 115 people.

Re: William Theron Vick and Alfred Vick, a partnership d/b/a VICK LUMBER COMPANY Hamilton, Alabama U-EMP-194,423-BHAM

# AN ALABAMA SUCCESS STORY

This company was started as a new business in December, 1945 as Coalson-Vick Lumber Company, operating as a partnership. Starting capital consisted of \$10,000 obtained on property owned by Vick and \$25,000 advanced by Coalson and Pinion Lumber Company, Inc. Mr. Vick purchased Coalson's interest for \$32,500 in February, 1948 and operated as a proprietorship until January 1, 1952 when Alfred Vick, a brother, was admitted as a partner to the extent of 25% of the profits.

Mr. W. T. Vick started expanding the company by acquiring truck and trailer units to deliver lumber to areas in the northern part of the county. This increased sales volume, which continued to increase each year thereafter. In December, 1958 a debarker, chipper, and "gang" saw were added to the operations. Later another saw mill and planer mill were added. Mr. Vick operates two mills—one for pine timber and one for hardwood timber.

In December, 1962 Mr. Vick realized he must install a dry kiln to meet competition. He did not have the necessary capital to make the additional installation. The First National Bank of Birmingham has furnished the

business financing over a period of years; however, they were unable to provide long term loans needed to finance a dry kiln.

In February, 1963 a Small Business Administration loan was approved in the amount of \$180,000 to assist in the upgrading of this business. At the time the loan was made, this business had assets in excess of \$516,000, liabilities of \$238,000, and a net worth of \$278,000. Gross receipts were in excess of \$1,354,000; however, they operated at a loss of \$11,600 after depreciation of \$37,750. They were employing approximately 78 people. Assets now total \$654,800 and capital \$313,700. In 1966 the company made \$15,700 after depreciation of \$37,800. In addition to providing profits for the owners, this

business furnishes approximately 80 families in the area with income in excess of \$230,000, and state and county taxes in the approximate amount of

\$20,000 are paid annually.

Under capable management and long term financing which was provided by the Small Business Administration, Vick Lumber Company has grown and is now a prime factor in the economy of the area in which it is located.

Re: DIXIE ELECTRICAL MANUFACTURING COMPANY A corporation, located: Pinson Highway, Greens Station PO Box 6298, BIRMINGHAM, ALABAMA L-194,094-BHAM L-186,370-BHAM

### AN ALABAMA SUCCESS STORY

SBA-ASSISTED BUSINESS SUPPORTS UTILITY POLES.-Ever wonder what keeps utility poles up? "Support" from pole line hardware supplied by an SBA-assisted company in Birmingham. Nuts and bolts, one of the chief products manufactured by Dixie Electrical Manufacturing Company, "swings a lot of weight" in the economical stand of fulfilling utility demands. Galvanizing and Forging are two important processes which reap financial benefits for Dixie.

In addition to supplying the Southeastern area of the United States, these specialized products are EXPORTED by this manufacturer to South America

and the Caribbeans.

Formed in 1955, Dixie Electrical Manufacturing Company utilized local materials and labor skills, providing an additional payroll source with all the resulting benefits for the community. Experiencing a "Set-Back" in 1958, approximately 50% of the original capital was lost. Thus, financial assistance was imperative in order for the company to continue operations.

The stockholders, realizing the company had a bright future, decided the SBA program most nearly suited the company's needs and abilities and, in 1958, obtained a \$250,000 loan. Much of the proceeds were used for the

installation of a galvanizing section.

During the following four (4) years after the loan was made, the company showed steady improvement. Sales for 1962 were \$655,000 while the company operated at a loss of \$33,000. In November 1963, an additional loan of \$75,000 was made to the firm to support the need for additional inventory, working capital and the purchase of equipment for its proposed forging section.

The company, enjoying its first profitable year in 1963, reported sales of \$1,020,858 and a PROFIT of \$10,485. In only five years after the original loan was approved, the firm had achieved steady profit growth every year since that time. December 1966, the firm had sales of \$1,723,000 and enjoyed a net profit of \$54,000.

Employment has increased from 30 in 1958 to 70 in 1966, with a present payroll in excess of \$250,000—a marked indication of progress—obviously

their most important product!

Financial assistance from the Small Business Administration has enabled Dixie Electrical Manufacturing Company to supply products—not only for the Southeastern Area of the United States—but also for South America and the Caribbeans. Since most of export trade of the United States is carried on by a small number of firms, such as this one, SBA has and is making a valuable contribution to counteract Communist distortions about the United States as a country of "monopolistic capitalism."

Re: RESOURCE MANAGEMENT SERVICE, INC. Birmingham, Alabama X-EMP-195,160-BHAM

## AN ALABAMA SUCCESS STORY

In 1950, Mr. John B. Bradley, Jr. established the Southern Timber Management Service. The purpose of the company was to give service to land owners, small and large, in developing timber lands. The business began as a proprietorship. Mr. Bradley was well qualified in his field as he holds a Bachelor of Science Degree from the University of California and a Masters Degree in Scientific Forestry from Yale University. He realized the potential in developing a scientific timber service in expanding this valuable natural resource.

In 1956, the business was incorporated and the name changed. Some 12 people were now employed in management, and at the peak of their servicing periods some 25 or 30 people were used in their timber crews. By this time, the company was offering a re-forestry service, advice on sales and purchase of timber and timber lands, landscaping of forestry, feasibility studies on marketing, and feasibility studies for companies wishing to establish plants

using forestry products.

In 1960, financial assistance was obtained from the Small Business Administration in the form of a \$61,000 loan. The company now had a total of 25 regular employees and sales had reached \$161,000. In 1962, sales rose to \$220,000 with a net profit of \$3,000. The company continued to grow and add additional services. The new services included the processing of pine tree seeds and a re-planting service. The business had to have additional financing for the added services, and in November, 1963, a new Small Business Administration participation loan was approved in the amount of \$100,000.

By 1965, sales had reached approximately \$300,000 and net profits were \$20,000. The company was now employing some 30 people, and their timber crews during the peak seasons were running close to 100 people. Services were also being offered to foreign countries in Central and South America; and pine tree seeds were being shipped all over the entire world. In 1966, sales totaled \$302,000 with net profits amounting to \$17,500. The company's over-all business and financial condition improved to the extent that the SBA

loan was fully repaid in March, 1967.

At the present, the company has 33 permanent employees and is providing employment for 125 people in their timber crews. This is another instance where financial assistance from SBA has helped to expand a business that is vital to our country in providing a much needed service and is also giving

employment to well over one hundred people.

Re: BURGREEN CONTRACTING COMPANY, INC. Athens, Alabama L-185,810-BHAM

## AN ALABAMA SUCCESS STORY

Burgreen Contracting Company, Inc. is a direct result of a proprietorship started by Edward Burgreen in 1935 at which time the business was primarily small—grading and terracing contract jobs. Through the years, although profits were small, Mr. Burgreen expanded his business by reinvesting small profits into used equipment, which he rebuilt and assembled into a small group of construction equipment and established an experienced work force

A corporation was formed in 1947 and named The Burgreen Contracting Company, Inc. with an authorized and paid in capital of \$25,000. Charter was

amended in 1951 and authorized capital was increased to \$75,000.

The corporation was in a constant state of expansion and adequate capital was not available for additional equipment and working capital on reasonable terms. Contracts had increased in size from a few thousand dollars to a backlog of three million six hundred thousand dollars. By March, 1959, the corporation had a base force of 60 employees 12 months of the year and 180 employees for 9 months of the year. The payroll was running between \$15,000 to \$25,000 per week. The company was engaged primarily in highway contracts for the State of Alabama.

The corporation needed long term financing for its equipment purchases and working capital. Efforts had been made to solicit long term financing from the local banks; but due to their legal limit, they were unable to assist this company. Mr. Burgreen turned to the Small Business Administration for financing. An SBA direct loan of \$350,000 was approved in June, 1959. The following exerpt shows the condition of the company at the time of the loan

and today:

	1959	1966
Total Assets	\$896,483	\$1,013,666
Total Liabilities		624,016
Net Worth	463,184	389,650
Gross Sales (1958)	1,298,656	3,957,277
Net Profit		27,082
Income Taxes	2,204	8,010

Salary and wage expense in 1959 was \$393,906. This expense in 1966 was \$1,010,235. In addition to income taxes, the company paid \$119,492 in ad

valorem taxes in 1966.

The above figures clearly demonstrate the growth that this company has realized through financial assistance provided by the Small Business Administration. In addition to providing economic success to the owners, the company has provided a livelihood for 200 or more employees in the Athens area.

#### SWALLEY PRINTING CO. IS EXPANDING

## By Leonard Chamblee

A \$1.3 million expansion of the Swalley Printing Co. was revealed here Tuesday.

Edwin E. Swalley, president, said the firm has acquired the property bounded by Airport-hwy. 47th-st and the railroad tracks.

Swalley said the property has been acquired in the past three months except for the present building occupied about a year ago.

Swalley said his firm, founded in 1957, now is working almost entirely now on government contracts including armed forces manuals and books for other agencies.

He recently added a 15,000 square foot building-behind his present

location.

When all new equipment is installed, he said, the firm will begin printing school textbooks and paper back books. "We have had all kinds of inquiries as to when we can start.

He said the firm expects to use 800,000 pounds of paper a month.

Swalley recently purchased the Southern Household Products building which covers one square block on 36th-st, and 10th-av, n. The structure has 46,000 square feet of floor space.

A paper-converting operation will be installed. The firm will keep a large

paper tonnage on hand.

The firm employs 130 and expects to add about 40 more. Annual sales are about \$1.5 million.

This is expected to increase about \$2 million annually.

Swalley predicted the firm would expand sales of \$20 million in five to 10 years.

Swalley has also acquired the M&M terminal, which is the old A&P ware-

house on 12th-st and 1st-av, n for investment purposes.

# Re: EDWIN EUGENE SWALLEY Birmingham, Alabama L-186,365-BHAM

#### AN ALABAMA SUCCESS STORY

This business was established in the late 1950's as a small contract printing operation. He was successful in obtaining a \$750,000 Government Contract to do printing work. Mr. Swalley approached Small Business Administration with an extremely urgent loan request and no other lending institution would assist him. It was necessary that he have an immediate answer or lose the above contract. This \$20,000 loan not only enabled Mr. Swalley to complete the contract, but it also enabled him to bid on additional Government contracts.

Immediately after completing the above mentioned contract, he was denied another contract, and filed a COC. In conducting an investigation in connection with a COC, it was verified that Mr. Swalley had \$100,000 in deposit in

a Birmingham bank representing a profit from said contract

Since that time, Mr. Swalley has not been a seeker of credit and a recent press release states that Mr. Swalley is currently making a \$1.3 million expansion of the Swalley Printing Company. The press release further states that the firm expects to use 800,000 pounds of paper a month. The firm currently employs 130 people and expects to add about 40 more. The press release predicts that the firm will expand sales to a total of \$20 million in 5 to ten years.

The \$20,000 from Small Business Administration was the breaking point with Swalley Printing Company, and got him started in a successful business

that is helping the community with a nice pay roll.

# AN ALABAMA SUĆCESS STORY

On January 9, 1962, down in the quaint fishing town of Bayou La Batre, Alabama, Quality Foods, Inc. was formed. Among the objects and powers of this corporation are the buying, selling, importing and exporting all kinds of fresh and salt water seafoods, meat of any animal, or food of any kind,

or any vegetable or mineral derivative thereof.

Business was started with paid in capital of \$25,000.00. As of December 31, 1963, Assets were \$574,324.71 (including fixed assets of \$393,723.11), Liabilities, \$413,952.45, and Net Worth \$160,372.26. As of December 12, 1964, Assets were \$855,756.88 (including fixed assets \$557,955.20), Liabilities \$642,613.27. During the period January 1, 1965, through March 31, 1965, this corporation realized a profit of \$23,691.23. By this time, the young operation was suffering from severe "growing pains" and turned to its Bank for a remedy.

The First National Bank of Mobile, having had considerable experience in participating with SBA, felt that this Agency would possibly be the answer in obtaining longer term financing than Bank could afford this good

client.

In June, 1965, Bank submitted the proposition of a ninety per cent SBA Guaranty Loan, and on August 18, 1965, a \$300,000.00 loan was disbursed. As of June 30, 1967, the unpaid principal balance on loan was \$245,487.51.

Quality Foods, Inc. has continued to move forward under the able manage-

ment of Messrs. Oliver Clarke and D. J. Ficarino.

As of September 30, 1967, balance sheet reflected the following:

Assets	\$1,271,800
(Including fixed assets of \$555,600.00)	1-,,
Liabilities	868,100
Net worth	403,700
Earnings	123,100
(Period 1-1-67/9-30-67)	

Mr. Clarke, born in 1916, Mississippi, has lived in Alabama the major portion of his life, and was previously a partner with his father in Clarke Seafood Company. He was later active in Seven Seas Packing Company, since succeeded by Balley Fisheries, Inc., Port Isahel, Texas, of which he is President.

Mr. Ficarino, born 1931, native of Pennsylvania, is Office Manager and a minority stockholder. He had several years experience in seafood industry and resigned from Graham Seafood Company, Inc. to join this company.

and resigned from Graham Seafood Company, Inc. to join this company. This business now operates a large seafood production, processing, packaging and shipping business, dealing in shrimp, snapper and other Gulf seafood. It operates six large fishing vessels, and, in addition, contracts to purchase from a large number of other boats, operating in the Gulf of Mexico. The business operates a large processing and blast freeze plant, sells to brokers and commercial concerns in eastern, midwestern, and southwestern states.

This company is providing employment for approximately 130 people in an economically depressed area that has, until recently, offered little op-

portunity for employment other than in the seafood industry.

SBA can certainly feel proud of the part it has played in making financial

assistance available to this company which is contributing to improvement in the economy of the small fishing village of Bayou La Batre, Alabama.

Re: C. F. CLEGG, INC. Heflin, Alabama L-191,808-BHAM

### AN ALABAMA SUCCESS STORY

- C. F. Clegg, Inc. and subsidiaries are principally involved in processing and distributing poultry, mostly broilers which are produced commercially in Alabama and Georgia. This corporation markets its products in a wide area of the United States, including the states of Alabama, Georgia, Florida, Mississippi, California, Michigan, Ohio, New York, etc.
- C. F. Clegg was born in 1915 in Heflin, Alabama. Business experience began very humbly with a house to house store at the age of sixteen. In 1937, C. F. Clegg married Willie Belle Parrish whose father operated the firm of Parrish Poultry Co. in Columbus, Georgia. assisted by his daughter Willie Belle. Clegg became active in this business in 1939 and in 1941 Mr. Parrish retired. By 1943, Mr. and Mrs. Clegg acquired complete control of Parrish Poultry Company.

The following events have taken place in this business over the past 20 years.

- 1945—The business purchased a breeder farm, hatchery, growth operation and processing plant from the United States Government for approximately \$22,000.00.
- 1949-They incorporated under the laws of the State of Georgia.
- 1955—Qualified as a foreign corporation to do business in Alabama and increased stock issue to 5,000 shares. Acquired 88.78 percent of stock in Chattahoochee Valley Eggs, Inc. in Columbus, Georgia and built a new and modern processing plant in Heflin, Alabama, Clegg's home town.
- 1956—Gained 71 percent of stock in Valley Industries, Inc. Also purchased 1/3 interest in Aluga Renderers, Inc.; another 1/3 interest was purchased by Edwin Hargett, director and officer of C. E. Clegg, Inc.
- 1958—Secured first loan from SBA for \$150,000.00 to finance expansion in Helflin. Amended charter for \$100,000.00 preferred stock issue. This issue was callable at the discretion of the Board of Directors any time after 5 years.
- 1961—Acquired refunding loan in amount of \$250,000.00 refunding \$93,000.00.
- 1965—Began effort to consolidate operation at Heflin, Alabama.

Subject had always exhibited the ability to generate profits, but profits amassed too slowly for subject's growth and ambition. It was, therefore, necessary to seek other financing to meet these demands. Such was the case in 1958 when Mr. Clegg came to the Small Business Administration for financial assistance. The demand for C. F. Clegg products was overtaxing his present facilities and he also had some health standards to meet. The First National Bank of Anniston and the Small Business Administration made a bank participation loan to this business in 1958 in the amount of \$150,000.00, and a refunding loan of \$250,000.00 in 1961. In 1965, the First National Bank expressed great confidence in C. F. Clegg, Inc. by reducing SBA's exposure from a 66% deferred participation to 10% Guaranty. The original maturity was 1971, but as of 7/5/67 this account is marked "Paid in Full". This loan enabled the subject to eliminate excessive cost in over-time pay and expand facilities to increase production. Failure to obtain these loans could have jeopardized the subject's profits and overall financial position.

## Progress After the Loan

	1957	1960	1966
Sales	\$4,001,623	\$4,233,193	\$7,007,986
Profits	28,550	43,900	77,603
Income taxes	19,156	19,676	30,573
Net worth	265,304	467,205	687,493

Growth of C. F. Clegg has not been phenominal but steady, which is

Growth of C. F. Clegg has not been phenominal but steady, which is indicative of the stability and soundness in progress of these enterprises. The contribution of C. F. Clegg, Inc. since 1961 has provided gainful employment of 136 to 247 people. Its payroll is the largest in Cleburne County. This contribution is further magnified by the small population of Heflin (population 2,400). Beyond a doubt, this corporation and the residents of Heflin are interdependent upon one another for economic survival, which symbolizes the American economy. Mr. Clegg's decision to move and consolidate operations at Heflin suggest that perhaps a boyhood dream has been fulfilled. We at SBA are happy to have been of any assistance in promoting this dream to reality.

Re: JAFFEY WHOL IRON & METAL COMPANY Birmingham, Alabama

SBLP-707,019-BHAM

## AN ALABAMA SUCCESS STORY

This company in its present form was chartered under the Alabama law in 1930. The corporation is engaged in the purchase and processing of scrap metal for sale to various steel companies throughout the nation. Actually, the business began many years prior to 1930. Its founder was Mr. Phillip Jaffey, a Russian immigrant. Mr. Jaffey came to America in 1893. He worked at various jobs throughout the North and South and operated businesses in several locations. In 1902 he came to Birmingham. At this time, his assets consisted of a small amount of cash, and a horse and wagon. During those days he drove about the city in his wagon buying small amounts of scrap metal. Back then, people in this endeavor were commonly referred to as "junk men", and they had small storage yards known as "junk yards". This man, with limited education, a small amount of assets, and a great deal of hard work, strove to carve out for himself and his family a place in the land of promise. Making full use of his primary assets, hard work, and thriftiness, Mr. Jaffey built his business into a thriving operation and by World War I, he was one of the largest dealers in scrap metal in the city. He now had two sons, Abraham and Harry who were helping him. In addition, he had several dozen employees. The business continued to grow through the twenties and managed to survive the depression of the 1930's. At the time World War II started sales had soared to approximately a million dollars. Continued growth was experienced on through the 1940's and 1950's.

By then, Mr. Phillip Jaffey, was taking only a limited part in the business, and his two sons were the principal management. In the midfifties, sales volume was exceeding two million dollars, and like most small businesses, the corporation had not accumulated sufficient surpluses to provide all of its needs. In 1958 the principals of the business, along with their banker, approached the Small Business Administration for a term loan. An application in the amount of \$120,000 was approved shortly thereafter. Sales were then approaching the three million dollar mark and the company had in excess of 50 employees. As the results of growing pains, SBA was approached again in 1967 for additional assistance. On June 21, 1967 a loan in the amount of \$150,000 was approved. By this time sales were approaching four million dollars and the company had 89 employees. Income tax in excess of \$25,000 is being paid annually and salaries to employees is approaching \$300,000.

This is another instance where SBA has assisted a small busines in becoming a vital part of the local economy by providing a much needed service and giving employment to a substantial number of people. The future for the business looks very bright, and continued success is anticipated.

Re: SOUTHEASTERN PRODUCTS CORPORATION

PO Box 2310

Birmingham, Alabama SBLP-196,117-BHAM

## AN ALABAMA SUCCESS STORY

Southeastern Products Corporation was organized in 1924 as the Foster Alexander Corporation. The company had a very modest beginning opening as a small shop in Downtown Birmingham. They engaged in the sale of industrial braided packing; solvents; boiler compounds and other related

The company enjoyed some success in its early years and moved from the downtown area to a more suitable industrial location in West Birmingham. It managed to weather the depression of the 1930's; organizational changes in management and a change in ownership. It continued to show progress and under the guidance of Mr. Vernon W. Gibson, Sr., additional products were added and the name of the corporation changed to Southeastern Products.

The corporation was plagued with the usual problems of a small business however, its primary malady was the lack of funds. In the 1940's the old Reconstruction Finance Corporation (RFC) came to their aid in granting two small loans: one for \$6,000 and one for \$25,000. Under strong leadership in management, progress was continued. In addition to the items offered for sale, the company began to engage in the manufacturing of some in-

dustrial packings.

By 1954 annual sales were \$250,000 and 35 people were employed. At this time it was determined that if additional growth was going to be enjoyed, new facilities would have to be added. Southeastern did not have the funds with which to accomplish this. They applied for an SBA loan in the amount of \$115,000 which was approved. This corporation had reached prominence in its field, particularly in the Southeast.

From 1955-1961 sales volume doubled to one-half million dollars and employment rose to 50 employees. In the year 1961, sales totaled \$1,119,000 with a net profit amounting to \$14,600 and approximately \$10,000 was paid in

Federal and State taxes.

As growth continued, Southeastern reached its contacts out to cover many parts of the Nation. In 1964 additional expansion had to be made in order to meet demands. Their sales amounted to \$1,180,000 with a net profit of \$33,500 and taxes were paid in the amount of \$35,000. In order to accomplish their expansion program, another SBA loan in the amount of \$250,000 was granted. Growth has continued to roll along and sales are approaching the two million dollar figure and taxes will be paid in excess of \$50,000 for Fiscal Year 1966. This corporation is now providing employment for approximately 80 people. Like many small businesses, this corporation never had sufficient equity capital to make the expansions necessary to growth. It lacked the prestige to attract the investors to provide these funds.

Financial assistance from the Small Business Administration has provided

this vital ingredient and helped the Southeastern Products Corporation to take its place among the leaders in its field. Even though the management of this corporation possessed strong determination and resourcefulness, the company would not have succeeded, had it not been for the Small Business

Administration.

Since records have been kept in this office, meetings have been held utilizing radio, television, and newspaper coverage. In each of the following cases, the programs and policies of the Agency have been explained by members of the Regional Office Staff. In each of the meetings, the Circuit Ride to that vicinity was announced and, of course, the entire attendance were invited to visit or write the Regional Office.

Date	Place	Participants	Participants Minority attendance		
3-28-66	Birmingham	Jesse J. Lewis, SCORE SBA personnel	25	Management course	
4-6-68	Birmingham	Greater Birmingham Businessmen's League and SBA personnel	12	Management course	
4-20-66	Birmingham	Greater Birmingham Businessmen's League and SBA personnel	12	Management course	
7-20-66	Birmingham	M. F. Barno, Instructor Technical School; SBA personnel	85	Lectures Series, 1 night per week for 9 weeks—management course	
9-21-66	Birmingham	Metropolitan Business Association and SBA personnel	7	Management assistance sponsored by SBA	
12-6-66	Birmingham	Marion Starkes, President, Independent Barber Association of Jefferson County and SBA per- sonnel	Unknown	Management assistance	
12-6-66	Birmingham	C. J. Murray, President, Metropolitan Business Association and SBA personnel	Unknown	Management assistance	
12-5/6-66	Birmingham	Professional Agriculture Workers' Conference and SBA personnel	100	Economic Opportunity Loan pro- gram and other functions of the agency	
12-12-66	Birmingham	Mayor's Conference and SBA personnel	Unknown	Various SBA programs	
1-9-67	Birmingham	Independent Barber's Association of Jefferson County and SBA personnel	Unknown	Management assistance	
2-21-67	Dothan	SBA personnel	5	SBA programs	
2-21-67	Headland	SBA personnel	Unknown	All SBA programs—carried on local radio stations	
2-21-67	Abbeyville	SBA personnel	Unknown	All SBA programs—carried on local radio stations	
3-22-67	Opelika	SBA personnel	Unknown	All SBA programs—carried on local radio stations	
3-22-67	Phenix City	SBA personnel	Unknown	All SBA programs	
3-27-67	Tuscaloosa	SBA personnel	Unknown	All SBA programs	
3-27-67	Columbiana	SBA personnel	Unknown	All SBA programs	

Date	Place	Participants	Minority attendance	Activity
8-27-67	Centreville	SBA personnel	Some minority in attendance	All SBA programs
8-28-67	Tuscaloosa	SBA personnel	Some minority in attendance	All SBA programs
3-28-67	Carrollton	SBA personnel	Some minority in attendance	All SBA programs
8-28-67	Livingston	SBA personnel	Some minority in attendance	All SBA programs
8-28-67	Demopolis	SBA personnel	Some minority in attendance	All SBA programs
3-30-67	Ft. Payne	SBA personnel	Some minority in attendance	All SBA programs
3-31-67	Gadsden	SBA personnel	Some minority in attendance	All SBA programs
3-31-67	Oneonta	SBA personnel	Some minority in attendance	All SBA programs
5-18-67	Anniston	J. C. McClendon, W. W. Anderson, A. S. Mathews, Henry DeBardelben, Herbert Payne, and a Mr. Taylor and SBA personnel	Unknown	TAP Program with emphasis on outreach
6-28-67	Tuscaloosa	Secretary of Agriculture, Honorable Orville L. Freeman, Mr. Robert C. Bamber, Mr. Orville L. O'Shields with FHA, Mr. Otis Fincher, Assistant Conservationist, SCS, George B. Strong, Agriculture Statistician, SBS, M. A. Jenkins, Operations Field Representative, RFA, Dale Thorsen, Forest Supervisor, Forest Service, John McCullough, Chief, Forest Management, State Forest Service, Dr. Alvin G. Pass, Veterinarian in Charge, ARS, T. L. Faulkner, State Supervisor, Vocational Agriculture, Extension Service, Bob Bartlett, Chief, FAD, SBA, General R. P. Swofford, Jr., Coordinator, Alabama Advisory Committee, Office of Economic Opportunity, John Bagwell, Economic Development Administration, Honorable Richard Beard, Commissioner, Department of Agriculture and Industries, Dr. J. H. Yeager, Head, Department of Agriculture, Economics and Rural Sociology, Alabama Experiment Stations,	Unknown	This was the initial State Tap Committee Meeting. Many of this same group toured many rural communities to hear about and see some of the problems en- countered by rural people

co
ズ
w
~1

Date	Place	Participants	Minority attendance	Activity
		L. B. Dickson, State Planning and Industrial Development Board, Miss Erline Lide, Assist- ant Director, Bureau of Field Services, Pen- sions and Securities, John W. Hunt, Assistant. Director, Bureau of Commodities Distribution, and Mr. S. Douglas Smith, Assistant Director Federal Program Coordinating Committee		
81867	Andalusia	U.S. Congressman Bill Dickinson and SBA personnel	Several, exact count unknown	SBA programs and activities
8–18–67	Atmore	U.S. Congressman Bill Dickinson and SBA personnel	Several, exact count unknown	SBA programs
8-22-67	Montgomery	State TAP and County Coordinators and SBA personnel	Several, exact count unknown	SBA programs
9-6-67	Vernon	U.S. Congressman Tom Bevill and SBA personnel	Several, exact count unknown	SBA programs
9-6-67	Hamilton	U.S. Congressman Tom Bevill and SBA personnel	Several, exact count unknown	SBA programs
9-7-67	Halleyville	U.S. Congressman Tom Bevill and SBA personnel	Several, exact count unknown	SBA programs
9-7-67	Fayette	U.S. Congressman Tom Bevill and SBA personnel	Several, exact count unknown	SBA programs
9-8-67	Guntersville	U.S. Congressman Tom Bevill and SBA personnel	Several, exact count unknown	SBA programs
9-23-67	Birmingham	Approximately 50 stockholders X-Cel Stores of Birmingham, Alabama. Held in minority church	50	SBA programs were discussed at length, with emphasis on our financial assistance program
10-2-67	Pell City	U.S. Congressman Tom Bevill and SBA personnel	8	SBA programs
10-2-67	Anniston	U.S. Congressman Tom Bevill and SBA personnel	33	SBA programs
10-2-67	Talladega	U.S. Congressman Tom Bevill and SBA personnel	20	SBA programs
10-20-67	Bay Minette	U.S. Congressman and SBA personnel	18	SBA programs
10-26-67	Evergreen	U.S. Congressman and SBA personnel	7	SBA programs

Dato	Place	Participants	Minority attendance	Activity
10-26-67	Greenville	U.S. Congressman and SBA personnel	5	SBA programs
10-27-67	Luverne	U.S. Congressman and SBA personnel	5	SBA programs
10-27-67	Montgomery	U.S. Congressman and SBA personnel	30	SBA programs
11-14-67	Alex City	U.S. Congressman and SBA personnel	17	SBA programs
11-14-67	Lanette	U.S. Congressman and SBA personnel	8	SBA programs
11–14–67	Union Springs	U.S. Congressman and SBA personnel	50	SBA programs
11–15–67	Gadsden	Alabama State Conference of NAACP, various other Government agencies and SBA personnel	Unknown	SBA programs
111567	Enterprise	U.S. Congressman and SBA personnel	4	SBA programs and objectives
11-15-67	Ozark	U.S. Congressman and SBA personnel	8	SBA programs and objectives
111567	Geneva	U.S. Congressman and SBA personnel	90	SBA programs
1-3-68	Eutaw	U.S. Congressman and regional office staff	16	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
1-8-68	Greensboro	U.S. Congressman and regional office staff	6	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
1-8-68	Chatom	Regional office staff and U.S. Congressman	6	Duties, responsibilities, and policies of the agency were discussed and well presented to an attentive audience
1-8-68	Marion	Regional office staff and U.S. Congressman	15	Duties, responsibilities, and policies of the agency were discussed and well presented to an attentive audience
1-4-68	Butler	Regional office staff and U.S. Congressman	18	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience

Date	Place	Participants	Minority attendance	Activity
Date	Place	Participants	Minority attendance	Activity
1-4-68	Grove Hill	Regional office staff and U.S. Congressman	7	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
1-5-68	Camden	Regional office staff and U.S. Congressman	2	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
1-5-68	Monroeville	Regional office staff and U.S. Congressman	8	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
1–10–68	Tuskegee Institute	College officials, interested local business leaders, and a representative of the regional office	37	Improvement possibilities for the small business association, a philosophy for success for self-employed businessmen, and successful means of financing the business enterprise. Meeting appeared to be well received by a receptive audience
1-17-68	Leighton	Two members of the regional office staff, plus offi- cials of a lending institution	9	The agency's lending programs, with emphasis on LDC program
1-21-68	Birmingham	SBA officials and officials of Office of Economic Opportunity	50	Functions of OEO and SBA were explained
2-12-68	Heflin	Regional office staff and U.S. Congressman	7	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
2-12-68	Ashland	Regional office staff and U.S. Congressman	12	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
2-12-68	Roanoke	Regional office staff and U.S. Congressman	18	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience

2-13-68	Wetumpka	Regional office staff and U.S. Congressman	13	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
2-13-68	Selma	Regional office staff and U.S. Congressman	20	Duties, responsibilities, and poli- cies of the agency were discussed and well presented to an atten- tive audience
2-26-68	Pell City	Officials of Auburn University and SBA personnel	2	Management assistance and tax implication of business decisions
2-27-68	Tuscaloosa	Auburn University staff and SBA personnel	3	Management assistance and tax implication of business decisions
2-23/24-6	8 Tuscalousa	Alabama Farmers and Rural Development Counsel, Inc., Dr. Harold N. Stinson, President of Stinson College; Attorney Orzell Billingsley, Jr., General Counsel for AF&RDCI Wilton Hogan, Jr. and Jim Raley, Economic Development Administration, U.S. Department of Commerce; W. J. Clemons, AF&RDCI Thedford Forrest and Herman M. Green, Federal Housing Administration, U.S. Department of Housing and Urban Development; Herman Franklin, Alabama Technical Assistance Corporation; S. J. Bennett, AF&RDCI Arthur Chopin, Special Assistant to Secretary of Labor, U.S. Department of Labor; Charles Wilson, Deputy Director, Alabama Tennessee Regional Office, Office of Equal Employment Opportunity; Jesse Terry, Coordinator for Randolph County, AF&RDCI William Seaborn, Assistant to the Secretary, U.S. Department of Agriculture; Dean L. A. Potts, Consultant to U.S. Department of Agriculture; John Dean, Regional Administrator, Community Action Division; Roy Jones, Alabama Coordinator; and Larkin Bell, Project Officer for Alabama, Regional Office, U.S. Office of Economic Opportunity	10	Functions of the Small Business Administration in Alabama; Developing Industry and Building Community Jobs; Urban Renewal in Your Community; Federal Housing Administration; Aims and Purposes of the Alabama Technical Assistance Corporation and Services It can Render; Jobs Training Program Administered by the Federal Government and Equal Employment Opportunity Information on Some Programs of the United States Department of Agriculture Designed to Combat Rural Poverty; and the Economic Opportunity Act of 1964, its Amendments and Related Sources
2-14-68	Birmingham	Officials of Miles College and SBA personnel	239	Career Development in the Federal Government
3-14-68	Florence	Officials of Farmers Home Administration and SBA personnel	5	Federal programs available to the public
8-16-68	Auburn	Officials of Auburn University and SBA personnel	10	Management assistance and other programs of the agency

## SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

#### INSTRUCTIONS

In accordance with Small Business Administration Regulations, sections 112.9(b) and 113.9(b), recipients of financial assistance shall on request, submit compliance reports in such form and containing such information to enable SBA to ascertain whether the recipient is complying with the nondistrinuitory requirements of Title VI of the Civil Rights Act of 1964 and SBA regulations.

RIGHS ACT OF 1904 and SHA REQUIRIORS,
FAILURE TO COMPLETE AND RETURN THIS REPORT IS
CONTRARY TO THE REGULATIONS AND IS A BASIS FOR THE
INITIATION OF PROCEEDINGS FOR NONCOMPLIANCE.

INITIATION OF PROCEEDINGS FOR NONCOMPILANCE.

It should be emphasized that the purpose of the SBA Regulations can only be realized by the achievement of equal treatment without distinction by reason of race, color, or national origin for the public and employees or applicants for employment. While SBA under the law, regulations, and conditions of the loan agreement may impose sanctions on borrowers or applicants for distriminatory practices, SBA's purpose is to provide the financial assistance to the small hutinessman embodied in the laws establishing its programs. But Federal financial assistance cannot now be used to sid and abort practices contrary to the basic principles of our national life. All borrowers are reminded of the conditions under which financial sasistance was tendered by SBA and to cooperate in achieving those goals of equal treatment that the Congress strove for in enacting the Civil Rights Act of 1964.

#### 1. Who Must File Compliance Report

All recipients and subrecipients of SBA financial assistance provided on March 7, 1966, and subsequent thereto must complete and file Parts A and B of the Compliance Report on request.

For those recipients who received the total amount of the loan pro-ceeds from SBA prior to March 7, 1966, and subsequent to February 8, 1965, only those which obtained loans under the following programs are required to submit employment information, Part A, as well as infor-mation about their business practices, Part B.

- Loans to small business concerns under Title IV of the Economic Opportunity Act of 1964.
- Loans to State development companies and local development companies, under Title V of the Small Business Investment Act of 1938, for the benefit of identifiable small business concerns.
- 3. Loans to small business concerns under section 7(a) of the Small Business Act, which qualify for the 4 percent interest rate prescribed in Part 120.2(b) (2) of SBA Regulations.

Recipients of SBA financial assistance during the period February 8, 1965, to March 7, 1966, under the following programs only are required to supply information about their business practices, Part B.

- 1. Loans to, and purchases of debentures from small business investment companies under section 302(a) and section 303(b) of the Small Business Investment Act of 1958.
- Small Business Investment Act of 1938.

  2. Loans under section 7(b) (1) of the Small Business Act to individuals or organizations, whether or not operated for profit, which provide medical care or education or which conduct other activities of special significance to health, safety, or welfare.
- If a recipient has more than one establishment or place of husiness a separate report must be submitted for each establishment. Identify each report of a separate establishment by completing 2 for each location.

## 2. Definitions of General Application

- a. "Recipient" refers to the corporation, partnership, or individual receiving financial assistance from the Small Business Administration.
- b. "Subrecipient" refers to the corporation, partnership, or individual receiving financial assistance from an SBA financially assisted recipient. c. "Employee" means any individual on the payroll of a recipient who is an employee for purposes of the recipient's withholding of Social
- Security taxes.
- d. "Labor organization" generally means an organization in which employees participate and which exists for the purpose of dealing with recipients concening grievances, labor disputes, wages, rates of pay, hours, or other terms and conditions of employment.
- e. "Employer identification number" is the 9-digit number which each legal entity (corporation, partnership, or sole proprietorship) has been assigned as its employer identification number on the basis of its appli-

cation (Form SS-4) to Internal Revenue Service for an identification number, and is used on all the company's reports to the Social Security Administration and to the Internal Revenue Service.

- f. "SBA loan number" is that number assigned to each SBA loan. This umber should also be used on all communications concerning these reports
- g. "Reporting unit" means a single establishment (location) of a recipient with more than one location or place of business as indicated in Section 1 of these instructions.
- Section 1 of these instructions.

  b. "Major activity" means the major product or group of products produced or handled, or services rendered by the recipient (e.g. manufacturing airplane parts, retail sales of office furniture) in terms of the activity at which the greatest number of all employees work.

#### 3. Guidelines for Employment Data—Part A

If the recipient is filing Standard Form 100 in connection with the requirements of Trile VII, Civil Rights Act of 1964, or Executive Order 11246, he may provide a copy of the last submission of that form in lieu of completing Item 4.

Item 4 of the report must include ALL employees of the recipient, fullor part-time, or who received any pay for any part of a weedly payroll
period including the 12th of the month, preceding the submission of the
report. Item 4 should show, for each of the nine occupational groups
specified (as described in Section 4 of these instructions), total employment for all employees and for four minority groups: Negro, Oriental,
American Indian, and Spanish American. All employees, including
apprentices and on-the-job trainers should be included in those statistics.
Item 4B need only be completed by those recipients conducting formal
apprenticeship or on-the-job training programs in connection with their
business.

business:

As to minority group identification, the term Spanish American means those of Latin American, Mexican, Puerto Rican, or Spanish origin. Applicants may acquire information for completing Item 4 either by visual surveys of the work force or from postemployment records as to the identity of employees. Eliciting information as to the racial or ethnic identity of an employee by direct inquiry is not encouraged. An employee may be included in the minority group to which he or she appears to belong, or is regarded in the community as belonging.

appears to belong, or is regarded in the community as belonging.

Antidiscrimination laws, of a number of Stets and localities prohibit an employer from gathering preemployment information regarding the race, creed, color, or national origin of an applicant. However, enforcement authorities in all such States and localities have advised that heir laws do not preclude employers from gathering such information subsequent to employment for the purpose of Government surveys.

With regard to Items 5 through 9, the information requested relates to the recipient's actions taken to comply with the regulations on equal employment opportunity. For example Item 5A calls for an X in the boxes opposite those employee facilities provided by the recipient, Item 5B calls for an X in the boxes opposite the employee facilities which are available without regard to race, color, or national origin. Item 6 calls for an X in the box or boxes opposite the employee facilities which are explained to the control of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of the color of t

#### 4. Description of Job Categories

Officials and managers.—Occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes officials, executives, middle management, plant managers, department managers and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

ann sinnteed workers.

Professional.—Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, themists, designers, dictitions, editors, engineers, lawyers, librarians, mathematicians, natural scientists, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

Techniciest.—Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: draftsmen, engineering sides, junior engineers, mathematical aids, nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical sciences), and kindred workers.

Sales:—Occupations engaging wholly or primarily in direct selling. Includer: advertising agents and salesmen, insurance agents and brokers, real estate agents and brokers, stock and bond salesmen, demonstrators, salesmen and sales clerks, and kindred workers.

salesmen and sales cierts, and kindred workers.

Office and chrisid.—Includes all cliental-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (bill and accounts), messengers and office bory, office mathine operators, shipping and rectiving cierks, steepersphers, typics and secretaries, telegraph and telephone operators, and kindred workers.

graph and telephone operators, and kindred workers.

Costitumen (killital)—Manual workers or relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and uruslly receive an extensive period of training, Includes: the building trades, hourly paid foremen and leadmen who are not members of management, mechanics and repairmen, skilled matchining occupations, compositors and typestetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationery engineers, tailors and tailoresses, and kindred workers.

Obrasiws: (unnitibilités)—Workers who operate machiners or proc-

eers, tailors and tailocesses, and kindred workers.

Operatives (tamistilled)—Workers who operate machines or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, bricklayers, curpenters, electricians, machinists, mechanics, plumbers, building trades, curpenters, electricians, machinists, mechanics, plumbers, building trades, printing trades, etc.), operatives, stituedants (auto service and parking), blasters, chauffeurs, deliverymen and routemen, densumakers and seamstresses (except factory), dyers, furnacemen, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motormen, oilers and greasers (except acuto), painters (except construction and maintenance), photographic process workers, stationary foremen, truck and tractor drivers, weavers (textille), welders, and fiame cutters, and kindred workers.

Laborers (suskilled).—Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: gazage laborers, car wathers and greasers, gardeners (except farm) and groundskepers, longshormens and steredores, lumbermen, raftsmen and wood choppers, laborers performing litting, diagna, mixing, loading, and pulling operations, and kindred workers.

Serpite workers.—Workers in both protective and nonprotective service occupations. Includes: attendants (hospitals and other institutions, professional and personal service), bathers, charwomen and cleaners, cooks (except households), counter and fountian workers, elevator operators, firemen and fire protection, guards, watchmen and doorkeepers, stewards, janitors, policemen and detectives, porters, waiters and waitresses, and kindred workers.

Apprenties:—Persons employed in a program including work training and related instruction to learn a trade or craft which is traditionally con-sidered an apprenticeship, regardless of whether the program is regis-tered with a Federal or State agency.

#### On-the-job trainees:

Production (includes persons engaged in formal training for crafts-men—when not trained under apprentice programs—operative, laborer, and service occupations).

White collar (includes persons engaged in formal training for official, managerial, professional, technical, sales, office, and clerical occupations).

#### 5. Guidelines for Business Practices Information—Part B

Items 1 and 2 refer to the recipient's present customer practices with reference to minority groups. Customer is used to describe those whom the recipient sells or serves, regardless of the more customary trade description.

Item 3 refers to the recipient's recent history of compliance with applicable antidiscrimination legislation at the local, county, State, or Federal level.

Item 4 refers to the recipient's participation in other Federal financial assistance programs.

Each item is to be completed.

Form approved. Budget Bureau No. 100–S67001.

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

IA. Recipient's or Subrecipient's	Name and A	ddress					11	3. SBA Loa	No		
1C. Employer Identification Num	ber						11	D. Date of I	Report		
<ol> <li>Reporting Unit: Name or Ident State, ZIP Code) of Unit for</li> </ol>	ification and which this re	Location ( port is pre	Street Addr	ess, City,	For SBA	Use Only					
3A. Major Activity Performed at	this Reportin	ng Unit. (I	Designate O	ne Only.)	For SBA	Use Only			3B. Date	of Last Rep	oort (if any)
<ol> <li>Employment at this Reportice connection with the regul completing item 4 A. B.</li> </ol>	rements of T C and D.		tvii Rights		54, or Exec	utive Orde		a copy of 1		may be pr	ovided in lieu
		Minority Groups		-		Minority		y Groups		TOTAL ALL	
OCCUPATIONS	Total		ORIENTAL:	AMERICAN INDIAN I	SPANISH AMERICAN <sup>1</sup>	Total Females	NEGRO	ORIENTAL <sup>2</sup>	AMERICAN INDIAN <sup>1</sup>	SPANOSH	EMPLOYEES
	Males	REGRO	- CALLING	muint.	AMERICAN.			1	D12001	AKERICAN S	
OFFICIALS AND MANAGERS	Males	REGRO	- CALLINA	andian -	AMERICAN.					ANERICAN *	
	Males	REGRO		anoian -	AREKAAN					AKERCAN	
OFFICIALS AND MANAGERS PROFESSIDNALS TECHNICIANS	Males	REGRO		arban-	ARERGAN					AMERICAN	

TECHNICIANS		i									1	
SALES WORKERS	1											
OFFICE AND CLI	ERICAL											
CRAFTSMEN (Sk	llled)											
OPERATIVES (Se	miskilled)											
LABORERS (Unal	killed)											
SERVICE WORKE	RS											
TOTAL												
TOTAL EMPLOYS PREVIOUS RE	MENT FROM PORT (If any)											
4B. (Figures for	the following class	ifications s	hall also t	e included	in the app	ropriate ci	tegory abo	ve the "To	tal" line.)			
APPRE	NTICES											
ON THE IOD	White Collar											
ON-THE-JOB TRAINEES *	Production											
<sup>2</sup> See parage	aph 3 of the Inst	ructions.	<sup>2</sup> Report	only emplo	yeas enro	lled in form	nal on the ti	ne-job trai:	ning progra	ms.		
\$24 Form 707	N-67)											

4C. How was information as to race or ethnic group in 4A and 4B obtained	
☐ Visual survey ☐ Employment record ☐ Other (Specify)	
4D. Date of Payroll Period used (Report employment data from the reporting	r unit during the payroll period including the 12th of the month preceding the
submission of the report):  5A. Indicate by X in the appropriate boxes the employee facilities provided	ED Indicate by V in the appropriate house the applicate facilities — Habit
at this reporting unit.	without regard to race, color, or national origin.
1. Restrooms.	1. Restrooms.
2. Drinking fountains.	2. Drinking fountains.
3. Eating facilities.	3. Eating facilities.
4. Recreational facilities.	4. Recreational facilities.
5. Waiting rooms.	5. Waiting rooms.
☐ 6. Locker rooms.	☐ 6. Locker rooms.
6. Indicate by X in the appropriate box or boxes the method used to advise all	I employees of the equal opportunity requirements under SBA regulations.
a. No formal notice given employees.	
b. Posting SBA Equal Opportunity Poster.	
c. Written notice to all employees. If used, please supply copy.	
_	
d. Oral notice to all employees.	· · · · · · · · · · · · · · · · · · ·
<ol> <li>Indicate by X in the appropriate box or boxes your normal sources of new employees.</li> </ol>	<ol> <li>Indicate by X in the appropriate boxes the employee sources you have advised orally or in writing of your equal employment opportunity policy.</li> </ol>
1. Newspaper advertisements.	1. Employment agencies.
2. Employment agencies.	2. Labor organizations.
3. State Employment Service.	3. High school recruiting.
4. Employee referals.	4. College recruiting.
5. Labor organizations.	- A conigs rotating
☐ 6. High school recruiting.	
7. Collage recruiting.	
8. Unsolicited applicants.	
7C. Indicate by X in the appropriate box how you indicate your equal employ	I ment opportunity policy in newspeper employment advertising.
I. An Equal Opportunity Employer or Merit Employer.	☐ 3. Do not use newspaper advertising.
2. Other (Print out)	4. Do not indicate.
<del></del>	

SEA Form 707 (5-67)

Page 2

Form approved. Budget Bureau No. 100-S57001.

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

IMPORTANT. Read the attached instructions carefully before preparing this a	report. Submit all reports i	n triplicate wi	thin thirty (30) days of receipt to ti
1A. Recipient's or Subrecipient's Name and Address		1B. SBA Los	n No
1C. Employer Identification Number		Report	
<ol> <li>Reporting Unit: Name or Identification and Location (Street Address, City, State, ZIP Code) of Unit for which this report is prepared:</li> </ol>	For SBA Use Only		
3A. Major Activity Performed at this Reporting Unit. (Designate One Only.)	For SBA Use Only		3B. Date of Last Report (If any)

# EQUAL EMPLOYMENT OPPORTUNITY-PART A

4A. Employment at this Reporting Unit, (Complete all spaces. If no employees in a category, write "9".) If the recipient is filling Standard Form 100 in connection with the requirements of Title VII, Civil Rights Act of 1964, or Executive Order 11246, a copy of that Form may be provided in lieu of completing Itam 4. A, B, C and D.

			MALE EMPLOYEES					FEMA				
OCCUP	ATTONS			Minority	Groups		T-1-1	Minority Groups		TOTAL ALL		
Occur	Allons	Total Males	KEGRO	ORIENTAL 1	AMERICAN INDIAN	SPANISH AMERICAN I	Total Females	HEGRO	ORIENTAL <sup>1</sup>	AMERICAN INDIAN <sup>1</sup>	SPANISH AMERICAN I	EMPLOYEES
OFFICIALS AND I	MANAGERS											
PROFESSIONALS												
TECHNICIANS												
SALES WORKERS	•											
OFFICE AND CLE	ERICAL											·
CRAFTSMEN (SM	<b>□</b> (•d)											
OPERATIVES (Sea	miskilled)											
LABORERS (Uns)	tilled)											
SERVICE WORKE	RS											
TOTAL											ĺ	
TOTAL EMPLOYA PREVIOUS REI	MENT FROM PORT (If any)											
4B. (Figures for t	the following class	lfications	hail also l	be included	in the app	ropriate ca	tegory abo	ve the "To	tal" fine.)			
APPRE	NTICES											
	White Collar											
ON-THE-JOB TRAINEES	Production											
1 See parage	raph 3 of the Inst	ructions.	3 Report	only emple	увез елго	lled in form	al on-the-t	ne-job trai	ning progra	ms.		

<sup>&</sup>lt;sup>3</sup> See paragraph 3 of the Instructions. <sup>3</sup> Report only employees enrolled in formal on-the-the-job training programs.

SBA Ferm 707 (5-67)

4C.	How was information	ss to race or ethnic group in 4A and 4B obtained?	
	☐ Visual survey	Employment record  Other (Specify)	
4D.	Date of Payroll Perio	d used (Report employment data from the reporting	unit during the payroll period including the 12th of the month preceding the
_	submission of the		
5A.	Indicate by X in the at this reporting u	appropriate boxes the employee facilities provided nit.	5B. Indicate by X in the appropriate boxes the employee facilities available without regard to race, color, or national origin.
		1. Restrooms.	1. Restrooms.
		2. Drinking fountains.	2. Drinking fountains.
		3. Esting facilities.	3. Eating facilities.
		4. Recreational facilities.	4. Recreational facilities.
		5. Waiting rooms.	5. Waiting rooms.
		6. Locker rooms.	☐ 6. Locker rooms.
6. (	indicate by X in the a	ppropriate box or boxes the method used to advise all	employees of the equal opportunity requirements under SBA regulations.
	a. No formal i	notice given employees.	
		A Equal Opportunity Poster.	
	_	ice to all employees. If used, please supply copy.	
	d. Oral notice	to all employees.	
7A.	Indicate by X in the employees.	appropriate box or boxes your normal sources of new	7B. Indicate by X in the appropriate boxes the employee sources you have advised orally or in writing of your equal employment opportunity policy.
		1. Newspaper advertisements.	1. Employment agencies.
		2. Employment agencies.	2. Labor organizations.
		3. State Employment Service.	3. High school recruiting.
		4. Employee referals.	4. College recruiting.
		5. Labor organizations.	
		6. High school recruiting.	
		7. College recruiting.	
		8. Unsolicited applicants.	
7C.	Indicate by X in the	appropriate box how you indicate your equal employ	rment opportunity policy in newspaper employment advertising.
	1. An Equal Opp	ortunity Employer or Merit Employer.	3. Do not use nawspaper advertising.
	2. Other (Print o	out)	4. Do not Indicate.

Form approved. Budget Bureau No. 100-S67001.

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

IMPORTANT. Read the attached instructions carefully before preparing this SBA offices by which your loan application was approved.	report. Submit all reports is	n triplicate within thirty (30) days of receipt to the
1A. Recipient's or Subrecipient's Name and Address		1B. SBA Loan No.
1C. Employer Identification Number		1D. Date of Report
Reporting Unit: Name or Identification and Location (Street Address, City, State, ZIP Code) of Unit for which this report is prepared:	For SBA Use Only	
3A. Major Activity Performed at this Reporting Unit. (Designate One Only.)	For SBA Use Only	3B. Date of Last Report (if any)

# EQUAL EMPLOYMENT OPPORTUNITY-PART A

4A. Employment at this Reporting Unit. (Complete all spaces. If no employees in a category, write """.) If the recipient is filing Standard Form 100 in connection with the requirements of Title VII, Civil Rights Act of 1964, or Executive Order 11246, a copy of that Form may be provided in lieu of completing item 4 A, 8, C and D.

			MA	E EMPLOY	EES			FEMALE EMPLOYEES				TOTAL ALL EMPLOYEES
OCCUPA	PAOLE			Minority	Groups			Minority Groups				
OCCOPA	ons	Total Males	MEGRO	ORIENTAL S	AMERICAN INDIAN <sup>1</sup>	SPANISH AMERICAN <sup>1</sup>	Total Females	MEGRO	ORIENTAL <sup>1</sup>	AMERICAN DIDIAN <sup>3</sup>	SPANISH AMERICAN	EMPLOYEES
OFFICIALS AND M	IANAGERS											
ROFESSIONALS	_											
ECHNICIANS												
SALES WORKERS												
OFFICE AND CLE	RICAL											
CRAFTSMEN (SIJI	led)											
OPERATIVES (Sen	niskilled)											
LABORERS (Unsk	illed)											
SERVICE WORKER	rs											
TOTAL												
TOTAL EMPLOYM PREVIOUS REP	ENT FROM ORT (if any)											
B. (Figures for t	he following class	ifications s	shall also i	be included	in the app	ropriate ca	tegory abo	re the "To	tal" line.)			
APPRE	ITICES											
ON THE 10°	White Collar											
ON-THE-JOB TRAINEES	Production											

SBA Form 707 (5-67)

4C. How was information as to race or ethnic group in 4A and 4B obtained?	
☐ Visual survey ☐ Employment record ☐ Other (Specify)	
4D. Date of Payroli Period used (Report employment data from the reporting	unit during the payroll period including the 12th of the month preceding the
submission of the report):	
5A. Indicate by X in the appropriate boxes the employee facilities provided at this reporting unit.	<ol> <li>Indicate by X in the appropriate boxes the employee facilities available without regard to race, color, or national origin.</li> </ol>
1. Restrooms.	I. Restrooms.
2. Drinking fountains.	2. Drinking fountains.
3. Eating facilities.	3. Eating facilities.
4. Recreational facilities.	4. Recreational facilities.
5. Waiting rooms.	5. Waiting rooms.
☐ 6. Locker rooms.	☐ 6. Locker rooms.
6. Indicate by X in the appropriate box or boxes the method used to advise all	employees of the equal opportunity requirements under SBA regulations.
a. No formal notice given employees.	
☐ b. Posting SBA Equal Opportunity Poster.	
C. Written notice to all employees. If used, please supply copy.	
d. Oral notice to all employees.	
7A. Indicate by X in the appropriate box or boxes your normal sources of new employees.	7B. Indicate by X in the appropriate baxes the employee sources you have advised orally or in writing of your equal employment opportunity policy.
1. Newspaper advertisements.	1. Employment agencies.
2. Employment agencies.	2. Labor organizations.
3. State Employment Service.	3. High school recruiting.
4. Employee referals.	4. College recruiting.
☐ 5. Labor organizations.	
☐ 6. High school recruiting.	
8. Unsolicited applicants.	
7C. Indicate by X in the appropriate box how you indicate your equal employ	ment opportunity policy in newspaper employment advertising.
1. An Equal Opportunity Employer or Merit Employer.	3. Do not use newspaper advertising.
2. Other (Print out)	4. Do not indicate.

Form approved. Budget Bureau No. 100-S67001.

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

eport. Submit all reports li	n triplicate within thirty (30) days of receipt to the
	1B. SBA Loan No
	1D. Data of Report
For SBA Use Only	
For SBA Use Only	3B. Date of Last Report (if any)

# EQUAL EMPLOYMENT OPPORTUNITY-PART A

4A. Employment at this Reporting Unit, (Complete all spaces, if no employees in a category, write "0".) If the recipient is filling Standard Form 100 in connection with the requirements of TRIs VII, Civil Rights Act of 1964, or Executive Order 11245, a copy of that Form may be provided in lieu of completing Itam 4 A, 8, C and D.

			MAI	LE EMPLOY	EES			FEMJ	FEMALE EMPLOYEES			
OCCUPA	PROTE			Minority	Groups		7.4.1		Minority	Groups		TOTAL ALL
00007		Total Males	HEGRO	ORIENTAL <sup>1</sup>	AMERICAN INDIAN I	SPANISH AMERICAN I	Total Females	MEGRO	ORIENTAL <sup>2</sup>	AMERICAN INDIAN <sup>1</sup>	SPANISH AMERICAN	EMPLOYEES
OFFICIALS AND M	MANAGERS											
ROFESSIONALS												
TECHNICIANS												
BALES WORKERS												
OFFICE AND CLE	RICAL	•										
CRAFTSMEN (SMI	lled)											
OPERATIVES (Sen	niskilled)											
ABORERS (Unsk	illed)											
SERVICE WORKE	RS											
TOTAL												
TOTAL EMPLOYA	IENT FROM PORT (If any)											
B. (Figures for t	he following class	ifications :	thail also i	be included	in the app	ropriate ca	tegory abo	ve the "To	tal" line.)			
APPREI	NTICES											
ONTHE IOP	White Collar											
ON-THE-JOB TRAINEES 2	Production											
<sup>1</sup> See paragra	aph 3 of the inst	ructions.	<sup>2</sup> Report	only emplo	yees enro	lied in form	al on the ti	ne-job trai	ning progra	ms.		

SBA Form 707 (5-67)

4C. How was information as to race or ethnic group in 4A and 4B obtained?	
☐ Visual survey ☐ Employment record ☐ Other (Specify)	
4D. Date of Payroll Period used (Report employment data from the reporting	unit during the payroli period including the 12th of the month preceding the
submission of the report):	
5A. Indicate by X in the appropriate boxes the employee facilities provided at this reporting unit.	58. Indicate by X in the appropriate boxes the employee facilities available without regard to race, color, or national origin.
1. Restrooms.	1. Restrooms.
2. Drinking fountains.	2. Drinking fountains.
3. Eating facilities.	3. Eating facilities.
4. Recreational facilities.	4. Recreational facilities.
5. Waiting rooms.	5. Waiting rooms.
☐ 6. Locker rooms.	6. Locker rooms.
6. Indicate by X in the appropriate box or boxes the method used to advise all	amployees of the equal opportunity requirements under SBA regulations.
a. No formal notice given employees.	
☐ b. Posting SBA Equal Opportunity Poster.	
c. Written notice to all employees, if used, please supply copy.	
d. Oral notice to all employees.	
7A. Indicate by X in the appropriate box or boxes your normal sources of new employees.	78. Indicate by X in the appropriate boxes the employee sources you have advised orally or in writing of your equal employment opportunity policy.
☐ 1. Newspaper advartisements.	1. Employment agencies.
2. Employment agencies.	2. Labor organizations.
3. State Employment Service.	3. High school recruiting.
4. Employee referals.	4. College recruiting.
5. Labor organizations.	
6. High school recruiting.	
7. College recruiting.	
3. Unsolicited applicants.	
7C. Indicate by X in the appropriate box how you indicate your equal employ	ment opportunity policy in newspaper employment advertising.
1. An Equal Opportunity Employer or Merit Employer.	3. Do not use newspaper advertising.
2. Other (Print out)	4. Do not indicate.

8. Indicate by X in the appropriate box how you have implemented your equal employment opportunity policy with relation to labor organization.
a. Labor organization contracts include equal employment opportunity clause.
□ b. Have advised labor organization orally of equal employment policy requirements under SBA regulations.
C. Have advised lebor organizations in writing of equal employment policy requirements under SBA regulations.
d. Do not have labor organization contracts.
<ol> <li>Indicate by X in the appropriate box or boxes the organizations with whom you have cooperated locally to implement your equal employment opportunit policy.</li> </ol>
a. Human Relations Committee.
b. Chamber of Commerce, Trade, or Business Association.
c. Fair Employment Practices Commission.
d. Minority Group Organizations.
a. Other (Identify)

SBA Form 707 (5-67)

)

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

# BUSINESS PRACTICES-PART B

1. Indicate by X in the appropriate boxes the statements which reflect your poli	icies and usages in serving the public.			
a. Merchandise or service is offered for sale to all persons with	out revant to race, color, or national origin.			
b. Different prices or terms to customers are not based on their race, color, or national origin.  C. The public is served in turn without preference on the basis of race, color, or national origin.				
				d. Service to the public does not differ in manner on the basis of race, color, or national origin.
Minority group employees are not confined to serving the publication.	· · ·			
usage.	28. Indicate by X in the appropriate box the facilities available to and used by the public without regard to race, color, or national origin.			
1. Two or more entrances and exits.	I. Two or more entrances and exits.			
2. Restrooms.	2. Restrooms.			
3. Water fountsin.	☐ 3. Water fountsin.			
4. Food service.	4. Food service.			
5. Fitting rooms.	☐ 5. Fitting rooms.			
6. Waiting rooms.	☐ 6. Waiting rooms.			
3. Indicate by X in either box whether the following statements are applicable to your business.				
a. Your company is, or has been within the past 12 months, a put of race, color, or national origin.	arty to litigation involving allegations of discriminatory practices on the ground			
b. A department or agency of a local, State or the Federal Govern	nment has alleged that your company has discriminated against an individual on			
the basis of race, color, or national origin.  If either of the above is applicable to your business, briefly explain:				
if entrier of the above is applicable to your business, orienty explain:				
4. Indicate by X in the appropriate box whether:				
_				
B. Your company is a Government contractor. Identify the contractor.	acting agency,			
b. Your company receives Federal financial assistance from a F	ederal agency other than SBA. Identify the agency			
5. Name, Title, and Address of Authorized Representative	Signature of Authorized Representative			
Withility false statements on this report are punishable by Isw, U.S. Code, Title 18, Sec. 1001				
	unishable by law, U.S. Code, Title 18, Sec. 1001			
	unbitable by Isw, U.S. Code, Title 18, Sec. 1001			

SBA Form 707 (5-67)

Page

U.S. CONDECRENT PROTEING OFFICE : 1967—O-283-247

8. Indicate by X in the appropriate box how you have implemented your equal employment opportunity policy with relation to labor organization.
a. Labor organization contracts include equal employment opportunity clause.
D b. Have advised labor organization orally of equal employment policy requirements under SBA regulations.
C. Have advised labor organizations in writing of equal employment policy requirements under SBA regulations.
d. Do not have labor organization contracts.
<ol><li>Indicate by X in the appropriate box or boxes the organizations with whom you have cooperated locally to implement your equal employment opportunity.</li></ol>
a. Human Relations Committee.
☐ b. Chamber of Commerce, Trade, or Business Association.
C. Fair Employment Practices Commission.
d. Minority Group Organizations.
Cother (Identify)

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

# BUSINESS PRACTICES-PART B

1 Indicate h	by X in the appropriate boxes the statements which reflect your pol	leies and reages in serving the public		
a. Merchandise or service is offered for sale to all persons without regard to race, color, or national r				
	b. Different prices or terms to customers are not based on their	race, color, or national origin.		
	c. The public is served in turn without preference on the basis of race, color, or national origin,			
d. Service to the public does not differ in manner on the basis of race, color, or national origin.				
	e. Minority group employees are not confined to serving the pub	lic on the basis of the latter's race, color, or national origin.		
2A. Indicate usage	by X in the appropriate box the facilities you provide for public $\boldsymbol{i}_{\boldsymbol{k}}$	28. Indicate by X in the appropriate box the facilities available to and used by the public without regard to race, color, or national origin,		
	☐ 1. Two or more entrances and exits.	1. Two or more entrances and exits,		
	2. Restrooms.	2. Restrooms.		
	3. Water fountain.	☐ 3. Water fountein.		
	4. Food service.	4. Food service.		
	5. Fitting rooms.	5. Fitting rooms.		
	6. Waiting rooms.	☐ 6. Walting rooms.		
3. Indicate I	by X in either box whether the following statements are applicable	to your business.		
		arty to litigation involving allegations of discriminatory practices on the ground		
	<ul> <li>A department or agency of a local, State or the Federal Govern the hasts of race, color, or national origin.</li> </ul>	nment has alleged that your company has discriminated against an individual on		
If either of the above is applicable to your business, briefly explain:				
4. Indicate	by X in the appropriate box whether:			
	a. Your company is a Government contractor, identify the contr	acting agency.		
	b. Your company receives Federal financial assistance from a F	ederal agency other than SBA, identify the agency		
5 Name T	It's, and Address of Authorized Representative	Signature of Authorized Representative		
	Willfully false statements on this seeds an a	unishable by law, U.S. Code, Title 18, Sec. 1001		
	more a serious and our purp tabut are b	minimum my im my months other days are asses		

SBA Form 707 (5-67)

Page 4

U.S. GOVERNMENT PROTEING OFFICE: 1967—O-263-247

8. Indicate by X in the appropriate box how you have implemented your equal employment opportunity policy with relation to labor organization.
a. Labor organization contracts include equal employment opportunity clause.
☐ b. Have advised labor organization orally of equal employment policy requirements under SBA regulations.
C. Have advised labor organizations in writing of equal employment policy requirements under SBA regulations.
d. Do not have labor organization contracts.
<ol> <li>Indicate by X in the appropriate box or boxes the organizations with whom you have cooperated locally to implement your equal employment opportunity policy.</li> </ol>
s. Human Relations Committee.
☐ b. Chamber of Commerce, Trade, or Business Association.
c. Fair Employment Practices Commission.
d. Minority Group Organizations.
a. Other (Identify)

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

# BUSINESS PRACTICES-PART B

Indicate by X in the appropriate boxes the statements which reflect your poli	cles and usages in serving the public.				
a. Merchandise or service is offered for sale to all persons with	out regard to race, color, or national origin.				
<ul> <li>b. Different prices or terms to customers are not based on their</li> </ul>	race, color, or national origin.				
C. The public is served in turn without preference on the basis of	raca, color, or national origin.				
d. Service to the public does not differ in manner on the basis of	race, color, or national origin.				
e. Minority group employees are not confined to serving the publ	ic on the basis of the latter's race, color, or national origin.				
<ol> <li>Indicate by X in the appropriate box the facilities you provide for public usage.</li> </ol>	2A. Indicate by X in the appropriate box the facilities you provide for public 2B. Indicate by X in the appropriate box the facilities available to and used by the public without regard to race, color, or national origin.				
1. Two or more entrances and exits.	1. Two or more entrances and exits.				
2. Restrooms.	2. Restrooms.				
3. Water fountain.	3. Water fountain.				
4. Food service.	4. Food service.				
5. Fitting rooms.	5. Fitting rooms.				
☐ 6. Waiting rooms.	6. Walting rooms.				
3. Indicate by X in either box whether the following statements are applicable	to your business,				
Your company is or has been within the nest 12 months a ne	rty to litigation involving allegations of discriminatory practices on the ground				
of race, color, or national origin.					
b. A department or agency of a local, Siste or the Federal Govern the basis of race, color, or national origin.	ment has alleged that your company has discriminated against an individual on				
If either of the above is applicable to your business, briefly explain:					
٠					
4. Indicate by X in the appropriate box whether:					
a. Your company is a Government contractor. Identify the contra	cting agency.				
D. Your company receives Federal financial assistance from a Fe	oderal agency other than SBA. Identify the agency				
5. Name, Title, and Address of Authorized Representative	Signature of Authorized Representative				
The state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the s					
Willfully false statements on this report are po	inishable by law, U.S. Code, Title 18, Sec. 1001				

Page 4
-u.s. covinioni recente office; 190-0-283-247

SBA Form 707 (5-67)

8. Indicate by X in the appropriate box how you have implemented your equal employment opportunity policy with relation to labor organization.
a. Labor organization contracts include equal employment opportunity clause.
☐ b. Have advised labor organization orally of equal employment policy requirements under SBA regulations.
. c. Have advised labor organizations in writing of equal employment policy requirements under SBA regulations.
d. Do not have labor organization contracts.
<ol> <li>Indicate by X in the appropriate box or boxes the organizations with whom you have cooperated locally to implement your equal employment opportunity policy.</li> </ol>
a. Human Relations Committee.
b. Chember of Commerce, Trade, or Business Association.
c. Fair Employment Practices Commission.
d. Minority Group Organizations.
a. Other (Identify)

# SMALL BUSINESS ADMINISTRATION COMPLIANCE REPORT

# BUSINESS PRACTICES-PART B

1. Indicate by X in the appropriate boxes the statements which reflect your poli	leter and manage to a single-state and the			
_				
a. Merchandise or service is offered for sale to all persons with				
	race, color, or national origin.			
c. The public is served in turn without preference on the basis of	race, color, or national origin.			
d. Service to the public does not differ in manner on the basis of	race, color, or national origin.			
<ul> <li>a. Minority group employees are not confined to serving the public</li> </ul>	lic on the basis of the latter's race, color, or national origin.			
2A. Indicate by X in the appropriate box the facilities you provide for public usage.  2B. Indicate by X in the appropriate box the facilities available to and used by the public without regard to race, color, or national origin.				
□ 1. Two or more entrances and exits.	1. Two or more entrances and exits.			
2. Restrooms.	2. Restrooms.			
☐ 3. Water fountain.	☐ 3. Water fountain.			
4. Food service,	4. Food service.			
5. Fitting rooms.	5. Fitting rooms.			
6. Waiting rooms.	☐ 6. Weiting rooms.			
3. Indicate by X in either box whether the following statements are applicable	to your business.			
a. Your company is, or has been within the past 12 months, a pa	arty to litigation involving allegations of discriminatory practices on the ground			
of race, color, or national origin.				
	ment has alleged that your company has discriminated against an individual on			
If either of the above is applicable to your business, briefly explain:				
4. Indicate by X in the appropriate box whether:				
a. Your company is a Government contractor, identify the contra	acting agency,			
b. Your company receives Federal financial assistance from a Federal agency other than SBA. Identify the agency				
5. Name, Title, and Address of Authorized Representative	Signature of Authorized Representative			
Willhully false statements on this report are punishable by law, U.S. Code, Title 18, Sec. 1001				

SBA Form 707 (5-67)

Page 4

U.S. GOVERNOOT PROTING OFFICE 1 1907—0-263-247

SMALL BUSINESS ADMINISTRATION WASHINGTON, D.C. 20416

OFFICIAL BUSINESS

POSTAGE AND FEES PAID SMALL BUSINESS ADMINISTRATION

# Small Business Administration APPLICANT'S ASSURANCE OF COMPLIANCE

, Applicant, in consideration of financial assistance from the Small Business Administration, herewith covenants, promises, agrees and gives assurance that it will comply with the nondiscrimination requirements of Part 112 of the Regulations issued by the Small Business Administration (30 F. R. 298) pursuant to Section 602 of Title VI of the Civil Rights Act of 1964 (78 Stat. 252); and of Part 113 of the Regulations issued by the Small Business Administration (31 F. R. 2374) pursuant to Sections 4 and 5 of the Small Business Act (72 Stat. 384, 385), and Sections 201 and 308 of the Small Business Investment Act (72 Stat. 690, 694); to the extent that said Parts 112 and 113 are applicable to such financial assistance.

Parts 112 and 113 prohibit discrimination on the grounds of race, color or national origin in the hiring and employment of workers and in providing goods, services and accommodations to the general public by recipients of financial assistance from the Small Business Administration.

Applicant agrees that it will obtain or require similar ASSURANCE OF COMPLIANCE from contractors, subcontractors, transferees, successors in interest, and other participants in the financial assistance from SBA to the extent that the same shall be required by SBA at any time, and from time to time. The Applicant will keep such records and submit such compliance reports as may be required by SBA, and will permit access by SBA to its books, records, accounts and its facilities and other sources of information as may be required by SBA.

Applicant further agrees that in the event it fails to comply with its undertakings hereunder SBA may call, cancel, terminate, accelerate repayment or suspend in whole or in part the financial assistance provided or to be provided by SBA, and that SBA or the United States Government may take any other action that may be deemed necessary or appropriate to effectuate the nondiscrimination requirements in said Parts 112 and 113, including the right to seek judicial enforcement of the terms of this ASSURANCE OF COMPLIANCE.

The Applicant acknowledges that it has read and had made known to it the provisions of said Parts  $112 \cdot \text{and}$   $113 \cdot \text{cm}$ 

Executed the	day of , 19
	(Individual, general partner, trade name or corporation)
	Ву
Corporate Seal	Title
Attest	

SBA FORM 652 (11-67) REF: ND 1500-3A EDITION OF 2-66 WILL BE USED UNTIL STOCK IS EXHAUSTED

GPO : 1967 0—281-022

# APPLICANT LICENSEE'S ASSURANCE OF COMPLIANCE

, Applicant Licensee, in
consideration of financial assistance from the Small Business
Administration, herewith covenants, promises, agrees and gives
assurance that it will comply with the nondiscrimination require-
ments of Part 112 of the Regulations issued by the Small Business
Administration (30 F.R. 298) pursuant to Section 602 of Title VI
of the Civil Rights Act of 1964 (78 Stat. 252); and of Part 113
of the Regulations issued by the Small Business Administration
(3i F.R. 2374) pursuant to Sections 4 and 5 of the Small Business
Act (72 Stat. 384, 385), and Sections 201 and 308 of the Small
Business Investment Act (72 Stat. 690, 694); to the extent that
said Parts 112 and 113 are applicable to such financial assistance.
Parts 112 and 113 prohibit discrimination on the grounds
of race, color or national origin in the hiring and employment of
workers and in providing goods, services and accommodations to the
general public by recipients of financial assistance from the Small
Business Administration.
Applicant Licensee further agrees that in the event it
fails to comply with its undertakings hereunder SBA may invoke the
acceleration and judicial enforcement provisions of Section 112.8
of said Part 112 or of Section 113.4 of said Part 113 regarding the
financial assistance provided or to be provided by SBA.
Applicant Licensee hereby acknowledges that it has read
Parts 112 and 113 and is familiar with the provisions thereof.
Executed the day of, 19
(Licensee name)
P
Ву
Title

Corporate Seal

Attest \_\_\_\_

SBA Form 652A (2-66)

# ASSURANCE OF COMPLIANCE

an identifiable Small Business Con-	cern (hereinafter called "SBC"),	
hereby acknowledges a benefit from the financial assistance that		
SMALL BUSINESS ADMINISTRATION, an a	agency of the United States of America	
(hereinafter called "SBA") has prov	vided, or may hereafter provide to	
(name of local dev	velopment company)	
rbba)	ress)	
In consideration of the b	penefit derived from such financial	
assistance, SBC does hereby covenar	at, promise and agree, to comply with	
all applicable nondiscrimination pr	covisions of Part 112 of the Regulation	
issued by SBA (30 F.R. 298) pursuan	t to Section 602 of Title VI of the	
of the Civil Rights Act of 1964 (78	Stat. 252); and of Part 113 of the	
Regulations issued by the Small Bus	iness Administration (31 F. R, 2374)	
oursuant to Sections & and 5 of the	Small Business Act (72 Stat. 384,385)	
and Sections 201 and 308 of the Sma	ll Business Investment Act (72 Stat.69	
594); and does hereby give assuranc	e of such compliance.	
Farts 112 and 113 prohibi	t discrimination on the grounds of	
ace, color or national origin in t	he hiring and employment of workers ar	
in providing goods, services and ac	commodations to the general public by	
ecipients of financial assistance	from the Small Business Administration	
SBC does hereby further a	gree that in the event of its failure	
o comply with said nondiscrimination	on provisions, SBA may at its election	
nvoke such judicial enforcement pro	ovisions of said Parts 112 or 113 as	
may be applicable in connection with	h the financial assistance provided or	
o be provided by SBA.		
SBC hereby acknowledges to	hat it has read Parts 112 and 113 and	
takes cognizence of all provisions	thereof.	
executed this day of	, 19•	
	Ву	
Community Conf	Title	
Corporate Seal		

SBA Form 652-B (2-66)

# Small Business Administration

# APPLICANT'S CONTINGENT ASSURANCE OF COMPLIANCE

<del></del>	, Applicant for financial assistance from		
istration under a guaranty purchase agreement, her that, in the event the Small Business Administrati loan, it will comply with the nondiscrimination rec Small Business Administration (30 F. R. 298) purs 1964 (78 Stat. 252); and of Part 113 of the Regula R. 2374) pursuant to Sections 4 and 5 of the Small	I institution), in participation with Small Business Admin- rewith covenants, promises, agrees and gives assurance on purchases its agreed upon portion of said guaranteed quirements of Part 112 of the Regulations issued by the suamt to Section 602 of Title VI of the Civil Rights Act of tions issued by the Small Business Administration (31 F. Business Act (72 Stat. 384, 385), and Sections 201 and to the extent that said Parts 112 and 113 are applicable		
	on the grounds of race, color or national origin in the goods, services and accommodations to the general pub- Small Business Administration.		
In the event that the guaranteed portion is purchased by the Small Business Administration, Applicant agrees it will obtain or require similar ASSURANCE OF COMPLIANCE from contractors, subcontractors, transferees, successors in interest, and other participants in the financial assistance from SBA to the extent that the same shall be required by SBA at any time, and from time to time. The Applicant will keep such records and submit such compliance reports as may be required by SBA, and will permit access by SBA to its books, records, accounts and its facilities and other sources of information as may be required by SBA.			
Applicant further agrees that in the event it fails to comply with its undertakings hereunder SBA may call, cancel, terminate, accelerate repayment or suspend in whole or in part the financial assistance provided by SBA, and that SBA or the United States Government may take any other action that may be deemed necessary or appropriate to effectuate the nondiscrimination requirements in said Parts 112 and 113, including the right to seek judicial enforcement of the terms of this ASSURANCE OF COMPLIANCE.			
The Applicant acknowledges that it has related and 113.	ead and had made known to it the provisions of said Parts		
Executed theday of _	, 19		
	(Individual, general partner, trade name or corporation)		
	Ву		
Corporate Seal	Title		
Attest			

SBA FORM 652C (11-67) REF: ND 1500-3A EDITION OF 4-67 WILL BE USED UNTIL STOCK IS EXHAUSTED

GPO 932-953



#### SMALL BUSINESS ADMINISTRATION

#### APPLICANT'S AGREEMENT OF COMPLIANCE

hereby covenants, promises and agrees that in consideration of the approval (by the issuance of a loan authorization) and as a condition of the disbursement of all or any part of a loan by the Small Business Administration ("SBA") under Section 7 of the Small Business Act or under Section 502 of the Small Business Investment Act of 1958, as amended, or under Section 202 of the Public Works and Economic Development Act of 1965 or under Section 312 of the Housing Act of 1964, as amended, that it will:

Incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance or guarantee, or undertaken pursuant to any Rederal program involving such grant, contract, loan, insurance or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their more, creed, color or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin.
- (3) The contractor will send to each labor union or representative of workers with which he has a collective burgaining agreement or other contract or understanding, a notice to he provided advising the said labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor created thereby.
- (5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by SBA and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- (6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rales, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rale, regulation or order of the Secretary of Labor, or as otherwise provided by law.
- (7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisious will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as SBA may direct as a means of enforcing such provisions, including sanctions for non-compliance: Provided, however, that in the event a contractor becomes involved in or is threatened with, litigation with a subcontractor or vendor as a result of such direction by SBA, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The Applicant further agrees that it will be bound by the above equal opportunity clause in any federally assisted construction work which it performs itself other than through the permanent work force directly employed by SBA.

The Applicant agrees that it will cooperate actively with SBA and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders of the Secretary of Labor, that it will furnish SBA and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist SBA in the discharge of the Agency's primary responsibility for securing compliance. The Applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to Subpart D of Executive Order 11246 and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by SBA or the Secretary of Labor pursuant to Subpart D of Executive Order 11246, or such other sanctions and penalties for violation thereof as may, in the opinion of the Administrator, he necessary and appropriate.

The Applicant agrees further that in the event it fails to comply with its undertakings hereunder, SBA may call, cancel, terminate or suspend in whole or in part the loan, may refrain from extending any further assistance under any of its programs subject to Executive Order 11246 until satisfactory assurance of future compliance has been received from Applicant or may refer the case to the Department of Justice for appropriate legal proceedings.

xecuted the	day of, 19
	(Individual, general partner, trade name or corporation)
	Ву
	Title
orporate Seal	
itest	

# SMALL BUSINESS ADMINISTRATION AGREEMENT OF AMENDMENT OF CONTRACT TO CONFORM WITH REQUIREMENTS OF SBA FORM 601

In consideration of the approval by the Small Business Administration

of a loan to	
Applicant, said Applicant and	
mutually promise and agree that the	the general contractor, e construction contract(s) heretofore
entered into by them is hereby ame of the Applicant's Agreement of Cor	anded to include Paragraphs 1 through 7 mpliance, attached hereto, as if said in the said construction contract(s).
	. ,
CORPORATE SEAL	
	Applicant
	Ву:
	(Title)
ATTEST:	<u></u>
CORPORATE SEAL	
	General Contractor
	Ву:
	(Title)
ATTEST:	
	<del>_</del>

SBA FORM 601A (9-67) REF: ND 1500-2 - EDITION OF 3-64 WILL BE USED UNTIL STOCK IS EXHAUSTED

#### NOTICE TO NEW SBA BORROWERS

This notice informs recipients of SBA financing of the minimum actions required to show evidence that they are complying with the requirements of Parts 112 and 113, SBA Rules and Regulations. Actual compliance with SBA nondiscriminatory regulations can be determined only after a review and examination of all facts, practices and records relating to nondiscriminatory operation of the business. During the life of the loan a compliance inquiry will be conducted at various intervals, the first of which may occur within approximately six months.

At the time of the initial compliance inquiry, SBA will require that minimum implementation of the employer equal opportunity program specifically include the following actions.

Note: Where appropriate models of the required actions are provided, they may be used as written, or they may be amended to the needs of the particular borrower, provided the essential aim of the model is not lost.

- 1. Preparation and dissemination, to all employees and applicants for employment, of a written statement outlining the employer's policy of extending equal opportunity to all persons without regard to race, color or national origin in such matters as customer service, recruitment, promotions and advancements, training programs, wages and salaries, work schedules, transfers, layoff, demotion, seniority rights, fringe benefits, utilization of restrooms, lunch rooms, drinking fountains, recreation and parking areas. (See pages 3 and 4)
- Specific designation of responsible officials to coordinate and implement the equal employment opportunity program.
- Development of procedures for the dissemination and feedback of equal opportunity information to supervisory personnel and their subordinates, i.e.

- a. Forward to all supervisory personnel (initialed signature) written notice that employee meetings will be held during which management's equal opportunity policy and program will be discussed.
- b. Request that each supervisor advise management of the date such meetings were held and how the equal opportunity subject matter was interpreted to all employees in attendance at such meetings.
- Where applicable, notifications to unions in writing of your equal opportunity policy; seek incorporation of such policies in union agreements. (See Page 5) Request written acknowledgment of receipt of your notice to the unions.
- Posting of SBA posters in conspicuous places, visible to the public, employees and applicants for employment, indicating that your company is an equal opportunity firm.
- Utilize "An Equal Opportunity Employer" in all help-wanted advertisements and job orders.

In addition to the minimum actions, SBA policy requires that all borrowers and subrecipients of SBA financing take affirmative action to assure the public, and employees or applicants for employment, an equal opportunity. With due regard for the size of your business, select the appropriate items from the enclosed checklist (Pages 7 and 8) which provides the varied components of an affirmative action plan. The larger your business, particularly in terms of number of employees, the greater the opportunity to employ a wider range of checklist items. Continue to keep these measures alive by setting up appropriate follow-up procedures. Your program should be planned to achieve continual minority group improvement and inclusion in apprentice and training programs, entry-level, white collar and supervisory occupations.

Should you have any further questions, desire additional information or assistance in connection with the development and implementation of your equal opportunity policies as required by our regulations, please contact the area equal opportunity coordinator through the office by which your loan was approved.

# MODEL POLICY STATEMENT

TO:	Department Managers Supervisory Personnel Employees Applicants for Employment		
SUBJECT:	Equal Employment Opportunity		
OBJECTIVE:	To obtain qualified employees consistent with position requirements; to seek, employ, promote, and treat all employees and applicants for employment without discrimination as to race, color, or national origin.		
It is the policy of theCompany, Corporation to give equal opportunity to all qualified persons without regard to race, color or national origin.			
All employment practices are to provide that all individuals be recruited, hired, assigned, advanced, compensated and retained on the basis of their qualifications, and treated equally in these and all other respects without regard to race, color or national origin.			
It shall be considered the responsibility of every supervisory employee to further the implementation of this policy and insure conformance by their subordinates.			
hiring new em of any possible employment w	risory personnel as well as those responsible for ployees must take affirmative action in the elimination e discrimination towards employees and applicants for ith Company, Corporategories and levels of employment and employee		
followed has b work with eacl	nsibility for seeing that this policy is continuously een assigned to (designated official). He shall he department manager and plant supervisor in furthering ation and monitoring the progress being made.		
	Signature		

# MODEL REAFFIRMATION OF POLICY STATEMENT

All\_\_\_\_\_Company, Corpora-

	tion Employee	)S	
SUBJECT:	Equal Employ	ment Opportur	uity
restate the (C significance t	Company's, Cor	poration's) pol One policy whi	and necessary to licy on matters of ch it is timely to re-
equality of op ment irrespe that you are a emphasis by	ctive of race, call aware of this legislation enac	color, or nations policy which ted by the Fed	to provide rapplicant for employ- nal origin. I am sure has been given added eral government to aghout the country.
pledged to su assure all en expression o	ipport, thus imp nployees of equa f adherence to t	lements the er al treatment. he principle of	which management is nacted legislation to Through a positive equal opportunity, we Company and its
		Signature	3

TO:

#### MODEL LABOR ORGANIZATION CONTRACT CLAUSE

During the performance of this contract, both parties agree that they will not discriminate against any qualified applicant for employment, apprentice trainee, or employee because of race, color or national origin. Both parties to this agreement will take affirmative action to insure that qualified applicants, apprentice trainees, and employees are employed and that they are treated during employment without regard to their race, color or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertisement; and selection for training including apprenticeship. The employer agrees to post in conspicuous places, available to employees and applicants for employment, including applicants for apprentice training, notices setting forth the provisions of this nondiscrimination clause.\*

Both parties to this agreement will select apprentices from among qualified applicants on the basis of qualifications alone and without regard to race, color or national origin, or occupationally irrelevant physical requirements in accordance with objective standards which permit review, after full and fair opportunity for application; and this program shall be operated on a completely nondiscriminatory basis.

In order to insure full and continuous employment for all employees to establish equal opportunity in all phases of the work situation, both parties to this agreement will abide by the requirements of the equal employment opportunity affirmative action regulations of the city, state or Federal government agency which are contained in the contracts which the employer has legally executed with a city, a state, or a Federal government agency, and under which he has promised performance.

\*This condition may be met by posting SBA Form 722, "Equal Opportunity Poster."

#### EQUAL OPPORTUNITY PROGRAM

#### CHECKLIST

- Although work areas, cafeterias, washrooms and locker areas are not segregated, is there segregation which exists by tradition and practice? If so, what action is in order?
- 2. Do "black islands" or "grey areas" exist--that is minority groups to one side of or grouped within the majority group of employees?
- 3. Do you maintain regular contacts with local groups concerned with racial problems?
- 4. Are you a member, or do you have a personal representative on local community biracial committees?
- 5. When you advertise job openings, do you utilize minority group newspapers?
- Are you utilizing the following suggested organizations as recruitment sources for obtaining qualified minority group applicants: e.g.,
  - a. Urban League
  - b. NAACP
  - c. Local minority group clergymen
  - d. United States Employment Service
  - e. State and local racially oriented service organizations
- 7. Are you recruiting applicants at high schools with predominantly minority group enrollments?
- 8. Are you scrutinizing the qualifications of minority group employees to insure their talent is being utilized effectively?
- 9. Do you regularly remind your supervisors of their individual responsibilities in implementing the company's equal opportunity program?
- 10. Have you critically examined local employment procedures to insure unbiased consideration of all employment applicants?
- 11. Are selection procedures for promotion devised to assure consideration of both majority and minority group employees?

- 12. Do on-the-job-training programs include both majority and minority employees?
- 13. Does your facility cooperate with and support community vocational training programs?
- 14. Do you have a training program on the premises to improve skills of both majority and minority group employees?
- 15. Does your survey of employees with high potential include minority groups?
- 16. Do you have written evidence of your request for applicants from minority group organizations?
- 17. Do you maintain a record of your contacts with minority group organizations?
- 18. Does your 'house organ' publicity covering business and social events of general interest regularly include minority participants?
- 19. Do you post announcements of new job openings, indicating the fact that such positions are available to all qualified personnel?
- 20. Do you have written job descriptions for different job classifications?
- 21. Does your pay scale apply equally to all new hires having like qualifications regardless of race, color or national origin?
- 22. Have all contractors and subcontractors been advised in writing of the company's equal opportunity policy?
- 23. Have all employees dealing with the public been advised of your policy to provide service without regard to race, color or national origin?

# This Statement of Policy is Posted In Accordance with Regulations of the

# **Small Business Administration**

#### This Firm Practices

# **Equal Employment Opportunity**

We do not discriminate on the ground of race, color, or national origin in the hiring, retention, or promotion of employees; nor in determining their rank, or the compensation or fringe benefits paid them.

#### This Firm Practices

# **Equal Treatment of Customers**

We do not discriminate by reason of race, color, or national origin in services or accommodations offered or provided to our customers or guests.

All facilities, including entrances, seating, fountains, and restrooms, are available to all without regard to race, color, or national origin.

These policies and this notice comply with regulations of the United States Government.

Please report violations of this policy to:



Bernard L. Boutin
Administrator
Small Business Administration
Washington, D.C. 20416

SBA FORM 722 (9-66)

# SMALL BUSINESS ADMINISTRATION

#### LOAN SERVICING FIELD VISIT REPORT

SBA	LOAN	NO.	

	Participant's Name and Address (Include ZIP Code)			
Date of Report	Date of Visit	Loan Serviced By		SBA
Loan Authorized	Loan Disbursed		Maturity	
Date Amount	Date(s)	Amount	Date	Balance
s	Dutc(s).	s		s
<del> </del>				1,3
	COMPLETE IF L	JAN DELINQUEN		1
No. Installments Delinquent	Amount of Each Installment	"From" Date	"To" Date	Total Delinquency
	s			s
COMMENTS:	OVER			

D	ate SBA Form 652 (Applicant's Assurance of Com	pliance) executed
If	the borrower has executed Form 652, the following	ng questions should be answered by the loan officer.
ı.	. Is SBA Form 722 (Equal Opportunity Poster) dis	splayed prominently whos it is visible
	z. to the public?	Yes No C
	b. to employees?	Yes 🗀 No 🗀
	c. to applicants for employment?	Yes No C
2.	. Please check the appropriate boxes for these qui inquiry of the borrower.	uestions through simple observation only. Do not make
	Are facilities such as rest rooms and food setc., available to all customers and employe without regard to race, color, or national original.	ees
	b. Do employees serve all customers without re to race, color, or national origin?	egard Yes No N/A
	c. Do personnel appear to be assigned to duties out regard to race, color, or national origin?	
.,	any of the above are charked "blo" forward one	(1) conv of this report to the appropriate area equal

If any of the above are checked "No", forward one (I) copy of this report to the appropriate area equa opportunity coordinator promptly.

3BA FORM 712 (9-67) PAGE 2





#### An Act

78 STAT.

To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to exhalish a Commission on Equal Employment Opportunity, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Vinited States of America in Congress assembled, That this Act may Civil Right be cited as the "Civil Rights Act of 1964".

#### TITLE VI-NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SEC. 601. No person in the United States shall, on the ground of tace, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

SEC. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by

way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the funnacial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its offect to the particular program, or part thereof, in which such non-compliance has been so found, or (2) by any other means authorized. by law: Provided, however, That no such action shall be taken until by law: Provided, Accessor, That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the friver of symply with the province property apply and determined that could be found to be sound by white the province of the friends of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the province of the prov

pursuant to this section, the land file with the commit alative jurisdiction over the Late House and Senate having legisreport of the circumstances action shall become effective un

SEC. 603. Any department or every estimately presumnt to sec- Judicial tion 602 shall be might to shall have been supported by the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of the property of provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comby with any



"... as far as the writ of the law will run, we must abolish not some but all racial discrimination ... all members of the public should be equally eligible for Federal benefits financed by the public."

President Lyndon B. Johnson

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination."

President John F. Kennedy



The principle of equal opportunity under Federal programs was reflected first in 1941, when President Franklin D. Roosevelt ordered non-discrimination clauses inserted in government contracts.

Since then, every President of the United States has directed the elimination of discrimination in a number of Federal programs and activities.

These included the areas covering equality of treatment in the Armed Forces; employment by the Federal Government, by Government contractors and on construction projects financed with Federal funds; and equality of opportunity in federallyaided housing. Departmental regulations have prohibited discrimination in numerous other programs.

Current civil rights legislation began with the Civil Rights Act of 1957, establishing the Civil Rights Division of the Department of Justice and the Commission on Civil Rights. This was followed by the Civil Rights Act of 1960, on voting rights and culminated in the broad Civil Rights Act of 1964. This comprehensive legislation dealt with discrimination in public accommodation, education, employment, voting and, in Title VI. the use of Federal funds.

In Title VI of the Civil Rights Act of 1964 Congress has written into law the right of all persons to participate in and receive the benefits of any federally-aided program or activity without discrimination because of race, color, or national origin.

Title VI application to federally-assisted programs covers the activities of any person, organization, agency or institution—

public or private—receiving Federal funds, and in effect, says that with the acceptance of public funds goes the responsibility of serving the needs of all the public.

The Small Business Administration has issued rules and regulations which establish administrative procedures to implement the Civil Rights Act. Title VI of the Act and SBA's rules and regulations apply to:

Economic opportunity loans, business loans (direct and immediate participation), displaced business loans, loans to State and local development companies, disaster business loans, and loans to and purchases of debentures from small business investment companies. (Programs of insurance or guaranty are not included.)

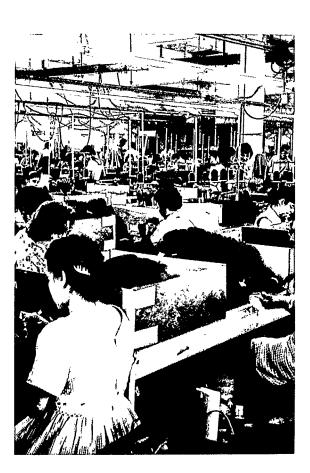
All such applications for financial assistance shall, as a condition to approval and continuation, be accompanied by written assurances that borrowers (direct and indirect) will serve the public on a non-discriminatory basis, and will actively follow the same policies in their employment practices.

The signed assurance is required for loan applications of any size, and without regard to the type or size of business. It remains in effect for the duration of the loan.

Title VI and SBA's implementing rules and regulations cover two distinct areas of operations of direct and indirect borrowers:

Business practices pertaining to relationships with the general public, and

employment practices relating to present and potential employee policies and procedures.





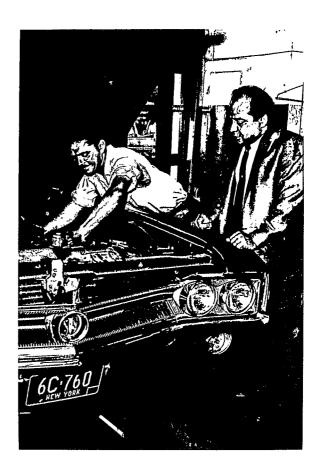
Individuals, businesses, organizations, or institutions that receive an SBA loan will be considered in violation of their assurances to comply with SBA rules and regulations if, because of race, color, or national origin, they:

- Deny an individual any service, financial aid or other benefits;
- Provide an individual with a service, financial aid or other benefit which is different, or is provided in a different manner from that which is provided to others;
- Subject an individual to segregation or separate treatment in any matter related to service, financial help, or other benefit;
- Restrict an individual in any way in the enjoyment of services, facilities, or other advantage, privilege, or benefit provided to others;
- Treat an individual differently in determining whether he satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which is a prerequisite to the service, financial aid or other hepefit.
- Use any criteria or methods of administration which would defeat or substantially impair accomplishment of the program's objectives for individuals of a particular race, color, or national origin, or which would subject such individuals to discrimination;
- Discriminate against an individual in any program or activity which is conducted in a facility constructed in whole or in part with Federal funds;
- Subject an individual to discriminatory employment practices.

The SBA borrower must not only serve the public on a nondiscriminatory basis, but he also must observe the same equal opportunity policies with his employees and in hiring procedures. While Title VI and SBA regulations require this stated assurance, equal opportunity as a voluntary business practice is of increasing benefit to those concerns that have taken affirmative action in this area. From a purely practical point of view, it is in the interest of businessmen to help bring minority groups into the economic mainstream as workers and consumers. As such, they become more effective producers and contributors, thus increasing national income and their own share of the national product.

#### SBA FINANCIALLY-AIDED BUSINESSMEN MUST AGREE TO:

- 1. Recruit, hire and retain qualified people without bias;
- Compensate equitably with regard to wages, terms, conditions or privileges of employment;
- Classify, assign or promote employees, or extend or assign use of facilities without discrimination;
- Conduct any training, retraining and apprenticeship courses, and operate such facilities on a non-discriminatory basis;
- Maintain their welfare and benefit programs for all employees;
- Use no advertisements, statements or announcements relating to employment which specify limitations or preferences based on race, color or national origin;
- Not discriminate against any person who has opposed any unlawful employment practices or who has made charges, testified or participated in any action under the Civil Rights Act.
- Clearly explain to, all company employees the firm's obligations under Title VI and SBA regulations, the employees' rights under these rules, and the need for an affirmative action program to effect the non-discrimination and equal opportunity objectives of the law.





Under Title VI and the Agency's own regulations, SBA applies four basic procedures to eliminate discrimination by users of its financial assistance programs. These procedures, applicable to all direct and indirect borrowers, include the initial securing of formal compliance assurances, periodic reviews of borrower operations, investigation and resolution of complaints of discrimination, and finally, application of the ultimate enforcement sanction—suspension or termination of Federal financial assistance when compliance cannot be voluntarily achieved.

In all cases SBA will seek an affirmative and voluntary compliance with the required procedures by providing guidance and assistance to the borrower. If all efforts at voluntary compliance fail, SBA must then initiate proceedings required under the law to discontinue assistance to the recipient.

An organization or an individual may challenge any unlawful discriminatory practice in a federally-assisted program or activity. A written complaint must be filed not later than 90 days from the date of the alleged discrimination, unless the time for filing is extended by SBA. When a field review, complaint, or other information indicates a possible violation of Title VI or SBA rules, a thorough investigation will be conducted. If violations are found, voluntary compliance will first be sought to eliminate the prohibited discriminatory practices.

Applicants or borrowers under SBA's financial assistance programs who want advice or guidance on complying with Title VI and the Agency's rules and regulations, are invited to consult with SBA officials assigned to each of the following eight area offices:

Boston, Mass., John Fitzgerald Kennedy Federal Building (02203)

New York, N.Y., 51 Broadway, Room 2101 (10008)
Bala Cympyd, Pa., 1 Deeker Square (19004)
Atlanta, Ga., 1401 Peachtree Street, N.E. (30309)
Chicago, Ill., 219 S. Dearborn Street (60604)
Dallas, Tcx., 1309 Main Street (75202)
Denver, Colo., 909 Seventeenth Street (80202)
San Francisco, Calli, 450 Golden Gate Ave. (94102)





ISSUED BY: THE OFFICE OF PUBLIC INFORMATION PUBLICATION REFERENCE NO: OPI 37 AUGUST 1967



**Small Business Administration** 

#### Exhibit No. 35

COPY OF LETTER FROM PAUL R. BRUNSON TO CONGRESSMAN GEORGE ANDREWS

October 24, 1967

Honorable George Andrews Member of Congress House of Representatives Washington, D.C. 20515

DEAR CONGRESSMAN ANDREWS: Our itinerary for November 14 and 15 in the Third Congressional District is as follows:

#### November 14

- 7:30 a.m.—Breakfast in Dadeville with elected officials, bankers, industrial development board and civic baders. Woodrow Barnes, Judge of Probate, in charge of arrangements.
- 10:00 a.m.—SBA meeting Alexander City State Junior College, Student Activities' Building. Mayor W. L. Radney, Jr., in charge of arrangements.
- 12:30 p.m.—Luncheon, Holiday Inn, Lanett, with elected officials, bankers, industrial development board, civic leaders. DeWitt Alsobrook, Judge of Probate, and Floyd Mann in charge of arrangements.
- 2:00 p.m.—SBA meeting, Holiday Inn, Lanett.
- 6:00 p.m.—Dinner, Union Springs Country Club with elected officials, bankers, industrial development board and civic leaders, from Macon and Bullock Counties. Howard Morgan, American National Bank, in charge of arrangements.
- 7:30 p.m.—SBA meeting for Bullock and Macon Counties, Union Springs High School.
- Spend night in Dothan or Union Springs?

#### November 15

- 7:15 a.m.—WTVY-TV, Dothan, Morning Show, F. E. Busby or Bob Peterman, program with you, Wallace Malone, Jr. and me.
- 10:00 a.m.—SBA meeting at Enterprise Junior College, Science Lecture Room. O. I. Cunningham, Manager, Chamber of Commerce, in charge of arrangements.
- 2:00 p.m.—SBA meeting, Ozark Library.
- 5:30 p.m.—Fish Fry, Hartford Lake in Geneva. Ralph Paul and J. P. Faulk, Judge of Probate, in charge of arrangements.
- 7:30 p.m.—SBA meeting, Courthouse in Geneva.
- Spend night in Geneva. Depart for Mobile November 16—State Chamber of Commerce meeting.

Sincerely,

PAUL R. BRUNSON, Regional Director.

Exhibit No. 36

#### TESTIMONY OF JOHN F. KAIN

Before the U.S. Commission on Civil Rights Montgomery, Alabama, May 2, 1968.

Mr. Chairman, Commissioners, and members of the staff of the U.S. Commission on Civil Rights, I would like to take this opportunity to express my appreciation for the opportunity to attend these Hearings.

My assignment has been to digest these five days of Hearings and to give an opinion about what they suggest for national policy. I was selected for this task, not because I have great knowledge or expertise about the rural South, but because of my research on urban problems. This research has indicated a close relationship between Southern rural poverty and the problems of our cities.

There is no need for me to dwell on these interrelationships today. Census statistics on the levels and "selective" character of migration from the rural South to the metropolitan North have been strongly substantiated by testimony presented at these Hearings. Every black witness before this Commission has relatives or friends in Northern cities and most have either lived or visited there. Both the historical record and the testimony presented here leave no doubt that there are strong ties linking the Negro populations of the rural South to those of the Northern ghettos. The levels of migration in both directions are, and will continue to be, highly responsive to the availability of isba and income levels in het received. ability of jobs and income levels in both regions.

Programs designed to improve the very real and serious problems of Northern ghettos will profoundly influence the levels of Southern Negro migration. Ironically, well intended efforts to increase Negro incomes and employment in Northern ghettos may result in an even larger number of unemployed there. Similarly, efforts to increase the opportunities and incomes of the Negro in the South can influence the levels of migration to the Northern ghettos and thereby affect the incomes and unemployment rates of ghetto Negroes. Programs of Southern economic development that widen the opportunities available to the Negro in the South can be an extremely effective weapon for dealing with the problems of the Nation's cities.

These factors alone give the Nation a large stake in the economic development of the South and the condition of the Southern Negro. If the Negro is

discriminated against in employment, welfare, education, and other public services in the South, he will journey in large numbers to the already overcrowded and segregated ghettos of the North. If he is poorly educated by inadequate Southern schools and ill-equipped for life in a complex urban society, the resultant problems will accrue, not to the South, but to the metropolitan North and the Nation. Clearly the Nation, and especially the metropolitan North, have a strong stake in Southern rural poverty and the system that created and perpetuates it. There is no justification for national policy that sanctions, and even encourages, this dangerous and potentially destructive pattern of "selective" migration.

These patterns of "selective" migration are the result of marked differentials in economic opportunity available to the Nation's Negroes in the metropolitan North and the rural South. The reasons underlying this differential pattern of opportunity are many. However, the following are

among the most important:

(1) The South's historic employment specialization in agriculture combined with a relatively slow growth in demand for the output of and rapid

technological change in that sector.

(2) A set of social-political-economic institutions in the rural South economy which have effectively barred the Negro from meaningful participation in the economic system. In all fairness, it must be admitted that the North has nothing to brag about in this respect. Nevertheless, it would appear that the restrictions, on economic opportunity at least, have been somewhat less constricting than those of the rural South.

(3) Low incomes of the South as a whole, which derive in part from the above and which further are a legacy of the period of Civil War and recon-

struction

(4) High wage rates and the rapid growth of employment in the metropolitan centers of the North. Despite pervasive discrimination in employment, these forces have provided large numbers of opportunities for the

Southern Negro in Northern industry.

Despite the massive Negro migration of recent decades and the many deprivations and indignities experienced by Southern Negroes, black witnesses at these Hearings have indicated a strong preference to remain in the South, if they could obtain jobs. This is true even though, or perhaps because, most have first hand knowledge of the cities of the North.

All of the above reasons suggest that it is strongly in the self interest of the North and the Nation to be concerned with the development of the Southern economy and the economic opportunities available to both poor whites and Negroes. These reasons provide sufficient justification for a major program to improve conditions and increase opportunities in the rural South. However, these Hearings have brought home forcibly another and more important reason for concern about Southern rural poverty of both Negroes and whites-simple humanity. The conditions we have seen in these past few days are intolerable.

#### SOLUTIONS

Up to this point I have emphasized the nature and consequences of Southern rural poverty. Let me now turn to the question of the choice of public policies for dealing with these evident and pressing problems. We must not tolerate any further delay in obtaining relief for the impoverished whites and Negroes of the rural South. Still any solution to this problem must be lasting and consistent with the fundamental economic forces at work in the national and, more specifically, the Southern economy.

Consideration of these forces strongly suggests an emphasis on three kinds

of programs:

(1) Accelerated industrialization and urbanization of the Southern econ-

omy;
(2) Strenuous efforts to insure equal opportunity in employment in the present and to undo the consequences of decades of labor market discrimi-

(3) An immediate and significant national income maintenance program. Accelerated industrialization of the Southern economy must be regarded as a necessary long run program needed to insure eventual parity between the South and the rest of the Nation. Despite the long run potential of a program of accelerated Southern economic development, stronger and faster acting medicine is needed to deal with the immediate and pressing conditions of Southern rural poverty. Effective progress toward solving these problems in any reasonable time period can only be made by means of a major national income maintenance program. Successful enforcement of existing equal employment opportunity legislation will produce huge benefits in the immediate short run and at the same time will enhance the possibilities of economic development in the long run.

#### The Employment Incentive Tax

These Hearings have shown the urgent need for a large scale national income maintenance program. However, it is important to choose, from the large number of possible income maintenance programs, one that does not hamper the essential long run solution of Southern economic development. What is needed is a program that does not stifle initiative or discourage workers from seeking employment, or better employment, to further enhance their economic condition. These requirements would appear to be most closely approximated by a program similar to the so-called Negative Income Tax. I strongly urge that the Commission use its full influence and every means at its disposal to obtain enactment of a national income maintenance program similar to the Negative Income Tax at the earliest possible date. No other program is capable of dealing as effectively and quickly with the conditions brought to light in these Hearings.

The Negative Income Tax has acquired widespread support in the past two or three years, but much confusion remains about its purposes and structure. Thus, it seems appropriate to spend a few minutes discussing the proposal. I believe that much of the popular confusion about the proposal is traceable to the name, Negative Income Tax. A term such as Employment Incentive Tax would come closer to capturing the essential features of the proposal, which are to provide a minimum income for every household and to encourage economically active households to provide for themselves to the greatest extent possible. At the risk of creating some confusion, I will use the terms Negative Income Tax and Employment Incentive Tax interchange-

ably in the following discussion.

What is attractive about the Empolyment Incentive Tax is that unlike most

existing welfare and income maintenance programs, such as Aid for Dependent Children (AFDC) and public assistance, it does not penalize households that attempt to improve their economic status and reduce their welfare dependency. This aspect of most existing welfare programs is a root cause of the cycle of poverty. Most existing income maintenance programs have what amounts to a 100 percent tax on the earnings of the recipients. It would take considerable skill and imagination to develop schemes which more effec-

tively would stifle initiative and reduce the will to work.

The Employment Incentive Tax would provide a floor for the incomes of every individual and family in the Nation. Each would receive a certain minimum cash income from the Internal Revenue Service as a matter of right. This minimum cash income would vary according to the family's size and composition. In this respect it is similar to many existing income maintenance programs. It differs from most of these programs in the use of a uniform national schedule of benefits and in allowing households to keep some percentage of any additional earned income. The former has important consequences for migration behavior by insuring that individuals can exercise a free choice of where they will reside. As is noted previously, the latter is essential in terms of providing the incentives for households to do everything possible to become economically self-sufficient.

I will not attempt to make any specific proposals about appropriate levels for the income floor or surcharges on earned income. A good deal of study is needed to devise appropriate schedules and to mesh the proposed program with existing programs. Moreover, almost an infinite number of alternative specific programs would provide equivalent results. Therefore, at this time I will simply give an illustration of the Employment Incentive Tax and suggest some of its consequences.

Assume a schedule of minimum incomes of \$1,000 for an unrelated individual and \$500 for each dependent up to five. This basic income maintenance schedule would provide a basic income of \$1,000 for an unrelated individual, \$1,500 for a family of 2, \$2,000 for a family of 3, \$2,500 for a family of 4, and \$3,000 for a family of five or more.

Further assume that the marginal tax rate is 30 percent for each dollar of income above the minimum income. This means that households would keep

70 out of every 100 dollars of earned income. Under these assumptions a family of four with \$1,000 of additional earnings would have a yearly family income of:

 $\$2,500 \text{ plus } 0.7 \ (\$1,000) = \$3,200.$ 

If they increased their yearly earnings to \$2,000, they would have a yearly income of:

 $$2,500 \text{ plus } 0.7 \ ($2,000) = $3,900.$ 

If they increased their earnings to \$5,000, they would have a yearly income

 $$2,500 \text{ plus } 0.7 \ ($5,000) = $6,000.$ 

In addition to the obvious value of a proposal of this kind in terms of breaking the cycle of poverty in the rural South, there is still another, and possibly even more important, benefit that was brought home powerfully to me by these Hearings. This would be its effect in undermining and eventually destroying the system of economic bondage that continues to enslave and emasculate the poor white and poor Negro in the rural South. During the past five days of Hearings, we have heard much testimony describing the instruments of this system and their skillful use. These include, to name but a few: the furnishing merchant, the system of dispensing welfare, the company store, the tenant-landlord relationship in agriculture, the methods of approval and supervision of FHA loans, and the pattern of public employment. All of these represent the use of economic power to prevent the poor Southern Negro and white from effectively exercising their rights and privileges as citizens. A fundamental change in the structure of these intribution is required to free the proportion of the wavel South from stitutions is required to free the poor poulation of the rural South from real, and imagined, economic threats and to restore their constitutional liberties. In particular, it is essential that the economic dependence of the poor Negro and white be reduced. No fundamental social change will be possible, as long as they remain dependent on the white power structure. Only a measure such as the Negative Income Tax, which provides a minimum income as a matter of right, will accomplish this end. No amount of Federal dollars will lead to the independence necessary for full participation in society, if they are channeled through these existing institutions. The Negative Income Tax would bypass these traditional arrangements

entirely.

Would any benefit accrue to high income whites from such a proposal? The answer is clearly yes. Much of the oppression of the poor Negro and white is traceable to the poverty and narrowness of opportunity of the Southern economy as a whole. It is true that the well-to-do white is at the top of the heap, but the heap is a very small one. The carefully husbanded economic advantage of the Southern white is in truth a very limited one. Because the South has more poverty than any other region of the country, as a region it would be the principal beneficiary of the Negative Income Tax. Though the economic hegemony of the well-to-do white furnishing merchant, the land owner, and the commissioner of welfare would be sharply reduced, all would be compensated handsomely. The net result would be greater economic, political, and social independence for all citizens and an eventual banishment of the fear which has been so characteristic of the Hearings in recent days. The result would be a richer and broader society in which all citizens would be better off.

#### The Employment Incentive Tax and Regional Growth

I envisage that the regional redistribution of income from the rest of the Nation to the South, which would be a major consequence of the Employment Incentive Tax, would be temporary. (It should be understood that temporary in this respect might be several decades.) The long run solution should be a redistribution of the Nation's productive resources and the development of the South's human resources.

As is noted above, an important feature of a proposal such as the Negative Income Tax is that it permits a rapid solution to the problems of poverty and dependence without interferring with the longer run solutions of Southern economic development. To repeat, the Employment Incentive Tax will not discourage work on the part of the able-bodied, since it allows recipients to retain a significant fraction of anything they can

earn.

In addition, a much enriched Southern economy would be able to provide for the investments in human resources needed to achieve eventual productive and economic parity with the rest of the Nation. Dr. Mermann vividly reported to us the disastrous effects of inadequate and insufficient diets on the school performance of impoverished children. The Negative Income Tax should insure that no child, white or black, would be unable to benefit from educational opportunities because he had too little food to eat.

Nor would the indirect benefits of an Employment Incentive Tax stop at this point. A much wealthier Southern economy would be able to tax itself to increase the educational opportunity provided to every child. It is well to remember that many of the inadequacies of Southern education are traceable to the South's poverty. As a percentage of per capita income, the South does about as well as the Nation as a whole in the provision of public education. The difficulty is that this fraction of Southern income buys far fewer educational resources than those in wealthier regions

buys far fewer educational resources than those in wealthier regions. The Negative Income Tax, if set at reasonably high levels, should by itself permit the South to radically improve the quality of its public education, health, and other investments in human resources. These investments are so critical to the Nation as to suggest the desirability of additional positive efforts to further increase the level of investment in human resources in the South. Even if migration to the ghettos of the North declines as a result of an accelerated pace of Southern economic development, the Nation will remain highly interdependent. Problems resulting from underinvestment in human resources in the South will continue to accrue to the metropolitan North.

A number of staff reports have documented the rapid industrialization of the Southern economy. The fact that this rapid industrial growth has not been sufficient to offset the more rapid displacement of jobs from the agricultural sector should not be allowed to obscure the importance of this

growth to the Southern economy. It is strongly in the national interest that this process of Southern industrial growth be accelerated further. The huge increase in purchasing power in the South that would result from enactment of the Employment Incentive Tax would by itself greatly accelerate this process by causing a massive expansion of its consumer markets. Market oriented producers of consumer goods would have a strong incentive to locate near these much expanded markets. This process would be further accelerated by the still low wage rates of the rural South. As the slower acting improvement in education and health begin to be felt in terms of higher productivity labor force, there would be additional incentives for the prospective employer to locate or expand his production in the South.

The task is a large one. The objective should be the permanent elimination of the large disparities in income and productive resources that have separated the South from the rest of the Nation since the Civil War. This requires further positive efforts to encourage private investment in the consistent with a national policy of regional development. Development of the Southern economy as a whole. Capital subsidies in the form of business loans, tax exempt securities, and the public facility loans to develop the public infrastructure needed to support a modern industrialized and urbanized economy would appear to be the appropriate instruments for encouraging this private investment. As indicated by testimony presented earlier in this Hearing, these tools are hardly new to the South. Tax exempt municipal bonds have been used widely by communities throughout the South to attract new industry. However, much of the advantages of these instruments have been lost as other more prosperous parts of the country have imitated the South.

I strongly recommend that the Commission urge Congress to enact legislation prohibiting the use of tax exempt municipal securities for industrial development, except in those instances where such subsidies are consistent with a national policy of regional development. Development of the rural South, and particularly the blackbelt, should be the number one priority of such a national policy of regional development. Such legislation would restore the previously competitive edge of the South in attracting industry. These legislative changes should be accompanied by a much enlarged program of business loans, community facilities loans, and other initiatives designed to further accelerate Southern economic development.

The final pressing need is to make every effort to insure that the Southern Negro obtains a fair share of the expanding employment opportunities. These Hearings have added to the already very large body of evidence on the exclusionary and discriminatory hiring practices rampant in Southern industry. The quid pro quo for a national program of Southern economic development must be a change in these traditional labor market practices which have keep Negroes in the lowest paying and least desirable jobs. Federal compliance activity relating to contractors is potentially the most

Federal compliance activity relating to contractors is potentially the most potent weapon to insure that Negroes are afforded equal opportunity in employment. It is essential that these legislative requirements be enforced vigorously. Testimony by Federal compliance officers during these Hearings indicated both the promise and the limited progress that has been made in this area. There is no area of public policy that promises more rapid or longer lasting results. It is critical that the enforcement staffs of the contract compliance offices be expanded and that this effort be given the highest possible priority within the South. A crash program to insure compliance with the federal anti-discrimination requirements will have both immediate and long-lasting benefits. Testimony presented at the Hearings support the view that these enforcement activities must demand immediate results and that they go beyond dealing with current practices of discrimination in employment and promotion and require that the consequences of decades of discriminatory practices be undone. Again these activities will be greatly assisted by a much accelerated pace of Southern economic development. Economic development and equal opportunity are highly complementary.

Statement of Joseph C. Doherty, Special Assistant to Administrator, FHA, April 29, 1968

My statement will be short, and I am afraid not very original.

In summary, my argument is that poor rural people, be they white or colored, need two things to become unpoor:

They need resources, and

They need the capacity to use resources productively.

This prescription, unoriginal as it may be, too often gets lost in the confusions we create when we over complicate the issue and attack symptoms instead of causes.

First, a brief comment about resources as these are available to the poor in rural America.

In rural communities, of course, the primary resource is land and the capital that makes land productive.

Getting enough land to farm efficiently is an option the poor, and even the not so poor, simply no longer have available.

I do not subscribe to the theory that to be successful a farmer today must invest \$100,000 or more in his operation. Yet the fact remains commercial farming is a business, a business now requiring sizeable amounts of capital. Under present market conditions, poor people don't have and can't get this capital.

The small producer or operator working in a rural area who wants to get enough capital to start or expand a business of some kind is inan even worse bind than is the small farmer.

Private lenders will lend to farmers if the latter have something to mortgage or to commit. The small producer or businessman, however, has serious difficulties getting additional capital unless he sweats it out of his often meager earnings.

Only the Farmers Home Administration, I believe, is trying to bridge this credit or capital gap to the small rural producer--farmer or otherand to be frank about it our resources can't begin to stretch across the problem. In addition, the very programs we have that are aimed at this need, such as farm operating loans and small economic opportunity loans, seem always to be the prime targets for budget cutting. Let me give you an example. The individual Economic Opportunity loans made by FHA are just about the only source of capital a very small producer can get through any government program to develop his operation. In 1967 we made 16,453 of these loans. In 1968 we will make 12,000; in 1969 7,500, at best. This fall off is not my agency's desire or intention. It is a result of a continuing reduction in the funds available to us.

Groups of poor rural people wanting to form an association of one kind or another to sell their products, buy the supplies they need, put in a water system, drain their fields, pave the dirt road in front of their house or do on a cooperative basis any one of the hundred and one things that might make their lives better suffer again from a lack of access to capital. They have little or no equity to furnish a lender and nonexistent public borrowing potential. Here again the Farmers Home Administration is trying to bridge the gap. It is a huge gap. Our resources are plainly inadequate.

Capital for housing is another resource the poor lack. Everyone agrees housing in many parts of rural America is disgraceful, unfit for human beings to live in.