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SPECIAL ANALYSIS J

CIVIL RIGHTS ACTIVITIES

The Budget of the United States Government, 1983

Note.—All years referred to are fiscal years, unless otherwise noted. Details in the tables, text, and charts of this booklet may not add to totals because of rounding.

**OFFICE OF MANAGEMENT AND BUDGET
EXECUTIVE OFFICE OF THE PRESIDENT**

February 1982

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SPECIAL ANALYSIS J

CIVIL RIGHTS ACTIVITIES

“ . . . Let us talk today about the needs of the future, not the misunderstandings of the past; about new ideas, not old ones . . . and while our communication should always deal with current issues of importance, it must never stray far from our national commitment to battle against discrimination and increase our knowledge of each other. . . .”—RONALD REAGAN, June 29, 1981¹

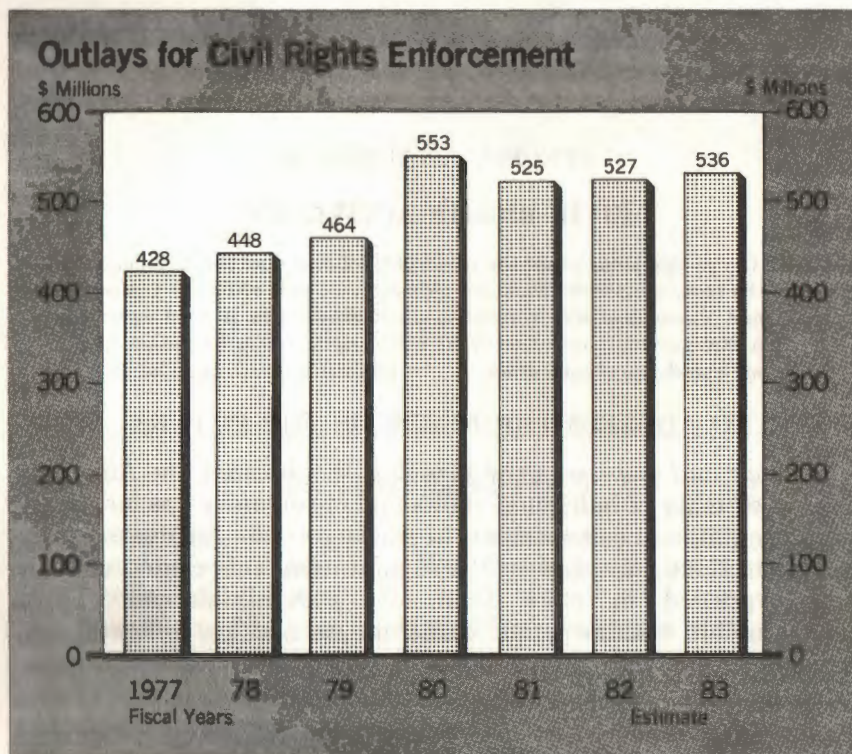
TO ADDRESS THE NEEDS OF THE FUTURE

Coverage and scope.—As the President emphasized, the American ideal of equality of individual rights and opportunity has long since become a national commitment. In addition to the basic guarantees and protections embodied in the Constitution, this commitment is now expressed in more than 100 Federal statutes. These laws prohibit discrimination based on race, color, religion, sex, national origin, age, or handicap in such basic areas as employment, housing, voting, education, public accommodations, access to credit, and jury service. Implementation of these statutes is spread among all Federal agencies. Each of the 107 separate Federal agencies is responsible for assuring nondiscrimination in its own actions. In addition, 37 agencies have some civil rights enforcement responsibilities.

In combination with the voluntary efforts of individuals, private institutions, States and municipalities, much of this Federal involvement has facilitated progress toward realizing our national commitment. However, this proliferation of statutes and authorities has not been without problems endemic to the rapid, frequently uncoordinated and poorly planned, expansion of the Federal presence in recent years. These problems went unaddressed. As a result, the promises of progress implicit in past expenditures for civil rights programs too often proved hollow.

The President's determination to continue America's civil rights progress is, therefore, reflected in more than his proposed expenditures for those activities in 1983. More fundamentally, it is demonstrated by his administration's efforts to improve the effectiveness of those expenditures, and to assure that the national commitment to civil rights and equal opportunity is not only pursued, but realized.

¹This and other quotations throughout the text are excerpted from the President's remarks before the 1981 NAACP National Convention held in St. Louis, Missouri.



This Special Analysis begins with an overview of the obstacles to effective implementation of Federal civil rights guarantees, and the administration's efforts to overcome them. This is followed by more detailed discussions of accomplishments, challenges, and projected 1983 outlays in Federal activities to protect constitutional rights; eliminate discrimination by Government and activities supported by Government funds; implement Federal guarantees of equality of treatment; and help States, localities, and the private sector develop new solutions to civil rights problems.

Overview.—The administration found that the rapid growth of Federal efforts to assure civil rights had frequently interfered with their success:

- Many of the 130 Federal civil rights statutes duplicated each other, creating overlapping agency enforcement. State and local governments, businesses, and other organizations experienced contradictory requirements and duplicate reviews, investigations, and reporting requirements. This did not multiply protections for individuals. Because several agencies investigated some discrimination complaints, other citizens' complaints were never investigated at all.
- The costs and effectiveness of programs were frequently unrelated. Too many agency programs had been funded at ever increasing levels based on their intentions rather than their

results. Indeed, because they were unable to measure effectiveness, some agencies gauged the progress of these programs solely in terms of increased expenditures. Far from furthering civil rights objectives, such inattention to cost effectiveness more often subordinated those objectives to organizational self-interest. The suspicion that some who "came to do good" in these programs had simply "stayed to do well" was, therefore, widespread.

- Just as each dollar spent did not advance civil rights objectives, neither did each rule promulgated. The reasons were myriad. Inflexible and unduly prescriptive regulations precluded alternative approaches more likely to attain regulatory objectives. Reporting requirements exceeded not only agencies' need for data but their capacity to process it, and serious violations went unresolved while agencies processed paper. Failure to differentiate between compliance requirements appropriate to large and small organizations imposed burdens that exceeded benefits. Essential regulatory objectives were lost in disputes over such minutiae as the placement of posters or wording of policy statements. Some regulations simply substituted new problems and inequities for those they were intended to eliminate. Others had provisions so convoluted that they could be, and were, cited to justify lack of progress toward nondiscrimination.
- Not all programs evolved as needs and circumstances changed. Some programs were devoting the resources of the 1980's to the problems of the 1960's (paradoxically failing to acknowledge their own successes). Others, betraying similar regulatory inertia, failed to modify approaches that had proven unsuccessful. Locked into the confrontational style of the 1960's, programs built neither on the willingness of most businesses and institutions in the 1980's to voluntarily comply with civil rights laws nor on State and local capabilities to resolve problems without Federal interference. Because they viewed civil rights problems exclusively as enforcement problems, programs failed to coordinate with related public and private activities (such as job training programs) that could have helped businesses and others meet civil rights objectives. Thus, both opportunities and dollars were wasted.
- In its efforts to do many things, the Federal Government did not always devote sufficient attention and resources to its most important and basic role in civil rights: protecting the fundamental civil rights guaranteed individual citizens by the Constitution. Worse, in its concentration on the problems of other institutions, government at all levels had failed to address its own role in creating or perpetuating civil rights problems:

either directly, through overtly discriminatory laws, or indirectly, through laws unnecessarily restricting access to occupational or other opportunities.

These and other problems led many who dealt with civil rights regulations to conclude that, all too often, a dream bureaucratized is a dream deferred. While few of these problems were peculiar to agency civil rights activities, they were of particular concern in programs intended to protect individuals against discrimination. Moreover, ineffective programs and inflexible regulations compounded civil rights problems by imposing unproductive costs, contributing to economic stagnation. Periods of economic stagnation and decline are historically characterized by increased racial and religious prejudice. And, in addition to limiting opportunities for all persons, a static economy generates a "zero sum" psychology that especially harms such traditional victims of discrimination as minorities, women, older workers, and the handicapped.

The administration therefore initiated a program to correct these problems in all Federal activities. At the most basic level, the President's Program for Economic Recovery is creating a basis for the single most effective guarantee of individual opportunities and civil rights, economic growth, by comprehensively addressing existing fiscal and regulatory constraints. This broader effort mandated more specific initiatives in civil rights and other programs. These included new leadership and improved management, increased technical assistance and incentives for voluntary compliance, greater involvement of State and local governments in assuring civil rights guarantees, and other "fine tuning." More fundamentally, searching examinations were conducted of the programs themselves. These examinations looked beyond program's intentions to whether those intentions are realized or distorted in practice, and to the burdens and benefits of their regulations and the way they are implemented. Also, there was renewed emphasis on protecting civil rights guaranteed individuals by the Constitution, and on avoiding discrimination by Government itself.

This reexamination and renewal of Federal civil rights activities has not been without controversy. Not every program and not every regulation, come to judgment before the bar of efficacy, has been found to justify its costs or the burdens it imposes. Not every policy has been found to promote the broader equities it seeks, or the consensus it requires for success. And not every program or policy found wanting has been without its sincere and forceful advocates. But this ongoing review has not strayed from its intent to pursue and strengthen our national commitment to battle against discrimination. Nor, as the President has promised, will it.

TO GUARANTEE THE CONSTITUTIONAL RIGHTS OF ALL CITIZENS

"Recently, in some places in the Nation there's been a disturbing reoccurrence of bigotry and violence. . . . To those individuals who persist in such conduct . . . I would say 'You are the ones who willfully violate the meaning of the dream which is America. And this country, because of what it stands for, will not stand for your conduct.' My administration will vigorously investigate and prosecute those who, by violence or intimidation, would attempt to deny Americans their constitutional rights."—RONALD REAGAN, June 29, 1981

To be secure in one's person and property and to enjoy the freedoms guaranteed each individual by the Constitution are the most basic of civil rights. Any violations of these rights offend the American spirit. However, as the President forcefully remarked, they are particularly repugnant when based on an individual's religion, race, color, or national origin. Protecting individuals against such violations has always been a fundamental responsibility of Government. The increased activities of individuals and terrorist groups bent on violating civil rights, however, have given that responsibility a renewed importance.

The Department of Justice enforces the Federal statutes guaranteeing these rights. These statutes include the Voting Right Act of 1965, as amended (43 U.S.C. 1973 et seq. and the Overseas Citizens Voting Rights Act (42 U.S.C. 1973 dd) (which guarantee the opportunity to register and vote to all qualified citizens, without discrimination on account of race, color, membership in a language minority group, age, or absence from legal residence), and the following criminal statutes:

- Title 18 of the United States Code, which prohibits deprivations of rights and privileges guaranteed under the Constitution and the laws of the United States, including 18 U.S.C. 241 (conspiracy against the rights of citizens), 18 U.S.C. 242 (deprivation of rights under color of law), 18 U.S.C. 245 (interference with federally protected rights), 18 U.S.C. 1581 (prohibition against peonage), 18 U.S.C. 1584 (prohibition against involuntary servitude).
- 42 U.S.C. 3631, which prohibits interference with housing rights.²

Although not widely known as an agency with substantial civil rights responsibilities, the Department of Justice's Federal Bureau of Investigation devotes significant resources to investigating alleged violations of Federal civil rights guarantees. During the first 11 months of 1981, the Bureau received 8,757 requests for investigations of alleged violations of these statutes, and completed 8,914 investigations. Given recent increases in criminal violations of indi-

² Thirty other civil rights criminal statutes are enforced by the Civil Rights Division, but are not as frequently used as the above.

viduals' civil rights, the Bureau estimates that such investigations will substantially increase this year and remain at that higher level in 1983 (with requests for 11,000 investigations per year). The President's budget for 1983 provides for outlays of \$7.7 million for the Bureau's investigations of civil rights violations in 1983.

The Criminal Section of the Department of Justice's Civil Rights Division prosecutes criminal civil rights violations. In 1981, the Section initiated 2,542 and closed 2,461 investigations of alleged criminal violations of Federal civil rights laws. It obtained 30 indictments and filed 3 criminal informations against 63 persons alleged to have violated the civil rights of individuals. Twenty-seven trials were completed, resulting in the conviction of 29 defendants. An additional 15 defendants entered guilty pleas.

The cases brought by the Department of Justice demonstrate the range and severity of threats to the civil rights it protects. One case, for example, involved the enslavement of three migratory farm workers under conditions resulting in the death of one of the men. The Department's efforts resulted in the indictment and conviction of the persons responsible for these acts. Another widely reported case emphasized the Department's increased prosecution of matters involving racial violence. Joseph Paul Franklin was convicted and sentenced to two consecutive life terms for the racially motivated slaying of two black men in Salt Lake City, Utah.

This emphasis on cases of racial violence, particularly those involving terrorist groups, will continue in 1983. The President's Budget for 1983 provides for outlays of \$5.9 million by the Civil Rights Division to prosecute criminal civil rights violations.

The Voting Rights Section of the Civil Rights Division is primarily responsible for enforcing statutes guaranteeing the right to vote. In addition, the Office of Personnel Management (OPM) provides observers to monitor elections for compliance with the Act. During 1981, the Voting Rights Section received 1,556 submissions involving 4,887 proposed changes in laws affecting voting for clearance under section 5 of the Voting Rights Act. It interposed objections to 14 of these submissions (including plans for redistricting the Virginia legislature). During the first months of the current fiscal year, the section also interposed an objection to a plan for redistricting the New York City Council. To reduce uncertainty and make it easier for jurisdictions to comply with the Voting Rights Act, the section issued revised guidelines reflecting court interpretations of the Act during the ten years since the original guidelines were issued. The President's budget for 1983 provides for outlays of \$2.6 million by the Department of Justice for general enforcement of the Voting Rights Act, and \$689 thousand by OPM to monitor elections.

Similarly, the Department of Justice's Community Relations Service (CRS) worked in 1981 to help States and communities prevent deprivations of civil rights and defuse tensions which could have given rise to such violations. For example, the CRS worked closely with the Mayor of Atlanta to develop civic unity programs in which white and black citizens worked together to demonstrate that concern over the murders and disappearances of black children in Atlanta was shared by citizens of both races. The CRS was also active in reducing tensions resulting from the resettlement of refugees from Southeast Asia and the Caribbean, the growth in activities by anti-Semitic and racist groups, and the increased incidence of harassment and intimidation of religious and ethnic minorities. For example, CRS mediated disputes between Indochinese residents and other citizens over employment opportunities in Minneapolis and fishing rights in Texas and other gulf coast States, and helped officials and community groups in West Virginia and Maryland develop programs combating racial and religious harassment and intimidation. The President's Budget provides for outlays of \$5.7 million for CRS's activities in 1983.

Thus, the President's budget for 1983 assures continuance and expansion of the Federal Government's renewed emphasis on protecting basic civil rights. To further enhance these protections, the President has requested that Congress renew the Voting Rights Act, with modifications enabling jurisdictions currently covered by the preclearance provisions of the Voting Rights Act, with records of complying with the Act, to petition for removal of the preclearance requirement. This not only would provide an incentive for jurisdictions to comply with the Act, but also would permit the Civil Rights Division to focus more of its resources on substantive violations of the Act (as noted above, the Division was required to review over 1,500 proposed changes to local election laws in fiscal year 1981, only 14 of which were determined to be potentially discriminatory).

TO ROOT OUT DISCRIMINATION BY GOVERNMENT

"My administration will root out any case of government discrimination . . . we will not retreat on the Nation's commitment to equal treatment of all citizens."—RONALD REAGAN, June 29, 1981

Equal in importance to protecting Constitutional rights is the Federal Government's obligation to assure that its own activities and statutes are not discriminatory. During 1981, the administration initiated major improvements in efforts to assure that Federal dollars are spent in a nondiscriminatory manner. It also initiated, in cooperation with the States, an effort to, once and for all, get all

levels of government out of the business of mandating invidious discrimination based on sex.³

Eliminating invidious sex discrimination from Government mandates.—Based on his experience as Governor of California (where he signed 14 pieces of legislation eliminating sexually discriminatory regulations and statutes), the President recognized that the statutes and regulations of Government itself are significant sources of discrimination against women. The President therefore initiated major efforts to eliminate such mandates.

To address this problem at the Federal level, the President issued Executive Order 12336 establishing the Task Force on Legal Equity for Women. Composed of representatives of 21 Federal departments and agencies, the Task Force is conducting a comprehensive review of Federal regulations to identify provisions that, by purpose or effect, invidiously discriminate based on sex. The Department of Justice is providing staff support for this effort. In addition, the President is supporting elimination of Social Security provisions that discriminate against women who work outside the home.

To assist States in making similar efforts, the President initiated the Fifty States Project. Coordinated by a special assistant in the White House and by representatives appointed by each of the Nation's 50 governors, the Fifty States Project is a cooperative effort to identify, in every State and territory, statutory provisions that discriminate against women. The Women's Bureau is also providing staff support for this project.

These efforts were in addition to passage of the Omnibus Budget Reconciliation Act of 1981, which included provisions significantly expanding protections against sex discrimination in federally assisted programs (see below).

Nondiscrimination in federally assisted programs.—Since the Federal Government is supported by taxes levied on citizens without discrimination, it is fundamental that activities it funds must be conducted without discrimination. This principle is embodied in a substantial body of legislation including in addition to numerous program-specific statutory provisions prohibiting discrimination:

- Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs and activities based on race, color, or national origin.
- Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in federally assisted educational programs and activities.

³ Federal agency efforts to assure that their employment practices are nondiscriminatory are discussed below with equal employment efforts generally.

—Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination based on handicap in federally assisted programs and activities.

—The Age Discrimination Act of 1975 prohibits discrimination based on age in federally assisted programs and activities.

While discrimination based on race, color, national origin, age, or handicap is prohibited in all federally assisted programs, the only "crosscutting" statute prohibiting sex discrimination is title IX, which applies only to educational programs. During 1981, the President alleviated this problem by securing inclusion of prohibitions against sex discrimination in several titles of the Omnibus Budget Reconciliation Act of 1981. For example, all of the Block Grants administered by the Department of Health and Human Services include such prohibitions. This extended this protection to a wide array of federally assisted activities in which sex discrimination was previously not prohibited.

Because each agency is responsible for enforcing the "crosscutting" nondiscrimination statutes in regard to each of its grants of Federal assistance, enforcement authority is widely distributed:

Table J-1. DISPERSION OF ENFORCEMENT AUTHORITY UNDER STATUTES REQUIRING NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

| Statute | Number of enforcement agencies |
|---|--------------------------------|
| Title VI, Civil Rights Act of 1964..... | 37 |
| Section 504, Rehabilitation Act of 1973..... | All |
| Title IX, Education Act Amendments of 1972..... | 28 |
| Age Discrimination Act of 1975..... | 37 |

Thus, assuring nondiscrimination by recipients of Federal assistance is the most widely dispersed Federal civil rights enforcement program. The basic complexity of administering legislative mandates enacted over the years with disparate purposes and applications is further complicated by a large body of judicial and administrative interpretation, much of it quite abstruse. As a result, agencies' efforts to enforce these laws exhibited many of the problems discussed in the overview:

- Because institutions commonly receive assistance from more than one agency, recipients of Federal assistance were subjected to multiple reporting requirements and duplicate agency investigations and reviews.
- Individual agencies determined resource levels for these programs with little central coordination. Therefore, resources devoted to combating discrimination in given programs sometimes bore little relationship to the extent discrimination was actually a problem. This resulted in expenditures by agencies and recipients on procedures of dubious value (e.g., one agency

reported conducting over 6,700 preapproval reviews of prospective recipients, none of which identified any noncompliance). Complaints that compliance reviews and other activities focused on procedural minutiae, not the substance of nondiscrimination, were frequent.

- Some agencies imposed additional regulatory requirements unrelated to statutory mandates. Others shifted their focus from nondiscrimination in services and benefits to nondiscrimination in employment, duplicating the activities of the EEOC and other agencies.
- Agencies with minimal responsibilities under these statutes were required to spend resources on developing regulations and other procedural requirements that could be more economically performed on an inter-agency basis (e.g., one agency's sole expenditure on this program in 1981 was \$35 thousand to develop regulations).
- Legitimate regulatory ends (e.g., nondiscrimination on the basis of handicap) were sometimes obscured in unduly detailed prescriptions of means, imposing unnecessary costs and precluding more effective methods.
- Agencies frequently made little effort to obtain compliance through cooperative approaches. They provoked unnecessary confrontations, and seldom involved State governments in compliance activities in any meaningful way.

A number of efforts to eliminate these problems were initiated in 1981. The administration implemented Executive Order 12250 assigning extensive new responsibilities for coordinating enforcement of these statutes⁴ to the Department of Justice. The staff of the Civil Rights Division's Coordination and Review Section, responsible for implementing Executive Order 12250, was increased by 11 persons. The section implemented an automated system for monitoring agency activities to identify and eliminate duplication.

The section is working with the President's Task Force on Regulatory Relief and the Office of Management and Budget (OMB) to develop regulations implementing Executive Order 12250. These regulations, to be published in 1982, will:

- Assign a "lead agency" for each type of recipient, ending overlapping agency activities once and for all. Other agencies providing assistance will delegate compliance and investigative functions to the lead agencies. Resources will be conformed to program needs, and economical interagency approaches to developing regulations and implementing other statutory requirements will be adopted.

⁴ Except the Age Discrimination Act, which assigns coordination responsibility to the Department of Health and Human Services.

- Permit recipients to adopt the methods that most efficiently and effectively assure nondiscrimination in their programs by requiring that regulations emphasize compliance objectives, not extensive prescriptions of methodology.
- Preclude data requirements and other compliance burdens not clearly necessary to assure nondiscrimination by programs receiving Federal assistance.
- Emphasize technical assistance and other approaches which maximize opportunities and incentives for recipients to comply voluntarily.
- Increase opportunities for States to participate in assuring compliance with nondiscrimination requirements.

After these Coordination Regulations are issued, the Section will begin a major review of existing agency regulations and implementing issuances (such as guidelines, compliance manuals, and training materials) for conformance with these principles. OMB's Office of Information and Regulatory Affairs will cooperate in this review.

A regulation developed jointly by the EEOC and the Department of Justice will also be published in 1982. This regulation will eliminate another serious problem of overlapping jurisdictions by requiring agencies to refer most employment discrimination complaints under these statutes to the EEOC for investigation.

Individual agencies also made significant progress in eliminating the problems discussed above. The Department of Education's Office of Civil Rights (OCR), a prototype of these deficiencies in the past, in 1981 became a prototype for efforts to eliminate them. Under aggressive new leadership, OCR enhanced compliance with nondiscrimination laws by substituting cooperation for coercion, expanding technical assistance, and exploring means of increasing State involvement in resolving civil rights problems.

As a result, OCR resolved longstanding controversies with the State university systems of Florida, North Carolina, South Carolina, Louisiana, Delaware, West Virginia, and Missouri. Improved management enabled OCR to reduce its backlog of pending complaints by 17% during the first 9 months of 1981, and its compliance reviews and investigations helped to assure equal opportunities for over 5.6 million beneficiaries of institutions receiving Federal assistance.

In cooperation with OMB, the Department worked to eliminate data and regulatory requirements superfluous to achieving equal opportunity. Examples include the Department's rescission of a form requiring school districts to spend 46,000 hours to provide data already available to OCR; and its withdrawal of unreasonably prescriptive guidelines on bilingual education. The latter provided school districts greater freedom to adopt approaches that most

effectively assure equal educational opportunities for children in their jurisdictions whose primary language is not English.

Similarly, the Department of Transportation acted to guarantee that handicapped persons benefit equally from Federal assistance to public transportation, while eliminating requirements that made the cost of doing so prohibitive. The Department's interim regulations enable recipients to implement the most efficient and effective methods for providing transportation to handicapped persons in their localities. In 1982 the Department will issue final regulations incorporating improvements suggested by the public.

As noted above, the Age Discrimination Act is not covered by Executive Order 12250. However, the statute largely precludes duplication by requiring that agencies refer all complaints under the Act to the Federal Mediation and Conciliation Service, which attempts to mediate the disputes. The Service is successful in resolving most complaints, expediting service to complainants while minimizing burdens on recipients.

The General Litigation Section of the Department of Justice's Civil Rights Division litigates violations of these statutes. Most of this litigation alleges denials of equal educational opportunities. In 1981 the Division obtained comprehensive desegregation plans for three southern school districts (in Baton Rouge, Shreveport, and Monroe, Louisiana), and negotiated a partial consent decree covering junior colleges in Mississippi. However, most of its cases concerned jurisdictions outside the South. The Division successfully litigated cases involving the public schools in Indianapolis, Indiana, St. Louis, Missouri, Kansas City, Kansas, and Tucson, Arizona; and negotiated consent decrees covering the school districts of Chicago, Illinois, South Bend, Indiana, and Flint, Michigan. The Division also filed three new suits alleging denials of equal educational opportunity based on race or national origin, and pursued suits alleging violations of title IX by a secondary school system and two universities.

The Department of Justice also announced a new policy for litigation and remedies to assure equal elementary and secondary educational opportunities. Henceforth, in addition to cases involving illegal segregation, the Department will litigate against jurisdictions which discriminate in the quality of education they provide based on race or national origin. Remedies will be designed to assure that all children have an equal opportunity to obtain a quality education. Both litigation and remedies will seek not mandatory busing, but the more permanent mobility provided by equal access to a quality education.

The President's Budget for 1983 provides for total agency outlays of \$71.9 million to implement statutes requiring nondiscrimination in federally assisted programs, in addition to \$3.3 million for co-

ordination and legal enforcement of these statutes by the Department of Justice.

TO GUARANTEE EQUALITY OF TREATMENT

"... because guaranteeing equality of treatment is government's proper function."—RONALD REAGAN, June 29, 1981

During 1981, the administration also initiated several improvements in Federal efforts to guarantee equality of treatment in employment, housing, and credit.

Equal employment.—The principal statutes and Executive orders prohibiting discrimination in employment are:

- Title VII of the Civil Rights Act, which prohibits employment discrimination based on race, color, religion, national origin, or sex.
- The Equal Pay Act (EPA), as amended, which prohibits discrimination in compensation based on sex.
- The Age Discrimination in Employment Act (ADEA), which prohibits discrimination against persons aged 40 through 70 based on age.
- Executive Order 11246, as amended, section 503 of the Rehabilitation Act of 1973, and section 402 of the Vietnam Veterans Readjustment Act, prohibit employment discrimination by Federal contractors based on race, color, sex, national origin, religion, handicap, service-connected disability, or Vietnam era military service, and require Federal contractors to take affirmative action to assure that such discrimination does not occur.

The EEOC enforces the Equal Pay Act and the Age Discrimination in Employment Act. It also enforces all aspects of title VII (except litigation involving State and local governments). The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces Executive Order 11246, section 503 of the Rehabilitation Act, and section 402 of the Vietnam Era Veterans Readjustment Act. The Federal Enforcement Section of the Department of Justice's Civil Rights Division litigates all employment discrimination cases under Executive Order 11246 and the statutes prohibiting discrimination by federally assisted programs. It also litigates alleged violations of title VII by State and local governments. The Equal Employment Opportunity Act of 1972 and Executive Order 12067 require the EEOC to coordinate enforcement of all Federal statutes and regulations prohibiting employment discrimination. Each of these agencies effected major management and policy improvements during 1981.

At the EEOC, the administration tightened management procedures and increased productivity. One of the first actions of EEOC's new management was to request a General Accounting Office audit

of the Commission's financial management system. The General Accounting Office found evidence of unreliable accounting records, reports, and fund controls; mismanagement of payments; and inadequate financial controls, including an internal audit office that was severely understaffed: "For example . . . EEOC was still recording obligations against its 1980 appropriation in June 1981 and had charged some of its fiscal 1980 travel costs against the 1981 appropriation." The Commission is currently taking action to eliminate these problems, and will increase the size of its internal audit staff to prevent their recurrence.

While confronting these management problems, the EEOC both improved its productivity and achieved savings in personnel and other resources. Charges filed with EEOC rose to 58,754 during 1981, a 4% increase over charges filed in 1980 (charges under the Age Discrimination in Employment Act increased by the highest percentage, 9%). The Commission processed 71,690 charges during 1981—25% more than in 1980. Especially significant increases occurred in Rapid Charge Processing (34% more charges processed than in 1980) and Continued Investigations and Conciliation (75% more than 1980). The Commission's emphasis on closing cases through negotiated agreements acceptable to all parties is evident in the high percentages of cases closed through settlement during 1981: 43% of all title VII, 23% of all ADEA, and 26% of all EPA cases. Settlements provided remedies for over 38,000 charging parties—15% more than in 1980. Total backpay and other compensation for victims of discrimination also increased dramatically over 1980: from \$57.3 million to \$91.7 million, an increase of 60%. The increases in dollar benefits negotiated in processing complaints under ADEA (+128%) and EPA (60%) reflect improvement in EEOC's enforcement of these statutes (responsibility EEOC acquired in 1979). Monetary benefits resulting from ADEA and EPA litigation similarly increased by 36%. The Commission continued to litigate where voluntary remedies for discrimination could not be negotiated. The Commission filed 368 suits during 1981, an increase of 13%. Suits settled by voluntary agreement increased by 23%, to 237.

The EEOC has led Federal civil rights agencies in involving State and local agencies in resolving discrimination complaints. During 1981, the Commission provided over \$17.5 million in grants to State and local nondiscrimination agencies. These grants enabled those agencies to process 39,471 charges, and the Commission accepted their findings in over 97% of those cases. During 1982, these grants are projected to increase to \$18.5 million, enabling State and local agencies to process 40,300 charges. Moreover, a certification procedure will be implemented for agencies whose complaint processing

has consistently been of high quality, eliminating routine reviews of their findings for sufficiency by EEOC.

The President's budget for 1983 provides for outlays of \$142 million by the EEOC, maintaining the 5% increase over its 1981 level granted by the President for 1982. In a period of budgetary stringency and general reductions, this indicates the administration's commitment to EEOC's mission, and to continuing the management and productivity improvements initiated in 1981.

Of the administration's efforts to improve Federal equal employment enforcement, those involving the OFCCP were perhaps the most widely noticed. Established by Executive Order over 20 years ago, OFCCP's basic premise was a simple one: To expand equal employment opportunities for women and minorities by requiring that Federal contractors act affirmatively to assure that qualified minorities and women were recruited and considered for vacancies, and that their procedures for filling those vacancies were nondiscriminatory in fact as well as precept. During the 1970's, Congress expanded this "affirmative action" mandate to include handicapped persons and Vietnam era veterans. Contractors were required to develop plans detailing the recruitment and other efforts they would undertake to assure equal opportunity. The administration found that this simple premise had evolved into a regulatory morass, criticized both by Federal contractors and the intended beneficiaries of OFCCP's regulations.

The most serious concerns regarded OFCCP's requirements for affirmative action plans:

- There was no clear answer to the basic question of what constituted compliance with the affirmative action requirements: was compliance based on contractors' good faith efforts to recruit women and minorities and assure that employee selection was nondiscriminatory, or did OFCCP disregard these considerations in a single-minded focus on whether employment goals were met? Many believed that such goals, originally intended as yardsticks of progress, had been distorted in practice into quotas.
- Requirements for drafting the plans were, at once, overly prescriptive and insufficiently clear. Contractors were required to produce voluminous affirmative action plans and supporting data, with no assurance that the resulting product would be found acceptable during a compliance review. Compliance reviews frequently degenerated into mindless confrontations over which job titles belonged in which "job group", or how the 8 factors for determining the "availability" of minorities and women for jobs should be considered in arriving at overall "availability" figures.

- Requirements did not consider differences in the size of contractors or their individual establishments. The same level of detail was required in an affirmative action plan for a contractor employing only 50 persons as for a contractor employing thousands; and for a contractor's plan for a small retail sales outlet as for the same contractor's plan for a large manufacturing plant.
- These frustrations with the requirements themselves were compounded by OFCCP's adversarial approach to enforcing them. The potential that contractors attempting in good faith to comply might nevertheless be found in noncompliance was inherent in the ambiguity of OFCCP's regulations. Due to OFCCP's approach, many contractors feared that this potential would be fully realized.

During 1981, the new leadership at the Department of Labor developed and published for public comment a comprehensive proposal for reforming OFCCP's regulations. These proposed amendments were designed to:

- Assure equal employment opportunities for minorities, women, the handicapped, and Vietnam era veterans without imposing inequities on others;
- Change the program's emphasis to generating opportunities, not paperwork, by pruning the lush overgrowth of regulatory minutiae and by emphasizing equal employment objectives instead of extensive prescriptions of methodology;
- Tailor program requirements to the size of contractors and their establishments;
- Clarify the remaining requirements so that they can be understood by all. This will eliminate guesswork by Federal contractors—and OFCCP's compliance officers.

The Department also requested public comment on alternative approaches to several thorny regulatory issues. After incorporating these suggestions and comments, the Department of Labor will publish final amended regulations in 1982.

Significant improvements were also made in OFCCP's management, including:

- A program to eliminate a backlog of some 250 appeals of discrimination complaints under section 503 of the Rehabilitation Act and prevent its recurrence.
- Expedited procedures for resolving individual complaints under section 503. These procedures emphasize detection of meritless or nonjurisdictional charges before they consume resources; and rapid resolution of issues through face-to-face discussions with complainants and contractors. Successfully tested in 1981, these procedures will be implemented throughout the agency in 1982.

- Scheduling of compliance reviews based on contractor's individual records, discontinuing the practice of "targeting" entire industries for reviews.
- Expanded technical assistance and other efforts to develop closer, nonadversarial relations with Government contractors. Contractor advisory committees were formed to institutionalize this partnership.
- Increased emphasis on bringing contractors together with local organizations (government and private) that can provide persons with required skills or facilitate upward mobility by their present employees through training. Previously, many opportunities for substantial and voluntary employment gains by minorities, women, and the handicapped were lost because OFCCP personnel failed to apprise contractors of such programs (including those funded by the Department of Labor itself).

While instituting these reforms, OFCCP completed 2,136 complaint investigations and 3,137 compliance reviews during 1981. Of these, 521 investigations and 1,781 compliance reviews produced relief for identified victims of discrimination, including \$7.9 million in backpay for 4,754 persons. 867 identified victims of discrimination were placed in or restored to the positions they were denied, and 500 contractors agreed to changes in their personnel practices that will preclude future discrimination. Further improvements through fiscal year 1983 will continue these accomplishments while lowering their cost. A number of area offices will be consolidated to reduce overhead and increase management control. The Voluntary Compliance Project will enable small contractors to meet their obligations while substantially reducing compliance burdens. Nonadversarial approaches to assuring nondiscrimination will be substantially expanded, including a 500% increase in contractors receiving technical assistance activities.

The President's budget provides for outlays of \$40.7 million for OFCCP's nondiscrimination efforts in 1983.

The Department of Justice announced equally significant policy improvements. The Civil Rights Division will continue to seek appropriate relief for identified victims of discrimination. However, the remedies sought to preclude future discrimination by employers will be substantially improved. Previously, the Department asked courts to impose arbitrary employment quotas on employers found to have discriminated. While acceptable to some as a short term expedient, employment quotas cannot assure equal access in the long term as it is impossible to, at once, open a door for some while slamming it shut on others. Henceforth, the Department will seek remedies that are more equitable, and more permanent. These remedies will require specific, result-oriented programs that assure

that persons of the race, color, religion, national origin, or sex employers previously discriminated against are among those considered for future employment opportunities. They also will assure that genuinely nondiscriminatory procedures are used in selecting from the resulting pool of eligibles. By institutionalizing nondiscrimination, such remedies are more likely to produce lasting gains in employment for women and minorities than court imposed numbers, forgotten by employers after decrees have expired.

During 1981, there were substantial litigative accomplishments as well. The Civil Rights Division's Federal Employment Section won favorable decisions in cases involving the Virginia State Police; the Jefferson County, Ala. and Garfield Heights, Ohio, Boards of Education; the Philadelphia, St. Louis, New York City, and Jefferson County, Alabama, police departments; and the government of Fairfax County, Va.

The President's Budget provides for outlays of \$2.53 million for equal employment litigation by the Civil Rights Division in 1983.

Through 1983, remaining vestiges of duplication in Federal equal employment enforcement activities will be eliminated. In 1982, a regulation published jointly by the Department of Justice and the EEOC will substantially alleviate this problem by requiring that agencies refer most employment discrimination complaints filed under statutes prohibiting discrimination based on race, color, religion, sex, or national origin in federally assisted programs to the EEOC for investigation. However, miscellaneous, small scale agency equal employment programs based on program-specific statutory provisions will continue to pose potential problems of duplication. In 1981, OMB and the EEOC's Office of Interagency Coordination identified and eliminated several reports required by these small programs that duplicated those of other agencies. One such form required State and local governments to spend 15,000 hours producing data already provided to EEOC. OMB and EEOC will be examining these programs as a whole to determine whether they address needs that would otherwise be unmet or duplicate activities more efficiently performed by OFCCP, EEOC, or the Department of Justice. Improvements in coordinating the activities of the EEOC and OFCCP are also possible. OMB will be working with these agencies to assure, through improved implementation of their Memorandum of Understanding, that past problems of duplication do not recur.

Federal employment.—As the servant of all Americans, and as an institution responsible for enforcing laws requiring equal employment by other institutions, the Federal Government has a particular obligation to assure nondiscrimination in its own employment. Moreover, especially in this period of reduced resources, Federal agencies simply cannot afford to hire or promote employees on any

bases other than their job-related abilities and demonstrated diligence in applying them. Congress has, therefore, mandated that each Federal department and agency make special efforts to assure that their employment decisions are made without regard to race, color, religion, national origin, sex, age, or handicap; and the President has reiterated his determination that agencies implement this mandate.

Under the Equal Employment Opportunity Act of 1972, as amended, the EEOC is responsible for coordinating these efforts. In addition OPM, under the Civil Service Reform Act, coordinates agency efforts under the Federal Equal Opportunity Recruitment Program (FEORP) to assure that qualified minorities and women are among the applicants for positions in which they are under-represented.

Despite reductions in total employment, minorities and women continue to be well represented in the overall Federal workforce. The additional economies achieved in this Budget will decrease the total employment levels of most agencies and result in some near term dislocations that will affect all Federal employees, including minorities and women. However, they also hold the potential for long term gains through upward mobility for Federal employees in clerical positions and lower pay grades generally, many of whom are women or minorities. The necessity that Federal managers maximize the productivity of their employees will require many of them to look anew at traditional divisions between clerical and professional tasks, resulting in new opportunities for job enrichment, skill acquisition, and advancement through newly created paraprofessional and other bridge positions. The fact that the same managers can no longer afford to "carry" unproductive higher graded employees will produce still more advancement opportunities for the deserving. Federal equal employment efforts in 1983 will build on this potential for increased upward mobility.

During its final hours, the previous administration submitted a proposed consent decree requiring replacement of the Professional and Administrative Career Examination ("PACE") now used to examine applicants for most white collar positions within the Federal civil service. During 1981, the Department of Justice's new leadership negotiated substantial modifications to that decree. While the amended decree neither embodied all provisions desirable under different circumstances nor resolved all attendant controversies, the administration succeeded in removing several elements widely criticized as threatening the basic principle of nondiscrimination in filling Federal jobs. The administration will, insofar as possible, seek to implement the resulting agreement in a manner that enhances that principle.

Federal agencies, under the leadership of OPM, will devote considerable effort and expense to developing alternatives to PACE designed to measure applicants for Federal employment in terms of the particular abilities and traits required to successfully perform the jobs they apply for. The PACE examination although not without its critics, was widely considered to be a fair and cost effective instrument for selecting candidates for the Federal service. Replacing it with several alternative examinations is therefore not without its potential pitfalls. While Governor of California, however, the President successfully implemented a voluntary transition to more job-specific selection criteria that improved performance in State government jobs while increasing the number of minorities who held them several fold. The administration will seek to implement the terms of the decree in a manner that similarly realizes the potential, inherent in more job-specific criteria, for improving performance and opportunities in the Federal service.

In addition to the challenge of implementing this consent decree, the administration will be exploring more cost effective alternatives of assuring equal employment opportunity in the Federal Government. As noted in Table J-3, even with economies already achieved, the Federal Government's total expenditures on activities to assure equal employment for Federal employees will exceed the combined outlays of the EEOC and the OFCCP to implement equal employment guarantees in the private sector.

Much of this disparity results from the cumbersome procedures currently used by Federal agencies to process discrimination complaints against them. During 1981, these procedures cost an average of more than \$8,000 per closed complaint—over ten times the average cost for EEOC's processing of charges involving other employers. Despite the high costs of current procedures for processing these complaints, they satisfy neither Federal agencies nor the complainants themselves. Further unnecessary costs are imposed by current data and other requirements for developing agency affirmative action plans (characterized by several of the defects in OFCCP's current requirements). The administration is investigating alternatives for effecting cost saving improvements in both of these areas in 1983.

Fair housing.—Title VIII of the Fair Housing Act of 1968, as amended, prohibits discrimination based on race, color, religion, sex, or national origin in the sale, rental, or financing of housing or provisions of brokerage services. Two Federal agencies are responsible for enforcing title VIII:

—The Department of Housing and Urban Development's Office for Fair Housing and Equal Opportunity investigates complaints alleging violations of title VIII. Where it concludes that

violations of title VIII have occurred, HUD attempts to resolve them through informal conference, conciliation, and persuasion.

—The General Litigation Section of the Department of Justice's Civil Rights Division brings suits to enjoin alleged patterns and practices of discrimination prohibited by title VIII. The Section brings cases based both on referrals by HUD and its own investigations.

During 1981, HUD significantly improved the efficiency of its complaint processing by implementing "Rapid Response" procedures in all of its regional offices. Under this approach, time consuming field investigations are reduced by quickly bringing the parties together to discuss and settle the issues informally. As a result, HUD received 2,410 complaints and closed 2,710 complaints and by the end of the year had only 35 complaints in its inventory over 90 days old. Increased processing efficiency will increase closures to 4,510 in 1982 while enabling HUD to reduce the number of staff years required for complaint processing.

Title VIII provides for deferral of complaints filed with HUD to State and local fair housing agencies with equivalent statutory authority. During 1981 HUD aggressively worked to expand the involvement of State and local agencies in assuring Fair Housing. HUD provided technical assistance to increase their complaint handling capacities through "Rapid Response" and other means, and \$3.7 million in grants to defray processing costs. These efforts increased the number of State and local agencies participating in charge processing by 30% (to 42). Through 1983, further efforts will increase the number of participating State and local agencies to 70—more than doubling the number in the program at the beginning of 1981. As a result, the number of title VIII complaints processed at the State and local rather than the Federal level will more than triple in 1982 (to 2,025), with further increases in 1983. In addition, HUD will increase efforts to preclude violations of title VIII through technical assistance.

During 1981, the Civil Rights Division's General Litigation Section initiated 60 investigations of suspected patterns and practices of housing discrimination, and completed 45. Litigation by the Division resulted in court orders and settlements mandating future nondiscrimination in the sale or rental of over 9,000 housing units. The Division currently has 94 suits in progress to enjoin alleged patterns and practices of housing discrimination.

The President's 1983 Budget provides for total outlays of \$16 million to enforce Fair Housing guarantees, including \$15 million for complaint processing and technical assistance by HUD and \$1 million for litigation by the Department of Justice.

Equal credit opportunity.—The Equal Credit Opportunity Act of 1974 (ECOA) prohibits discrimination in credit transactions based on race, color, national origin, sex, marital status, age or derivation of part or all of one's income from public assistance. The Act assigns administrative enforcement responsibilities to 12 different Federal agencies, and requires the Federal Reserve Board to coordinate their activities. In addition, the General Litigation Section of the Department of Justice's Civil Rights Division is responsible for litigating alleged violations of ECOA.

Since the act's passage, the Department of Justice has worked closely with the other agencies responsible for enforcing ECOA, and has filed significant suits involving alleged violations in non-housing lending by banks, small loan companies, and retail creditors; as well as alleged violations by real estate appraisers and mortgage lenders. Litigation involving non-housing lending has been selective rather than extensive, designed to eliminate violations with widespread impacts (e.g., one defendant processes 4,000,000 loan applications each year). During 1981 the Department resolved three cases through court orders or negotiated settlement and initiated two additional cases. Five equal credit cases are currently in progress.

ECOA's wide dispersal of enforcement authority among agencies, while not consistent with reducing proliferation of agency responsibilities for enforcing civil rights laws, has not produced the problems of duplication present in other areas of dispersed responsibility. Because the structure for enforcing ECOA reflects the division of responsibility for financial regulation generally, it enables agencies to review compliance with ECOA and other financial regulations at the same time.

The budget for 1983 provides for outlays of \$524 thousand for ECOA litigation by the Department of Justice and \$5.9 million for the ECOA enforcement activities of the various Federal entities with responsibilities under the act. As several of those entities are not required to submit their budgets to OMB for review, the latter figure is incomplete.

TO SEEK NEW SOLUTIONS . . .

"Let us issue a call for exciting programs to spring America forward toward the next century, an America full of new solutions to old problems."—RONALD REAGAN, June 29, 1981.

As catalogued above, the administration initiated efforts in each area of major Federal civil rights responsibility during 1981 to substitute new solutions for past approaches that have proven ineffective. These were in addition to advances in related areas. For example, the President signed Executive Order 12820, directing agencies to make special efforts to assist historically black colleges,

and has requested a record \$552 million for minority business development programs in 1983 by the Small Business Administration and the Minority Business Development Administration.

All of these efforts involve increased technical assistance to build on the genuine desire of most Americans to implement our national civil rights commitment. Toward this end, the administration initiated a major reorientation of the two agencies primarily responsible for civil rights research: the Commission on Civil Rights, and the Women's Bureau of the Department of Labor. The President's budget for 1983 provides for outlays of \$11.7 million by the Commission on Civil Rights and \$3.5 million by the Women's Bureau.

Congress established the Commission on Civil Rights in 1957 to study the enforcement of laws guaranteeing civil rights regardless of race, color, religion, or national origin. During the 1970's, the Commission's mandate was expanded to cover civil rights issues related to sex, age, and handicap. Since its inception, the Commission has focused its energies on research demonstrating the existence of civil rights problems.

This emphasis was appropriate to the early years of the Commission's existence. However, the questions of the 1980's involve not whether civil rights problems exist, but how to most effectively resolve them. The President believes that the Commission's contributions to answering those questions can be more substantial and original than they have been. He therefore appointed leadership that will renew the Commission's relevance.

Many employers and institutions have instituted effective programs for resolving civil rights problems. The Commission will devote increased emphasis to identifying these initiatives and sharing them with others who can benefit from them. It will also provide significant "backup" support for the technical assistance efforts of other civil rights agencies. As part of this renewal, the Commission will initiate a study in 1983 of how the role of State and local agencies in civil rights enforcement can be expanded.

The Women's Bureau of the Department of Labor, on the other hand, is already making substantial contributions to answering the questions of the 1980's, both by assisting States, municipalities, and the private sector in developing solutions to civil rights problems affecting women, and by sharing those solutions with others. As previously noted, the Women's Bureau is providing staff support for the President's Fifty States Project, an effort to help States identify sexually discriminatory provisions in their statutes. During 1981, the Bureau completed a preliminary study of the progress already made by the various States in eliminating such provisions, and shared the study's results with the State officials designated to work on the President's project. Closer to home, the

Bureau is playing a leading role in the Secretary of Labor's initiative to eliminate sex bias from the Department's own regulations.

The new leadership of the Women's Bureau is exploring innovative ways of cooperating with businesses and State and local governments to improve employment opportunities for women who work outside the home. In one noteworthy effort already underway, the Women's Bureau is drawing upon the experience of women who have been successful in business. Through a series of regional meetings, the Women's Bureau is obtaining direct input from women who hold top level management jobs, are directors of corporations, or own their own businesses. In 1983, the Women's Bureau will make similar efforts to tap the knowledge and experience of the private sector in developing solutions to job-related problems of women at all levels of employment.

From these and similar efforts to seek new solutions rather than to document the misunderstandings of the past will come the exciting programs demanded by the President to address the needs of the future and to win, once and for all, America's battle against discrimination.

Table J-2. CIVIL RIGHTS OUTLAYS BY DEPARTMENT AND AGENCY

(In millions of dollars)

| | 1981 actual | 1982 estimate | 1983 estimate |
|--|--------------|---------------|---------------|
| Department of Agriculture..... | 7.9 | 8.9 | 9.0 |
| Department of Commerce..... | 4.6 | 3.9 | 4.0 |
| Department of Defense..... | 94.8 | 85.7 | 89.6 |
| Department of Education..... | 43.8 | 42.1 | *43.2 |
| Department of Energy..... | 2.3 | 2.2 | *2.1 |
| Department of Health and Human Services..... | 32.9 | 30.9 | 32.6 |
| Department of Housing and Urban Development..... | 15.2 | 18.5 | 16.5 |
| Department of the Interior..... | 10.3 | 9.6 | 9.9 |
| Department of Justice..... | 38.2 | 41.6 | 43.9 |
| Department of Labor..... | 52.4 | 46.3 | 45.7 |
| Department of State..... | .8 | .84 | .93 |
| Department of Transportation..... | 11.1 | 12.2 | 12.8 |
| Department of the Treasury..... | 8.6 | 11.2 | 11.9 |
| Equal Employment Opportunity Commission..... | 134.2 | 143 | 142 |
| Commission on Civil Rights..... | 12.1 | 11.9 | 11.7 |
| Office of Personnel Management..... | 3.3 | 3.0 | 3.0 |
| Small Business Administration..... | 2.7 | 2.7 | 2.8 |
| Veterans Administration..... | 12.1 | 14.9 | 15.7 |
| All other Executive agencies ¹ | 21.8 | 20.6 | 20.6 |
| (U.S. Postal Service) ² | 14.8 | 15.76 | 16.81 |
| (Legislative Branch ² —GAO, GPO)..... | .86 | .99 | 1.0 |
| Total..... | 524.6 | 526.8 | 535.8 |

*The Departments of Education and Energy are scheduled for termination in 1983. Civil rights and other functions of these departments will be distributed among other agencies.

¹ Includes outlays by 49 agencies.

² U.S. Postal Service and Legislative Branch outlays appear in the Annexed Budget and are included here for memorandum purposes only.

Table J-3. TOTAL ESTIMATED FEDERAL CIVIL RIGHTS EXPENDITURES BY CATEGORY, FISCAL YEAR 1983

(In millions of dollars)

| Category | Total estimated expenditures |
|--|------------------------------|
| Federal Civilian and Military Equal Employment Opportunity..... | 180.7 |
| Private Sector and non-Federal Public Sector Equal Employment Opportunity..... | 173 |
| Fair Housing..... | 13.1 |
| Nondiscrimination, Federally Assisted Programs..... | 75.2 |
| Equal Credit Opportunity..... | 5.9 |
| Voting Rights..... | 3.3 |
| Other Civil and Constitutional Rights..... | 29.1 |
| Research..... | 15.2 |

Table J-4. TOTAL FULL-TIME PERMANENT CIVIL RIGHTS STAFF BY EXECUTIVE DEPARTMENT AND AGENCY, FISCAL YEAR 1983 (ESTIMATE)

| | Total * | Internal EEO | External programs * |
|--|---------------|--------------|---------------------|
| Department of Agriculture..... | 165 | 94 | 71 |
| Department of Commerce..... | 55 | 52 | 3 |
| Department of Defense..... | | | |
| Department of Education **..... | 1,084 | **14 | **1,070 |
| Department of Energy **..... | 21 | **9 | **12 |
| Department of Health and Human Services..... | 806 | 282 | 524 |
| Department of Housing and Urban Development..... | 476 | 25 | 451 |
| Department of the Interior..... | 230 | 195 | 30 |
| Department of Justice..... | 867 | 8 | 859 |
| Department of Labor..... | 1,091 | 50 | 1,041 |
| Department of State..... | 17 | 17 | 0 |
| Department of Transportation..... | 199 | 144 | 55 |
| Department of the Treasury..... | 254 | 213 | 41 |
| Equal Employment Opportunity Commission..... | 3,316 | 18 | 3,215 |
| Commission on Civil Rights..... | 215 | 2 | 213 |
| Office of Personnel Management..... | 60 | 60 | 0 |
| Small Business Administration..... | 57 | 16 | 38 |
| Veterans Administration..... | 71 | 57 | 14 |
| All other Executive agencies..... | | | |
| Total..... | 11,369 | 3,566 | 7,633 |

* Agency totals for FTP Internal EEO and FTP External program staff in some cases are less than figures for total civil rights FTP because some personnel have duties in both areas.

** Scheduled for termination in 1983.

Table J-5. DISTRIBUTION AMONG PROGRAM CATEGORIES, FTP CIVIL RIGHTS PERSONNEL OF EXECUTIVE DEPARTMENTS AND AGENCIES, FISCAL YEAR 1983 ESTIMATE

| | Total FTE |
|--|-----------|
| Federal service and military service equal employment opportunity..... | 3,566 |
| Private sector and non-Federal public sector equal employment opportunity..... | 4,409 |
| Fair Housing..... | 402 |
| Nondiscrimination, federally assisted programs..... | 1,907 |
| Equal Credit Opportunity..... | 8 |
| Voting Rights..... | 52 |
| Other Civil and Constitutional Rights..... | 673 |
| Research..... | 213 |

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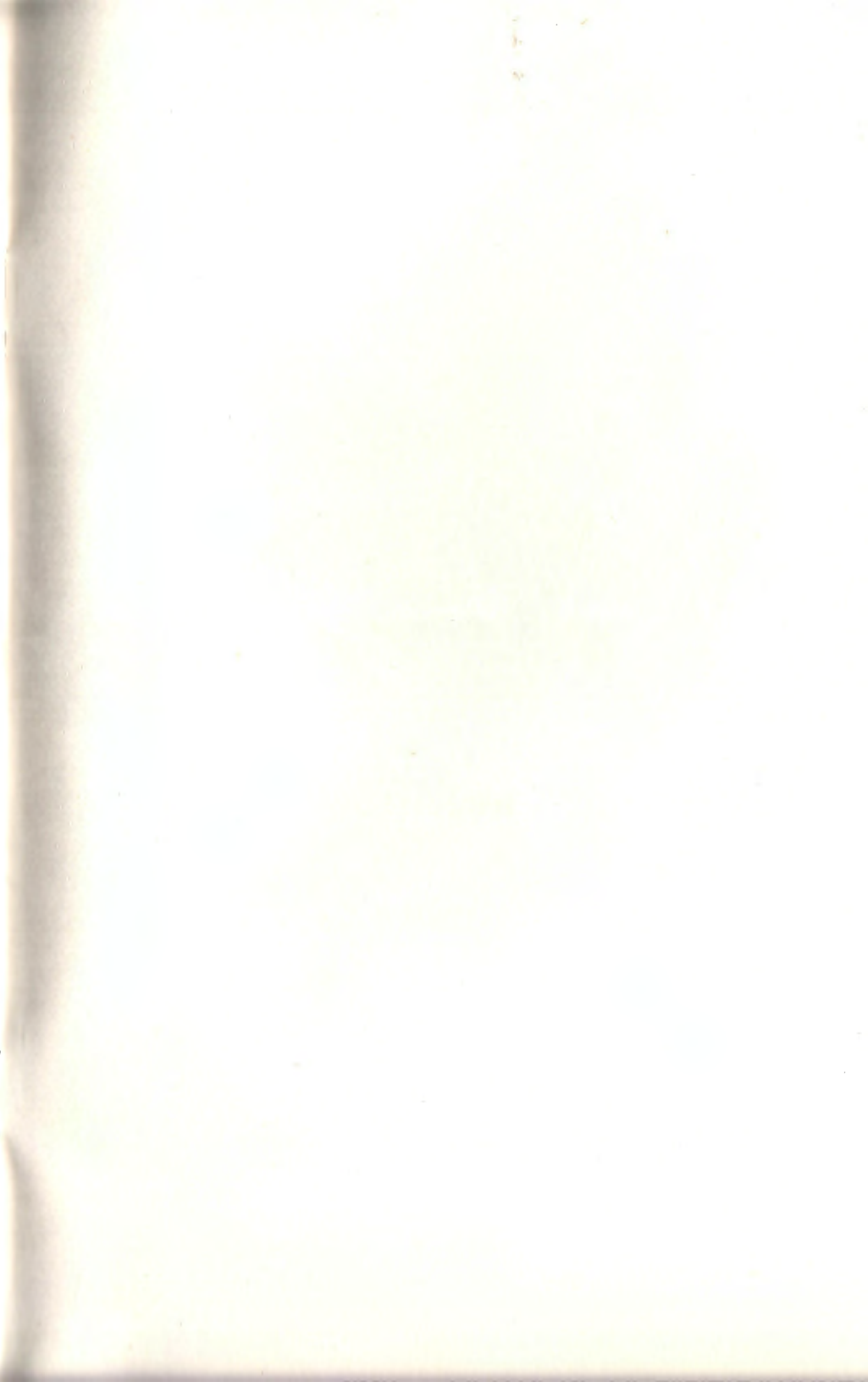
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THE UNITED STATES
COMMISSION ON
CIVIL RIGHTS
1121 Vermont Avenue N.W.
Washington, D.C. 20425
Public Affairs
(202)-254-6697

NEWS RELEASE

For Release: 2:00 PM, EDT.
THURSDAY, JULY 15, 1982
Contact: BARBARA BROOKS

*Civil Rights
Comm*

PENDLETON CALLS FOR TEMPORARY SUSPENSION OF
MINIMUM WAGE TO CREATE JOBS FOR UNEMPLOYED TEENAGERS

F. 6

WASHINGTON, D.C.---Clarence M. Pendleton, Jr., Chairman of the U.S. Commission on Civil Rights today called upon organized labor and the business community to agree to an emergency jobs program that would permit unemployed teenagers to accept jobs at less than the minimum wage.

"The situation is desperate for many young people," Pendleton said "The economy is in ill health and even in the best of times unskilled young people have trouble finding jobs. Black teenager unemployment is at a crisis stage of 52 percent."

"I am suggesting that unions and the private sector form a cooperative agreement in designing an emergency jobs program to reduce teenage unemployment. This would require suspending the minimum wage for a minimum of six months to create new jobs in the private sector. These jobs would not replace existing jobs held by union members and the unions must play an active role in program design."

Pendleton pointed out that the emergency jobs programs would not cost the taxpayers money; would cost organized labor and business nothing, and has the potential to put our young people to work in new private sector jobs.

Pendleton said that the program should run for six months and be reevaluated at that time. "It will only work if union officials and business leaders want it to work," he concluded.

* * * * *

7/15/82

Civil Rights Commission

UNITED FAMILIES OF AMERICA



11 February 1982

Honorable Ronald Reagan
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

On behalf of the officers and board members of United Families of America, I would like to congratulate you for your choice of B. Sam Hart to become a member of the United States Commission on Civil Rights. Although we know Mr. Hart only by reputation, that is excellent, and we are sure that he will be a credit to your Administration.

For many years the Civil Rights Commission has pursued a chimera of talismanic equality that is inconsistent with a free society. There are problems of racial and sexual discrimination in our society that need to be dealt with, and a Commission on Civil Rights could make a real contribution. Instead, the Commission in recent years has been an active participant in the battle for social revolution.

Our view, which Mr. Hart apparently shares, is that what is required is extension of the free society to all peoples, and adjustment of remaining legal and psychological barriers. He appears to be committed to the basic institutions of American society, including the family. His will, by all accounts, be a voice of reason and sanity in what is often a strident area of the political and social debate.

Again, our congratulations and thanks, and best wishes for continued success in your efforts.

Sincerely,

Gordon S. Jones
Executive Director

GSJ:hs

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D. C. 20425



STAFF DIRECTOR

MAR 5 1980

Mr. Robert J. Bruns
Whaley's Resort
Ponsford, Minnesota 56575

Dear Friend:

The Commission on Civil Rights has recently received your complaint. This Commission's primary concern is the many people in this country whose civil rights have been denied, and we deeply regret that we are unable to provide individual assistance to them when they write to us about their personal situations.

As you may know, this Commission was created by Congress to conduct studies, hold hearings, issue reports, and serve as a national clearinghouse for civil rights information. The Commission has no authority to provide direct legal or remedial assistance to individuals.

In order to be helpful, we have forwarded your complaint to a Federal agency which we believe has authority to help resolve the problem you described. We have asked the agency to correspond directly with you. For your information, we have enclosed a copy of our letter transmitting your complaint.

We apologize for writing to you by form letter. However, we try to forward complaints as quickly as possible to agencies with authority to investigate them. Using form letters helps us accomplish this goal.

We hope that your complaint can be promptly resolved.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Louis Nunez".

LOUIS NUNEZ

Enclosure

(Individual)
the letter I sent addressed the problems of non-tribal members owning land within the original reservation boundaries.

*the federal agency referred to, is the B. I. A.
there has been no word from them to date 11-12-81*
Robert J. Bruns

*Level
Right
[unclear]*

UNITED FAMILIES OF AMERICA



12 February 1982

Editor, Washington Post
1150 15th Street, N.W.
Washington, D.C. 20071

Sir:

President Reagan has nominated to the United States Commission on Civil Rights someone from outside the Equality Establishment, and liberal groups (including the Post) are outraged.

We applaud the President for his choice of someone like B. Sam Hall.

Hard as it may be for the Post to believe it, or even understand it, there is a commitment to equality which does not include the fetishistic leveling indulged in by the Commission in recent year (from its beginning, in fact). There is quite enough for the Commission to do in promoting good race relations and the eliminating of legal barriers to sexual equality, without spending time "on the cutting edge" (in former Chairman Arthur Flemming's phrase) of social change.

Surely the tension between "freedom" and "equality" has not escaped the attention of the Post. Surely the Post is aware that there are those who hold that the two are incompatible. Surely the Post is aware of the arguments in favor of the proposition that those who seek freedom first come closer to the ideal of equality than do those who seek equality first. If these matters have been hidden from the Post, B. Sam Hall will be happy to bring them out, which seems to us to be a worthy occupation for the U.S. Commission on Civil Rights.

Judging from the reaction to the nomination, it comes none too soon. Quite obviously, there are too many who have succumbed to the delusion that the federal government is their personal engine for revolution.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gordon S. Jones', with a long horizontal flourish extending to the right.

Gordon S. Jones
Executive Director

GSJ:hs

EEOC

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

November 13, 1981

TO: Diana Lozano

FROM: Morton C. Blackwell



RE: William Bell

Such conservative groups as would support William Bell as Chairman of the EEOC would do so because he is the President's choice for this position. None has yet lifted a finger in his behalf.

They would rather substitute a person of the same heritage who has more administrative background and who is personally committed by his past record to the President's philosophy.

Anti-Gay, ERA, Busing

Rights Nominee Speaks Out

By Lee Lescaze
Washington Post Staff Writer

B. Sam Hart, named by President Reagan to the U.S. Civil Rights Commission Tuesday, said yesterday that he opposes the Equal Rights Amendment, does not consider that homosexuals have a civil rights cause, is against use of busing to integrate schools and agrees with the president that segregated private schools should be denied tax exemptions only by legislation, not by court or executive action.

The black evangelical minister from Philadelphia said he accepted a place on the Civil Rights Commission as an opportunity "to bring

America back to a more moral position" than it took during "more liberal" administrations.

"In the area of civil rights, you're in an area where you will not please everyone," Hart said yesterday at the Sheraton Washington Hotel, where he is attending the convention of the National Religious Broadcasters.

He said Reagan is seeking to give the commission a more conservative tone, and made clear that he agrees with the president's effort.

Hart, 50, said he was first offered the chairmanship of the commission, but made clear to the White House that he was not interested if the job

See HART, A10, Col. 1



B. SAM HART
... God first and country second

A10

... B

Thursday, February 11, 1982

THE WASHINGTON POST

Rights Panel Nominee Is Against ERA, Busing

HART, From A1

would take so much of his time that it would interfere with his ministry.

When it became clear to him that the chairmanship would be too demanding, he said he and the White House reached an agreement that he would simply accept a membership on the body. Reagan then nominated Clarence M. Pendleton, a black from San Diego, to be chairman.

Although Hart answered questions on a range of subjects during a brief meeting with reporters yesterday, he spoke at greatest length and with greatest passion on homosexuality.

"I do not consider homosexuality a civil rights issue," he said. Hart said that all expert opinion concluded that "homosexuals are not born," but are the product of an environment. "I am black. I cannot change that," Hart said. "That's a civil rights issue."

A woman also has a civil rights cause because she did not choose her sex, he added.

Homosexuals, however, are homo-

sexuals by choice, Hart said. "They have chosen a way of life. They have to accept the consequences." A homosexual does have some rights, Hart said.

"He has the right to live. He has the right to eat. The right to work. The right to live someplace."

In a factory, a homosexual could have no moral influence over the machinery, but homosexuals should be kept away from children in order not to expose them to the environmental factors that might make them grow up homosexual, Hart said.

In what he described as a harsh comparison, Hart said that if he should choose to become a thief he would do so knowing there are penalties for stealing. "If I become a thief and they lock me up... I still have to accept the consequences."

On the ERA, Hart said, "I am all for equal rights. I do not equate equal rights with the amendment. I don't see the need for an amendment." He added that he firmly believes that all people who do the same work should receive the same pay.

On busing, Hart said he supports integrating schools, but the government "shouldn't force citizens to do anything they don't want to do." A better way, he suggested, would be to integrate the communities, and that could be aided by providing lower rates of interest and guaranteed mortgages to people of one race seeking to move into a neighborhood dominated by another race.

He declined to say what his opinion is of tax exemptions for private schools that discriminate racially, because that issue will not be before the commission. He said Reagan is right to seek legislation to bar exemptions rather than letting the courts or the Internal Revenue Service make the decisions.

Hart runs a syndicated radio program, "Grand Old Gospel Hour," and owns radio station WYIS in Philadelphia. If Hart's nomination is confirmed by the Senate along with other pending nominations, Reagan will have named a majority of the six commission members.

"Those of you who love the Lord, pray for me," Hart replied when asked to make a final statement. He said he serves God first and his country second.

New Right Groups Rally Around Civil Rights Nominee

By Bill Peterson
Washington Post Staff Writer

The religious and political New Right yesterday rallied around the nomination of B. Sam Hart, a controversial black radio evangelist, to the U.S. Commission on Civil Rights.

In a joint statement, leaders of 22 religious and political groups accused opponents of the nomination of "ideological racism" and urged President Reagan to "stand by" Hart.

Civil rights, women's and gay groups as well as Hart's home state senators, John Heinz and Arlen Specter, Pennsylvania Republicans, protested the nomination last week. After the Philadelphia evangelist told a press conference that he opposes the Equal Rights Amendment, bus-

ing to integrate public schools and the concept of homosexual rights.

The Rev. Enrique Rueda, director of the Catholic Center of the Free Congress Foundation, yesterday said the nomination has frightened liberals because Hart is a black conservative. "He is not supposed to think the way he thinks," he said. "He is a round peg in a square hole."

Hart's opinions on "abortion, radical feminism and the desirability of special rights for homosexuals are not palatable to the liberal establishment," Rueda told a press conference.

Paul Weyrich, executive director of the Committee for the Survival of a Free Congress, accused Hart opponents of using "McCarthy tactics"

to sabotage the nomination and argued that the evangelist's conservative views would balance the commission.

"We have had a very biased civil rights commission. We have had an unrepresentative one," he said. "This is one of the most radical, far-out commissions in the country."

Weyrich maintained that most previous commissioners, who have included law school deans, newspaper editors and southern governors, "represent the liberal establishment."

"That includes Father Hesburgh. He is no more representative of the average Catholic than I am of the black community," added Weyrich, who is white. Father Theodore M. Hesburgh, president of Notre Dame

Wash Post
Feb 18, 1982.

University, is a former civil rights commission chairman.

Religious and political conservatives called yesterday's press conference after they became concerned the White House might drop the nomination.

Peter Gemma, executive director of the National Pro-life Political Action Committee, said Hart had become a "symbolic" figure for conservatives. "Sooner or later we have to draw the line in the sand."

"He [Hart] holds political and philosophical values similar to those of us on the right," said William Billings, president of National Christian Action Coalition.

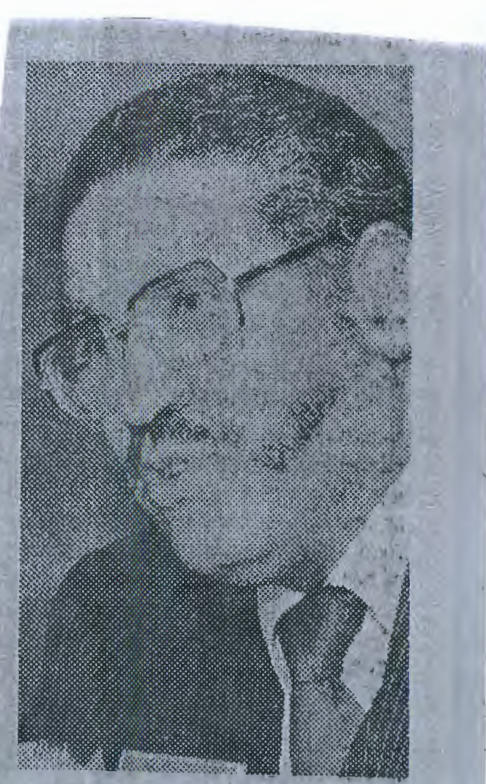
Among others signing a joint statement of support for Hart were

leaders of the Moral Majority, the Religious Roundtable, Christian Voice, Catholics for a Moral America, the Conservative Caucus, the American Conservative Union and the National Religious Broadcasters.

Hart is president of WYIS, a small radio station in suburban Philadelphia, and founder of the "Grand Gospel Hour," a black evangelical radio program syndicated nationally.

Until his nomination last week, he was unknown to civil rights groups and Republican leaders in his home area.

Heinz last week asked the Senate Judiciary Committee to put a "hold" on the nomination. "Based on available information, it does not appear that Rev. Hart is qualified for the post," he said.



B. SAM HART
... called a "symbolic" figure

PRESERVATION COPY

*U.S. Civil
Rights Comm.*

Resume of

(Dr.) B. SAM HART

B. SAM HART
6701 Cresheim Road
Philadelphia, Pa. 19119
(215) 848-9561

Born: April 8, 1931 - New York City, New York
Taken to Jamaica, West Indies in 1932 by missionary
parents. Lived in Jamaica until 1949.

Married: June 9, 1951 - Joyce E. Cushnie
Children: Sharon, David Anthony, Robert, Bradley and Patrice.

Education: Elementary--Clonmel School, 1936-1941
Secondary--Jamaica College, 1941-1947
(British equivalent of U. S. high school)
Jr. College--(British equivalent), 1947-1949
Full scholarship.
Placed second in island-wide competition.
Advanced--Gordon College, Boston (now Wenham),
Mass., September 1949-June 1950,
1951-1954
Majored in psychology, minored in
philosophy.
St. Joseph's University, Cheyney
State College, LaSalle College, Pa.
Graduate courses in psychology
and special education.
Have Master's equivalency.
Carver Bible College, Atlanta, Ga.,
May 1968
Honorary Doctor of Divinity.

Employment: 1949-1954--Psychiatric Aide, Boston State
Hospital; Orderly, Boston Lying-In
Hospital; Part-Time Ministry;
Initiation of Summer Camp.
1958--In Philadelphia--Assistant Pastor,
Ebenezer Community Tabernacle.
1958-1968--Teacher, Board of Education (Division
of Special Education).

Churches Established:
Roxbury Community Center, Rosbury, Mass., 1956
(Instrumental part in establishment)
Calvary Gospel Chapel, Philadelphia, Pa., 1960
Berean Bible Chapel, Baltimore, Md., 1965

Churches Established: (Cont'd)

Calvary Bible Chapel, Laconia, N. H., 1971
Harlem Bible Church, New York, N. Y., 1970
Anacostia Bible Church, Washington, D. C., 1971
Bethel Gospel Chapel, Chester, Pa., 1972
(Discontinued)
Germantown Christian Assembly, Philadelphia, Pa.,
1973
Bethel Gospel Chapel, Hopewell, Va., 1975
Maranatha Christian Assembly, Norristown, Pa.,
1980
Montco Bible Fellowship, Ambler, Pa., 1981
Willingboro Christian Assembly, New Jersey, 1981

Programs Founded:

Grand Old Gospel Fellowship, Inc., 1961
Grand Old Gospel Hour, 1962
(Largest black-produced evangelical program)
Montco Bible Fellowship, 1981 -- Pastor
Description of Grand Old Gospel Fellowship
Outreach--Radio Ministry (4 programs),
Evangelistic Crusades in the United States
and over 40 other countries, Banquet and
Conference speaking, Underprivileged Boys'
Home (Jamaica, W.I.), Camp Skymount (U. S.)-
largest black Christian camp this country,
now discontinued.

Current Responsibilities:

Founder/President: Grand Old Gospel Fellowship
Founder/President: Radio Station WYIS
Pastor: The Montco Bible Fellowship
Director: Grand Old Gospel Hour International
Board of Directors: National Religious Broad-
casters, Hart Boys' Home, Jamaica, West Indies
Advisor: Carver Bible College
Speaker: Conferences, Crusades, Banquets,
Conventions, etc.
Member: Greater Philadelphia Evangelical
Fellowship

Special Achievements and Recognitions:

Permit of F.C.C. to construct Radio Station WYIS,
1977.
Operation of WYIS as first black-owned radio
station in the Delaware Valley, 1978-
Annual Award of Merit, National Religious Broad-
casters, for distinguished leadership.
Honor Citations.

Community Activities:

Eagle Scout
Cadet Corps (British)
Scout Leader
Christ for Youth Director

References: Dr. Ben Armstrong, Executive Director, National Religious Broadcasters, CNO 26, Morristown, N.J.
Jack Briscoe, Esq., 2 Girard Plaza, Room 1100, Philadelphia, Pa.
Hon. Beatrice Chernock, Minority Leader, City Council of Philadelphia, City Hall, Philadelphia
Mr. Frank Claus, Senior Vice President, New Jersey National Bank, Trenton, N. J.
(Formerly Group Vice President, Provident National Bank, Philadelphia)
Mr. Lee Chapman, 6850 Anderson Street, Philadelphia, Pa.
Independent Businessman, retired Equitable Insurance Company
(1967 Outstanding Man of the Year finalist, Former Vice President, Philadelphia Jaycees and Community Services of Pennsylvania)
Rev. Charles Briscoe, Pastor Paseo Baptist Church, 2501 Paseo Boulevard, Kansas City, Mo.
Former President, Board of Education, Kansas City
Dr. Paul Freed, President, Trans World Radio, 560 Main Street, Chatham, N. J.
(Also Founder of Trans World Radio).

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 9, 1982

The President today announced his intention to nominate B. Sam Hart to be a Member of the Commission on Civil Rights. He would succeed Jill S. Ruckelshaus.

Mr. Hart is Founder and President of the Grand Old Gospel Fellowship and radio station WYIS in Delaware Valley, Pennsylvania. He currently serves on the Board of Directors of the National Religious Broadcasters.

Previously, Mr. Hart was a teacher with the Philadelphia Board of Education (Division of Special Education), in 1958-68; Assistant Pastor, Ebenezer Community Tabernacle in 1958; and Psychiatric Aide, Boston State Hospital, in 1949-54.

He attended Gordon College, Boston, Massachusetts; St. Joseph's University, Cheyney State College, LaSalle College, Pennsylvania; and Carver Bible College, Atlanta, Georgia.

Mr. Hart is married, has five children, and resides in Philadelphia, Pennsylvania. He was born April 8, 1931 in New York, New York.

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PRESS RELEASE

For Release: Noon

Tuesday, February 23, 1982

Contact: Diane Jenkins
800/245-3114

Two Pittsburgh area anti-busing groups today delivered to the White House and Senators Specter and Heinz petitions containing 1000 signatures in support of the nomination of Rev. B. Sam Hart to the U.S. Civil Rights Commission.

Hart, a civil rights leader and radio evangelist from Philadelphia, has received criticism for his outspoken opposition to busing.

Dianne Jenkins of Pittsburgh, one of the petition organizers said, " It is ironic that Rev. Hart, who supports the Republican Party Platform in its opposition to busing, is having so much trouble being appointed to this position for which he is so highly qualified. We thought we would show our support and give him a little help through our petitions".

Reacting to the statements critical of Rev. Hart by Pennsylvania Republican Senators Specter and Heinz, Mrs. Jenkins said, "I would remind Senator Specter, who was elected in 1980, that the 1980 Republican Platform opposes busing, and I remind Senator Heinz, who is up for reelection in 1982, that the vast majority of Americans, including Black Americans, oppose busing." Mrs. Jenkins continued, "Our Senators should not oppose Rev. Hart because he takes the same position on public issues that the Republican Party takes."

Friday, February 12, 1982

Heinz Seeks a 'Hold' on Hart Nomination

By Bill Peterson

Washington Post Staff Writer

The senior senator from Pennsylvania, Republican John Heinz, moved yesterday to block the nomination to the U.S. Civil Rights Commission of a Philadelphia minister who says he opposes the Equal Rights Amendment and busing to integrate public schools, and that homosexuals do not have a civil rights cause.

Heinz's move came as women's, civil rights and gay groups also called on President Reagan to withdraw the nomination of B. Sam Hart, a black radio evangelist who has no apparent ties to the Republican Party or any civil rights group in his home city.

There were also indications of uncertainty over the nomination in the administration. No one in the White House wanted to claim responsibility yesterday for Hart's selection. E. Pendleton James, White House personnel director, refused to return telephone calls on the matter for the second consecutive day.

Hart was recommended for a spot on the five-member commission by right-wing religious groups. They persuaded a number of conservative Republicans, including Senate Judiciary Chairman Strom Thurmond (S.C.) and Rep. Trent Lott (Miss.), to recommend Hart.

The nomination wasn't cleared through political channels, a fact that caused embarrassment among Pennsylvania Republicans. Transportation Secretary Drew Lewis, who usually passes on Pennsylvanians being considered for patronage jobs, wasn't consulted. Pennsylvania's junior senator, Republican Arlen Specter, who said he had never

heard of Hart during a lifetime in Philadelphia politics, wrote Reagan to protest the procedure.

Hart created a storm of controversy during a 15-minute press conference Wednesday by saying he opposes the ERA and busing as a means of integrating schools. He also said he does not consider that homosexuals have a civil rights cause.

Seldom has a Reagan nominee alienated more people in such a short time. Several women's, civil rights and gay groups yesterday claimed that naming him to the commission was "like putting the fox in the hen house."

"I feel almost speechless. He is hostile to all the groups the commission is supposed to serve," said Eleanor Smeal, president of the National Organization for Women. "His appointment is a tragic departure from tradition. Both Republican and Democratic administrations in the past have respected the commission's role as a force for equality."

"The commission is the watchdog and conscience of the federal government," said William Taylor, a former executive director of the panel who now heads the Center for National Policy Review at Catholic University. "It was set up to bring independent information and insight into an area of great emotion."

"They are belittling the agency with this nomination. The message is they regard its functions as trivial."

Gay groups took issue with Hart's comments on homosexuality. On Wednesday he said that "homosexuals are not born," adding later that they have chosen their way of life. "They can repent like other sinners," he said.

Stephen Endean, executive director of the Gay Rights National Lob-

by, said Hart's remarks show that he "operates on misconception and ignorance. He seems to think someone gets up in the morning and decides that day to be a homosexual. That flies in the face of all scientific evidence."

A spokesman for Heinz said he had asked Judiciary Chairman Thurmond to put an indefinite hold on Hart's nomination. Although Heinz didn't categorically come out against the nomination, the aide said the senator had grave doubts about it and "will look very hard at Rev. Hart's positions on the issues."

To make matters worse, Hart's hometown newspaper, the Philadelphia Inquirer, called the nomination a "gross civil rights affront" and recommended that Reagan withdraw it.

Meanwhile, Republican J. Clay Smith resigned without explanation as acting chairman of the Equal Employment Opportunity Commission. Smith, a Carter administration appointee, has clashed openly with various administration officials, including William Bradford Reynolds, head of the Justice Department's civil rights division.

"He may have had enough," a spokesman said. "I don't know."

Staff writers Kathy Sawyer and Lee Lescaze contributed to this article.

B. SAM HART

B. Sam Hart was nominated to the U.S. Civil Rights Commission last week. Dr. Hart was born in 1931 in New York. He is a graduate of Gordon College (Boston), where he majored in psychology and minored in philosophy. He also has a Master's equalivalency in psychology and special education, and an Honorary Doctorate from Carver Bible College (Atlanta, Ga.).

Dr. Hart has established 12 churches in Massachusetts, Pennsylvania, Maryland, New Hampshire, New York, Washington, D.C. and New Jersey. He is also founder and currently serves as President of the Grand Old Gospel Hour--the largest black-produced evangelical program in the country. In conjunction with this program, Dr. Hart has extended his radio ministry through evangelistic crusades throughout the U.S. and in 40 other countries.

Dr. Hart currently serves as founder and president of Radio Station WYIS in suburban Philadelphia. He is also pastor of the Montco Bible Fellowship.

Morton
Blackwell

THE WHITE HOUSE
WASHINGTON

12:23 PM
February 12, 1982

Mrs. Louise Ropog with the Moral
Majority called to pass the
following message:

The Moral Majority supports the
Reagan Nominee for the Civil Rights
Commission -- Mr. Sam Hart. They
are behind the appointment and
will do whatever they can to help.

~~Wilma~~

Mrs. Louise Ropog
484-7511

STOP FORCED BUSING



NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

February 12, 1982

Hon. Edwin Meese III
The White House
Washington DC 20500

OFFICERS & DIRECTORS:

- President: Wm. D. D'Onofrio,
Wilmington, De.
- 1st V.P.: Robert DePrez,
Louisville, Ky.
- 2nd V.P.: Robert Shanks,
Cleveland, Ohio
- Secretary: Kaye C. Cook,
Fredericksburg, Va.
- Treasurer: Earl Stauffer,
Columbus, Ohio

Dear Mr. Meese:

The National Association for Neighborhood Schools strongly supports the appointment of Rev. B. Sam Hart as a commissioner on the U. S. Civil Rights Commission.

At this very moment, the lockstep liberal media is howling over this nomination. "Moderate" Republicans such as Sens. John Heinz and Arlen Specter are issuing quivering non-support announcements.

We hope that President Reagan will stand firm in the face of liberal hue and cry.

The U. S. Civil Rights Commission is nothing but the federal government's chief propaganda arm in favor of forced busing. Its "reports", funded by the taxpayer, have been a succession of distortions and ludicrous idealism drum-beating for policies that have been abject failures.

Short of de-funding the Civil Rights Commission (which is what should be done), the Administration must see to it that the commissioners and staff are of the strongest possible conservative conviction.

We will be monitoring this matter with a great deal of interest.

Sincerely,

William D. D'Onofrio, President
National Association for Neighborhood Schools

cc: James Baker
Michael Deaver
Morton Blackwell

George Armstrong,
Louisville, Ky.

Noreen Beatty,
Pittsburgh, Pa.

Lillian Dennis,
Warren, Mich.

Joyce DeHaven,
Dallas, Texas

Mary Eisal,
Omaha, Nebraska

Mariene Farrell,
Nashville, Tenn.

Ruth Glascott,
Bayonne, N.J.

Joyce Haws,
Cleveland, Ohio

Jim Kelly,
Boston, Mass.

William Lynch,
Austin, Texas

Jackie LeVine,
Los Angeles, Cal.

Libby Ruiz,
Tucson, Arizona

Don Schlipp,
Eau Claire, Mich.

Dan Seale,
Lubbock, Texas

Dan Shapiro,
Los Angeles, Cal.

Frank Southworth,
Denver, Colorado

Ed Studley,
Boston, Mass.

James Venema,
New Castle, De.

Nancy Yotts,
Boston, Mass.

president's office

1800 W. 8th St.

Wilmington, DE 19805

communications office

3905 Muriel Ave.

Cleveland, OH 44109

membership office

4431 Okell Rd.

Columbus, OH 43224

STOP FORCED BUSING



PETER B GEMMA JR EXECUTIVE DIREC
101 PARK WASHINGTON CT
FALLS CHURCH VA 22046

western union Mailgram



1-051176S043 02/12/82 ICS IPMMTZZ CSP WHSA
7035367650 MGM TDMT FALLS CHURCH VA 93 02-12 0448P EST

MORTON BLACKWELL
WHITE HOUSE
WASHINGTON DC 20500

WE ARE PLEASED THAT B. SAM HART, A CONSERVATIVE AND PRO-FAMILY
ADVOCATE HAS BEEN NOMINATED TO U.S. CIVIL RIGHTS COMMISSION. HART IS
A SUCCESSFUL SMALL BUSINESSMAN, A COMMUNITY LEADER, A MINISTER WITH
LONG EXPERIENCE SERVICING NEEDS OF PEOPLE BOTH PHYSICALLY AND
SPIRITUALLY. IN ADDITION, HE IS IN COMPLETE AGREEMENT WITH THE 1980
REPUBLICAN PLATFORM. WE URGE YOU BACK THIS NOMINEE 100 PERCENT.

PETER B GEMMA JR EXECUTIVE DIRECTOR NATIONAL PRO-LIFE POLITICAL
ACTION COMMITTEE
101 PARK WASHINGTON CT
FALLS CHURCH VA 22046

18:07 EST

MGMCOMP

E DELGAUDIL
418 C ST NORTHEAST
WASHINGTON DC 20002

western union

Mailgram®



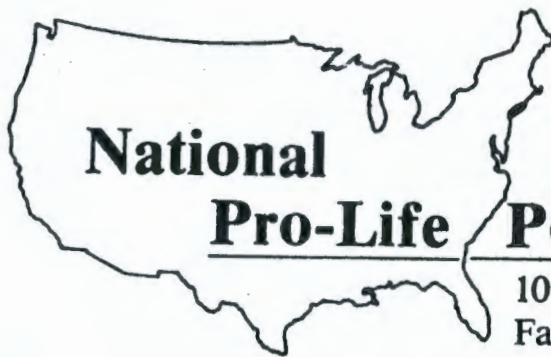
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2025463224 MGM TDMT WASHINGTON DC 53 02-12 1252P EST

MORTON BLACKWELL
WHITE HOUSE
WASHINGTON DC 20500

ON BEHALF OF 60,000 MEMBERS OF PUBLIC ADVOCATE OF THE UNITED STATES I
EXPRESS OUR SUPPORT FOR THE NOMINATION OF B. SAM HART TO THE U.S.
CIVIL RIGHTS COMMISSION
RONALD W PEARSON
PRESIDENT
PUBLIC ADVOCATE OF THE UNITED STATES
418 C ST NORTHEAST
WASHINGTON DC 20002

12:52 EST

MGMCOMP



National

Pro-Life

Political Action Committee

101 Park Washington Court
Falls Church, VA 22046

(703) 536-7650

News Release

For Release: 3 p.m.
Wednesday, February 17, 1982

Contact: Fran Griffin Gemma
703/536-7650

**CONSERVATIVES ANGRY OVER ATTEMPTED BLOCKING OF HART:
URGE PRESIDENT TO STAND BY CIVIL RIGHTS NOMINEE**

WASHINGTON -- Leaders of several conservative and religious organizations today urged the Reagan Administration to "not back down" on the nomination of B. Sam Hart to the U.S. Civil Rights Commission and called opposition to Hart's nomination "ideological racism." Peter B. Gemma, Jr., Executive Director of the National Pro-Life Political Action Committee -- the sponsoring organization of today's news conference -- said that Senators John Heinz and Arlen Specter of Pennsylvania were "totally unjustified" in calling for a hold on Hart's appointment. "If Senators Heinz and Specter are saying that conservatives need not apply to Ronald Reagan's Administration, if they're saying that conservative ideology is a disqualifying factor -- then we're here to say that we will fight toe to toe against such a policy. Furthermore, it will cost this Administration more to abandon its friends than it will to placate its enemies," Gemma said.

Paul Weyrich, Executive Director of the Committee for the Survival of a Free Congress, commented that Hart's opponents "are saying that as a black he has no right to conservative views. Indeed, his opponents are unmasking themselves. They have been promoting minorities for years. It is now clear that it is not minorities that they want, but liberal minorities."

"The President has a right to appoint whomever he chooses," said Jay Parker, President of the Lincoln Institute -- a black public policy think tank. "Sam Hart is a strong supporter of the President's civil rights policy and has pledged to defend civil rights for all people. It makes sense that Reagan appoint someone who is going to support his policies," Parker said.

-- OVER --

Father Enrique Rueda, Director of the Catholic Center of the Free Congress Foundation, said that he could "understand why B. Sam Hart is a threat to the liberal establishment in America. Hart is a member of a minority, a respected religious figure and a self-made business man. Unfortunately, Dr. Hart has failed the ideological test. His opinions concerning abortion, radical feminism and the desirability of special rights for homosexuals are not palatable to the liberal establishment. According to the liberal stereotype, Dr. Hart is not supposed to think that way. On the other hand, I think it is blatantly unjust to ignore the qualifications of a person for a job and to subject him to an ideological test based on the narrow concerns of interest groups," Rueda said. Rueda is a Cuban-born priest with 13 years experience in dealing with the problems of minorities.

William Billings, Executive Director of the National Christian Action Coalition said that his organization "applauds the selection of Hart" and praised the nominee's "success and accomplishments in reaching people with a message of hope and self worth. We cannot understand the reasons why this nomination is being opposed, unless it's because Rev. Hart is both civil and right," Billings said.

Also addressing the news conference was Rev. Kenneth Beachboard of the National Religious Broadcasters. Hart recently received the NRB's "annual award of merit for distinguished leadership."

The conservative leaders also issued a statement of support for Dr. Hart which was signed by many religious and conservative leaders. The statement said that Hart is "a staunch advocate of civil rights" and called on President Reagan "to stand by his nominee." Copies of the statement are enclosed.

-- 30 --

[The News Conference was held at 3 p.m. in the National Press Club's East Lounge. Complete statements are available.]

B. SAM HART

B. Sam Hart was nominated to the U.S. Civil Rights Commission last week. Dr. Hart was born in 1931 in New York. He is a graduate of Gordon College (Boston), where he majored in psychology and minored in philosophy. He also has a Master's equalivalency in psychology and special education, and an Honorary Doctorate from Carver Bible College (Atlanta, Ga.).

Dr. Hart has established 12 churches in Massachusetts, Pennsylvania, Maryland, New Hampshire, New York, Washington, D.C. and New Jersey. He is also founder and currently serves as President of the Grand Old Gospel Hour--the largest black-produced evangelical program in the country. In conjunction with this program, Dr. Hart has extended his radio ministry through evangelistic crusades throughout the U.S. and in 40 other countries.

Dr. Hart currently serves as founder and president of Radio Station WYIS in suburban Philadelphia. He is also pastor of the Montco Bible Fellowship.

*Civil Rights
Committee*

SPOKESMEN AT FEBRUARY 17th NEWS CONFERENCE

TOPIC: Nomination of Sam Hart to U.S.
Civil Rights Commission

PETER B. GEMMA, JR.--Executive Director
National Pro-Life Political Action Committee

PAUL WEYRICH--Executive Director
Committee for the Survival of a Free Congress

REV. KENNETH BEACHBOARD--Washington Representative
National Religious Broadcasters

JAY PARKER--President
The Lincoln Institute

FATHER ENRIQUE RUEDA--Director
Catholic Center, a project of the
Free Congress Foundation

WILLIAM BILLINGS--Executive Director
National Christian Action Coalition

STATEMENT OF SUPPORT OF DR. B. SAM HART'S NOMINATION TO THE
U.S. CIVIL RIGHTS COMMISSION...

We applaud President Reagan's choice of B. Sam Hart to serve on the U.S. Civil Rights Commission. Dr. Hart is eminently qualified for this position. Not only is he a staunch supporter of civil rights, but his varied experience as a religious leader and as a broadcaster demonstrates the sensitivity that is needed for such a post. We urge the President -- as individuals and/or leaders of our respective organizations -- to stand by his nominee and we pledge our active support on Dr. Hart's behalf in the upcoming confirmation process.

Peter B. Gemma, Jr.
Executive Director
National Pro-Life Political
Action Committee

Howard Phillips
National Director
The Conservative Caucus

Jay Parker
President
The Lincoln Institute

Larry Pratt
President
Committee to Protect
the Family

Andy Messing
National Defense Council

Paul Brown
Director
Life Amendment PAC

Padraic Buckley
Coalitions for America

Ed McAteer
President
The Religious Roundtable

Connie Marshner
President
National Pro-Family Coalition

Grover Norquist
Executive Director
College Republican Committee

Gary Jarmin
Executive Director
Christian Voice

Paul Weyrich
Executive Director
Committee for the Survival of
a Free Congress

Don Todd
Executive Director
American Conservative Union

Louise Ropog
Moral Majority

Robert Heckman
Chairman
Fund for a Conservative Majority

Judie Brown
President
American Life Lobby

Father Charles Fiore, O.P.
President
Catholics for a Moral America

Joan Hueter
National Association of Pro-Americans

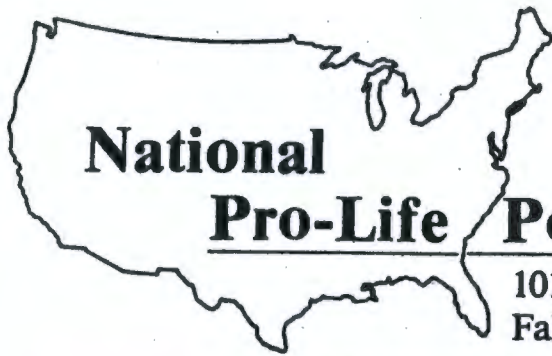
Bill Billings
Executive Director
National Christian Action Coalition

Gordon Jones
Vice President
United Families of America

Father Enrique Rueda
Director
Catholic Center of the Free
Congress Foundation

Paul Dietrich
President
Citizens for Reagan

NOTE: statement sent to: President Ronald Reagan; Ed Meese, Mike Deaver; William P. Clark; Rich Williamson; Elizabeth Dole; Ed Rollins; James Baker; and Senators Strom Thurmond, Howard Baker and Paul Laxalt.



National Pro-Life Political Action Committee

101 Park Washington Court
Falls Church, VA 22046

(703) 536-7650

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William J. Isaacson, Esq.
Rev. William Cogan †
Mrs. Susan Armacost

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School (IL)

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Anthony J. Lauinger
Chm., Oklahomans for Life (OK)

Mrs. Alice Hartle
Past Ed., Nat'l Right to Life
News (MN)

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Alternatives to Abortion
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Herbert J. Ratner, M.D.
Ed., Child & Family Quarterly (IL)

Francis P. Filice, Ph. D.
Biologist, Univ. of San Francisco (CA)

John Finn, Jr.
Business Executive (CA)

†Titles for identification only

A copy of our report is on file and may be purchased from The Federal Election Commission, Washington, D.C.

†Deceased

STATEMENT OF PETER B. GEMMA, JR.,
EXECUTIVE DIRECTOR, NATIONAL PRO-LIFE POLITICAL ACTION COMMITTEE
ON THE NOMINATION OF DR. B. SAM HART
TO THE U.S. CIVIL RIGHTS COMMISSION
AT A PRESS CONFERENCE, FEBRUARY 17, 1982
WASHINGTON, D.C.

THE NOMINATION OF DR. B. SAM HART OF PHILADELPHIA TO THE U.S. CIVIL RIGHTS COMMISSION SHOULD BE UNIVERSALLY ACCLAIMED -- BUT IT HASN'T. DR. HART HAS THE CREDENTIALS THAT SUIT HIM WELL FOR THIS POSITION: HE'S A FORMER TEACHER, A SUCCESSFUL SMALL BUSINESSMAN, A WELL-KNOWN RELIGIOUS LEADER, AND AN ARTICULATE SPOKESMAN FOR THE BLACK COMMUNITY.

WHY IS THIS NOMINATION BEING OPPOSED -- EVEN BLOCKED? IT'S SIMPLY IDEOLOGICAL RACISM.

PENNSYLVANIA SENATORS HEINZ AND SPECTER HAVE REQUESTED A HOLD ON THE HART NOMINATION -- AND THAT'S ENTIRELY UNCALLED FOR. THIS MAN HART IS RIGHT FOR THE JOB, BUT HE'S NOT A LIBERAL AND APPARENTLY THAT IS THE PROBLEM. IF SENATORS HEINZ AND SPECTER ARE SAYING THAT CONSERVATIVES NEED NOT APPLY TO THE REAGAN ADMINISTRATION, IF THEY ARE SAYING THAT CONSERVATIVE IDEOLOGY IS A DISQUALIFYING FACTOR, THEN WE'RE HERE TODAY SAYING THEY'VE GOT A FIGHT ON THEIR HANDS.

(over, please)

ONE OF OUR GOALS AS CONSERVATIVE LEADERS IS TO INSURE THAT "REAGANITES" ARE GIVEN INPUT AND ACCESS WITH THIS ADMINISTRATION. THAT'S WHY WE'RE FIGHTING FOR SAM HART.

CERTAINLY NO ONE CAN ACCUSE PRESIDENT REAGAN OF STACKING HIS ADMINISTRATION WITH ONLY HARD-CORE CONSERVATIVES -- ALL POINTS OF VIEW ARE REPRESENTED IN THE REAGAN GOVERNMENT. WE FEEL THAT THE TIME HAS COME FOR THOSE OF US WHO WERE "REAGANITES" EVEN BEFORE THERE WAS A REAGAN WHITE HOUSE TO HAVE A MORE AGGRESSIVE VOICE IN THE PERSONNEL SELECTION PROCESS.

FURTHERMORE, IT'S AN OLD RULE IN POLITICS THAT IT SHOULD COST YOU MORE TO ABANDON YOUR FRIENDS THAN TO PLACATE YOUR ENEMIES.

APPARENTLY SENATORS HEINZ AND SPECTOR HAVE BECOME CAPTIVES OF A POLITICAL FRINGE ELEMENT BEST REPRESENTED BY ELEANOR SMEAL AND THE GAY RIGHTS LOBBY. IF THEY WANT TO MAKE THE HART NOMINATION AN IDEOLOGICAL BATTLE BETWEEN THE "REAGANITES" AND THE FEMINISTS AND GAYS, THEN I THINK MR. HEINZ AND MR. SPECTOR WILL BE NOTHING MORE THAN POLITICAL EMBARRASSMENTS TO THE REPUBLICAN PARTY.

I TRULY HOPE SENATORS HEINZ AND SPECTER SEE THE LIGHT OR FEEL THE HEAT AND GET OUT OF SAM HART'S WAY.

Merton
Blackwell

THE WHITE HOUSE
WASHINGTON

12:23 PM
February 12, 1982

Mrs. Louise Ropog with the Moral
Majority called to pass the
following message:

The Moral Majority supports the
Reagan Nominee for the Civil Rights
Commission -- Mr. Sam Hart. They
are behind the appointment and
will do whatever they can to help.

~~Wilma~~

Mrs. Louise Ropog
484-7511



NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

February 12, 1982

Hon. Edwin Meese III
The White House
Washington DC 20500

OFFICERS & DIRECTORS:

- President: Wm. D. D'Onofrio, Wilmington, De.
- 1st V.P.: Robert DePrez, Louisville, Ky
- 2nd V.P.: Robert Shanks, Cleveland, Ohio
- Secretary: Kaye C. Cook, Fredericksburg, Va.
- Treasurer: Earl Stauffer, Columbus, Ohio

Dear Mr. Meese:

The National Association for Neighborhood Schools strongly supports the appointment of Rev. B. Sam Hart as a commissioner on the U. S. Civil Rights Commission.

At this very moment, the lockstep liberal media is howling over this nomination. "Moderate" Republicans such as Sens. John Heinz and Arlen Specter are issuing quivering non-support announcements.

We hope that President Reagan will stand firm in the face of liberal hue and cry.

The U. S. Civil Rights Commission is nothing but the federal government's chief propaganda arm in favor of forced busing. Its "reports", funded by the taxpayer, have been a succession of distortions and ludicrous idealism drum-beating for policies that have been abject failures.

Short of de-funding the Civil Rights Commission (which is what should be done), the Administration must see to it that the commissioners and staff are of the strongest possible conservative conviction.

We will be monitoring this matter with a great deal of interest.

Sincerely,

William D. D'Onofrio, President
National Association for Neighborhood Schools

cc: James Baker
Michael Deaver
Morton Blackwell

- George Armstrong, Louisville, Ky.
- Noreen Beatty, Pittsburgh, Pa.
- Lillian Dennis, Warren, Mich
- Joyce DeHaven, Dallas, Texas
- Mary Eisel, Omaha, Nebraska
- Mariene Farrell, Nashville, Tenn.
- Ruth Giascott, Bayonne, N.J.
- Joyce Haws, Cleveland, Ohio
- Jim Kelly, Boston, Mass.
- William Lynch, Austin, Texas
- Jackie LeVine, Los Angeles, Cal.
- Libby Ruiz, Tucson, Arizona
- Don Schlipp, Eau Claire, Mich.
- Dan Seale, Lubbock, Texas
- Dan Shapiro, Los Angeles, Cal.
- Frank Southworth, Denver, Colorado
- Ed Studley, Boston, Mass
- James Venema, New Castle, De
- Nancy Yotts, Boston, Mass

