

U.S. COMMISSION ON CIVIL RIGHTS

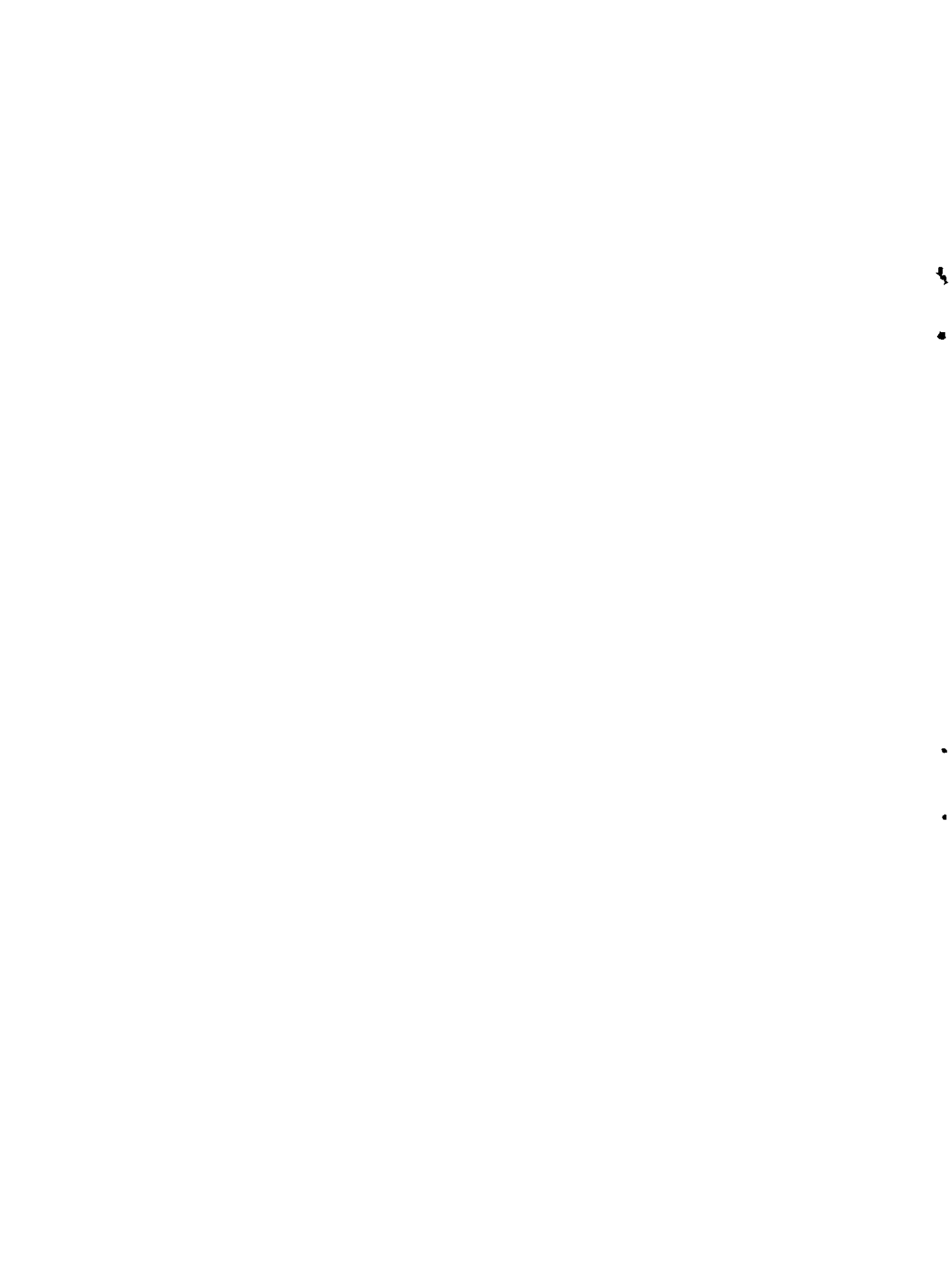
The United States Commission on Civil Rights is a temporary, independent, bipartisan agency established by the Congress in 1957 to:

- Investigate complaints alleging denial of the right to vote by reason of race, color, religion, sex, or national origin, or by reason of fraudulent practices;
- Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice;
- Appraise Federal laws and policies with respect to the denial of equal protection of the laws because of race, color, religion, sex, or national origin, or in the administration of justice;
- Serve as a national clearinghouse for information concerning denials of equal protection of the laws because of race, color, religion, sex, or national origin; and
- Submit reports, findings, and recommendations to the President and Congress.

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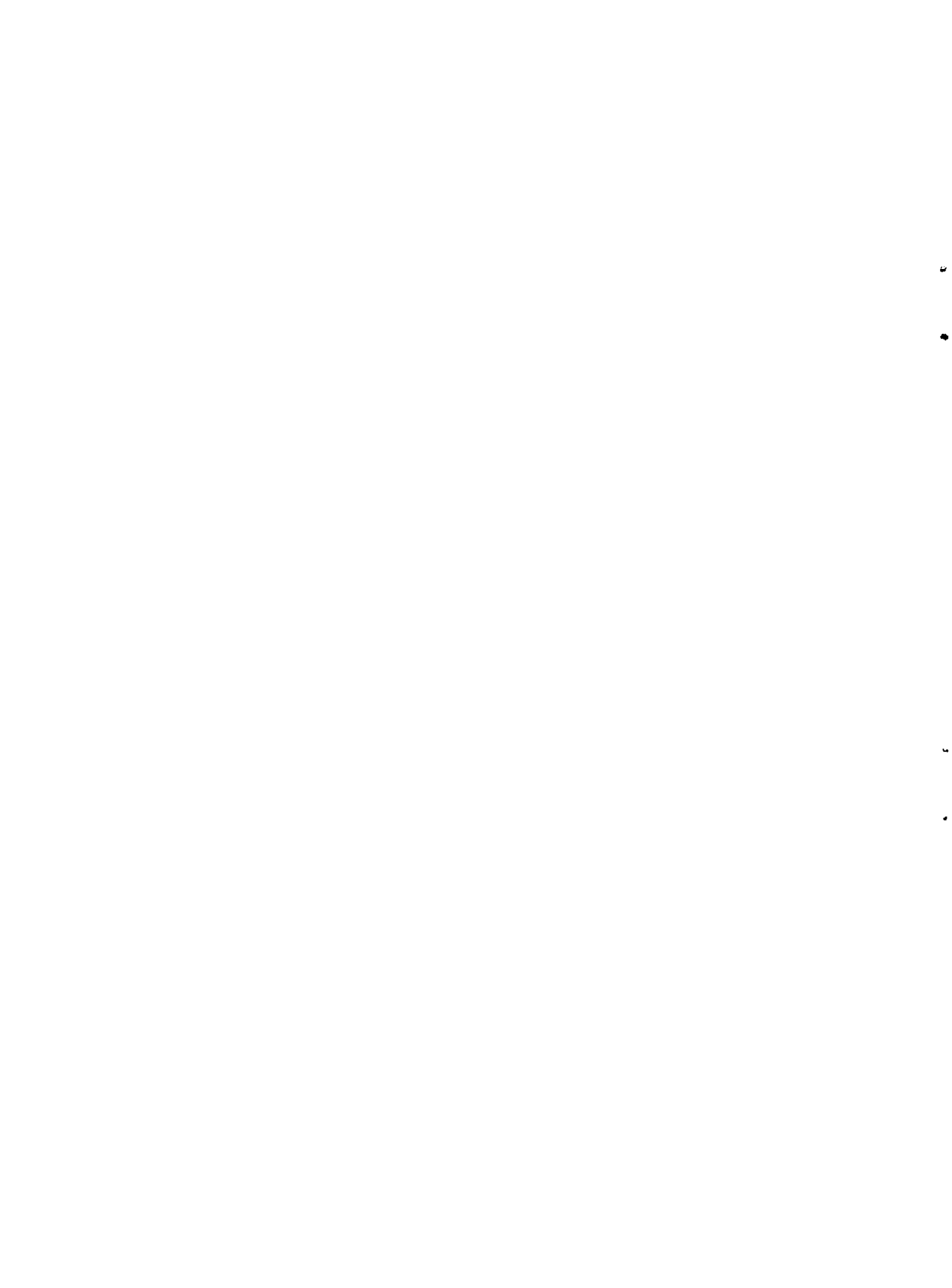
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MAKING THE CONSTITUTION WORK FOR ALL AMERICANS

A Report of the Proceedings of
Regional Civil Rights Conference III
Sponsored by the U.S. Commission on
Civil Rights in Atlanta, Georgia,
April 16-18, 1975



PREFACE

The third in a series of regional civil rights conferences sponsored by the U.S. Commission on Civil Rights was held in Atlanta, Georgia, April 16-18, 1975. Participants came from 11 Southern States: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. For the most part, they were staff members of State, county, and city governmental agencies dealing with civil rights, human relations, and women's rights; also attending were a number of members of the Commission's State Advisory Committees (SACs). In all, more than 150 participated.

It is of historical significance that such a number of professional persons in the field of human rights, representing State, county, and city governments could be mustered in the South. Ten years ago, only a handful of human rights professionals worked in the South for State, county, or city governments.

What follows is a report of the proceedings of that conference. Major presentations are included with only minor editing; workshop sessions and other small-group deliberations are summarized. Every effort has been made to

be faithful to the views expressed by speakers and participants.

The content of this report does not necessarily reflect the views, position, or policies of the Commission. The conference was designed as a working forum which provided for the free expression and development of ideas and information.

These conference proceedings were prepared by Frederick B. Routh, Director, and Everett A. Waldo, Assistant Director, of the Special Projects Unit, Office of the Staff Director, U.S. Commission on Civil Rights.

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INTRODUCTION

This conference, as were the others in the series of regional civil rights conferences sponsored by the U.S. Commission on Civil Rights, was the result of a joint venture in planning. Commission staff met with representatives of State and local agencies in the region and together they planned the conference. The Commission staff believe that each regional conference should be tailored to the needs of the region in which it is held. This can best be done by jointly planning a conference with skilled and knowledgeable professionals within the region.

In planning the southern regional conference, some 15 persons from the region met with Commission staff in a 2-day planning session about 2 months before the conference was scheduled. It was the southern professionals who chose the theme and title: "Making the Constitution Work for All Americans." The planners were also interested in exploring means of strengthening State and local agencies, and improving relationships among them and with the Commission and other Federal agencies.

While the planning process determines the conference content and influences its design, the Commission and its

staff assume the responsibility for implementation and, also, for the success or failure of the conference.

The conference design provided for a series of meetings of "State caucuses," which provided an opportunity for all participants from any given State to meet together, get to know one another, share expectations, evaluate the conference, and plan followup activities after their return home.

At the conference, an information and resources center proved popular with participants. This was a collection of publications, resource and reference materials, annotated bibliographies, and other materials related to the conference theme and, also, to the agencies and organizations participating in the conference. In addition to resource and reference materials, the Commission provided, as did other agencies, reports and publications for free distribution to conference participants.

There is another side to any conference which is too often forgotten. For a brief time the conference takes on the nature of a "community" and develops a dynamism of its own. At Atlanta this led to an on-the-spot creation of a workshop on women's rights and it also led to the adoption of several resolutions addressed to the Commissioners. In

Atlanta, there was an emotional bonus from the conference; as one participant said, "Some of you sophisticated folk from big agencies may not know it, but just getting together with others who care about civil rights and who work at it, helps ease the loneliness I feel in a little agency in my small community."

No conference is an end in itself; no conference will bring about great social change. A conference, however, can contribute to knowledge, it can contribute to an exchange of ideas and information, it can help "ease the loneliness" of some participants thus strengthening their professional activities, and it can establish enduring relationships among those persons who participated. It is hoped that the publication and distribution of these proceedings will contribute to the realization of these intangible conference benefits for those who came to Atlanta to help "Make the Constitution Work for All Americans."

PART ONE: OPENING GENERAL SESSION

WELCOMING STATEMENT

BY

EDWARD ELSON, CHAIRMAN

GEORGIA ADVISORY COMMITTEE

I am Edward Elson, the chairman of the Georgia Advisory Committee to the U.S. Commission on Civil Rights. I'm thrilled to be here with you all this evening. It is significant that this conference, whose purpose is to implement, solidify, bolster, to commit those means of insuring and guaranteeing the injunctions of our Constitution, be held in this particular city, this city which has produced many perceptive, concerned, compassionate, and courageous citizens who stand among the giants of those dedicated to the pursuit of equality. On their behalf and on behalf of the city of Atlanta, on behalf of the Georgia Advisory Committee, I warmly welcome you to Atlanta.

This is going to be a working conference. This conference has tremendous potential if you utilize it, exchanging ideas, developing skills, establishing relationships with other practitioners. We will take from

it whatever we put into it. We are indebted to the staff of the U.S. Civil Rights Commission. We are indebted to all those who worked in the planning of this conference. I know that you see by the program, and I know that you feel, as I do, that it is an extraordinary effort to meet the most grievous problems.

I think that we are going to have an exciting 3 days here in Atlanta and I look forward to working with you all.

INTRODUCTION OF KEYNOTE SPEAKER

BY

JOHN A. BUGGS, STAFF DIRECTOR

U.S. COMMISSION ON CIVIL RIGHTS

Thank you very much for those words of welcome, Mr. Elson. My name is John Buggs, and I am the Staff Director of the Commission, and we are all delighted to be here.

As many of you know, this is the third in a series of four such conferences that the Commission has had the pleasure and responsibility to organize and to provide for local and State human relations and human rights public organizations. The fourth, which we hope will be held in the next fiscal year when the Commission has more money to do it, will be in the western region. I think the important thing about these conferences is the fact that they have been designed to fit the needs of each of the regions in which they have been held.

We held the first in the mid-central region of the country in St. Louis. The people in those 11 States determined what the agenda should be. When we went to Boston to hold one for the New England area of the country, the people who assembled in Boston from those six States determined what that conference was going to be. And so too

when we came to Atlanta for this region. The topic that has been chosen, "Making the Constitution Work for All Americans," is undoubtedly the most sweeping agenda of the three at this point in time. We are delighted to do this for many reasons.

Just one or two of them. First, because the Federal Government has not shown very much interest or much concern in terms of bringing people together throughout this Nation for the purpose of talking, working, and designing plans and programs with each other. The Federal Government has not done that in a long, long time.

It will be 10 years in June of next year since any organ of the Federal Government has attempted to deal effectively with local groups. Our Commission felt it was about time for some agency of the Federal Government to do that again. We get a great deal out of this because it's not a purely unselfish purpose on the part of the Commission. It is important that our staff and the staffs of the organizations that are represented here get together and work together so that we know you and you know us, we know what your programs are, we know what your problems are, and you know something of our programs and our problems because it's going to take all of us understanding each

other and working together to move ahead, particularly today.

It was not too difficult to do this 10 years ago when the civil rights movement was flourishing and when everyone wanted to get in, when everyone wanted to walk, when everyone was locking arms with each other. Those of you who are here today really--in my view--are the cream of the crop because in these rather difficult times when civil rights is not one of the most popular things around, it is encouraging to see individuals who still believe, who still know that there is a long way yet to go, and who still believe that we can get there.

Our Commission was deeply grateful when the President of the United States nominated and the Senate confirmed Dr. Arthur S. Flemming as our new chairman about a year ago. And, I must say--I don't think I've ever said this before our chairman before--I did not think that we could have been so lucky, and we were extremely lucky. I am not sure that the President really knew what he was doing.

But we are the beneficiaries of that. As many of you already know, he rarely needs an introduction anywhere he goes because the name Arthur S. Flemming has been around a long, long, long time.

Dr. Flemming has served in the administrations of five of our last seven Presidents, beginning with President Roosevelt in the thirties as a member of the Civil Service Commission; and I cannot remember all of the other things that he did except that he was the Director of the War Manpower Board, and later was a member of the Cabinet as Secretary of Health, Education, and Welfare under President Eisenhower. He came back a few years ago to assist in the organization of a program for older Americans and is still at that job.

Those of you who have recently had occasion to have members added to your State Advisory Committees know that you now have to find members over 65 as well as people under 40. That was because Dr. Flemming believes and is a living example of how vigorous people over 65 can be.

We are delighted and I am delighted tonight to be able to present to you for our keynote speaker, Dr. Arthur S. Flemming, Chairman of the U.S. Civil Rights Commission.

KEYNOTE ADDRESS

BY

ARTHUR S. FLEMMING, CHAIRMAN

U.S. COMMISSION ON CIVIL RIGHTS

First of all, I want to express my appreciation to John Buggs for that very generous introduction.

Speaking of age, over a period of the last 2 or 3 months, I have held a series of four public hearings throughout the country on transportation and older persons-- one in Philadelphia, one in Sanford, North Carolina (in order to get into the rural area), one in Kansas City, Missouri, and one in San Francisco. In the hearing in Sanford, North Carolina, one of the witnesses who was a consumer of transportation waxed rather eloquent as he came down near the end of his testimony. Pointing his finger at me he said, "You better listen to me because someday you will be an older person."

Well, I said, "That question having been raised, I think the record ought to show that I was born in the year 1905." He was born a little after 1905, so he rather apologized for his comment.

I can assure you that I have had a great year working with my colleagues on the Commission, working with John

Buggs and the members of his staff, and also it has meant a great deal to me to begin to have the opportunity of becoming acquainted with others involved in the civil rights field.

It was my privilege to participate in the Boston conference and this is my second one. I also find as I move throughout the country in connection with the program in the field of aging, a good many people come up and talk to me about their involvement in the area of civil rights. So I very much appreciate the opportunity which has been afforded me by those who planned this program to participate in what I am sure will be a significant conference on some of the basic issues confronting us in the field of civil rights.

The persons the program refers to as public rights officials at the State and local levels do constitute together with Federal officials a very important network of officials dedicated to "Making the Constitution Work for All Americans." I believe it is very important for the members of this network to become acquainted with one another. I believe that it is very important for all of us to work at establishing ongoing links between and among our agencies.

In brief, it is important for us to develop effective channels of communication within the civil rights network.

If we do, we will all be far more successful than would otherwise be the case in building support for civil rights among the public. If we are not acquainted with one another, if we do not understand one another's problems, one another's points of view, and so on, it is clear that those who are outside the network are not going to have the understanding and appreciation that they should of what is going on in this civil rights area.

We who are a part of the civil rights movement must understand one another and one another's activities if we are to interpret the movement in an effective manner to the public. Now, I am convinced that as a result of the way in which this conference has been planned that it will contribute to the achievement of these objectives. I am delighted to note, as the chairman of the Georgia Advisory Committee has indicated, that this is really a working conference.

Last Sunday morning just before attending church I watched a TV program in Washington, D.C., entitled "The Founding Fathers and Racial Injustice." The leader of this program was my own pastor, Dr. Edward Bauman, the pastor of Foundry United Methodist Church in Washington, who has conducted a TV ministry in that city for about 20 years.

This year, getting ready for the Bicentennial, he has been presenting a series of programs dealing with the role that religion did and in some instances did not play in the founding of our nation. In the program last Sunday morning he identified clearly the gap between what some of our founding fathers said in opposition to slavery and their performance as they continued to own and to exploit slaves.

In the discussion that followed between members of a panel, one listened to comments such as the following, "The gap between intellectual awareness and action growing out of moral commitment; the gap between what we say we believe and how we behave." Putting our lives on the line in the area of civil rights, we are at the point where important victories have been won in the Congress of the United States and in the Federal courts. I know that the same can be said in some of our States relative to State legislatures and State courts, but tonight my comments are going to be directed toward the Federal scene.

There is a gap, however, between the intellectual awareness reflected in the passage of these Federal laws and in the decisions rendered by our Federal courts and action growing out of moral commitment on the part of the citizens of our nation. There is not any question, I am sure, in the

minds of any of us but that we must close this gap if our victories in the Congress and in the Federal courts are to be implemented in a meaningful manner so as to affect the lives of persons in our generation. I believe that if we, who are a part of the civil rights network, are to make the contribution to the closing of the gap that I have identified, we must stay out on the cutting edge of the major issues that now confront us.

That expression, "cutting edge," is a favorite one as far as I am concerned. The first time I was confronted with it was when I was president of the University of Oregon and also president of the National Council of Churches and was working with Sergeant Shriver in connection with some of the programs started in the early days under the Office of Economic Opportunity. One day I went into his office in order to talk with him about a number of the programs that we were participating in and that he was committed to. Just a few days before this, the National Council of Churches had issued a statement which was rather critical of some actions taken by the Office of Economic Opportunity in the Mississippi Delta.

When I walked in he said, "Look, you fellows can get pretty tough, can't you?" I said, "Well, that's just the way

we happen to feel about the issue, and we felt called upon to express ourselves." And he said to me, "You are absolutely right. You belong out on the cutting edge of these issues. We who are in government have an obligation to recognize it when you identify the cutting edge, and we have an obligation to do everything within our power to move government toward that cutting edge." Then he said, "Sometimes we'll win; sometimes we'll lose, but we should keep trying because those of us who are occupying the kinds of positions that we are now occupying in the civil rights area, in my judgment, have an obligation to always stay out on the cutting edge, and the challenge of the society of which we are a part is to move as rapidly as possible to that cutting edge."

Now, being more specific, I feel that those of us who are involved in the civil rights movement must continue to insist on desegregation and integration of our public schools. There is still no such thing as separate but equal schools. And there never will be, and it seems to me that we should keep that fact of life constantly before our citizens. There are still situations--and always will be--where pupil transportation provides the only method for

carrying out and implementing the objective of Brown v. Board of Education.

Without the availability of that particular tool there will always be a gap between the decision in Brown v. Board of Education and reality. This tool must not be taken away either by legislation or by constitutional amendment. This is an issue that does not lend itself to compromise, and it seems to me that all of us who are working in the civil rights area must use without fear the sanctions that have been provided us under our civil rights legislation.

The Civil Rights Commission of course is deeply concerned with this issue. As some of you know, we have recently issued an oversight report dealing with the way in which Federal departments have or have not taken advantage of the authorities conferred on them in order to accelerate desegregation, leading to integration. This is a long report. I commend it to you if you are especially interested in this particular area. The staff did a great job in assembling evidence. We reviewed the evidence. We gave the departments and agencies concerned the opportunity of commenting on the evidence. Then we made findings and recommendations. I hope that you will feel that we at least tried to stay out on the cutting edge.

Likewise we are in the process of issuing a series of reports commemorating Brown v. Board of Education. The first one that we issued was in the field of education, and here again we tried to make recommendations, not just to the Executive Branch, but also to the Congress and to the Nation, which, if implemented, would make it possible for this nation to achieve the objectives set forth by the Supreme Court in Brown v. Board of Education and in subsequent opinions.

We recognize, as you do, that there is a very serious situation in this area in the city of Boston. As a Commission we are now in the process through our staff of making an indepth investigation of what has happened in Boston. Following that investigation we will hold a public hearing probably extending over 4 or 5 days in Boston. Most of you, I am sure, know that the law bringing our Commission into existence authorizes us to hold public hearings. It is authorized to subpoena witnesses and to put persons under oath. In connection with the hearing in Boston, all of our testimony will come from witnesses that we subpoena and all of them will be put under oath.

We feel that Boston is more than a local situation. We feel that Boston is symptomatic of the issues that are going

to confront a good many of our metropolitan areas, especially those in the North. We hope that as a result of our investigations, as a result of our findings and our recommendations, that we can be of help in assisting other areas in confronting this very important issue.

As I see it, those of us in the civil rights area must make sure that there is no retreat as far as the desegregation and integration of our public schools is concerned. Then, also, it seems to me that those of us who are involved in the civil rights area must continue to insist on affirmative action plans in the field of employment which do provide equal opportunities without regard to race, color, religion, national origin, or sex.

I am sure that virtually everyone here has had some experience with affirmative action plans. Back in 1973, before I became a member of the Civil Rights Commission, the Commission issued a rather small pamphlet setting forth its convictions relative to affirmative action plans. I hope that most of you have had the opportunity of reading it. If you have not, again, it is worth reading and identifies, in as clear a manner as I have seen, the basic principles underlying the concept of affirmative action. It puts the emphasis, as it should, on surveys to determine whether or

not an employer, public or private, is underutilizing minorities and women, not only on an overall basis, but also in connection with key positions within the organization.

If it is determined that there is underutilization, as will be the case in virtually every place in our Nation at the present time, then it recognizes the obligation on the part of the employer to set goals and to set timetables designed to reach these goals.

It emphasizes the fact that the only thing that counts as far as affirmative action programs are concerned are results, and those results can be measured very easily. It seems to me that as we continue to work in this area we cannot and must not be detoured by allegations that we are resorting to a quota system.

I do not believe that an affirmative action plan, properly conceived and properly activated, is a quota system, and I feel that those who try to label the efforts throughout the country to develop and implement affirmative action plans as quota systems in disguise are rendering a great disservice to the civil rights movement and to the objective of providing equal employment opportunity.

Also it seems to me we must not be detoured in this area by allegations that affirmative action plans lower the

quality of performance. I happen to be in the position where I have had the opportunity of trying to practice some of the things that I preach from time to time in the civil rights area. We had established in the field a new network of State agencies on aging and area agencies on aging. In connection with the operation of that network we have issued regulations which require the introduction of affirmative action plans in State agencies on aging and area agencies on aging. We have also issued a regulation which requires that groups or organizations, owned or operated by minority groups, must be given grants and contracts in proportion to their representation in the population.

I do not need to tell you that I have engaged in quite a number of discussions relative to these regulations, and I am still amazed and stirred over the fact that time and time again, sometimes directly, sometimes indirectly, persons allege that the implementation of these regulations is going to lower the quality of service as far as older persons are concerned.

There are still those who persist in feeling that it is only white persons who are capable of rendering a high quality of service. I feel that those of us who are in the civil rights area have an obligation to challenge that

assumption whenever it is used for the purpose of slowing down or setting aside affirmative action programs.

Also, I believe that we must not permit civil service systems at the level of the Federal Government, the State government, or city government to dilute the effectiveness of affirmative action programs.

I served for 9 years as a member of the United States Civil Service Commission, from 1939 to 1948. As you can see, that meant that I served during the period of World War II. As we moved into the defense program and then the war program, we had to confront the fact that civil service systems are not an end in themselves, but that civil service systems are designed to make it possible for government to function more effectively and to serve more effectively. The civil service system as it was prior to 1939 could not possibly be used during the war period, and so we set it aside and developed a series of world war service regulations designed to make it possible for those in civil service work to serve the Nation as it moved through that particular crisis.

Again, at this point in our history, we must recognize that civil service systems are not ends in themselves. They are there to help make it possible for our government to

function more effectively, and if there are civil service rules and regulations that make it impossible to implement affirmative action plans, then those rules and regulations are not contributing to the development of a sound government, and they must yield to the values that are reflected in an affirmative action program.

Also, as is the case in the field of education, I feel that we must make full utilization of the sanctions that have been provided us in civil rights laws and also in such laws as the General Revenue Sharing Act, and we must not be hesitant about utilizing those sanctions. Every time we hesitate it means that some members of our generation are going to be denied the chance for equal opportunities in the employment area.

Finally, as we think of this area, there is not any doubt in my mind at all that we must face realistically the impact of "last hired, first fired" policies on equal employment opportunity goals. Now, I do not have an answer to that one. The Commission does not have an answer to it at this time, but we have requested our staff to engage in an indepth study as far as this issue is concerned, and we hope to review it at our next meeting because this is not an issue that we can approach in a leisurely manner. This

issue confronts us right now, and right now we are in danger of losing some of the gains that we have experienced in the employment area. I do not think any of us have the right to say, "That is a tough one," and then go about our business. It is a tough one, and it does bring some of our civil rights values into conflict with other values in our society, and our society is going to have to decide whether or not it's just going to stand by and watch a retreat in this particular area or whether or not we will have the imagination, the creativity, the courage, and the strength to tackle it in such a way that we do not have to experience a retreat.

Also, as we think in terms of the civil rights area as it confronts us today, all of us must develop a renewed appreciation for the relationship between fair housing goals and many of our other civil rights objectives. We certainly had this driven home forcibly to us as a Commission soon after the Milliken v. Bradley decision by the Supreme Court of the United States. We decided to hold a public consultation on the issues that could be identified as a result of that particular decision by the Supreme Court. Some of the most eloquent testimony presented to us in that public consultation dealt with this interrelationship

between our fair housing goals and our ability to deal effectively with some of the civil rights issues that confront us in the field of education.

Here again I think we intellectually recognize this interrelationship. Somehow or another as a Nation, as a society, we have not been motivated to the point that we are willing to take that intellectual recognition and translate it into action programs that will correct the indefensible types of situations that confront us in many of our cities.

There is no doubt, of course, in the minds of this Commission but that we must work for the extension of the Voting Rights Act.

As you probably know, this Commission has gone on record as favoring its extension for 10 years. We feel that it is more than just an academic type of recommendation. Remember there is a census in 1980. Following that census there is going to be a lot of redistricting going on, and while that is going on we need a Voting Rights Act. There is not any doubt at all but that the Voting Rights Act, as it has operated over the period of the last 10 years, is one of the most successful programs in the civil rights area; but, as you know, as we confront the question of the extension of this act, some minority groups have asked,

"Does the act in its present form make the Constitution work for all Americans?" As a Commission we felt obligated to confront that question, and as a result we have recommended to the Congress a number of amendments. We have recommended an amendment to Section 3 which would permit not just the Attorney General but any citizen in any jurisdiction to initiate an action alleging discrimination which would, if successful, trigger such changes. We have coupled that with a proposal that there should be inserted in the act the standard provisions for reimbursement of costs. We feel that this would be an important amendment in that it would make it possible for citizens who believe that there is discrimination in any part of the country to go to court and if they can demonstrate by evidence that discrimination in fact exists, then the county or the State could be given the kind of relief that is involved, particularly in Section 5 of the act.

Also, we have recommended an amendment which would trigger Section 5 in areas with a given percentage of minorities who come under the 15th amendment where English-only elections were held and where registration was below 50 percent of eligible voters in 1972. I gather the most important result from the particular amendment would be,

probably, that the State of Texas would be brought in under the Voting Rights Act and conceivably some States or parts of States where there is a large representation of the American Indian community.

Finally, I feel those of us who are involved in the civil rights movement must recognize that any success that the opponents of one's civil rights achieve in undermining that right will weaken the foundation on which all other rights rest.

You may or may not be aware of the fact that on Monday of this week the Commission released to the public a report which we have transmitted to the President and to the Congress dealing with the issue of abortion. As you know, in 1973 the Supreme Court of the United States identified the right to abortion, at least in the first trimester, as a right guaranteed under the Constitution of the United States. There were two cases involved, and the Supreme Court reached its conclusion by a seven-to-two vote in both cases.

You know that since then a movement has been started designed to add an amendment to the Constitution of the United States which would have the effect of nullifying the Supreme Court decision. You also know that from time to

time efforts are made--some of them have been successful--to add riders to appropriations bills or to other legislation which are designed to weaken the impact of that decision of the Supreme Court.

Our report is about 100 pages long. Obviously it is dangerous to attempt to summarize a report that long that involves this kind of an issue, but I think I can do it by saying this: The Supreme Court of the United States having identified this right under the Constitution of the United States, it would be wrong, we feel, for our Nation to add to the Constitution an amendment which would subtract a civil right from the life of our Nation rather than adding to or strengthening the civil rights identified in the Bill of Rights and the 14th amendment to the Constitution.

We likewise feel that it is wrong, once a right of that kind has been established, to try to undermine it by going in through the back door and adding riders to appropriation bills or to other types of legislation.

Let me read you just two paragraphs from the report:

The Commission takes no position on the moral or theological debate which presently surrounds the issue of abortion, nor do we take a position on whether an individual woman should or should not seek an abortion. The Commission's sole position is its affirmation and support of each woman's

constitutional right as delineated by the Supreme Court.

We recommend that Congress reject any constitutional amendments that would abolish or restrict the historic freedom to limit childbearing as contained in the Bill of Rights and the 14th Amendment and as recognized by the Supreme Court. We urge Congress to reject anti-abortion legislation and repeal laws already enacted that undermine the constitutional right to limit childbearing as defined by the Supreme Court.

In one of the sections of the report we develop a point to which I have referred, namely, that if our Nation should adopt an amendment to the Constitution taking away this right as defined by the Supreme Court of the United States, it would lend real encouragement to those who, for example, would like to see a constitutional amendment adopted that would take away from the courts the right to use pupil transportation in order to achieve the objectives of desegregation and integration.

It is a great day in which to be involved in the civil rights movement, and I am sure all of us pray for the insight, the courage, and the strength to play our part in closing the gap in our day between intellectual awareness of civil rights and action that grows out of moral commitment.

DISCUSSION OF KEYNOTE ADDRESS

An interchange between participants and Chairman Flemming, Commissioner Murray Saltzman, Staff Director John Buggs, and Commission staff members followed the keynote address.

Mr. Buggs, chairing the meeting, suggested, and the body accepted, that questions or statements come from each of the State caucuses.

ALABAMA. Father Albert Foley, S.J., spoke for the Alabama State caucus. He asked if the Commission respected the right of a minority to dissent from the Supreme Court's decision on abortion. Dr. Flemming assured him that the Commission did, indeed, respect the right of dissent.

Father Foley stated that he and many others disagreed with the Supreme Court on this issue on moral and theological grounds; and he added that he thought the Commission should keep the question open, rather than foreclose it on the basis of the Supreme Court's decision. He further said that the civil rights--the right to life--of the unborn child should not be violated.

Dr. Flemming replied that he respected the right of persons to differ morally and theologically on this issue. But, he said, the Commission had spoken to the

constitutional right, recognized by the Supreme Court, and that he felt that proposed constitutional amendments and legislation to overturn that decision were unwise, for they would rescind a newly recognized civil right. The basic position that the Supreme Court has taken is that the state, the government, cannot impose one theological point of view, the Chairman added.

MISSISSIPPI. The spokesman from the Mississippi State caucus, a physician, concurred with Father Foley, saying that the Supreme Court had not decided when life begins or ends. He also said that he did not understand how the Commission could support a decision that might be overturned in the next few years. He added that, as a member of the Mississippi Advisory Committee to the Commission, he could not "...support a stand that says it is all right to take a life, regardless if it is a 7-week-old embryo or a 9-month-old baby."

Dr. Flemming replied that the Supreme Court's decision was consistent with the common law in not recognizing the fetus as a person. He added that if participants were interested in exploring the legal aspects of the question, the report of the Commission on abortion would be helpful.

He suggested that interested persons write, requesting the report.

FLORIDA. The representative of the Florida State caucus asked what might be done to prevent civil service commissions or agencies from circumventing affirmative action plans. He further asked what specific suggestions the Commission might have when a civil service rule or regulation "comes into head-on conflict with an affirmative action plan?"

Jeffrey Miller, director of the Office of Federal Civil Rights Evaluation, responded for the Commission, saying that these issues were under discussion in Washington. He cited a situation in Michigan where the State government has developed an affirmative action plan that the U.S. Civil Service Commission held in violation of the civil rights of white males; the U.S. Civil Rights Commission, on the other hand, had thought the plan a commendable one.

GEORGIA. Jeanne Cahill, executive director of the Georgia Governor's Commission on the Status of Women, spoke for the Georgia State caucus. She began, "I am almost reluctant to get back on this situation...but since two men have...spoken for forced pregnancy, I would like to make a comment." Ms. Cahill endorsed the stand of the Commission,

calling it "extremely important." She noted that the opposition to the Supreme Court's decision on abortion is well organized and is making its presence felt. She asked if there were any way for agencies to take an official position supporting the Commission's report. She cautioned that the organization she headed was an agency of the State of Georgia and that she had received a "knuckle-rapping" and been told that State employees cannot "do things like that."

Dr. Flemming replied that some States do have laws or regulations that prohibit public employees from speaking out on issues covered by pending legislation. He added that, as a citizen, one could take a personal position on any issue. William Blakey, director of the Commission's Congressional Liaison Unit, suggested that interested parties write Senator Birch Bayh, who chairs the Senate Subcommittee on Constitutional Amendments.

KENTUCKY AND TENNESSEE. These two State caucuses had met together and chosen a single spokesman, who asked: "...how many cutting edges can you run to in the U.S. Commission on Civil Rights? How do you determine priorities on discrimination versus other issues?" He asked what resources and priority the Commission is giving to the "last

hired, first fired" issue as compared with making a policy statement on abortion.

Dr. Flemming responded that the Commission staff had been working on the abortion issue for some time and that, fortuitously, were ready with a proper recommendation to the Commissioners when the Court spoke. He also stated that the Commission was giving very high priority to the "last hired, first fired" issue and hoped to publish a statement shortly.

NORTH CAROLINA. Before calling upon the representative from the North Carolina State caucus, Dr. Flemming paid tribute to Commissioner Robert S. Rankin, professor emeritus of political science at Duke University. The representative of the North Carolina State caucus said, "He has been very helpful to our State Advisory Committee, too.... We appreciate him very, very much."

The North Carolina representative then asked:

What advice would you give to either local or State groups trying to work in this area which have little or no legal authority to impose any sanctions, which are usually poorly funded and understaffed, and are generally met with indifference or interference by the parent bodies of government, State or local?

And the second part of the question might be: Is the U.S. Commission in a position to act in some sort of concrete way to help strengthen the position of these local groups?

Dr. Flemming replied that he would answer the first part of the question and said, in part:

I have been in and out of government since 1939. I've always been in the Federal Government so that I can't claim experience at the State and local level, but over the years I've learned to respect the opportunity that a government official or government agency has to exercise leadership in a particular area, even when you do not have sanctions available to you to apply if people do not follow your leadership.

Certainly, everyone is not in agreement on the kind of objectives that some of us are trying to work towards in the civil rights area. So it is more difficult, but I wouldn't give up. I would just use that leadership role in every way that you can, and obviously, you are going to win some, and you're going to lose some; and when you lose, I wouldn't be too discouraged. I'd figure out a way of winning it the next time.

Dr. Flemming cited his experience as chairman of the Labor Management Manpower Policy Committee of the War Manpower Commission during the Second World War when "We worked particularly in moving people from nondefense to defense plants....We didn't have any authority under the law to work in the area." He then called upon John Buggs to respond to the second part of the question.

Mr. Buggs began by saying that this conference, one of a series, is intended to help strengthen State and local agencies, to improve relationships among them and between

them and the U.S. Commission on Civil Rights and other Federal agencies.

Mr. Buggs stated that one of the Commission's main roles "ought to be to assist local communities and particularly those that have any kind of official status to understand some of the problems that they will face as they try to deal with Federal agencies...." He further said that the Commission had discovered a "multitude of other problems" that face State and local agencies and that the Commission had made a commitment to try to find answers that they need "in order to be more effective in their own communities."

SOUTH CAROLINA. The representative from the South Carolina State caucus raised the question: "How does the Commission feel about the seeming conflict between affirmative action programs and the mandate to hire without regard to race, creed, or color?" He cited a situation where an employer who had developed an affirmative action plan turned to the State employment security commission as a recruiting source. Yet, that commission, by law, is obligated to send all eligible persons, even when it is aware that the employer wants to hire only minorities or

women to meet the goals and deadlines of its affirmative action plan.

Dr. Flemming, Mr. Buggs, and Mr. Miller all spoke to the issue. Several important points were made on which there was general agreement among the three spokesmen:

1) A State employment security commission must obey the law and refer all eligible persons for any employment opportunity or job order placed before it.

2) A State employment security commission must, by law, refuse any job order that includes a specification of race, religion, national origin, or sex.

3) An employer with an affirmative action plan has an obligation to enlarge its applicant pool and to choose from among qualified candidates.

4) An employer seeking to overcome past discrimination and/or underutilization of minorities and women should not limit recruiting efforts to a State employment security commission, but should seek qualified minority and women candidates from other appropriate sources.

5) Goals and timetables are not quotas; the latter are illegal unless imposed by a court. Goals and timetables, unlike quotas, are not mandatory but are a

commitment to good-faith efforts to increase the utilization of women and minorities.

LOUISIANA. The representative of the Louisiana State caucus asked if there are sanctions that might be used against a tax-exempt organization that seeks to overturn a Supreme Court decision--such as the one on abortion.

Dr. Flemming said that the answer depended upon whether "a substantial part" of the financial resources of a tax-exempt organization were used for such purposes; that if the Internal Revenue Service (IRS) found that a substantial part was so used, the organization might lose its tax exemption.

ARKANSAS. The representative from the Arkansas State caucus asked, "What direction is the Commission taking in assuring that imminent national health care legislation will provide equality of health care for all Americans?"

Dr. Flemming replied that this was a question that should be addressed to him, not as Chairman of the Commission on Civil Rights, but as Commissioner on Aging. He added:

We have a lot of problems with Medicare. In my judgment, those problems are not going to be resolved in a satisfactory manner until we have a national health insurance program for all age groups. There is no question in my mind about that at all. Fortunately there is a pretty good consensus on this. The trouble comes when you try

to figure out a method for achieving objectives, but I think there is a good chance of a law going through [before] the 94th Congress adjourns.

VIRGINIA. The representative of the Virginia State caucus asked what is being done to increase the "legal powers" of the Commission, including the State Advisory Committees. Dr. Flemming responded: "That does come back to the basic issue...62 percent of the recommendations made by the Commission...have been implemented. That's a pretty good batting average."

Dr. Flemming added that he and the Staff Director had been studying the role of State Advisory Committees, that they had met with several of them, and that they hoped to place a number of issues before the full Commission at an early date. He added:

Don't move in the direction of destroying the unique character of this Commission. I know of no other body like it in government. Now, for example, we are independent. If we go up to testify on a law, a bill, we don't have to clear with anybody. That isn't true of any other branch of any other unit in the Executive Branch of Government.

When I go up to testify as Commissioner on Aging, my testimony has got to be cleared by the Office of Management as being in accord with the policy of the President. When I go up and represent the Commission [on Civil Rights], as long as I am sure that the Commissioners are in back of me, I am completely free to testify in any way that I see fit.

The Chairman went on to explain that the Commission had "moved in" when stories appeared in the press about discriminatory hiring practices for staff positions for Senators and Members of Congress. The Commission had received a response, indicating what corrective efforts were being made, and he added: "We will continue to keep in touch with them."

Dr. Flemming noted that Commission reports had been cited by the U.S. Supreme Court 23 times. He then explained the Commission's manner of developing reports:

We are really put in the position where we can stand back, take a look at the situation, develop evidence--by studying, by formal hearings with the right to subpoena witnesses and putting people under oath--evaluate the evidence, and come up with findings and recommendations, which we hope will be treated with respect because of the process that we have gone through.

The discussion returned once more to the Commission's stand on the issue of abortion. Chairman Flemming read from the Commission's report, stressing that the Commission had taken no position on the moral and theological issues involved, or on whether an individual woman should or should not seek an abortion. Reading from the report, he continued: "The Commission's sole position is its

affirmation of each woman's constitutional right as delineated by the Supreme Court."

He added that he appreciated the people who differed with this, that the theological debate should continue, that religious communities should have the right to take any position on the issue they chose to, and the same right pertained to individuals. He then called upon Commissioner Murray Saltzman, who is rabbi of the Indianapolis Hebrew Congregation.

Commissioner Saltzman explained that the Commission had not dealt with the theological issues involved in abortion but had dealt with the constitutional question, stressing that the State should not interfere, on moral or theological grounds, with a woman's right to have an abortion, particularly during the first 3 months of pregnancy. He added:

May I say that my own position...my theological position is not in favor of abortion. I do not accept abortion as a moral good, though under certain conditions I would take the position--where the life of the mother is in danger or other factors perhaps similar to that--but during the first trimester abortion might be advisable.

However, despite my own moral, theological, and philosophical committment on this issue, I felt a concurrence with my colleagues on the Commission on this issue....

Dr. Flemming expressed the gratitude of the Commission to the participants and adjourned the session.

PART TWO: WORKING SESSIONS OF THE CONFERENCE

Introduction

The working sessions of the conference were carefully chosen and were arranged to produce a specific sequence of events and flow of information. The "State and Local Action Workshops" were designed as techniques workshops. It was intended that these five subjects (selected from more than a dozen suggested possibilities) would be handled in such a way as to sharpen the skills of the participants in an area closely related to their daily responsibilities as official human rights specialists.

The section on "Federal Programs as Resources" had two parts: a general session in which two highly experienced practitioners shared how they had been able to find, analyze, and use Federal programs in strategic ways to the benefit of their clients and the strengthening of their work, and second, workshops on six traditional civil rights subject areas. The question was how, in employment for example, Federal programs in this area can be most usefully exploited for the benefit of State or municipal civil rights programs and their clients. Participants shared cases and

experiences, both successes and failures, and the workshop group assisted in evaluating those cases. A specialist was present in each workshop as a resource person to provide technical information on each program.

The last working sessions of the conference began with presentations by Federal officials that were followed by workshops around their subject areas. In each case the Federal officials responded to questions and problems that participants raised from their own daily operations in the subject field.

This third regional civil rights conference was designed to be a working conference, and as such, it was designed not so much to produce a weighty document, but rather to give the participants a variety of learning experiences that would strengthen and enrich their professional activities. Therefore, the main substantive product of the workshop sessions of the conference was taken home by the participants in their heads. This was the intention, and therefore no elaborate scheme for documenting the content or dynamic process of the workshops was established.

Nevertheless, in some instances workshop leaders produced short papers from which they worked. In other cases outlines of their material were available, and in

still others, detailed notes were submitted to staff at the end of the workshop sessions. These forms of documentation have made it possible to include here a selection of summaries of workshop content.

The workshop sessions and presentation not included are omitted for lack of sufficient information to make their inclusion valuable. This is not to apologize, however, because we fully trust that the workshops of the conference have already served their intended purposes.

HOW TO BUILD A SUPPORTIVE PUBLIC

NOTES FROM THE WORKSHOP LED BY JEANNE CAHILL

Our image is our best asset; how the public views human rights and official agencies concerned with them is crucial to the success of the work of those agencies.

The public view of our work depends upon two aspects which we can control: our performance, how well, how skillfully we perform, and our publication, how we tell our story to the public.

Telling our story to the public must be done well or we will do ourselves damage. It must also be done often. People will not retain a one-time impression, but repetition will sink in over time so that the existence of a human rights agency will be common knowledge.

Involve the public in the politics of legislation. Share studies, data, and information with legislators. Be a research arm for the legislative representative from your district. Good human relations techniques will lead to successful civil rights legislation and even to its implementation.

Lobbying for either legislation or implementation requires broad public support. Legislative representatives and elected executive officials alike are sensitive to the

mood of their constituencies. Sophisticated lobbying techniques are essential. Lobbying must come from every segment of the public. An informed public behind skilled lobbyists will be effective in getting State or city support of human rights issues.

A broad-based, supportive, and informed public will come through good work with leaders. Go where the leaders are: churches, clubs, barbershops, wherever. Give them an opportunity to know you, your agency, and its programs.

Seek out invitations for your staff to make regular public appearances. Use available free space such as at shopping malls to distribute literature and information. Make good friends of radio, television, and newspaper people in your community. If you can supply them with information, even columns or programs, they can give you time and space that mean additional and regular exposure.

Do not neglect the basic clientele represented by your master mailing list. Nourish and feed them solid information on a regular basis. Keep your mailing list up to date. Give them carefully condensed descriptions of programs and supporting budgets. Respond to their requests and needs. Do not make political promises you cannot keep. Create an air of professionalism and responsibility by being

informed, positive, and constructive. Follow through and honor your commitments.

Current apathy regarding human rights can only be combatted by raising the issue to a level of consciousness in the public mind. This requires constant work of providing information, data, and solutions as well as courage to take on important issues in public.

MEDIA'S VALUE TO CIVIL RIGHTS AGENCIES

CHARLES I. JONES

The true value of the mass media to civil rights agencies is threefold: to inform, to educate, and to stimulate.

By informing the public of the laws that it is guaranteed protection under, you perform a public service in its most basic form.

By educating the public in matters related to its welfare, you solidify your value to society as a major source of knowledge and of hope of a better tomorrow for the masses.

By stimulating the public toward positive action, you help accomplish in deeds what this country's most vocal civil rights advocates voice in words. This, my friends, is the power of the press. In a Nation where there are 100 million television sets, some 10,000 newspapers, and another 7,600 radio stations, there can be no more effective way of reaching today's public.

Among the many benefits the mass media of the 1970's offer civil rights agency leaders is the vital visibility before the public that lets the community know what you're all about. In addition, this visibility, if it is constant,

lends credibility to your organization in the eyes of the people you would serve.

Now, getting back to the educational value of the mass media to civil rights agencies, the press may be used as a preventive shield against myths and other forms of misinformation that may threaten. If you tell your side first--and tell it often enough--you stand an excellent chance of overcoming certain misconceptions that often plague civil rights agencies.

One way to do this is to give media exposure to those agencies and to the individuals within them that make positive contributions to the cause of civil rights. By giving the public information about numerous other agencies in the community and their duties, you give those agencies the responsibility that they share with you--serving the people. And by putting the spotlight on those individuals whose duties are to implement the programs within these agencies, you give them the visibility they need in order to be more effective. Additionally, you let the community know where to go and whom to see for help on matters outside your immediate field.

Perhaps the greatest benefits of the use of mass media by civil rights agencies from the community's point of view

is in the area of explaining our laws to the public.

Because we have dedicated our lives to the betterment of America's minorities, we make it our business to study the laws that affect us and also their application.

Unfortunately, most of the people these laws affect are not as persistent in their quests for understanding of these laws.

It is therefore our duty as civil rights advocates to inform our communities of these laws and to interpret their true meanings to the best of our abilities. This is the mission of the civil rights worker--this is what we're all about.

On the other hand, we must fulfill certain obligations to the media if we are to receive the kinds of courtesies and the cooperation we seek via the channels of communication. How can we get the total cooperation of the media in furthering our cause? Here are a few tips you may find helpful.

First, offer your complete cooperation to the mediemen in your community before they call on you. Formulate a mailing list of newspaper, radio, and television personnel whom you will be dealing with and keep in touch with them--whether you have a story or not. Be sure they know how to

reach you 24 hours a day if an emergency should arise. It's also a good idea, whenever possible, to give newsmen tips on stories outside your field. You'll show them that you can be versatile and they'll appreciate the lead--especially if it means they'll get a scoop on their competition.

Second, make it a practice to involve key members of the media in agency social functions such as Christmas parties, holiday outings, and banquets. An invitation, even if it is politely refused, shows good faith on your part.

Further, support the media financially whenever it is feasible through the purchase of advertising. Remember, they're in business to make money and your occasional support of them in dollars could keep you in their good graces when stormy days approach. We're not talking about any breach of ethics, or about buying favors; we're talking about establishing the same kind of honest, reciprocal, give-and-take relationship that made America great.

Of course, you must remember that in some cases, despite all your well-meaning efforts, everything you do in seeking the cooperation of the media is futile. In situations such as these, your best course of action is to avoid becoming a nuisance by flooding newspapers with releases or radio and television stations with

announcements. By overdoing it, you may only be aggravating a relationship that got off on the wrong foot.

If that is the case, your best bet is to be available when you're treated fairly by the media.

The rest will depend on your reputation as a leader in the community, as a servant of the people, and as a man or woman of your word.

BUILDING NETWORKS AND COALITIONS

PAUL ANTHONY

"Networks" and "coalitions" are two very different words. "Networks" mean essentially a matter of basic communication among agencies of mutual interests. "Coalition" is interpreted as being a matter of two or more agencies joining forces to have greater impact than that of any single agency. Both processes are essential, but they should be understood as two and not one, although they will frequently overlap. There are several basic rules for coalition building. They are simple, but not always simple to achieve.

The first is common sense. Individual human relationships are more often than not complicated and difficult. This is compounded when you deal with agencies. Agencies are not nameless and faceless. They are collections of individuals who are, hopefully, well meaning, sincere, and competent. In addition, each agency has some constituency whose interests and needs must be foremost. These facts must be realized when agencies attempt to get together in coalition.

A part of the common sense factor is judgment on priorities among coalitions. All agencies must have

priorities, but those must be flexible and sometimes shift in position of importance. There has been the ancient rule among honorable people of, "You help me and I'll remember to help you." Coalitions do mean strength, but there has to be a give and take. Frequently, one's objective can best be obtained by first helping another of like interests.

The second basic rule for building coalitions is pragmatism. Agencies--whether public or private--that seek to go it alone or deliberately create dissension or competition are guided by fools. The same applies to "inbred" agencies, which have only one purpose, or which have a single or very narrow funding source. Those interested in the public good or social change have a far greater mutual interest than any one entity. Standing alone may strengthen one's ego, but this is of no genuine value to a sincere purpose or to one's constituency.

It is essential that an agency find as many allies as possible, and it is most essential that a generous interpretation be placed on the decision of who might be one's allies. Friends and resources are needed in as many quarters as possible.

The third basic rule for forming coalitions is that an agency must inform and educate its own constituency. These

processes are greatly different from manipulating, brainwashing, or grandstanding. Those latter processes are perhaps the most immoral in which an agency can engage.

Presumably, a professional agency is professional. There is every reason to expect staff to be far more informed on the pertinent issues than the lay person. Thus, staff have a serious responsibility to keep lay people informed and to devise means of genuine and honest education. Failure to do this can create disaster for an agency if the constituency cannot understand why certain coalitions are formed.

The final suggestion for building coalitions is that of using absolute honesty and candor. One does not need to tell all secrets to follow this policy.

However, when coalitions are formed--with common sense, pragmatism, and mutual objectives--all will fall apart eventually if individuals within agencies are not honest with each other. To "play politics" or to deliberately deceive other agencies will ruin coalitions and certainly damage the offending agency. Many examples could be offered of this--usually from the record of weakened or defunct agencies. By contrast, when agencies establish a mutual trust they establish the essential basis of strength. You

can't beat honesty, and the insiders will detect lies only a short time before the outsiders do.

Building a resources network--as has been implied--is one of the purposes of coalitions, but there are many instances where the two are by necessity separate.

There are times, for instance, when a public and a private agency or two public or two private agencies cannot enter into even informal coalitions. This does not block creating a network of resources. Every agency has an obligation to know of all resources available for their own needs and to provide their own resources where they can and should be used and needed.

An elementary, but sometimes overlooked, part of building a network is one's mailing list. In some form or other, every agency attempts to meet its constituency and the general public through the written word. Care should be given to include in one's mailings all agencies of remotely similar interests.

The above suggestion is relatively easy. More difficult and more essential is the matter of personal contact. To repeat, this is essential.

Persons in agencies need to visit other agencies and to devote a significant amount of time to this. There is no

substitute for knowing individuals as well as possible within other agencies and no other way of really knowing what resources other agencies have to offer. A phone call to a person known well can do wonders. A letter to a stranger is virtually nil. Perhaps, with the exception of communicating with one's constituency, agency personnel damage their own purposes most by failure to have a constant personal relationship with one's colleagues in like positions.

A resources network--real resources--is a very personal thing. It cannot be computerized or blueprinted. There is the essential of sharing the written word and urging others to do the same. But, there remains the essential of individual talking to individual. Of course, the rules of candor, honesty, and mutual help remain.

By definition, public agencies are supported by public funds. Whether desirable or not and/or whether sought or not, this situation places public agencies in competition for a place in the sun--for funds. Sometimes, this creates the strong temptation to go it alone. Ironically, when this is done, it usually is to the detriment of everyone. Personnel in public agencies need to know each other, to understand the needs and problems of the other, and to

remain in constant communication. We are in a period where the general public and those who make decisions on funding are becoming increasingly critical of the operation, purposes, funding, and results of public agencies. This is true on every level. This should not go unnoticed. In some agencies, the tendency is to stand aloof. Don't. Know as much as you can, understand as much as you can, and be of help wherever possible.

Perhaps the most significant word in this section is the word "ongoing." As those of you in the public sector well know, personnel, programs, priorities, and funding tend to change frequently and dramatically. "Links," if they are to be ongoing, must be nurtured delicately and frequently. They are not an annual affair or an occasional conference. There are no alternatives to (1) identifying mutual agencies, (2) personal communication, and (3) mutual self-interest in securing effective programs.

Establishing ongoing links between public and private agencies is fundamental. This process is not restricted to the social service area. There is no part of our society in which it is not necessary for the public and private sectors to relate.

In our immediate category, we must note again the factor of self-interest. Also, again we come to a difficulty in interpretation. However, in general, it can be said that public agencies can find a vast resource among the private agencies. Perhaps the most important of these is information. Whatever their size or wherever their location, private agencies tend to be the "grass roots" of the country. This is a resource that cannot be overlooked.

Private agencies also have tremendous resources in personnel and talent. More often than not, these resources are available without cost if there is a meeting of minds and purposes. Public agency programs can be substantially enhanced by inventorying, communicating with, and using this extension of strength.

Even in today's economy, resources in public agencies are almost beyond comprehension. Frequently, there are funds. Almost, without exception, there is talent, information, and willingness to help. This is the purpose for the existence of those agencies.

The staff of every private agency has an obligation to inventory public agencies and their resources, to communicate frequently with personnel, and to learn how one can give and receive. In summary, it must be kept in mind

that ongoing hard work, and a recognition of the reality of the complexities of human relationships, are essential factors.

To build any sort of network and/or coalition, there has to be the common sense need to genuinely know the desirability of such arrangements. There has to be the absence of pettiness, jealousy, and conceit. There has to be not only give and take, but honesty and candor. There has to be true sympathy for other agencies. There has to be the awareness that one's true constituency is far greater than the immediate one.

In the South during the fifties and sixties cooperation was frequently essential to success and survival, and it worked because it was essential. As more and more agencies came on the scene, it became more difficult to inform and cooperate. But, the process continues and the need is beyond dispute.

BUILDING NETWORKS AND COALITIONS

NOTES FROM THE WORKSHOP LED BY PAUL ANTHONY

In addition to the preceeding paper on networks and coalitions, some thoughts from notes taken during the workshop discussion are included below:

Coalitions can be built

- 1) around an event or incident;
 - 2) for short-range specific goals;
 - 3) if common ground can be identified;
 - 4) recognizing that if you cannot get agreement on 10 goals, settle for 8 or 6;
 - 5) recognizing and dealing only with present reality; winnow out irrelevant past;
 - 6) only with flexibility, compromise, give and take;
 - 7) by constant communication of complete information with and to all segments and parties to the coalition.
- For an agency to be an effective member of a coalition, an agency should
- 1) know the full scope of available resources, how to obtain them, and then, how to use them;
 - 2) work through the coalition on every aspect of the coalition issues(s);

- 3) not represent the coalition except when asked by the coalition to do so;
- 4) make constant use of the telephone; profit-making business does this--so should civil rights agencies;
- 5) know itself--through evaluation processes, perform self-analysis;
- 6) encourage coalition members to do coalition business with you but do not let them take over your organization;
- 7) be in touch with policymakers in nonconfrontation style; make friends; be personally involved with all actors in the issue, both those inside the coalition and those outside the coalition.

Finally, some general guidelines about coalitions: Few coalitions are put together for long-range goals. A coalition should choose limited, short-range goals, plan strategy, work hard, win the issue (or realistically, sometimes lose it!), and disband. Once the issue around which the coalition was organized has been settled the reason for the coalition is ended. The next issue requires a new coalition which will not necessarily include all the same parties.

BASIC SKILLS FOR MONITORING CIVIL RIGHTS COMPLIANCE

NOTES FROM THE WORKSHOP LED BY JANET WELLS

Two basic tasks of monitoring are:

- 1) To ascertain the extent of violation of law being monitored; and
- 2) To ascertain the effects of the violation on the affected population.

Basic problems often encountered in monitoring compliance include the following:

- 1) Regulations for enforcement of an enacted law do not always exist.
- 2) Interpretation of laws or regulations sometimes involves lengthy disagreement or debate.
- 3) There are some exclusions from the coverage of some laws, such as tax-exempt groups, Girl Scouts, etc.
- 4) There is generally a lack of access to information from local agencies.

The following are some techniques and skills to accomplish the tasks and circumvent the problems:

If you cannot get data at one level of entry in an organization or agency, try another level in the same organization or agency. For example, if you go to a low-level administrator who is not cooperative, go to a

higher-level administrator who may be more sensitive to the "political community" and therefore more cooperative in furnishing information.

If it is important enough, file a suit to get the information. Suing is more difficult under State laws than under Federal laws.

Check the Federal Register for regulations as they are being made. Time is given to object to regulations before they are final. Also, check the Register for the final regulations.

Check the local library for Code of Federal Regulations.

Write to the agencies responsible for the enforcement of a law you are monitoring. They sometimes will have a synopsis of their regulations as well as of the law. Get descriptive brochures and pamphlets--anything that pertains to the law being monitored.

If you want information, make a direct request in writing to a Federal agency. Say you are making the request under the Freedom of Information Act, if you think you may have difficulty in getting the information otherwise. You may have to pay to get the information under the act.

If you think you will meet resistance to monitoring in a particular agency, ask for their regulations BEFORE asking for information. Under their regulations they may have to give you information, and it is easier to point this out if you have the regulations in your hand.

Don't always immediately accept the reason(s) given for not furnishing you information. Look for factual reasons why you cannot get the information, not just excuses.

Check out what reports the agency is required under law to make to either State or Federal governments and track the reporting system to get the information you need.

Obtain memoranda from agencies in which laws or regulations are explained and the role of the agencies is outlined or delineated.

Obtain copies of contracts, proposals, etc., where these are relevant to the law being monitored.

Review the complaints which are received by the complaints or civil rights divisions of agencies to monitor possible violations of laws.

Obtain or develop a uniform monitoring form (or interview or questionnaire) before going to agencies. Develop different questionnaires for different kinds of information or for different levels of interviewee groups.

Don't just interview "the important people," "the well-known leaders," etc., when monitoring. Go into the communities that are affected by the law and interview people at random or in a census tract or some other "political" or "statistical" grouping.

Test out your interview or questionnaire on a small group of people before going out and interviewing everyone.

Consider your working relationship with the population to be sampled. Avoid being "denied" access to people you will need to interview by being politically sensitive as well as competent in research.

Don't always accept published information. Figures do not mean accuracy. Check out the published information if it is important to your monitoring activities--especially if you plan to go to court. One way to check out information is to conduct a door-to-door

check with the affected population in a small statistical sample.

Use government agencies to help you locate information.

Use and encourage volunteers to help you monitor.

Summer students can be very helpful.

Use volunteer workers as a way to arouse a group of people to an issue. If volunteers do the monitoring, they may become interested in doing something about the violations they discover.

Apply for and use monies and funds available in the community for monitoring activities.

Use training sessions for people who are to do the monitoring.

Issue press releases; use press conferences.

Develop good press, radio, television, and other media contacts.

Decide before you begin what followup is feasible if you find violations. If nothing can be done with the information, perhaps you should not begin the project to monitor violations but rather a project to remedy some other roadblock to enforcement of civil rights laws.

FEDERAL PROGRAMS RESOURCE WORKSHOP ON HOUSING

NOTES FROM THE WORKSHOPS LED BY

GERI HARRIS,

HARRIETTE MACKLIN, AND ANDREW WEBB

There are two sources of funds under the Housing and Community Development Act of 1974: (a) entitlement programs; "hold harmless" clause; and (b) discretionary funds of the Secretary of Housing and Urban Development. The discretionary funds of the Secretary are practically untouched, for rural areas, that is.

Problems:

1. Citizens cannot say in the application for funds how the funds are to be used or spent.
2. Rural interests are not built into the act.
The act covers more adequately the large metropolitan areas than rural areas.
3. The certification form provided by HUD regarding compliance does not require an affirmative action plan. Substantial evidence would have to be accumulated regarding discrimination to challenge certification.
4. Cities that do not have affirmative action plans get funds anyway.

Strategies:

1. Agencies and community organizations should apply to cities for monies to aid them in monitoring funds for housing and to develop affirmative action plans to end discrimination in housing.
2. Enabling legislation is needed in some States in order for agencies to be designated as referral agencies.
3. Citizens should and can organize to complain that they were not participants in the application for funds to be brought into the State and local communities for housing, where such participation did not take place as required by the act.
4. The second-year allocations of funds for housing can be influenced by citizen action (especially relative to No. 3 above), where citizens' participation was not obtained in the initial application or where affirmative action plans have not been developed by cities or agencies receiving funds under the act for housing.
5. Agencies/organizations can become subcontractors to the city and in this way monitor the housing programs on a contract basis.

6. Cities or public officials can be sued if discrimination exists in the way in which funds are obtained or allocated, etc., under the act.

PART THREE: CLOSING GENERAL SESSION

The conference closed with a general session at which each of the State caucuses reported to the assembled body. No guidelines or limitations were placed on the direction the reports should take, resulting in a wide variety of perspectives about the conference's format and content, about the U.S. Commission on Civil Rights, about local conditions and situations, and about civil rights issues in general.

The women's caucus and the resolutions coordinating committee also made reports to the entire conference. These two groups were self-generating and independent from the printed agenda of the conference. The emergence of these two groups, however, was an expression of real concern and a demonstration of the democratic nature of the management of the conference; each made a constructive contribution to the conference.

This final, general session was chaired by Frederick B. Routh, the Commission's director of special projects. In his opening remarks, Mr. Routh said in part:

This is the final session of the third civil rights regional conference sponsored by the United States Commission on Civil Rights. As you all know, there was one sponsored just over a year ago

in St. Louis and one last fall in Boston for the New England States.

For me personally, coming back to Atlanta, Georgia, and addressing an audience largely made up of black and white Southerners engaged in the field of civil rights brings a good deal of nostalgia. For 5 years I was the field director of the Southern Regional Council, from 1954 till 1959, and helped set up the various State councils on human relations. This followed immediately after the Supreme Court school desegregation decision of May 17, 1954. One of the chief objectives of those councils was to secure voluntary compliance with the Supreme Court decision. You [can] imagine how popular we were in the various Southern States in 1954.

The main item on the agenda is the report from the State caucuses, and the last one to enter the room was Arkansas. They asked to be first. In good biblical terms "the first shall be last and the last shall be first." So we will call on those who last entered to first report. The great State of Arkansas, "The Land of Opportunity."

ARKANSAS AND LOUISIANA:

Number one, the conference has reaffirmed what we all know, that the South in the civil rights area is still a separate and isolated part of the Nation. The widespread lack of State and local civil rights agencies in the Southern States, plus the fact with rare exceptions that those agencies which do exist have no enforcement powers, means that we in the South have a twofold problem. One, we must construct a strategy to establish our own civil rights

agencies at the State and local levels, and we need to organize ourselves to continue that struggle. Two, in light of the political realities of the South, we realize that the creation of effective local agencies is not imminent. Therefore, in the foreseeable future we need to impress the Federal agencies in the legislative and executive branches with the continuing duty of enforcing basic civil rights in the South. Indeed, as the States in other regions strengthen their local civil rights agencies, instead of cutting back Federal effort, such effort should be shifted to the South and increased here.

Number two, local and State elected officials must be brought into the civil rights effort. Strategies to accomplish this goal must be developed on a priority basis and the U.S. Commission on Civil Rights should take the lead in this effort.

Number three, civil rights issues in the main have been studied and enforced in an urban context. The South is still mostly rural when compared with the rest of the Nation. The near future is obviously going to see national and regional funding of rural development. Civil rights enforcement agencies must be ready at all levels to understand and operate in a rural context.

Number four, we ask that the Commission take note of the importance of including sex discrimination in its work. It is of particular importance in the South for the following reason: Racism has been the most effective tool for maintaining a repressive economic system in the Southern States. However, racism is perceived as being a past issue in the public mind--although it is not. It is easy to see from the debate in southern legislatures alone that fear about the changing roles of women and men has real potential as a political tool for maintaining the repressive economic system and its cultural ramifications in the South.

ALABAMA AND MISSISSIPPI:

'Twas the 18th of April in '75, and we remember that from 1775. They will remember this day, the 18th of April 1975, as the start of the new third century of the American Revolution where people really started to knuckle down to the hard, exacting work of realizing human rights for all human beings in our American institutions.

We had a big start on the realizations. A lot of us men have to tune in and focus on sex discrimination, and we certainly second all the efforts made by the women's caucus. We vote for those and approve them.

However, we were disappointed that we did not take up the problem of one of the most undefended and forgotten minorities, the prison population. We are disappointed that nothing on this program concerned the national prison reform study that has been sponsored by the Commission and on which we spent a lot of time and effort, and which apparently has been allowed to die. We certainly need more attention to that central problem which is the biggest single cause of crime, the conditions in the prisons.

In the second place, we want to recommend that more power be given to the Civil Rights Commission and to the State Advisory Committees. We certainly want to recommend that the State Advisory Committees to the Commission, in certain circumstances, be given subpoena powers and that they be able to do something more than just be sociological-research or political-research arms of the Commission. We have no objection to sociological research, but we think we need something more in our delicate and important investigations.

Another recommendation is that the regional staff of the Civil Rights Commission be decentralized. In the 1950's and 1960's they said, "We can't put staff people in State offices because it's too dangerous to be living in a

Montgomery, Alabama, or a Jackson, Mississippi." The danger is pretty well past now, and the time has come for us to set up State offices where the State Advisory Committees will have somebody to do the work that needs to be done that members can't do, being scattered all over the State.

We need the Federal presence and the civil rights presence in our State capitols, in our State legislatures, in our State executive branches, and in our State Governors' offices too; and we need them when they are needed, not 3 weeks later when they can schedule something. So we recommend that we stop this process of piling everything up in Atlanta and having the Atlanta office the only instant service on Federal matters. That's one of our recommendations.

Another recommendation was that the Civil Rights Commission get together a directory of the Federal civil rights offices and agencies, some of whom we became acquainted with for the first time today. We need a directory to know where to go with what problem, with what agency, who's the director, what's his phone number, how you can contact him, and what kind of field services he can render. We need that information, and those Federal agencies are not giving us the information. We need the

Civil Rights Commission to provide that as well as a list of their regulations, their laws. We want this written in the kind of language that our clientele can understand with pictures and diagrams and visual aids so they can understand.

In the States in which there is not a human rights commission, the State Advisory Committees, as we want to do in Alabama, would promote the passage of laws and the setting up of strong civil rights-human rights agencies. We recommend that the model act developed by the National Commission on Uniform State Laws, or the existing Kentucky act or others with teeth in them be used as models. We would not be content with just cosmetic-type, window-dressing advisory committees on the State level.

Finally, the two medical doctors and one doctor in sociology, in our three-man caucus, want to reiterate our stand in favor of the right to life as an all important right. The right to human life--it's not a sex problem. It's regardless of sex. The right to human life, especially of the poor and the defenseless and the powerless; and, among those, the unborn are the most forceless, the most powerless, the most defenseless.

Mr. Routh commented, "One small word on the prison project not being on the agenda and being dead. I'm reminded of Mark Twain's statement on reading his own obituary that it was a bit premature. The prison study is far from dead. There are going to be hearings on the national prison project and a conference following that and a major publication releasing the various studies on the prison project."

FLORIDA:

During our first caucus we assigned individuals from Florida to participate in the various workshops. Each had already made a selection, and it turned out that the distribution was adequate to cover each workshop. So we got reporters assigned to develop reports on each workshop. We hope to distribute these reports from our Florida members to the various participants from Florida so that they will have the benefits of the workshops they were unable to attend.

One concern of the Florida delegation was about the Florida State Human Relations Commission being able to do more effective work inside Florida. A second was the feeling that more technical assistance should be provided to get the fair housing and employment ordinances on the books

throughout Florida. I learned that only one other State of the 11 States represented has an ordinance already existing that provides for deferral authority. One is Miami-Dade County, Florida, and the other is the State of Kentucky.

A third concern was with what is being discussed in the Florida legislature right now to require the use of a polygraph test for purposes of obtaining employment. We feel this needs to be looked into and probably serious objections raised with members of the Florida legislature.

A fourth concern had to do with ratification of the Equal Rights Amendment. It did pass the Florida House and is now to be voted on by the State senate, which is not terribly in favor of it.

A fifth concern was the need for a statewide fair housing and employment law or statute, which does exist not in the State of Florida.

A sixth concern was the feeling that we need a statewide skills bank so that at least within the State we could identify individuals who might be interested in positions as they occurred in various parts of the State, and this information could be shared among us.

We also made some general observations. One was the need for State Advisory Committee members and other civil

rights advocates to get much more specific information about existing antidiscrimination laws. We seem to know very little about the things we are trying to enforce in many instances, particularly about the loopholes that are available that give us tools to work with.

A second was the feeling that the Commission should review the adequacy and appropriateness of the existing police enforcement agencies. I understand this is being considered; hopefully this will get further than just this piece of paper.

A third general observation had to do with the expressed frustration in the various groups that met over the seeming lack of serious implementation of the antidiscrimination laws and regulations that are already on the books, and the general feeling that more technical assistance needs to be provided, both to the enforcement agencies and to various civil rights and human rights groups, in order to come up with better enforcement results. Finally, we had, according to the registration list, a total of 20 people from the State of Florida. We hope we can follow up with some of these observations and recommendations that were made, when we return home.

GEORGIA:

Generally speaking, the Georgia caucus felt that the conference was too broad. They indicated that there was a need for more specifics in subject-matter areas, for example, what Federal programs are available.

They also indicated that there was a need for more geographical consideration to provide for the identification of peculiar State problems. It was their feeling that there were too many problems to be dealt with for adequate consideration of any one problem.

Secondly, they indicated there was a need to avail all workshops to all participants and somebody has already spoken to that. They felt that everybody should have had the opportunity to attend every workshop.

They also indicated that there was a need to involve the private civil rights agencies. We had much too much discussion about this because I think there was probably some misunderstanding about this particular conference; but, given the discussion we had, it was generally felt that we should have had representatives from the private sector here. There was some discussion about the fact that we are forever continuing to talk to ourselves, and they felt very strongly that we should have somebody here representing the

private sector. In relation to what we have planned for the future, we agreed that we will be in touch with each other again, and that will be coordinated out of the Commission's Regional Office. The Commission's field representative for the State of Georgia has volunteered to provide this liaison, and we will be getting back together again for future meetings.

KENTUCKY AND TENNESSEE:

I want to be very careful because there's a great temptation to respond to many things and because I disagree with so much that's been said.

We didn't have a great deal of dissatisfaction with the conference itself. As a matter of fact, many of the participants in our caucus were very enthusiastic over most of the conference, and we divided ourselves up so we covered most of the workshops.

The people from Kentucky raised some questions about their State Advisory Committee to the U.S. Commission on Civil Rights. They don't know who their State Advisory Committee people are, or if currently there is a chairman. The people from Kentucky want to know how to go about reactivating the Kentucky Advisory Committee.

Some discussion was given about what to expect from the conference and, having knocked that around, our caucus was not disappointed. There was also some conversation about the need for at least a biannual meeting of the region. That would be very helpful. Also, a directory of civil rights groups by region would help us so that we could be on each other's mailing lists and in conversation with each other. The Kentucky-Tennessee caucus enjoyed meeting each other and exchanging ideas.

NORTH CAROLINA:

We think we have the largest group here and were happy to discover each other. We were concerned with the fact that a number of different commissions in our State are in different cities and are not as fully aware of each other or of the State Advisory Committee and of the work the U.S. Commission on Civil Rights. Members of the State Advisory Committee felt a little bit embarrassed about that, but this conference has helped to remedy that problem somewhat.

There was a great desire expressed a number of times for coordination of our work. We hope that the different groups in the cities, such as mayors' committees on human rights and the State commission on human rights, get

together with the State Advisory Committee at an early date to share our common concerns. Then we could see if we couldn't work together toward a greater enhancement of civil rights and civil rights consciousness and implementation of this consciousness throughout the State, and we are going to do that real soon.

We made it very clear that our Advisory Committee could not meet without clearance from Washington and Atlanta, and that we must meet with staff present. We just want to put all of you on notice about that. The North Carolina caucus supported wholeheartedly the resolution adopted by the conference which calls upon the U.S. Commissioners in Washington to consider asking the different State Advisory Committees to hold open hearings on the matter of Federal agencies throughout the States of the southeast region with regard to their mandate on the extension and protection of civil rights.

We are moving forward on anything we can to open up North Carolina to make it a less repressive State.

SOUTH CAROLINA:

South Carolina concurs with the three resolutions that were put before the conference, especially in the area of

the lack of enforcement powers by State and local human rights agencies. We're working on it in South Carolina now, and hopefully we will have recommitted ourselves to working harder as a result of this convention.

There was a feeling expressed in our last State caucus meeting that the role of local agencies is to prevent crises before they arise. I think it was stated sometime this morning that the question is no longer how the laws will be enforced, but who will enforce them. One strategy to use, as far as establishing local agencies, might be the whole question of home rule, in bringing local governmental matters closer to home. This is something I think all of us should keep in mind.

There was an expressed need to involve State and local agencies jointly in crisis situations. With respect to activities after the conference, the State human affairs commission, which we are fortunate to have, has expressed a willingness to help with workshops and technical assistance to local areas in the formation of their guidelines and making them aware of the commission activities and of activities in other geographical areas. Since South Carolina is sort of a small, compact State with no area

really being more than 2 hours from the capital city, I'm sure that we will be seeing a lot more of each other.

VIRGINIA:

The Virginia report is in two parts: Part one is a reaction to what the Virginia caucus anticipated getting from this conference, and part two is what the Virginia caucus intends to do when we return to the Commonwealth.

When we met in our first caucus meeting, we had four anticipations. Number one, a hope that the Civil Rights Commission would indicate that it would be out on the cutting edge of the civil rights movement. Number two, after having Father Hesburg and then having a period of no leadership in Washington for the Civil Rights Commission, we thought that Dr. Flemming would give us a reading on the new philosophy and where the Civil Rights Commission was going under his leadership.

The answers to these two questions we found to be in the negative. Dr. Flemming mentioned the cutting edge, but the cutting edge was not defined. So at this point we have no basic direction as to where Dr. Flemming intends to lead the Civil Rights Commission and what his basic attitude will be toward State Advisory Committee activities.

Number three, what can the Civil Rights Commission do to get compliance in civil rights matters. Number four, we looked forward to this conference to gather information and issue it.

The Virginia caucus feels that the strategy resolution, which we strongly supported, represents to a large extent what can be done to get compliance and enforcement. We also think that we did meet many interesting people new to us, and we did share valuable information.

What we will do when we return: Number one, we will reorganize the State Advisory Committee. Number two, we will get involved in compliance monitoring. Number three, we will organize ourselves to carry out the necessary operations under the strategy resolutions that were adopted this morning, which we consider a mandate to the State Advisory Committees. Four, there are some special concerns in the Commonwealth of Virginia for our State Advisory Committee, especially credit, housing, and employment as they relate to women--we intend to do special monitoring in this area. Item number five, we will develop a model affirmative action plan, and we will develop a Virginia civil rights directory.

REPORT FROM THE WOMEN'S CAUCUS

The representative of the women's caucus reported that their group had not had an opportunity to meet with the various State caucuses but that the resolution they had developed that morning should be brought to the attention of the U.S. Commission on Civil Rights and its Commissioners. The representative suggested that the resolutions coordinating committee present this, along with other resolutions which they had been working upon. There being no objections to this procedure, the chair called upon the resolutions coordinating committee.

REPORT FROM THE RESOLUTIONS COORDINATING COMMITTEE

The committee presented three resolutions, dealing with (1) Presidential appointments to Federal boards and commissions; (2) noncompliance by Federal civil rights agencies; and (3) civil rights enforcement authority for State and local human rights commissions. (See appendix III.)

One further need, the report said, is to get three persons who would assume the responsibility for seeing that the intent of these resolutions are met. That means some

work for the persons: It will require contacting civil and human rights agencies, contacting legislators, and addressing the Commission Chairman.

After considerable discussion, the group chose the following persons to follow up the intent of the conference participants by forwarding the resolutions, with a covering letter, to the Commission's chairman: Beverly R. Mitchell, Raleigh, North Carolina, Chairperson; and Sally Jobsis, Durham, North Carolina; Calvin Miller, Ettrick, Virginia; and Ted Nichols, Miami, Florida.

CONFERENCE SUMMARY STATEMENT

BY

LOUIS NUNEZ, DEPUTY STAFF DIRECTOR

U.S. COMMISSION ON CIVIL RIGHTS

I think at times all of us come to conferences with such high expectations for immediate action that we sometimes feel a little disappointed if all of our desires, all of our positions are not immediately implemented. I would counsel you that I think that is somewhat unrealistic in terms of conference-going. I've been to many conferences over the years, and I think that conferences do serve a purpose, that of catalyst. It is not to solve problems. It is unrealistic to think that by getting together for several days we are going to resolve the issues that are confronting us on the civil rights front here in the South.

So, in a positive light, I would begin by talking a little bit about why the Commission on Civil Rights sponsored this conference.

Very simple reasons. One was to improve the relationship between State and local agencies and the State Advisory Committee people in the various Southern States. Someone earlier remarked that there weren't too many civil rights agencies in the South. I think more accurately there

are--just looking at the roster of people attending, there is a considerable number. The trouble is that their enforcement powers are, in general, a lot less effective than other agencies around the country. A lot of the agencies here have to be beefed up as to their mandates and what they are supposed to be doing.

If that comes across to all of us, then I think that message should have gotten across to our regional office, which is the Southern Regional Office here in Atlanta. They would be very pleased and happy to work along with all of you to try to ensure that some of this comes about.

Secondly, we at the Commission were interested to get a lot of the local agencies to understand a little bit about what the Commission is doing. I was sorry to hear that some people here were not too impressed by Chairman Flemming's use of the words "cutting edge." It is important, where the cutting edge is right now. We at the Commission have to think about that very carefully. So I've made a note of that remark. I will keep it in mind as we embark on our planning process and bring it to the Chairman's attention.

One of the issues that came up here is the fact that there are so many Federal agencies involved in civil rights enforcement, and so many laws. I can well understand how

many of you are at times confused as to the many laws, the many agencies involved, and the whole process of civil rights enforcement in our society today. One of the things that is clear from this conference is the absolute need for a relatively simple document stating what each agency in the Federal Government is responsible for in the area of civil rights and how the average citizen, the average local agency can relate to the solution of that problem.

Let me mention another resource soon to be available. For the last two years the Commission staff has been developing a civil rights directory of every agency in the country which has some civil rights responsibility. In the next 2 or 3 months we will finally publish this and I think it will be a very useful document for everybody concerned in the field of civil rights. After that initial publication, we hope to update that directory on a yearly basis.

I would like to speak to the value of this conference to the staff of the Commission and, first, its value to the staff who have attended. We have had eight or nine fairly senior staff people at the conference from the Washington office. We are sometimes considered to be in some sort of an ivory tower in Washington. But we do travel around the country and talk to people. The kind of critical evaluation

of what we're about and what we're doing, such as I have heard at this conference, gives us the expectation that this kind of conference will begin to give more reality to a lot of the work that the Commission does. I know that I've gotten some good program ideas from this conference.

There was some concern expressed at the beginning of the conference as to how the conference was developed and how it was planned. Very briefly I would indicate to you that the staff of the Special Projects Unit, Fred Routh and Everett Waldo, met with a group of civil rights leaders in the South, here in Atlanta, to get some idea of some of the concerns. Subsequently another meeting of the same people was held in Washington. The agenda and design for this conference came from those planners. So it was not an agenda that we in Washington dreamed up and said, "This is what the people out there need." I think we did make a genuine effort to consult with people.

It's also important to understand that the Commission's staff is also aware that whatever it plans may not come across in exactly the way it was planned. There were some changes in the agenda this morning. They were valuable changes. And an important thing about this process is that we are flexible. Whatever plan that was developed for the

conference was with the idea of making it as valuable as possible for the conference participants. And I am glad that when you felt you could make the conference more valuable by changing it, you were free to ask for the changes.

Moving away from the sort of bread and butter issues of the conference, let's think a little about where civil rights is going in the seventies. Some very obvious changes have taken place in the whole atmosphere of the area of civil rights over the last few years, and we at the Commission have seen this very clearly.

The civil rights movement became a major national issue after the Brown decision in 1954. During the fifties and through the mid-sixties the issue of civil rights was basically a black-white issue in our society. We began to see in the late sixties that there were other minorities that had similar concerns--the Spanish-speaking, the Native Americans, and the Asian Americans. All of these groups began to emerge into the movement in the late sixties.

I think in looking at whatever progress has been made in black-white relations--to also express our other concerns--and these have led to an expansion of the jurisdiction of the Civil Rights Commission and all other

agencies which were involved in this field. So as a movement we have grown from essentially a black concern to essentially a minority concern.

In the last several years we have seen the whole new category of women's rights. This whole new area (new for many of us) makes all of us who work in this field analyze where we are and where we are going. We now must renew our prior loyalties and expand them to encompass all of these new areas of concerns. And the future promises us other new jurisdictions; there are bills in Congress, for example, to expand the jurisdiction of the Commission to include discrimination against the aging and to include discrimination against the handicapped.

The frustrating question now comes up that since we haven't really solved the problems we are already authorized to deal with, how can we be expected to take on additional responsibilities in this area? All these groups in our society have legitimate needs and rights, and what is our posture vis-a-vis these groups?

Now, that brings me to another point in looking at the trends in civil rights. I sometimes use the words, "the increasing ambiguity of the issues that we have to deal with." The days of the clear-cut issues are over. Today we

are dealing with issues where people claim that there is no discrimination, that it's economic forces, social forces, or class forces. The complexities that we now face in proving discrimination in the so-called traditional areas are enormously difficult to deal with. That's not to say that the problems of the past were not difficult to deal with, but what I am indicating is they were fairly sharp. The wrong was very clearly understood by everyone, and the solution was also understood very clearly. No longer is that so for many of the issues that we deal with in the area of civil rights.

The last issue I would like to bring to your attention is the enormous proliferation of agencies in the Federal Government, their jurisdictions, and their enforcement efforts. The Commission will soon be making some very hard recommendations for the consolidation of many of the civil rights efforts by the Federal Government. There is a lot of wasted motion, and there is an enormous need for coordination. The Commission is concerned about this, and we will be coming out with several major reports to try to influence the Congress to begin to consolidate the whole civil rights enforcement mechanism into one single agency in the Federal Government.

As I started with it, I will finish with my original thesis. People always raise the question, "Well, what did the conference accomplish?" One thing we can say is, we got to know each other. Two, that in the Federal agencies there are real people, some of whom gave presentations this morning. I hope you know some of them now and you will call on them directly. You know the members of our regional office. You can call on me in Washington if you want to-- also people from the Office for Civil Rights of HEW, people from the Equal Employment Opportunity Commission that were here, people from the Office of Revenue Sharing that were here. It is important that you know someone, that you are not writing to some faceless bureaucracy. These personal relationships are important, and their development is a real value we get from these kinds of conferences.

A participant responded: "I would simply like to thank the staff personally. I think we have benefitted if it's nothing more than to let us know what we have to do, where we have to go, both from the standpoint of the Commission and from the State Advisory Committees."

Fred Routh closed the conference with these remarks:

The thing that impressed me as I came back South-- I left here in 1959 and that's 16 years ago. When I left Atlanta, Georgia, there was no Southern State with an official human rights agency. There was no county with an official human rights agency. There was no city with an official human rights agency. There was no Federal agency that had a regional civil rights office in the South. Only that briefly ago--so I take heart in finding the number of agencies that now exists here.

We've made a beginning. Now what we have to do is strengthen them and give them the enforcement powers that they need and deserve.

**APPENDIX I
THE CONFERENCE AGENDA**

WEDNESDAY, APRIL 16, 1975

- 4:00 P.M. RESOURCES LIBRARY OPEN** Falcon Room
- A collection of bibliographies, directories, reference works, hand outs, pamphlets, etc. on a variety of civil rights issues. The Library will be open during all conference free-time.
- 4:00 P.M. REGISTRATION** Gallery
- 7:00 P.M. STATE CAUCUSES I** Hemisphere Room
- And After Dinner Coffee
- Conference participants from each State will meet as a group three times. First Caucus task: (1) to meet each other; (2) to review agenda; (3) to share expectations.
- 8:00 P.M. GENERAL SESSION** Hemisphere Room
- Chairing: John A. Buggs, Staff Director
- Welcome to the Conference:
- Edward Elson, Chairman
Georgia State Advisory Committee
to the U.S. Commission on Civil Rights
- Greetings: Honorable George C. Busbee
Governor of Georgia
- 8:30 P.M.** Keynote Address: Honorable Arthur S. Flemming
Chairman, U.S. Commission on
Civil Rights
- 9:15 P.M.** Questions and Answers
- 9:30 P.M. RECEPTION WITH CASH BAR** Hemisphere Room

THURSDAY, APRIL 17, 1975

- 9:00 A.M. GENERAL SESSION** Lisbon Room
- Greetings: Honorable Maynard Jackson
Mayor of Atlanta
- Agenda Review
Housekeeping and Announcements
State Caucus Input

THURSDAY, APRIL 17 – Continued

9:00 A.M. Description of International Association
of Official Human Rights Agencies:

Margaret McKenna, Executive Director

9:30 A.M. STATE AND LOCAL ACTION WORKSHOPS

Skills and Techniques Workshops to help participants in their
work:

(1) Effective Legislation for State and Local Rights Agencies:

Lisbon Room

- a. Mandate for Responsibilities
- b. Funding: Public, Private
- c. Maximizing Resources

Galen Martin, Executive Director
Kentucky Commission on Human Rights

(2) Building a Supportive Public:

Braves Room

How to win and keep the support of public officials, legislators,
business/industrial leadership, labor, religious, educational, civic
leadership, and media.

Jeanne Cahill, Executive Director
Governor's Commission on the
Status of Women, State of Georgia

(3) Public Information Programs:

Madrid Room

- a. Use of Radio-TV-Press
- b. Means to reach wide public audiences
- c. How to offset misinformation
- d. Obtaining constructive visibility
- e. Maintaining credibility - informing and training without
raising false hopes
- f. Freedom of paid staff to address issues publicly

Charles Jones, Administrator
Office of Community Relations (MDA)
Tampa, Florida

Robert Gilder, General Manager
Radio Station WTMP
Tampa, Florida

Yvonne Harris
WUSF-FM 16
University of South Florida
Tampa, Florida

THURSDAY, APRIL 17 – Continued

9:30 A.M. *(4) Building Networks and Coalitions:* Hawks Room

- a. Basic Rules for Coalition building
- b. Building a resources network
- c. Establishing on-going links between and among public agencies
- d. Establishing on-going links between public and private agencies

Paul Anthony, Former Executive Director
Southern Regional Council

(5) Basic Skills for Monitoring Civil Rights Compliance: Malta Room

Generic, transferable skills for monitoring civil rights compliance.

Margaret McKenna, Executive Director
International Association of Official
Human Rights Agencies

(6) A Second Section of Number 5 Capri Room

Janet Wells, Director of Research
and Information, Southeastern Public
Education Project of the American
Friends Service Committee
Atlanta, Georgia

Coffee Break Time to be determined within each Workshop; coffee will be available from 10:30 until 11:00 A.M.

12:15 P.M. LUNCH BREAK

There will be no organized meal functions; participants are free to take meals on their own.

2:00 P.M. GENERAL SESSION:

Federal Programs as Resources Lisbon Room

How Federal programs can be exploited as resources to enrich State and local rights activities; experience of successful State and local leaders will be presented as models.

A View From A State Agency:

Thomas A. Ebendorf, Compliance Director
Kentucky Commission on Human Rights

THURSDAY, APRIL 17 – Continued

2:00 P.M. *A View From A City Agency:*

Hayward J. Benson, Jr. Executive Director
Broward County Human Relations Commission
Fort Lauderdale, Florida

3:00 P.M. Coffee and Coke available on way to Workshops

3:05 P.M. FEDERAL PROGRAMS RESOURCES WORKSHOPS

Examination of the Use of Federal programs by State and local agencies for effective civil rights work.

(1) *Employment* – Hayward J. Benson, Jr.

Lisbon Room

(2) *Education* – Janet Wells

Hawks Room

(3) *Housing*

Malta Room

Geri Harris, Housing Director
Southern Regional Council
Atlanta

(4) *Revenue Sharing*

Capri Room

Morton Sklar
National Clearinghouse on
Revenue Sharing
Washington, D.C.

(5) *Administration of Justice*

Madrid Room

Lewis Taylor, LEAA Project Director
International Association of Official
Human Rights Agencies
Washington, D.C.

(6) *Health and Welfare*

Braves Room

Margie Pitts Hames,
Attorney at Law
Atlanta

THURSDAY, APRIL 17 – Continued

4:30 P.M. STATE CAUCUSES II

Caucus II Session Tasks: (1) to share experiences from sessions attended; (2) to assess conference progress; (3) to prepare for remainder of conference.

Arkansas - Louisiana

Hawks Room

Convener: Morton Gitleman
Staff: John Dulles

4:30 P.M.

Alabama - Mississippi

Room 110

Convener: John Cashin
Staff: Marilyn Grayboff

Florida

Capri Room

Convener: Ted Nichols
Staff:

Georgia

Madrid Room

Convener: Edward E. Elson
Staff: Bobby Doctor

Kentucky - Tennessee

Braves Room

Convener: Samuel B. Kyles
Staff: Jacob Schlitt

North Carolina

Lisbon Room

Convener: W. W. Finlator
Staff: Edith Hammond

South Carolina

Malta Room

Convener: Diane Moseley
Staff: Courtney Sicheloff

Virginia

Room 108

Convener: Ruth Harvey Charity
Staff: Wanda Hoffman

THURSDAY, APRIL 17 – Continued

8:00 P.M. FREE TIME and . . .

For participants who prefer to pursue civil rights issues, three special programs will be available on an *optional* basis.

(1) *Film: "The Emerging Woman"* and Discussion Lisbon Room

(2) *Revenue Sharing Discussion* Braves Room

Robert Murphy
Compliance Manager
Office of Revenue Sharing
U.S. Department of the Treasury

Malaku Steen
Office of Revenue Sharing
U.S. Department of the Treasury

8:00 P.M. (3) Discussion: Extension of Voting Rights Act of 1965 Hawks Room

William A. Blakey, Director
Congressional Liaison
U.S. Commission on Civil Rights
Washington, D.C.

FRIDAY, APRIL 18, 1975

9:00 A.M. GENERAL SESSION Lisbon Room

Agenda Review
Housekeeping and Announcements
State Caucus Input

9:30 A.M. FEDERAL PROGRAM PRESENTATIONS Lisbon Room

Officials from three selected Federal programs will briefly answer: (1) What is the program supposed to do and how? and, (2) What resources does this program offer State and local rights agencies?

(1) *Revenue Sharing* - Robert Murphy

(2) *Equal Employment Opportunity*

Donald L. Hollowell, Regional Director
Equal Employment Opportunity Commission

(3) *Office for Civil Rights, Department of Health, Education and Welfare (Education)*

William Thomas, Regional Director
Office for Civil Rights,
U.S. Department of Health,
Education and Welfare

FRIDAY, APRIL 18 – Continued

10:00 A.M. COFFEE BREAK

10:15 A.M. FEDERAL PROGRAM WORKSHOPS

Tasks: Clarification of the points made in the presentation; examination of relationships and structures built into the program relevant to State and local agencies; how can State and local agencies assist in making the program achieve its goals.

(1a) Revenue Sharing for Cities Hawks Room

Malaku Steen

(1b) Revenue Sharing for States Braves Room

Robert Murphy

10:15 A.M. (2a) EEOC for Cities Madrid Room

Don Stacey, Attorney
Equal Employment
Opportunity Commission

(2b) EEOC for States Lisbon Room

Donald Hollowell

(3a) HEW/OCR for Cities Capri Room

Louis O. Bryson, Chief
Higher Education Branch
Office for Civil Rights DHEW

(3b) HEW/OCR for States Malta Room

W. Lamar Clements, Chief
Elementary and Secondary Education
Branch Office for Civil
Rights, DHEW

FRIDAY, APRIL 18 – Continued

12:15 P.M. LUNCH BREAK

1:30 P.M. STATE CAUCUSES III

Same Rooms as
Thursday at 4:30

Tasks: (1) To share with each other the content of workshops;
(2) to advise convener of points to report to the conference
general session; (3) to project mutual post-conference activities
possible within the State.

2:30 P.M. CLOSING GENERAL SESSION

Lisbon Room

Necessary Announcements

Reports from State Caucus Conveners

Conference Summary

Louis Nunez - Deputy Staff Director
United States Commission on Civil Rights

4:30 P.M. CONFERENCE WILL ADJOURN

APPENDIX II

THE WOMEN'S CAUCUS, RESOLUTION, AND WORKSHOP

Planning for conferences has each time involved the planners in a discussion regarding the most effective way to deal with women's issues in the full context of civil rights. Experience shows that to choose between integrating women's concerns with other human rights concerns, or to separate women's concerns out into special sessions, is to choose between two equally valid positions.

Discussion of this problem consumed a significant portion of the time of the conference planners, who finally reached a concensus to integrate women's issues into the conference. The planners intended this plan to create the opportunity to emphasize the similarities between women's concerns and the concerns of minorities, thus making one of the conference tasks to discover how women's activities and other human rights activities can complement and strengthen each other.

In other conferences special sessions have been set aside for women's concerns, and the goals suggested above have not been readily achieved. This has elicited the criticisms of separatism and divisiveness. The format

chosen for Atlanta also was criticized both during and after the conference.

During the conference a significant number of women met in caucus to deal with their criticisms. They felt a special workshop session on sex discrimination should be fitted into the agenda during the final day. Their resolution was signed by 19 persons and was adopted by the conference in general session in the following form:

Whereas the program of the conference has not reflected special concern for discrimination against women and,
Whereas Civil Rights legislation particularly concerns itself with sex discrimination and,
Whereas women have faced sex-discrimination for 400 years in this country and,
Whereas Southern Legislatures (except Tennessee) have consistently rejected ratification of ERA,
Be it resolved that the program committee arrange additional workshops on Friday to discuss the specific aspects of civil rights legislation concerning sex discrimination.

The conference staff, with the splendid cooperation of several workshop leaders who shifted gears and assignments, and by combining two smaller workshops to provide a room for the new workshop, was able to respond positively to the request of the resolution. It was clearly apparent that the process of having a number of women participants meet in caucus, and of having them present their resolution to the general conference body, and of having their request

approved by their fellow participants and met by the staff, was a healthy process for the entire conference membership. The experience enriched not only the women who caucused, and those 12 men who joined them in the workshop, but it enriched the entire conference.

APPENDIX III

CONFERENCE RESOLUTION I

PRESIDENTIAL APPOINTMENTS TO FEDERAL BOARDS AND COMMISSIONS

WHEREAS, The President of the United States has the responsibility to appoint members to many Federal Boards and Commissions; and

WHEREAS, few of these boards and commissions have representations of those persons who are civil rights practitioners; and

WHEREAS, there are and will be vacancies on these boards and commissions,

NOW, THEREFORE, BE IT RESOLVED:

That the Conference participants of the Third Regional Conference sponsored by the U.S. Commission on Civil Rights in Atlanta, Georgia, April 16-18, 1975 go on record requesting:

- 1) That the U.S. Commission on Civil Rights communicate to the President the concern that Civil Rights Practitioners be appointed to said boards and commissions;
- 2) That the U.S. Commission on Civil Rights develop a pool of names through its eight regional offices solicited from Civil Rights agencies, public and private;
- 3) That the U.S. Commission on Civil Rights submit the names of appropriate persons to the President for his consideration; and
- 4) That the U.S. Commission on Civil Rights advise the Nominating groups of its use of the names suggested.

Adopted: April 18, 1975, Atlanta, Georgia

RESOLUTION II

NONCOMPLIANCE BY FEDERAL CIVIL RIGHTS AGENCIES

WHEREAS, various Federal Departments, Commissions and agencies have civil rights compliance responsibilities to assure equal access to employment, education, housing and other programs and activities including those funded by the Federal government; and

WHEREAS, many of these agencies have been unable or unwilling to fulfill their civil rights enforcement responsibilities thus allowing new patterns of discrimination to develop;

NOW, THEREFORE, BE IT RESOLVED:

That the Conference participants at the Third Regional Conference sponsored by the U.S. Commission on Civil Rights in Atlanta, Georgia, April 16-18, 1975 go on record recommending:

- 1) That the U.S. Commission on Civil Rights request the State Advisory Committees to hold public hearings in the eleven states represented in this conference to question Federal Agencies regarding their compliance programs and results; and
- 2) That the information obtained in these hearings and other findings of the staff of the U.S. Commission on Civil Rights be used for possible legal action against any Federal Agency failing to comply with its enforcement responsibilities.

Adopted: April 18, 1975
Atlanta, Georgia

RESOLUTION III

CIVIL RIGHTS ENFORCEMENT AUTHORITY FOR STATE AND LOCAL HUMAN RIGHTS COMMISSIONS

- WHEREAS, few local and State human rights agencies in the south have civil rights enforcement authority; and
- WHEREAS, Federal civil rights enforcement agencies are not adequately pursuing their responsibilities in these matters; and
- WHEREAS, the Congress of the United States in recent years has sought to return responsibility for local matters to the appropriate local unit of government;

THEREFORE BE IT RESOLVED:

That the Conference participants of the Third Regional Conference sponsored by the U.S. Commission on Civil Rights in Atlanta, Georgia, April 16-18, 1975 go on record recommending to groups and individuals concerned with human rights that they seek to have included in guidelines for Federally funded programs to local and State units of government the condition that these governmental units establish civil rights enforcement agencies with the authority and necessary funding to enforce civil rights laws and regulations.

Adopted: April 18, 1975
Atlanta, Georgia

JULY 9, 1975

Ms. Beverly R. Mitchell
Associate Executive Secretary
Raleigh Community Relations Commission
228 West Hargett Street
Raleigh, North Carolina 27602

Dear Ms. Mitchell:

Thank you very much for sending to Chairman Flemming your comments on our Atlanta conference as well as the three resolutions adopted by the participants at that conference. On June 9, 1975, the Commission considered those resolutions and took the following actions on them:

Resolution I

We believe that the first recommendation requires an evaluation of past Presidential appointments prior to any expression of concern. This should include determination of the racial and sexual identity and the civil rights background of appointees. Such an evaluation will be handled by our Office of Federal Civil Rights Enforcement (OFCRE) in updating the White House section of our current enforcement report. At that point, if it seems appropriate, a recommendation will be offered to the Commissioners suggesting that a letter be addressed to the President.

The final three recommendations in this resolution run contrary to the previous position of the Commission regarding political appointments, and there appears to be good reason not to reverse ourselves at this time. Political appointments are made for a multiplicity of reasons which rarely lend themselves to non-partisan suggestions of such a specific nature as is requested by the resolution.

Resolution II

The first recommendation suggests a massive task that would take years to accomplish if all Federal agencies were to be questioned. It well may be that in some States, and in regard to some Federal agencies, such hearings would be extremely useful, but this should be decided on an individual basis by individual State Advisory Committees (SACs). OFCRE intends to provide staff to assist State Advisory Committees when problems with Federal enforcement arise.

The second recommendation follows from the first and may suggest litigation, which is not a Commission function. If it means providing hearing information to attorneys, this is routinely done now and would be done following any State Advisory Committee hearings.

Resolution III

This resolution appears to simply "go on record" with a recommendation regarding State and local civil rights enforcement, but in any event an OFCRE project, to begin within the next few months, will examine this issue in exhaustive fashion and will provide a factual basis upon which such recommendations will be made.

I very much appreciate the work that you and other participants at the Atlanta Conference have been doing, and I hope that the efforts of the U.S. Commission on Civil Rights will continue to be responsive to your concerns.

Sincerely,

/s/ JOHN A. BUGGS, Staff Director

APPENDIX IV

ROSTER OF REGISTERED PARTICIPANTS

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