

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 15, 1968

MEMORANDUM TO THE COMMISSIONERS

Enclosed is a copy of the Hearings before the "Special House Subcommittee To Inquire Into The Capability of the National Guard to Cope with Civil Disturbances," together with a copy of the Subcommittee's report. The Subcommittee was chaired by Representative Herbert of Louisiana.

D.G.

David Ginsburg
Executive Director

[No. 36]

REPORT
OF
SPECIAL SUBCOMMITTEE TO INQUIRE INTO THE
CAPABILITY OF THE NATIONAL GUARD TO
COPE WITH CIVIL DISTURBANCES

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES
NINETIETH CONGRESS
FIRST SESSION

DECEMBER 18, 1967



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Committee on Armed Services are numbered cumulatively to
permit a comprehensive index at the end of the Con-
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LETTER OF TRANSMITTAL

HOUSE COMMITTEE ON ARMED SERVICES

NINETIETH CONGRESS, FIRST SESSION

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SPECIAL SUBCOMMITTEE TO INQUIRE INTO THE CAPABILITY OF THE NATIONAL
GUARD TO COPE WITH CIVIL DISTURBANCES

F. EDWARD HÉBERT, Louisiana, *Chairman*

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(II)

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., December 11, 1967.

HON. L. MENDEL RIVERS,
The Chairman, Committee on Armed Services, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Attached is a report of your Special Subcommittee on the Capability of the National Guard To Cope With Civil Disturbances.

The special subcommittee completed its inquiry into this subject matter on December 4, 1967, and transmits the results of its inquiry together with its findings and recommendations in the attached report.

Sincerely,

F. EDWARD HÉBERT,
Chairman, Special Subcommittee.

(III)

[No. 36]

REPORT OF SPECIAL SUBCOMMITTEE TO INQUIRE INTO THE
CAPABILITY OF THE NATIONAL GUARD TO COPE WITH CIVIL
DISTURBANCES

SUBCOMMITTEE PURPOSE

By letter dated August 2, 1967, the Chairman of the House Armed Services Committee, under the special authority vested in him by Committee Resolution No. 4 of the 90th Congress, established a Special Subcommittee To Inquire Into the Capability of the National Guard To Cope With Civil Disturbances.

In establishing this special subcommittee, the chairman in his letter empowered the subcommittee to take whatever action was necessary to fully discharge its mission. However, the subcommittee was particularly requested to report on the following particulars:

1. The capability of State National Guard and Federal forces to cope with civil disturbances, with specific reference to—

- (1) numbers of personnel;
- (2) location of personnel;
- (3) unit structure;
- (4) available equipment;
- (5) training; and
- (6) deficiencies.

2. The availability of these Federal Forces and State National Guard forces with respect to—

- (1) legal availability;
- (2) physical availability; and
- (3) responsiveness.

3. The existence of plans and procedures on a Federal, State, and local level to utilize such Federal and State National Guard forces.

The chairman, in calling the attention of the Members of the House of Representatives to the establishment of this special subcommittee on August 2, 1967, further discussed the purpose of the subcommittee's inquiry and stated:

I want to assure this House right now that our committee is not going to inquire into the cause of riots or whether or not there is a conspiracy. This is someone else's concern.

Our concern is whether there is a Federal obligation to improve our National Guard equipment and training to meet local disorders that cannot be met by local police or local law-enforcement agencies.

We want to be sure that the Guard has the capability of fulfilling its constitutional responsibility. We want to be sure that it is trained to meet any eventuality within the confines of its capability.

Thus, it is incumbent upon our committee to ascertain whether our National Guard units have the necessary equipment, and whether they have received the kind of training they need for this type of duty, and finally, what the Congress can and should do to help the Governors of every State to control these riots.

It is within the context of these guidelines that the subcommittee proceeded with this inquiry and arrived at its findings, conclusions, and recommendations.

(5645)

RÉSUMÉ OF SUBCOMMITTEE ACTION

The subcommittee conducted extensive hearings in both executive and open session during the period extending from August 10, 1967, through October 3, 1967.

During this period the subcommittee received testimony from numerous sources, including:

The Department of the Army, the National Guard Bureau, the Department of Justice, the Adjutants General Association, the Adjutants General of the States of New Jersey, Wisconsin, Michigan, Maryland, and

The Special Assistant to the Secretary of Defense concerning the Detroit riots (the Honorable Cyrus R. Vance).

The subcommittee also directed a written interrogatory to each of the 52 adjutants general of the 50 States, Puerto Rico, and the District of Columbia, relative to the capability of their National Guard organization to cope with local disorders. The responses received from each of the adjutants general have been incorporated into the printed subcommittee hearings.

The information received by the subcommittee from these enumerated sources together with other testimony and supplemental staff work is the basis upon which the subcommittee makes this report.

GENERAL BACKGROUND

Before initiating a review of the specific points which relate to the questions posed to the subcommittee concerning the capability of the National Guard to cope with civil disturbances, it is pertinent to make three observations:

First, while we must move to solve the problems of control which these recent tragic civil disorders have identified, we must do so within the constitutional, statutory, and historic framework of Federal and State responsibility for preserving law and order. The subcommittee strongly believes that the traditional division of responsibility—which places the primary obligation for control of local disturbances on local authorities, with the Federal Government providing assistance where it is evident that it is necessary—is sound.

Second, we must bear in mind that the force structure of the Reserve components, that is, the National Guard and the Reserve, flows from Federal requirements based upon recommendations of the Joint Chiefs of Staff. This concept of shaping the force structure of the Reserve components primarily on Federal requirements is fully supported by this subcommittee. As the Members of the House will recall, this subcommittee included in legislation recently passed by the House and Senate, Public Law 90-168, a provision placing this concept into statutory language. However, this is not to say that State requirements are to be ignored during the subsequent process of allocating, stationing, manning, and equipping this force structure in the respective States. Thus, the subcommittee believes that appropriate recognition and support of State mission requirements is completely compatible with the concept of establishing the National Guard force structure based initially upon only Federal mission requirements. This view of the subcommittee will be developed more fully later in this report.

And, third, National Guardsmen are, in truth, civilian soldiers. It would be unreasonable to assume that civilians who devote a relatively small part of their time to military pursuits during the weekend and summer training can develop the same expertise and professional military skill attributed to full-time members of the Active Military Establishment. On the other hand, it is also essential to bear in mind that the individual State National Guard units represent the main resource available to individual Governors to insure the maintenance of law and order in their respective States.

PERSONNEL STRENGTHS

The current authorized strength of the Army National Guard is approximately 418,500, including 18,500 men added for the creation of the Selected Reserve Force during the Vietnam buildup 2 years ago. After the planned reorganization of the Army Reserve components has been accomplished, the authorized strength of the Army National Guard will be approximately 412,000, which is slightly higher than its average annual strength for the period 1960-65. The Air National Guard, which has many units useful in civil disturbance situations, has a current authorized strength of 82,000.

Thus, after the proposed reorganization of the Army National Guard, the paid drill strength of the Army and Air National Guard combined will be about 492,000. To determine the number potentially available for control of civil disturbances, there must be subtracted those personnel in Army and Air Defense units who have a full-time operational mission, and also personnel on duty with the Active Forces for training or normally absent.

The Department estimates that these nonavailable categories of personnel aggregate about 80,000. Thus, the total National Guard forces which will be available to the States for control of civil disturbances will be in the order of 412,000.

Witnesses from the Department of the Army in commenting on the adequacy of these strength figures suggested that they should be viewed in the light of actual past requirements for Guard personnel for control of civil disturbances. There was furnished the subcommittee a table showing the number of Army National Guard troops actually used in controlling civil disturbances since 1957. The table was designed to demonstrate the adequacy of State Guard forces to perform State missions. Because of the pertinency of this table in connection with a determination of the adequacy of National Guard Forces strengthwise to cope with local disorders, the referenced table is set out below in its entirety.

USE OF ARMY NATIONAL GUARD BY STATES IN CIVIL DISTURBANCES 1957-67¹

State and date	Used	Strength (under planned reorganization)	Percent used	Description of incident
Alabama:				
May 1961	800	15,287	5.0	Racial disturbance, Anniston, Birmingham, Montgomery
June 1967	300	15,287	2.0	Civil disturbance, Prattville
July 1967	400	15,287	3.0	Civil disturbance, Birmingham
Arkansas, September 1957	635	8,034	8.0	School integration, Little Rock.
California:				
August 1965	13,393	21,770	62.0	Civil disturbance, Watts
October 1965	400	21,770	2.0	Vietnam Day Committee Berkeley and Oakland.
November 1965	470	21,770	2.0	Do
December 1965	450	21,770	2.0	Civil disturbance, Vallejo
March 1966	500	21,770	2.0	Civil disturbance, Richmond
Do	500	21,770	2.0	Civil disturbance, Los Angeles
June 1966	500	21,770	2.0	Do
June to July 1966	34	21,770	2	Do
September to October 1966	3,118	21,770	14.0	Civil disturbance, San Francisco
October 1966	27	21,770	.1	Civil disturbance, Oakland
October 1966	29	21,770	.1	Civil disturbance, Berkeley
Florida June 1967	475	7,552	6.0	Civil disturbance, Tampa
Georgia December 1961	150	8,749	2.0	Breach of peace, Albany
Idaho August 1961	425	3,373	13.0	Teenage riot, Coeur d'Alene
Illinois:				
August 1965	2,970	11,363	26.0	Civil disturbance, Chicago
July 1966	4,185	11,363	37.0	Do
September 1966	2,850	11,363	25.0	Civil disturbance, Cicero
April 1967	800	11,363	7.0	Tornado (prevent looting), Belvedere
July 1967	150	11,363	1.0	Civil disturbance, Cairo
Indiana:				
September 1965	99	10,444	1.0	Civil disturbance, Indianapolis
July 1966	100	10,444	1.0	Civil disturbance, Gary
July 1967	300	10,444	3.0	Civil disturbance, South Bend
Kansas July 1963	45	7,223	1.0	Auto-race riot, Garnett
Kentucky April-May 1959	2,000	4,917	41.0	Industrial dispute, Hazard
Maryland:				
June-July 1964	800	6,401	13.0	Racial disturbance, Cambridge
July 1967	1,200	6,401	19.0	Civil disturbance, Cambridge
Massachusetts August 1965	2,299	14,620	16.0	Civil rights demonstration, Springfield
Michigan:				
May 1964	900	9,697	9.0	Industrial dispute, Hillsdale
August to September 1966	293	9,697	3.0	Racial disturbance, Benton Harbor
July 1967	8,262	9,697	85.0	Civil disturbance, Detroit
Minnesota:				
December 1959 to January 1960	275	9,601	3.0	Industrial dispute, Albert Lea
July 1967	650	9,601	7.0	Civil disturbance, Minneapolis
Mississippi:				
January 1957	9	10,356	.1	Civil disturbance, Benton County
Do	69	10,356	.7	Civil disturbance, Prentiss County
August 1957	39	10,356	.4	Civil disturbance, Marion County
Do	26	10,356	.3	Civil disturbance, Simpson County
October 1957	37	10,356	.4	Civil disturbance, Parchman
Do	53	10,356	.5	Civil disturbance, Prentiss County
March 1958	11	10,356	.1	Civil disturbance, La Mar County
June 1958	96	10,356	.9	Civil disturbance, Prentiss County
Do	14	10,356	.1	Civil disturbance, Sharkey County
December 1958	47	10,356	.5	Civil disturbance, Hancock County
February 1959	70	10,356	.7	Civil disturbance, Lauderdale County
March 1959	12	10,356	.1	Do
March 1959	41	10,356	.4	Civil disturbance, Quitman County
August 1959	68	10,356	.7	Civil disturbance, Parchman
May 1961	163	10,356	2.0	Civil disturbance, Meridan
June 1962	5	10,356	.1	Civil disturbance, Harrison County
June 1963	153	10,356	1.0	Racial demonstration, Jackson
November 1963	76	10,356	.7	Civil disturbance, Lincoln County
January 1964	72	10,356	.7	Civil disturbance, Jackson
June 1965	7	10,356	.1	Civil disturbance, Columbia
September 1965	793	10,356	7.0	Civil disturbance, Natchez
April 1966	588	10,356	6.0	Civil disturbance, Claiborne County
June 1966	364	10,356	4.0	Civil disturbance, Jackson
Nebraska:				
July 1966	1,051	4,302	24.0	Civil disturbance, Omaha
September 1966	37	4,302	.9	State fair incident, location unknown.
New Hampshire:				
September 1964	714	2,215	32.0	Teenage riot, Hampton Beach
June 1965	250	2,215	11.0	Motorcycle riot, Weirs
New Jersey:				
July 1967	4,400	14,137	31.0	Civil disturbance, Newark
July 1967	400	14,137	3.0	Civil disturbance, Plainfield.
New York July 1964	1,300	24,350	5.0	Race riot, Rochester
New Mexico:				
May 1961	216	3,276	7.0	Sabotage of microwave station Statewide.
June 1967	400	3,276	12.0	Civil disturbance, Rio Arriba.

See footnote at end of table, p. 5649.

USE OF ARMY NATIONAL GUARD BY STATES IN CIVIL DISTURBANCES, 1957-67¹—Continued

State and date	Used	Strength (under planned reorganization)	Percent used	Description of incident
North Carolina July 1967	400	10,872	4.0	Civil disturbance, Durham.
Ohio:				
July 1965	975	14,830	7.0	Civil disturbance, Bussel's Point.
July 1965	135	14,830	.9	Teenage riot, Geneva
July 1966	1,771	14,830	12.0	Race riot, Cleveland
September 1966	1,142	14,830	8.0	Race riot, Dayton
June 1967	900	14,830	6.0	Civil disturbance, Cincinnati.
Oregon:				
September 1962	55	6,284	.8	Labor Day riot, Seaside.
September 1963	55	6,284	.8	Do.
September 1964	150	6,284	2.0	Do.
September 1965	150	6,284	2.0	Do.
Rhode Island July 1960	500	2,945	17.0	Jazz festival, Newport.
Utah May 1961	200	4,607	4.0	Sabotage of microwave towers, known locations, Cedar Mountain, Lindover.
Washington, September 1965	500	5,899	8.0	Civil disturbance, Washington Ocean Beach
Wisconsin:				
August 1966	828	9,945	8.0	Civil disturbance, Wauwatosa
July 1967	679	9,945	7.0	Civil disturbance, Lake Geneva.
July to August 1967	4,297	9,945	43.0	Civil disturbance, Milwaukee

¹Strength figure does not reflect unavailability because of absences for REP training, normal absences, or Air Defense units having a full-time operational mission. Air Guard personnel available for civil disturbance duty are not included, they would offset unavailable Army Guard personnel.

An inspection of the table shows, in column 4, that the average percent of National Guard troops deployed amount to only 9 percent. The table also shows, and perhaps more significantly, that in only two instances since 1957 has it been necessary to employ more than 50 percent of the Army Guard strength of any State.

In the Watts riot in Los Angeles in 1965, when 62 percent of the California strength was utilized, and in Detroit this summer, with 85 percent of Army Guard strength. However, even in Detroit, the Army advises that 20 to 25 percent of the forces sent to the city were held in reserve and never actually committed to control the disturbance. In Newark this summer only 31 percent of the State's Guard strength was involved; in Milwaukee the figure was 43 percent. The highest percentage on any other occasion since 1957 was 41 percent, and the proportion of force used has in most cases been much lower than any of those cited above.

On the basis of this experience, the Army strongly believes that in the vast majority of cases the strength of the Guard has been well beyond that necessary for the control of local civil disturbances. The Army advises that despite a possible future increase in both the frequency and size of future civil disturbances, there remains a wide margin of capability measured in terms of available National Guard strength.

The Army points out, and properly in the view of the subcommittee, that it is neither necessary nor economical to develop in each State a National Guard organization capable of responding to all conceivable State contingencies. Extraordinary situations, should they occur, can probably best be dealt with by the use of either Guard units of contiguous States or the use of Active Federal Forces.

The Active Army has seven task forces, each of brigade size, available for civil disturbance duties. These task forces represent a total strength of over 15,000 men. Additional Army and Marine forces are available should they be needed.

The subcommittee believes that the individual States should thoroughly and carefully explore the desirability of executing mutual assistance agreements for the possible future use of National Guard forces of contiguous States when local State National Guard forces are unable to cope with extraordinary local disorders.

There is ample precedent for the execution of interstate compacts for mutual aid. The Congress has given its approval to such compacts in at least two cases (Public Law 435 of the 82d Congress, and Public Law 564 of the 84th Congress). The subcommittee has been advised that compacts, or "agreements," for mutual assistance now exist between the States of New York, New Jersey, and Pennsylvania. The present compacts authorized by Congress would, however, appear to apply only to disorders involving "insurrectionists, saboteurs, enemies or enemy forces, or persons seeking or appearing to seek the overthrow of the Government," and therefore may not be completely responsive to every situation involving riots or domestic violence.

Finally, there is also available to the States authority provided in section 109 of title 32, United States Code, to permit the organization of State defense forces by the several States as a supplement to the National Guard or as a substitute therefor in the event of federalization.

VIEWS OF THE INDIVIDUAL STATES—PERSONNEL STRENGTHS

The subcommittee solicited the views of the adjutants general of the individual States as to the adequacy of their State Guard forces to cope with local disorders. A written interrogatory to this effect was responded to by all the adjutants general.

Generally, most of the adjutants general advised the subcommittee that the numbers of personnel authorized the individual State for Guard purposes were adequate to satisfy State mission requirements. However, in a number of instances the adjutants general were of the strong view that the proposed reorganizations of the Army National Guard which would result in a reduction in the number of units in the National Guard structure authorized their State would inevitably adversely affect their capability of responding to local crises. Apparently, this criticism is predicated on the possible relocation of certain units within the several States and the loss of other existing units. Thus, by virtue of the proposed change in the State unit structure, there exists concern that either the number of available personnel or the type of unit best suited for civil disturbance duty will be significantly reduced.

The subcommittee is unable to assess the merits of this criticism primarily because the final stationing plan for units in the reorganized structure is a matter of negotiation between the Department of the Army and the Governor of the individual State concerned. Also, since the numbers of personnel in the various States will, for the most part, not be substantially affected, it is quite possible that much of this concern may be overcome after final stationing plans have been agreed upon.

In connection with this general question of availability and responsiveness of National Guard units for control of urban disorders, there was provided the subcommittee a table analyzing the existing concentration of National Guard forces near certain metropolitan

areas. These cities were not selected with particular reference to the likelihood of civil disorder but were selected because of their being representative metropolitan areas in various sections of the country.

The Army calculated the Army National Guard strength available within a hundred mile radius of each of these cities on the list and has determined what percentage these forces represent of the total State Army National Guard strength. It was found that the average percent of State strength found within a hundred mile radius of these metropolitan areas was 59 percent.

The table also shows the ratio of National Guard strength within 100 miles to the uniformed police strength of these cities. Except for the larger cities, the ratio generally indicates that the Guard can provide a force much larger than the total city police strength. It should also be noted that despite the utilization of a hundred mile formula, National Guard troops located beyond that perimeter would also be available to the State, although it would of course require a longer period of response. The table prepared by the Department of the Army is set out below.

ANALYSIS OF NATIONAL GUARD AVAILABILITY
38 REPRESENTATIVE CITIES (ARMY NATIONAL GUARD ONLY)

City	Total strength available 100 miles	Ratio of National Guard strength (100 mile) to city uniformed police personnel	State strength	Percent of State strength available 100 miles
Albany, N Y	3,173	15 0	24,765	12 8
Atlanta, Ga	4,319	5 8	7,613	56 7
Baltimore, Md	6,843	2 4	6,843	100 0
Birmingham, Ala	9,265	19 0	16,283	56 9
Boston, Mass	15,001	6 0	15,001	100 0
Cambridge, Md	6,843	245 0	6,843	100 0
Camden, N J	14,761	63 5	14,761	100 0
Chicago, Ill	7,539	0 7	11,563	65 2
Cincinnati, Ohio	4,915	5 8	15,892	30 9
Cleveland, Ohio	7,667	3 8	15,892	48 4
Denver, Colo	2,248	2 8	2,987	75 3
Detroit, Mich	7,140	1 7	9,999	71 9
Dayton, Ohio	6,993	18 0	15,892	44 0
Hartford, Conn	6,393	17 8	6,393	100 0
Houston, Tex	2,286	1 7	17,225	13 3
Kansas City, Mo	2,123	2 3	9,299	22 8
Los Angeles, Calif	9,673	1 9	22,332	43 3
Louisville, Ky	3,595	6 7	5,502	65 3
Memphis, Tenn	2,739	3 3	11,734	23 3
Milwaukee, Wis	5,394	2 8	9,942	54 3
Newark, N J	14,039	10 0	14,761	95 1
New Orleans, La	4,425	4 0	7,726	57 3
New York, N Y	15,723	6	24,765	63 5
Oakland, Calif	8,347	12 7	22,332	37 4
Omaha, Nebr	2,930	6 7	4,861	60 3
Oklahoma City, Okla	5,234	12 8	8,974	58 3
Philadelphia, Pa	8,557	1 2	18,753	45 6
Phoenix, Ariz	2,347	3 6	2,948	79 6
Rochester, N Y	4,521	8 8	24,765	18 3
Sacramento, Calif	9,018	22 0	22,332	40 4
San Antonio, Tex	3,501	4 9	17,225	20 3
San Francisco, Calif	8,607	4 8	22,332	38 5
Seattle, Wash	4,917	5 3	6,757	72 8
St Louis, Mo	3,537	1 7	9,299	38 0
Toledo, Ohio	5,606	9 4	15,892	35 3
Tucson, Ariz	2,615	9 6	2,948	88 7
Washington, D C	1,714	6	1,714	100 0
Wilmington, Del	3,130	14 0	3,130	100 0

RESPONSIVENESS OF NATIONAL GUARD UNITS

The subcommittee was advised that it now takes about 4 to 6 hours from the time of alert until the first significant increment of National Guard forces can be committed. For example, recently upon orders of the Governor of Wisconsin, the adjutant general ordered troops to State duty at 3:30 a.m. on July 31, 1967. As a result, 350 men from units in the Greater Milwaukee area were committed to duty establishing and manning roadblocks by 7 a.m. that morning. The buildup of troops continued through that day with units coming from as far as 275 miles away. The total buildup based on the second call issued by the adjutant general of Wisconsin at 6 a.m. on the same day was 4,100 troops by 10 a.m. This response time is neither considered extraordinarily good nor bad, but reflective of the average anticipated in most Guard units throughout the country.

Similarly, if active forces are required, they would be ready to move in 2 to 6 hours from alert, depending on the mode and proximity of transportation. Notwithstanding the foregoing, the commitment of active or Guard forces can be very effectively accelerated if these forces are put on a preliminary alert prior to their order for commitment. In such instances, guardsmen may, for example, be placed on alert in an armory and be ready for almost instantaneous commitment should circumstances so require.

In this connection, the subcommittee cannot emphasize too strongly the view shared by every knowledgeable witness who appeared before the subcommittee that judicious early commitment of adequate forces is absolutely essential to the containment of civil disorders of the type recently experienced in our major cities throughout the country. To the degree that these forces are not committed as early as possible, civil disturbances mushroom rapidly and generate a requirement for tremendously increased numbers of troops and police officers to reestablish law and order.

OFFICER PERSONNEL STANDARDS

The subcommittee was disturbed by recent allegations that National Guard officer personnel, as a group, were in many instances inadequate in the performance of their duties and assigned responsibilities. These allegations have therefore resulted in a recommendation from a number of sources that the Department of the Army review the standards observed by the National Guard in respect to the appointment and promotion of Army National Guard officers with the apparent objective of raising these standards so as to preclude the retention of substandard officers in the Army National Guard.

On the basis of information provided the subcommittee, it appears abundantly clear that the standards established in the appointment and promotion of Army National Guard officers are no less than those observed by the Regular Army in the appointment and promotion of officers in the Regular Establishment.

There is set out below a copy of a memorandum on this subject outlining in considerable detail the comparative appointment and promotion criteria and standards established in the Army National Guard as well as those in the Active Army and the U.S. Army Reserve.

AUGUST 21, 1967.

Subject: Appointment, promotion, and Federal recognition of Army National Guard officers.
To: Chief, National Guard Bureau.

PURPOSE

To outline the requirements for the appointment, promotion and Federal recognition of Army National Guard officers.

FACTS

1. The appointment and promotion of Army National Guard officers are functions of the State. Officers so appointed or promoted must meet specific criteria for Federal recognition of their State status. These criteria are outlined in succeeding paragraphs.

2. Appointment criteria: a. Initial appointment as 2LT.

(1) Age. Not less than 21 except when State laws so provide and then not less than 18. Under age 28 with waiver up to age 32 if unusually qualified.

(2) Education. High school graduate or equivalent.

(3) Mental. AFQT score of 74 or higher.

(4) Physical. Meet requirements of AR 40-501.

(5) Moral. No significant military or civil arrests or convictions.

(6) Citizenship. Citizen of United States.

(7) Security. Favorable National Agency Check.

(8) Military. Graduate of Department of Army accredited Officer Candidate School and ACDUTRA or former warrant officer or enlisted man, E-5 or above, with six (6) months active Federal service, one year in Army National Guard and completion of Army Pre-Commission Extension Course and Leadership Course conducted by Active Army.

(9) Assignment. TOE position vacancy must be available.

b. Other appointments: (1) Professional branches. Officers appointed in Army Nurse Corps, Chaplains Corps, Dental Corps, Judge Advocate General Corps and Medical Corps must meet all the criteria in paragraph 2a, above, except paragraph 2a (1), (3), and (8). Minimum and maximum ages are dependent upon grade in which appointed and are prescribed in AR 135-100, AR 135-101, and AR 601-139. Appointments in Army Nurse Corps, Chaplains Corps, and Judge Advocate General Corps are reviewed by the Surgeon General, the Chief of Chaplains, and the Judge Advocate General, respectively, for professional qualifications.

(2) Former officers and officers of other Reserve components. Must meet all the criteria of paragraph 2a, above, except paragraph 2a (1), (3), and (8). Minimum and maximum ages are as prescribed by AR 135-100. Must have a favorable intelligence file check, evidence of satisfactory prior service, and a conditional release if a member of another Reserve component.

c. Federal Recognition Boards. All officers, except those transferring from the USAR in the same grade and branch are examined by such boards. Federal recognition boards are composed of three (3) officers, at least one of whom must be from the Active Army, preferably of the Regular Army. Such boards examine the applicant's general qualifications including his education, age, personality, and bearing, his business, professional and military experience, his efficiency in his military assignment, and his future military potential. The board also examines the applicant's medical and moral qualifications. All board actions are reviewed by the Chief, National Guard Bureau.

3. Promotion criteria: a. Examination. Federal recognition boards examine the applicant's demonstrated efficiency, length of service in grade, staff and command ability, and physical fitness.

b. Military education. First lieutenants must have completed the basic course of their branch; captains, 50 percent of their branch advance course; majors, all of their branch course; lieutenant colonels, noncombat arms, all of their branch advance course; lieutenant colonel, combat arms, C&GS; colonels, C&GS or higher.

c. Security. Current favorable intelligence file check required.

d. Military assignment. TOE position vacancy must be available.

4. The standards for appointment in Army National Guard are equal to those of the Active Army and exceed those of the USAR in that direct appointments in the Army National Guard are limited to those described in paragraph 2, above.

5. The standards for officer promotions in the Army National Guard parallel or exceed those of the Active Army and the USAR in that the Army National Guard has, since 1951, required that officers meet the educational criteria outlined in paragraph 3b, above.

6. The appointment and promotion of warrant officers in the Army National Guard, generally follows the criteria for officers, with the exception of OCS graduation.

7. The statutory basis for Federal recognition of officers in the Army National Guard is contained in Sections 305 and 307 through 310 of Title 32, United States Code. National Guard Regulations 20-2 and 20-3 provide the regulatory basis for officer appointments and promotions in the Army National Guard.

CHARLES L. SOUTHWARD,
Brigadier General,
Assistant Chief NGB, Army.

It has also been alleged that there are a substantial number of officers in the Army Guard who avoid the standards required for Federal recognition by serving in State grades substantially higher than their federally recognized grade. This allegation presumably infers that the various States can in this fashion man their Guard units with personnel who are unable to meet the high standards established for Federal recognition.

The National Guard Bureau at the request of the subcommittee has conducted a survey on this specific allegation and found it completely without basis in fact. The survey directed that each State report to the National Guard Bureau the number of National Guard members holding State appointments in grades higher than those in which federally recognized. This survey, completed during the month of September 1967, indicates that out of the more than 43,000 officers in the National Guard, only 70 are serving in State-appointed grades higher than their federally recognized grade. A substantial number of these 70 officers are in the process of receiving Federal recognition of the higher grade, State promotion to the higher grade being a requirement for such consideration.

There is also included within the 70 officers, three enlisted men who are serving in State-appointed warrant officer grades.

It is not the subcommittee's purpose to either defend or malign officers in the National Guard. It must be accepted as a fact of life that many officers in the Army National Guard, as well as officers in the Active Army, or executives in any other walk of life, may when the "stress of battle" confronts them, find themselves inadequate. However, to single out the National Guard as an organization possessing more than its share of "unqualified" personnel is an allegation neither supported by the facts nor calculated to retain in the Army National Guard structure dedicated and highly motivated citizen soldiers.

TRAINING—RIOT CONTROL

Every witness who appeared before the subcommittee agreed that the most useful resource in a riot situation is a well-trained individual soldier.

This observation reflects the direct application to civil disturbance situations of the training given the Guard and Active Army units and personnel in areas other than riot control. Subjects such as individual

weapons qualification, patrolling, small unit tactics, bayonet training, and guard duty develop skills useful to the soldier who is called upon to control a civil disturbance. Such training is provided in both active and Guard units, and is of course part of the basic training provided National Guard members during the initial period of 6 months' active duty for training.

During their basic training, all National Guardsmen receive instruction that is identical with that received by members of the Active Forces. They are trained exactly the same, under the same conditions, by the same active service instructors, and at the same active duty installations, as their counterparts in the Active Army or Air Force.

From basic training, Army Guardsmen go on to advanced individual training of at least an additional 8 hours, and here again additional hours of training useful in maintaining law and order are received.

From individual training received on active duty, the guardsman returns to his unit and receives basic unit training, where he learns to employ his military skills on the team with which he will further train and perhaps fight. It is in this phase of training that he receives specific training in tactics directly concerned with civil disturbances, commencing with squad and progressing through platoon, company, and battalion level.

Measured in terms of hours and based upon the requirements that guardsmen annually perform 48 drills and 15 days of field training, each guardsman therefore receives military training which adds up to 280 hours a year, or 35 additional 8-hour days. Stated another way, every guardsman, subsequent to the completion of his initial period of active duty for training, is required to receive more than a month's additional military training each year.

Until recently, most Guard units devoted relatively little time to actual riot-control training techniques. Generally speaking, this training represented only 6 hours of the total of approximately 280 hours devoted by guardsmen annually to military training. However, on August 9, 1967, the Acting Chief of Staff of the U.S. Army issued a directive to the Chief of the National Guard Bureau which, among other things, required immediate implementation of a more intensive training program to train National Guard personnel in civil disturbance and riot-control techniques.

The prescribed training program increased the required hours of instruction in riot control for units from the 6-hour period previously observed to a new requirement for 32 hours of such instruction. At the same time a similar training program of 16 hours was instituted for Guard commanders and their staffs. Set out below is a brief summary of the subject schedule of the civil disturbance and riot-control training now provided Guard personnel.

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Subject schedule

	<i>Hours</i>
Unit training:	
Introduction to civil disturbances and riot-control operations.....	2
Military leadership responsibilities and discipline.....	2
Introduction to riot-control formations.....	1
Squad formations.....	4
Platoon formations.....	4
Company formations.....	4
Riot-control agents and munitions.....	2
Special considerations and recent lessons learned.....	3
Overall aspects of riot control operations.....	2
Unit field training exercise.....	8
Total	32
Command and staff training:	
Command responsibilities.....	2
Legal aspects of riot control operations.....	1
Fundamentals of the application of force in riot-control operations.....	1
Recent lessons learned.....	2
Planning for riot-control operations.....	2
Practical exercise.....	8
Total	16

In promulgating this new program of instruction, the Department announced that it was made necessary:

Because of the new dimension added to riot control training as a result of recent civil disorders wherein arson, looting and occasional sniping were encountered, certain accepted techniques will be stressed in the new program. Among these are:

Necessity for military personnel assigned to riot control duty to report promptly all significant events and information to enable commanders and law enforcement authorities to continually estimate the situation.

Refresher tactical training in the methods of detecting, neutralizing or apprehending snipers.

Instruction in use of firefighting equipment to enable military personnel to provide assistance to civilian firemen in the event casualties occur among them.

Issuance of written instructions to each soldier outlining rules of engagement and procedures for detention of suspected lawbreakers.

Added emphasis in use of night illumination to detect and control looting and sniping.

Inclusion of civil police with military patrols.

Use of area saturation patrols by police and military forces to suppress looting and vandalism.

The various adjutants general, in responding to the subcommittee's interrogatory concerning the accelerated training made available to Guard personnel on riot control and civil disturbance techniques, generally responded favorably to the newly instituted training program. However, in a number of instances, the adjutants general were of the opinion that the instructional material provided required additional revision to provide better balance in the training program. Specifically, a number of adjutants general believe that devoting 13 hours of this accelerated instruction to formation training was excessive since it did not substantially enhance the ability of troops to cope with problems encountered in riot situations such as occurred in Detroit or Newark. These adjutants general point out that the tactics and techniques contained in the instruction program established by the Department of the Army are based on the premise that troops will be required to disperse a mob. Therefore, these adjutants general believe that the revised training program is inadequate since the tactics for combating snipers in densely populated

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areas or hoodlums with fire bombs traveling in fast-moving vehicles are "glossed over with many glittering generalities." One adjutant general summarized his view of the new training program as giving him "the impression of being a hurried rehash of outmoded tactics. No new doctrine has been developed to cope with the new situations that had arisen in recent domestic disturbances."

The criticism expressed by a number of adjutants general concerning the revised and expanded training program developed by the Department of the Army on riot control techniques would appear to be supported in part by an observation made by the Deputy Commander of Task Force Detroit in his report to the Chief of Staff of the U.S. Army on the Detroit riots. The deputy commander, in commenting on the need for additional training, stated as follows:

There is an urgent requirement to train our National Guard and Regular Army forces in the control of personnel in civil disorders. Less attention must be paid to training in riot formations, although such training is important. More stress must be placed upon the apprehension and handling of rioters, looters, and arsonists, on detention of personnel, and in the handling of bystanders and non-rioters in the riot area.

The subcommittee does not presume to pass judgment on the content or adequacy of the new training program developed by the Department of the Army for guardsmen on riot control techniques. However, in view of the vital importance of this training and the reservations expressed by a number of adjutants general concerning its adequacy, the subcommittee strongly urges the Department of the Army to establish a board of officers, including representatives of the Regular Army and the National Guard Bureau, to maintain continued surveillance and review of the adequacy of these training techniques. The board should work closely with responsible law enforcement officials in the various States so as to insure that newly developed techniques and equipment will be incorporated in and made a part of future National Guard training in this area.

NATIONAL GUARD EQUIPMENT

General

Despite the dual Federal/State mission of the Army National Guard, its equipment requirements and allowances established and approved by the Department of the Army have heretofore been limited to that equipment considered necessary to discharge only its Federal mission. Established equipment allowances therefore have not included any special consideration for the discharge of State mission requirements by the National Guard. Thus, special equipment identified as "riot control equipment" to control domestic violence has not been included in the table of allowances. However, since many of the most important items of equipment required by National Guard troops in connection with civil disturbance missions are items normally available to these forces as either individual items, i.e., rifles, bayonets, helmets, gas masks, uniforms, etc., as well as organizational equipment such as trucks and personnel carriers, the availability of authorized Federal mission equipment generally satisfies most, but not all, of the Guard's requirements for so-called riot control equipment.

Riot control equipment (allowances)

The equipment deficiencies in the Army National Guard directly related to its riot control capability vary considerably within units of the individual States. This results in part because of the policy of the Department of the Army which ignores the equipment requirements of units identified as "low priority" units in the structure. The Secretary of Defense maintains that "low priority" units are not required in our contingency war plans and, therefore, such units have not been provided most of the equipment which is normally authorized other units for training purposes.

On the other hand, so-called high priority units have, in varying degrees, received much of the equipment essential to the performance of both Federal and State mission requirements and, therefore, the equipment necessary to cope with local disorders.

The existing National Guard structure contains approximately 4,000 units of which approximately 1,500 are now identified as "reinforcing reserve" or "low priority" units for which no equipment is being procured and which are manned at 50 percent of authorized strength.

The Department of the Army on November 27, 1967, announced that the reorganization of the Army's Reserve components would commence on December 1, 1967, and is scheduled to be completed by May 31, 1968. This reorganization, long a matter of controversy, is, according to the Department of the Army, designed to accomplish the following:

- (a) Bring the force structure into conformity with that needed to satisfy military requirements and for which equipment procurement has been authorized;
- (b) Update the Reserve component force structure;
- (c) Provide adequate forces for the needs of each State; and
- (d) Locate the units in the proposed structure geographically and in relation to population so that in the event of mobilization the burden is shared equitably among States and populations.

The Congress has also concurred in these reorganization objectives expressed by the Department of the Army with its overwhelming endorsement of H.R. 2, the so-called Reserve bill of rights, now Public Law 90-168. Included among the provisions of Public Law 90-168 is statutory language which expresses the intent of Congress that the Secretary concerned, in this case the Secretary of the Army, shall provide all drilling units in the National Guard with all of the logistical support necessary to satisfy the unit's training and mobilization requirements. Heretofore, as previously indicated in this report, many units of the National Guard have neither been given the personnel, equipment, training, nor other support essential to their attaining a capability of satisfying either their Federal or State mission requirements.

The inclusion of this statutory intent of the Congress is, therefore, dictated by the past failure of the Department of the Army to adequately support its Army Reserve components. The Congress intends by this language to avoid this problem in the future.

In view of the existing equipment shortages in the National Guard structure and its adverse impact on the capability of the National Guard to cope with local disorders, it is pertinent to include in this report an elaboration of this congressional mandate as expressed by Sen-

ator Stennis on November 8, 1967, during the Senate floor debate on H.R. 2. At that time, Senator Stennis said:

The bill before us contains a statutory mandate making each of the Secretaries having Ready Reserve forces within their department responsible for the personnel, equipment, facilities, and logistic support necessary to satisfy the training and mobilization requirements for the elements of the Ready Reserve within their department. In this way, Mr. President, there will be no doubt that it is the intent of the Congress that the civilian Secretaries must take all the steps necessary within their departments to insure that the Reserve components satisfy the training and mobilization requirements. Among other things, Mr. President, this means that the Secretaries are charged with making sufficient appropriation requests to satisfy these requirements.

The subcommittee cannot emphasize too strongly its view that the Secretary of the Army should be held personally accountable for observing this expression of congressional intent, with particular reference to eliminating existing equipment shortages in the National Guard.

Communications equipment

Communication equipment of various types is, of necessity, included in the National Guard Federal mission requirement. This communications equipment, therefore, when available, also supports the Guard's capability to discharge its State mission requirements. Unfortunately, this equipment, so essential to both the Federal and State mission, is tragically inadequate in almost every unit of the Army National Guard. Witnesses appearing before the subcommittee from both the Department of the Army and the National Guard Bureau acknowledged this significant deficiency and indicated that it was the subject of an extensive "study" by the Department of the Army. Unfortunately, additional "study" is a device oftentimes resorted to by Federal bureaucrats who are either unable or unwilling to solve a difficult problem.

In commenting on the communication equipment deficiency, the Under Secretary of the Army stated:

The one equipment area where significant problems have arisen in some civil disturbances is communications. In part, this is because of the difficulty of netting military and police communication systems, particularly at small unit level. In part, however, it is due to the fact that in most cases Guard units do not have all their authorized communications equipment. In this connection, we are studying ways to enhance the Guard's communications capability until equipment deliveries overcome the deficiency. To the extent a State or city feels that there are communications needs beyond those required for the Guard's Federal mission, it may wish to emulate the action already taken by some localities to provide a special communications net and the specialized nonmilitary equipment needed to operate it.

Unfortunately, repeated inquiries made by the subcommittee both during formal hearings and subsequent discussions with representatives of the Army, have not satisfied the subcommittee's desire to ascertain when current deficiencies in communications equipment will be eliminated.

In the view of the subcommittee, the Department of the Army has not displayed any real sense of "urgency" on this specific problem. This apparent reluctance on the part of the Department of the Army to completely resolve this communication inadequacy is particularly confusing in light of the recommendations of the Deputy Commander of Task Force Detroit who advised the Army Chief of Staff as follows:

Communications.—Communications in civil disorders are a key to effective command and control and the development of intelligence that permits a realistic assessment of the situation. Radios must be available to every patrol and to individuals stationed at important intersections. The frequency problem is recognized, but it can and must be solved. A radio of the type used by the Detroit police is most effective. In Detroit, particularly among the National Guard, the lack of effective communications hindered operations. The commander was often uninformed of significant events that were taking place in his area of responsibility. It is recommended that several thousand small radios be procured and available for dispatch by air to embattled cities for use by National Guard or Regular Army forces as required.

RIOT CONTROL EQUIPMENT—(NOT ON ALLOWANCES)

In addition to the deficiencies in the table of allowance equipment authorized these various National Guard units there exists an additional requirement for special riot control equipment. This equipment, which has been requested by the various States through the National Guard Bureau, includes the following:

- Rifles, M1.
- Bayonets with scabbard.
- Mattresses, pneumatic.
- Sleeping bags with cage.
- Winter clothing.
- Armor, body protective.
- Launcher grenades, 40 millimeter.
- Sniper rifles with scope.
- Shotguns.
- Dispenser, riot control M3. (Portable tear gas dispenser.)
- Bullhorns.
- Searchlights, 23 inches.
- Concertina wire (barbed wire).

Many of the foregoing items are already included in the table of allowances (TA) or table of organization equipment (TOE) allowances for various units in the National Guard and may therefore be available in limited quantities to these units. However, since these allowances are based solely upon the Federal mission requirements of the individual unit, many National Guard units may have little or none of these specific items. For example, personnel attached to a tank company are ordinarily issued a pistol as an individual weapon and therefore do not have available a rifle which is considered essential for individuals involved in riot-control duties.

The Department of the Army had advised that many of these items which are considered necessary by the States to provide them with a capability to cope with civil disturbances are not considered necessary for the conduct of training in preparation for Federal missions, and therefore are not planned as authorized equipment for issue to these Guard units. The Army further advised that these items of equipment desired by the various States to assist in quelling local disturbances are, for the most part, available through Department of the Army supply channels. However, these items must be funded by the State.

The Under Secretary of the Army advised the subcommittee that—

If any State nevertheless believes that it requires capability not provided by its federally supported National Guard, it should bear the responsibility and cost for enlarging its police or militia, adding special equipment, or the like.

The subcommittee shares the view that the individual States cannot expect the Federal Government to provide financial support for additional National Guard units not required for Federal missions and solely required for State purposes. However, it nonetheless strongly believes that all units of the National Guard required for Federal purposes must receive all of the personnel, logistic, and training support necessary to fully satisfy Federal mission requirements. Therefore, the subcommittee wishes to emphasize once again its view that it will vigorously oppose any effort by the Department of Defense or the Department of the Army to continue its previous policy of designating certain units in the National Guard as so-called "high priority" units while others are designated as "low priority" units with the result that those units designated as "low priority" will not receive their authorized levels of personnel, equipment, and training.

This view, as previously discussed in this report, with particular reference to Public Law 90-168, requires all units to receive the support necessary to enable them to achieve an early mobilization readiness without qualification.

Despite the testimony received from the Under Secretary of the Army that the individual States would be required to bear the responsibility and cost of all special equipment for riot control purposes, it was pleased to receive a subsequent modification of this position. The Under Secretary of the Army, by letter dated December 1, 1967, in providing the subcommittee with additional information concerning the status of equipment in the National Guard, stated:

We have also developed a list of equipment of particular importance to civil disturbance control. Our present plan is for the Army to provide military items on this list to the extent they appear to be required. Nonmilitary items would be provided by the States from within their own resources.

The subcommittee understands this statement of the Under Secretary to mean that additional military items of equipment not contained on existing authorized allowance lists for particular Guard units, may nonetheless be made available by the Department of the Army to these Guard units at Federal expense if such equipment is required by the unit for riot control purposes and is an item of equipment available for issue through normal Army channels.

This policy of the Department of the Army is fully concurred in by the subcommittee since it believes that there exists a joint State and Federal interest in insuring against domestic violence in the various States. Section 4, article 4 of the Constitution, says:

The United States shall guarantee to every State in the Union a republican form of government, and shall protect each of them against invasion, and upon application of the Legislature or of the Executive (whenever the Legislature can not be convened) against domestic violence.

This constitutional provision, therefore, clearly indicates that the Federal Government has a positive and continuing interest in insuring

that the various States maintain an adequate capability to cope with civil disturbances so as to avoid the necessity of Federal intervention. Thus, for example, in 1919 when, because of the lack of a National Guard to maintain law and order, requests for Federal intervention from the various States became so numerous that Army departmental commanders were ultimately authorized to "take necessary action * * * without reference to the War Department." (Riot duty memorandum, Judge Advocate General, June 1922.)

The State mission of National Guard units relative to the maintenance of law and order and the suppression of domestic violence therefore has obvious Federal overtones which cannot be ignored.

The subcommittee, therefore, strongly supports the recent decision of the Department of the Army to make available to National Guard units those items of military equipment which may be required by the States to discharge their State mission in the suppression of domestic violence and local disorders. Nonetheless, the subcommittee remains seriously concerned with overall equipment shortages in units of the Army National Guard. It therefore recommends that the Army review its existing allowance lists of equipment for National Guard units for the purpose of making such revisions as may be necessary to insure that all military items of equipment required by the various units for the discharge of their Federal mission as well as their State mission for control of civil disturbances is authorized. On completion of such revision, the Army should provide both the Senate and House Armed Services Committees with detailed plans for the elimination of all existing shortages of equipment, and in addition, such plans as the Army may have for the distribution and availability of additional military items of equipment required by these Guard units in support of their State mission of riot control.

The subcommittee recommends that such reports be submitted to the Committees on Armed Services of the House of Representatives and Senate during military posture hearings conducted by the respective committees early in calendar year 1968.

PLANNING, COMMAND, AND CONTROL

Perhaps the most difficult area of inquiry pursued by the subcommittee was that concerned with the plans and procedures being developed on a Federal, State, and local level to utilize Federal and State National Guard forces in connection with local civil disturbances. On the basis of replies received by the subcommittee from the various adjutants general, it appears that all States have developed plans of one kind or another for use of Guard forces in State emergencies including those involving civil disorders. However, the extent to which these plans cover specific metropolitan areas in the various States remains somewhat inconclusive. In most instances, the States have indicated that preplanning has adequately covered possible contingencies involving civil disorders in the major metropolitan areas within their respective States. However, in at least one instance, no advance planning of any kind had been made in this area until recently.

The experience of recent events at Watts, Newark, Detroit, and Milwaukee highlight the importance of advance planning and carefully developed command and control systems.

As previously mentioned, it is the subcommittee's view that law enforcement and maintenance of law and order in individual communities remain the primary responsibility of State and local officials. Therefore, the subcommittee cannot emphasize too strongly its view that State and local law enforcement agencies must review and agree upon acceptable plans for contingencies that may arise in the event of future local disorders. Included in this preplanning must be adequate provision for the integration of police and military forces, communications problems, protection of firefighting personnel, handling of prisoners, and a myriad of other details which are essential if a State is to have a truly effective contingency plan for meeting local disorders.

The process of involving all responsible officials in the planning processes creates an awareness of common problems and insures that the principal and responsible officials involved will know their counterparts in other government agencies and thus will permit the review and resolution of major policy questions before a riot occurs and without the stress and strain which is present during an actual period of crisis.

State planning for these contingencies must envision the utilization of Federal support only as a last resort. These plans must nonetheless contemplate the utilization of Federal support in extraordinary contingencies and therefore require greatly improved coordination and exchange of information between State and responsible Army personnel. The Army advised the subcommittee that it is presently in the process of sending Army teams to various States to assist in coordination of this planning.

Testimony received by the subcommittee makes crystal clear the importance of resolving in advance of a crisis the command and control arrangements which will apply when State forces are being utilized in a local crisis situation as well as during a possible subsequent phase in which Federal forces may be committed. Illustrative of this problem is the condition which existed in Detroit at the time of the commitment of Federal forces. As best the subcommittee can determine, no clear-cut resolution of the command and control question had been established when Federal forces became involved. Therefore, although the Federal commander, in federalizing the State National Guard forces, assumed tactical control of all military forces in the area, his relationship with local and State law enforcement personnel remained most unclear. Therefore, the preplanning of State and local officials in conjunction with responsible Army officials must give positive consideration to the relationship between the Federal task force commander and State officials with particular emphasis on the local police during operations requiring integrated Federal and State effort.

Preplanning by local and State officials will also result in far more effective control of incipient local disorders. For example, based upon lessons learned in the Watts disorders, California Guard authorities in conjunction with State and local police officials, have developed plans which envision early commitment of Guard forces during situations which indicate the possible development of a major civil disorder. The advantages of this preplanning are illustrated in an incident which

occurred in the Hunters Point area of San Francisco in September of 1966. At that time a riot occurred which threatened to engulf a large section of the city. At the timely request of the mayor of San Francisco, some 2,000 guardsmen were rapidly committed. Executing the detailed plans in coordination with the San Francisco Police Department, the riot was brought under control in a matter of hours with no loss of life and minimal property damage compared to its potential.

The deputy task force commander in Detroit also observed the importance of preplanning and the early commitment of adequate numbers of law enforcement personnel in the case of developing civil disorders. His observations follow:

It is most important that the area in which rioting is taking place or anticipated be saturated as early as possible with maximum law enforcement personnel—local police, State police, and National Guard. The best way to stop looting, arson, sniping, and destruction of property, is to have sufficient law enforcement personnel in the area to discourage these activities and to arrest those personnel breaking the law. Rapid removal of the mob leaders and those breaking the law through arrest and detention is essential to "cooling off" the situation. The absence of sufficient law enforcement personnel in the western part of Detroit, that was seriously razed, was what permitted the situation to get out of hand. Those limited police in the 12th Street area permitted looting and fire bombing to take place because of their fear for their lives and the fear that they would be overcome by the mob if they tried to intervene. Hesitation and vacillation on the part of local and State officials and military commanders contribute to the breakdown of law and order.

In this connection, it is also pertinent to note that the existence of preplanning is to no avail if responsible officials are reluctant to quickly implement such plans. For example, General Schnipke, adjutant general of the State of Michigan, advised the subcommittee that the failure to commit available National Guard forces during the early stages of the Detroit riot permitted the disorders to unnecessarily increase in intensity and scope. The colloquy in which this observation was made is set out below.

Mr. HÉBERT. General, I will just ask you one question before we have General Simmons.

In this deployment which has been discussed, principally by Mr. Nedzi, the immediacy of deployment, did I understand you to say that in the Detroit area you had some 289 men standing by, that were available to the Mayor?

General SCHNIPKE. 380.

Mr. HÉBERT. You had 380 available to the Mayor?

General SCHNIPKE. Well, they were in a drill status, Mr. Chairman. Now before they are available they must be requested and put into a mobilization status. We have to get them out of that status to a state status.

Mr. HÉBERT. There were 380 Guardsmen available to back up the local police in restoring law and order at that time. I am trying to get the time frame now. And the rioting was going on from Sunday through Monday.

At what time did the Mayor request these troops, in the vicinity and available?

General SCHNIPKE. They were available from 8:00 o'clock on Sunday morning. They were requested for at 4:15 Sunday afternoon.

Mr. HÉBERT. They were requested pretty quickly then, weren't they?

General SCHNIPKE. Sir?

Mr. HÉBERT. They were requested pretty quickly?

General SCHNIPKE. I don't agree with that. They were available all day.

Mr. HÉBERT. They were available all day. Then in your judgment they should have been requested almost immediately, and if put into action, you may have had a different picture. I am not putting words in your mouth; I am asking what you think.

General SCHNIPKE. Our opinion is the Guard got into Detroit too late. The thing was at its maximum by the time we arrived there.

The foregoing colloquy clearly demonstrates the importance of adequate preplanning and cooperation between National Guard and local law enforcement officials. It nonetheless appears that despite the availability of Guard forces and contingency plans for their employment, there existed a remaining fundamental difference of opinion among responsible officials in the Detroit area as to the circumstances when National Guard forces were to be actually employed in combating the onset of a major local disorder.

It is, therefore, apparent that fundamental to adequate preplanning for contingencies of this type is a mutual recognition by all responsible officials of the importance of identifying to the maximum degree possible, the circumstances under which National Guard forces are to be alerted for early and decisive employment in local disorders.

PROTECTION OF ARMED FORCES PERSONNEL AND FEDERAL OFFICERS DURING
CIVIL DISTURBANCES

There is no provision of Federal law which would provide Federal authority to criminally prosecute any person or persons who attack Federal troops or Federal officers engaged in riot duty. Representatives of the Department of Justice point out that under the provisions of section 372 of title 18, United States Code, there is required proof of conspiracy to injure a Federal officer before criminal prosecution can be instituted. Therefore, since such "proof of conspiracy" would undoubtedly be difficult to obtain in a riot situation, the provisions of that statute appear not to apply. Also, in the absence of conspiracy, the provisions punishing assault or homicide on a Federal officer, 18 U.S.C. 111 and 1114, apply only to attacks on designated Federal law enforcement or investigative personnel not including members of the Armed Forces on riot duty.

It is evident therefore that neither the Armed Forces personnel engaged in riot duty in Detroit nor the special emissary of the President of the United States, the Honorable Cyrus R. Vance, were given the protection of Federal law in the event they had been attacked by hoodlums in the Detroit riots. Thus, any criminal prosecution that would have resulted in these instances could only occur if initiated and pursued by local authorities.

The subcommittee strongly believes that the Federal Government should have the power and responsibility to bring to justice those criminals who during local civil disorders assault Federal personnel in the performance of their authorized duties. The knowledge that all the investigative and prosecutive forces of the Federal Government will be applied against individuals who interfere with Federal personnel in the discharge of antiriot duties should constitute a substantial deterrent to those individuals who may otherwise be disdainful of the forces of justice in their local communities.

The subcommittee therefore strongly recommends that the appropriate committees of the Congress initiate at the earliest possible time hearings on bills now pending before these committees which have the purpose of rectifying this situation.

LIABILITY OF MILITARY PERSONNEL FOR CRIMINAL OFFENSES DURING RIOT CONTROL DUTY

During the subcommittee's hearings questions were raised concerning the liability of military personnel, including National Guardsmen, to criminal prosecution for their conduct during anti-riot operations during periods of federalization.

The specific question was raised by the adjutant general of the State of Michigan who was concerned with the possibility that National Guardsmen who were ordered to duty by competent authority in support of local and State police in maintaining law and order might in the discharge of their duties have become involved in incidents which would ultimately result in their criminal prosecution by local civil authorities. The question involved therefore is, "Who would provide legal counsel for such defendants?"

The subcommittee therefore pursued this matter with the Department of Justice and was advised that "if the act appears to have been done under color of the defendant's Federal office or status the United States would provide him with necessary counsel.

Because of the pertinency of this matter, the communication from the Department of Justice on this matter is set out below in its entirety.

DEPARTMENT OF JUSTICE,
Washington, September 1, 1967.

HON. F. EDWARD HÉBERT,
Chairman, Special Subcommittee on Civil Disturbances, Committee on Armed Services, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In the course of my testimony before your Subcommittee on August 15, members of the Subcommittee raised several questions concerning the liability of military personnel to trial for criminal offenses arising out of their conduct during anti-riot operations ordered pursuant to 10 U.S.C. 331. I undertook at that time to look into these questions and to inform the Subcommittee by letter what our legal research indicated the state of the law to be on these questions. It should be understood that the conclusions expressed below do not represent policy choices by the Department of Justice; rather, they are a summary of the law as laid down by the Congress and the courts over a good many years.

For most of the purposes considered in this letter it will not matter whether the accused soldier (sometimes referred to below as "the defendant") was, at the time of the alleged offense, a member of the regular Armed Forces or a National Guardsman serving in Federal status. Thus, once a member of the Guard or of the regular Armed Forces has been released from the active military service of the United States, proceedings cannot be commenced against him for trial by Federal court-martial, although a Guard member released from Federal service may still be subject to court-martial under State law. Otherwise, the status of any such defendant for purposes of trial would be like that of a civilian policeman charged with an offense committed during riot duty. Such defendants may be tried in the appropriate civilian courts.

Similarly, if either a regular or a Guardsman is charged with an offense committed while in the active military service of the United States, and he is still in that status when called upon to stand trial, he is subject to Federal court-martial. The factors determining whether such a defendant may be subject to trial in a civilian court are more complicated. These are discussed later in this letter.

For purposes of discussion, it will be assumed below that the defendant is in Federal military status both at the time the alleged offense was committed and at the time of trial. This may be done without loss of accuracy in describing the soldier's liabilities and defenses because whatever the defendant's military status may be at the time of the alleged offense or at the time of trial, and in whatever court he may be tried, substantially the same legal standards would be applied in determining whether his conduct was justified in the circumstances under which he acted.

Standards of sound military conduct, even under battlefield conditions, are enforced by law. For this purpose, the Congress has enacted the Uniform Code of Military Justice (10 U.S.C. 801 *et seq.*), derived from Articles of War that were enacted into law and applied in all American armies since the Revolutionary War. With respect to conduct affecting civilians, foreign or domestic, the basic principle of military law is a simple one, of ancient lineage. It is that military personnel may use whatever force is reasonably necessary to suppress unlawful violence they are ordered to put down. See Frederick B. Wiener, *A Practical Manual of Martial Law* (1940). There is a permissible range of honest judgment as to what measures may be required for that purpose. In the context of a domestic riot, it may be necessary to use greater force than could lawfully be exerted for ordinary law enforcement purposes; this conclusion naturally follows from the fact that the military is not called upon in such cases until the resources of conventional law enforcement have proved inadequate to suppress the violence.

Whether or not the allowable limits of individual military conduct in such circumstances have been overstepped in a particular case is a judicial question which military or civil courts may subsequently be called upon to decide. *Sterling v. Constantin*, 287 U.S. 378, 401 (1932). In this connection, the courts have held that the acts of a soldier done in good faith in compliance with his duties or orders are justifiable. This justification does not exist, however, when the acts done are manifestly beyond the scope of authority, or the order is such that to a man of ordinary sense and understanding would know it to be illegal, or the soldier willfully or through negligence does acts endangering the lives of innocent persons.¹ Thus, the principle of necessity which initiated the military action also defines how much force may lawfully be used in obeying an order.

There remains for consideration the factors determining the courts in which a member of the Armed Forces on anti-riot duty, who is charged with a criminal offense in the light of the standards discussed above, may be prosecuted and present his defenses.

As already noted, he may be tried by court-martial if he has not been discharged from the active military service of the United States. The Uniform Code of Military Justice includes offenses specifically pertinent, such as murder under Article 118, assault under Article 128, or wrongfully damaging property under Article 109 (10 U.S.C. 918, 928 and 909, respectively).

The military courts do not, however, have exclusive jurisdiction under such circumstances. Unless domestic violence has attained such proportions as to justify the displacement of civil by military courts, so that conditions of complete "martial law" prevail,² the assumption is that the civil courts are open with their normal jurisdiction.

Unless a defendant soldier is arrested by civilian authorities, however, they will have to request the military to make him available for trial. Article 14 of the Uniform Code of Military Justice (10 U.S.C. 814(a)) specifically provides that "a member of the armed forces accused of an offense against civil authority may be delivered, upon request, to the civil authority for trial." If the civil authority of a State makes a request under this provision, it is decided as a matter of policy within the military establishment whether or not to honor the request and, if so, whether to do it before or after a trial of the accused by court-martial. The defendant himself has no choice in this matter; he is not entitled to demand either trial by court-martial or trial by a civil court to the exclusion of the other.

If the military decides to release a soldier to State jurisdiction, in trying the case the State courts would be bound by the Supremacy Clause of the Constitution to honor a defense, if warranted by the facts, that the use of force was no more than was necessary to execute the lawful mission of the intervening military forces of the United States.

Moreover, if a soldier is indicted in a State court, he will be able to remove the prosecution to a Federal District Court under 28 U.S.C. 1442a, if the prosecution relates to "an act done under color of his office or status, or in respect to which he claims any right, title, or authority under a law of the United States respecting the armed forces thereof." The same right may be available to him as an "officer of the United States" or as a "person acting under" a Federal officer,

¹ *U.S. v. Bevans*, 24 Fed. Cas. 1138 (No. 14,589) (D. Mass. 1816); *Manual for Courts-Martial* § 197b (1951) (Exec. Order No. 10214, 16 Fed. Reg. 1303, 1403). Cf. *Mitchell v. Harmony*, 54 U.S. 115 (1851).

² See *Coleman v. Tennessee*, 97 U.S. 509 (1878).

pursuant to 28 U.S.C. 1442(a) (1) ³ As you know, the reason for these removal provisions is the judgment of Congress that Federal officers acting under Federal law should have a Federal tribunal in which to vindicate themselves, free from any potential restraints of State government or prejudice of local interests.

The primary test for removal is whether the act was done "under color of his office or status." This means that the act must have borne some relationship to the defendant's official duties and was therefore within the general scope of his authority as an officer or soldier. *E.g., Ohio v. Dorico*, 247 F. Supp. 866 (N.D. Ohio 1965).

If the act appears to have been done under color of the defendant's Federal office or status, the United States will ordinarily support the defendant's petition for removal and supply him with the assistance of counsel at his trial in United States District Court. Otherwise, the defendant will have to retain his own lawyer for these purposes. In either case, it is the Federal court that decides whether the conditions for removal have been met. If they have been met, removal will be granted as a matter of right.

After the removal of such a case to Federal court, the State prosecutor will continue to control the prosecution of the case, and it will be decided according to State law except to the extent that a defense based on Federal law is involved, as described above. The effect of the removal is simply to provide a dispassionate Federal forum for what is essentially a trial of an offense against State law.

These aspects of State law which prevail in cases removed to Federal court under 28 U.S.C. 1442a or 1442(a) (1) also affect the question whether the defense of double jeopardy is available to prevent trials by both military and civil courts based on the commission of a single act. In the present state of the law, it is clear that if the defendant is tried by court-martial by Federal military authority, he may also be tried by a State court without violating the double jeopardy clause of the Fifth Amendment. *Cf. Bartkus v. Illinois*, 359 U.S. 121 (1959). The reason for this conclusion is that, in the nature of our Federal system, the same act may be an offense against the laws of the United States and also of a State, and be punishable under both.

The same conclusion would appear to apply if a trial by court-martial is followed by a State prosecution that comes to be conducted in a Federal court upon removal. To the best of our knowledge, however, this question has not yet been squarely decided by the courts. In the present state of the law, moreover, it is likely that the above conclusions would also be valid if the sequence of trials were to be reversed, with the trial in civil court, State or Federal, preceding the trial by court-martial. *Cf. Abbate v. U.S.*, 359 U.S. 187 (1959).

I hope that the foregoing information will be of assistance to the Subcommittee as a supplement to my testimony.

Sincerely,

MARTIN F. RICHMAN,
First Assistant, Office of Legal Counsel.

THE UTILIZATION OF FEDERAL FORCES IN CONNECTION WITH LOCAL DISORDERS—LEGAL CONSIDERATIONS

Under existing statutory authorization, the President is empowered to dispatch troops to meet three different types of problems arising in the wake of civil disturbances which confront specific States. These encompass (1) civil disturbances which interfere with the enforcement of Federal laws. Under 10 U.S.C. 332 the President, without waiting for any request for assistance from State authorities, and even in the face of opposition from State authorities, is competent to dispatch troops into any State in which resistance to the execution of Federal laws is encountered. (2) Likewise, by the terms of 10 U.S.C. 333 the President is authorized to dispatch troops into any State in which a civil disturbance not only impedes the administration of Federal and

³ Alternatively, a defendant held in State custody may be released on *habeas corpus* by a Federal court if it is clear that he did the acts complained of in the lawful performance of his official duties. In that event, he may not be prosecuted in either State or Federal court for the State offense with which he was charged. *In re Neagle*, 135 U.S. 1 (1890).

State laws but also has the effect, as a consequence of a default on the part of a State, of depriving inhabitants thereof of certain rights secured to them by the Constitution and laws of the United States. (3) Finally, the President, in his discretion, is privileged by the terms of 10 U.S.C. 331 to respond, or not to respond, to requests for the dispatch of troops received from a State in which a civil disturbance not entailing resistance to the enforcement of Federal laws has arisen.

Unfortunately, during the recent commitment of Federal troops to assist in establishing law and order in Detroit, there arose questions concerning the circumstances under which such Federal forces could be made available expeditiously. The subcommittee, in reviewing the constitutional and statutory provisions which apply, recognized that the language which had its origin in the early days of our Republic may appear to be somewhat ambiguous and vague. Therefore, it inquired of the Attorney General of the United States what action had been taken to clarify the circumstances under which the respective Governors could request and expect to receive Federal assistance to suppress domestic violence within the boundaries of their State. The subcommittee was, therefore, pleased to receive copies of a communication which the Attorney General of the United States had addressed to every Governor on this subject. This communication in the view of the subcommittee, clearly states the basic prerequisites to the use of Federal troops in a State in the event of domestic violence.

The communication from the Attorney General to the Governors is set out below.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., August 7, 1967.

DEAR GOVERNOR: At the President's request, I am writing you regarding the legal requirements for the use of Federal troops in case of severe domestic violence within your state. The requirements are simple. They arise from the Constitution. So the principles will be clearly in mind, I will briefly outline here the basic considerations of Federal law applicable to such a situation.

The underlying constitutional authority is the duty of the United States under Article IV, Sec. 4, to protect each of the states "on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence." This pledge is implemented by Chapter 15 of Title 10, U.S.C. and particularly 10 U.S.C. 331, which derives from an act of Congress passed in 1792. The history of the use of Federal forces at the request of governors in varied circumstances of local violence over more than a century is also instructive.

There are three basic prerequisites to the use of Federal troops in a state in the event of domestic violence:

(1) That a situation of serious "domestic Violence" exists within the state. While this conclusion should be supported with a statement of factual details to the extent feasible under the circumstances, there is no prescribed wording.

(2) That such violence cannot be brought under control by the law enforcement resources available to the governor, including local and State police forces and the National Guard. The judgment required here is that there is a definite need for the assistance of Federal troops, taking into account the remaining time needed to move them into action at the scene of violence.

(3) That the legislature or the governor requests the President to employ the armed forces to bring the violence under control. The element of request by the governor of a State is essential if the legislature cannot be convened. It may be difficult in the context of urban rioting, such as we have seen this summer, to convene the legislature.

These three elements should be expressed in a written communication to the President, which of course may be a telegram, to support his issuance of a

proclamation under 10 U.S.C. 334 and commitment of troops to action. In case of extreme emergency, receipt of a written request will not be a prerequisite to Presidential action. However, since it takes several hours to alert and move Federal troops, the few minutes needed to write and dispatch a telegram are not likely to cause any delay.

Upon receiving the request from a governor, the President, under the terms of the statute and the historic practice, must exercise his own judgment as to whether Federal troops will be sent, and as to such questions as timing, size of the force, and federalization of the National Guard.

Preliminary steps, such as alerting the troops, can be taken by the Federal government upon oral communications and prior to the governor's determination that the violence cannot be brought under control without the aid of Federal forces. Even such preliminary steps, however, represent a most serious departure from our traditions of local responsibility for law enforcement. They should not be requested until there is a substantial likelihood that the Federal forces will be needed.

While the formal request must be addressed to the President, all preliminary communications should be with me. When advised by you that serious domestic violence is occurring, I will inform the President and alert the proper military authorities. You can reach me at my office, my home, or through the White House switchboard at any hour.

Enclosed are copies of the relevant constitutional and statutory provisions and a brief summary of past occasions on which a governor has requested Federal military assistance. Your legal counsel, I am sure, keeps you fully advised of requirements of state law as well.

If you have any questions or comments, please let me know.

Sincerely,

RAMSEY CLARK,
Attorney General.

Enclosures.

THE CONSTITUTION
ARTICLE IV, SECTION 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

TITLE 10, UNITED STATES CODE
CHAPTER 15

§ 331. Federal aid for State governments.

Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces, as he considers necessary to suppress the insurrection.

* * * * *

§ 334. Proclamation to disperse.

Whenever the President considers it necessary to use the militia or the armed forces under this chapter, he shall, by proclamation, immediately order the insurgents to disperse and retire peaceably to their abodes within a limited time.

STATE REQUESTS FOR FEDERAL ASSISTANCE IN SUPPRESSING DOMESTIC VIOLENCE

A CHRONOLOGICAL LIST

1838—*Buckshot War*

The Pennsylvania Governor asked for Federal assistance (based on Const. Art. IV, sec. 4) in restoring order when violence resulted from a bitter political contest. President Van Buren refused on the ground that Federal interference is justified only where domestic violence is such that State authorities have proved inadequate.

1842—*Dorr Rebellion*

Rhode Island Governor King asked for assistance to stop the attempt of Dorr to claim the Governorship. President Tyler replied that the time for Federal interference had not arrived since there was no actual insurrection. Further requests were denied on the ground that the legislature was in session and the Governor therefore was not authorized to apply for aid. The President said he would issue a proclamation if a lawful request was made, but Dorr disbursed his troops and this was not done.

1856—*San Francisco Vigilance Committee*

California Governor requested Federal aid in stopping the Committee from usurping the authority of the State. The Attorney General advised President Pierce that the circumstances did not afford sufficient legal justification for Federal assistance since there was no "actual shock of arms" between insurgents and the State, and the State had not exhausted its powers to deal with the situation. (8 Op. A.G. 8). The President took no action.

1873—*New Orleans unrest*

Lawlessness due to racial problems and also political uncertainty as to proper occupants of political office resulted in violence. Louisiana Governor asked for Federal help. President Grant issued a proclamation ordering the insurgents to disperse. Failure to heed the proclamation and increased disturbance resulted in a further proclamation and dispatch of two regiments.

1876—*South Carolina riots*

Riots resulted from an altercation between the Ku Klux Klan and Negro state militia. The President issued a proclamation in response to a call for Federal intervention and troops were stationed at 70 places in the State to secure the peace during the election. (This action culminated in enactment of Posse Comitatus Act of 1878.)

1877—*Railroad Strike riots*

Upon request for Federal intervention, President Hayes issued proclamations with respect to West Virginia, Maryland, Pennsylvania and Illinois to restore order. The Ohio Governor asked for and received Federal arms but did not request troops. Indiana asked the President to authorize the commandant at the U.S. arsenal to aid the state. On the ground that the request was incorrectly made, the Governor was informed that Federal troops would be used only to protect U.S. property. Michigan, Wisconsin and California also made requests for help but the situation in those states did not become critical.

1892—*Idaho's Coeur D'Alene mining disturbances*

During a seven year period, President Harrison, Cleveland and McKinley furnished Federal assistance which was requested by Idaho Governors.

1894—*Coxey's Army of unemployed*

President Cleveland instructed the army to assist Montana in handling violence of a Coxeyite contingent in Montana, at the Governor's request. However, the President did not issue a formal proclamation.

1903—*Colorado mining strike disturbance*

President Theodore Roosevelt denied assistance to the Colorado Governor who made two requests for "such aid as I may call for," but promised that the Federal Government would act when a request was made in a manner "contemplated by law," explaining that under H.R. 5297 there must be shown an insurrection against the State and inability of the State to control it.

1907—*Nevada mining disturbance*

In response to an urgent request from the Governor, President Roosevelt ordered troops to assist. Later, a President's investigating committee found there was no warrant for the assertion that the civil authority of the state had collapsed. After the President threatened withdrawal of the troops, the Governor convened the legislature, which asked that Federal troops remain for a short period until the State Police could be organized and equipped to handle the situation.

1914—*Colorado coal strike*

At the request of the Governor, President Wilson sent troops to stop rioting, but only after considerable negotiation and exploring of avenues of peaceful resolution by Government representatives failed.

1919—Race riots in Washington, D.C., and Omaha; Gary steel strike

On the theory that the service by the National Guard in the war left the States without adequate protection against internal disorders, the Secretary of War instructed commanders of the departments to respond to state requests for assistance. The use of Federal troops in 1919 was without a proclamation or other formalities.

1921—West Virginia coal mine warfare

President Harding was requested by the Governor to intervene. The President stated that he was not justified in using Federal military forces until he was assured the State had exhausted all its resources. A subsequent outburst of violence resulted in a Proclamation and order to dispatch Federal troops. The troops met no resistance and disarmed the miners.

1932—The Bonus Army

Needy veterans who came to Washington to seek veterans' bonus legislation were housed in tents, shacks, and government buildings which were being demolished. The Treasury Department attempted to repossess a government building in order to continue demolition, resulting in a clash between the veterans and police. The District Commissioners asked the President for assistance and the army moved in, cleared the buildings and destroyed the shacks. No proclamation was issued.

1943—Detroit race riots

The Governor advised that the State was unable to suppress domestic violence, the President issued a proclamation and Federal troops were dispatched.

1967—Detroit riots

The most recent incident, of course, was the dispatch of Federal troops to Detroit on July 24, 1967 at the request of the Governor. President Johnson issued a proclamation and Executive order pursuant to Chapter 15 of Title 10, U.S. Code.

SUBCOMMITTEE FINDINGS

1. That the National Guard of the respective States, the District of Columbia, and Puerto Rico now have a limited but generally adequate capability for coping with civil disturbances. The principal limitations are those which arise from a lack of equipment and a lack of essential training in riot-control techniques and not numbers of personnel.

2. That equipment shortages of federally authorized equipment are not uniform throughout the National Guard organization. National Guard units identified as Selected Reserve Force units are, except for communication equipment, generally free of major equipment shortages. However, other National Guard units, both in the immediate and reinforcing reserve categories, have serious shortages of equipment.

3. That the Army's proposed reorganization of the National Guard, if properly implemented and supported by the Department of the Army in accordance with the provisions of Public Law 90-168, should eliminate all major equipment shortages in the remaining units.

4. That the Department of the Army is not taking adequate steps to insure the early procurement of essential communication equipment with particular emphasis on communication equipment needed by the National Guard to cope with civil disturbances.

5. That certain other items of military equipment required to provide all National Guard units with the capability of adequately coping with civil disturbances have heretofore been denied to them by the Department of the Army since they are not items of military equipment specifically included on the individual unit's allowance of federally authorized equipment.

6. That items of military equipment required by many National Guard units as riot control equipment and not included on the federally authorized allowance of many of these units, includes—

- (a) Rifles, M-1;
- (b) Bayonets with scabbard;
- (c) Mattresses, pneumatic;
- (d) Sleeping bags with cage;
- (e) Winter clothing;
- (f) Armor, body protective;
- (g) Launcher grenades, 40 millimeter;
- (h) Sniper rifles with scope;
- (i) Shotguns;
- (j) Dispenser, riot control M-3 (portable tear gas dispenser);
- (k) Bullhorns;
- (l) Searchlights, 23 inches;
- (m) Concertina wire (barbed wire).

7. That the Department of the Army has now agreed to provide military items of riot-control equipment to National Guard forces at Federal expense to the extent they appear to be required.

8. That the cost of military items required as riot-control equipment should be borne by the Federal Government rather than the individual States since the availability of such equipment will substantially lessen the need for possible Federal intervention in civil disturbances.

9. That the accelerated training program instituted by the National Guard on riot-control techniques should result in a substantial increase in Guard capability in this area. However, the current accelerated training program appears largely to be based upon old techniques which have not been properly adjusted to incorporate necessary changes in training and techniques to cope with arsonists, looters, snipers, etc.

10. That past experience has demonstrated that the existing and proposed personnel strengths for the National Guard of the respective States will be adequate to cope with civil disturbances. However, in those extraordinary instances in which local disorders may mushroom in magnitude beyond the capability of local forces, adequate Federal forces are available to assist in the restoration of law and order.

11. That all States and metropolitan areas have not yet developed adequate contingency plans to cope with civil disturbances.

12. That the contingency plans established by responsible law enforcement officials for coping with civil disorders must give special emphasis toward resolving responsibility for command and control of committed forces.

13. That timely and effective use of National Guard forces in civil disorders requires detailed and comprehensive preplanning by law enforcement officials at local, State, and Federal levels.

14. That Armed Forces personnel and other Federal officials when detailed to duty involving the restoration of law and order are not now protected under Federal law against possible assault, injury, or death, from riot participants.

RECOMMENDATIONS

1. The subcommittee recommends that the Department of the Army establish a permanent board of officers, including officers of both the

Regular Army and the National Guard Bureau, for the purpose of supervising the development and testing of civil disturbance control measures and equipments, that such board be authorized and directed to consult with appropriate law enforcement agencies in the accomplishment of this requirement, and that this board develop and periodically publish revised training directives as appropriate to insure that National Guard and Federal forces are appropriately and adequately trained in the most advanced techniques of civil disturbance control.

2. The subcommittee recommends that the Army review existing allowance lists of equipment for National Guard units and make such revisions as are necessary to insure that all military items of equipment required for the control of civil disturbances are authorized units which may be employed to cope with civil disturbances. The Army should provide both the Senate and House Armed Services Committees with detailed plans and scheduled dates for elimination of all existing shortages of authorized equipment and for the distribution of such additional military items of equipment as are necessary for the discharge of the Guard's State mission on civil disturbance.

The subcommittee further recommends that this report be submitted by the Secretary of the Army to the Committees on Armed Services of the House of Representatives and the Senate during military posture hearings conducted by the respective committees early in calendar year 1968.

3. The subcommittee recommends that the Department of the Army, through the National Guard Bureau, issue appropriate directives to the adjutants general of the National Guard units to insure that there are in effect at all times appropriate contingency plans for the control of civil disturbances. Such contingency plans should be developed in sufficient detail to permit rapid and effective coordination of State, county, and local forces with National Guard forces, and should be developed in consultation with appropriate officials of these non-Federal law enforcement agencies.

4. The subcommittee recommends that, in order to insure the maintenance of the highest training standards and early mobilization readiness by all National Guard units, the Army eliminate as soon as possible the 50 percent deficiency now existing in the number of Regular Army officer advisers assigned to these units.

F. EDWARD HÉBERT,
Chairman.

PORTER HARDY, JR.
LUCIEN N. NEDZI.
ALTON LENNON.
G. ELLIOTT HAGAN.
SPEEDY O. LONG.
WILLIAM G. BRAY.
CHARLES E. CHAMBERLAIN.
ALEXANDER PIRNIE.
DONALD D. CLANCY.

I have read the foregoing report and find myself in full accord with the views and recommendations of the subcommittee.

L. MENDEL RIVERS,
Chairman.

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 16, 1968

MEMORANDUM TO THE COMMISSION

SUBJECT: Ebony article on "Street Academies"

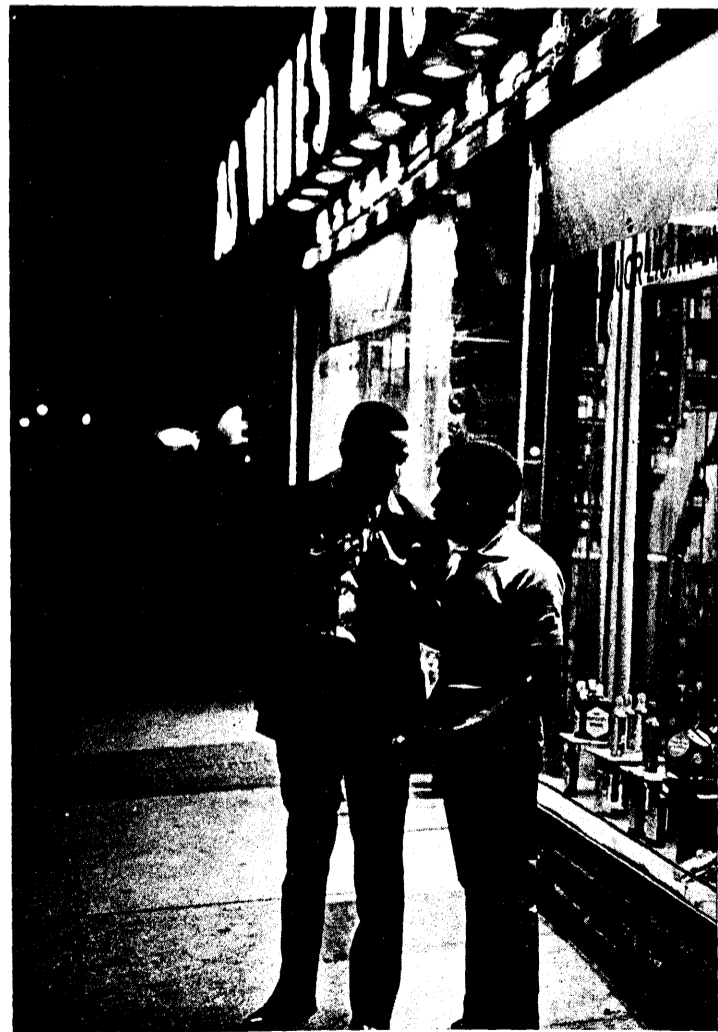
Enclosed is a reprint of an article from Ebony about the New York "Street Academies." The article was sent to me sometime ago by Mayor Lindsay's office and may be of interest both in terms of the specific program it discusses and the private financing that plays a part in it.


David Ginsburg
Executive Director

Enclosure



Day and night, street workers, George Howard (above) and Herbie Miller (below) scour Harlem community's streets for drop-outs to recruit in Urban League Street Academy project. Drop-out population for Harlem alone is roughly placed at 30,000.



STREET ACADEMIES: New Way To Reach The Ghetto Dropout

By PONCHITTA PIERCE

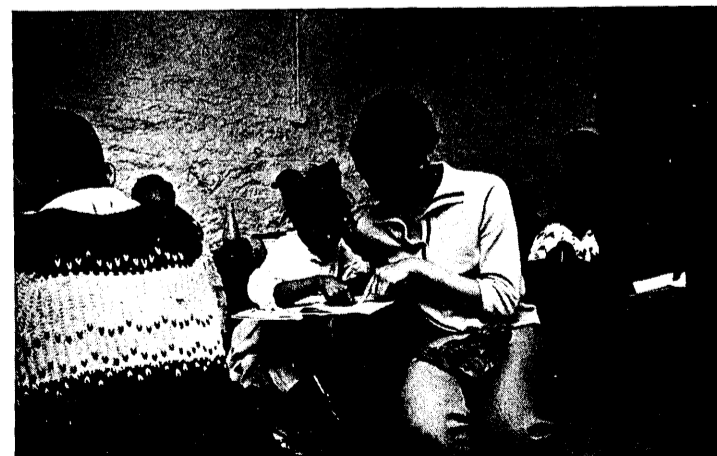
"WHAT do you know about bein' poor and livin' in Harlem? What do you know about bein' black and hungry?" Herbie Miller was shouting now. "Have you ever been out in the cold with your butt freezin' off? What do you know about livin' with rats or needin' a fix? You don't know nothin' about Harlem and I been livin' here all my life. It ain't gonna change because of you, ever."

It was nearly 5 p.m. on an afternoon nearly two years ago and Herbie stood in the dim-lit doorway of a dingy storefront near 114th St. The target of his harangue was a 25-year-old Princeton graduate named George Gorman who had just told him that Harlem "could be salvaged and re-made in a new image of accomplishment." But now George was listening intently, soaking up the angry rage from one of Harlem's products, one of its bitter victims. A moment later, when Herbie had finished his tirade, George spoke softly again.

"Yeah, brother, Harlem's people *can* change the condition of their lives."

George then explained the workings of a project begun nearly four years ago that is now operating under the aegis of the Urban League of Greater New York. With the lion's share of its funding provided by the Ford Foundation, the Street Academy Program (SAP) has set out to change the status of life for people in Harlem by concentrating on that community's most valuable and most neglected resource—the youth of its slums. After its first year of funding, nearly \$700,000, the project can claim impressive successes. From the lowest stratas of ghetto life, where 80 per cent of Harlem's population under 21 reads at below the 6th grade level, the program has salvaged 250 ex-high school dropouts, coached them through remedial education programs and is speeding them on their way toward a college education. Ahead of them are 34 SAP alumni who have completed their freshman years on college campuses across the nation as scholarship students. Most of them are returning to Harlem for the summer to work with youths in the SAP program.

Though he was once a skeptic, Herbie Miller is now a supervisor in charge of street workers who operate from headquarters housed in six storefront schools that are run informally to lure in youth who have already rejected the regimented environment of the public school classroom. Here street workers like George Gorman along with trained teachers, begin the difficult task of *motivating* youngsters to want another try for an education. From the storefront, the motivated student is sent to an academy of transition—there are two in Harlem—where he





Herbie gives signal for start of relay race between teams of Harlem youngsters while street worker Bernard McLean (1.) looks on. Unlike traditional social workers, most street workers in program are products of slum community.

At an academy of transition, the second stage of student preparation, English teacher Sam Penceal drills students. Unlike public school classrooms, atmosphere of academy classrooms is very relaxed but student interest is intense.

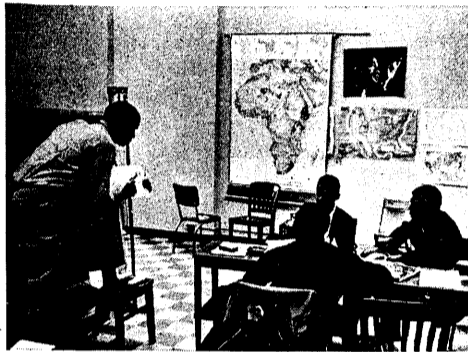
In basement classroom, tutor Cherie Dalton, 16, a Brandeis High School junior, works with second grader, Deidre Smith (opposite page). Tutors work for three hours daily under Urban League auspices to upgrade reading levels.





George Gorman jokes with Herbie Miller who is supervisor for street workers in Urban League project. Now close personal friends, Gorman recruited Miller two years ago when the latter entered his office to voice his bitterness.

Ted Hayes, a Long Island University graduate, holds class in business investment and retail sales in a Street Academy classroom. Wall poster of Malcolm X (background) demonstrates program's emphasis on student's identifying with black heroes.



In last stage of tenure in Street Academy program, **Susan Gordon** (r.) attends history class at Newark Prep. She has been awarded scholarship to study next year at Chambon sur Lignon, France, through Christian Youth Exchange.



The Rev. Eugene Callender, executive director for the New York City Urban League chats with Harv Oostdyk (l.), League director for education and SAP founder. Herbie Miller (right) gives an affectionate hug to a 14-year-old admirer, Joe Woods.



Roland (Frenchie) La Mant (l.) jokes with fellow residents in apartment facility maintained by the League for students without homes. Now a senior at Newark Prep, La Mant will attend Fordham University next fall, plans to study medicine.

STREET ACADEMIES

is given instruction in American history, English, math, Negro history and sociology. At this juncture, most are given part-time jobs through which they earn stipends of roughly \$40 per week and gain work experience. The final step before college entry is a term at Newark Preparatory School in Newark, N. J., where 50 are now enrolled.

"Adolescents" (roughly defined by SAP to include anyone between the age of 16 and 36) in the area are jobless and unmotivated or unable to improve their economic status. "They usually sleep until 12 a.m., play cards or listen to records during the afternoon before finishing off the day with basketball or stickball," George Gorman says. "They just don't pass a Street Academy, become curious and stroll in for an education. They have to be brought in and that's a hard job."

"I realized it took commitment when I met George," Herbie says. "There was something about the cat . . . his dirty dungarees, his willingness to listen, to try to understand my problems. The heroes in my world had been the hustlers in mohair suits and alligator shoes and with rolls of money. George helped me to see other ways to make it. I wanted to help others, too."

For Herbie and his street workers, help means recruiting dropouts in pool halls, on playgrounds, in front of liquor stores, in bars and in the hangouts narcotic addicts frequent—the "shooting galleries."



Two karate experts, Herbie (r.) and Kenny Lambert (in flight) work out to the delight of youthful audience. Herbie teaches karate to students enrolled in SAP "when they are old enough and when we are sure they will use it only as a sport."

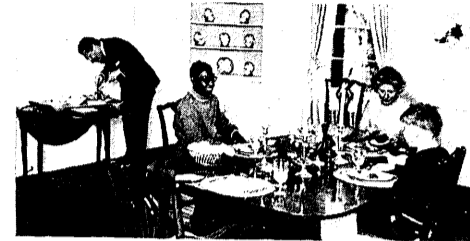
"When we find them we try to develop warm, personal relationships. We begin by helping someone solve a problem involving housing or money. After we have established friendship and trust we start talking about "getting heavy" with education, going back to school and getting training for jobs that give a man or woman dignity."

Unlike most social work agents, the street workers live in or near Harlem, for the most part, and are available to help their youthful clientele whenever a crisis strikes. Many are the products of the neighborhoods in which they work. "That makes them more successful from the very beginning," Herbie says, "because people *know* who they are."

"When a fellow tells me about his problems, I *know* about them. I've lived through them. I've been evicted from seven apartments where the rats stayed on. I had problems that I couldn't take to my folks because they weren't around. I know what brokenness means. I know what it means livin' today but not bein' sure about tomorrow and I know that you can work your way through it and survive."

The key to the League's success in the streets—an area it has traditionally avoided—are the people like George and Herbie, who have successfully penetrated the walls of insecurity and bitterness and distrust, with chisels of concern and commitment. Another example of such dedication is a 56-year-old Ph.D., Susan Bryant, known by students as "Doc," whom student Cathy Portlette describes as having "patience with us like our parents." Two to five years of work in a community is necessary before the street workers' influence begins to show. "You have to be in an area long enough so you can wait for guys to finish their 18 months in jail and be there to help pick up the pieces when they return to the streets," says one of the pros.

When the street worker succeeds in getting the dropout back into the classroom, the academy teacher—usually with a BA degree, along with additional graduate work—takes over. The teacher, black or white, must be "cool," move with ease in the sub-culture known as the "street," must not be addicted to neckties, white shirts, or insist



Residents of Greenwich, Conn., work with Street Academy program by hosting students in their homes for dinner. In upper left photo, Cleopatra Jackson visits with Charles Adorney family. In right photo, Sonny Miles dines with Marshall Clark family. In meeting at First Presbyterian Church (center) group discusses education and careers.



Street Academy staffers maintain close relationships with residents of Harlem community. Far left photo shows Susan (Doc) Bryant cavorting with prep school students. In 2nd left photo George Howard jokes with residents. Female workers, Ruth Kyles (3rd photo left) and Roz Larsen, (right) informally counsel youth of community.

STREET ACADEMIES

that his students be. And, most importantly, his middle-class sensibilities cannot be offended by student adoration of figures like Malcolm X and Muhammad Ali, posters of whom decorate walls in many storefront classrooms.

The informal atmosphere of the classroom does not obscure the fact that learning activity is intense, even though the student may wear his hat in class and prop his feet on the desk in front of him.

The program was started four years ago when 34-year-old Harv Oostdyk came to Harlem after gaining social work experience on New York's lower East Side. His success with gang leaders he enlisted in a tutorial program made a favorable impression on the Reverend Eugene Callender at Harlem's Church of the Master. Regular remedial instruction was offered the group in the church, at Callender's invitation. So successful was the program that the organization, Young Life furnished it financial support. Last June, following Rev. Callender's appointment as Executive Director for the Greater New York Urban League, the minister took the SAP program under League jurisdiction.

"It was the first time an organization was willing to listen to the people here," says a Harlem resident. With that tenet in mind, the League has made an effort to develop indigenous leadership, leaders who will eventually take control of the program. "The black man who has made it must reach out to his brothers in the street," says Oostdyk, who is now League director of education. "The pattern must not be one of bourgeois escape but involvement," he adds. The 34 students SAP has helped through their freshmen college terms have returned to Harlem for work this summer. "The streets are teeming with hate and black college students can have profound impact on hundreds of impressionable youths," Oostdyk says.

Street Academy Program will establish a fully accredited private preparatory school for Harlem this fall. Several foundations will share costs and it is hoped that no tuition will be charged. Cost for the project is estimated at \$237,000. Manhattanville College will help staff the faculty with three full-time instructors. Planned student enrollment will be 70. And the League plans to offer basketball and a choir as extra-curricular activities.

Program staffers are shown in executive session (below, left) with Urban League administrators. Editorial staff (center) of The Probe prepares an issue for publication. At right, former Street Academy students returned from their freshmen college terms, prepare for summer work with street workers and Academy students.



Though its current Ford Foundation grant—approximately \$700,000—will expire in December of this year, League administrators hope to secure increased funding from other foundations for next year and negotiations for them are currently underway. Long range plans call for increasing street worker staffs and providing more jobs for SAP students. Money is also needed to help finance youth businesses, including the academy sponsored newspaper, The Probe: The Voice of the "New" African American Community, an advertising agency and a dress shop, all of which are designed to provide job experience and bring in money that can be used for scholarships. There are also plans to open an academy in the tough Bedford-Stuyvesant section of Brooklyn and another in the Bronx. To carry out all of its long-range goals the League estimates it will need \$2½ million.

One of SAP's most crucial current needs is for more black teachers. "We don't want black teachers just because they're black," stresses Herbie Miller. "We need black teachers with concern, who understand brokenness and who can bring themselves to the streets." He says their problem is that "too many Negroes are hung up on making money and others have struggled so hard to get up where they are they don't want anything to do with the ghetto." Other staffers admit the presence of white street workers—approximately one-fourth of the total staff—is a mixed blessing. Put in the words of a student, "it's good but it hurts to see a white man struggling to help me and my own people not. A lot of black people talk about what they would like to do . . . but they never act."

But the problem of changing Harlem is too great an effort for the Urban League and the resources of the Negro community alone. At most, the SAP program can be only a guide in a larger effort that is the responsibility of larger entities—the state and the federal government. Though the Urban League refers to its clientele as dropouts, the fact is they are "push-outs." Pushed out by the economic pressures on the ghetto family, they have been forced into a competitive society without adequate preparation to compete. In the meantime, Street Academy workers like Herbie Miller and George Gorman perform their jobs: restoring the hopes of the disadvantaged, readying them for the promised fulfillment of the American Dream.

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 18, 1968

MEMORANDUM TO THE COMMISSION

Subject: Chronologies of Disorders in Atlanta;
Bridgeton, N.J.; Cincinnati; Detroit;
Grand Rapids; Houston; Nashville; New
Haven; Tampa; and Tucson.

We have sent to you today under separate
cover ten more chronologies of the 1967 disorders:

Atlanta
Bridgeton, N.J.
Cincinnati
Detroit
Grand Rapids
Houston
Nashville
New Haven
Tampa
Tucson

Together with the seven that have already
been sent, only six remain: Englewood, N.J.; Jackson,
Miss.; Jersey City; Newark; Paterson, N.J.; and
Phoenix. These will be completed and mailed within
the next week or so.

As before, each summary represents a dis-
tillation of the staff interviews conducted in the
field, the materials supplied the Commission by the

- 2 -

cities and by federal agencies such as the Bureau of the Census and OEO, and the compilation and editing of all materials by our consultants, Systemetrics, Inc.

Holes have been punched for insertion into the notebook sent to you entitled "City Analyses -- 1967."

D. G.

David Ginsburg
Executive Director

Enclosures

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

1016 16TH STREET, N.W.
WASHINGTON, D.C. 20036
202/ 395-3382

OFFICE OF INFORMATION

FOR RELEASE AMs OF SUNDAY, JANUARY 14, 1968

Excerpts of statements by five witnesses who testified in executive session were released today by the National Advisory Commission on Civil Disorders.

These included:

- Dr. Vivian Henderson, President of Clark College, Atlanta, Ga. He testified September 13, 1967.
- The Rev. James Groppi, and J. Stanley Sanders, a Yale Law School student and Watts resident, who testified on September 21, 1967. They appeared at the same time as Piri Thomas, of New York City, and Ernie W. Chambers, of Omaha, Neb., whose statements already have been released.
- The Rev. Martin Luther King, Jr., and Berkley G. Burrell, President of the National Business League, who testified on October 23, 1967.

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STATEMENT OF DR. VIVIAN HENDERSON, ECONOMIST AND EDUCATOR,
PRESIDENT OF CLARK COLLEGE, ATLANTA, GEORGIA, BEFORE THE
NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS, SEPTEMBER
13, 1967.

Thank you very much, Governor and members of the
Commission. I am pleased to have an opportunity to come
and be with you and to share with you whatever insights I
might have regarding some of the economic and job problems
that Negroes face in this country

I will try to get right at the heart of what I want
to talk about and not dwell too long on the prose that nor-
mally goes with introductory statements.

There is a rather general agreement that problems asso-
ciated with limited job opportunity, education and poor housing
are basic causal factors underlying current civil disorder in
this country. And there is general agreement that these
things must be dealt with rather forthrightly in any approach
to minimizing riots, restlessness and tension.

In my remarks opening this particular session I shall
focus on jobs and economic security aspects of the problems
with particular emphasis on the problem of unused manpower.
And I do this because as I shall try to explain, unused manpower
is one of the areas that is not too well understood by many
people when they look at ghetto problems.

The economic situation of Negroes as a group has two
rather contradictory faces. One of the faces is that of
progress, and this is reflected by growth in urban employ-
ment - - improvement in the distribution of income among
Negroes as reflected in growth in the numbers of middle
class people, middle class Negroes, and the number of Negroes in
upper income categories.

I am not going to take the time to document this growth
and improvement. I have it in the record here. I can put
it in the record if you wish or I can respond to any
questions.

But the other face of the Negro economic problem is that
of economic insecurity. The trouble is that the gains made
by Negroes during the last 20 years or so, gains in education,
in jobs, income, civil rights, and even in the field of housing,
these gains created the impression among many people that
Negroes as a group had achieved economic and perhaps social
equality with whites as a group. The somber fact, however,
in this, that unfortunately they have not even approached
equality in status, economically and socially. Economic and
social equality for Negroes remains a rather formidable

goal to be achieved rather than an accomplished fact.

More important, the achievements that have accrued to Negroes have been unstable and have been limited.

In November 1965, and again in June 1966, I served as chairman of the Task Forces that were given the mandate to prepare papers for the jobs and economic security sections in the White House Conferences on Civil Rights.

We concluded then, and I repeat today, that there is no more ugly and urgent crisis facing this nation than the economic insecurity of Negro Americans.

At the core of this problem is an unending cycle of human devastation and national laws. This situation hasn't changed since that report.

Despite the gains made, Negroes are at the bottom of the economic ladder and as a group they encounter the worst of the history of economic exploitation and injustice. I submit that the Negro's economic plight is at the root of his restlessness and uncertainty. Disabilities imposed by racial discrimination have imposed a self-perpetuating dynamic.

In November 1965 and June 1966 we called in those reports which are on file with the President of the United States for creative and large scale action to achieve full and fair employment for the Negro working age population, and I want to emphasize working age population because it has a great deal to do with the unused manpower that I shall allude to momentarily.

We called for full and fair employment for the Negro working age population, equal opportunity, decent living standards and security for all the nation's Negro citizens. Unfortunately, from what I have been able to gather, the recommendations embodied in those reports which have bearing upon what you are concerned about today have received little attention.

No one can deny that all Negroes have benefitted from civil rights laws and desegregation in public life in one way or another. The fact is, however, that the masses of Negroes have not experienced tangible benefits in a significant way. This is so in education and housing. It is critically so in the area of jobs and economic security. Expectations of Negro masses from equal job opportunity

programs have fallen far short of fulfillment. In fact, the major successes in equal job opportunity programs have come with recruitment and appointment of college men and women.

This is good, but it certainly is not enough. Really, and I will be very candid on this point, when I was trying to prepare to come up here and I reviewed that White House conference report and I reviewed the other reports I have seen and worked on and had something to do with, I wrote this little paragraph which said that there is little by way of general remarks that I can say beyond what I have already said to try to depict the urgency of the situation. Negroes see power in our society. Daily before their very eyes they see the well being of people who work at jobs with dignity and at decent wages. They see the society at its best and they feel it at its worst. They see billions being spent to get a man to the moon while they remain untouched by the pittances spent to eliminate poverty and create jobs. Even the most naive can see priorities which exclude them.

Now, let me talk for a moment about race and unused manpower. Conventional approaches to Negro problems as income recipients and as job market participants focused on income and unemployment. Aggregate in these areas point up important aspects of the Negro economic problems. Largely unexplored, however, are areas of unused and underused manpower. Unused manpower goes beyond traditional indices and measurements of unemployment and to be honest, systematic quantification of unused manpower and underused manpower is very difficult to come by.

Nonetheless, even using crude measures in approaching the problem racial differences in manpower use are further found and the burdens of past and present inequities encountered by Negroes are further pointed out.

I want to focus on unused manpower in a context, then, that has received limited attention by makers of public policy and I suggest that the size and characteristics of growth in the pool of unused manpower among Negroes should be of major concern to this Commission and to makers of public policy.

Let me just define a couple of things very quickly just to be sure we are all thinking about the same thing. The labor force is made up of two groups in the working age population, that is, the working age population being 16 to 65 years of age. The two groups in the labor force are the employed and the unemployed. Thus, the total employed plus the total unemployed equals the labor force.

Unemployment means a person is looking for work but can't find a job. We know what we mean when we say employed. Thus it is obvious that if one is not looking for work or is not already employed, then that person is outside of the labor force.

In the narrow sense, unused manpower is equated with unemployment as previously defined. In the broader sense, however it is much more inclusive and its impact much more meaningful for public policy. The fact that the problem of unused manpower among Negroes is growing and its growth is somewhat unnoticed is of concern to labor market analysts, because in essence when we talk about unused manpower we are talking about idle people for whom options as producers and consumers either never existed such as for our youth or for others for whom options have diminished to a point that there is nothing to lose in terms of economic security and well being.

Years ago my teacher used to tell me that the idle brain is the devil's workshop and even the wildest risk may seem logical in catering to physical as well as psychological relief. Well, I was an idle brain in a small town in East Tennessee where there were just a few idle brains but today the idle brains are congested in our cities, on the street corners, and I submit that these are the devil's workshops.

When viewed within the context of a prosperous economy, unused manpower is of even greater concern. In an economy characterized by depression, for example, the problem of unused manpower affects persons across the board. The whole range of occupations and jobs and the total working age population may be affected. Many in this room, of course, will remember in the great depression that bankers were out of jobs, teachers, craftsmen, laborers, the whole range of the working age population affected by unused manpower in a depression state. In a prosperous economy, however, the problem is difficult and more complex, involving more diverse aspects of of the economy and of the labor force.

Unused manpower is selective. It falls at differential rates on different ages, color groups, sex, and occupation groups and any combination of these.

There are three dimensions of unused manpower of interest here and to which I shall devote a brief analysis. The first is unemployment. I will deal with that very quickly. The next is non-participation or those not in the labor force, and I want to remind you that as previously indicated, these

are persons in the working age population who are neither employed nor are they looking for work. These include, for example, the discouraged worker who believes no work is available for him, as well as those who have ceased to actively seek work. And the third dimension is underemployment.

Repeating, then, the three dimensions of unused manpower - unemployment, non-participation and underemployment.

Now, underemployment itself involves three groups, those who are employed full-time and work every day but at poverty wages. Secondly, that group which works involuntarily only part-time, and third, those who work at jobs below the level of their potential as indicated by education, skills, and latent abilities.

Unemployment. Unemployment among Negroes in the labor force stays around eight per cent. I understand from a call to the Labor Department yesterday that it is presently around 7.4 per cent on an annual average basis. But this remains twice that for the labor force in general as a whole and more than twice that for whites. At the same time, Negroes are making up 11 per cent of the labor force, they make up 22 and 23 per cent of the total unemployed. Among teen agers they make up 33 and 35 and 36 per cent depending upon the area on which you want to focus your attention on the unemployed. Average annual unemployment among Negroes hasn't fallen below seven per cent since 1953. Here again is a historical fact that many people don't want to come to grips with. Since 1953 average annual unemployment among Negroes has not fallen below seven per cent. If the total economy had an unemployment rate of seven per cent, we would have all sorts of legislation and public policy efforts to try to get at that particular problem.

Unemployment among Negro teen agers stays $2\frac{1}{2}$ to three times that for whites. About one out of every three Negro teen age males and females looking for a job can't find one.

What I am trying to say, these teen agers very early in the game are marked as losers, and I wonder what kind of society we really project for these people who can never find their way into the labor force and those who do go out and actively seek employment and can't find jobs.

Table 3 in my report here, which I shall turn over to you, would show the occupations of Negroes and whites employed in 1965. What we see here is that the occupational structure of Negro workers is in serious imbalance and out of line with whites. They are seriously disproportioned in lower occupations. Despite the gains made, the basic occupational structure of the Negro labor force hasn't changed much during

the last 20 years. Negroes make up 11 per cent of total employment but 44 per cent of all the household jobs in the country are held by Negroes, four times the proportion of the total employed. They make up 11 per cent of total employment but they make up 22 per cent of all non-skilled workers, twice the proportion of the labor force, and 26 per cent of all laborers.

On the other hand, they make up less than five per cent of all employed white collar workers and less than six per cent of all employed craftsmen. Over one half, 50.7 per cent of all Negroes in 1966 were in jobs as laborers and service workers compared with just one section of all the white workers.

Moreover, among Negro males, 70 per cent were in jobs at a semi-skilled level compared with about 35 per cent of the whites.

The point to be made with these data is that this imbalance in the occupational structure of the Negro labor force, it is this imbalance that permeates and perpetuates job insecurity among Negroes. It is an occupational structure that doesn't respond effectively to technological change. It also means vulnerability to cyclical fluctuations and unemployment. Concentration in lower occupations, higher unemployment rates, also means that Negroes experience greater difficulty breaking out of poverty than whites.

Between 1947 and 1962 the number of Negro families with incomes of \$3,000 or less, the poverty criteria, declined by only three per cent, while among white families the decline was 27 per cent. About 44 per cent of all Negro families were living in poverty compared to seven per cent of the white families. The point to be made, at the rate at which these people are escaping from poverty, it will be well into the next century before we can expect any relationship between whites and Negroes in this particular category.

When we talk about training, education, both long and short run programs, programs to have an immediate impact as well as those that have a long run impact, one of the very important things that need to be considered is some kind of a program to train people who are already employed as a hedge against their unemployment based upon technological change and cyclical fluctuations in the economy. Because of the structure of a Negro labor force the rug is too easily pulled out from those who are employed and we experience this during World War II. For example, in World War II, Negroes made their greatest gains in our full employment economy. They penetrated

certain occupations. They moved north. They moved into areas where they could get jobs. But with the onslaught of automation and technological developments in the middle 1950's, the rug was actually pulled from under Negroes simply because they really didn't have a good toehold in the urban economy.

Underemployment. Underemployment of Negroes is wide spread. It is a significant feature of Negro manpower use. The extent of underuse of Negro workers is suggested by a comparison of their occupations with educational attainments. In other words, when we stack the Negro worker and his occupations and his education, when we put those together in a matrix and compare them with that of whites, of comparable education and achievement in terms of learning and the like, we find serious discrepancies and differences in what they can get.

The 1967 manpower report of the President came out in March of this year, or April, I have forgotten which. It indicates this -- and I think it is important particularly for our young people for it is the young I believe we need to have a great deal of concern about. It indicates that as things stand now, Negro workers, especially younger ones, have more education than they need for the jobs they can get. So when people tell me that Negroes "ain't ready" for the jobs that are there, I cite the data to show that they are more ready than for the jobs they can get. And when you take a young Negro high school graduate or one year of college and tell him the only thing he can get is a job in some person's kitchen or sweeping a floor, even though I believe everybody ought to work at an honest job regardless of what it is, I don't blame him sometimes for not taking it if that is the only thing he can compete for.

I am going to repeat, the 1967 manpower report of the President indicates that as things stand now, Negro workers, especially younger ones, have more education than they need for the jobs they can get. Almost 35 per cent of the Negro men in the labor force 18 years of age and older have four years of high school last year. That is better than one-third. Seven per cent in the labor force had completed college. But altogether only 17 per cent were in white collar occupations.

Among Negro females, the proportion with four years of high school was 44 per cent. Nine per cent were college graduates. While their position was better than that of Negro males, only 26 per cent held white collar jobs.

In comparison, figures for white men and women show significantly larger proportions in white collar occupations. Forty-two per cent for white males and 62 per cent for white females. Yet, the proportion of Negro men and women completing high school and college increased much more rapidly than those of whites.

I am not going to go into this other perspective. I am simply going to cite it, that underused manpower can be seen from another perspective. Studies constantly show that Negro workers earn less than whites when compared as to age and education. In almost every quantification of relationships between income, occupation, education and industry, the indication is that Negroes earn less than whites and are unable to exploit their education and abilities in a manner comparable to whites.

The point to be made here is that the average Negro with four years of college earns on the average what a white person earns with nine to 12 years of schooling.

The basic conclusion from this part of the data is that race is a factor determining occupational achievements and earnings. The differences in this respect have their root in racial discrimination and in employment.

These data also suggest the significant waste of manpower potential in this country. The import of this for this Commission, it seems to me, is that when we talk about the pathology of unemployment and underuse associated with young people from 16 to 25 years of age, when they themselves with what education they have can only compete for jobs at the lower rung of the ladder, then I am not too sure that I don't agree with them, that they should not really take these jobs which are only for them, that is, below the level of their potential.

Consequently, it is this kind of thinking that contributes to people leaving the labor force, being discouraged, giving up, and saying to hell with it, and creating a larger pool of idle brains.

Now, non-participation is the other one that I would like to talk about very quickly, non-participation. An often overlooked consequence of racial discrimination in employment is the frustration that accrues to active labor market participants. Those are people who are actively engaged in seeking jobs. Workers become discouraged and cease to look for jobs and, therefore, become non-workers. In essence they are driven out of the labor force in the absence of job opportunities.

Let me deal with this in terms of Negro males. There has been an increasing gap in utilization of white and Negro manpower.

I am going to take a moment, if I may, just to put this on the board because I think it is worth it. I have only been

a college president for two years. I was a professor for seven years. So, I have to equate that somewhere along the line, perhaps by going to the board.

For every 1,000 Negro males, these are 25 to 64 years of age, 128 are not used. That is, they were either unemployed or not in the labor force. Among whites, it was 74 not used.

This was in 1966. In the period 1951 to 1953 these figures were for the Negro, 94, and this was 63 for the whites.

In other words, during the period, the gap between Negro and white manpower use, the difference between these two grew by 23 per 1,000.

The point I am trying to make is that something is happening here in terms of people actively seeking employment and being actively engaged in the labor market, and something is happening that we are driving them out, or they never even make an attempt to get in. And what we are saying here, the only way we can get at this -- and unfortunately I don't have the absolute figures, I just didn't have time really to try to get the figures but I can, if you want, I can convert these, in other words, into absolute data -- but we are simply seeing that something is happening, that the gap between whites and Negroes in this respect is growing.

Now, that is bad enough, I think, when we look at it for the total group 25 to 64 years of age. But I pulled out some other data here for the group in what we call the prime working age population, those 25 to 44 years of age. Here the gap between the two groups expanded from 35 to 52 per 1,000. I went on up to 45 to 54 years of age and the gap expanded from 35 to 72 per 1,000. In other words, when we take the age groups -- you know, we expect the people as they get older perhaps to be driven out of the labor force. We expect certain people to sort of -- if he gets unemployed at 63 he may not go back in the labor force. That is understandable. But it is difficult to understand what has happened to these people in the 25 to 44 and 45 to 54, people who have worked and been active labor market participants and in many cases now are sort of hopelessly involved in an idleness.

The second observation in this respect is that while there has been a reduction in unemployment among Negro adults in recent months, as I said, down to about 7.3 per cent, and in 1959 and 1960 I want to remind you it was as high as 12½ per cent in the country for Negroes, a disaster rate --

it was the same as the great depression -- but while it has come down now to about 7.3 per cent of the labor force, the proportion not in the labor force has continued to rise, and this is why it was so interesting to understand by working age population proportion. In other words, while unemployment has gone on down like this, the proportion not actively engaged in the labor market has been going up. In the former case unemployment among Negro adults, for example, was 40 per 1,000 in 1964. That was the lowest it had been since 1953. But non-participation has increased from 52 per 1,000 to 88 per 1,000.

I don't want to burden you with all these data but I just felt that I ought to try to pinpoint and I may be missing the boat completely, but the point I want to make is it seems to me, this is a critical part of the problem we are dealing with, the growing pool of idle manpower.

The trend towards increased non-participation is disturbing. It is particularly disturbing in view of the prosperity experienced by this nation since 1961. Negroes are failing to share proportionately in that prosperity. Their departure from the labor force may mark the rise of a new phenomenon in Negro labor force use. The old adage was that Negroes were the last hired and the first fired. It may be that a new one is developing. First fired and possibly never rehired.

They have been forced or squeezed out of the job market because of the absence of opportunity. I want to emphasize I am aware of the fact that all of this is not racial discrimination in the sense of in the labor market. Skill deficiency certainly accounts for part of the problem in Negro manpower use. Certainly, we know that this whole question of not having the skills for certain kinds of jobs is important. But there is another way of stating what is more the situation, an absence of jobs for low skilled workers.

My argument is that it does us no good to talk about the fact that many Negroes don't qualify for jobs as they exist in some part of our labor market. The fact is that every man in society has a right to a job and I think that we could reverse the statement, instead of saying the skill deficiencies account for part of the problem, simply say there is an absence of jobs for low skilled workers.

This, however, is not the complete story. Unskilled white workers get jobs which are denied to unskilled Negro workers. You know, you still have to be Jackie Robinson or have a Ph.D. to do a high school -- the work of a high school graduate.

I testified before the Equal Employment Opportunities Commission hearings on the textile industry in North Carolina and South Carolina and I said then that employment in textile and apparel factories in Georgia, Alabama, Tennessee, Eastern Tennessee, at least, Western North Carolina, Mississippi, that the pattern is still all white textile and apparel mills rather than integration in those mills. Unskilled white workers can get jobs which are denied to unskilled Negro workers.

To break it down closer now, I want to talk about some cities, and I have a folder here with me that you can get from the Labor Department from which some of this data was taken.

New Orleans, Detroit, Cleveland, Boston, Oakland, San Francisco and Philadelphia were studied and we are coming up with a new piece of terminology and it is new. And we are developing what we call a sub-employment index.

Now, whether the Budget Bureau is going to let them go on with this I don't know. I understand they control most of these things in many ways but the point is that there is a sub-employment index. We are trying to get an indication of wasted manpower. In these cities -- the sub-employment index was used to include the unemployment, non-participants plus the involuntary part-time workers as well as the underemployed. Well, some of you may have seen the study. I will simply repeat one or two items. In the slum areas, slum ghetto areas, in which most of the people surveyed were Negroes, unemployment was three to four times the national average. The combination of unemployment, underemployment, that is, part-time workers and the like, and those outside the labor force who we thought should be in the labor force, this index ran 34 per cent on the average in these eight cities. It was as high as 40 per cent in some cities, suggesting that one out of every three persons in the working age population in slum areas is in the pool of unused manpower, 33 per cent. So the seven per cent unemployment, you see, that we see on the global basis for Negroes is really misleading and it is particularly misleading when you think about the fact that one-third of all the Negroes in this country live in 18 cities, and one-fifth live in six cities. And when you start thinking about the fact that one-third to two-fifths of all the persons of the working age population in these concentrated areas are out of work, out of the labor force, and fit into this sub-employment index, I think we can understand part of the powder keg that goes with idleness, you see. . . .

They did a study in Atlanta on nine ghetto areas of the city of Atlanta, including those where there have been disturbances. Mechanicsville, Summerville, Pittsburgh, Edgewood, Nash-Washington. They surveyed 42,000 people in these areas and they found unemployment and a sub-employment index and idleness running at the rate of 45 per cent, almost one out of every two persons in the working age population not actively involved in the labor market. That is, unemployed or underemployed. This could be repeated many times.

So, I think we need to redirect that thinking about the seven per cent unemployment. We need to think about unused manpower.

Of those employed, for example, in these seven cities, eight per cent were working on a part-time basis involuntarily while trying to find full-time work. Here again our training programs fall short. I serve on the National Manpower Committee. I think we do a reasonable job with the resources we have but one of the things we are trying to get to do now is to develop a program whereby we can, if the people are working part-time involuntarily, what the devil are they doing with the other part of their time: We need to reach and find these people, develop some training programs so they can move up the ladder.

What I am really getting to here, then, is a large number of persons in slum areas who should be working are not working and not looking for work. They are, therefore, not counted in the labor force. They are non-participants.

Much of the unemployment and underemployment and non-participation among Negroes is rooted in social as well as economic causes. Police records, for example, education and training conditions, garnishments and racial discrimination. You would be surprised how many people who want to work can't get work because they were arrested once or they had been garnisheed once. Inland Steel, my friend Bill Caples' outfit, they have done a pioneering job in bringing people into Inland Steel despite the fact that they have police records, they have been dope addicts, they have had all sorts of bad experiences. I was so guilty as a matter of fact, that at Clark College we admitted a fellow right out of prison, the first time in the history of the school, a young man who spent

four years, graduated from the high school prison, who couldn't pass any SNT but gives every evidence of being college material. I said as much as I go around raising sam about what people ought to do with people, it is about time that we ought to take a risk right here.

Well, these problems are all part of the record. Somehow or another we have to get at means by which we can diminish the roll of police records and garnishments, and so forth, in this whole question of jobs.

There is also the problem of transportation and the facilities that condition access to jobs and training. I argue that the problem we have today is not equality of opportunity as defined by traditional terms and conventional wisdom but the problem is that of access to opportunity. The trend involving movement of jobs and other opportunities further away from the central cities, these complicate the problems of Negroes in terms of employment.

I have data here to suggest what this means but I won't go into it.

The basic thrust of these remarks is that the dimensions of economic insecurity among Negroes and economic inequality between Negroes and whites are of major magnitude. The dimensions are seen in the disproportionate numbers of the unemployment rates, rates of long term hard core unemployment. They are seen in the expansion of earning gaps between Negro and white workers and the slow pace from poverty and low occupational achievements. The roots are deeply imbedded. They are lodged in the systematic process in racial discrimination and education and employment and limited job opportunities. They are found in education and training deficiencies, seriously limited opportunities for apprenticeship training, low seniority, limited opportunities for rural workers, exclusion of large numbers of workers from minimum wage protection and a serious imbalance between economic rewards and educational achievement among Negroes. The consequences and offshoots are seen in growing despair and disillusionment, in labor force participation, and withdrawal from the labor force of the experienced Negro workers and limited development of work experience by young people, the growth in the pool of hard core long-term unemployed Negro manpower. . . .

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STATEMENT OF THE REV. JAMES GROPPi, MILWAUKEE, WISCONSIN,
BEFORE THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
ON SEPTEMBER 21, 1967.

Well, gentlemen, let me begin by saying that I am a little cautious of this Committee here because in my experiences in the civil rights struggle, we are accustomed to getting a number of things from the power structure when we begin our demonstrations or bring about a kind of creative tension.

One of the things we get is usually a study or a committee and I don't mind saying that I don't like to appear before committees unless they are willing to do something, unless there is some action that is going to come forth.

So I am hoping that here today I did not come all the way from Milwaukee merely to tell you again what the problem is, but that we are looking for some action.

Secondly, I am also cautious of this, that there is a great deal of social tension existing within the ghettos of our large urban areas, but sometimes I wonder if we are not studying the wrong people in the wrong place. Gunnar Myrdal made the statement, you know, after he produced his two-volume work on racial relations in the United States, that he was studying the wrong people, that perhaps what you should have here are representatives from the white community to study their problems, because in the black community, I am convinced of this, that we deal with nothing more than the effects of the white man's problem. We deal with the effects of discrimination, of segregation, and the relegation of the black man to the secondary status in the American system. And it is this frustration and hopelessness that causes a great deal of the tension in our urban areas.

Now, I happen to be a white man and I know what it is to be accepted in society by the very fact that you are white and also by the very fact that I -- by the fact that I happen to be a priest, and that gives a person a certain amount of social status in society.

In coming to work in the black community a man in my position tries to identify with the black man and his problems, and one must become, and I mean this, hated in many areas of life in order to be accepted. Such accusations, for example, of the black poor concerning the conduct of the police department is something a person almost has to experience in order to believe.

Now, yesterday you heard from the Police Department, and today, you know, you are hearing from me, a man who has submitted himself to arrest about six times in civil rights demonstrations, and so forth. And when I say the attitude and the conduct of the Police Department in the ghetto area is not correct, I say this because I have experienced this.

For example, just last week when I was arrested for violation of the Mayor's proclamation, when I was put in a paddy wagon, I was called literally a ----- white nigger, and one of our Youth Council members was put in the wagon with me, his head was bleeding, he had been hit by a billy club and the blood was down the side of his face and on his shirt, and sitting across from me, and as the wagon pulled off, a rock hit the side of the truck and the police officer shouted to the man in the front, kill the dirty black bastards. Shoot the black bastards. Kill them. You see.

This was the conduct of one police officer and it is common in the Police Department to have this type of attitude towards the black community.

I have listened to policemen on the witness stand and I have heard them lie, and I mean this quite literally. For example, when I was arrested, oh, back in May or April because I protested the arrest of a Youth Council member, I got to the Police Department, the officers claimed that I cursed at them, called them mother-----and shouted from the end of the wagon, now is the time, start the riot.

Now, this was a lie. And the police officer under -- after taking an oath, asking God to witness the truth of what they say, literally told a lie.

In another arrest situation last week, again in violation of the Mayor's proclamation, as I was being carried to the wagon, the police officer intentionally dug his fingers into my foot, and this caused a reaction; I kicked away. I asked, when I was placed in the wagon, what is that policeman's badge number, but, you see, the policemen in Milwaukee do not wear their badges. They have not worn them and they will not wear them on a demonstration site.

The police officer who was sitting at the end of the wagon refused to tell me what his name was and what his badge number was. When they got downtown, the police officer went to Mt. Sinai Hospital, got an X-ray of his chest, claimed that I kicked him very viciously in the chest, and he was trying to swear out a warrant on battery against myself.

I say these are some of the things. Now, there are other things that have happened in Milwaukee, and I am speaking of personal experience.

For example, I was followed every night for a period of three months. The Police Department began and every evening at four o'clock followed me everywhere I went, and the Youth Council members; they picked up Youth Council members, they followed me to their homes, took down their addresses, go home to my mother's house on the south side, they followed me there; go out to eat with the pastor and the housekeeper, the Police Department followed me into the restaurant, watched me while I ate. They parked in front of the Freedom House every night, stood on the corner with binoculars watching people come in and out, drove very slowly past the Freedom House, stuck a camera out the window, took pictures of individuals coming in and out. We even had one lady come to the Freedom House with food for the poor which the Youth Council members would take this food and distribute it to the community. The Police Department stopped, got out of the car and took a picture of her license plate.

Or they would come past the Freedom House and stick out a movie camera. They would take pictures of individuals coming out of the Freedom House. They have done this in front of the church.

Now, after three months of this type of intense harassment, the Youth Council had an explosion out in front of the Freedom House and one of the officers arrested a Youth Council member. I protested this. There was a disruption on the corner. I went to the corner, took the member, was about to place him in my car, that police officer ran a quarter of a block shouting, "Tolliver, Tolliver, you're under arrest." I said, "What for?" The man said, "He used profanity." I said, "Look, he didn't do anything. Let me get him in a car, I am going to clear the area." I have had experience in tense situations such as this and it is very foolish for a police officer to run into a crowd that is extremely tense and to arrest a person for a little thing like profanity. It can cause an explosion.

At any rate, we were arrested in that instance.

Now, you have asked for the cause of the social tensions existing in our community, and I think all of us here will agree it is the intolerable conditions in which the black man is submitted to living in the community, in the inner core communities. It is just unbelievable, the living conditions, the housing conditions, the third-rate education, improper medical attention, the third-rate school system to which a child must go.

We talk about H. Rap Brown, we talk about Stokely Carmichael, and their advocating violence, and so forth, but I can understand Stokely Carmichael and I can understand H. Rap Brown because, you see, H. Rap Brown and Stokely Carmichael were part of a non-violent movement for over five years, and they are angry and they are frustrated simply because we have not gotten any results.

Now, you take the School Board in the City of Milwaukee, for example. We have had at least six detailed studies on the problems of the de facto segregated school. We have had demonstrations. We have had freedom schools. We have had boycotts. We have had everything imaginable in order to get that School Board to do something about the intolerable situation in our education system.

Now, just let me tell you what they are still doing in Milwaukee. They are taking black children from overcrowded inner core schools, putting them on buses and sending them to all-white schools at which they are received and segregated. They are segregated completely during classroom time. They are segregated during recreation hours. And when they go to lunch, again they are segregated.

At one time the Milwaukee School Board was even doing this. They would bus black children from an overcrowded inner core school to a receiving school and then not only segregate them during classrooms and recreation, but when lunch hour came, those children were placed on those buses and bused back to the sending school for lunch hour. After lunch they were placed upon those buses again and sent back to that receiving school.

This is what Dr. Kenneth Clark called "psychological brutality."

Despite all the constructive ways in which we have protested, we have gotten no results, and I want to say this, that when we demonstrate, we picket. This is an honorable American way of protesting social evils. But the School Board in the City of Milwaukee doesn't realize this nor does the Police Department. The Police Department identifies a demonstration and a picket line as being synonymous with a riot.

Now, in Milwaukee we have been working for fair housing legislation. I just want to point out some of these areas and the attitude of the structure towards what is going on in the black community because I think this is the cause of the social tension, and when a man uses all the ordinary procedures for the attainment of one's rights and still must live under an oppressive government, morally I have no problem whatsoever in that oppressed group in resorting to violence. Morally and objectively I have no problem whatsoever.

I might argue with Stokely Carmichael and H. Rap Brown as far as strategy and tactics are concerned in the use of violence, but morally and objectively I have no problem here whatsoever because all of us have studied the history and all of us have studied the oppressed peoples, and all of us have thrilled when people who were oppressed have gathered together around a leader and somehow or other worked for the overthrow of that oppressive government.

We do it in the American Revolution. And when Rap Brown says that violence in the American system is as common as cherry pie, I don't know who in the world can give him an argument because it is true.

Now I just want to show you some of the things we have done in Milwaukee and have gotten no results. Take, for example, the Common Council. We have one black alderman in the City of Milwaukee. Four times she submitted a fair housing bill. Four times it has been defeated -- 18 to 1, 19 to 1, 18 to 1, and 18 to 1.

The first time she introduced that bill we brought to that hearing the Episcopal Bishop, we brought priests and ministers, black and white, university professors, black and white, rich and poor, black and white. We filled that Common Council in talking about the necessity of fair housing legislation and the moral implications involved.

That bill was defeated 19 to 1. It has been defeated three times afterwards, 18 to 1, 18 to 1, and 18 to 1. Now in the City of Milwaukee we have begun our demonstrations. We have picketed the homes of some of the aldermen and we began our demonstrations on the south side, and let me show you what happened.

The Milwaukee NAACP Youth Council, and in particular the Commandos, to which the two young men with me here belong, it is a direct action committee -- the Milwaukee NAACP Youth Council began our demonstrations. . . .

This is Dwight Benning who is the Major of the Commandos. Mr. James Pierce, who is one of the lieutenants in the Commando outfit.

We began our demonstrations on the south side. We have what we call a viaduct in Milwaukee. It crosses what we call the Mason-Dixon line. No black people live south of that area.

The first night we marched in the south side we met with a terrific amount of abuse -- eggs, rocks, bottles, and every type of imaginable name was given to us. Our lives were endangered. We marched deep into the south side, into Kosciusko Park, stayed there awhile and then marched back.

The danger was so great that night that I called up the Governor and I called up the Mayor of the City of Milwaukee and said, Look, we need more protection. The Milwaukee Police Department did a good job but there were not enough of them. The Mayor's office said to me, well, we just can't call out the National Guard for anything whatsoever.

So the Youth Council marched again that night, and let me tell you, the bigotry and the hatred on the south side of Milwaukee was so great that we were nearly slaughtered down there, and I mean that literally. We were nearly slaughtered. So what I am talking about to you when I say, you know, perhaps the study ought to be in the white community, this is what I am talking about. The people over there have a problem and they call us niggers and black bastards, and go back to Africa, and throw rocks with the intention of killing people, well, there is something the matter there.

At any rate, we marched the second night. We were nearly killed. We came back to Milwaukee and the next day the Mayor came out with a proclamation, and this proclamation read, no more demonstrations.

My criticism of that is this. When we had a disturbance in the black community, the Mayor did this. He called in the National Guard and slammed a curfew on the entire city, very rigid militaristic control of the black community. By that I mean National Guardsmen walking around with machine guns, people placed at the top of all the buildings, and whenever a group of black people gathered together, the Guardsmen stood down there pointing their guns at people, and again the wrong attitude on the part of the policemen.

For example, we had a black man who belongs to the Sheriff's Department coming home one night, you know, and he was stopped by the police after the curfew hour, ordered to "get out of the car, stand up against the car," and be searched. "Hey, this nigger has got a gun on him. He belongs to the Milwaukee Sheriff's Department."

But, at any rate, this is what the Mayor did when that disturbance occurred on Third Street and Vliet Street in Milwaukee. Some of the Youth Council members -- the Mayor called it a riot, called everyone who was involved a hoodlum. I have said they were merely freedom fighters using this tactic. The Youth Council called it a social revolution.

At any rate, he put a very rigid control upon the black community, and yet when we exercised our Constitutional right to demonstrate, our Constitutional right of freedom of speech, in demonstrating for our God-given right of freedom of movement within the confines of our own country, what happened? We were penalized. A proclamation was brought forth, no more demonstrations.

Instead of protecting our right to demonstrate, he took it away from us.

All right. The Youth Council took the proclamation and our decision was this, that we will give it to our lawyers and see if it is Constitutional. We will not demonstrate tonight. Instead we will have a meeting at the Freedom House, a rally on the front porch, and that is where we will discuss the grievances of our black community and what we are -- where we are going from here.

By the time I got to that Freedom House, which had been burned, incidentally, the night before by the tear gas that the Police Department had thrown in, the Police Department was already arresting people. They were throwing our women in wagons.

I walked to the Freedom House and right next to me was Mr. Sam Dennis from the Justice Department. The Police Department was behind us. "All right, hurry along, hurry along, you are going to be arrested. This is an unlawful assembly. This is an unlawful assembly."

I thought, now, isn't this interesting. They are going to arrest me this time with a member from the Justice Department. He happened to be a black man.

Anyway, he had this rally on the Freedom House steps. And every time one member that was at that rally, and the people were on our porch and on the porch next door and on the porch across the street, every time one member at that rally stepped off our property and onto the street, the sergeant pointed him out and the Police Department ran in, grabbed him, and arrested him.

Fifty-eight people were arrested that night. Finally they called it an unlawful assembly, ran in and arrested everybody they could grab, ran into the Freedom House and into the lady's house next door, by the way, arresting people.

My complaint is this, you know, that I think in a way in Milwaukee we have the last test demonstrations of a non-violent tactic. H. Rap Brown I see in East St. Louis told people to stop singing and stop marching, stop demonstrating, and go home and get a gun, and his reason for saying this is simply that he has lost faith in marching and in demonstrating.

This is a constructive way of social protest. The grievances and the anger of the black community are not only justified, but this anger is good. It is a sign of life. It has to be channeled into a constructive pattern of social action. I agree with Mr. Sanders here when he says he would sooner go to that brink, you know, of violence or -- in the sense of bringing life into the black community because unless a man rebels against the secondary status in society, that man is dead. As Malcolm X says, he needs a psychiatrist. Any man that isn't angry in the ghetto.

At any rate, this is our complaint. Right now we are fighting in Milwaukee for a fair housing bill. We are demonstrating and there is no doubt in my mind whatsoever that next week, when Mrs. Val Phillips presents her bill again, despite the fact that we have marched and this is a form of lobbying, it is the only form of lobbying the black man can afford, we don't have any money, they are again going to vote against a fair housing bill.

They are displacing a thousand black families in the ghetto through an urban development project. There is no place for the black families to go. The discrimination even on the fringe areas is that great. We need territorial expansion, and what it is going to do in reality is increase the tension because it is going to increase population density.

I just want to say one thing more, and that is with regard to employment. Do you know there is a plant in Milwaukee that receives Federal funds, Federal contracts. It is smack in the middle of the black community, and every day it is rather interesting to watch this army of white people come into the black community, work in this plant all day, and every night this army of white people leaves this plant in the black community. It receives Federal contracts.

You know what that plant did when that neighborhood had a change from white to black? It took its employment office, which was right smack in the middle of the black community at this time, and moved it five miles away, from Teutonia Center, it moved it all the way up to 124th and Burli. . . and I think one of the things this Committee should do is stop Federal funds, educationwise, urban-developmentwise, Federal-contractwise, with those companies and those cities that are promoting segregation.

Excerpts from statement by J. Stanley Sanders, a Rhodes Scholar and third-year law school student at Yale University who lives in Watts and directed a job-training program there last summer, before the National Advisory Commission on Civil Disorders on September 21, 1967.

Gentlemen and ladies, I suppose I want to dwell mainly on three areas. One is the simple assertion, and what follows from that, that urban ghettos are the site of urban disturbances, civil disorders, and have been and continue to grapple under the same conditions that prevailed 10 and possibly 100 years ago.

The problem isn't so much that the ghetto community is growing any worse. It is just that it is not getting any better, and the conditions that people live under in 1967 simply aren't adequate for life, American life in 1967, though relatively better than 1940; they may have been adequate in 1940 but certainly in 1967, conditions of ghetto life are deplorable.

The second thing is the perverse impact that the Federal government has on Negro life in America. I can't think of any single, one single factor of life in Watts that runs athwart the community's aspiration more than the Federal government and all of its agencies, particularly the welfare agencies which tend to aggravate family instability rather than contribute to stability.

Moreover, the poverty program seems to encourage a catch-and-run attitude among workers in the community, and the employment pattern of the Federal government discriminates against Negro males, and last but not least, the overwhelming bureaucratic sloth and lack of experimentation and imagination in programs administered by the Federal government in communities like Watts compound already complex social problems.

This has all kinds of repercussions. It saddles everyone who works in the community with an "emergency, relief mentality" in that government waits until something drastic happens like a riot, before it steps in to take corrective measures.

By then, it is simply too late. Government gets itself into the difficulty of trying to distinguish causes of riots from what to do about riots, after they begin: it seems like it is part of the national confusion now in talking about riots and civil disorders to confuse the causes of riots with the remedies of stopping them after they start. The two are very different.

The latter...is of no concern to me. I happen to feel that it is just a simple matter of applying force, and it is a matter of how sophisticated authorities want to be when force is applied, whether they want to be brutal or whether they want to be civilized; they can always put down a riot after it begins and then measure the cost afterwards. But the real problem, it seems to me, is the causes that underlie riots, and in this Commission's report, I think it would be ridiculous to dwell on the methods of putting down riots. That can be left to various national militia, state militia, across the United States. The Commission should deal with the impact of the government and coordinate efforts that government makes with the private sector to deal with the real problems of Watts.

Because I believe that family instability contributes to hard-core unemployment, contributes to the vicious life style of the Negro, I think that efforts should be made to stabilize the family, namely, by making the impact that the Federal government has on the ghetto a beneficial impact.

For example, in the summer work program that I administered, it never occurred to me but that we simply haven't addressed ourselves to the problem of hard-core unemployment. We have summer crash programs, which is money thrown into the ghettos on a very temporary, uncertain basis, which again encourages this kind of summer attitude of get what you can during the summer and get out among administrators. It is not so much, that is, a racial characteristic among Negroes, but it is a characteristic, it seems to me, of anybody who has really any sense and

any kind of awareness and ability to operate within the American system, that if you know a program is going to phase out September 8th, then it seems that everybody tries to get what they are going to get before September 8th, and after September 8th the program is going to be done because the kids will be back in school and everything will be "cool."

I think that is simply the wrong attitude. It not only disrupts the program that the Federal government has in the cities and encourages this kind of irresponsibility, but it also neglects the permanent, non-seasonal character of the problems in the ghetto. Riots are conceived of as only threats in the summer, and that seems to me to be a dangerous concept. Riots aren't a seasonal phenomenon anymore. I think very shortly we are going to see the emergence of what the press will probably call cool-hot winters, or hot-cool winters.

Watts had a cool summer, and we measure the success of all government programs against the standard of whether or not there were fire bombs thrown or whether windows were broken, and if all was quiet, then we had a successful summer, and this simply isn't true. The summer in Watts was not a success, despite the fact there were no riots.

In fact, I would prefer, I frankly would have preferred disruption to no progress at all, and this was I think one of the tragic reasons that Watts had no, what you would call, disturbances, simply because there is no energy to make progress. There is no energy in either direction, in a destructive direction or in a constructive direction; and I would much rather play the game of brinkmanship, of taking the community to the very edge of, the border between disruption and order, between order and disorder, than to continue on in this sort of lethargic, dormant condition that we find Negro communities in now.

One of the great characteristics of the average youth hired in our program this summer was a tremendous vulnerability to criminal laws. There wasn't a single day passed that a young man didn't come to me with some court order or some citation or some minor traffic violation, having to take off,

having to go downtown "to see the 'man,'" and this continual idleness, I suppose, of a guy standing on the corner doing his nails with nothing to do. Government addresses itself to that problem three months out of the year, and then after that it quits.

I would much rather have it identifying with the community in motion, and whether it is disruptive or orderly seems to me to be a bit irrelevant until we address ourselves to those underlying causes, and I think that those causes don't lack obviousness. It seems to me that it would occur to anyone of reason; it is almost self-evident. At least it would occur to the average reasonable man, a Governor Romney, for example, who walks the streets, that no American who has any self-pride would want to live under present ghetto conditions. I think it is going to take money that focuses on family stability, and the closest thing I can think of in current social proposals that approaches anything that contributes to this family stability is a guaranteed family income. And until we make this national commitment and as firm a national commitment that we make to the policies that are even as uncertain as the military policy in Vietnam, then I think we are going to continue to have disruptions in the ghetto, and I, for one, would certainly encourage that disruption. I think the old clichés about giving something for nothing to the Negro is a middle-class way of looking at people who don't have money, and the problem with an enactment of guaranteed income, it seems to me is that it would depress the morale of the middle class, but I think now we are reaching the point where the social cost of riots is much too high, and when it gets that high it is much cheaper ... to allocate 10 or 11 whatever, how many billions of dollars it costs to begin progress. Unless we begin, we are going to have Watts, and we are going to have Newark, and we are going to have Detroit, and from the point of view of public authority, we are simply going to have to take the approach ... of putting them down.

But we have to address ourselves to these causes, and I think the remedy is the one I have outlined, namely, the guaranteed annual income.

Statement of Dr. Martin Luther King, Jr., President of the Southern Christian Leadership Conference, Atlanta, Georgia, before the National Advisory Commission on Civil Disorders on October 23, 1967.

Thank you very kindly, Mr. Wilkins and members of the Commission. I want to say how delighted I am to be here and to have the opportunity to talk with you about a problem that is a very urgent one and certainly one of the crucial issues of our day. . .

I want to make an opening statement, which I think will be about 30 minutes and then we will have the opportunity for some dialogue, I assume, and I want to be as candid and as truthful as I know how, because I think we are in a period that demands frankness and real search for truth.

A million words will be written and spoken to dissect the ghetto outbreaks, but for a perceptive and vivid expression of culpability, I would submit two sentences written a century ago by Victor Hugo: "If the soul is left in darkness, sins will be committed. The quality one is not he who commits the sin but he who causes the darkness."

The policy makers of the white society have caused the darkness. They created discrimination, they created slums, they perpetuate unemployment, ignorance and poverty. It is incontestible and deplorable that Negroes have committed crimes but they are derivative crimes. They are born of the greater crimes of white society. When we ask Negroes to abide by the law, let us also declare that the white man does not abide by law in the ghettos. Day in and day out he violates welfare laws to deprive the poor of their meager allotments, he flagrantly violates building codes and regulations. So many of his police make a mockery of law. He violates laws on equal employment and education and the provisions for civic services. The slums are the handiwork of a vicious system of the white society. Negroes live in them but do not make them any more than a prisoner makes a prison.

After establishing the general causes of outbursts, it is possible, I feel, to identify five immediate causes. First, the white backlash; number 2. unemployment; 3. general discriminatory practices; 4. war, and five, features peculiar to big cities.

I place the white backlash first because the outbursts have an emotional content that is a reaction to the insults and depravity of the white backlash. Many people point out that there have been years of some progress and this is true. Yet, equally true is the fact of an animalistic reaction by a significant section of the white population. In the midst of progress, Negroes were being murdered in the south and cynical white jurors automatically freed the accused. In Chicago last year thousands of vicious white hoodlums with murder in their hearts bombarded Negroes with rocks and bottles because they dared to as to be neighbors. The white backlash told Negroes that there were limits to their progress, that they must expect to remain permanently unequal and permanently poor. True equality, it said, will be resisted to the death. The so-called riots in a distorted and hysterical form were a Negro response that said inequality will now be resisted to the death.

The second major cause is unemployment, because it furnishes the bulk of the shock troops. Government figures reveal that the rate of unemployment for Negroes runs as high as 15 per cent in some cities and for youth up to 30 and 40 per cent. It is not accidental that the major actors in all the outbreaks were the youth, with most of their lives yet to live. The slamming of doors in their faces could be expected to induce rage and rebellion. This is especially true when a boastful nation, while neglecting them, gloats over its wealth, power and world preeminence. Yet, almost 40 per cent of Negro youth waste their barren lives standing on street corners.

I propose that a national agency be established to immediately give employment to everyone needing it. Training should be done on the job, not separated from it. And often without any guarantee of employment in which to use

the training. Nothing is more socially inexcusable than unemployment in this age. In the thirties when the Nation was bankrupt it instituted such an agency, the WPA. In the present conditions of the Nation glutted with resources, it is barbarous to condemn people willing to work to soul sapping inactivity and poverty. I am convinced that one massive act of concern will do more than the most massive deployment of troops to quell riots and instill hatred. I am not convinced that the statesmanship exists in Washington to do it. Hugo could have been thinking of 20th century America when he said: "There is always more misery among the lower class than there is humanity in the higher classes."

The third is discrimination which pervades all experiences of Negro life. It pushes the Negro off the economic ladder after he has ascended a few rungs. It stultifies his initiatives and insults his being. Even the few Negroes who realize economic security do not attain respect and dignity because on upper levels discrimination closes different doors to them. Discrimination is a hound of hell that gnaws at Negroes in every waking moment of their lives to remind them that the lie of their career forward is accepted as truth in the society dominating them.

The fourth cause is the war in Vietnam. Negroes are not only convicted in double measure for combat but they are told the billions needed for remaking their lives are necessary for foreign intervention. Democracy at home is starved to seek a spurious democracy abroad. Dictators, oligarchies, are given our resources to perpetuate their rule at the rate of \$80 million per day, but we cannot afford to spend ten percent of this on antipoverty programs. There has never been an American war opposed by so many. Opposition is not centered to a clear majority of the Americans and mergers with the overwhelming majority of the world. The immoral insane pursuit of conquests against the will of the people has to diminish respect for government. Among those deprived by Government, the disrespect degenerates into

contempt and cynicism. In testifying before Senate committee last December, I said: "The bombs in Vietnam explode at home. The security we profess to see in foreign adventures we will lose in our decaying cities."

There is no need to change a word of that prophesy. Rather, it needs underlining. To war against your own people while warring against another nation is the ultimate in political and social bankruptcy.

Finally, a complex of causes is found in the conditions of our urban life. Crime is well organized in the cities and produces an underclass of great numbers. Rackets are the big business of the ghetto. In any period of unrest they utilize conditions for advantage. Organized crime has a protected sanctuary in the slums, often with police tolerance if not connivance. It becomes a normal feature of life, poisoning the young and confounding the adult. It adds in substantial numbers professional criminals to outbreaks exacerbating the results. When they merge with declassed and dispossessed, all so numerous in the slums, a large antisocial force is assembled. Cities are also victims of the great migrations of Negroes. Although everyone knew in the past decade that millions of Negroes would have to leave the land without schooling, no national planning was done to provide remedies. White immigrants in the 19th century were given free credit in land by the Government. In the early 20th century many social agencies helped them to adjust to city life. The economy readily absorbed white workers into factories and trained them in skills. There were obstacles and privations for white immigrants, but every step was upward. Care and concern could be found. When the Negro migrated he was substantially ignored or grossly exploited. Within a context of searing discrimination. He was left jobless and ignorant, despised and scorned as no other American minority has been. The result was aptly described by E. Franklin Frazier in the title of one chapter in his book on the Negro family in the City of Destruction. And so it is my great feeling that a

massive program must be developed by the Federal Government to bring new hope into being. Among the many vital jobs to be done, the Nation must not only radically readjust its attitude towards the Negro and the compelling present, but must incorporate in its planning some compensatory consideration for the handicaps he has inherited from the past. It is impossible to create a formula for the future which does not take into account that our society has been doing something special against the Negro for hundreds of years. How then can he be absorbed into the mainstream of American life if we do not do something special for him now in order to balance the equation and equip him to compete on a just and equal basis? Whenever this issue of compensatory or preferential treatment for the Negro is raised, some of our friends recoil in horror. The Negro should be granted equality, they agree, but he should ask nothing more. On the surface this appears reasonable but it is not realistic for it is obvious that if a man is entered at the starting line in a race 300 years after another man, the first would have to perform some impossible feat in order to catch up with his fellow runner. Several years ago Mrs. King and I journeyed to that great nation known as India. We had the privilege of talking with many, many people. One of the interesting, one of the most interesting experiences was a conversation with the late Prime Minister Nehru. Prime Minister Nehru was telling me how his nation was handling the difficult problem of the untouchables, a problem not unrelated to the American Negro dilemma. The Prime Minister admitted that many Indians still harbored a prejudice against these long oppressed people, but that it had become unpopular to exhibit this prejudice in any form. In part this change in climate was created through the moral leadership of the late Mahatma Ghandi, who set an example for the nation by adopting an untouchable as his daughter. In part he said it was the result of the Indian constitution which specified that discrimination against the untouchable was a crime, punishable by imprisonment. The Indian government spends millions of rupees annually in developing housing and job opportunities in villages highly inhabited by untouchables.

Moreover, the Prime Minister said if two applicants compete for entrance into a college or university, one of the applicants being an untouchable and the other of high cast, the school is required to accept the untouchable.

Professor Lawrence Redding, who was with us during the entire interview asked, but isn't that discrimination, Mr. Prime Minister? Well, it may be, the Prime Minister answered, but this is our way of atoning for the centuries of injustice we have inflicted upon our brothers and sisters. America must seek its own way of atoning for the injustices she has inflicted upon her Negro citizens. I do not suggest atonement for atonement's sake or because there is need for self-punishment. I suggest atonement as a moral and practical way to bring the Negro standard up to a realistic level. In facing the new American dilemma, the relevant question is not what more does the Negro want, but rather how can we make freedom real and substantial for our colored citizens? What just cause will insure the greatest speed and completeness? And how do we combat opposition and overcome obstacles arising from the defaults of the past? New ways are needed to handle the issue before we have come to a new stage in the development of our nation, and the one intent of its people. The surging power of the Negro revolt and the genuineness of good will that has come from many white Americans indicate that the time is right for broader thinking and action. The Negro today is not struggling for some abstract vague rights but for concrete and prompt improvement in his way of life. What will it profit him to be able to send his children to an integrated school if the family income is insufficient to buy them school clothes? What will he gain by being permitted to move to an integrated neighborhood if he cannot afford to do so, because he is unemployed or underemployed or has a low paying job with no future? During the lunch counter sit-ins in Greensboro, North Carolina, a night club comic observed that had the demonstrators been served, some of them could not have paid for the meal. Of what advantage is it to the Negro to establish that he can be served in integrated restaurants or accommodated in integrated hotels if he is bound to the kind of financial servitude which will not allow

him to take a vacation or even to take his wife out to dine? Negroes must not only have the right to go into any establishment open to the public but they must also be absorbed into our economic system in such a manner that they can afford to exercise that right. The struggle for rights is at bottom a struggle for opportunities. In asking for something special the Negro is not seeking charity. He does not want to languish on welfare rolls any more than the next man. It may be true that there are some who have lost motivation. One cannot exist in a situation with a legacy of slavery and segregation without some becoming pathological in the process but I would say the vast majority are desirous of working. They do not want to be given a job they cannot handle. Neither, however, do they want to be told that there is no place where they can be trained to handle it. So with equal opportunity must come the practical realistic aid which will equip the Negro to seize the opportunity. Giving a pair of shoes to a man who has not learned to walk is a cruel jest. Special measures for the deprived have always been accepted in principle by the United States. The National Urban League in an excellent statement, has underlined the fact that we find nothing strange about Marshall Plan and technical assistance to handicapped peoples around the world. It is suggested that we can do no less for our handicapped multitudes. Throughout history we have adhered to this principle. It was the principle behind land grants to farmers who fought in the Revolutionary Army. It was inherent in the establishment of the child labor laws, social security, unemployment compensation, manpower retraining programs, and countless other measures that the Nation accepted as logical and moral. During World War II our fighting men were deprived of certain advantages and opportunities. To make up for this, they were given a package of veterans rights significantly called a Bill of Rights. The major features of this GI Bill of Rights included subsidies for trade school or college education, with living expenses provided during the period of study, veterans were given special concessions enabling them to buy homes without cash, with low interest rates and easier repayment terms. They could negotiate loans from banks to launch businesses, using the Government as an

endorser of any losses. They received special points to place them ahead in competition for Civil Service jobs. They were provided with medical care and long-term financial grants if their physical condition had been impaired by their military service. In addition to these legally granted rights, a strong social climate for many years favored the preferential employment of veterans in all walks of life. In this way the Nation was compensating the veteran for his time lost in school or in his career or in business. Such compensatory treatment was approved by the majority of Americans. Certainly, the Negro has been deprived. Few people consider the fact that in addition to being enslaved for two centuries, the Negro was during all those years robbed of the wages of his toil. No amount of gold could provide an adequate compensation for the exploitation and humiliation of the Negro in America down through the centuries. Not all the wealth of this affluent society could meet the bill. Yet, a price can be placed on unpaid wages. The ancient common law has always provided a remedy for the appropriation of the labor of one human being by another. This law should be made to apply for American Negroes. The payment should be in the form of a massive program by the Government of special compensatory measures which could be regarded as a settlement in accordance with the accepted practice of common law. Such measures would certainly be less expensive than any computation based on two centuries of unpaid wages and accumulated interest.

I am proposing, therefore, that just as we granted a GI Bill of Rights to war veterans, America launch a broad based and gigantic bill of rights for the disadvantaged, our veterans of the long siege of denial.

Such a bill could adopt almost every concession given to the returning soldier without imposing an undue burden on our economy. A bill of rights for the disadvantaged would immediately transform the conditions of Negro life. The most profound alteration would not reside so much in the specific grants as in the basic psychological and motivational

transformation of the Negro. I would challenge skeptics to give such a bold new approach a test for the next decade. I contend that the decline in school dropouts, family breakups, crime rates, illegitimacy, swollen relief rolls and often social evils would stagger the imagination. Change in human psychology is normally a slow process, but it is safe to predict that when a people is ready for change as the Negro has shown himself ready today, the response is bound to be rapid and constructive.

While Negroes form the vast majority of Americans disadvantaged, there are millions of white poor who would also benefit from such a bill. The moral justification for special measures for Negroes is rooted in the robberies inherent in the institution of slavery. Many poor whites, however, were the derivative victims of slavery. As long as labor was cheapened by the involuntary servitude of the black man, the freedom of white labor, especially in the south, was little more than a myth. It was free only to bargain from the depressed base imposed by slavery upon the whole labor market. Nor did this derivative bondage end when formal slavery gave way to the de facto slavery of discrimination. To this day the white poor also suffer deprivation and the humiliation of poverty if not of color. They are chained by the weight of discrimination, though its badge of degradation does not mark them. It corrupts their lives, frustrates their opportunities and withers their education. In one sense it is more evil for them because it has confused so many by prejudice that they have supported their own oppressors. It is a simple matter of justice that America in dealing creatively with the task of raising the Negro from backwardness should also be rescuing a large stratum of the forgotten white poor. A bill of rights for the disadvantaged would mark the rise of a new era in which the full resources of the society would be used to attack the tenacious poverty which so paradoxically exists in the midst of plenty.

Thank you. That ends that phase.

Excerpts of statement by Berkeley G. Burrell,
President, National Business League,
before the National Advisory Commission on
Civil Disorders on October 23, 1967

I need not tell you how pleased we are to appear before you today. It is on behalf of all of the members of our 50-odd chapters around the nation that we speak to you today. In a larger sense, however, we are speaking on behalf of the entire nation as we offer to you pragmatic proposals that we are convinced can meet the bulk of the challenges confronting the committee. But first let me introduce to you the organization I represent.

The National Business League, founded by Booker T. Washington in 1900, is the parent organization of most of the 18 national Negro trade associations. Since its inception, the League has been devoted to promoting sound business enterprise among disadvantaged small businessmen. The League's first headquarters was established at Tuskegee Institute. Washington was succeeded by such distinguished leaders as Colonel J. R. Napier, Registrar of the Federal Treasury; C. C. Spaulding, founder of the North Carolina Mutual Insurance Company; A. G. Gaston, successful Birmingham based businessman, and Dr. F. D. Patterson, the President Emeritus of Tuskegee Institute and founder of the United Negro College Fund.

Originally founded as the National Negro Business League, in 1956 it became the National Business League, to emphasize its already developed policy of service to all minority businessmen. Probably all of our chapters are integrated, and many contain substantial percentages of Latin-American minority businessmen. For our membership in more than 50 cities and for the general public, it conducts management training seminars, holds conferences and an annual convention.

With the onset of the poverty program and more widespread interest by economic and social policy makers in realizing the small business potential, we are often requested to present expert testimony on the problems of minority small businessmen before Select Congressional committees and Federal agencies. As early as 1960, we proposed a publicly subsidized management consultant program, and an NBL proposal, small business development commission, became part of the basis for Title IV of the Economic Opportunity Act. Title IV was implemented by the Small Business Development Center Program of the Office of Economic Opportunity and the Small Business Administration.

NBL's present leadership has developed a reputation as ombudsmen of government policy and programs which fail to reach their objectives in economically developing the Negro community. We have a new breed of business operators at NBL who serve as well as a conscience for the Negro business and professional class who are insufficiently concerned with the economic development needs of the Negro sub-community. We express our effective social concern through the renewed NBL. NBL programs bring opportunities to acquire legitimate sources of power in American society in the form of ownership and management of small business to all those who so aspire; they provide access to the wherewithal to compete for business success from shoeshine parlor to executive suite.

Backing up the new League's leadership are a cadre of young Negro economists, business consultants, public relations and marketing experts, former Small Business Development Center staff directors and a group of experienced government administrators who have an historic concern with minority economic development. We are weak, however, in representation from the majority white business community, but we are developing such contacts and invite all those whose presence here today expresses their concern to cooperate in our program.

Among our members are vice presidents of major corporations (Schenley, Pepsi Cola) as well as thousands of small "disadvantaged minority businessmen" who prove by their existence that they respond to deprivation with renewed striving.

NBL's program for the indigenous urban minority community to move into the mainstream of American business community is thus radically simple in the American grain and has been the same since Booker T. Washington founded the Business League in 1900 when the Negro population was mainly rural.

NBL's programs seek to serve the economic development needs of this catalytic group of Negro businessmen and aspiring entrepreneurs to move them and their sub-communities into the mainstream of American business culture. With urban unrest a key problem of our society, the new leadership of the League is receiving more cooperation and attention than ever from public and private agencies. Our present activity and the current social need are no doubt the twin causes of our meeting today.

You have heard many generalizations by now dealing with the multiple problems of equal opportunity in employment, better housing, more jobs, ad infinitum. From our point of view, practically all of the highly desirable goals of the advocates from whom you have heard will flow naturally from a positive application of our economic development proposals. It is the NBL position that business is the motor force of our society, and all of the other "good" elements of our social existence derive as ancillary benefits of our business activity.

Simply and bluntly put, the urban crisis confronting us today must be met with the rapid, immediate development of a broad-based, widely diversified minority business class. The most respected and highly regarded members of our affluent society are those citizens who are representative of the business community. The reason is quite simple: These are the people who control all of the jobs and all of the money in the nation. It is axiomatic in the eyes of the deprived that these are the only facets of our society worth bothering about.

It follows then that when the cry goes up, "Where are the Negro leaders?" when riots occur, the answer is equally simple: There are no leaders, since leadership can only be

established and maintained by those persons or forces that control the elements of life that concerns and affects the masses--jobs and money. It is to be more than naive--indeed, it is little short of sheer madness for anyone to expect the very poorest of the American poor to remain docile and content in their poverty when television constantly and eternally dangles the opulence of our affluent society before their hungry eyes. Moreover, no white child has any respect for penniless paupers with patches on their knees from long years of kneeling and begging. The society, then, cannot reasonably expect black children to give any serious consideration to the pious pleadings of fat cats, whether black or white. These rebellious children are fully aware of the fact that in the majority of these cases the rewards were not born of super-normal initiative, fantastic perseverance or saintly striving by the possessors but rather were inherited, are the results of political rewards or other methods as varied as the imagination of the observer. In the light of these facts, it is of the most critical urgency that all of the forces of power in our society immediately embark with us on a determined and vigorous effort to develop a strong viable minority business class.

How can the course of emergency economic development be charted? The National Business League has charted and indeed is on such a course.

Part of our program is already operative; other parts are well developed and ready for operation; still other parts require major planning inputs. What is needed now is the full scale financial support and program cooperation of government and industry so that our complete program can be put into operation.

We call our series of programs "Project Mainstream." It is a composite of two separate training programs, an urban development foundation, local and state development companies, small business investment companies and an electronic data processing system to monitor and control the developing minority businesses. We propose ultimately to operate all these programs in each of our chapter cities. It is an expensive package in terms of the dollars needed to get it into effect. But in terms of the ends to be achieved, it is cheap.

We have a small beginning on this course in our current program, "Project Outreach." Under this program, we have funds to provide a management assistance director, a part-time secretary and a modest consumable supplies and rent budget, in 12 pilot cities. We have an adequate national staff capable of providing the basic guidance and directional material to all our chapters, but the funding agencies were unable--or unwilling--to provide additional funds for all our chapters. So what we will do is expose 2400 entrepreneurs and business aspirants to basic practical business education for 12 months. The courses are tailored to the profit opportunities available to our people and to remedy deficiencies we find in their business capability. This meager training program will begin locally about December 1, designed to teach Negroes to operate their own businesses or to integrate these enterprises with white-operated businesses.

Then there is "Project Uplift." This second-step training program is conceived as an in-depth tutorial approach that will provide a kind of hand-holding educational experience. We will take the little business operator's business itself and teach him or her the proper methods of business operation. The business itself will provide the instructional text material. We have been seeking funds for a single pilot project in one of our chapter cities since May 27, 1966, and we still have not been funded.

In the matter of urban stability, we feel most strongly that the physical environment must be recreated along with the provision of jobs, improved education and the other social amenities. To facilitate the transition, NBL has proposed and is creating an urban development foundation. This vehicle will provide the professional planning and guidance services that are necessary for complete involvement of the total community while coordinating and reconciling the practical problems of local zoning, planning and building ordinances. The in-house professional services provided by the foundation ultimately can become self-sufficient, but initially they must be subsidized by government.

While the foundation will plan, coordinate and promote urban redevelopment, to facilitate the physical redevelopment process we propose to create local development companies that will be controlled by the indigenous population. The companies will make possible the kind of financing that will make redevelopment practical.

One of the key vehicles for redevelopment of the central city is the small business investment company. Using this device, we can bring together private and public resources to establish and make fully viable local indigenous businesses. There are many reasons for the infinitesimal number of such businesses today, but among the most critical and urgent of our problems is the matter of equity capital. Handled as we propose, the SBIC can be exceptionally effective in meeting this need. If we are to quickly develop viable, indigenous, urban businesses, we must use the training methods we have indicated, provide the equity capital and facilitating vehicles and monitor and control these businesses through an electronic data-processing system. With such a system, we can spot malpractices quickly and equally quickly move to expand and improve those enterprises that are immediately successful.

The National Business League needs additional planning resources to specifically detail each of these proposals and to expand on their efficacy and probability of success. But what we seek to do here is to give this committee a comprehensive over-view of what we seek to accomplish and how we propose to do it.

But I think the economics of these proposals are of prime concern to the nation. You have heard all manner of enormous figures quoted. Perhaps, ultimately, such astronomical sums will become involved. However, as a practical matter only so much money, time and talent is available to apply to the problem. Moreover, the mixed temper of the society is such that no public official is going to be able to commit unrestricted resources to the urban crisis. The heavy costs of war and defense simply cannot be ignored, and other programs such as the space commitment are just NOT going to be abandoned. So, what we have to do is to make a positive start on a pilot basis, utilizing all existing and AVAILABLE resources in specific areas, concentrating all of the resources and powers of the Federal government on these pilot projects.

Having outlined the methodology, we then come to the specific project concepts. We propose to accomplish our objective by taking a 30- to 35-acre site in any city and developing it as a modular core around which planned communities can be rapidly evolved.

The modular core concept envisions a 12- to 16-acre shopping center, a 3- to 5-acre park-like civic center and the balance of the area devoted to new housing. With gross housing costs in several levels. This means that we would attract immediately to the renewed area an economic and social stratification that would be conducive to neighborhood and community identification. Another facet of the modular concept is its flexibility. The 30- to 35-acre module would serve a surrounding population of 75,000 people. In other areas, it can be expanded or contracted commensurate with the existing population to be served. The economic feasibility must be based--as all developments are--on the existing population, along with reasonable projections of improved economic status of the citizenry. But the ancillary social benefits transcend all the marginal economics involved.

A word about the make-up of the shopping centers is appropriate. First, we would seek to involve major anchor tenants such as department stores, supermarkets and furniture stores. We would ask these firms to join in partnerships with the indigenous business people to own and operate the facilities. How this effort would evolve will be dependent upon the successful funding of the SBIC's. But all of the other stores and shops would be owned and operated by the indigenous population. We will seek to use as far as possible the franchise concept and distributorships of national firms. We are now working with the Department of Commerce to serve as the vehicle for this program developing a system to do this this past week. Above all we will seek to convey a visual impact of minority entrepreneurial accomplishment in these facilities.

The civic center will concentrate all possible public services in one attractive community locale. A major feature of our plan is to seek cooperation from local government in getting social workers out from behind their desks where they now act largely as "check dispensers" and into community social work of a motivational nature. The Neighborhood Adult Participation Program of the Community Action Program can be most effective also. Working with the urban development foundation and other community groups, revitalization and redevelopment will inspire the vigorous support of the total community.

Of course, jobs are a prime concern of every ghetto resident. The "ultra-small," service-oriented businesses that we now operate are not labor intensive in their present setting. We would therefore propose to develop, simultaneous with the modular core, a companion industrial park that will train and employ large numbers of the urban hard-core unemployed. We have in our office many manufacturing opportunities that are readily adaptable to the kind of training and productivity that can be performed in urban settings of limited educational exposure by the indigenous populace.

Of the greatest significance is the large number of functionally illiterate urban unemployed who can be absorbed in the actual physical rebuilding of the areas. We hear a lot of talk about the "skilled construction trades." This talk is just that--"TALK." It's just so much skilled bilge. There are untold numbers of white building and construction workers who are scarcely literate. They've got just one thing going for them: The color of their skin. The plain fact is that you don't have to have a high school diploma to learn how to drive nails or run a skill-saw. It's not essential that a man have a degree in engineering to know how to pull wires through an electrical conduit or to handle a soldering iron or a pair of tin snips. The point is that all the building trades can be broken into fragments that persons of limited education can master. As a matter of fact, housing today is almost totally fragmented into such functional practices, and in many areas there are all kinds of specialty sub-contractors that do very small segments of the construction process.

We can employ large numbers of people immediately, without engaging the problem of equal job-sharing, because we will be creating jobs that now don't exist. We can circumvent the question of employment discrimination in the building industry by developing prime general contractors who are Negro or of other minority ethnic extraction. We have the talent. All we need is equity capital support and relief from the anachronism of "bonding." But even if we really didn't know how to build, at this point in the declining years of the 20th century, we have at least earned the right to try. Even if our buildings toppled over, the country owes it to us to let us TRY--even if we fail.

NBL submits that it can and will mobilize this nation's small, profit-minded minority citizens into a strong force of constructive, no-nonsense leaders who can perform a considerable job of promoting urban stabilization and tranquility.

The National Business League is the sole organization in the nation that devotes its entire attention to the economic growth and development of the deprived minority business operators. Our singular problem is the poverty of membership. Nobody respects a charity patient, and the overwhelming majority of our membership is exceedingly poor. Yet this target population provides the nation the single source of positive action that can lead to the kind of urban development and economic growth that is conducive to stability and tranquility.

What we need is a task force from government and business to assure that government and private programs related to our private sector efforts are adapted so that they reach out to where the problem is. They must be evaluated on the basis of measurably reducing it. Today the problem is growing bigger.

A problem-solution approach must be sought by this task force rather than a "further identification of the problem" or "government guidelines" approach which has not yet developed a cutting edge on the problem. Systematic and continual adaptation of programs must be made until a

take-off point is reached in the minority underdeveloped community, which is underdeveloped in at least as many ways as many foreign countries we aid. We pledge our cooperation to such a longer-run task force and suggest that it work with the National Committee for Equal Opportunity in Business. We are authorized under a present contract, "Project Outreach," to form such a committee and to influence and adapt private and public policies across the entire spectrum that affects minority entrepreneurs.

What we need now is the financial support and cooperation that only the Federal government can initiate. We propose also that government provide the support essential to implement three target modular cores. They can be executed in Los Angeles, California, Washington, D.C., and Norfolk, Virginia. The Los Angeles project is well advanced and about ready for execution. With adequate staff and budget, we can have the other two projects ready for execution long before summer, 1968.

To get underway, we need approximately \$500,000 per city. At the other end of the budgeting spectrum, which is where we are beginning with a Project Outreach Office in 12 of our 50 cities, we can match any \$25,000 in local funds with \$150,000 worth of national services. To extend the national services of our project to 10 more cities would cost \$250,000. Our criteria for bringing the project services to any community are an organization of 100 minority businessmen ready to become an NBL chapter or already organized into an NBL chapter. We can provide this until January 1, 1968, our cut-off date for orientation of new local project directors.

This will allow us to staff and make operational the urban development foundation. Our National Committee for Equal Participation in Business will convene in December, and we are hopeful that they will raise \$1.5 million of the total budget to intensify and expand our two training programs.

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Every city in this nation, every citizen in our society, has a vast stake in our efforts. We come to you today with high hopes and great anticipation. We are NOT talking here about vague, social generalities. We are talking about hard economic activity that can be measured within a certain time frame. We cannot and we do not promise you that if you support and promote our program that there will be no future urban riots. But we can and do positively assure you that if you support and help us, the statistical probability is that next summer will be a lot less long and a great deal cooler.

Thank you very much for asking us to appear before you today.

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 23, 1968

MEMORANDUM TO THE COMMISSION

Subject: Commission Meeting Schedule

At the January 19 meeting, the Commission agreed on the following schedule of meetings:

January 30, 31

February 9, 10
15, 16, 17
27, 28

I hope that we will not have to use February 27 and 28, but I would appreciate your holding them on your calendar.

J.G.

David Ginsburg
Executive Director

(3)
FOR RELEASE ON DELIVERY TO THE SENATE January 24, 1968
AND THE HOUSE OF REPRESENTATIVES

NOTICE: There should be no premature release of this Message to the Congress, nor should its contents be paraphrased, alluded to or hinted at in earlier stories. There is a total embargo on this message until it has been delivered to the United States Senate and the House of Representatives, which includes any and all references to any material in this message.

George Christian

THE WHITE HOUSE

MESSAGE ON CIVIL RIGHTS

TO THE CONGRESS OF THE UNITED STATES:

In each of the past three years I have sent to the Congress a special message dealing with Civil Rights. This year I do so again, with feelings of both disappointment and pride:

- Disappointment, because in an ideal America we would not need to seek new laws guaranteeing the rights of citizens;
- Pride, because in America we can achieve and protect these rights through the political process.

The more we grapple with the civil rights problem -- the most difficult domestic issue we have ever faced -- the more we realize that the position of minorities in American society is defined not merely by law, but by social, educational, and economic conditions.

I can report to you steady progress in improving those conditions:

- More than 28 percent of nonwhite families now receive over \$7,000 income a year -- double the proportion of eight years ago in real terms.
- As of this month, 98 percent of America's hospitals have pledged themselves to nondiscrimination.
- The educational level of nonwhites has risen sharply: in 1966, 53 percent of the nonwhite young men had completed four years of high school, compared to 36 percent in 1960.
- The nonwhite unemployment rate has declined from 10.8 percent in 1963 to 7.4 percent in 1967.
- Great advances have been made in Negro voter registration -- due to the enactment and enforcement of the Voting Rights Act of 1965, and the efforts of the people themselves. In the five Southern States where the Act has had its greatest impact, Negro voter registration has reached 1.5 million, more than double that in 1965.
- Negroes have been elected to public office with increasing frequency -- in the North and in the South

- Thousands of disadvantaged youths have received job training -- and their first job opportunities -- as a result of Federal programs.
- The proportion of Mexican-Americans enrolled in classes under the Manpower Development and Training Act, and as Neighborhood Youth Corpsmen, in the five Southwestern States is double their 12 percent ratio in the population.
- Twenty-one States, and more than 80 cities and counties, have enacted fair housing laws.

But I must also report that:

- One out of three nonwhite families still lives below the poverty level.
- The infant mortality rate for nonwhite children is nearly double that of whites. And it is nearly three times as high for children 28 days to one year of age.
- The percentage of nonwhites who have completed high school is still far below that of whites. And the quality of education in many predominantly Negro schools remains inferior.
- The nonwhite unemployment rate, while declining, is still twice as high as that for whites.
- A survey conducted in two Southwestern cities revealed that almost one out of two Mexican-American workers living in the slums faced severe employment problems.
- In too many areas of the Nation, election time remains a period of racial tension.
- Despite the growing number of States and local communities which have outlawed racial discrimination in housing, studies in some cities indicate that residential segregation is increasing.
- Despite the progress that many Negroes have achieved, living conditions in some of the most depressed slum areas have actually worsened in the past decade.

In the State of the Union message last week I spoke of a spirit of restlessness in our land. This feeling of disquiet is more pronounced in race relations than in any other area of domestic concern.

Most Americans remain true to our goal: the development of a national society in which the color of a man's skin is as irrelevant as the color of his eyes.

In the context of our history, this goal will not be easily achieved. But unless we act in our time to fulfill our first creed: that "all men are created equal" -- it will not be achieved at all.

One Nation

Though the creed of equality has won acceptance among the great majority of our people, some continue to resist every constructive step to its achievement.

The air is filled with the voices of extremists on both sides:

- Those who use our very successes as an excuse to stop in our tracks, and who decry the awakening of new expectations in people who have found cause to hope.
- Those who catalogue only our failures, declare that our society is bankrupt, and promote violence and force as an alternative to orderly change.

These extremes represent, I believe, forms of escapism by a small minority of our people. The vast majority of Americans -- Negro and white -- have not lent their hearts or efforts to either form of extremism. They have continued to work forcefully -- and lawfully -- for the common good.

America is a multiracial nation. Racism -- under whatever guise and whatever sponsorship -- cannot be reconciled with the American faith.

This is not to deny the vitality of our diversity. Our people are blessed with a variety of backgrounds. Pride in our national origins, in our religions, in our ethnic affiliations, has always been an American trait. It has given to all our people that sense of community, of belonging, without which life is empty and arid.

Our continuing challenge has been to preserve that diversity, without sacrificing our sense of national purpose; to encourage the development of individual excellence, without yielding in our pursuit of national excellence for all.

Education for All

We confront this challenge squarely in the area of education.

Our Nation is committed to the best possible education for all our children. We are also committed to the constitutional mandate that prohibits segregated school systems.

Some maintain that integration is essential for better education. Others insist that massive new investments in facilities and teachers alone can achieve the results we desire.

We continue to seek both goals: better supported -- and unsegregated -- schools.

Thus far, we can claim only a qualified success for our efforts:

- We still seek better methods to teach disadvantaged youngsters -- to awaken their curiosity, stimulate their interest, arouse their latent talent, and prepare them for the complexities of modern living.
- We still seek better methods to achieve meaningful integration in many of the various communities across our land -- in urban ghettos, in rural counties, in suburban districts.

But our lack of total success should spur our efforts, not discourage them.

In the last year many States, cities, communities, school boards and educators have experimented with new techniques of education, and new methods of achieving integration. We have learned much from these experiments. We shall learn much more.

We do know that progress in education cannot be designed in Washington, but must be generated by the energies of local school boards, teachers and parents. We know that there is no single or simple answer to the questions that perplex us. But our National goals are clear: desegregated schools and quality education. They must not be compromised.

The Task Ahead

We must continue the progress we have made toward achieving equal justice and opportunity:

- through the enforcement of existing laws;
- through legislation that will protect the rights and extend the opportunities of all Americans.

In the Executive Branch

The Department of Justice has just completed its most active year:

- Convictions were obtained in the important conspiracy case involving the deaths of three civil rights workers in Mississippi.
- A record number of civil rights suits were filed, involving school desegregation and discrimination in employment and public accommodations.
- The first Northern suit alleging voting discrimination was filed, and examiners were sent into 15 additional counties to assure fair registration and voting.
- The Community Relations Service has helped some 260 communities to resolve human relations problems.

Other Federal agencies have been equally active:

- The Secretary of Health, Education, and Welfare is now examining statistical reports from some 2,000 school districts throughout America -- to insure compliance with Title VI of the 1964 Civil Rights Act, forbidding discrimination in such matters as the quality of school facilities and the establishment of school boundaries.
- The Office of Federal Contracts Compliance of the Department of Labor stepped-up and broadened its enforcement of the Executive Order forbidding discrimination in employment by Federal contractors.
- The Secretary of Defense has moved to encourage the desegregation of housing facilities surrounding military bases, thus making available thousands of additional homes

to members of the Armed Forces and their families regardless of their race.

- The Secretary of Housing and Urban Development has speeded the desegregation of public housing by establishing new site and tenant selection policies. He has initiated counseling services for low and moderate income families and has reorganized the Department's civil rights staff.

We will continue to expand our efforts. For wherever the Federal Government is involved, it must not be even a silent partner in perpetuating unequal treatment.

The Urgent Need for Legislative Action

The legacy of the American past is political democracy -- and an economic system that has produced an abundance unknown in history.

Yet our forefathers also left their unsolved problems. The legacy of slavery -- racial discrimination -- is first among them.

We have come a long way since that August day in 1957, when the first civil rights bill in almost a century was passed by the Congress.

At our recommendation, the Congress passed major civil rights legislation -- far stronger than the 1957 Act -- in 1964 and 1965. The 89th Congress passed groundbreaking legislation of enormous importance to disadvantaged Americans among us -- in education, in health, in manpower training, in the war against poverty. The First Session of the 90th Congress has continued these programs.

Yet critical work remains in creating a legal framework that will guarantee equality and opportunity for all. A start was made in the First Session of this Congress:

- The life of the Civil Rights Commission was extended for an additional five years.
- The House of Representatives approved legislation aimed at preventing violent interference with the exercise of civil rights. The Senate Judiciary Committee has reported a similar bill, which is now being debated on the floor of the Senate.
- The Senate passed a bill to reform the system of Federal jury selection.
- Hearings were held in the Senate on State jury legislation, on equal employment opportunity amendments, and on a Federal fair housing law.

In this session, I appeal to the Congress to complete the task it has begun.

- To strengthen Federal criminal laws prohibiting violent interference with the exercise of civil rights.
- To give the Equal Employment Opportunity Commission the authority it needs to carry out its vital responsibilities.

- To assure that Federal and State juries are selected without discrimination.
- To make equal opportunity in housing a reality for all Americans.

Protecting the Exercise of Civil Rights

A Negro parent is attacked because his child attends a desegregated public school. Can the Federal courts punish the assailant? The answer today is only "perhaps."

A Negro is beaten by private citizens after seeking service in a previously all-white restaurant. Can the Federal courts punish this act? Under existing law the answer is "no", unless that attack involved a conspiracy. Even there the answer is only "maybe."

Grown men force a group of Negro children from a public park. The question most Americans would ask is what punishment these hoodlums deserve. Instead, the question before the Federal court is whether it has jurisdiction.

The reach of century-old criminal civil rights laws is too restricted to assure equal justice to the persons they were designed to protect. Yet the right of Americans to be free of racial or religious discrimination -- in voting, using public accommodations, attending schools -- must be firmly secured by the law.

The existing criminal laws are inadequate:

- The conduct they prohibit is not set out in clear, precise terms. This ambiguity encourages drawn-out litigation and disrespect for the rule of law.
- These laws have only limited applicability to private persons not acting in concert with public officials. As a result, blatant acts of violence go unpunished.
- Maximum penalties are inadequate to suit the gravity of the crime when injury or death result.

The bill reported by the Senate Judiciary Committee remedies each of these deficiencies. It would prohibit the use of force to prevent the exercise by minorities of rights most of us take for granted:

- Voting, registering to vote, or campaigning for any office in Federal or State elections.
- Attending a public school or public college.
- Obtaining service at public accommodations.
- Serving or qualifying to serve on State or Federal juries.
- Obtaining a job, on the basis of ability, with any private or public employer.
- Using any Federal, State or local public facility.

- Participating in Federally-assisted programs or activities.
- Riding in a public carrier.

The bill would apply to any individual or group -- public or private -- that sought to prevent the exercise of these rights by violent means. And it would tailor the penalties to meet the seriousness of the offense.

We know that State and local authorities have often been slow, unwilling, or unable to act when lawful and peaceful attempts to exercise civil rights drew a violent response.

The Mississippi convictions of this year, and other recent cases, have given dramatic evidence that Federal laws can reach those who engage in conspiracies against law-abiding citizens. It is therefore imperative that these laws be clear and their penalties effective.

This bill will strengthen the hand of Federal law enforcement to protect our citizens wherever they encounter -- because of their race, color or religion -- violence or force in their attempt to enjoy established civil rights. Beyond this limited area, law enforcement is left where it belongs -- in the hands of the States and local communities.

Employment

For most Americans, the Nation's continuing prosperity has meant increased abundance. Nevertheless, as I noted earlier, the unemployment rate for nonwhites has remained at least twice the rate for whites.

Part of the answer lies in job training to overcome educational deficiencies and to teach new skills. Yesterday I asked the Congress for a \$2.1 billion manpower program to assist 1.3 million of our citizens. A special three-year effort will be made to reach 500,000 hard-core unemployed of all races and backgrounds in our major cities.

But we must assure our citizens that once they are qualified, they will be judged fairly on the basis of their capacities.

Even where the Negro, the Puerto Rican, and the Mexican-American possess education and skills, they are too often treated as less than equal in the eyes of those who have the power to hire, promote and dismiss. The median income of college-trained nonwhites is only \$6,000 a year. The median income of college-trained whites is over \$9,000 -- more than 50 percent higher.

The law forbids discrimination in employment. And we have worked to enforce that law:

- More than 150 cases of employment discrimination are under investigation by the Department of Justice.
- Lawsuits have been filed to stop patterns and practices of discrimination by employers and unions in the North as well as the South.

But the Justice Department does not bear the major responsibility for enforcing equal employment opportunity. Congress created the

Equal Employment Opportunity Commission in 1964 to receive and investigate individual complaints, and to attempt to eliminate unlawful employment practices by the informal methods of conference, conciliation, and persuasion.

This authority has yielded its fruits. Many employers and unions have complied through this process. We have gained valuable knowledge about discriminatory practices and employment patterns.

Since last September, the Equal Employment Opportunity Commission has, for the first time, processed more complaints than it has received, thereby reducing its backlog. In the last six months, the Commission increased its investigation rate more than 45 percent over the rate for 1966, and doubled the number of conciliations for the same period a year ago. Last month more complaints were investigated than in any month in EEOC history.

Yet even this stepped-up activity cannot reach those who will not agree voluntarily to end their discriminatory practices. As a result, only part of our economy is open to all workers on the basis of merit. Part remains closed because of bias.

The legislation that I submitted last year would empower the Equal Employment Opportunity Commission to issue, after an appropriate hearing, an order requiring an offending employer or union to cease its discriminatory practices and to take corrective action. If there is a refusal to comply with the order, the Government would be authorized to seek enforcement in the Federal courts.

I urge the Congress to give the Commission the power it needs to fulfill its purpose.

Federal Juries

The Magna Carta of 1215 -- the great English charter of liberties -- established a fundamental principle of our system of criminal justice: trial by jury. Our Constitution guarantees this precious right and its principles require a composition of juries that fairly represents the community.

In some Federal judicial districts this goal has not been achieved, for methods of jury selection vary sharply:

- Some selection systems do not afford Negroes or members of other minorities an adequate opportunity to serve as jurors.
- Some obtain an excessively high proportion of their jurors from the more affluent members of the community, and thus discriminate against others.

In many cases these are unintentional deviations from the principle of a representative jury. But the Federal courts must be free from all unfairness -- intentional or unintentional. They must be free, as well, from the appearance of unfairness.

In the first session of this Congress, I proposed, and the Judicial Conference supported, a Federal Jury bill. The Senate passed a bill that would require each judicial district to adopt a jury selection plan relying upon random selection, voter lists, and objective standards.

This bill guarantees a fairly chosen and representative jury in every Federal court, while retaining flexibility to allow for differing conditions in judicial districts.

I urge the House of Representatives to pass it early in this session.

State Juries

Our system of justice requires fairly selected juries in State as well as Federal courts.

But under our Federal system, the States themselves have the primary duty to regulate their own judicial systems. The role of the Federal government is to ensure that every defendant in every court receives his Constitutional right to a fairly selected jury.

The Federal courts have acted to secure this right by overturning convictions when the defendant established that this jury was improperly selected. But this process -- of conviction, appeal, reversal, and retrial -- is burdensome on our courts, tardy in protecting the right of the defendant whose case is involved and ineffective in changing the underlying procedure for all defendants.

The legislation I have proposed would make it unlawful to discriminate on account of race, color, religion, sex, national origin or economic status in qualifying or selecting jurors in any state court.

It would empower the Attorney General to enjoin the operation of discriminatory selection systems -- but only after he has notified the appropriate State officials of the alleged violation, and afforded them a reasonable opportunity to correct it.

The jury is one of the most cherished institutions of our Republic. Its selection should be no less fair in the State than in the Federal court system.

Fair Housing

The National Housing Act of 1949 proclaimed a goal for the Nation: "A decent home and a suitable living environment for every American family."

We have not achieved this goal.

This year I shall send to the Congress a message dealing with our cities -- calling for \$1 billion for the Model Cities program -- and calling upon the Congress, industry and labor to join with me in a ten-year campaign to build six million new decent housing units for low and middle-income families.

But construction of new homes is not enough -- unless every family is free to purchase and rent them. Every American who wishes to buy a home, and can afford it, should be free to do so.

Segregation in housing compounds the Nation's social and economic problems. When those who have the means to move out of the central city are denied the chance to do so, the result is a compression of population in the center. In that crowded ghetto, human tragedies -- and crime -- increase and multiply. Unemployment and educational problems are compounded -- because isolation in the central city prevents minority groups from reaching schools and available jobs in other areas.

The fair housing legislation I have recommended would prohibit discrimination in the sale or rental of all housing in the United States. It would take effect in three progressive stages:

- Immediately, to housing presently covered by the Executive Order on equal opportunity in housing.
- Then, to dwellings sold or rented by a nonoccupant, and to units for five or more families.
- And finally to all housing.

It would also:

- Outlaw discriminatory practices in the financing of housing, and in the services of real estate brokers.
- Bar the cynical practice of "block-busting," and prohibit intimidation of persons seeking to enjoy the rights it grants and protects.
- Give responsibility for enforcement to the Secretary of Housing and Urban Development and authorize the Attorney General to bring suits against patterns or practices of housing discrimination.

A fair housing law is not a cure-all for the Nation's urban problems. But ending discrimination in the sale or rental of housing is essential for social justice and social progress.

Conclusion

For many members of minority groups, the past decade has brought meaningful advances. But for most minorities -- locked in urban ghettos or in rural areas -- economic and social progress has come slowly.

When we speak of overcoming discrimination we speak in terms of groups -- Indians, Mexican-Americans, Negroes, Puerto Ricans and other minorities. We refer to statistics, percentages, and trends.

Now is the time to remind ourselves that these are problems of individual human beings -- of individual Americans.

- Housing discrimination means the Negro veteran of Vietnam cannot live in an apartment which advertises vacancies.

- Employment statistics do not describe the feeling of a Puerto Rican father who cannot earn enough to feed his children.
- No essay on the problems of the slum can reveal the thoughts of a teenager who believes there is no opportunity for him as a law-abiding member of society.

Last summer our Nation suffered the tragedy of urban riots. Lives were lost; property was destroyed; fear and distrust divided many communities.

The prime victims of such lawlessness -- as of ordinary crime -- are the people of the ghettos.

No people need or want protection -- the effective, non-discriminatory exercise of the police power -- more than the law-abiding majority of slum-dwellers. Like better schools, housing, and job opportunities, improved police protection is necessary for better conditions of life in the central city today. It is a vital part of our agenda for urban America.

Lawlessness must be punished -- sternly and promptly.

But the criminal conduct of some must not weaken our resolve to deal with the real grievances of all those who suffer discrimination. Nothing can justify the continued denial of equal justice and opportunity to every American.

Each forward step in the battle against discrimination benefits all Americans.

I ask the Congress to take another forward step this year -- by adopting this legislation fundamental to the human rights and dignity of every American.

LYNDON B. JOHNSON

THE WHITE HOUSE,

January 24, 1968.

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FOR RELEASE ON DELIVERY TO THE SENATE January 23, 1968
AND THE HOUSE OF REPRESENTATIVES

NOTICE: There should be no premature release of this Message to the Congress, nor should its contents be paraphrased, alluded to or hinted at in earlier stories. There is a total embargo on this message until it has been delivered to the United States Senate and the House of Representatives, which includes any and all references to any material in this message.

George Christian

THE WHITE HOUSE

TO EARN A LIVING: THE RIGHT OF EVERY AMERICAN

TO THE CONGRESS OF THE UNITED STATES:

In this, my first message to the Congress following the State of the Union Address, I propose:

- A \$2.1 billion manpower program, the largest in the Nation's history, to help Americans who want to work get a job.
- The Nation's first comprehensive Occupational Health and Safety Program, to protect the worker while he is on the job.

The Question For Our Day

Twenty years ago, after a cycle of depression, recovery and war, America faced an historic question: Could we launch what President Truman called "a positive attack upon the ever-recurring problems of mass unemployment and ruinous depression"?

That was the goal of the Employment Act of 1946. The answer was a long time in forming. But today there is no longer any doubt...

We can see the answer in the record of seven years of unbroken prosperity.

We can see it in this picture of America today:

75 million of our people are working -- in jobs that are better paying and more secure than ever before.

Seven and a half million new jobs have been created in the last four years, more than 5,000 every day. This year will see that number increased by more than 1-1/2 million.

In that same period, the unemployment rate has dropped from 5.7 percent to 3.8 percent -- the lowest in more than a decade.

more

The question for our day is this: in an economy capable of sustaining high employment, how can we assure every American, who is willing to work, the right to earn a living?

We have always paid lip service to that right.

But there are many Americans for whom the right has never been real:

- The boy who becomes a man without developing the ability to earn a living.
- The citizen who is barred from a job because of other men's prejudices.
- The worker who loses his job to a machine, and is told he is too old for anything else.
- The boy or girl from the slums whose summers are empty because there is nothing to do.
- The man and the woman blocked from productive employment by barriers rooted in poverty: lack of health, lack of education, lack of training, lack of motivation.

Their idleness is a tragic waste both of the human spirit and of the economic resources of a great Nation.

It is a waste that an enlightened Nation should not tolerate.

It is a waste that a Nation concerned by disorders in its city streets cannot tolerate.

This Nation has already begun to attack that waste.

In the years that we have been building our unprecedented prosperity, we have also begun to build a network of manpower programs designed to meet and match individual needs with individual opportunities.

Our Manpower Program Network

Until just a few years ago, our efforts consisted primarily of maintaining employment offices throughout the country and promoting apprenticeship training.

The Manpower Development Training Act, passed in 1962, was designed to equip the worker with new skills when his old skills were outdistanced by technology. That program was greatly strengthened and expanded in 1963, 1965 and again in 1966 to serve the disadvantaged as well. In fiscal 1969, it will help over 275,000 citizens.

Our manpower network grew as the Nation launched its historic effort to conquer poverty:

- The Job Corps gives young people from the poorest families education and training they need to prepare for lives as productive and self-supporting citizens. In fiscal 1969 the Job Corps will help almost 100,000 children of the poor.
- The Neighborhood Youth Corps enables other poor youngsters to serve their community and themselves at the same time. Last year the Congress expanded the program to include adults as well. In fiscal 1969, the Neighborhood Youth Corps will help over 560,000 citizens.
- Others, such as Work Experience, New Careers, Operation Mainstream, and the Work Incentive Program, are directed toward the employment problems of poor adults. In fiscal 1969, 150,000 Americans will receive the benefits of training through these programs.

These are pioneering efforts. They all work in different ways. Some provide for training alone. Others combine training with work. Some are full-time. Others are part-time.

One way to measure the scope of these programs is to consider how many men and women have been helped:

- In fiscal 1963: 75,000
- In fiscal 1967: more than 1 million.

But the real meaning of these figures is found in the quiet accounts of lives that have been changed:

- In Oregon, a seasonal farm worker was struggling to sustain his eight children on \$46 a week. Then he received on-the-job training as a welder. Now he can support his family on an income three times as high.
- In Pennsylvania, a truck driver lost his job because of a physical disability and had to go on welfare. He learned a new skill. Now he is self-reliant again, working as a clerk with a city Police Department.
- In Kansas, a high school dropout was salvaged from what might have been an empty life. He learned a trade with the Job Corps. Now he has a decent job with an aircraft company.

Across America, examples such as these attest to the purpose and the success of our programs to give a new start to men and women who have the will to work for a better life.

These are good programs. They are contributing to the strength of America. And they must continue.

But they must reach even further.

I will ask the Congress to appropriate \$2.1 billion for our manpower programs for fiscal 1969.

- This is the largest such program in the Nation's history.
- It is a 25 percent increase over fiscal 1968.
- It will add \$442 million to our manpower efforts.

In a vigorous, flourishing economy, this is a program for justice as well as for jobs.

These funds will enable us to continue and strengthen existing programs, and to advance to new ground as well.

With this program, we can reach 1.3 million Americans, including those who have rarely if ever been reached before -- the hard-core unemployed.

The Concentrated Employment Program

Our past efforts, vital as they are, have not yet effectively reached the hard-core unemployed.

These hard-core are America's forgotten men and women. Many of them have not worked for a long time. Some have never worked at all. Some have held only odd jobs. Many have been so discouraged by life that they have lost their sense of purpose.

In the Depression days of the 1930's, jobless men lined the streets of our cities seeking work. But today, the jobless are often hard to find. They are the invisible poor of our Nation.

Last year I directed the Secretary of Labor to bring together in one unified effort all the various manpower and related programs which could help these people in the worst areas of some of our major cities and in the countryside.

The Concentrated Employment Program was established for this purpose.

Its first task was to find the hard-core unemployed, to determine who they are, and where and how they live.

Now we have much of that information.

500,000 men and women who have never had jobs -- or who face serious employment problems -- are living in the slums of our 50 largest cities.

The first detailed profile we have ever had of these unemployed Americans reveals that substantial numbers

- Lack adequate education and job training.
- Have other serious individual problems -- such as physical handicaps -- which impair their earning ability.
- Are Negroes, Mexican-Americans, Puerto Ricans, or Indians.

As the unemployed were identified, the Concentrated Employment Program set up procedures for seeking them out, counseling them, providing them with health and education services, training them -- all with the purpose of directing them into jobs or into the pipeline to employment.

As part of the new manpower budget, I am recommending expansion of the Concentrated Employment Program.

That program now serves 22 urban and rural areas. In a few months it will expand to 76. With the funds I am requesting, it can operate in 146.

Job Opportunities in the Private Sector

The ultimate challenge posed by the hard-core unemployed is to prepare rejected men and women for productive employment -- for dignity, independence and self-sufficiency.

In our thriving economy, where jobs in a rapidly growing private sector are widely available and the unemployment rate is low, the "make-work" programs of the 1930's are not the answer to today's problem.

The answer, I believe, is to train the hard-core unemployed for work in private industry:

- The jobs are there: six out of every seven working Americans are employed in the private sector.
- Government-supported on-the-job training is the most effective gateway to meaningful employment: nine out of every ten of those who have received such training have gone on to good jobs.
- Industry knows how to train people for the jobs on which its profits depend.

That is why, late last year, we stepped up the effort to find jobs in private industry. With the help of American businessmen, we launched a \$40 million test training program in five of our larger cities.

The program was built around three basic principles:

- To engage private industry fully in the problems of the hard-core unemployed.
- To pay with Government funds the extra costs of training the disadvantaged for steady employment.
- To simplify government paperwork and make all government services easily and readily available to the employer.

The Urgent Task

With that work, we prepared our blueprints. We have built the

Encouraged by our test program and by the progress that American industry has made in similar efforts, we should now move forward.

To press the attack on the problem of the jobless in our cities, I propose that we launch the Job Opportunities in Business Sector (JOBS) Program -- a new partnership between government and private industry to train and hire the hard-core unemployed.

I propose that we devote \$350 million to support this partnership -- starting now with \$106 million from funds available in our manpower programs for fiscal 1968, and increasing that amount to \$244 million in fiscal 1969.

Our target is to put 100,000 men and women on the job by June 1969 and 500,000 by June 1971. To meet that target, we need prompt approval by the Congress of the request for funds for our manpower programs.

This is high priority business for America.

The future of our cities is deeply involved. And so is the strength of our Nation.

How This New Program Will Work

Our objective, in partnership with the business community, is to restore the jobless to useful lives through productive work.

There can be no rigid formulas in this program. For it breaks new ground.

The situation calls, above all, for flexibility and cooperation.

Essentially, the partnership will work this way:

The government will identify and locate the unemployed.

The company will train them, and offer them jobs.

The company will bear the normal cost of training, as it would for any of its new employees.

But with the hard-core unemployed there will be extra costs.

These men will be less qualified than those the employer would normally hire. So additional training will often be necessary.

But even more than this will be needed. Some of these men and women will need transportation services. Many will have to be taught to read and write. They will have health problems to be corrected. They will have to be counseled on matters ranging from personal care to proficiency in work.

These are the kinds of extra costs that will be involved.

Where the company undertakes to provide these services, it is appropriate that the Government pay the extra costs as part of the national manpower program.

The Concentrated Employment Program, in many areas, will provide manpower services to support the businessman's effort.

A National Alliance of Businessmen

This is a tall order for American business. But the history of American business is the history of triumph over challenge.

And the special talents of American business can make this program work.

To launch this program, I have called on American industry to establish a National Alliance of Businessmen.

The Alliance will be headed by Mr. Henry Ford II.

Fifteen of the Nation's top business leaders will serve on its Executive Board. Leading business executives from the Nation's 50 largest cities will spearhead the effort in their own communities.

This Alliance will be a working group, concerned not only with the policy but with the operation of the program.

It will:

- help put 500,000 hard-core unemployed into productive business and industrial jobs in the next three years.
- give advice to the Secretaries of Labor and Commerce on how this program can work most effectively, and how we can cut government "red tape."

The Alliance will also have another vital mission: to find productive jobs for 200,000 needy youth this summer -- an experience that will lead them back to school in the fall, or on to other forms of education, training or permanent employment.

The Alliance will work closely in this venture with the Vice President. As Chairman of the President's Council on Youth Opportunity he will soon meet with the Alliance and with the Mayors of our 50 largest cities to advance this pressing work.

The Rewards of Action

The rewards of action await us at every level.

To the individual, a paycheck is a passport to self-respect and self-sufficiency.

To the worker's family, a paycheck offers the promise of a fuller and better life -- in material advantages and in new educational opportunities.

Our society as a whole will benefit when welfare recipients become taxpayers, and new job holders increase the Nation's buying power.

These are dollars and cents advantages.

But there is no way to estimate the value of a decent job that replaces hostility and anger with hope and opportunity.

There is no way to estimate the respect of a boy or girl for his parent who has earned a place in our world.

There is no way to estimate the stirring of the American dream of learning, saving, and building a life of independence.

Finally, employment is one of the major weapons with which we will eventually conquer poverty in this country, and banish it forever from American life.

Our obligation is clear. We must intensify the work we have just begun. The new partnership I have proposed in this message will help reach that lost legion among us, and make them productive citizens.

It will not be easy.

But until the problem of joblessness is solved, these men and women will remain wasted Americans -- each one a haunting reminder of our failure.

Each one of these waiting Americans represents a potential victory we have never been able to achieve in all the years of this Nation.

Until now.

A Strengthened Manpower Administration

The programs I have discussed are the visible evidence of a Nation's commitment to provide a job for every citizen who wants it, and who will work for it.

Less visible is the machinery -- the planning, the management and administration -- which turns these programs into action and carries them to the people who need them.

I recently directed the Secretary of Labor to strengthen and streamline the Manpower Administration -- the instrument within the Federal Government which manages almost 80 percent of our manpower programs.

That effort is now close to completion.

But we must have top administrators now -- both here in Washington and in the eight regions across the country in which these manpower programs will operate.

As part of our new manpower budget, I am requesting the Congress to approve more than 600 new positions for the Manpower Administration. These will include 16 of the highest Civil Service grades.

The central fact about all our manpower programs is that they are local in nature. The jobs and opportunities exist in the cities and communities of this country. That is where the people who need them live. That is where the industries are -- and the classrooms, the day care centers, and the health clinics.

What is required is a system to link Federal efforts with the resources at the State and local levels.

We already have the framework, the Cooperative Area Manpower Planning System (CAMPS) which we started last year.

Now I propose that we establish it for the long term.

CAMPS will operate at every level -- Federal, regional, State and local. At each level, it will pull together all the manpower services which bear on jobs.

But its greatest impact will be at the local level, where it will:

- Help the communities develop their own manpower blueprints;
- Survey job needs;
- Assure that all federal programs to help the job seeker are available.

As part of our manpower budget, I am requesting \$11 million to fund the Cooperative Area Manpower Planning System in fiscal 1969.

Occupational Safety and Health

The programs outlined so far in this message will train the man out of work for a job, and help him find one.

To give the American worker the complete protection he needs, we must also safeguard him against hazards on the job.

Today, adequate protection does not exist.

It is to the shame of a modern industrial Nation, which prides itself on the productivity of its workers, that each year:

- 14,500 workers are killed on the job.
- 2.2 million workers are injured.
- 250 million man-days of productivity are wasted.
- \$1.5 billion in wages are lost.
- The result: a loss of \$5 billion to the economy.

This loss of life, limb and sight must end. An attack must be launched at the source of the evil -- against the conditions which cause hazards and invite accidents.

The reasons for these staggering losses are clear. Safety standards are narrow. Research lags behind. Enforcement programs are weak. Trained safety specialists fall far short of the need.

The Federal Government offers the worker today only a patchwork of obsolete and ineffective laws.

The major law -- Walsh-Healey -- was passed more than 3 decades ago. Its coverage is limited. It applies only to a worker performing a government contract. Last year about half of the work force was covered, and then only part of the time.

It is more honored in the breach than observed. Last year, investigations revealed a disturbing number of violations in the plants of government contractors.

Comprehensive protection under other Federal laws is restricted to about a million workers in specialized fields -- longshoremen and miners, for example.

Only a few states have modern laws to protect the worker's health and safety. Most have no coverage or laws that are weak and deficient.

The gap in worker protection is wide and glaring -- and it must be closed by a strong and forceful new law.

It must be our goal to protect every one of America's 75 million workers while they are on the job.

I am submitting to the Congress the Occupational Safety and Health Act of 1968.

Here, in broad outline, is what this measure will do.

For more than 50 million workers involved in interstate commerce it will:

- Strengthen the authority and resources of the Secretary of Health, Education, and Welfare to conduct an extensive program of research. This will provide the needed information on which new standards can be developed.
- Empower the Secretary of Labor to set and enforce those standards.
- Impose strong sanctions, civil and criminal, on those who endanger the health and safety of the American working man.

For American workers in intra-state commerce, it will provide, for the first time, federal help to the States to start and strengthen their own health and safety programs. These grants will assist the States to

- Develop plans to protect the worker.
- Collect information on occupational injuries and diseases.
- Set and enforce standards.
- Train inspectors and other needed experts.

Conclusion

When Walt Whitman heard America singing a century ago, he heard that sound in workers at their jobs.

Today that sound rings from thousands of factories and mills, work benches and assembly lines, stronger than ever before.

Jobs are the measure of how far we have come.

But it is right to measure a Nation's efforts not only by what it has done, but by what remains to be done.

In this message, I have outlined a series of proposals dealing with the task ahead -- to give reality to the right to earn a living.

These proposals deal with jobs.

But their reach is far broader.

The demand for more jobs is central to the expression of all our concerns and our aspirations -- about cities, poverty, civil rights, and the improvement of men's lives.

I urge the Congress to give prompt and favorable consideration to the proposals in this message.

LYNDON B. JOHNSON

THE WHITE HOUSE,

January 23, 1968.

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FOR RELEASE ON DELIVERY TO THE SENATE February 5, 1968
OR THE HOUSE OF REPRESENTATIVES

NOTICE: There should be no premature release of this Message to the Congress, nor should its contents be paraphrased, alluded to or hinted at in earlier stories. There is a total embargo on this message until it has been delivered to the United States Senate or the House of Representatives, which includes any and all references to any material in this message.

George Christian

THE WHITE HOUSE

THE FIFTH FREEDOM

TO THE CONGRESS OF THE UNITED STATES:

In two centuries, America has achieved -- through great effort and struggle -- one major educational advance after another: free public schooling; the Land Grant Colleges; the extension of the universities into the Nation's farms and homes; the unique venture that has placed a high school education within the reach of every young person.

I believe that our time -- the mid-1960's -- will be remembered as a time of unprecedented achievement in American education.

The past four years have been a time of unparalleled action:

- The Congress has approved more than 40 laws to support education from the preschool project to the postgraduate laboratory;
- The Federal Government has raised its investment in education to nearly \$12 billion annually, almost triple the level four years ago.

The real significance of what we have done is reflected, not in statistics, but in the experiences of individual Americans, young and old, whose lives are being shaped by new educational programs.

Through Head Start, a four-year-old encounters a new world of learning.

Through Title I of the Elementary and Secondary Education Act, a disadvantaged youngster finds essential extra help -- and school becomes a more rewarding place.

Through the Teacher Corps, a bright and eager college graduate is attracted to teaching and his talents are focused where the need is greatest.

These programs -- all of them new -- are enriching life for millions of young Americans.

In our high schools, students find that once-empty library shelves are filled; the most up-to-date laboratory equipment is available; new courses, new methods of teaching and learning are being tested in the classroom.

more

A student who sets his sights on college is more likely than ever before to find help through Federal loans, scholarships and work-study grants.

Today's college student is more likely than ever to live and learn in new dormitories, new classrooms, new libraries and laboratories.

Today, thousands of parents who in their youth had no chance for higher education can say with certainty, "My child can go to college."

Above all, we can see a new spirit stirring in America, moving us to stress anew the central importance of education; to seek ways to make education more vital and more widely available.

That new spirit cannot be fully measured in dollars or enrollment figures. But it is there nonetheless. The achievements of the past four years have sustained and nourished it.

Yet for all our progress, we still face enormous problems in education: stubborn, lingering, unyielding problems.

The phrase, "equal educational opportunity," to the poor family in Appalachia and to the Negro family in the city, is a promise -- not a reality.

Our schools are turning out too many young men and women whose years in the classroom have not equipped them for useful work.

Growing enrollments and rising expenses are straining the resources of our colleges -- and the strain is being felt by families across America.

Each of these problems will be difficult to solve. Their solution may take years -- and almost certainly will bring new problems. But the challenge of our generation is to lead the way.

And in leading the way, we must carefully set our priorities. To meet our urgent needs within a stringent overall budget, several programs must be reduced or deferred. We can reduce expenditures on construction of facilities and the purchase of equipment. But, many of our urgent educational programs which directly affect the young people of America cannot be deferred. For the cost -- the human cost -- of delay is intolerable.

These principles underlie my 1969 budgetary recommendations and the proposals in this message. My recommendations are tailored to enable us to meet our most urgent needs, while deferring less important programs and expenditures.

Elementary and Secondary Education

It took almost a century of effort and controversy and debate to pass the Elementary and Secondary Education Act.

The great question was this: Can there be a system of large-scale aid to education which does not diminish the independence of our local schools and which safeguards the rich diversity of American education?

In 1965 such a law was passed. Today it is at work in nearly

local school officials and classroom teachers, and improving the quality of education for millions of children.

It may take a decade or more to measure the full benefits of the Elementary and Secondary Education Act. But already evidence is mounting to support my belief that this is the most significant education measure in our history.

Last year, Congress extended this law, the bedrock of all our efforts to help America's schools.

This year we have an opportunity to make that law a more efficient instrument of aid to education; to make it more responsive to the needs of the States and communities throughout the country.

I urge the Congress to fund Title I of the Elementary and Secondary Education Act well in advance of the school year, so that State and local school officials can make their plans with a clear idea of the resources that will be available.

Our resources are not unlimited -- and never will be. So it is all the more important that in assigning priorities, we focus our aid where the need is greatest.

That firm principle underlies a six-point program which I am proposing to Congress under the Elementary and Secondary Education Act and other authorities:

1. Two innovative programs to help America's youngest and poorest children have been proven in practice. I propose that funding for the Head Start and Head Start Follow Through programs be stepped-up from \$340 million to \$380 million.
2. Last year, Congress authorized a special program to help Mexican-American, Puerto Rican and other children who are separated by a language barrier from good education. I propose that we launch this bilingual education program with a \$5 million appropriation.
3. We are still doing less than we should do to prepare mentally retarded and physically handicapped children for useful lives. I propose that our special programs for the handicapped be increased from \$53 million to \$85 million.
4. We must rescue troubled boys and girls before they drop out of school. I propose full funding -- \$30 million -- for a new Stay in School program, which will help schools tailor their own programs, from new and exciting methods of instruction to family counseling and special tutoring, to turn potential drop-outs into high school graduates.
5. Upward Bound, a program for poor but talented students, has directed thousands of young Americans into college who might otherwise never have had a chance. I propose that Congress increase funds for Upward Bound to serve 30,000 young Americans this year.
6. Adult basic education classes last year gave about 300,000 men and women an opportunity to gain new earning power, new self-respect, a new sense of achievement. I propose that Congress provide \$50 million for this vital program.

If we can invest vast sums for education, we must also be able to plan and evaluate our education programs; to undertake basic research in teaching and learning, and to apply that research to the classroom. For these efforts, I propose appropriations of \$177 million next year.

New Strength for Vocational Education

Whatever else we expect of the local school, we demand that it prepare each student for a productive life. The high school graduate who does not enter college needs not only knowledge enough to be a responsible citizen, but skills enough to get and keep a good job.

One and a half million young men and women will leave high school and enter the labor force this year -- in a time of high employment, when skills are at a premium.

Too many of them will find that they have no job skills -- or only marginal skills, or skills which are not really needed in their communities.

A high school diploma should not be a ticket to frustration.

We must do more to improve vocational education programs. We must help high schools, vocational schools, technical institutes, and community colleges to modernize their programs, to experiment with new approaches to job training. Above all, we must build stronger links between the schools and their students, and local industries and employment services, so that education will have a direct relationship to the world the graduating student enters.

I recommend that Congress enact the Partnership for Learning and Earning Act of 1968.

This new program -- streamlining and strengthening our vocational education laws -- will:

- Give new flexibility to our system of matching grants, so the States can concentrate their funds where the need is greatest;
- Provide \$15 million for special experimental programs to bridge the gap between education and work for alliances between schools, employment services and private employers; for new summer training programs combining work and education;
- Totally revise and consolidate our existing vocational education laws, reducing paperwork for the States, the schools and other training centers;
- Encourage the States to plan a long-range strategy in vocational education.

Trained Professionals for Our Schools

The value of all these measures -- and indeed, the effectiveness of our entire school system -- depends on educators: teachers, teacher aides, administrators and many others.

It would profit us little to enact the most enlightened laws, to authorize great sums of money -- unless we guarantee a continuing supply of trained, dedicated, enthusiastic men and women for the education professions.

To advance this essential purpose, I propose

- That Congress provide the funds needed to train nearly 45,000 teachers, administrators and other professionals under the Education Professions Development Act of 1967.
- That Congress authorize and appropriate the necessary funds so that 4,000 of our best and most dedicated young men and women can serve our neediest children in the Teacher Corps.

Higher Education

The prosperity and well-being of the United States -- and thus our national interest -- are vitally affected by America's colleges and universities, junior colleges and technical institutes.

Their problems are not theirs alone, but the Nation's.

This is true today more than ever. For now we call upon higher education to play a new and more ambitious role in our social progress, our economic development, our efforts to help other countries.

We depend upon the universities -- their training, research and extension services -- for the knowledge which undergirds agricultural and industrial production.

Increasingly, we look to higher education to provide the key to better employment opportunities and a more rewarding life for our citizens.

As never before, we look to the colleges and universities -- to their faculties, laboratories, research institutes and study centers -- for help with every problem in our society and with the efforts we are making toward peace in the world.

Student Aid

It is one of the triumphs of American democracy that college is no longer a privilege for the few. Last fall, more than 50 percent of our high school graduates went on to college. It is our goal by 1976 to increase that number to two-thirds.

In the past four years, we have significantly eased the financial burden which college imposes on so many families. Last year, more than one student in five attended college with the help of Federal loans, scholarships, grants and work-study programs.

But for millions of capable American students and their families, college is still out of reach. In a nation that honors individual achievement, financial obstacles to full educational opportunity must be overcome.

I propose the Educational Opportunity Act of 1968:

- To set a new and sweeping national goal: that in America there must be no economic or racial barrier to higher education; that every qualified young person must have all the education he wants and can absorb.

- ... To help a million and a half students attend college next year through the full range of our student aid programs, including guaranteed loans.
- ... To strengthen the Guaranteed Loan Program by meeting the administrative costs of the banks who make these loans. With a service fee of up to \$35 for each loan, this program can aid an additional 200,000 students next year, bringing the total to 750,000.
- ... To provide \$15 million for new programs of tutoring, counseling and special services so that the neediest students can succeed in college.
- ... To unify and simplify several student aid programs -- College Work-Study, Educational Opportunity Grants and National Defense Education Act Loans -- so that each college can devise a flexible plan of aid tailored to the needs of each student.

Aid to Institutions of Higher Learning

Today, higher education needs help.

American colleges and universities face growing enrollments, rising costs, and increasing demands for services of all kinds.

In 10 years, the number of young people attending college will increase more than 50 percent; graduate enrollments will probably double.

Our first order of business must be to continue existing Federal support for higher education.

I urge the Congress to extend and strengthen three vital laws which have served this nation well:

- The National Defense Education Act of 1958, which has helped nearly two million students go to college and graduate school.
- The Higher Education Facilities Act of 1963, which has helped nearly 1,400 colleges and universities meet growing enrollments with new classrooms, laboratories and dormitories.
- The Higher Education Act of 1965, which, in addition to its student aid programs, has strengthened college libraries, involved our universities in community service, and given new vitality to 450 developing colleges.

I also urge the Congress to fulfill the commitment it made two years ago, and appropriate funds needed for the International Education Act. This Act will strengthen our universities in their international programs -- and ultimately strengthen the quality of the men and women who serve this country abroad.

We must apply more effectively the educational resources we have. We must encourage better cooperation between the Nation's colleges and universities; and we should move to increase each institution's efficiency by exploiting the most advanced technology.

To serve these purposes, I recommend the Networks for Knowledge Act of 1968.

This pilot program will provide new financial incentives to encourage colleges and universities to pool their resources by sharing faculties, facilities, equipment, library and educational television services. It will supplement the effort launched last year by the National Science Foundation to explore the potential of computers in education.

I also recommend three new measures to strengthen graduate education in America.

First, we should increase the Federal payment available to help graduate schools meet the cost of educating a student who has earned a Federal Fellowship. At present, Federal Fellowship programs are actually deepening the debt of the graduate schools because this payment is too low.

Second, we should launch a new program to strengthen those graduate schools with clear potential for higher quality. With enrollments growing, we must begin to enlarge the capacity of graduate schools. This program will underwrite efforts to strengthen faculties, improve courses and foster excellence in a wide range of fields.

Third, I urge the Congress to increase government sponsored research in our universities. The knowledge gained through this research truly is power -- power to heal the sick, educate the young, defend the nation, and improve the quality of life for our citizens.

A Strategy for Higher Education

The programs I am presenting to the Congress today are aimed at solving some of the problems faced by our colleges and universities and their students in the years ahead. But accomplishing all these things will by no means solve the problems of higher education in America.

To do that, we must shape a long-term strategy of Federal aid to higher education: a comprehensive set of goals and a precise plan of action.

I am directing the Secretary of Health, Education, and Welfare to begin preparing a long-range plan for the support of higher education in America.

Our strategy must:

- Eliminate race and income as bars to higher learning.
- Guard the independence of private and public institutions.
- Ensure that State and private contributors will bear their fair share of support for higher education.
- Encourage the efficient and effective use of educational resources by our colleges and universities.
- Promote continuing improvement in the quality of American education.

-- Effectively blend support to students with support for institutions.

Such a strategy will not be easy to devise. But we must begin now. For at stake is a decision of vital importance to all Americans.

Education and the Quality of Life

Every educational program contributes vitally to the enrichment of life in America. But some have that enrichment as their first goal. They are designed not to serve special groups or institutions, but to serve all the American people.

We have tested in the past three years a new idea in government: The National Foundation on the Arts and Humanities.

That experiment has been an impressive success. It has proved that government can indeed enhance the Nation's cultural life and deepen the understanding of our people.

-- With modest amounts of money, The Humanities Endowment has promoted scholarship in a wide range of fields and quickened public interest in the humanities.

-- The Arts Endowment has brought new energy and life to music, drama, and the arts in communities all over America.

I believe the Foundation has earned a vote of confidence. I urge that the National Foundation on the Arts and Humanities authorization be extended.

We have acted also to launch an historic educational force in American life: public broadcasting -- non-commercial radio and television service devoted first and foremost to excellence.

Last year the Congress authorized the Corporation for Public Broadcasting. This year we must give it life.

I recommend that the Congress appropriate the funds needed in fiscal 1968 and fiscal 1969 to support the initial activities of the Corporation for Public Broadcasting.

Last year I stressed the importance of a long-range financing plan which would ensure that public broadcasting would be vigorous, independent and free from political interference or control. The problem involved is complex. It concerns the use of the most powerful communications medium in the world today. It should not be resolved without the most thorough study and consultation.

I am asking the Secretary of Health, Education, and Welfare, the Secretary of the Treasury and the Director of the Bureau of the Budget -- who have been studying this problem since the law was enacted -- to work with the Board of Directors of the Corporation for Public Broadcasting and the appropriate Committees of the Congress to formulate a long-range financing plan that will promote and protect this vital new force in American life.

The Fifth Freedom

On January 6, 1941, President Franklin D. Roosevelt set forth to Congress and the people "four essential human freedoms" for which America stands.

In the years since then, those four freedoms -- freedom of speech, freedom of worship, freedom from want, and freedom from fear -- have stood as a summary of our aspirations for the American Republic and for the world.

And Americans have always stood ready to pay the cost in energy and treasure which are needed to make these great goals a reality.

Today -- wealthier, more powerful and more able than ever before in our history -- our Nation can declare another essential human freedom.

The fifth freedom is freedom from ignorance.

It means that every man, everywhere, should be free to develop his talents to their full potential -- unhampered by arbitrary barriers of race or birth or income.

We have already begun the work of guaranteeing that fifth freedom.

The job, of course, will never be finished. For a nation, as for an individual, education is a perpetually unfinished journey, a continuing process of discovery.

But the work we started when this Nation began, which has flourished for nearly two centuries, and which gained new momentum in the past two Congresses -- is ours to continue -- yours and mine.

LYNDON B. JOHNSON

THE WHITE HOUSE,

February 5, 1968.

#

FOR IMMEDIATE RELEASE

JANUARY 23, 1968

OFFICE OF THE WHITE HOUSE PRESS SECRETARY

THE WHITE HOUSE

REMARKS OF THE PRESIDENT ON
HIS MESSAGE TO THE CONGRESS:
"TO EARN A LIVING: THE RIGHT
OF EVERY AMERICAN"
OFFICE OF THE WHITE HOUSE PRESS
SECRETARY

(AT 11:15 A.M. EST)

George Christian asked that I make a brief statement similar to the one that I made with the members of the appropriate Congressional Committees earlier this morning about our Job Program.

Six out of every seven jobs are in the private industry. Nine out of every ten jobs that we train people for are filled by private industry. When we train 10 people, we get nine of them jobs.

So we feel very deeply that since the greatest hope for jobs ultimately under our setup is in industry itself, and since the people that we have trained in the past have been successful in breaking into industry, we should now -- with the cooperation of the businessmen of this country and the labor people in this country -- try to get at the hard-core unemployed in this country and get them into training and shortly thereafter, into jobs.

So we have revised our Manpower Program that was training only 75,000 a year in 1963 and is now training over one million a year.

Last year, we had a million and a half new jobs in this country. The last four years, we have had seven and a half million new jobs in this country. We have to try to give additional training to fill more new jobs because we have people with new skills.

I have asked Mr. Henry Ford II to head up this National Alliance of Businessmen and Employers. He will be Chairman of the new committee. He has accepted and will come to Washington this weekend to meet with me and with the other businessmen associated with him.

I have asked Mr. J. Paul Austin, the President of the Coca-Cola Company, to be Vice Chairman of this committee.

Mr. Leo C. Beebe, the Vice President of the Ford Motor Company is here now. He will be the Executive Vice President in Charge of this Alliance Committee. Mr. Beebe is standing here by Secretary Wirtz and will participate in the briefing.

We have two or three additional names that we have not cleared but, before some of those that have been cleared leak, I think I had better just give them to you.

Mr. Roger P. Sonnabend, President of the Hotel Corporation of America, from Region I in Boston (Maine, New Hampshire, Connecticut, Rhode Island).

Region II (New York, New Jersey, Virgin Islands, Puerto Rico), Mr. Harold S. Geneen, Chairman of the Board of IT&T.

Region III (Washington, D. C., West Virginia, Maryland, Delaware, North Carolina), John D. Harper, the Chief Executive Officer of the Aluminum Company of America.

Region IV, Atlanta (Tennessee, Alabama, Mississippi, Georgia, South Carolina, Florida), Mr. J. Paul Austin, President of the Coca-Cola Company.

Region V, James Cook, President of the Illinois Bell Telephone Company (Illinois, Michigan, Ohio, Wisconsin, Indiana, and Kentucky).

Region VI, Kansas City, James C. McDonnell, Jr., who is the largest employer. He is Chairman of the Board of McDonnell-Douglas Aircraft. This covers Mississippi, Iowa, North Dakota, South Dakota, Kansas, Utah, Nebraska, Wyoming, Montana, Idaho, Colorado, Utah.

Region VII, Clyde Skeen, President of Ling, Temco, Vought (Texas, New Mexico, Oklahoma).

Region VIII, San Francisco, Walter A. Haas, Jr., President, Levi Straus and Company (Arizona, California, Washington, Oregon, Nevada).

A. L. Nickerson, Chairman of Mobil Oil, will be an At-Large Member.

There are also some additional names that will be coming shortly.

We plan to devote \$350 million in putting 100,000 men and women on the job by June of 1969. The three-year target is 500,000.

In addition to these 15 top business leaders -- I have given you a partial list -- we will have leading business executives from the 50 largest cities who will assume responsibility in their city and then name a committee. The regional man will help us work to get a city man; the city man will get a committee. We will try to get to the grass roots.

We are very pleased that the labor people are cooperative and helpful on this. They were thoroughly briefed on it. The NAM, the Business Council, the Chamber of Commerce -- we have gone to them for suggestions both for personnel and the program itself.

Page 3

We know that in the past we have had high levels of unemployment. It has dropped from 7 million to 3.7 million, the lowest in 10 years. We want it to drop more.

In the past, it has been necessary for Government to go out and develop make-work projects. We find that in many of the large cities employers are asking for workers and workers are asking for employers -- but they cannot take each other because the workers don't have the skill to do the job the industry needs.

Now industry is going to work with us to help them attain that skill. I hope that it won't be necessary for us to have any more public employment programs similar to what we had back in the Thirties.

We think this is a better route. We are going to try it. It may not succeed. We don't want to predict defeat to begin with, but it is better to have tried and failed than not to have tried at all.

We are very heartened by the attitude of the labor people and very grateful and encouraged by the attitude of the business people.

Secretary Trowbridge of the Commerce Department, Secretary Wirtz of the Labor Department, and Mr. Califano will give you any details.

END

(AT 11:35 A.M. EST)

FOR IMMEDIATE RELEASE

JANUARY 23, 1968

Office of the White House Press Secretary

THE WHITE HOUSE

NATIONAL ALLIANCE OF BUSINESSMEN

Chairman

Henry Ford II
Chairman of the Board
The Ford Motor Company

Vice Chairman

J. Paul Austin
President
The Coca-Cola Company

Executive Vice Chairman

Leo C. Beche
Vice President
The Ford Motor Company

Members, Executive Committee

Region I (Boston)

Roger P. Sonnabend
President
Hotel Corporation of America

Region II (New York)

Harold S. Geneen
Chairman of the Board
International Telephone & Telegraph Company

Region III (Washington, D. C. - Pittsburgh)

John D. Harper
Chief Executive Officer and Chairman of the Board
Aluminum Company of America

Region IV (Atlanta)

J. Paul Austin
President
The Coca-Cola Company

Region V (Chicago)

James Cook
President
Illinois Bell Telephone Company

Region VI (Kansas City - St. Louis)

James C. McDonnell, Jr.
Chairman of the Board
McDonnell-Douglas Aircraft Corporation

Region VII (Dallas)

Clyde Skeen
President
Ling, Temco, Vought

Region VIII (San Francisco)

Walter A. Haas, Jr.
President
Levi Straus & Company

At Large Member

A. L. Nickerson
Chairman of the Board
Mobil Oil

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THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 25, 1968

MEMORANDUM TO THE COMMISSION

Subject: Report of Advisory Panel on Insurance in
Riot-Affected Areas

Enclosed is a memorandum summarizing the report of the Commission's Advisory Panel on Insurance in Riot-Affected Areas. The Panel plans to release its report soon, and we wanted you to have some advance information on it. We will, of course, send you copies of the report as soon as they are available.

As you may know, Governor Hughes, the Chairman, is recuperating from his recent surgery. We had hoped to have him meet with you to discuss their report, but this is now not feasible. We thought this memorandum would be an appropriate substitute.

If you have any questions, Stan Ross, the Panel's Executive Director, would be happy to discuss the report further with you. His phone number in Washington is 202-395-5072 or 202-382-1096.

D.G.
David Ginsburg
Executive Director

Enclosure

C O N F I D E N T I A L
THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

January 25, 1968

MEMORANDUM FOR THE COMMISSIONERS, THE NATIONAL
ADVISORY COMMISSION ON CIVIL DISORDERS

The National Advisory Panel on Insurance in Riot-Affected Areas has completed its study. We are in the process of having our report printed, and hope to release it soon. Copies will be mailed to you as soon as they are available.

We are making every effort to assure that the contents of our report are not revealed prematurely and trust that you will treat this summary as confidential, for your personal information only.

The Insurance Panel was asked to investigate the problems of cost and availability of property insurance in urban core areas, and the effects that recent civil disorders have had on urban insurance markets.

We have found that beyond doubt, there is a serious lack of property insurance in the core areas of our nation's cities. There are many reasons why this is so. The insurance enterprise is a private business that legitimately seeks to make a profit. Insurance companies generally view urban core property as being relatively unprofitable to insure.

Underwriting and marketing arrangements are designed to select properties considered to involve the least risk for the amount of premium charged. One method by which this is done is to block out designated urban core areas and discourage the writing of policies on any properties in those areas. Information gathered in the course of the Panel's work demonstrates that this practice is not uncommon. We have also examined, and present in our report, the ways in which industry profits, insurance regulation, and the availability of reinsurance--which insurance companies purchase to protect themselves from excessive loss--have influenced the urban core insurance market.

We have found that the recent civil disorders have added greatly to the reluctance of insurance companies to expand their writing in urban core areas. Some companies have stated that without protection against excessive loss, the possibility -- however remote -- of future riots would cause them even to withdraw their existing protection from urban core areas.

We believe that a program must be developed to prevent this from occurring. It is important that responsible owners of well maintained property have fair access to insurance, without regard to the area in which the property is located. Property insurance is essential to individuals, for it protects their savings and investments. Property insurance is also essential to efforts to revitalize our cities, for without it, banks and other financial institutions are unable to make property-improvement and mortgage loans.

The Panel's recommendations are for a cooperative program of five mutually supporting actions:

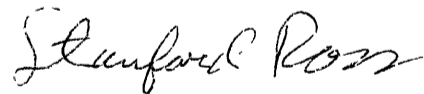
1. We call upon the insurance industry to take the lead in establishing voluntary plans in all states to assure all property owners fair access to property insurance. Under these plans, which expand existing Urban Area Plans, an application for basic kinds of property insurance will not be declined unless a physical inspection of the property discloses demonstrable reasons why the property itself cannot be insured.
2. We look to the states to cooperate with the industry in establishing these plans, and to supplement the plans, to whatever extent may be necessary, by organizing insurance pools and taking other steps to facilitate the insuring of urban core properties.
3. We recommend that the federal government enact legislation chartering a corporation to assist the insurance industry and the states in achieving the important goal of providing adequate insurance for the inner cities. The corporation would have directors representing all parties vitally interested in the urban core insurance problem -- state officials (including state regulators), federal officials, insurance industry representatives, and members of the public.

We propose that state and federal governments provide backup to the corporation for the remote contingency of riot losses larger than a level that the corporation and the insurance industry alone can safely insure. The benefits provided by the corporation will be available only to those companies that participate fully in programs designed to make insurance available in urban core areas.

4. We recommend that the federal government enact tax deferral measures to increase the capacity of the insurance industry to insure urban property. The benefits would be available only to assist companies that actively participate in programs for insuring urban core property.
5. We suggest a series of other necessary steps to meet the special needs of the urban core insurance market -- for example, programs to train agents and brokers from core areas; to assure the absence of discrimination in employment within the insurance industry on racial or other grounds; and to seek out better methods of preventing losses and marketing insurance in low-income areas.

We believe that these recommendations can do much to alleviate the critical shortage of insurance in the urban core areas of our cities.

Should you have any questions about this summary or desire additional details, I shall be happy to talk with you.



Stanford G. Ross
Executive Director

Advisory Panel on Insurance in Riot-Affected Areas

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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OFFICE OF INFORMATION

FOR RELEASE AM'S OF FRIDAY, JANUARY 26, 1968

Excerpts of statements by seven witnesses who testified in executive session last October 23 and 24 and November 2 were released today by the National Advisory Commission on Civil Disorders.

These included:

Kenneth M. Wright, Vice President and Chief Economist,
Life Insurance Association of America, on October 23, 1967.

Alexander Sumner, Past President, National Association of
Real Estate Boards, on October 24, 1967.

Harold Howe, II, U. S. Commissioner of Education, and
Dr. Charles H. Smith, Comprehensive Program Manager,
Bureau of Elementary and Secondary Education, on
November 2, 1967.

Dr. Paul W. Briggs, Superintendent of Schools, Cleveland,
Ohio, on November 2, 1967.

Dr. Dan W. Dodson, Director, Center for Human Relations and
Community Studies, New York University, on November 2, 1967.

Harold Oostdyk, Director, Education Department, New York
Urban League, on November 2, 1967.

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EXCERPTS FROM STATEMENT BY KENNETH M. WRIGHT, VICE PRESIDENT AND CHIEF ECONOMIST, LIFE INSURANCE ASSOCIATION of AMERICA, to THE NATIONAL ADVISORY COMMISSION on CIVIL DISORDERS on OCTOBER 23, 1967.

Gentlemen, if I may proceed on fairly informal grounds, I should like to spend some 20 minutes outlining to you the origins of our program, the philosophy and intent of our program and some of the working mechanics of the program. Then you may wish to ask me further questions, I am sure, about some details that I may slide over a little too fast.

The beginnings of the present program were announced on September 13. They date back to November of last year when leaders in the life insurance industry met with leaders of the intellectual and academic and sociological fields in a meeting at Arden House, through the auspices of Columbia University, to discuss the relation between the individual and society. In that discussion, which lasted about three days, one of the topics which received a great deal of interest on the part of the insurance leaders was the role of the cities and the growing difficulties of urban life, urban problems and how they affected the individual in society.

This led to later discussions in the form of meetings of the insurance leaders with urban specialists and an objective on the part of these leaders to find in what ways the life insurance business could seek greater involvement in finding solutions to the urban problems.

On the third of May, the executive committee of the Institute of Life Insurance recommended to the two trade associations of the life insurance business that action be taken and explorations be started for ways in which the life insurance business could assume a larger role in seeking solutions to the serious problems that confront our urban areas.

The two associations involved in this connection are the Life Insurance Association of America and the American Life Convention. These two associations have a combined membership of 349 members representing I believe 92 per cent of the life insurance in force in the United States.

The action taken in May and June of this year was to form a Committee on Urban Problems which held its first meeting on the third of August. I would like to explain some of the thinking and philosophy expressed at that meeting.

In discussing urban problems and what role the life insurance business might play, the committee thought in very broad terms to begin with, including such problems as air pollution, mass transportation, congestion, housing, job creation, civil disorders -- the full range of problems which confront the urban areas.

In trying to decide what the life insurance business might do, it became evident that there were two areas in which life insurance companies had a contribution which they might make -- namely, the field of housing, because of the traditional investments in residential mortgage lending and multi-family housing for many decades and, secondly, the field of job-creating enterprise, because the life insurance business has been financing corporate business and unincorporated business through their investments in corporate bonds and stocks.

The reason for this dual approach was recognition that the problem was a complex one for urban slum areas particularly, encompassing education, job training, low income, housing conditions, lack of unemployment, lack of skills, all of these as interrelated field that probably needed efforts in all directions.

We sought to concentrate our efforts in two directions -- jobs and housing.

It was also felt that in order to make any sort of a tangible impression on this problem it was necessary to talk in fairly big figures, and for that reason, the committee decided that it would start with a target goal of a \$1 billion investment, to be diverted from normal investment channels of the life insurance business into investment areas which would aid the city core areas in which so many problems had developed. These are areas where the life insurance companies, as many private lenders, have normally avoided because of the high risk and the poor locations involved.

I think you can understand this as a necessary fact of financial life, where many investments in or around slum areas would be subject to sufficient hazards of one sort or another that the normal rate required to compensate for these kind of risks would run in the 8, 9, 10, or even 15 per cent rate category. This is an investment area which is normally not undertaken because of this high risk. Similarly, on the question of location, I think you will find that private investors typically avoid areas where there is a deterioration in both the values of the property and the maintenance, producing abnormal risks in an area that is going downhill for one reason or another.

So the intent of the program was to change the focus and change the emphasis, to the extent of this \$ 1 billion to be placed into investments to improve housing conditions and to finance job-creating enterprise.

With this \$1 billion objective in mind, the committee went to the member companies of these two organizations, asking whether they would be willing to contribute up to one per cent of their assets to be pledged towards this \$1 billion program, and in about 10 days, sufficient pledges were obtained that we had reached and actually exceeded the \$1 billion objective, based on the one per cent of assets. It then became possible for us to make a public announcement which turned out to be an announcement in the form of a statement to President Johnson and followed by a press conference at the White House on September 13.

Let me also mention that in exploring the ways in which this investment might be made, conversations were held during the month of August with officials at the Department of Housing and Urban Development, Secretary Weaver and many of his staff, on ways that the existing governmental programs would facilitate urban investments by the life insurance business.

This brings up one of the basic ground rules for such investments, that to the extent possible, these investments would be insured or guaranteed by some governmental agency, whether Federal or local, on the premise that the funds being invested were policyholder funds which could not be exposed to undue risk in terms of the principal amounts invested. For that reason, FHA insurance, under its many programs, appeared to be a logical and viable way in which these investments could be made.

On the question of guarantees, while the principal is protected, the fact remains that special efforts will be needed because of the additional difficulties of finding, exploring, negotiating and developing these investments. As time passes, there may also be risks above and beyond those on normal business investments or mortgage investments, in terms of the management and servicing of these (urban projects

Following the announcement on September 13, we then approached the full membership of our companies, asking them to indicate whether they would be willing to participate in the program on the basis of the lead taken by the first 100 or so companies that had indicated that they would subscribe up to one per cent of assets.

Our present status is that we have received firm intentions to participate in the program from 140 life insurance companies which constitute almost the full asset base of our membership.

In other words, those companies that have not joined in the program are typically small companies with relatively small assets. The \$1 billion total is to be financed by companies all across the country, but not every single life insurance company, as you might understand.

On one per cent of assets, the subscriptions have now reached \$1.5 billion, which means that we will now expect participation by each of these companies up to about two-thirds of one per cent of their total assets. The fixed figure is the \$1 billion. The flexible figure is how much each company pledges towards the program.

Now, let me turn back to the question of what kind of loans we have in mind. We have mentioned two areas, one is for the improvement of housing, and the second is for job-creating enterprises.

Our concept of the ways in which housing conditions would be improved go along these lines. Number one, we have in mind housing for the benefit of low-income families who are presently in substandard housing. We have not used the term "slum housing," because we want to retain some flexibility in our approach.

For example, while we first started with the concept that investments under this program should be in slum areas, it quickly became apparent to us that this might be too restrictive, and therefore we broadened the concept to include housing that allows a dispersion of slum populations into outlying areas where new housing might be put up on vacant sites, near the edge of town or community, to relieve the congested housing conditions in a downtown core slum area.

On the question of job-creating enterprise, our concept is that jobs are as important as housing in producing better conditions among slum residents, and for that purpose, those projects that would be considered eligible within our program are those that would bring additional employment in the vicinity of a congested slum area designed particularly for unskilled workers.

A typical example would be if a new plant requiring a low level of skills were to be situated adjacent to a slum, so that there are no commuting problems or expensive travel involved. This could be of real benefit if it were

the right type of employment to provide incomes and employment to go along with the improved housing that we hope will come out of this program.

A third area that has been explored a little more tentatively is the service area, which we think also might be a part of our program. Specifically, this might include such investments as hospitals, group medical facilities, nursing homes and perhaps a certain amount of retail trade facilities in the form of small shopping centers to provide both trade, medical and other service facilities to slum residents where these are not available.

We have tried to explain our program in terms of the basic philosophy and intent, but we have also avoided being too restrictive in our definitions of what is to be included under the program, for fear of excluding some very desirable and worthwhile forms of investment which might be very helpful to the urban conditions that we are trying to improve.

As examples of some things that we are not including under our program -- or not willing to consider as counting towards the \$1 billion pledge -- let me mention two or three types that have been considered and rejected. Number one, we are not talking about the kind of investment where an urban renewal clearance process comes into operation, and we, as insurance companies, finance a large office building that will stand in the place of a former slum area.

This is not the kind of investment we would be seeking under the program.

Secondly, under some of the rent supplement programs I would like to describe in a moment, many of the projects have an emphasis on housing for the elderly, or housing for the physically handicapped or housing for the rural low-income families. All three of these are again not within our program.

As a final example, I think something which takes the form of a middle and upper-income housing project, despite its location in or near a former slum area, again is clearly not in the intent of our program.

Next, in terms of operating procedures, we have two avenues by which the project sponsors and loan applicants who wish funds can reach the life insurance companies.

The first is for local sponsors or local government officials to contact companies with headquarters or major facilities in their own areas. A typical example is one of the earliest investments announced under this program in Newark, New Jersey; The Prudential Insurance Company

has its headquarters there, and has been working closely with local officials and with state officials. Very early in the program, an announcement was made for a \$4.5 million housing project to be financed through state bonds issued by the State of New Jersey and purchased by the Prudential Insurance Company to finance a housing project for low-income families in the city of Newark.

Similar examples can be found in almost every city of the country at this point, I think, where mayors' offices, local church groups, et cetera, have gone to the companies headquartered in their towns and asked them what they are planning to do under this urban problems program and what projects might be financed.

I have heard informally of many projects now under consideration by the individual insurance companies.

The second avenue for putting together sponsors and investment people is through the clearing-house which has been established at the Life Insurance Association of America under my direction, which will work essentially in this fashion.

As inquiries come in from the general public or from housing officials in Washington, they will reach the clearing-house in the form of specific loan inquiries, perhaps in very rudimentary form.

The clearing-house will then be in a position to inform such sponsors as to the individual companies who are participating in this program and are willing to lend funds in a particular area. Let's say it is Cincinnati. If there were an inquiry from Cincinnati, the clearing-house would then be able to give them a list of those companies located in the Cincinnati area who might have a particular interest in financing a Cincinnati project.

Similarly, there are companies in the program that will doubtless be willing to consider investments in any part of the country, and those companies will also be listed for the project sponsor who is seeking funds.

A second step of the referral process will be to send to a Cincinnati company any inquiries that have come to us from Cincinnati. We will not only inform the sponsor, we will inform the local company that this inquiry has been received, and perhaps they will want to follow up directly by getting in touch with the specific group or individual who is raising questions about the loan.

We hope in this fashion, through direct contact with the companies and through the auspices of the clearing-house,

that we will be able to channel to the companies in any and all parts of the country those applications and requests for investment funds that do fall under the program.

I might touch on some of the work that we are already doing in cooperation with HUD.

We found that one of the readiest devices for mobilizing this program was the present rent supplement program under section 221 (d) (3) insured by the FHA, where low-income projects designed to improve substandard housing or provide housing for the elderly or physically handicapped had been started with the aid of rent supplement funds. We learned that the Federal National Mortgage Association had made commitments for long-term financing on a number of these projects and in order to release these funds for use on other projects, the life insurance companies have agreed to consider financing on pending projects. We were then informed by HUD as to a number of rent supplement projects that might qualify under our program.

We examined these projects. We worked through our field officers and loan correspondents to be sure that they met the qualifications of our program, and we then agreed 26 of these projects would be financed by the life insurance business.

As a second phase of this work with HUD, we are receiving information on some 100 projects all across the country under the rent supplement program that are not as far advanced in their processing. On those projects, we will be referring the data to the companies, through the clearing-house, so that they might explore with the sponsors and with the mortgage companies the possibilities of financing those projects to the extent that they fall within our program, under the definitions I have given earlier.

I have talked mainly about projects. But I want to add also that we do visualize investments on single-family homes, particularly under section 203 (b) for single-family homes in high risk areas which, as I have understood it, means neighborhoods that have started to turn into slums. But through rehabilitation loans financed by the insurance companies our program may permit an improvement in such areas through single-family mortgages under 203 (b).

Excerpts from statement by Alexander Summer, past president, National Association of Real Estate Boards, to the National Advisory Commission on Civil Disorders on October 24, 1967.

My name is Alexander Summer. For the record I have left with you copies of recommendations I intend to submit to the National Association of Real Estate Boards at its annual convention here in Washington next month. To read it all is time consuming, and I thought I would speak from notes. . . .

First, I want to make it clear that I am not here as the official spokesman for the National Association of Real Estate Boards, inasmuch as the program I intend to outline today has not yet been submitted to it for consideration. It is my personal thinking and, because of its diversification of subjects, does not permit a presentation in depth.

I guess the reason I was selected to testify is that I was born and raised in New York City, went to the public schools there and had plenty of opportunity to observe some of its slum growth and conditions first-hand.

When I was President of the National Association of Real Estate Boards, I traveled 85,000 miles, both here and in Europe, and made it a point when inspecting housing always to include the slum areas. I rang door bells in England and other countries. Later on, as the guest of Time and Life magazines on an inspection housing trip to Europe, I again had the opportunity to visit housing of all sorts, including slums, in Holland, Denmark, Spain and France. I later visited slums in South America.

At a time before the problems of integration had become headline material, I was twice the recipient of the Franklin D. Roosevelt award, the highest award that Negroes gave a real estate man or builder for contributing to the housing of Negroes. I am very proud of those awards.

My comments today are not intended to be a cure-all. I don't know the answers. I have lived with this subject. I feel for it. On many subjects you will not agree with me, I am sure, at least some of you will not, but I speak sincerely and from the heart.

The subject, of course, is "the causes of civil disorders." There is no magic formula for a solution, and in the period allotted to me, I can't say too much. I must over-simplify. Although I don't claim to know the answers, I do feel convinced, however, that the spread of civil disorders can be stopped, even reversed, if we, the American people and those in Government, have the will to do so. Now, what are the causes of civil disorders?

Here I think are the chief causes as I see them:

1. Failure of the courts to deal effectively with crime and juvenile delinquency.
2. Inadequate educational methods. I will elaborate on these when I get through.
3. An inadequate supply of decent shelter.
4. Minority groups fed up with being victimized by slumlords, by repair rackets, by fast-talk salesmen and others.
5. Increasing evidence that riots are not infiltrated by Communists, rather, they are created by them.
6. Unemployment.
7. A dole system that encourages unemployment. Those unwilling to work, for the first time in the history of mankind are not organized.
8. Lack of adequate recreational facilities.
9. Coddling by those who do not believe in the American system, or who have political ambitions or who are just naive and well-meaning.

10. Dissatisfaction that too little of the billions appropriated for anti-poverty, relief, housing and slum removal -- through mal-administration and overlapping of jurisdiction, or through ineptness -- reaches the intended recipients.

11. A general deterioration, by no means limited to the poor or to the minorities, in morals and attitudes, especially among young people.

Gentlemen, I am covering a wider field because for years we in the housing industry have tried to attack the housing problem alone and find that there is no way we can separate housing from the other factors that affect the slums and the areas that are on their way to becoming slums.

I want to point out that a piecemeal attack on slums will not work. A piecemeal solution of civil disorders also will not work. The best chance of a solution, if there is one, lies in a coordinated overall program. Solution for housing ties in with other allied programs that are inter-related and vitally affect any housing solution.

These could include:

1. Realization that assistance to low-income families cannot be limited solely to minority groups but should provide equal consideration for those in need, whatever their color, religion or creed.
2. Realistic steps to reduce widespread juvenile delinquency, crime and anarchy, in slum areas especially. This can reverse the trend wherein industry is currently fleeing the slums because of its inability to protect its employees from mugging and other abuses on their way to and from the job.
3. A program to change the attitudes of occupants of subsidy housing in order that they may develop responsibility and eventually take pride in their living quarters, and establishment of a definite policy of responsibility by both owner and tenant in protecting the property.
4. Recognition that the preservation of deteriorating existing housing inventory, known as gray areas, is of greater

significance than is the creation of new housing in slums. There is an urgent necessity to undertake immediately steps to halt the widespread creation of new slums at its present appalling rate. Enforcement of housing codes and availability of financing incentives for rehabilitation are fundamental and essential.

5. Immediate and long-range practical programs to increase employment among the unskilled.

6. A practical method of utilizing effectively some of the billions of dollars already over-appropriated to correct the situation in a more realistic manner. So few of these dollars reach the alleged beneficiaries.

7. Adopt a completely different policy on education to help check the upward spiral of juvenile delinquency.

8. Confronting head-on such destructive policies of labor that result in vast featherbedding and withholding of jobs from the very young people who are becoming increasingly frustrated during their formative years.

9. Continued propaganda to simplify and modernize obsolete and expensive building codes.

10. Public exposure of slumlords and, where they exist, their unholy alliance with an inspector and/or city hall.

11. A reversal in our present ad valorem tax structure wherein, currently, owners who neglect their property benefit from lower taxes while those who maintain their structures are confronted with ever-increasing taxes.

12. Recognition that subsidies to the individual families must be handled at the local level and cannot effectively be administered by the state or far-off Washington.

13. Recognition that there aren't enough dollars in the U.S. to subsidize our great middle class. Government subsidy must be limited to those in need.

14. The absolute necessity of local watchdog and advisory groups made up of responsible citizens, non-politically dominated, to air abuses and take the initiative, if need be, whenever and wherever needed.

15. Adoption by our organization, combined with other interested groups, of a vast and continuing program advocating the need for a business-like and realistic approach and exposing irresponsibility and abuses wherever and whenever they occur.

16. Providing financing incentives through FHA-insured loans on rehabilitation properties, making available rental quarters for lower income groups, plus the subsidy as needed by the individual family, thus harnessing the vast and powerful building industry through incentives to dive headlong into this program. It must be realized that at the present rate of decay the slum and fringe areas known as gray areas are rapidly getting out of hand.

17. An educational program by our group and others pointing out that the responsibility for loss of respect for law and order lies more with the judiciary than with the police. More billions spent on increasing enforcement won't do any good at all unless provisions are enacted requiring the judiciary to stop playing politics and fulfill its function of enforcing the laws.

18. Recognition of the fact that with more than 50 or 60 million urban housing units in this country the great majority of our citizens must, of necessity, live in used housing. How ridiculous the efforts to insist on new housing only for the lowest-income group while those who pay the bill live in existing structures. Obviously, there is justification for a proportionate amount of new housing, like condominiums, etc., for lower-income families.

19. Enforce existing housing and occupancy codes in order to establish a minimum standard of decent housing for all.

All these things have been suggested at some time or other. But there is no apparent coordination of these efforts, which is absolutely essential.

I am going to talk briefly on a subject that is close to my heart. Having been exposed to the slums, I am convinced it is so. The twin fears of the enemies of crime are fear of punishment and fear of publicity. Judge Lester H. Loble of Helena, Montana, has handled the juvenile delinquency cases in such manner that in his jurisdiction, since 1961, traffic cases have been reduced 75 per cent, felony cases involving juveniles have been reduced 49 per cent during a period when the juvenile crime rate was rising throughout the remainder of the country. How did he do it? Through the application of courage and a little bit of hard common sense.

In the first place, he will not withhold the name of the youth who has committed a crime. The families, if no one else, have fear of publicity which, in itself, deters a lot of crime. He does not permit photographers in the court room or writers for publications that are spectacular in nature, but he allows legitimate reporters in.

If, for instance, a juvenile is found guilty of a crime that normally involves a five-year sentence should an adult commit it, he would sentence that juvenile to five years. He would then commit the boy to the state's prison, have him serve one week, long enough to find out these criminals are not heroes, that the type of men he has been worshipping are just a lot of hardened miserable human beings. He learns first-hand how miserably they treat him and each other. After the week, he recalls the boy and says, in effect, "Young man, I suspend the balance of your sentence. You have served one week. However, if you again appear in this court accused of a crime, you will serve the balance of this sentence and you will serve it in the same prison you have just left." The result has been a tremendous drop in juvenile delinquency.

Hardened criminals are no longer heroes, which television and other media may have instilled in his mind.

In the case of Montana, it required a change in the laws and would probably require modification of existing laws elsewhere.

I don't want to belabor the point, but leniency helps no one, especially the recipient of leniency. In most cases, if you get to a young child in time, you can straighten him out. I have had the pleasure of going down South and bringing kids back sentenced to five years, and today they are great citizens, but had they served out the five years in prison they may never have become good citizens. I spent some of my personal time doing this for families I knew where their boys got in trouble at an early age.

Now, everyone talks about, and Senator Kennedy advocates -- properly so -- putting new industry into slum areas to create employment. Very commendable, and I agree with him. But the reverse is taking place and will continue to until those people who work in the plants are protected from mugging and other molestations and until they realize that there is enforcement of laws. In the meantime, industries are forced to desert the slums at a greater rate than ever before.

I referred to faulty educational methods. We are trying to make a college graduate of every child in the U.S. There are a lot of juvenile delinquents today who, at heart, never were delinquent. They were just kids who just didn't like book learning, as we call it, don't like reading and writing and stuff, but they have skill in their hands or were full of ambition to do something. They have inadequate places of recreation. They can't get a job. Our child laws which were so commendable and so needed have swung so far the other way that young boys today can't get a job. Labor unions helped reduce even further job opportunities for boys, at a time when our skilled labor supply was plentiful. The result is that, out of sheer frustration because they are forced to go to school and take the academic route, many youngsters have become delinquent. Ironically, the nation's skilled labor inventory is now alarmingly low.

My suggestion is that when a child reaches the age of 10 to 12 years or sixth grade, whichever comes first, if it is evident that he has no aptitude for academic education, he be given the opportunity to cut down on the amount of academic studies and fill in the time saved in learning a skilled trade. Not a token lick-and-promise training learned in manual training courses or the superficial training furnished by some

vocational or technical schools of the type that teach basket-weaving and other impractical things. A revision of our educational requirements could help in the solution of three problems at one time, the problem of juvenile delinquency, the problem of a shortage in skilled labor and the problem of unemployment.

Have you ever tried to find a good auto mechanic? If you are fortunate to get a plumber today, he is usually an old man. Try to locate a cabinetmaker or a good carpenter. It is almost impossible. We manage many properties. We have great difficulty in locating that kind of talent any more.

Gentlemen, the new horizons in the U.S. are new industries, new skills, revived industries, revived skills. The market is there. We have no vast frontiers of land to settle. We have automation. We are told jobs will get scarcer. Actually watchmaking, cabinetmaking and many other fine skills have disappeared from this country. The new horizons, the new frontiers, the future lies in learning skills, old skills, new skills and especially in training the very young.

Why should we be interested in training the very young? Because if they are trained, they will earn good money, they will gain self-respect, they will develop greater pride. When they move into rental housing, they would take care of it as a matter of course, and some will want to own their home, unlike many of their indolent parents, who are being supported by the state, have no interest in the care or preservation of property and allow it to deteriorate so rapidly that private owners just cannot afford to invest their capital in creating decent housing for low-rent families.

During my visits to Europe, I rang doorbells in public-housing apartments in England, and this was typical of my trips to other nations in Europe. I said, "I am from the U.S., would you mind letting me see your apartment?" They were half the size of the public housing units of this country. Their refrigerators would hold only one day's supply of food. No closets. Rooms were tiny but so clean you could eat off the floor. The occupants were so proud of their home they sometimes invited us to join them for tea.

I inspected public housing in New York City. Units that cost \$30 to \$35,000 to build just three years earlier had already become slums. Many tenants used the bath tub for any purpose other than bathing. Elevators were treated as toilets, obscene writing in crayon and chalk on the corridor walls, in the elevators, all over the building and garbage thrown out the windows rather than utilizing incinerators available on each floor.

It is a question of teaching many people how to live. A change in attitude might be accelerated by job training instead of dole. It creates responsibility, and that creates self-respect.

We need both a long-range approach and an immediate approach to all of these problems. However, it would be a hopeless outlook unless we start now with the young people and give them cause for developing pride and responsibility through more realistic education, training in the skills, better recreational facilities, availability of part-time jobs, much needed discipline and the like.

A word on the lack of an adequate amount of decent shelter. There definitely is such a need, but too often it is loosely bandied about for political benefit without adherence to the facts.

For example, in Newark recently, when we had the last go-around of civil disorders, Governor Hughes made the statement that he was personally going to see that Newark gets more new housing. Ironically, gentlemen, during the last 10 years, there were so many vacant public housing units in Newark that the housing authority had to employ salesmen to solicit industry in order to find occupants for the public housing. The riots in Newark were not caused primarily by a lack of housing. The riots were inspired by other elements, largely by outside elements.

Sure, there is need to improve the housing situation in Newark. Lack of decent housing there, like in many cities, is primarily due to lack of code enforcement. I am talking about fire violations, health violations, sanitary violations and

violations in the occupancy codes. Unless these codes are properly enforced, we will shortly have very little decent housing supply in that city. Why aren't they enforced?

In Puerto Rico, an experiment was undertaken that proved very successful. Some time back, the Puerto Rican people were very resentful, troublemakers. A program was undertaken of building a large number of low-cost housing, minimum standard, barely four walls and a roof and only the essential plumbing and kitchen facilities. Exceedingly low prices and attractive terms made it easy for those people to own those houses. Today when one revisits these areas, there is overwhelming evidence of pride of ownership. Many of the houses have been enlarged, almost all are well maintained, the occupants' attitude towards society has changed and they now feel they have a stake in society. They have acquired self-respect. These are some of the things we must always bear in mind, a physical supply of housing in itself is not a solution. The occupants must learn to acquire incentives. They must be encouraged. They must feel they belong.

One of the chief reasons for the spread of deterioration in our gray areas (which means that our slums are multiplying in area) is due to lack of mortgage financing for rehabilitation and maintenance. That is why we suggest to FHA a realistic and workable mortgage insurance section should be adopted by FHA. These should tie in with a number of other practical considerations. For example, if today an owner of a house rehabilitates it and brings it up to standard, immediately his ad valorem taxes go up. In a broad scale program of rehabilitation, provisions should be made to provide a limited moratorium on tax increases so that if a gray house or a slum house is brought up to standard, the owner of that property has a chance to get some return on his investment.

In addition to financial implementation, many cases will require direct aid to the indigent family, but this should be only to the extent of the need and should be conditioned on them living in minimum-standard housing. Strict code enforcement, unfortunately, is easily proposed but most difficult to accomplish.

In addition to a moratorium on increasing ad valorem taxes when a property is modernized, there might be justification for reversing the present policy of reducing taxes for neglected properties and raising them as they are improved.

I am talking about residential properties. Other inducements might be income tax investment credits to encourage builders and others to invest substantial funds in rehabilitation and the establishment of not only the responsibility of the landlord to the tenant but, equally important, the necessity of the tenant recognizing his responsibilities and that of his family towards the property.

In New York and New Jersey, there are pamphlets put out by government letting tenants know, in several languages, what their rights are against the landlords. This is commendable. But I think it should also include a list of the tenant's responsibility in maintaining these properties, if we are to encourage an increase in livable properties available for rent. I proposed that in Trenton and was told in no uncertain terms that I was right but that it is politically unfeasible.

Now, gentlemen, unless we realize the country is facing a crisis and all take a new look at ourselves, nothing is going to work. I went to the Bronx Zoo once and saw a sign which read "You are now looking at the most deadly animal in the world, it has annihilated whole species of animals." It was a mirror. Let's look in the mirror. This admonition applies to government, to real estate people, to business, to unions, to judges, to everyone. Let's look in the mirror.

I have talked about the simplification of building codes and the elimination of featherbedding as a factor in the cost of housing. A broad-scale program designed to minimize featherbedding should also have the dual objective of cutting construction costs while at the same time increasing take-home pay of workmen, through incentive methods.

Let me give you an example of a builder in New Jersey who erects over 1000 houses annually. He sold his houses for \$2000 less than any of his competitors. The men who worked on the job took home 50 per cent more in the pay envelope at

the end of the week than the union scale. He made more money at the end of the year than his competitors did. Why? Because it was an incentive program not hampered by feather-bedding. No one worked overtime but did turn out a full day's production. It works!

Perhaps there was some justification for this when we had an over-supply of labor. Now, however, we are in a situation with an acute shortage of skilled labor and no signs of an improvement.

I read in the New York Times the day before yesterday that a group of foreign bankers who normally invested in American stocks have decided to discontinue because our skilled labor supply is in such short supply that it can result only in further inflation. There is no question that skilled labor is becoming scarcer.

Another subject that isn't in my bailiwick, but I feel strongly about is the recent civil riots in Englewood, New Jersey. Reverend George Jackson, a good friend of mine and one of the Negro leaders, in talking to me shook with frustration because 95 per cent of the cars involved in that rioting were out of state cars or from other parts of the state. He said there was only a handful of local people involved, and yet they were the ones who would take the blame.

A minority is creating these riots, and I don't think that businessmen and public officials should be scared and afraid to do what is right, especially when it is considered that they are communisticly inspired, and I have attached a memo on this. I am not going to read it, but it is a very effective proof of what I am saying. Let's recognize the fact that up to now it has not been a spontaneous general uprising of the people, though many of them will have cause to rise up unless we take a genuine interest in the welfare and their futures and stop playing politics.

The dole system, or call it relief, whatever you will, as presently administered is completely unrealistic, and I am including the City of New York as probably one of the main

offenders. I am a great admirer of yours, Mr. Mayor, and I think you have done wonders for the city, but I think there are certain things we still must recognize.

I know a lot of golfers, and they tell me their caddies are often people who live in New York on relief. Their families live there. They make from \$24 to \$48 a day caddy-ing. They don't have to show that as an income, and they live very well and are on relief. Good healthy young men, intelligent and well able to work or to learn a skill.

I belong to the Playboy Club where I once in a while take guests. One of the bunnies at the Playboy Club on 58th Street, a beautiful girl, said to me. "Mr. Summer, I am not going to be here any longer. I am going on relief." I said, "On relief? Why?" She said "I am better off. I have two children. I am getting an attractive newly-furnished apartment. And," she said, "although I won't get a telephone, I will have everything else; I am better off, and once in a while I can do some moonlighting by doing some modeling with my two kids. By not working I'll be much better off." So, she left the Playboy Club to go on relief.

My man Friday who worked for me -- George, half Chinese and half Negro -- can't eat turkey because he comes from Jamaica where buzzards abound, and turkeys always remind him of buzzards. So, when given a big turkey at Christmas he said, "I can't eat it, but I am going to take it to a woman I know in New York who has four or five kids who'll really need it.

The next day he came back and said, "I went in, and she already had a couple of turkeys. She gave me a big slab of bacon, some butter and a ham to take home. She had so much food given her by the relief agencies she didn't know what to do with it all. She has no desire to improve herself. She has got it made."

Unless we are more practical in the manner in which we take care of people, we are not helping those people either. Their children are growing up in an atmosphere of subsidies

and expecting it as a matter of course, instead of learning a skillful trade or getting an education and developing a desire to better themselves.

In New York City when I was a child, we could always get jobs, work for the iceman or a butcher or something. Kids today can't get work and we have got to make it possible for them to get work while they are getting an education or learning some skills. In public housing, they are not permitted to cut grass or do part-time work. It is against policy. I think kids, when they are young and want to work to earn a few dollars should be given that opportunity, and let's work on this phase of it. As they grow up, let's help them become better citizens and acquire self-pride. Everybody needs that.

We found on the President's Commission on Housing in 1953 (today it might have changed) that 40 per cent of the people living in slums didn't have to live there. No doubt some of them were of minority groups who didn't have any place to go at that time, but a great many of them were white people, of adequate means and who still live there because their roots were there, their friends are there and they prefer to live there.

I mention quickly that those who are unwilling to work are not organized. Years ago, hippies were called hoboes. The world has always had people who are lazy and always will have. The fact that the lazy ones are now organized still is no justification for the authorities to show them consideration when their problem is one of unwillingness to work. Coddling and unjustified sympathy helps no one, least of all the recipient. The helpless, sick, the old, unemployables, deserve all the help we can give them. We can't give them enough. Unfortunately, there are all too many who don't fit this category who are taking advantage of the relief rolls.

As of today, I don't know if the relief recipients, able-bodied and not, have succeeded in organizing a union. In any case, it indicates they don't intend to ever get off relief. Now they also propose that they establish an annual minimum wage. Where will it stop?

EXCERPTS FROM STATEMENTS BY HAROLD HOWE II, U. S. COMMISSIONER OF EDUCATION, AND CHARLES H. SMITH, COMPREHENSIVE PROGRAM MANAGER, BUREAU OF ELEMENTARY AND SECONDARY EDUCATION, OFFICE OF EDUCATION, BEFORE THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS ON NOVEMBER 2, 1967.

Our presentation will be informal, but I would like to say that there may be studies of a special kind that the Office of Education can provide for this Commission, and we would be happy to do that. We have a great deal of information about the whole spectrum of education in the United States that we would gladly arrange in forms that might be helpful as you consider the complex problems of urban education.

What I would like to do at this session is introduce some general ideas about the state of education in the cities, discuss some Federal programs (including some that we do not administer) as they relate to the cities, make some general observations and then ask Dr. Smith to comment on how these programs seem to be working, some of the problems with them, some changes that might be worth considering.

Let me start in, then, by saying I think the cities generally in the United States are in effect shortchanged by the states in financial support of the public schools. We can document this proposition for you in long or short fashion, but the fact is that a given quality of education costs more in the city than it does outside the city.

There is a reality to what is called the "city overburden," the extra cost to the city of providing a variety of special services in addition to education, so that the percentage of the city budget available to education is less than it is in areas outside the city.

The youngster who lives in the city often requires special supportive or compensatory services, which means that to give him an equal opportunity in education requires a large investment in him; and therefore I suggest that it might be useful to give careful attention to the basic costs of public education and the relationship between the cities and the States in that regard.

When considering this relationship, it is necessary to have in perspective the role of the Federal Government in the support of elementary and secondary education. Federal support is so much talked about that people are likely to suppose it is quite large. Actually, it is quite small. Of all the money going into the support of public elementary and secondary education -- Federal, state and local combined -- the Federal share is about eight percent. All the rest of the funds come from state and local sources.

My guess is that if added funding is regarded as the path to real progress in the schools during the years immediately ahead, the two roles that will have to be expanded are the state role and the Federal role. I suspect that in most cities it is going to be impossible to do very much more than is already being done with local taxation resources. That is not true of every city, certainly, but it is true of a very large proportion of them.

While the Federal share of public school support seems small when one speaks about it in percentages, its impact is large, for that eight percent of the total is not directed toward day-to-day operations. Instead, it is directed toward bringing about change in the schools and toward providing special services to particular groups of pupils in the schools, especially those pupils who come from poor or what are often called "disadvantaged" families. This money is focused through a formula which directs it only into those schools of the city which have certain concentrations of youngsters from poor families, and it is used to provide services over and above those normally provided under the school system's regular budget. It may make possible additional counseling services, somewhat smaller classes, special materials adjusted to the needs of these youngsters, ways for the school to reach out and get connected to the home -- in general, opportunity for the schools to undertake enterprises previously denied to them because of limitations of their own resources. So I think it is important to understand the Federal programs in that perspective and not see them as general support programs. They are programs designed to make a difference and not to be used for such immediate purposes as to raise the salaries of teachers, which, while doubtless a desirable thing to do, might simply mean that teachers who are there would be the same teachers but would be better rewarded.

Perhaps the chief single issue we get into from the Federal side as we look at the problem of being useful in cities is the question of whether our main thrust ought to be in the direction of what is called "compensatory education" -- a term that has to do with propping up and making better the education of those who have been denied opportunity in their early years -- or whether we ought to move in the direction of trying to use all our energies on problems of segregation, since most of the central cities are confronted, as you well know, by distinct problems of segregated racial minorities, be they Mexican-American or Puerto Rican or Negro.

A national debate seems to have developed around this issue. On the one hand, there are those who say that the school problems of the central city will never be solved unless the major thrust is on integration -- unless major funding, major political energies and all our leadership are put into desegregating the schools.

Then you get other people who say that in many of our cities, the segregation problem is unmanageable. You can't do very much about it, so you might as well forget it and go in for very large investments in compensatory education. The focus, according to this argument, must be on achieving really successful education for the youngsters who are there, with whom the schools have, up to now, been unsuccessful -- on giving these youngsters the opportunity not only for success in school but in employment and in the contributing citizenship that comes with it.

My argument would be that both of these approaches should remain on the agenda of the city, and I think that the emphasis placed on them in a particular city will depend to some degree on the situation in that city, on its history, on the nature of its leadership, on the proportion of minority groups and perhaps on other variable factors.

I think we make a mistake to think we can generalize and say that there is a single way to make education vital and effective in our cities. Washington, D.C., is different from Pittsburgh in a good many respects, and therefore the kinds of approaches undertaken in Washington, D.C., would doubtless have to be different from those in Pittsburgh. Similarly, White Plains, New York, is very different from New York City, and their handling of the situation would have to vary accordingly.

In short, it seems to me that the intelligent development of policy in the city will keep both of these matters on the agenda. School boards and other public officials are constantly making decisions about the location of schools, about the size of schools, about the drawing of boundaries amongst schools, about special facilities to be provided for education. They have to make a number of such decisions every year. And as they do so, they will have a real and continuing control over whether there is to be segregation or integration. At the same time, the investments they make -- particularly those supported by Federal funds -- will give them the opportunity to do something in the realm of compensatory education. To one degree or another, these processes are taking place at the present time.

I should make it clear that the Federal involvement in compensatory education in the city is not totally an Office of Education enterprise. Significant contributions are made by a variety of other Federal agencies. The Office of Economic Opportunity is probably next in size -- that is, in dollars -- to the Office of Education in this endeavor. Its Head Start program, its Job Corps program, some of the other activities of its community action agencies are all educationally oriented and are part of the package.

The same goes for the Department of Labor, through its Manpower Development and Training programs. The Department of Housing and Urban Development has an educational component in every "model city" proposal. So there are a number of agencies of the Federal government involved in improving education, particularly for the poor of the city.

I think one of the tough problems for the Federal government and for the cities is to coordinate these programs, to develop a situation in which a city can intelligently plan to use in a single package the varying resources available from varying agencies and governed by differing regulations, differing time deadlines, differing application forms and a whole mix of other different kinds of relationships.

It is extremely difficult to do that now, though we are attempting to improve the situation. Within the Office of Education, we are trying to find better ways to bring together in one package programs that are related to each other but which

originate in different laws, and at the same time we are working with some cities (and Mr. Smith can tell you about some of his experiences in Detroit in this regard) to encourage them to incorporate their proposals into a single package in this same fashion.

Let me mention just one or two other items. One of the reasons that young people in the central city are shortchanged in their education is that they are not exposed to the most effective teaching staff of the schools. There is a higher turnover of teachers in the central city schools, and by and large, there is a smaller proportion of the more experienced and more capable teachers.

Many teachers find the inner-city school to be a traumatic experience and quickly leave, a fact which suggests that there is an element in teacher training that is pretty much lacking. We have endeavored to get at this situation through the Teacher Corps, a small Federal program that needs to be much expanded if it is going to accomplish its purpose. At present, the Teacher Corps is really only a demonstration enterprise. It is controversial in the Congress, and I don't know that we will be able to expand it. One way or another, however, we have to find a way to hook teacher training to the realities of teaching in the central city. This is not now the general practice, although there are some outstanding examples of places where it has been done.

Secondly, under this same heading, I think that the teachers' organizations in making agreements with school boards tend to insist on seniority arrangements that pull the best teachers away from the youngsters who need them most. I think we need to challenge teachers' organizations to take more responsibility for that situation than they have in the past.

I suspect that a great deal more can be done with city schools during the summer. While the use of the city schools during the summer has grown, it has not grown nearly enough. Federal funding would seem to me to have a special role to play in extending the service of the school in this manner, and I would hope that working together we may find a way to bring some special Federal funding to bear for summer activities for young people of school age, particularly of secondary school age.

It may be useful to point out that in the first year of the Elementary and Secondary Education Act, that is, the summer of 1966, about \$250 million was available for summer activities in the schools. This circumstance came about because Congress passed the Act late in the year. The funds could not be used within the normal school year, and so we had a bonanza that summer. Since that time, the schools have phased these funds in with their normal budgeting, and less money has been available in the summer. I think it would be useful to try to arrange for more money for summer activities.

Just as I think the summer is the time to achieve special focus, I think also that more can be accomplished through extra-curricular activities -- the after-school arrangements of the city schools -- than is now the case. I see a useful avenue for Federal funding to help the schools become community centers, places where people can come and go and find interesting and useful things to do, not just during the school day but in the afternoon and in the evenings. There is some movement in this direction.

Finally, let me suggest that there needs to be a new emphasis on vocational education in city schools and a totally new emphasis on finding ways to link the school with entry job opportunities for young people, whether they leave as graduates or as dropouts (and a lot of them do leave as dropouts -- at a rate of about a million a year).

These are a few brief suggestions, and I would be happy to go into greater detail with any matters you would care to discuss further.

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MR. SMITH: The early days of getting the ESEA program off the ground, as the Commissioner mentioned, set a rather interesting precedent, because for the first time specific amounts of money were made available for use in educational programs for deprived children. But schools at that time had less time and more money to spend than they have had since, and many school communities who had not had too much experience in focusing in on the problems of deprived children, because of a lack of resources and a number of other things, began to immediately focus in on things like remedial reading, extended day activities and recreation programs, and they had to make the decision to go after the most accessible students, who in many cases were not the most hard-core.

I would venture to say that perhaps 70 percent of the ESEA funds initially went into these kinds of activities.

Since that time, we have found cities moving more and more toward the concept of saturation of services and toward trying to reach the most severely deprived children. In many cases, they have found that in order to get to this kind of child they have had to conduct door to door knocking campaigns in order to get to them. In some cases, they have chosen to have massive teacher training components. In other cases, they have chosen to train counselors and school community agents and social workers.

We have been encouraged by these kinds of developments but recognize also that to the child in the inner city who is now being focused upon in a massive kind of way, that there were many mistakes that were made in terms of trying to reach him. You find the teacher who is over-paternalizing in her approach to teaching the child. You find the parent who, as a result of recent community action program activities, is now taking a much more active interest not only in the programs of the school but also in those programs within the community that have a peripheral effect on the child. We think these things are encouraging, too.

One of the things that we are encouraging communities to do is to have parents become involved not only in the goals and objectives of the school but also in the planning of programs of which their children are supposed to be beneficiaries. You will get as many definitions of community and parent involvement as there are schools, but I think briefly what we mean when we talk about encouraging people to have parents become involved in the programs of the school, we are generally talking about something other than cookie bazaars and chile parlors and choral reading by the first

graders at a PTA meeting. We are talking about substantive involvement in those programs for the children.

Now, we have spent a lot of time in the field talking with superintendents. We spent a lot of time talking with principals and with children. (....).

I went into Detroit at the height of the riot and spent quite a bit of time in the riot area -- talking with kids, with parents, with anyone that happened to be available -- to find out just what the problems were and got an interesting mix of things, especially from the kids. In many cases, these were lads who were working, who had in some cases uncashed payroll checks in their pockets, who may have been underemployed but nonetheless were working, who were right in the middle of the riot scene.

I am not talking about the people who were out there after the loot. I am talking about the ones who felt that they had some real reason for being there, and they gave a variety of reasons for their participation. But one of the things that came through very clearly is the fact that there is an attitude which prevails in the inner city that says in substance, "we think education is irrelevant."

Now, the models of success that they have before them in the inner city are something other than examples of those for whom education has paid any substantive dividends. The success model is someone who perhaps has been a dropout, but maybe his goal was to be the best hustler in the block, and he has achieved this goal, because he has a brand new shiny car, and he has all of the material things which point to success. But those lads who have done the things that society has said they should do -- by minding parents and going to school and studying and all these kinds of things -- their models are the young lads who are washing cars in the local car wash and so forth. At any rate, the attitude prevails.

So we are about the business of looking at our programs within the office in terms of making it more relevant to respond to these needs, but with some cautions. It becomes very clear to me in interacting with parents who are very, very interested in what is happening in the schools with their children that their participation means that up until this point, programs have been very hurriedly put together to respond to immediate needs, and they have been a series of projects jammed in to respond to these needs, rather than a comprehensive program which has perhaps

a short-range strategy but addresses itself to a long-range need. The bandaid approach of responding to a need has brought about perhaps a level of intolerance and impatience such as I have not seen before. And the suggestion is that our strategy for delivering services within the inner city, while it may perhaps come about initially as a short-range kind of activity, must certainly be delivered to the community in a way that suggests that it is simply the beginning of activities which have long-range benefits.

I have a feeling that bandaid type approaches will no longer suffice because they have not paid any dividends. In looking at our programs we see that under the various legislative authorities that we have we don't really have a great deal of discretion in the use of funds. We have one, for example, in Title III which we kind of consider our cutting edge for innovation. But in looking at it, the number of programs and the kinds of programs that have been funded for the last couple of years, we find that in most cases there has been very little coordination between the cutting edge of Title III and the compensatory aspect of Title I. Consequently, we are about the business of trying to package our programs in-house with the kinds of funds that we can deliver to a community on a massive enough basis to begin to focus in on children where it will really make a difference. In the very large cities that have received from Title I, for example, \$60 million or \$70 million, we can come up with a couple of million out of Title III, but it is not really enough to make a substantive difference across the board in that city. But we can take a particular community where there seems to be a pressing kind of problem that is more immediate in terms of a long-range response and package our programs so that we can begin doing the kinds of things that will make a difference with those children.

We have identified, I believe, some program components that suggest that they have the strength to deliver the cutting edge. As the Commissioner has mentioned, manpower is a very crucial problem. In talking with superintendents throughout the country, we find that the Title I aspect of the program allows them to engage in comprehensive training programs for teachers, but one of the problems that they are experiencing is that the teachers who come to them from teacher training institutions in many cases have been trained in an environment that is outside of what is happening in the inner city. Institutes are conducted in some cases by people who have had no contact with the people in the inner city for 20 years -- if ever -- and whose attitude is one

of once you receive these teachers, the real job of training takes place when the teacher walks into the classroom anyway. It seems to me that there is a kind of partnership that needs to be mounted in terms of meeting the manpower needs that are coming out of the problems of the inner city.

One of the other things that we recognize a real need for is the kind of curriculum that is being delivered to the children in the inner city. We have some communities where the basic approach that they take to the problem is one of reducing class size.

Now, granted when you reduce a class from 40 to 22 it makes a difference in the classroom, but no real change takes place in that classroom if the same teacher of 40, who might be a poor teacher, is the same poor teacher of 22.

I think the thing that must take place in this transition is called training. If nothing happens to this poor teacher of 40, I would guarantee nothing is going to happen with these 22 children as a result of the reduction in class size.

We are about the business, in conclusion, of trying to package the kinds of programs that will focus in on a community where parents are provided with an opportunity to make inputs both at the policy-making level, the decision-making level and the operational level, so that they have a little something to say about the kinds of services that are delivered to them and about how education can be a little more relevant to them.

We worry about the fact that experts -- and I put them in quotes -- frequently conceptualize programs completely outside of the need category, which is the child, and frequently when these programs are developed, they are developed by people who have no relationship, once they are developed, with the people who have the responsibility for implementation. And they, in turn, have no responsibility or relationship to the people who have the responsibility for evaluation. And none of them, in many cases, has really touched bases with the teachers, the parents or the other people involved.

We would hope in making a package approach that we can focus in more directly on the needs of the child as well as the community, recognizing that we are kind of limited inasmuch as the approving authority, for example, for our most massive program must of course be the state, but this is the general direction that we are moving in at this point.

Excerpts from statement by Dr. Paul W. Briggs,
Superintendent of Schools, Cleveland, Ohio,
before the National Advisory Commission on
Civil Disorders on November 2, 1967.

As your Chairman has indicated, I am Superintendent of Schools of the city of Cleveland. This is a city with 154,000 children in the Cleveland public schools. It is the eighth largest school district in America.

Today, I would like to discuss the crisis which has occurred in our cities briefly. We believe the crisis we are experiencing is perhaps the most serious domestic crisis that this nation has experienced in the 20th century. We feel that education has some relationship to it, and perhaps some of the solutions can come out of education.

The urbanization of America has proceeded with such rapidity that within a short span of less than 50 years we have moved from an agrarian nation to one dominated by large cities. Few guidelines were available to educators and city planners during this comparatively short period of shift from the farm to the city.

We did not have a pattern to follow, experience to call on, or public officials and educational architects with expertise in city and educational planning. Nearly every public facility proved to be inadequate before it was completed. Public transportation fell short of public needs, streets were too narrow for the flood of new cars, lots were too small for adequate homes, single garages failed to meet the needs of our two-car families, and schools particularly proved to be inadequate in nearly every respect.

Schools were built early in the development of the city, on small sites, with little provision for play area, expansion or parking. In fact, over half of the schools in the city of Cleveland were built before faculty members had automobiles. In most cities, the oldest schools as well as the oldest homes are to be found in the center of the city. These were the first homes to be abandoned in a mass exodus when suburbia got underway.

The 25-year exodus to suburbia resulted in an abandonment of city leadership and in neglect of city education. The central city soon became a vacuum to be filled by large numbers of members suffering from many kinds of disadvantage. Metropolitan areas developed around the city, dependent on the city but separate in government and education from the city.

The decrease in city population did not result in comparable decrease in school enrollment. On the contrary, in the city of Cleveland between 1950 and 1965, the city population dropped over 130,000 while the school enrollment increased by 50,000, reflecting a dramatic change in the age grouping of the population.

At the present time in Cleveland, for the loss of each family, we have a net gain of two children.

Changing city neighborhoods crowded old schools to over-capacity with children possessing problems demanding a new kind of education -- education that was not available in either quality or quantity. Around the city new schools were built, each an attempt to outdo the other. These new schools attracted many to leave the city. Realistic financial support for city schools was not forthcoming. Classes got larger, inner-city kindergartens had long waiting lists and in many cases children in the inner city attended on half-day sessions. Lack of funds kept city school systems from making needed building additions and alterations, or even replacing old equipment. Libraries were closed to make more space available for classrooms and to save money. Greater financial burdens of city government left a smaller percent of the local tax dollar for education.

In Ohio last year, school districts throughout the state received on the average of 60 percent of the total local real estate tax dollar. In the Cleveland suburbs, the share for school districts was 75 percent. Among the eight largest cities, 50 percent was received by schools. But in Cleveland, only 44 percent was available for schools. The Cleveland tax rate, I might add, is among the highest in the Midwest.

The larger and older the city, the greater proportion of the tax dollar that is needed for necessary city services, and the smaller is the share available for education.

The long neglect of the education of urban children is beginning to show. Many of these recent acts threaten the domestic safety and tear at the roots of the American democracy are the products of yesterday's inadequate and neglected inner-city schools. The greatest unused and undeveloped human resource in America is to be found in the deteriorating cores of American urban centers.

The effectiveness of our response to the challenge of developing and using this resource can make the difference in whether the American city survives and flourishes or flounders and decays.

I should like to call your attention particularly to Cleveland, Ohio's largest city. Cleveland is a city which 16 months ago suffered devastating civil disorder. It is a city where a little over two years ago, it was necessary to use 200 policemen to open one of our large high schools.

In Cleveland, during the summer of 1964, we were building schools under armed guard and behind barbed wire fences. The preceding school year had been marked by controversy, by charges and countercharges as groups in the community sought to influence decisions of the Board of Education. Violent street fights and rock-throwing had been followed by demonstrations and sit-ins in the Board of Education office building. However, I might add that during the height of the riots at Hough, no school was touched. Buildings were burned around our schools, but no school was burned during the riots.

I might also add that we kept our schools open during the riots. Even our pre-school programs operated. Our volunteers were allowed into the riot area . . . and in one of our junior high schools in the riot area, our attendance improved during the height of the riots.

Cleveland is a city where the extremes of affluence and poverty are to be found--where poverty is spreading at an alarming rate. It is a city characterized too much by isolation -- racial, ethnic, religious, social and economic. It is a city whose daily newspapers list column after column of good jobs waiting to be filled, while the unemployment rate in the inner city is among the highest in the nation.

Let us look more closely at Cleveland's inner city, in particular the Hough area, which was the location of the riot of 1966.

Hough is an area of about two square miles, bordered on the east by University Circle with its rich complex of cultural institutions, unsurpassed in America. To the west lies Cleveland's great industrial heart. On the north and south are two main thoroughfares traveled most heavily at the beginning and end of the business day as people from other sections of Cleveland and from our suburbs go to and from Cleveland's central business district.

Hough clearly demonstrates the phenomenon of flight and abandonment. Its population is about 60,000 and represents a virtually complete turnover since 1940. Rare, indeed, is the recent graduate of the high school serving Hough whose father or mother also attended the same school.

Once a favored residential area where the great family names of Cleveland were to be found, Hough today has acres of dilapidation. Forty years ago, more than 90 percent of the homes in Hough were owner-occupied. Today, fewer than 10 percent of the residents own their homes.

The exodus from Hough was rapid. As the former residents left and were replaced by families with large numbers of school-age children, the schools were completely inadequate to serve the thousands of new children. In the decade of the 1950's, the enrollment in the schools serving Hough more than doubled. Moreover, it was not uncommon for a Hough school in that period to experience a 100-percent turnover per year.

Today, 10 elementary schools, 7 of them built since 1954, serve an area for which three were adequate prior to World War II.

The new population of Hough came largely from small towns in Appalachia and from the rural south. They were people seeking new opportunities for their families. They were unprepared for the perplexing demands of urban living, and Cleveland was unready to assimilate them into the mainstream of the city's life.

In the search for opportunity, frustration was encountered, aspiration was blunted and despair replaced hope. Since 1950, Hough has been probably the most studied and restudied community in America. Sociological surveys and high-priced analyses have followed each other in rapid succession.

The people of Hough, encapsulated in desolation, have apparently not been aided by the studies or any of the grandiose schemes which seem to be devices to avoid action.

If we would pinpoint the problems of Hough, we would find that delinquency is up 300 percent since 1940; population density about 300 percent greater than the city as a whole; school enrollment, up more than 100 percent since 1950; unemployment, the same as the city in 1940--more than 200 percent of the city rate in 1967; public welfare, up 700 percent since 1950 in both number of cases and proportion of total expended in Cleveland; income level, down 12 percent since 1960 while the city as a whole is up 16 percent; out-of-school youth, rate 200 percent greater than city average.

But what about the child of the ghetto? It is he whom we must save, for we cannot afford to lose this generation of young Americans.

If this child of despair is a young adult, there is a better than 50 percent chance that he is a high school dropout. He is not only unemployed, but unemployable, without a salable skill. Neither of his parents went beyond the eighth grade. Pre-school or nursery school was out of the question when he was four, and when he was five, he was placed on a kindergarten waiting list. This list lasted 20 years in Cleveland. At six, he entered school but could only attend for half a day because of the big enrollments. He went on relay classes in his school. During his six years in elementary school, he attended four different schools because the family moved often, seeking more adequate housing for the six children. When he got to high school, he wanted vocational training, but none was available.

The family was on relief, and he couldn't afford a good lunch at noon because Cleveland schools at that time were not participating in the Federal hot lunch program, and the average cost of lunches amounted to 70 cents.

Of his few friends who had graduated from high school, none had found jobs, and they couldn't afford to go to college.

Here he is now, discouraged and without hope -- economically incompetent at a time in life when traditionally young Americans have entered the economic mainstream as job holders.

A younger brother, aged nine, is now in the fourth grade. He attends a new school, opened in 1964. Though he lives one mile from Lake Erie, he has never seen it. He has never taken a bus ride, except when his class at school went on a field trip. The family still does not subscribe to a daily newspaper. The television set is broken, and there is no money to have it repaired. His mother has never taken him downtown shopping.

He has never been in the office of a dentist and has seen a physician only at the local clinic when he was injured playing in an abandoned house in the neighborhood.

At home, there are no books. His toys, if any, are second-hand. His shoes are too small and his sweatshirt, bought for 25 cents at a rummage sale, bears the insignia of a suburban school system.

Each morning he looks forward anxiously to the free milk he gets at school because there is no breakfast at home.

He can't study well at home because of the loud blare of rock-and-roll music from the bar up the street. There are nine bars in his rather compact neighborhood. I know because I sent an assistant out this week to count them. (I sent a non-drinking assistant out to count them).

The screaming police siren is a very familiar sound to him, for he hears it regularly in his neighborhood, where the crime rate is Cleveland's highest.

These boys both have better than average intelligence but they are the victims of neglect and are lost in the maze of statistics. Their plight and that of the thousands like them in America's ghettos can certainly be considered the most pressing unattended business on America's agenda. In preparing to come here today, this week I talked with teachers and parents of children in one of our elementary schools near the center of the 1966 riot area.

This school is a primary target school in our Elementary and Secondary Education Act, Title I programs. In it, we have a pre-kindergarten center, a Head Start follow-up project, a reading improvement project and increased health services.

The parents and teachers are unanimous in their high evaluation of these programs and their expectation that these children will be motivated and supported by the added services available to them.

All agree that a nutrition project -- with breakfast for the children -- is not only desirable but necessary.

One teacher told me of a boy a few days ago who went to the back of the room and opened a closet door. Pretty soon she wondered what he was doing. She went back, and here was a hungry child who had eaten completely two jars of paste, completely consumed them. He had not had any food in about 48 hours.

Likewise, all would like to see more trips outside the neighborhood to reduce the isolation and give the children a greater sense of being Clevelanders, rather than only children of Hough.

As long as the problem of the Houghs in America remain unsolved, the cities of this nation remain in deep trouble.

It is in the cities of America that we must demonstrate the validity of the proposition that "all men are created equal--endowed with certain inalienable rights--life, liberty and the pursuit of happiness"; that respect for the dignity of every man is an inherent concept in this country.

Most of those who glibly propose quick, easy solutions for the city's problems have viewed these problems from afar. They often speak from the platform of non-accountability for action. I have found that most of the bearers of solutions are not individuals with the problem.

The problems of the ghetto are problems arising out of poverty, unemployment, isolation, inadequate housing, overcrowding, family disorganization and, yes, inadequate schools.

The problems are manifested by relief and low average income; by unfamiliarity with the city at large and a feeling of not belonging; by deteriorated and dilapidated houses, by littered, uncared for streets and by large numbers of idle adults and young adults, especially male.

The crime rate is high. Stores are deserted and boarded up. First-class goods and services are difficult to find. The businesses that exist are mostly marginal operations.

No thoughtful person suggests that the schools alone can solve the problems of the ghetto. Likewise, none of the basic problems will be solved without the involvement of an adequately supported, revitalized school system.

The people of Cleveland have faith in their schools. A year ago, they dramatically supported the school by approving the largest financial issues ever placed on the ballot. They increased their taxes 20 percent for school operating expenses and raised the bonded indebtedness for school buildings by 110%.

They did this with a 70 percent "yes" vote. In some of the areas of the ghetto, in the very areas where three years previously we were building schools behind barbed wire, the support of the schools was nine to one.

During the past three years, I have enjoyed the cooperation of people in all parts of Cleveland as we have sought to redirect the school system and to initiate programs to upgrade educational opportunities throughout the city.

We have attempted to improve the quality of instruction, to decrease racial isolation of children and build bridges from school to the job market.

In Cleveland, we have used not only increased local resources but additional state aid, as well as very welcome assistance from the Federal government.

We have extended school upward and now have 2000 adults enrolled in a full-time day and evening high school for adults.

We have extended schools downward with the Cleveland Public Schools' Head Start and Pre-School programs.

We have extended the school day, and the schools in the inner city are open evenings for pupils and their parents.

We have extended the school year. Last summer, for example, 63,000 Cleveland children were in summer school-- contrasted with only 7000 three years ago.

In 1964, only two high schools offered vocational courses. Today, vocational courses are available in all 16 of our high schools. There has been a 300 percent increase in vocational classes during the past three years.

We have established a prototype supplementary educational center where daily children from various sections of the city come together to study space, the heritage of Cleveland and to listen to good music. I have provided you with a brochure describing the centers. It is located in a warehouse downtown where we are able to control the mix, and children from all across the city come together daily and become better acquainted.

The Cleveland schools last year served 11,200,000 cartons of milk to children, and nearly 2.5 million hot lunches were served in our secondary schools.

We are presently planning for the expansion of the Federal school lunch program to our elementary schools in Cleveland.

Last year, we opened libraries in more than 100 of our elementary schools, and today we have libraries in every one of our 135 elementary schools in Cleveland. There were none three years ago. Children this year took out of the libraries and the elementary schools of Cleveland 870,000 volumes of books. Three years ago, they could check none out. This year, we hope that we will circulate over one million and next year, a million and a quarter.

In the field of curriculum development, several hundred Cleveland teachers have been working in projects to update our curriculum and to make its content relevant. The Cleveland schools will not adopt any textbook which does not appropriately depict the pluralistic nature of the American society.

One of our most dramatic success stories is our job placement service for inner-city high school graduates. Of last June's graduating class from the seven inner-city high schools, we have placed on permanent jobs 96 percent of those who wished to work. Previously, it was around 25 percent. The cooperation of Cleveland business and industry in this project has been great.

At the same time, the rate of college admissions among graduates of these seven inner-city schools has been increased by 75 percent.

In three years, attendance at the same seven inner-city high schools has increased. The number of scholarships assigned to students this year when equated through a four-year program for these students will amount to \$2,600,000.

A thread that runs through all our efforts to improve the schools is more effective communication. We have been trying to reach out to the parents, involving them in education of their children. Members of our staff--administrators, supervisors, teachers, clerical workers, custodial employees--have been attending workshops and in-service training sessions to help them become more sensitive in the crucial area of human relations -- an operating human relations commission in every one of our 185 schools. We have on the drawing boards now \$40 million worth of new classrooms that will soon be opening in the city of Cleveland.

These new classrooms will accommodate approximately 20,000 students in new rooms and new buildings. This, however, will still leave us 30,000 students in classrooms over 75 years of age. This will not replace two of our schools that are 109 years of age--schools that were occupied several years before Abraham and Mrs. Lincoln entered the White House for the first time. That was several administrations back.

These are but a few of the beginning steps Cleveland is taking to modernize its schools, to bring to the child of the ghetto new opportunities.

Let me emphasize that we have only begun. The decades of neglect, of abandonment, of too little spread too thinly, have accumulated awesome deficits which cannot be overcome in one step. But we have begun.

The Cleveland public schools must expand on-going programs and initiate new ones if we are to maintain the momentum generated by increased local interest and encouraged by state and Federal support.

Some of the kinds of programs we need include:

A 12-month school year

New school buildings that are attractive, functional and flexible.

Bigger libraries in all schools.

Procedures to make the new technology available for the education of children.

Sex education in elementary as well as secondary schools.

New services for the physically and the emotionally handicapped.

Vastly increased health services.

Large-scale recreational facilities, so that every child can walk to a supervised playground, gymnasium and swimming pool.

A full-scale program in nutrition, including breakfast for the inner-city child.

Massive increases in vocational and technical courses in comprehensive high schools -- not separate high schools but comprehensive schools.

New work-study opportunities.

Financial aid for the high school graduate who does not qualify for a scholarship but needs assistance to go to college (we are launching a program for

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those with a C average; those are the youngsters that need the financial help more than the top third of the class).

Rehabilitation opportunities for the dropout and the potential dropout.

New partnership with industry as we reclaim the dropout and prepare him for today's jobs and tomorrow's.

Expanded follow-up for the graduate.

Adult education classes to combat illiteracy and to update job skills.

Modern management techniques extended to the operation of our schools. New programs for higher education to train teachers for the city. The master teacher has got to be found in the ghetto school.

It is not right that in America there should be a great gap between what is invested in the education of the child of despair and in that of the child of affluence.

I would suggest that in determining a fair level of expenditure to support the education of the ghetto child, we use as a yardstick the amount spent on educating his counterpart in the city's most advantaged suburb. For Cleveland, the application of this standard would result in an increase of more than \$70 million in our operating budget.

While the schools of the inner city must be improved, there must also be simultaneous massive action on other fronts: New jobs must be created, and all citizens must have unhampered access to them.

Plans for on-the-job advancement for minority group workers must be accentuated.

The concept of the Plans for Progress must be more widely accepted and more fully implemented.

Government agencies must be examples of equal employment opportunity at all levels.

In the field of housing, the subsidizing of segregation is unacceptable. This is what we do with our Federal housing money. We are subsidizing Federal education in our cities.

Decent housing for low-income families should be made available in all sections of the metropolitan area and not merely in the inner city areas.

The number of public housing units needs to be greatly increased, and new concepts in public housing that will provide for open space and attractiveness ought to be encouraged. Public housing doesn't have to be ugly. In addition, as public housing estates are planned, provision must be made for school support. Currently, we receive in Cleveland only \$25 in lieu of taxes for each of the children living in public housing. We receive no money for the school site or the construction of the school but \$25 towards the education of a child coming out of public housing. The city average cost is about \$480 per child.

The new comprehensive health and social services center idea is a step in the right direction.

We must find ways to create in the inner city, and throughout the city the neighborliness of small-town America, augmented by the rich array of health and welfare services and the cultural and civic resources that can only be developed and supported in the great urban center.

Concern for people must transcend the boundaries of political subdivisions, and all persons in the great metropolitan complex must be helped to see themselves as fellow citizens, each respectful of the rights and the dignity of the other.

As we move toward the solution of our problems, care will be needed to avoid the empire-building, community-fracturing agency competition and duplication of services and functions that have caused the failure of so many previous projects.

If our efforts tomorrow are to be more than exercises in futility, our attention and resources must be directed at helping people solve their problems, rather than dissipated in jurisdictional squabbles between agencies.

A new dimension of cooperation among the schools, the city, the state and the Federal government must be developed. The guidelines and regulations for such cooperative ventures must be flexible enough and realistic enough to permit the delivery of services to people with the least possible delay.

In the Cleveland schools, we have enjoyed a comfortable relationship with the Federal government in the administration of recent laws concerning education. Without the resources made available through the Elementary and Secondary Education Act, the Vocational Education Act, the National Defense Education Act, the Economic Opportunity Act and the National School Lunch Program, much of our progress of recent years would have been impossible.

We not only encourage the continuation of these programs but strongly recommend their expansion as a means of attacking the basic causes of unrest and disorder in our cities.

In Cleveland today, there is hope. We are currently near the end of the most dramatic mayoral campaign in our history. This campaign has attracted the attention and active involvement of people throughout the city. There is a new interest in the affairs of the city. With the excitement that change always brings, the Cleveland public schools look forward to an expanding dynamic relationship with the city government as we cooperatively tackle the tremendous problems that face the entire community.

The problems of Cleveland are not unlike the problems of other great American cities. With other great cities, we share the hope and the determination that workable solutions will be found.

The school is clearly the key to the solution of the urban crisis, for it is plain that civilization is indeed a race between "education and disaster." We cannot afford to lose that race.

EXCERPTS FROM STATEMENT BY DR. DAN W. DODSON, DIRECTOR,
CENTER FOR HUMAN RELATIONS AND COMMUNITY STUDIES, NEW YORK
UNIVERSITY, BEFORE THE NATIONAL ADVISORY COMMISSION ON CIVIL
DISORDERS ON NOVEMBER 2, 1967.

I would like to begin by saying that this statement is addressed only to those concentrations of minorities in the major cities where, because of the size of the concentration and the problems of logistics, it is impossible or unfeasible to desegregate schools.

In my judgment, there is no substitute for school desegregation wherever it is possible. Special attention should be called to the recent report of the White Plains School System which completely desegregated its schools and in three years' time brought the achievement levels of the low-income public housing children to national norms in basic skills. Most communities can do what White Plains did if they have the will.

However, the inner cities of the large metropolises cannot bring this feat of desegregation off. The New York City School System reports that a majority of the public school children are either Negro or Puerto Rican in ethnic origin, and many of the large cities, of which Washington is the outstanding example, have much higher proportions of Negroes to whites in their schools.

In the foreseeable future, there seems little likelihood that desegregation as a panacea for this, however desirable, will be accomplished in these places. Consequently, this statement deals with these inner-city encapsulated ghetto schools.

Further, it should not be necessary to have a hearing on this problem at this late hour. Conot in his book "Slums and Suburbs", indicated in 1961 that social dynamite was building up in these inner cities, and his statement was as current then as it is now.

But I want to deal with what I consider five major crises facing public education in the inner-city ghettos.

The first is that of accountability. The schools are not educating the children of the inner-city ghettos. The data are persuasive, regardless of the school system examined.

In New York City, for example, 70 percent of the low-income segregated schools had mean reading scores bordering two years or more of retardation at the sixth-grade level in 1963. I call your attention to the report in this morning's New York Times giving the reading scores on all the City's schools. There are three things that stand out in it that I think are significant.

The first is that in 43 percent of the schools at the 9th grade level, the children are behind in reading. In 23 of these junior high schools where the score should be 9.7 to be the norm, in 23 out of 91, the children are two years or more retarded in public schools in their reading scores, i.e., two years or more behind. One even goes to four years' retardation.

In contrast to this, illustrating the fact that we don't have a bad school system all the way around, that we are educating the other children, 38 percent of the schools have reading scores that are well above norms, and 14 of these junior high schools are one year or more above norms in reading. In other words, we do have schools that are doing the job, bringing the children to national norms and above, but we have schools that are dismal.

It should be pointed out also that third-grade slum children are usually not too far off national norms in skill achievement, but by the sixth grade, they are usually from one to two years behind. Even children who have had Head Start experience tend to lose whatever advantage they may have gained from it by the time they reach two years' exposure to public school.

No private agency could continue to exist if it were this irresponsible in its performance. Unless public education can meet this crisis, the common school will soon be a thing of the past in urban education in America.

The second crisis is that of resources with which to provide education, and this is no alibi for the poor showing made by the schools in the ghetto, and I don't want to do that, but one would be remiss if he did not indicate that these cities face financial burdens which are compounded by the need for compensatory education. The core cities are asked to repair the erosion of human resources which stems from discrimination and human debasement the nation allowed in the rural areas for these many decades. If it were the problem of education alone, it would not be so bad, but it is the problem of total welfare which the cities face and which flows from the encapsulation of the poor and the marginal in the inner cities and the withdrawal of the middle class to the suburbs.

New York City again suggests the pattern. Between 1950 and 1960 alone, she lost 1,250,000 white population to the suburbs and gained approximately 400,000 Negroes and Puerto Ricans plus enough other whites to hold the net population loss to only 100,000 and the Department of Health estimates that another half million whites were lost in the next four years between 1950 and 1964. This exchange of high-income populations with low welfare costs for low-income peoples with high welfare costs is the basis of much of the burden we are facing today.

The operating budget of New York City as a consequence of this change has quadrupled between 1950 and 1966. An estimate of this welfare cost is suggested by the Regional Plan Association Report of this week, indicating that New York City is spending \$185 per capita on poverty services as against \$65 per capita in the 31-county area as a whole. And, of course, if you took New York City out of that 31-county area, the other would drop precipitiously.

Conot indicated what this disparity of opportunity meant in his study previously referred to by saying it was not uncommon to find inner-city high schools which were old, ill-kept and understaffed, where over half the boys between 16 and 21 were

out of high school and out of work and within 20 minutes of such schools find campus-type suburban schools where twice as much is spent on the education of each pupil and where 80 percent of all students finish high school and go on to college. . . .

Another way of looking at the problem is to compare the per capita cost of education for students in the inner-city schools with comparable costs in the suburbs. If the most educated parents with the highest motivated children find in their wisdom that it costs \$1500 per child per year to educate their children in the suburbs, isn't it logical that it would cost an equal amount to educate the less well motivated, low-income family child in the inner city? Such cost would just about double the budget of the average inner-city school system.

If America is to erase the handicap of circumstances of birth for her children, this latter suggests the price tag that has to be placed on it.

The third is the crisis of leadership. The third great crisis of the inner-city schools is that of leadership. This crisis affects the school at every level. Very few superintendents know how to lead their communities toward consensus on vital issues. Too many are "priests," the caretakers of vast bureaucracies, rather than prophets who spy out the land and lift up the vision. What the difference in leadership can be is suggested by the distinguished Superintendent (Paul W. Briggs, of Cleveland) who shares time with me today before you. I spoke to the supervisory staff of the Cleveland schools some 10 years ago. I would estimate conservatively that 85 percent of the principals and supervisors were women. You would have thought you were addressing the ladies aid society. There were very few Negroes.

Last fall, I was invited back for a similar occasion. I would estimate -- this is a rough guess -- that 60 percent of the supervisors are now men. I have nothing against women as supervisors, but any time you have a system that is that imbalanced, you know something is wrong with it.

I would estimate 60 percent of the supervisors were now men and perhaps 30 to 40 percent were Negro.

The morale of the staff was high. They had just won a bond election, which is an increasing rarity in these places.

A strife-torn neighborhood -- you will remember it was the one where the minister was run over by the bulldozer, which had a barbed wire barricade around the building while it was under construction, when this superintendent assumed office. This was the situation he found. But this neighborhood, as I recall, voted for the bond proposal nine to one.

The Wall Street Journal carrying an appraisal of inter-group relations in this city [Cleveland] in the early summer indicated the schools were the only bright spot in Cleveland's summer prospects. The only difference in the situation was the quality of the leadership given by this man who is before you today as I can figure it out. I mean this sincerely. . . .

When one examines the individual educational performance of individual schools, he is impressed with the role of the principal. It is not uncommon to find two neighborhood schools side by side where the social and economic status of the children are quite comparable, where the achievement scores of the children in one are much higher than in the other. The difference is the leadership of the principal in that school.

Some inner-city schools stand out as truly superior. P.S. 192 on Manhattan, for instance, has managed to bring the minority children to national norms in basic skills within five years. The difference is in the principal, Dr. Seymour Gang. One other school in the similar area is P.S. 129, Mrs. Martha Froelich. They demonstrate that these kids are educable and that the problem is not in human potential. It is in the capacity of people to give the creative leadership to them.

The last leadership problem I shall mention is that of teachers. Inner-city schools have not been able to hold teaching staff. Between 1952 and 1962, almost half the licensed teachers of New York City left the system. Almost two out of every five of the 50,000 teaching personnel of New York City do not hold regular permanent licenses for the assignments they have.

In another school system in one of the large cities, it was reported of one inner-city school that of 84 staff members, 41 were temporary teachers, 25 were probationaries, and only 18 tenure teachers. However, only one of the tenure teachers was licensed in academic subjects.

No need to talk about raising aspiration levels and this sort of thing if you are not going to provide the staff to teach the school. You can't run a school without teachers.

A parent reported in another large city to me this past April that her child was now with his tenth teacher this year. This pattern persists throughout the inner-city schools of America. This suggests one of the major hurdles is that of providing staff to man these schools.

The fourth is the crisis of goals. If the school were seen as a social system, its input would be all the children of all the people. Its output would be people who have been taught their place in the status ordering of the society. This is a necessary function for the schools to perform so long as all children get a fair and equal chance. That fair and equal chance requires that the school intervene in the lives of those who are handicapped by circumstance of birth so that their potentialities are developed.

The schools do not make this successful intervention. They in fact reinforce the status arrangements which exist in the society. As I have already indicated, they teach the children of the privileged very well. There is no problem there.

The U. S. Office of Education study, commonly referred to as the Coleman Report, indicates that when the status of the family and the neighborhood is held constant, the school tends to be an inert force and makes little difference in the lives of the children. The reason for this is that the schools are

geared to the mythologies and values of the dominant group in the community.

Consequently, any youth from the outside must become alienated from his group and made ashamed of his heritage before he can be transmited into the ranks of the dominant group and thereby siphoned off from his group. The militant Negro leadership refers to this as being "washed." In other words, it is next to impossible for a youth to successfully complete the program of American schools and maintain his identity and sympathies with his group if he is from other than middle class white America.

This divergence of goals makes schools irrelevant for the youth of the slum. It removes knowledge as a tool for groups who are deviant to the ethos of the dominant society. It tends to destroy the sense of self-worth of minority background children. It breeds apathy, powerlessness and low self-esteem. The majority of ghetto youth would prefer to forego the acquisition of knowledge if it is at that cost. One cannot understand the alienation of modern ghetto youth except in the context of this conflict of goals.

Education is the handmaiden of the dominant societal arrangement, and it is almost impossible for schools to work towards goals other than those set by this group and this pattern.

The last is the crisis in school-community relations. As the community comes into conflict over goals of education, the leadership of schools becomes insecure and rigid. This exacerbates the problems. Hence, in minority neighborhoods, it is extremely difficult to create a climate between school and community which makes for a viable educational program.

For instance, as the community becomes segregated and the whites withdraw their pupils, the minority community begins to suspect that if prejudice is so great that whites will not go to school with them, it is also so great that white teachers really do not like them either, and they are there only because they have a fat job. They become suspicious of teachers and frequently hostile then towards them. As this happens, teachers become reluctant to hold children to the same standards of conduct and scholarship as they would other children for fear of being misunderstood.

When this happens, children become behavior problems, and they take advantage of such teachers, and chaos develops.

I would invite you to look at a film done by the National Educational Television called, "The Way It Is," depicting P.S. 57 in Brooklyn New York, and the problems there. There is considerable argument as to whether it is overdone or not, but the evidence of it is that P.S. 57 has two and a half years' retardation in reading.

It makes no difference how well trained the teacher is. If the class cannot be controlled so learning can take place, she is going to fail. Order cannot be maintained unless teachers are supported by the community and by the supervisors within the school. No teacher can teach a hostile, suspicious child. Deficits of these children of the ghetto cannot be erased unless and until they are held to the same standards as are other children.

This often does not happen. For instance, in one mid-western city, a recent report showed that in one junior high school which was all Negro, the children got grades which were a letter higher than the children of the all-white school for comparable levels of achievement on standard examinations. In other words, if a child from the Negro school and one from the white school made, say, 85 on a standard test in English, the Negro would have been given the grade of A and the white a grade of B. You can't have this dual kind of standard and kid children along and expect that schools are going to bring them out, and unless the school-community relations can be improved so teachers believe they have the support of the community in dealing with the children, it is going to be impossible for them to do the job that is required of them.

Unless the community believes that teachers are genuinely interested in their children and accepting of them, they are not going to give that support. Most school leadership is unwilling to engage in the type of dialogue necessary to develop, to bring about that understanding between school and community.

Now, I have hastily jotted down some recommendations, and they are not earthshaking but for what they are worth:

1. I believe more emphasis, obviously, should be placed on finding resources with which to equalize opportunities between inner-city schools and those of the remainder of the country and the city.

2. More emphasis should be placed on teacher recruitment and training. Unless sufficient teachers are found to saturate the schools with qualified personnel, it makes little difference what else is done.

3. More emphasis should be placed on training and upgrading of the offices of superintendent and principal and proportionately less on the in-service training of teachers.

I put a footnote to what I have said. Teachers perform in about the ways that are expected of them. They take their cues from their supervisors. Massive in-service required courses usually generate such hostility that they do little good. There develops a cynicism among the staff because they feel the school system is not sincere in what it professes about intergroup relations, and they turn out to be fall guys who are forced to go through motions for appearance sake to leave the impression that something is being done rather than because the system is really sincere.

The significant things which have been done -- for example, Superintendent Johnson of White Plains, Superintendent Briggs of Cleveland, Sam Shepherd of St. Louis, Seymour Gang, Principal, Manhattan -- were not done through massive in-service training but through the excellence of leadership. They got teachers to perform when they were capable of giving the leadership.

4. Less emphasis on experimentation and demonstration and more emphasis on just providing "good education." When resources become scarce, school leadership tends to start looking for the gimmicks which will perform miracles with poor education.

"High Horizons," in New York City, the Amidon School in Washington and the numerous others -- they stretch from here to kingdom come -- illustrate this search for educational magic to take the place of "just good education." All such experiments are invalid before they begin unless and until it has been proven that the children were first exposed to good education and failed to respond to it.

If the experiment succeeds, all that it has proved is that if you provide children with good education, they will respond to it.

This type of approach assumes that the limitations are in the human potential rather than in the establishment. If you can just keep the myth going, that it is in the potential of the children and that you have got to find this magic that is going to do something with them, you can keep the community believing that the limitations are in the children and not in the establishment.

The major thrust of such research and experimentation with poverty funds to date is to reinforce the myth that the limitations are those of the children and not of the school. One wades through endless cliches of low IQ, low social class, weak ego strength, lack of father image with which to relate, inability to forego immediate pleasures for long-range goals, matriarchal domination, cultural depravation and now the new one, lack of pre-school stimulation. If the teachers can use this as a rationalization to get rid of this generation, it will give them time to cook up the myth for why they can't get creativeness out of the next one -- which will probably be that he didn't have prenatal stimulation. All are mythologies projected by the scholars to explain why the establishment can't get creativeness out of the children of the poor. If the little man ever makes his full outreach to selfhood, his first task will be to beat down the mythologies these scholars have created about him. In the name of scholarship, they would hang him on a cross of validated hypotheses.

Most of the research and experimentation started out to find out what was wrong with the children. They found what they were looking for. They are blinded by their own social class allegiance and their inability to examine this problem of the establishment in dealing with the children.

5. More emphasis on school-community relations. The genius of public education has been that the people felt the schools were theirs. In these ghetto communities, this feeling does not exist. The approach of the community school, as advocated by the Mott Foundation of Flint, Michigan, is an approach in the right direction -- so long as it is not confused with the neighborhood school which is now being promoted as a segregation device.

6. More accountability on the part of school systems.

7. More honesty in scholarship. Neither the histories of civilization nor the histories of America are honest in their treatment of the historical heritages of this great land. They portray by and large only the mythology of the dominant group. This leads to alienation, lowering of self-esteem, problems of identity for the minority child or it severs the sense of historic continuity in his self-hood. It is also the seedbed of chauvinism in the majority group.

8. Finally, unabated pressure for desegregation. The problems of this society will not be solved unless and until our children are brought to a common encounter and encouraged to forge a new and more viable design of life. Separate schools were created by policy decisions of governmental bodies. Although they can be made a lot more equal than they are, it is highly doubtful that they can ever be made completely equal. Minority militants in their frustrations are demanding that they be turned over to the black communities with freedom to operate them as they choose. This would take us back to the era of Plessy v. Ferguson. It is too late in our history for that.

However, the limitations of ghetto schools to deal with problems, the discrimination in resource and the inability to meet the goals of minority youth suggest that the only solutions to the problems in the long run are by public policy to bring our children to the common encounter in which such community resource as is possessed is shared equally by all.

I would like to say two other things in conclusion. That is that I have not emphasized a lot of jazzy gimmicks here, that I don't think there is any magic out there somewhere that is going to make poor schools good.

The other is, I have some concern that it is much easier to "tinker with the system" than it is to buckle down to do real education. We introduced 4-4-4 instead of K6-3-3, and now we are going to decentralize the schools, and if you can keep people busy tinkering with the system, you can keep their attention off the basic problems that are involved.

And the last statement that Superintendent Donovan made in summing up in this article this morning on New York City is he is going to launch another project, \$21 million, to improve instruction in 267 schools.

I feel very humble in being unable to be any more constructive in my recommendations than I have been, but it seems to me these are the main thrusts of our problems as I see them from where I sit.

#

Excerpts from statement by Harold Oostdyk, Director, Education Department, New York Urban League, before the National Advisory Commission on Civil Disorders on November 2, 1967.

The Urban League was closed on Columbus Day. Some of us, however, who don't believe in those kind of hours were there, and a little boy wandered into the Urban League, and he was standing there talking to some of us, and his zipper was open. And I said to the little boy, "You ought to close your zipper." And he said, "I can't, I lost the pin." I think he symbolizes a lot of what is wrong. Some people call it bandaid action. The kid needed a new zipper, not a pin.

I have been on the streets for 10 years. I never planned to be there. It is quite by accident I ever arrived. I have some advantages in that I did not grow up in the black community. However, I have been a part of it for 10 years, so I bring to it some degree of objectivity. I was not educated in a city school system. I went to prep school.

I would like to make a couple of observations. This is the most tragic one. The problems we have are very soluble. We have stuck with this problem for 10 years, and we are going to stick there until we are finished because we are firmly committed to the fact that we are talking about solvable problems. To me, this is the national tragedy that we haven't solved them.

I would like to be dogmatic. I think we know a way to go. I think our task is to establish what the jugular vein is. If you are going to make an effort, you might as well hit the jugular vein, because the same kind of effort can do the job. Rather than messing around with the right elbow or the left heel, we might as well go for the jugular vein.

We want to describe the jugular vein as the youth of 16 to 21. We tire of talking about quality education, and we are talking about little kids. How can we ever give little kids quality education . . . you can't tell a little kid 12 years old

to be something else when that youngster on the corner who he looks up to, 16 to 21, stands for everything you don't want him to be. And if we are going to start talking about quality education, we have got to start with the youth 16 to 21, and we tire of the endless, endless, endless, endless program direction that says if you are 16 to 21, black and live in a ghetto, you are a candidate for job retraining.

We feel that is wrong, and until we begin to make the same kind of educational plans for the use of the ghetto that we make for our own children, we are going to have these same old problems, no matter what kind of innovation we bring to them, and until we are willing to get down and get the real problem solved, then the rest is just going to be a "pin" action by whatever name we call it.

Now the youth from 16 to 21 is very reachable. What [is] the youth . . . missing? We can talk about parents, but it is a fact that 90 percent of these kids don't have parents, and until we can find some substitute for that, we are not going to get the problem solved.

Now it is pretty tough to substitute for a family structure for a little youth. We have five little children of our own, and if we were to talk about a substitute for my wife, I don't know how to program that. But we are talking about youth 16 to 21. We can think of innovation for substituting for family structure. We can't give an emotional history.

A boy's father is his father, but we can actually supply a youth 16 to 21 a darn good father, because we know, 16 to 21, you are kind of rebelling from parental patterns anyway, and we need two things.

First of all, we need street workers. I mean if we are going to change education, then we have got to supply supportive help. The problems are inter-related.

We are talking about half the kids fooling around with narcotics. If you are going to do something for education, you have got to do something with narcotics, too, because a kid high can't learn.

We analyzed that the basic systems, the nonprofit sector of our society -- education, law enforcement, social establishment and the church -- all have dehumanized the process. They don't know how to relate to the kids. The Mayor once said in his speech that there were two problems, the outer community dealing with the inner community, the . . . inner city, and secondly, the older generation communicating with the younger generation. This is the problem.

We know how to penetrate the sub-culture, then we are going to talk about drastic change, because ultimately, . . . there are two unused trump cards, but one is the black youth himself. He is old enough to go to Vietnam to die, and he is old enough to change his city.

With the breakdown of social controls that we have in our cities, you can not stop a bad idea from spreading, but can you stop a good idea from spreading either? . . . There is nothing that can stop a good idea from spreading in a ghetto area that is launched properly.

Again, the unused trump card is the black youth himself. Now, if we can ever change, significantly change, the youth 16 to 21, then they will begin to work, down and up. To us this is the jugular vein.

Now a street worker is a concerned person who supplies what is missing in either the neighborhood or family structure. It is instant solution. You just need the street workers to get the job done. Now a street worker, first of all, has to have charisma. This has to be something about him that the kids are going to follow, because there isn't a tougher job in the world than to go to the streets and get a following.

Secondly, you have to have concern, because this is what is missing from the system. Teachers teach without passion. Kids get busted because nobody really cares. The whole matter of the social establishment, somebody coming to help somebody else, that is the wrong stance to take. A street worker is somebody who cares, and he demonstrates that concern through the vehicle of time. So a street worker is charisma, concern and time wrapped up on one human package that goes straight to the problem. . . . One thing the Mayor has accomplished that is an unusual thing: He has got respect in Harlem, and that is quite an accomplishment. It really is, because he has demonstrated concern. He is out there.

Now the point is that this is what must happen. We have got to go to the streets, and the leaders of the streets are 16 to 21. Now we have got to not only go with concerned people that are going to get this job done, but we have got to go with a package to sell. We can't sell daffodils and daisies because kids won't buy it, and they are not going to buy job retraining programs that send them downtown to learn how to drive a car backwards so they can park it in a lot or to drag clothes around the garment district. They aren't going to buy it. They are going to stay uptown and make trouble instead.

We found when we come to these kids with a quality vision, they buy it. They want to get ahead, they want to make it, but they have got to have peer example. When they begin to get that peer example, then they are going to make it in masses. We have sold college. Harlem doesn't even have a high school. It is estimated something like less than one percent of the youth of Harlem go to college, as opposed to 94 percent of the youngsters of Short Hills, New Jersey, who go to college. Eighty percent of all the youths from Jewish backgrounds go to college. We can't cut it with less than one percent of the black youth of the streets going to college.

I know college isn't the total answer, but I want to make this point very clear. When a youth from Harlem goes to college, he participates in not only intellectual experience but a social experience. When a kid from Darien, Connecticut, goes

to Yale, he participates in the same basic social life he has been in in the past. When a kid from Harlem goes to college, it is a brand new thing he is participating in. He begins to learn objectivity.

One of our kids just wrote me a letter. He signed it, "From your worst worker and your main son," went to school in Texas. He told me about his weekend in Mexico. He didn't know there were poor people who lived in Mexico. A ghetto is a self-confining experience. There is no outside influence. So they sit around in the truth cafe and exchange pathologies. What now has to happen is the broadening experience must happen.

We took 34 dropouts without testing and put every one of them into college. We presently have 90 kids in college, 150 in prep school and a whole army of guys on the streets that are going to go to college. They aren't all going to major and get a Ph.D. and so forth. Maybe it is best they don't. A lot of them are going to go to junior college, but it is amazing, they are not too far behind.

Now one trump card I said was the street worker, and at this point, out of deep frustration, I think the second trump card is industry, . . . and I say industry, I say the corporation presidents.

As a tired street worker, we are tired -- tired of going through the paperwork. We had a Title I last June, and we still couldn't get the street workers, and we finally got it taken care of, but we are tired of going through the system, and now we are going straight to the corporation presidents and we are going to align ourselves with them, and the alliance of street workers that are going to go out and get the jobs done and the tops of the corporate structure who perhaps can throw a trump card on the table, too, and say, "We are going to go out there and solve those problems because we are tired of fooling around. We want to get the job done."

Now we set up street academies that deal with dropouts. We have got a string of them. In essence, we have set up a counter system, a competitive system. We are taking dropouts and putting them into college. Ninety percent of the youth in the ghetto can go to college. There is no reason they are not there, plus the thing that America has got to begin to realize

that there is some geniuses growing on those streets.

It is the participation in suffering. It is not blackness, because the same black person who didn't grow up in a ghetto doesn't have that certain something I am talking about. It is a deep spirit of sensitivity, a great ability to articulate and a gift of non-structure, to find new forms, new ways. There is genius in these kids. I would say almost emphatically that they are almost at an advantage to the suburban youth, to grow up in a community like Harlem.

There is not that much wrong with the foundation. The national tragedy is we haven't allowed the building to be built. We are talking to these black kids just not catching up. We are telling them to begin to be the missionaries to the rest of our society.

These kids have something to say, something to sell. A leader in Harlem isn't somebody that plays on the football team and has a convertible. A leader in Harlem now in the youth culture is really somebody who helps his brother, and that is a pretty powerful thing to be a leader about. With our suburban culture now that is so materialistically oriented, these black kids have the opportunity to be the salvation of America. We can't talk to them in terms of job retraining, you know, something that we ourselves really can't get excited about. We have got to talk to them about vision and greatness. And I think this is the kind of thing that is going to ignite the ghetto in a positive thrust.

This year we started Harlem Prep, again to be a national example of what can happen in terms of these kids and their potential. The thing we are most excited about, we finally got our hands on a high school, and they let 14 of our street workers in a high school, and within six months we will completely change that high school. We will completely change it. We only need six months.

It is like taking candy from a baby because of the contact situation that good street workers have. Business workers know what it is to have lunch. A street worker can have lunch for five straight hours in the cafeteria, meeting the crowd, organizing its leadership, thrusting them in positive directions.

Frankly, high school has written off 80 percent of the kids. If they aren't in their college-bound program, 80 percent are

trained for nothing. We want to get right into that 80 percent and organize it, mobilize it, using unused wasted efforts, Neighborhood Youth Corps, to begin to really give these kids job structures that will change their whole school.

Opening up street academies or library centers in the afternoon and in the evening, taking kids that are going nowhere and begin to talk to them, asking them penetrating questions like; Who is going to take care of your mother 15 years from now? Who is going to take care of your little brother? It is about time you did it. And so if I sound emotional, I am, because there isn't any reason why we are not solving these problems and turning them into a national advantage.

.... A street academy first of all is based on relationship. Before any youngster gets into a street academy he has been related to some street worker and has made his friendship. A street academy consists of 25 youths. It is just in a store front, and we have two or three teachers. They are in these store fronts and begin the educational process, motivational process, and the best way to motivate is to get right to the math and the reading level. You know, get right at the problem. That is the thing that motivates the fastest.

But like last night, they went down to Princeton University. We started our own business. We got a newspaper going. They were peddling their newspaper in the student union there. They participated with a lot of the Princeton students playing with their basketball team. This morning, they were all back again. They are beginning to have a unity of family, I mean they feel something together.

They know after the street academy they are going to go to college. They know they are going to go to college. By the way, we don't let kids in street academies who obviously can't go. This is the thing that hurts us the most. Thirty percent of our society that should be in the hard-core retraining programs aren't because we are "creaming." We are slowly destroying a race with job retraining programs. We are taking the best and putting them into job retraining. And the real hard-core who should be put in the job situation are not being touched. Somebody who want to look good at the program level signs a contract with IBM. The 25 best go into job retraining, instead of postponing the job retraining until there is as much education as possible.

So from the street academy, they move into prep school, from prep school to college. But the thing is this kid used to drink wine on the stoop, and now he knows that the kid he used to drink wine with is out in California going to college and his other friend he used to get high with is now in prep school and two of his friends are in the street academy, and so now maybe he ought to get down with it, too. "Down" in the ghetto is up.

So a street academy is an educational experience that lasts three or four months that turns that kid's life around, and and starts the confidence. The greatest thing we can give these kids is their manhood, is theirselves.

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
1016 16TH STREET, N.W.
WASHINGTON, D. C. 20036

EXECUTIVE DIRECTOR

January 26, 1968

MEMORANDUM TO THE COMMISSION

Subject: Excerpts from Commission Hearings
on Social and Economic Programs

Enclosed are excerpts from testimony before the Commission in each of the principal program areas. We have found it helpful in refreshing our memory of programs recommended to us. We are also looking for quotes from the hearings to put into the program chapters.

D.G.

David Ginsburg
Executive Director

PROGRAM RECOMMENDATIONS
EXCERPTED FROM STATEMENTS
BY WITNESSES
BEFORE THE NATIONAL ADVISORY COMMISSION
ON CIVIL DISORDERS

This testimony was taken in executive session before the Commission. In some, but not all cases, witnesses have consented to public release of their remarks. Therefore some material which has not been publicly released is included here.

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JOB

Let me make my answer clear by saying I think we could without any question eliminate all under-employment in this country and possibly contribute to a quietness which isn't here if we were to do as they do in Japan which is to employ -- especially youngsters -- at almost nothing.

I am sure that we could meet the under-employment problem, get 100 per cent employment by going back to a 25 per cent minimum rate. I am setting up the problem in its extreme form.

We do in this country deliberately make a decision -- no question about it -- that it is important enough to maintain a minimum rate to require or to prohibit those low rates which would produce full employment but would at the same time reduce the same standard of living where we don't want to do it.

Willard Wirtz
Secretary of Labor
Washington, D.C.

I don't believe the country will consider reducing the minimum wage in order to meet any of the problems which face us just as a practical political matter.

Wirtz

This is extreme and there can be no compromise as far as I am concerned. I don't think a man can get a job over \$2.50 an hour with the threat of a riot. This element is a very, very, basic element in this situation.

Wirtz

JOB

What is so little realized is that we have a problem of coordination, integration not only at the federal level but also at the state and at the local level. It is hardly realized that part of this kind of revolution involved the establishment of a whole new set for better or worse of relationships between the federal government and the particular local government.

It is surprising there has not been more of this strain created as a result of that. We in the Department of Labor work through the state employment services and the state employment services would put it differently. They would say the Department of Labor is our banker but we are really in charge.

HEW works through the educational agencies, the vocational education agencies and the welfare agencies.

OEO works largely with this group of local organizations. It is that one which has presented most of the difficulties of the last two and a half years, they have been real and are still quite acute.

I think that as of today by virtue of a number of arrangements, which I will mention, and development only if there is interest that problem has been reduced to manageable proportions.

We have, for example, the concentrated employment program which involves a working arrangement which we make with particular areas, rural or urban based, on the concentration of unemployment in those areas.

Wirtz

JOB

Those programs involve our making one contract, one agency making one contract, a federal agency with local agency although we draw the funds from five different appropriations from all those I mentioned before. We have that now in a single package.

I mentioned one other which is a so-called CAMPS (Cooperative Area Manpower Program System). That involves setting up in each of the regions and areas of the country a quite specific organizational unit. Lines go directly to the Department of Labor and any other angles that have to be drawn on the federal level we take care of.

That program includes the federal, state and local agencies, all of them in the manpower area, and they are working out on a quite specific basis.

Wirtz

JOBS - EMPLOYMENT - MANPOWER

As we look at fiscal '68, the current plan is to put about 18 percent of the program dollars into the Concentrated Employment Program. And as we look to fiscal 1969, on current planning basis, we are talking about 50 to 60 percent of the program dollars being put into the Concentrated Employment Program concept.

Stanley H. Ruttenberg
Assistant Secretary of Labor
Manpower Administrator

Now, when I say concentrated employment program, I am talking about two things -- the concept and the delivery system, which is unique in my short experience in government. . . . I cannot help but say that one of the greatest difficulties, almost insurmountable problems, that I have seen in trying to operate in this area in the government is to take programs that are funded by the Congress, with separate authorizations and separate sets of specifications as to how the program is to operate, and fund them to different agencies of government and then try to pull together those various programs to hit the same target group at the same time in the same place. It is almost impossible.

Ruttenberg

Now, let me talk about still another program which I know Secretary Wirtz referred to when he was here. We experimented back in January of this year by putting out for bid to private employers a proposal, which said in effect: "We want you as a private employer to take hard-core unemployed, develop a training program for them -- whether it is orientation, whether it is basic education or occupational training -- develop a training program for them, find jobs for them in an on-the-job training contract with other employers -- not necessarily yourself, not necessarily the employer who sponsors the program -- and see to it that the individual, the hard-core individual who is taken in on one end comes out the other end as a good worker in the private economy.

Ruttenberg

It is important to look at this in terms of the real contribution which private industry can make to develop a program. And one might ask the question: Why not have the Concentrated Employment Program, Why not have private employers be responsible for operating the Concentrated Employment Program as well? I just throw that out as a suggestion.

Ruttenberg

The other thing I would like to mention is the model city program. In order to bring about coordination between the model city program and the manpower programs of the federal government, we have worked out an arrangement with the Department of HUD which says in effect that we will determine the cities and the areas the Concentrated Employment Programs will be put in in the next coming fiscal year on the basis of those model cities selected in the model city procedure, so that we avoid the problem of having a Concentrated Employment Program in community X when they do not have a model city program and vice versa.

We have agreed and worked out with HUD the policy that where there is a model city program, we will put a Concentrated Employment Program and we will work with those cities in developing a Concentrated Employment Program as part of their overall package.

We have done the same thing with the Economic Development Administration, the Department of Commerce, which administers the Public Works and Economic Development Act of 1965 --

Ruttenberg

We have another terribly important aspect of this whole problem, and that is upgrading the skills of people who are presently employed, because in many instances you will find the upgrading not taking place because of discriminatory practices against promoting and training the minorities who are currently employed as the unskilled or the semi-skilled workers.

So we have developed a program through our on-the-job training program of working with employers, to develop more and more upgrading on the job. Forty percent of our

on-the-job training program currently is with employers upgrading on-the-job. But every time we develop an upgrading contract with an employer, we simultaneously make arrangements for a proportion of unskilled, disadvantaged individuals to be hired in the starting grades as replacements for those who are promoted, who are upgraded.

Ruttenberg

Now, there is one other aspect of the program which I would like to mention, which is a departure from the general pattern, but it gets to the problem of minorities, it gets to the problem of construction, of journeymen, apprentices.

We decided some time ago that we were going to put these individuals in the position of proving their non-discrimination by providing them with the trained individuals, so that when they say, "We do not discriminate because there are not trained individuals," we say, "Here are trained individuals who we can give you now."

In order to do this, in order to carry on this program, we worked out an arrangement with various organizations, one of which is the Workers Defense League in New York; the Workers Defense, jointly with the A. Philip Randolph Foundation.

Then, in addition to doing it with the Workers Defense League in those areas, we have worked with the Urban League, for example, through their LEAP program in cities like Baltimore and Chicago. We have worked with the trade union leadership council in Detroit. We are now in the process of putting in this kind of program . . . where we get the minority community and the building trades industry together and agree in advance that they will help find Negro youngsters and help prepare and train them so they can be indentured as apprentices. We are working in 30 communities now developing similar kinds of programs. I think this is a step in the direction that will bring about integration faster than almost anything else, providing it is combined with what has been done, for example, in the City of Cleveland.

Ruttenberg

JOB

Instead of attempting to rationalize our feelings of guilt and omission concerning hardcore unemployed people, I would like to talk specifically to what we see as the positive thrust in the direction of fulfilling our total responsibility. By law we are obliged to serve all people who are able and willing to work, and as Frank and I have interpreted that it goes to the heart of the problem of reaching out to the hardcore unemployed and underemployed rather than sitting in an office somewhere waiting for people to come in looking for help.

This has been the thrust of what we call human resources development. HRD was designed to respond to the recommendations of the White House Conference on Civil Rights of June 1966, which pointed out the need for a national acceptance and implementation of this concept.

Charles H. Odell
Director
U.S. Employment Service

The basic ingredients of "Jobs Now", are first and foremost employment commitments of real, decent-paying jobs with the future in industry and in public service.

It is interesting and important to recognize that the "Jobs Now" concept has now been integrated as a part of the total human resources development effort in the Concentrated Employment Programs which I am sure Assistant Secretary Ruttenberg discussed with you this morning.

Odell

In our own programs, we have allocated approximately \$100 million in total funding for special effort in this direction, which we attempted to direct into the areas of greatest need by indicating to the states that they must go

to the rural pockets of poverty where these kinds of programs are needed on a much wider scale.

Odell

I am sure that Secretary Ruttenberg also described the attempt to work out with OEO and with the Housing and Urban Development Department and with other agencies in HEW a concerted effort which in effect establishes a central coordinating base for the funding of programs and for the linking up of programs to insure continuity of effort directed towards a common goal.

I am optimistic that this pattern of coordination, which is still in its infancy from the point of view of federal experience, does show the way, toward getting the "biggest bang for a buck" from limited federal resources.

Odell

The Employment Service, by design, is centrally involved as a recruitment selection and referral source for another new program which I am sure Secretary Ruttenberg also described, in which we have deliberately attempted to involve the private sector in providing training and employment opportunities for the hardcore unemployed. This is now going on in ten cities, and I hope it will stand up as a model on which we can build an extended program to accommodate the kind of thrust which was advocated by the White House in its announcement Monday, that a new Assistant Secretary of Commerce was being appointed in order to involve private employers in a significant way in providing training and job opportunities for hardcore unemployed people right in the neighborhoods where the problem is.

Odell

Our general effort has been to redirect our program to the disadvantaged and we are still in the process of this redirection. It would be presumptuous to assume that we have achieved our goal. But we are attempting to redirect more and more of our total resources in order to focus and to target in on the hardcore unemployed.

But it seems to me that the key to the ultimate success of our effort will be the degree to which we can convince employers, both in the public and private

sectors to take a bigger piece of the action; and for the government to innovate in providing new ways of funding and supporting such efforts by employers, and to build into our basic system a series of holding actions in the public sector which are designed not only to provide income, but are also designed to provide meaningful training and increased employability.

Odell

It seems to me that we must look realistically at our commitment from the point of view of dollars, from the point of view of resources invested in this effort. I would suggest that if it was worthwhile to spend the equivalent of one year's national defense budget on foreign aid and other kinds of support, to save the Free World in the aftermath of World War II, that maybe an investment of comparable size is worthwhile over a period of four or five years to save ourselves from destruction from inner rot, decay, and what Eric Sev Reid called "the termite-ridden core of our American cities."

Odell

JOB

"The first day of next summer is now."

I am going to address myself to what we can do now -- in the next few months, rather than the long range.

Frank H. Cassell
Assistant Vice President
Inland Steel Co.
formerly Director
U. S. Employment Service

I would like to suggest, as a matter of practical procedure, that the governors of each of the states turn at once to their Employment Services and to their Bureaus of Employment Security, and direct that these things be done now.

First, that the Employment Service in every state eradicate any vestige of discrimination that may exist in the ranks of the Employment Service.

Second, that as governor of his state, he involve employers ever more strongly with his Employment Service, in the employment of the disadvantages.

Third, that he take advantage of the Cooperative Area Manpower Planning System (CAMPS), which Secretary Ruttenberg may have discussed with you earlier today. It is an excellent planning device which is available to the states to strengthen and concentrate efforts and money in the slums and the ghettos, both rural and urban, and enhance the Human Resources Development Program about which Mr. Odell was speaking. The second recommendation is that the governor of each state assign task forces to assure that minority group employees are being given equal opportunity in all state agencies and to develop the means for recruiting and promoting qualified persons.

The governor of the state has the prestige and the respect that is so necessary in providing the personal leadership to bring businessmen behind these programs, and to assure that planning starts now, not next May. This is crucially important in opening up job opportunity for the disadvantaged.

Cassell

I suggest an assessment be made at once of job needs for the 13 to 15-year-olds, and the 16 to 18-year-olds, and the 18 and over. I must confess that I felt a little queer and a little behind the times one day last summer when we were besieged over at the Smithsonian Institution by a large number of youths who wanted summer jobs, and after a lot of chatter by a very big audience, one little kid got up and said, "What have you got for thirteen-year-olds?"

Some people may recoil from jobs for 13-year-olds, such as cleaning up their neighborhoods, but until communities tool up their schools for year-round educational and recreational efforts, some means has to be found to put human energies to work constructively.

Cassell

So this is why we should be planning for next summer now; jobs, schools, and recreation.

Each community should now develop an inventory of its summer job resources, both public and private, and the resources could include the Concentrated Employment Program which Mr. Odell talked about, the Neighborhood Youth Corps, other resources which might come from the model city program and from private employers.

Cassell

I should like to see the Plans for Progress companies encouraged to reach beyond the meetings they have been holding, which have been productive:

- a) to the development of training programs for foremen and managers and personnel people in the recruitment, training and management of the disadvantaged employee to increase their "job holding power"
- b) to involvement of the Plans for Progress companies in the Concentrated Employment Program, and

- c) enlargement of their activities to include the hundreds of thousands of companies untouched by these programs.

Much greater effort should be made to involve the National Association of Manufacturers, United States Chamber of Commerce, and the American Management Association in similar efforts.

Cassell

The Employment Service must continue to work with the Equal Opportunity Commission to eliminate bias in testing. I want to point out that the object of testing is to screen people into the system instead of screening them out of the system.

Certainly we have the job -- the Employment Service has a very difficult task here, and that is persuading employers to eliminate artificial standards of employment.

I suggest further that we continue to encourage as strongly as we can the promotion of qualified members of minority groups to policy positions in the United States Employment Service. We did this in the last 18 months. I am not satisfied that we did enough, and did it well enough.

Cassell

In summation I would, ideally, like to see one more program -- not a new program, but one giant consolidated effort on the parts of programs with the capabilities of the three that I have mentioned, coupled with a movement of industry into the ghetto area.

If, for instance, programs like H.R.D. can go into the streets, recruit and orient job applicants, educate employers to ghetto-life styles, channel those who need remedial education and certain basic skills to skills centers, send others to M.D.T. - O.J.T. with corporations like Whittaker, we could see some immediate and lasting impact on ghetto unemployment.

Let me not be misunderstood: At best the programs I have talked about, as they now stand, can only keep pace with the problem.

I personally know four high schools that annually graduate enough potential hard core to keep any one program busy, not to mention their drop-outs. I am talking about scale, numbers, an army of people in training. All of this, however, must be realistically funded; perhaps initially it should be overly funded. Returns on such an investment are in human lives.

Excerpts from the statement by Truman M. Jacques, New Careers Training Officer of the Watts Concentrated Employment Program, California State Employment Service, Los Angeles, to the National Advisory Commission on Civil Disorders on October 7, 1967.

JOBS

The situation is that every time there has been an increase in the minimum wage law it has been on an up-cycle in the economy with this result as far as the evidence goes. It shows wherever there has been an increase in the minimum wage law there has also been an increase in employment in the marginal industries.

All I am saying, there is no evidence to support the other proposition that causes the reduction
[Hon. W. Willard Wirtz, Secretary of Labor]

Well, I do have the feeling and I think it is shared generally in manpower circles that there are people who, given what we know today, will not be able to effectively perform in the competitive employment arena. That is one piece of the problem. I think it is also generally agreed today that the largest segment of need for manpower is probably in the public service arena, and that in all probability, if we are really going to make a dent in the -- if we are really going to provide jobs for all of those people who need the opportunity to work, we are going to have to find a way to make available the resources to the public service arena.

Now, to the extent that providing those resources to the public service arena means the Government becoming the employer of last resort, then I would have to support that notion. I am not certain as of this point in time whether I support the notion of the Federal Government being the employer of last resort. That is completely different from the Federal Government providing the resources for this purpose.

[Mark Battle, Administrator
U. S. Department of Labor
Bureau of Work Programs]

The simple fact is that present federal policy has not been adequate to get at the practices of discrimination which exist. One of the things we can do is to change our policies and change the way we implement them to make the obligations of the Executive Order on employment and our regulations run directly to unions. What we find now is that when we go into a community and try to determine why the Executive Order isn't working as well as it should, we find ourselves in effect, on a merry-go-round. "The obligations run to the employer," the employer says. "I would like to help, but I cannot get the union to do anything." Even when government tries to make the obligations specific it often comes back to the restrictions on entry into the trade, to the union hiring hall.

William L. Taylor, Staff Director, United States Civil Rights Commission, Before the National Advisory Commission on Civil Disorders, on Oct 6, 1967

Secondly, there is really no effective policy to guarantee equal opportunity in the field of public employment. I am talking particularly here about state and local employment. This is of great importance, since this is the fastest growing field of employment opportunity. And it is important also because the lack of participation by Negroes and members of other minority groups helps to contribute to this whole feeling of no confidence in government, and it also has some contributing effect upon the discriminatory way programs sometimes are administered in many agencies, state and local.

It is ironic that we have placed obligations on private employers, but we have exempted public employers where the obligations of the 14th Amendment run most directly. This is probably based on some notion of comity or deference to the states.

William L. Taylor

The third aspect of the employment problem is the inadequacy of present training programs. There is a clear inadequacy in terms of the number of people who need training and the kind of training they need.

William L. Taylor

. . . Basically, as I understand it, you wanted me to discuss the problem of industry moving out of the central city, how we think we might change that trend and perhaps bring some of the jobs to where the people are.

We have had some experience with this in the San Fernando Valley. An enterprising man named Mr. Oscar L. Paris started an industrial park in Pacoima on 37 acres. The land was relatively clear, so this was not the usual problem we have in the heart of the city. By very low down payments on a long-term basis, he was able to attract diversified industry to the area.

All in all, here was a diversified group of industries, related to each other not through ownership but by being part of this industrial park. The interesting thing about the whole project is that about 50 percent of the people employed are from the area and are minority people. The companies, on a purely competitive basis, have been able to give these people on-the-job training and to start them sometimes at rather menial jobs, develop their talents and then upgrade them to better jobs. I went through the assembly line and watched them assembling, for instance, these hi-fi units. Some of these people were doing skillful jobs, people who originally were able only to screw a nut on a bolt.

Honorable Sam W. Yorty, Mayor of Los Angeles, before the National Advisory Commission on Civil Disorders on October 23, 1967

So this is really, I think, a rather complete answer to the people who say that the hard-core unemployed in the areas where they are locked in don't want to work.

Now, it seems to me that basically -- I always get back to the same theme and when you read my statement you will find my testimony before the Ribicoff Committee in which I said the same thing I am saying to you today -- we have to tackle the problem of the hard-core unemployed. I think a lot of other problems would be solved if the unemployed had jobs. I don't think that many of the people

who operate successfully in our free economy realize that the continued existence of a free enterprise system may depend upon bringing the hard-core unemployed into the system. If you tell a man who is willing to work, "There is no job for you; you don't have the skill; we are sorry, there are jobs but you can't do them, and so you can go on relief," you are not only degrading him but you are locking him out of our economy.

He isn't any part of the great profitable American economy. He isn't in it. He doesn't share in it, and yet he reads the same advertisements about all the things that everybody ought to buy. Obviously he can easily be persuaded to say of the free enterprise system, "What good is it?" It certainly is no good to him. He is in a permanent depression. He is outside a wall.

So I think that eventually facts are going to force us to provide employment for every person who is willing to work, and if they can't be provided with employment in the private sector, I think they ought to be employed immediately in the public sector. If nothing else, they ought to be in training for jobs in the private sector, so that at all times you assure people who want jobs of the opportunity to work and support themselves and their families.

Yorty

I have been trying for years, and Congressman Hawkins who represents part of the South Central District, has been trying, to get the federal government to break down the areas and make less than the total area eligible for public-works grants if they have a chronic unemployment over six percent. We must break them down, because a part of South Central Los Angeles is bigger by itself than some of the other areas of the country which can qualify. But we are constantly told we don't qualify for the 50 percent matching grants because our overall employment picture is, and we think will continue to be, good.

We have a problem in Los Angeles that many cities don't have, of course. As you know, we have a growth factor. The city of Los Angeles itself is still growing a 1000 persons a week. The people just come pouring in,

and they come, as you know, many times without skills and without means and without any way of getting quickly adjusted to urban life. So we have to run pretty fast to keep even.

But we badly need a way to put people to work in private industry or in the public sector or in training.

Now, one of the things that should be done ^{YORTY} is to change the State Department of Employment -- and now I can only speak about California because I don't know how the employment services operate in other states -- so that instead of just being a place where people go and register for a job and employers call down and state what kinds of jobs they have, it should be changed into a real personnel manpower development and training agency where, by computerization, you could keep track of all facts, all of the jobs available and all the people who want jobs. If they don't match the jobs, then it should be prepared to provide training for applicants. I think there may be something in this suggestion you may want to explore. There is the possibility of making the department not an employment agency but a real coordinating agency for finding job opportunities for training and placement.

Now, I wouldn't be surprised if some other states do this. You would know more about that than I, because my experience in this field is limited to California. . . .

Yorty

JOB

The second major cause is unemployment, because it furnishes the bulk of the shock troops. Government figures reveal that the rate of unemployment for Negroes runs as high as 15 percent in some cities and for youth up to 30 and 40 percent. It is not accidental that the major actors in all the outbreaks were the youth, with most of their lives yet to live. The slamming of doors in their faces could be expected to induce rage and rebellion. This is especially true when a boastful nation, while neglecting them, gloats over its wealth, power and world preeminence. Yet, almost 40 percent of Negro youth waste their barren lives standing on street corners.

Dr. Martin Luther King, Jr.
President, Southern Christian
Leadership Conference (SCLC)

Negroes must not only have the right to go into any establishment open to the public but they must also be absorbed into our economic system in such a manner that they can afford to exercise that right. The struggle for rights is at bottom a struggle for opportunities. In asking for something special the Negro is not seeking charity. He does not want to languish on welfare rolls any more than the next man. It may be true that there are some who have lost motivation. One cannot exist in a situation with a legacy of slavery and segregation without some becoming pathological in the process but I would say the vast majority are desirous of working. They do not want to be given a job they cannot handle. Neither, however, do they want to be told that there is no place where they can be trained to handle it. So with equal opportunity must come the practical realistic aid which will equip the Negro to seize the opportunity.

Dr. King

The National Urban League in an excellent statement, has underlined the fact that we find nothing strange about Marshall Plan and technical assistance to handicapped peoples around the world. It is suggested that we can do no less for our handicapped multitudes. Throughout history we have adhered to this principle. It was

the principle behind land grants to farmers who fought in the Revolutionary Army. It was inherent in the establishment of the child labor laws, social security, unemployment compensation, manpower retraining programs, and countless other measures that the Nation accepted as logical and moral. During World War II our fighting men were deprived of certain advantages and opportunities. To make up for this, they were given a package of veterans rights significantly called a Bill of Rights.

Dr. King

I am proposing, therefore, that just as we granted a GI Bill of Rights to war veterans, American launch a broad based and gigantic bill of rights for the disadvantaged, our veterans of the long siege of denial.

Such a bill could adopt almost every concession given to the returning soldier without imposing an undue burden on our economy. A bill of rights for the disadvantaged would immediately transform the conditions of Negro life. The most profound alteration would not reside so much in the specific grants as in the basic psychological and motivational transformation of the Negro. I would challenge skeptics to give such a bold new approach a test for the next decade. I contend that the decline in school dropouts, family breakups, crime rates, illegitimacy, swollen relief rolls and often social evils would stagger the imagination. Change in human psychology is normally a slow process, but it is safe to predict that when a people is ready for change as the Negro has shown himself ready today, the response is bound to be rapid and constructive.

Dr. King

While Negroes form the vast majority of Americans disadvantaged, there are millions of white poor who would also benefit from such a bill. The moral justification for special measures for Negroes is rooted in the robberies inherent in the institution of slavery.

Many poor whites, however, were the derivative victims of slavery. As long as labor was cheapened by the involuntary servitude of the black man, the freedom of white labor, especially in the south, was little more than a myth. It was free only to bargain from the depressed

base imposed by slavery upon the whole labor market. Nor did this derivative bondage end when formal slavery gave way to the de facto slavery of discrimination. To this day the white poor also suffer deprivation and the humiliation of poverty if not of color. They are chained by the weight of discrimination, though its badge of degradation does not mark them. It corrupts their lives, frustrates their opportunities and withers their education. In one sense it is more evil for them because it has confused so many by prejudice that they have supported their own oppressors. It is a simple matter of justice that America in dealing creatively with the task of raising the Negro from backwardness should also be rescuing a large stratum of the forgotten white poor. A bill of rights for the disadvantaged would mark the rise of a new era in which the full resources of the society would be used to attack the tenacious poverty which so paradoxically exists in the midst of plenty.

Dr. King

JOBS

The strategy must be a long-range program, aiming toward the achievement of economic and political equality for all peoples in America, and this requires three kinds of goals. One is an effective anti-poverty program which provides decent jobs and successful job-training, decent and dignified incomes for those who cannot work, and improved schools and other municipal services to the poor.

Herbert J. Gans, Senior Research Associate
Center for Urban Education and Adjunct
Professor of Sociology and Education,
Teachers College, Columbia University.

First, the most important is a program of job creation, for the employed and particularly the under-employed, the people in the worst jobs. Government should be the employer of last resort, but government funds and government risk insurance should be provided to enable both government and private enterprise to create many new but decent jobs for the employed and underemployed. One source of jobs is an urban and suburban public works program.

Second, a massive federal job training grant program is needed to fill the jobs that are now unfilled, particularly the skilled jobs, and to fill them from both the poor and the not-so-affluent people who want better jobs. Job-training programs are already under way, but much remains to be done, and to be learned.

Gans

Third, the federal government must press for the extension of minimum wage legislation to all workers, and for the raising of the minimum wage above the poverty level, so that every breadwinner can support his family adequately. This will result in the elimination of many jobs, particularly the dirty ones which ought to be automated anyway. This requires appropriate government job creation activities to replace the jobs which disappear.

Fourth, the government must increase and lengthen unemployment compensation, through government, employer and employee participation in the program, and it must liberalize eligibility, so that unemployed men can support their families, and need not desert.

Gans

Frankly, high school has written off 80 percent of the kids. If they aren't in their college-bound program, 80 percent are trained for nothing. We want to get right into that 80 percent and organize it, mobilize it, using unused wasted efforts, Neighborhood Youth Corps, to begin to really give these kids job structures that will change their whole school.

Excerpts from statement by Harold Oostdyk
Director, Education Department, New York
Urban League, before the National Advisory
Commission on Civil Disorders on Nov 2, 1967

Now, as you know, Mr. McNamara has a special project whereby he is inducting into the armed services 100 thousand poorly-educated persons and training them.

Gans

The single most potent institution in the United States which is able to give people a second chance is the military establishment. Because of the Vietnam War, I do not want to suggest that we put people in the armed forces to socialize them for peace. But basically, this is our most potent training mechanism.

Gans

Our research group at Columbia did a study on what the armed services had succeeded in doing in World War II, to the end of socializing, educating and providing basic skills for hundreds of thousands of illiterate poor whites and Negroes.

There is no effort that the United States has ever made of comparable delivery. And if we would ever get finished with the shooting in Vietnam, I would be more willing to go back and suggest further expansion of that system.

Gans

There are now about eight million jobs in public employment in the United States, outside of the military, which if included would bring the number to over 11 million. So there are plenty of jobs that could be significantly affected by moving to moderate hiring standards.

Gans

You talk about, for example, the large number of black people who are unemployed, who are unskilled. Of course, I remember that during World War II we trained a whole work force in a very short time. Now, if we wanted to do that, we could train a whole work force in a very short time, employing the black people of America.

Gans

JOBS

It is important that these factors are understood by the Commission, which is concerned with riots. There may be civil disorders because there are no jobs for people who need and want jobs. In addition, there may be civil disorders because the jobs that are available are poor jobs. Or there may be civil disorders because people have good jobs, but cannot take advantage of the incomes and the quality of life that ought to be a function of these good jobs.

I notice that a fair number of the people who are picked up by the police after riots are not people who have no jobs, and not people with poor jobs, but people with good jobs. The problem we face in the United States at the moment is the total position of the Negro within American society, of which employment is an important dimension. Even if, tomorrow, the government were to establish a large WPA program along the lines that Senator Clark suggested, I do not believe that that would substantially moderate riots, even though I am in favor of making sure that there are jobs for everybody able and willing to work.

Excerpts from statement by Dr. Eli Ginzberg, Hepburn Professor of Economics, Columbia University; Chairman, National Manpower Advisory Committee, and author of numerous books on manpower and human resources, to the National Advisory Commission on Civil Disorders on October 7, 1967

If we look at this in perspective, we may ask, "Why should this be such a bad problem in the year 1967?" The point is that we used to have many more poor Negroes, with much less opportunity to find work, but we used to hide them out on Southern farms.

Ginzberg

There is, then, a chronic shortage of jobs, in the places where the people now are. This is inherent in the kind of economy that we run.

Ginzberg

The second point is that manpower is the only resource which we spend 15 to 20 years developing before it becomes available for the marketplace. If you hold people in the miserable parts of town, in the miserable housing, miserable schools, it will lead to what was suggested by a book put out in Senator Brooke's state about the Boston schools. . . .

Ginzberg

Now, a third factor grows out of the deep discrimination on the part of whites, not with respect to employment -- that is mild -- but with respect to housing. The whites have escaped from the central city and have carried a large number of jobs with them, jobs that Negroes normally would have performed, a large number of service jobs, a large number of jobs in the retail business. The suburbs are strongly discriminatory against the Negro, and the middle-class white women have become the competitors of the Negroes for these jobs since they comprise the new labor force in part in the suburbs. In addition, American manufacturers have moved to the outer rings, where warehousing has moved for transportation reasons; again, these are jobs that Negroes normally would have had.

Ginzberg

In general, Senator Clark was on the right track when he said that we should not continue to think of training programs without thinking about the shortfall in jobs that exist. Important as the training dimension is, it is no use to have a training dimension that is not closely linked with an employment opportunity. And as I read the situation in the United States, for reasons of inflationary pressures and otherwise, we are short on the employment side, and I would like to see public employment offered and linked closely with training.

Ginzberg

Much more ought to be done in the public employment arena. In San Francisco, the federal government convinced the Postmaster to hire some people outside of Civil Service, to put them on the employment rolls for a year. And most of the people performed very well. Then he gave them the examination, and they flunked a second time.

Ginzberg

JOBS

We have gone through job recruiting programs. We stopped a Department of Labor program at Douglas Aircraft a month after the riots which was to import some 1600 aircraft assemblers from New York -- we called them the Brooklyn braceros -- in order to take jobs in Long Beach, California; which people in Watts and East Los Angeles and the poverty communities could have done easily, because these were the people called upon during World War II for this kind of work. But the Department of Labor was willing to spend \$3 million and worked with the Douglas Aircraft Company in carrying on this project.

We focused in on it. We tried to talk to our friends about it -- Secretary Wirtz and Governor Brown. They did not stop the program. So we finally had to go on a public campaign to stop it. And we did.

Then we began recruiting in Watts and East Los Angeles among Mexican-Americans, in order to get people in the training programs and the jobs, building the DC-8's and 9's.
Paul Schrade, Director of Western
Region Six, United Auto Workers, Before
The National Advisory Commission on
Civil Disorders, October 7, 1967

So again I would say to you that the way that we can create change in this nation is by building community unions. I think that the government can help to some degree in this by subsidizing programs that we have and some different programs as well. But I think the main thrust for community organization has to come from unions such as the UAW and other unions that are participating in this program, because we have the experience, the background, and can help. But it ought to be on the basis that the organizations we create are independent to the degree that the people want independence. These organizations have to determine their own course of action, their own programs, and be in a position to make decisions that go to their own problems, and not problems that we think ought to be taken care of. And this is the way we operate in Watts and Delano.

Schrade

Because I believe that family instability contributes to hard-core unemployment, contributes to the vicious life style of the Negro, I think that efforts should be made to stabilize the family, namely, by making the impact that the federal government has on the ghetto a beneficial impact.

But we have to address ourselves to these causes, and I think the remedy is the one I have outlined, namely, the guaranteed annual income.

J. Stanley Sanders, a Rhodes Scholar and third-year law school student at Yale University who lives in Watts and directed a job-training program there last summer, before the National Advisory Commission on Civil Disorders on September 21, 1967

We have also gone through a long series of gimmicky programs because of our impatience for instant success. For instance, every June, the summer creeps up on us un-awares, and we discover that we are shutting down billions of dollars worth of school plants and turning the kids and teachers loose to compete for jobs and for something to do -- so we put together a spur-of-the-moment campaign each summer to get them employed. Despite the considerable publicity, I would suggest to you that there is no evidence that, outside of those jobs specifically paid for by the government through Neighborhood Youth Corps and the Civil Service, there has been one more person employed than there would otherwise have been. It is possible that youth got jobs adults would have, but even that is doubtful.

Dr. Garth L. Mangum, Research Professor of Economics George Washington University, to the National Advisory Commission on Civil Disorders on October 7, 1967

Another example is the recent White House announcement of a new \$40 million program to solve the unemployment problem through the involvement of private industry. It has only been a few months ago when the Concentrated Employment Program was announced. It was going to do exactly the same thing with a \$100 million price tag. I think the Concentrated Employment Program will turn out to be useful. But it will be because the expectations have changed considerably and become more realistic in the six months between the time of the original announcement and now. With some experience, it is more apparent what can be accomplished and what cannot be.

Mangum

We have a tendency to grab programs that worked good in an area and spread them nationally without ever asking why they worked in the first place until we find they aren't working elsewhere. Take for instance the "Jobs Now" program in your own home town, Governor Kerner. It had four years of experience, a carefully developed staff and the long-term involvement of private industry through the YMCA. It worked reasonably well. That is, it had about a one-third success rate which was pretty good considering the population they were dealing with. But suddenly it was decided that here was a universal answer which could be immediately spread around the entire country without all those years of preparation, the careful nurturing of staff, the industry contacts and all the rest.

Mangum

The complex interrelationships with transportation and housing and the need for one-stop shopping centers for services, rather than expect the disadvantaged to go hopping all over the city, trying to find all the services they need, are other lessons. We have also learned that there is a place for what has come to be known as the "employer-of-last-resort" type program. No matter how much we do through general increases in the demand for labor and through

remedial programs, there will still be some people left over, and the only way we are ever going to help them is to have some type of public employment or subsidized private employment as a floor to guarantee jobs, income and experience.

Mangum

We have learned, if we are going to have successful remedial skill training, we cannot keep to the leisurely practices of traditional in-school vocational education. The training must be specifically job-oriented training to get people through and into a job as rapidly as possible. We have learned that there is a process of job development where, rather than trying to fit people to jobs, we try to fit jobs to the people. We have learned that for some people, we must subsidize their employment in private industry. . . . I think this is very important. These are people that the employer is not going to take on his own hook. Now we can say to him, "We will help you with some of the costs of hiring people who you otherwise would not hire, and we will call it reimbursement for training costs."

Mangum

I think the most important accomplishment of the manpower and antipoverty program is identification of a lot of the services that are going to be needed if we do anything successfully for the disadvantaged. We have learned, for instance, that there is such a thing as outreach. You cannot wait for people to walk into a service-rendering institution asking for services. You have to go where they are, hunt them out and motivate them and convince them they should come in for services. We have learned of the massive need for remedial education and have some experience now in giving remedial basic education to adults.

Mangum

I must express some optimism. Having been involved in the first recommendation of the Clark Committee in 1963 that we have a job-creation program, and with the Automation Commission when we recommend the same "government as employer-of-last-resort" approach again in 1965, I think that the public support and the vote on the Clark proposal was a very hopeful one, rather than a discouraging one.

But I do believe that only through direct public employment or through subsidized private employment can we get at this problem fast. This is admittedly a temporary expedient. The "employer of last resort" ought to be last resort for the government as well as for the individual. But that floor ought to be there.

I do not advocate this as simply a solution to riots, however. Many frustrations enter into that problem. Every community has its hoodlum element which is held in check by the commitment of the majority to law and order. When the majority in a community begin to feel they have no stake in the larger society, that restraint is gone, and the only alternatives are a rebuilding of that commitment or the concentration camp. I believe we ought to be thinking about how do we stop the riots of 1972, because I doubt if there is much of anything that anybody can do about the riots of 1968. They are pretty much already built in.

Mangum

JOB

Years ago my teacher used to tell me that the idle brain is the devil's workshop and even the wildest risk may seem logical in catering to physical as well as psychological relief. Well, I was an idle brain in a small town in East Tennessee where there were just a few idle brains but today the idle brains are congested in our cities, on the street corners, and I submit that these are the devil's workshops.

Dr. Vivian Henderson, Economist and Educator
President of Clark College, Atlanta, Georgia,
before the National Advisory Commission on
Civil Disorders, September 13, 1967

There are three dimensions of unused manpower of interest here and to which I shall devote a brief analysis. The first is unemployment. I will deal with that very quickly. The next is non-participation or those not in the labor force, and I want to remind you that as previously indicated, these are persons in the working age population who are neither employed nor are they looking for work. These include, for example, the discouraged worker who believes no work is available for him, as well as those who have ceased to actively seek work. And the third dimension is underemployment.

Henderson

The 1967 manpower report of the President came out in March of this year, or April, I have forgotten which. It indicates this -- and I think it is important particularly for our young people for it is the young I believe we need to have a great deal of concern about. It indicates that as things stand now, Negro workers, especially younger ones, have more education than they need for the jobs they can get. So when people tell me that Negroes "ain't ready" for the jobs that are there, I cite the data to show that they are more ready than for the jobs they can get. And when you take a young Negro high school graduate or one year of college and tell him the only thing he can get is a job in some person's kitchen or sweeping a floor, even though I believe everybody ought to work at an honest job regardless of what it is, I don't blame him sometimes for not taking it if that is the only thing he can compete for.

Henderson

The point to be made with these data is that this imbalance in the occupational structure of the Negro labor force, it is this imbalance that permeates and perpetuates job insecurity among Negroes. It is an occupational structure that doesn't respond effectively to technological change. It also means vulnerability to cyclical fluctuations and unemployment. Concentration in lower occupations, higher unemployment rates, also means that Negroes experience greater difficulty breaking out of poverty than whites.

Henderson

Unemployment among Negro teenagers stays 2-1/2 to three times that for whites. About one out of every three Negro teenage males and females looking for a job can't find one.

What I am trying to say, these teenagers very early in the game are marked as losers, and I wonder what kind of society we really project for these people who can never find their way into the labor force and those who do go out and actively seek employment and can't find jobs. And when you start thinking about the fact that one-third to two-fifths of all the persons of the working age population in these concentrated areas are out of work, out of the labor force, and fit into this sub-employment index, I think we can understand part of the powder keg that goes with idleness, you see. . . .

Henderson

JOBBS

It is not my contention that all employers have eliminated discrimination from their employment practices. It is my opinion, however, that most employers, particularly the larger firms, will willingly participate in the recruitment of the disadvantaged under a sound plan and will cooperate fully with any government agency which helps make this recruitment possible. Fortunately, there are more jobs today than we can fill. Obviously this is one of the reasons why we have a special opportunity now to upgrade those who need it in order to enable them to fill an open job even though they have been denied in the past.

Statement of H. C. McClellan, President,
The Management Council For Merit Employment,
Training and Research; formerly, President
and Chairman of the Board, Old Colony Paint
and Chemical Company, before the National
Advisory Commission on Civil Disorders,
October 7, 1967

This brings us to the problem of training which deserves comment. Certain levels of training simply must be conducted prior to placing a man or woman on the production line in any company. It simply is not practical to put a man on a job before he is ready only to slow down production and perhaps to disrupt the morale in the plant. Little is gained. The man himself is not well served under such circumstances. Furthermore, when his deficiencies become obvious and he is dismissed he is likely to be worse off than before he was hired.

McClellan

If this in fact is the problem I would like to discuss briefly my idea of industry's part in solving it. It seems very obvious that if it is our purpose to improve the lot of the Negro we must begin by providing a job opportunity for him. Certainly there is not very much you can do about a man's attitude toward society if he does not even have a chance to earn a living for himself and his family. Since industry has most of the jobs to offer their role in this is clear.

McClellan

Nor is it practical in many cases to place an adult school drop-out back into the atmosphere of the grade school or even the high school. Frequently he won't even accept it. He is unwilling to return to that kind of educational training. On the other hand, he is willing to attend an adult vocational school which is designed to serve his kind of problem and which, if properly operated, will prepare him to fill an open job within a reasonable period of training. He will also attend a skill center which, while somewhat different from the usual vocational school, has similar purposes.

McClellan

The federally-financed State Employment Services, in our area at least, perform admirably in the role of the screening agency. Their offices are located in the disadvantaged residential areas where many applications are filed and where excellent screening process takes place. Those who are ready for job entry are referred to employers; those who are clearly in need of pre-vocational training or minimum skill development are sent to vocational schools or skill centers prior to being sent to the employer.

This process minimizes the frustration, disenchantment and disbelief which would be created if large numbers of the disadvantaged were sent to the employer for a job before they had any chance of being hired. Too many of our federally-financed programs, thus far, have seemingly failed to take note of the fact that industry has requirements which simply must be met if satisfactory employees are to be found in the disadvantaged areas. These minimum standards are attainable with reasonable training facilities being provided. On the other hand, it simply is not practical to take a hard core, unskilled, inexperienced, unmotivated, disadvantaged citizen off the streets and after brief counseling place him on the production line in a factory.

McClellan

The Management Council, which I head, is presently in touch with more than 1200 employers in our area. Most of these are cooperating fully in the recruitment of the disadvantaged under the plan I have described. This includes recruitment from the Mexican-American communities as well as from the Negro sections in our South City and in Pacoima, located in the San Fernando Valley.

In summary, the three fundamentals to which industry should address itself are -- coordinating with existing government agencies designed to assist in the recruitment of the qualified candidates for jobs, the development of improved communication with the people in the disadvantaged areas, and the further development of the kinds of training needed to raise the standards of those who are deficient to the point where they can fill an open job successfully.

McClellan

JOBS

One of our most dramatic success stories is our job placement service for inner-city high school graduates. Of last June's graduating class from the seven inner-city high schools, we have placed on permanent jobs 96 percent of those who wished to work. Previously, it was around 25 percent. The cooperation of Cleveland business and industry in this project has been great.

Dr. Paul Briggs
Superintendent, Public Schools
Cleveland, Ohio

Some of the kinds of programs we need include:

Rehabilitation opportunities for the dropout and the potential dropout.

New partnership with industry as we reclaim the dropout and prepare him for today's jobs and tomorrow's.

Expanded follow-up for the graduate.

Adult education classes to combat illiteracy and to update job skills.

Modern management techniques extended to the operation of our schools. New programs for higher education to train teachers for the city. The master teacher has got to be found in the ghetto school.

While the schools of the inner city must be improved, there must also be simultaneous massive action on other fronts: New jobs must be created, and all citizens must have unhampered access to them.

Plans for on-the-job advancement for minority group workers must be accentuated.

The concept of the Plans for Progress must be more widely accepted and more fully implemented.

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JOB

I just want to say one thing more, and that is with regard to employment. Do you know there is a plant in Milwaukee that receives Federal funds, federal contracts. It is smack in the middle of the black community, and every day it is rather interesting to watch this army of white people come into the black community, work in this plant all day, and every night this army of white people leaves this plant in the black community. It receives federal contracts.

You know what that plant did when that neighborhood had a change from white to black? It took its employment office, which was right smack in the middle of the black community at this time, and moved it five miles away, from Teutonia Center, it moved it all the way up to 124th and Burli. . . and I think one of the things this Committee (should do) is stop federal funds, educationwise, urban-developmentwise, federal-contractwise, with those companies and those cities that are promoting segregation.

The Rev. James Groppi
Milwaukee NAACP Youth Council

The present dilemma we face is that the hard-core unemployed or underemployed can be denied employment (except in the traditional occupations) without anyone practicing . . . discrimination on racial grounds, not at least in any sense which brings the action within the purview of existing legislation. In a basic sense, the hard-core person is placed at a disadvantage by the normal operation of the business and governmental system, without regard for racial considerations at all. The burdens he carries may well be the result of discrimination, past or present, overt or subtle. Yet the employer is not discriminating: he is applying uniform standards to all job applicants.

Dr. Paul Bullock
University of California

In order to keep people in the South, we are going to have to create lots of jobs quickly and this means jobs for people where they are. This has to be through public works, this has got to be through opening up those jobs which are now discriminatorily closed to the Negro and the poor, in our state and federal agencies. For those who cannot get jobs and are basically unemployable, because in places like Mississippi we have lost the young, and have the old, mostly women -- we are going to have to talk realistically about better welfare.

Miss Marian Wright, Legal Director of the Office of the NAACP Legal Defense and Education Fund in Jackson, Mississippi, before the National Advisory Commission on Civil Disorders, October 6, 1967

EDUCATION

It is extremely difficult to do that now, though we are attempting to improve the situation. Within the Office of Education, we are trying to find better ways to bring together in one package programs that are related to each other but which originate in different laws, and at the same time we are working with some cities (and Mr. Smith can tell you about some of his experiences in Detroit in this regard) to encourage them to incorporate their proposals into a single package in this same fashion.

Harold Howe II
U.S. Commissioner
Office of Education

Let me mention just one or two other items. One of the reasons that young people in the central city are shortchanged in their education is that they are not exposed to the most effective teaching staff of the schools. There is a higher turnover of teachers in the central city schools, and by and large, there is a smaller proportion of the more experienced and more capable teachers.

Howe

Many teachers find the inner-city school to be a traumatic experience and quickly leave, a fact which suggests that there is an element in teacher training that is pretty much lacking. We have endeavored to get at this situation through the Teacher Corps, a small Federal program that needs to be much expanded if it is going to accomplish its purpose. At present, the Teacher Corps is really only a demonstration enterprise. It is controversial in the Congress and I don't know that we will be able to expand it. One way or another, however, we have to find a way to hook teacher training to the realities of teaching in the central city. This is not now the general practice, although there are some outstanding examples of places where it has been done.

Howe

Secondly, under this same heading, I think that the teachers' organizations in making agreements with school boards tend to insist on seniority arrangements that pull the best teachers away from the youngsters who need them most. I think we need to challenge teachers' organizations to take more responsibility for that situation than they have in the past.

Howe

I suspect that a great deal more can be done with city schools during the summer. While the use of the city schools during the summer has grown, it has not grown nearly enough. Federal funding would seem to me to have a special role to play in extending the service of the school in this manner, and I would hope that working together we may find a way to bring some special Federal funding to bear for summer activities for young people of school age, particularly of secondary school age.

Howe

Let me start in, then, by saying I think the cities generally in the United States are in effect shortchanged by the states in financial support of the public schools. We can document this proposition for you in long or short fashion, but the fact is that a given quality of education costs more in the city than it does outside the city. Of all the money going into the support of public elementary and secondary education -- Federal, state and local combined -- the Federal share is about eight percent. All the rest of the funds come from state and local sources.

My guess is that if added funding is regarded as the path to real progress in the schools during the years immediately ahead, the two roles that will have to be expanded are the state role and the Federal role. I suspect that in most cities it is certainly, but it is true of a very large proportion of them.

Howe

EDUCATION

I went into Detroit at the height of the riot and spent quite a bit of time in the riot area -- talking with kids, with parents, with anyone that happened to be available -- to find out just what the problems were and got an interesting mix of things, especially from the kids. In many cases, these were lads who were working, who had in some cases uncashed payroll checks in their pockets, who may have been underemployed but nonetheless were working, who were right in the middle of the riot scene.

I am not talking about the people who were out there after the loot. I am talking about the ones who felt that they had some real reason for being there, and they gave a variety of reasons for their participation. But one of the things that came through very clearly is the fact that there is an attitude which prevails in the inner city that says in substance, "we think education is irrelevant."

Dr. Charles Smith
Office of Education

As the Commissioner has mentioned, manpower is a very crucial problem. Now, granted when you reduce a class from 40 to 22 it makes a difference in the classroom, but no real change takes place in that classroom if the same teacher of 40, who might be a poor teacher, is the same poor teacher of 22.

I think the thing that must take place in this transition is called training. If nothing happens to this poor teacher of 40, I would guarantee nothing is going to happen with these 22 children as a result of the reduction in class size.

Dr. Smith

The bandaid approach of responding to a need has brought about perhaps a level of intolerance and impatience such as I have not seen before. And the suggestion is that our strategy for delivering services within the inner city, while it may perhaps come about initially as a short-range kind of activity, must certainly be delivered to the community in a way that suggests that it is simply the beginning of

activities which have long-range benefits.

I have a feeling that bandaid type approaches will no longer suffice because they have not paid any dividends.

We would hope in making a package approach that we can focus in more directly on the needs of the child as well as the community, recognizing that we are kind of limited inasmuch as the approving authority, for example, for our most massive program must of course be the state, but this is the general direction that we are moving in at this point.

Dr. Smith

EDUCATION

"...If the schools were on a 12-month a year basis, it would be tremendously helpful...Briefly, for three months, it is a crime to waste that facility... There is no question about this....

Sargent Shriver
Director
Office of Economic Opportunity

EDUCATION

Now, just let me tell you what they are still doing in Milwaukee. They are taking black children from overcrowded inner core schools, putting them on buses and sending them to all-white schools at which they are received and segregated. They are segregated completely during classroom time. They are segregated during recreation hours. And when they go to lunch, again they are segregated.

At one time the Milwaukee School Board was even doing this. They would bus black children from an overcrowded inner core school to a receiving school and then not only segregate them during classrooms and recreation, but when lunch hour came, those children were placed on those buses and bused back to the sending school for lunch hour. After lunch they were placed upon those buses again and sent back to that receiving school.

This is what Dr. Kenneth Clark called "psychological brutality."

The Reverend James Groppi
Milwaukee NAACP Youth Council

EDUCATION

The inability of the American public school system to deliver for the lower third of the population assures the continuance of a problem that is not subject to short-run remedies. The selective service examination results indicate that as of today in the southeastern part of the United States, roughly three-quarters of all Negroes taking an eighth-grade examination for entrance into the Army fail.

Eli Ginzberg
Professor of Economics
Columbia University

My impression is that there is no serious commitment yet on the part of the American public to come to grips with the problem. That is, there is no fundamental willingness to make the investment in the public schools that are essential, no willingness to break down racial discrimination in housing, which is essential, and no willingness of any single group in the society to do more than buy its way out politely.

Eli Ginzberg

. . . It is your Civil Service Commission, the Federal commission, the New York commission, all of which are a disgrace. Professor Berg at Columbia is making a study in the "Educational Requirements for Employment," which proves what you might suspect -- that it is bad for employers to have artificially high standards of employment. You simply have dissatisfied workers, you have excessive turnover. Not only is it perverse that the poor Negroes cannot get jobs, but many of the people who do have jobs do not stay because they are over-qualified.

Eli Ginzberg

EDUCATION

For instance, in this metropolitan area, when I pointed this out first, the suburbs said, "well, we have greater school costs than does the city of Milwaukee." I said, "damn right you do, because you have got so much money back from the state of Wisconsin and you have got so much money to begin with that you have got the best schools out here where they are not needed, and down here where we need the best schools we don't have them."

Now, I would say this. I have a feeling that there is your problem in all of its relationships.

Honorable Henry Maier
Mayor of Milwaukee

In schools, where our Commission has done an intensive study, we have come to the conclusion that integration is a critical element of quality education. It would mean that we must support the Department of Health, Education and Welfare in the efforts that it says it is going to engage in, and actually perhaps prod them into greater efforts, to encourage school districts to desegregate their schools.

Maier

EDUCATION

The Headstart Program often is much more effective in the summers than it is later on, but as has already been found, the effects of Headstart diminishes and are lost very quickly, because then the children move into a system which is the same old system, which has been failing them and driving them out of school all the while. So it means that we have got to get a more effective program which runs throughout. And one of the tests which the federal government ought to begin asking of local school systems is if some of these programs are so good, when are the school systems going to start using a part of their regular budgets for such programs. What usually happens is these are regarded as purely experimental programs. Take for example, teachers' aides. If it is useful to have mothers from the community hired to do some of the non-academic work of the classroom, to help work in the playgrounds, to comfort the children, to take the younger ones to the rest room -- if this is worthwhile doing and if it frees the teacher to do a better job of teaching, then why isn't this being reflected in the budget of the school system itself? Why isn't the school system saying, "O.K., the government has given us X number of such slots, we will ourselves provide these many additional slots?"

M. Carl Holman
Deputy Staff Director
U.S. Commission on Civil Rights

EDUCATION

School systems which instead of preparing poor black children for life in America as strong, able, contributing citizens, very often -- sometimes more often than not -- teach them that they are failures. . . that they have lost in the race for good, decent, constructive lives even before they have had an opportunity to start. I speak of systems which, according to the Coleman Report, leave those Negro children who finish high school more than three years behind their white contemporaries, with the gap widening the longer the Negro kid stays in school.

Roger Wilkins
Director
Community Relations Service

Or again, there is the message received by the parents of children in a school which everybody from Senators to schoolmarms has called "Shameful Shaw Junior High School." In this capital city, it is one of the schools that shames our nation. Parents of children at Shaw get a clear message from the fact that a new generation of children is entering the school, yet no site selection has been made for replacement of the school, although work is progressing rapidly on development of the Kennedy Center for the Performing Arts.

It is clear that America is going to communicate something to the Russians and Englishmen and Frenchmen by having a new shining center, a showcase for talented performers on the banks of the Potomac. That is a good message about America. But the poor Negroes in the ghetto get some kind of a message about Washington's priorities, about Washington's judgment of their importance to the society, when the Center and other activities can go on rapidly while Shameful Shaw stands to ill serve their children.

Wilkins

EDUCATION

I believe more emphasis, obviously, should be placed on finding resources with which to equalize opportunities between inner-city schools and those of the remainder of the country and the city.

More emphasis should be placed on teacher recruitment and training. Unless sufficient teachers are found to saturate the schools with qualified personnel, it makes little difference what else is done.

More emphasis should be placed on training and upgrading of the offices of superintendent and principal and proportionately less on the in-service training of teachers.

Dr. Dan W. Dodson, Director
Center for Human Relations
and Community Studies
New York University

Less emphasis on experimentation and demonstration and more emphasis on just providing "good education." When resources become scarce, school leadership tends to start looking for the gimmicks which will perform miracles with poor education.

More emphasis on school-community relations. The genius of public education has been that the people felt the schools were theirs. In these ghetto communities, this feeling does not exist. The approach of the community school, as advocated by the Mott Foundation of Flint, Michigan, is an approach in the right direction -- so long as it is not confused with the neighborhood school which is now being promoted as a segregation device.

More accountability on the part of school systems.

More honesty in scholarship. Neither the histories of civilization nor the histories of America are honest in their treatment of the historical heritages of this great land. They portray by and large only the mythology

of the dominant group. This leads to alienation, lowering of self-esteem, problems of identity for the minority child or it severs the sense of historic continuity in his self-hood. It is also the seedbed of chauvinism in the majority group.

Finally, unabated pressure for desegregation. The problems of this society will not be solved unless and until our children are brought to a common encounter and encouraged to forge a new and more viable design of life. Separate schools were created by policy decisions of governmental bodies. Although they can be made a lot more equal than they are, it is highly doubtful that they can ever be made completely equal. Minority militants in their frustrations are demanding that they be turned over to the black communities with freedom to operate them as they choose. This would take us back to the era of Plessy v. Ferguson. It is too late in our history for that.

Dodson

In my judgment, there is no substitute for school desegregation wherever it is possible. Special attention should be called to the recent report of the White Plains School System which completely desegregated its schools and in three years' time brought the achievement levels of the low-income public housing children to national norms in basic skills. Most communities can do what White Plains did if they have the will.

However, the inner cities of the large metropolises cannot bring this feat of desegregation off. The New York City School System reports that a majority of the public school children are either Negro or Puerto Rican in ethnic origin, and many of the large cities, of which Washington is the outstanding example, have much higher proportions of Negroes to whites in their schools.

In the foreseeable future, there seems little likelihood that desegregation as a panacea for this, however desirable, will be accomplished in these places.

Dodson

If the most educated parents with the highest motivated children find in their wisdom that it costs \$1500 per child per year to educate their children in the suburbs, isn't it logical that it would cost an equal amount to educate the less well motivated, low-income family child in the inner city? Such cost would just about double the budget of the average inner-city school system.

Dodson

EDUCATION

Some of the kinds of programs we need include:

A 12-month school year.

New school buildings that are attractive, functional and flexible.

Bigger libraries in all schools.

Procedures to make the new technology available for the education of children.

Sex education in elementary as well as secondary schools.

New services for the physically and the emotionally handicapped.

Vastly increased health services.

Large-scale recreational facilities, so that every child can walk to a supervised playground, gymnasium and swimming pool.

A full-scale program in nutrition, including breakfast for the inner-city child.

Massive increases in vocational and technical courses in comprehensive high schools -- not separate high schools but comprehensive schools.

New work-study opportunities.

Financial aid for the high school graduate who does not qualify for a scholarship but needs assistance to go to college (we are launching a program for those with a C average; those are the youngsters that need the financial help more than the top third of the class).

Rehabilitation opportunities for the dropout
and the potential dropout.

New partnership with industry as we reclaim
the dropout and prepare him for today's
jobs and tomorrow's.

Expanded follow-up for the graduate.

Adult education classes to combat illiteracy
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Modern management techniques extended to the
operation of our schools. New programs
for higher education to train teachers
for the city. The master teacher has got
to be found in the ghetto school.

Dr. Paul Briggs, Superintendent
Cleveland Public Schools

EDUCATION

...A street academy first of all is based on relationship. Before any youngster gets into a street academy he has been related to some street worker and has made his friendship. A street academy consists of 25 youths. It is just in a store front, and we have two or three teachers. They are in these store fronts and begin the educational process, motivational process, and the best way to motivate is to get right to the math and the reading level. You know, get right at the problem. That is the thing that motivates the fastest.

Arnold Oostdyk
New York Urban League

They know after the street academy they are going to go to college. By the way, we don't let kids in street academies who obviously can't go. This is the thing that hurts us the most. Thirty percent of our society that should be in the hard-core retraining programs aren't because we are "creaming." We are slowly destroying a race with job retraining programs. We are taking the best and putting them into job retraining. And the real hard-core who should be put in the job situation are not being touched. Somebody who wants to look good at the program level signs a contract with IBM. The 25 best go into job retraining, instead of postponing the job retraining until there is as much education as possible.

So a street academy is an educational experience that lasts three or four months that turns that kid's life around, and starts the confidence. The greatest thing we can give these kids is their manhood, is theirselves. We have got to go to the streets, and the leaders of the streets are 16 to 21. Now we have got to not only go with concerned people that are going to get this job done, but we have got to go with a package to sell. We can't sell daffodils and daisies because kids won't buy it, and they are not going to buy job retraining programs that send them downtown to learn how to drive a car backwards so they can park it in a lot or to drag clothes around the garment district.

Arnold Oostdyk

EDUCATION

He teaches us in school, about the American Revolution. Do you know that those people who you teach me in school are patriots, around Rhode Island, burned a British frigate because it was too active in cutting off what the felt were their "legitimate" smuggling activities? 1771-- The Gaspee was the name of the British ship.

And do you know that those people in Virginia -- who you teach me were patriots -- did not condemn it? They praised this "patriotic" action, this blow struck for freedom.

George III was the King. The 13 American Colonies were British Territories. They were extensions of the Mother country, there for the purposes of Britain. A colony provides raw materials and then markets for the Mother country.

You all know what colonialism is. We know what it is in fact, in America as black people.

You teach us that these colonies were not wrong when they spoke against George III and when Patrick Henry came out specifically against him and compared him to Caesar with his Brutus. Somebody said, "Treason!" And he said, "If this is treason, make the most of it".

Ernie W. Chambers
Omaha, Nebraska

EDUCATION

The 1967 manpower report of the President came out in March of this year, or April, I have forgotten which. It indicates this -- and I think it is important particularly for our young people for it is the young I believe we need to have a great deal of concern about. It indicates that as things stand now, Negro workers, especially younger ones, have more education than they need for the jobs they can get. So when people tell me that Negroes "ain't ready" for the jobs that are there, I cite the data to show that they are more ready than for the jobs they can get. And when you take a young Negro high school graduate or one year of college and tell him the only thing he can get is a job in some person's kitchen or sweeping a floor, even though I believe everybody ought to work at an honest job regardless of what it is, I don't blame him sometimes for not taking it if that is the only thing he can compete for.

I am going to repeat, the 1967 manpower report of the President indicates that as things stand now, Negro workers, especially younger ones, have more education than they need for the jobs they can get. Almost 35 per cent of the Negro men in the labor force 18 years of age and older have four years of high school last year. That is better than one-third. Seven per cent in the labor force had completed college. But altogether only 17 per cent were in white collar occupations.

In almost every quantification of relationships between income, occupation, education and industry, the indication is that Negroes earn less than whites and are unable to exploit their education and abilities in a manner comparable to whites.

The point to be made here is that the average Negro with four years of college earns on the average what a white persons earns with nine to twelve years of schooling.

Dr. Vivian Henderson
President
Clark College
Atlanta, Georgia

EDUCATION

I was a kid in Harlem and I had feelings that I wanted to be an architect. I had a Jewish teacher in Harlem High, and I found a book on colleges, and I said, this is where I want to go you know. So I showed him the college and it was in a place called Georgia. And so the Jewish teacher looked at me, and he was trying to break it to me real nice and easy, like, "well, you know, Petey, there are, some places I can't go and some places that you can't go".

Piri Thomas
Author
East Harlem, New York

EDUCATION .

Attitudes can be changed by education, but a wealth of social science research has shown that they are best changed by laws and other governmental actions which alter the behavior of law-abiding citizens, and transform attitudes at the same time. Consequently, the National Advisory Commission of Civil Disorders must recommend the legislative and other governmental changes that are needed to redress grievances, and it must demonstrate through its intermediate and final reports that rebellions can only be prevented through the redressing of grievances, inside and outside the ghetto.

Dr. Herbert J. Gans
Center for Urban Education

The inability of the American public school system to deliver for the lower third of the population assures the continuance of a problem that is not subject to short-run remedies. The selective service examination results indicate that as of today in the southeastern part of the United States, roughly three-quarters of all Negroes taking an eighth-grade examination for entrance into the Army fail.

EDUCATION

Congressman, if I might just add, I think one of the things I think the Vice President feels hopefully may in the long run grow out of this is a sense, almost a growing awareness within local communities that this closing down of the schools in one way or another, some communities more than others but to all intents and purposes most communities really shut up their schools in the summer, that this really has got to stop in the sense in which it has happened before and the very proper criticism of the summer programs we have, the problems the Mayor has pointed out, the fact that youngsters think they are being bought off, the poor planning, the sense in which they don't tie in to the future careers of the youngsters, all of these things get handled in the sense in which it seems to be handled most effectively if you have a school system that one way or another runs 12 months a year. And this doesn't necessarily mean that your summer months are going to be like the nine months of regular school. It seems to me, all kinds of exciting opportunities to begin to relate the school system more creatively and more effectively to the lives of the students that haven't been reached, to their being pushed out of the school or what have you. [John Stewart, Assistant to the Vice President]

EDUCATION

A thoroughly rational, economic move that has been recommended by people for a dozen years now of education and people for a number of years is year around operation of the school plant which may very well come in through the back doors of programs designed to cool off the long hot summer.

It is a devious way to get to a sensible move. But here it is. There is not any reason at all why those expensive plants should not be functioning the year around, not necessarily with the same program. Perhaps you would throw it into remedial and creative kinds of things in the summer.

There the buildings are, there the youngsters are with little to do. The main problem, I think is the teachers who build a profession around summer travel and going out to get their Master's degree but you can cope with that.

John W. Gardner, Secretary
HEW

HOUSING

. . . I think we have learned one thing and that is if you want to have a successful operation and if you want to have one that is going to redound to the credit of the community and to the peace and the development of the community, you had better get the people who are going to be benefiting from it feeling that it is "our project" and not "your project," because when it is "your project" they don't give a hoot about it and very often they resent it. . . . [Hon. Robert Weaver, Secretary of Housing & Urban Development]

. . . There is a bill introduced by Senator Muskie and passed last year in the Senate which would make uniform relocation requirements for all Federal programs. This bill should be reactivated and should be passed. It is not only equitable and decent, but it is absolutely necessary.

In our own program we have shifted away from emphasis on down town renewal. We have shifted away from the bulldozer. We are pushing for redevelopment of residential construction and emphasizing lower and moderate residential, rather than high income residential. The projects we are now approving there are more units to be rehabilitated than there are to be demolished. This is a great step than existed even five years ago. This is the direction in which we are going. [Weaver]

. . . We are also trying to change both the image and the performance of FHA. . . .

What we have done is two things in FHA. Based upon legislation passed last year, it may have been your bill Senator, but there was a bill passed which permitted us to go into neighborhoods which were subject to riots, and of course that subject of riots has a pretty broad definition and insure properties even though they did not meet the economic soundness on the basis of the individual protected

HOUSTINC - (Continued)

and as you know, up until now the feeling has been with a great deal of justification that FHA was not interested first in the central city. That is not completely justified, but it certainly wasn't interested in these areas that are now the pockets of poverty. It was extremely difficult to make them insure loans.

I won't go into the background of why they didn't but if you will read the recent attack on FHA, made in the Senate, you will realize this was not even a bureaucratic inclination. To make a long story short, we are now saying there will be no redline area where we won't go in. We will insure mortgages if the property is itself sound and the neighborhood is not so given to adverse influences such as bad foundation conditions or railroad running through its front door. If the credit risk of the mortgagor is reasonable, we will insure loans in these areas. This will extend FHA to some degree.

In addition, we have had a great deal of difficulty with our problem of housing of poor people and minority people through the FHA programs with our open occupancy requirement under existing orders. We have just instituted in five pilot programs a new program whereby a person who was a veteran, who has low income, or who is elderly and having difficulty finding housing, they will come in to the office and this person will sit down and will talk to the individual and find out what his financial capabilities are. They will go down and expose him to every one of the units that are covered by the executive order. Not only will he be exposed to them but he will call the property owner or he will call the builder and let the builder know that we know he is going out there. Then we give him a card to send back to us to tell us what happened to him after he goes out there. I think this will increase the efficacy of that order. [Weaver]

HOUSING

"Gilding" programs must accept as given a continued growth of Negro ghettos, with all of the private and social costs this entails. We will not attempt to detail these costs at this point. We will simply observe that many so called "urban problems" are largely the result of a rapid growth and expansion of massive central city ghettos.

The ghetto is directly or indirectly responsible for the failure of urban renewal, the crisis in central city finance, urban transportation problems, Negro unemployment, and the inadequacy of metropolitan school systems. Ghetto gilding programs, apart from being objectionable on moral grounds, accept a very large cost in terms of economic inefficiency, while making the solution of many social problems inordinately difficult.

A final objection is that such programs may not work at all, if pursued in isolation. The ultimate result of efforts to increase Negro incomes or reduce Negro unemployment in central city ghettos may be simply to induce a much higher rate of migration of Negroes from Southern rural areas. This will accelerate by still more the rapid growth of black ghettos complicating the already impressive list of urban problems. Indeed it is possible that programs aimed specifically at increasing Negro incomes or reducing Negro unemployment in Northern ghettos might attract more than one Negro migrant for each job created.

John F. Kain and
Joseph J. Persky
Harvard University

Ghetto Dispersal Programs

Of the alternative "ghetto" programs, ghetto dispersal probably has the fewest advocates. Yet it would seem that this is the only program that promises a long run solution. In support of this contention we can identify several important arguments:

(1) None of the other programs will reduce the distortions of metropolitan growth and efficiency that result from the continued rapid expansion of "massive" Negro ghettos in metropolitan areas.

(2) Ghetto dispersal programs would generally lower the costs of achieving many objectives that are posited by ghetto improvement or gilding schemes.

(3) As between ghetto gilding and ghetto dispersal strategies, only the latter is consistent with stated goals of American society.

Kain and Persky

For example, there is a growing body of opinion (and some evidence) that housing market segregation reduces Negro employment opportunities. This recognition lies behind a number of proposals for subsidies to create new industrial jobs within Negro ghettos. We have already stated our doubts about such programs in the absence of accelerated Southern economic development.

Kain and Persky

We would observe also that there are alternative ways of improving the employment opportunities of ghetto Negroes and reducing the disadvantages imposed by housing market segregation. Job training, improved education, better market information, and aggressive enforcement of equal employment opportunity legislation would improve Negro job prospects without freezing these jobs into the ghetto. If job access is a significant problem, as some would argue, subsidies or special transportation services could be provided to assist Negroes in obtaining suburban jobs. Where Negro employment within the ghetto would tend to reinforce existing patterns of Negro residence, suburban Negro employment would be a powerful force in weakening the ties of the ghetto.

Kain and Persky

In this testimony we have attempted to identify and evaluate several strategies for dealing with the problems of the metropolitan ghetto. We have hinted that the most popular proposals fail to confront the complex of ghetto problems. For example, while anti-migration programs can play a valuable complementary role they contribute little to the elimination of poverty, ignorance and discrimination.

Similarly, one of the most popular sets of policies, gilding the ghetto, does nothing to slow and could even accelerate, the rapid growth of the ghetto, with all of its associated costs. Thus, these policies threaten to institutionalize existing patterns of racial segregation. By way of contrast it appears that the only approach which offers a long run solution to the problems of the ghetto -- its destruction -- has almost no advocates.

Kain and Persky

HOUSING

In particular, I don't believe that our cities can long endure in a segregated metropolis. Within our metropolitan areas, there is a system of apartheid confining the poor and the Negro to the city while the walls are carefully maintained around white, rich suburbia. . . .

Now, when I talk about this problem in Milwaukee County, I do it in whisper, because we are not supposed to really talk about this kind of problem in this light because it isn't really nice. But we can sit and we can have committee after committee, but until the United States of America faces up to this kind of a situation This is why, of course . . . I have said as long as I am Mayor I will not accept a central-city-only open housing and let me tell you why, beyond that. In our metropolitan area, our channels of communication, when the City has water which we started with, they say "Make it metropolitan. So it gets out here. Metropolitan water." So we have got metropolitan water. By God, with that metropolitan water out here when our industry and rich people, none of our poor people, not a damn soul, but the rich people and the industry are taken out here. But this is another thing we are not supposed to discuss. Metropolitan water.

I say, "What the hell, why should we have metropolitan everything and we get out to these boundaries and we are supposed to start here. Justice for non-whites stops here." This is the issue in Milwaukee

Honorable Henry Maier
Mayor of Milwaukee

HOUSING

These are some of the basic things, and I say this because of attitude. I think attitude means so much, . . . but the basic attitude is a good attitude in the city of St. Louis. Every legal bit of legislation that we can have, such as open housing and any type of civil rights legislation, we have in St. Louis and have had it for some time. It is a question of enforcing it.

Honorable Alfonso Cervantes
Mayor of St. Louis

HOUSING

These are short-range solutions and are aimed at putting out fires or preventing them. We ought to have a large purpose. We ought to be concerned not with containing or gilding the slum, but destroying it. The slums were not built overnight nor will they fall easily. It will require massive efforts and even more money to effect the kind of solutions the problems call for. It is universally known that the cities do not have this kind of money. It is known, too, that the state is not always as responsive to the needs of the city as it might be. The city must seek ties with and receive help from the Federal government if bigger and more destructive riots are not to become a fact or urban existence.

Honorable Theodore McKeldin
Mayor of Baltimore

HOUSING

. . . Again, I see the problem from the practical standpoint of convincing the real estate industry and the powerful interests around that industry, of making it to their interest to have open occupancy. This is a very difficult political problem. I would not dare to question that

. . . Here again, I would like to know . . . and perhaps you would like to know -- certainly I think it would be good for America to know, because pretty generally, the discussions about open housing revolves around poor whites and I think they are an element in the equation. But I would like to know and I think it would be good for America to know what really is involved in the great resistance of real estate institutions and financial institutions to open occupancy? I think a ventilation of this would be most helpful, because pretty generally, they are forgotten. I am convinced that pretty generally, they are the people with the real powers who prevent, in the final analysis, any adoption of open housing legislation. And the problem is how to deal with them

Lerone Bennett
Senior Editor
Ebony Magazine

HOUSING

In the field of housing, the subsidizing of segregation is unacceptable. This is what we do with our Federal housing money. We are subsidizing Federal education in our cities.

Dr. Paul W. Briggs
Superintendent of Schools
Cleveland, Ohio

Decent housing for low-income families should be made available in all sections of the metropolitan area and not merely in the inner city areas.

The number of public housing units needs to be greatly increased, and new concepts in public housing that will provide for open space and attractiveness ought to be encouraged. Public housing doesn't have to be ugly. In addition, as public housing estates are planned, provision must be made for school support. Currently, we receive in Cleveland only \$ 25 in lieu of taxes for each of the children living in public housing. We receive no money for the school site or the construction of the school but \$25 towards the education of a child coming out of public housing. The city average cost is about \$480 per child.

Briggs

HOUSING

But what about the child of the ghetto? It is he whom we must save, for we cannot afford to lose this generation of young Americans.

Dr. Paul Briggs

If this child of despair is a young adult, there is a better than 50 percent chance that he is a high school dropout. He is not only unemployed, but unemployable, without a salable skill. Neither of his parents went beyond the eighth grade. Preschool or nursery school was out of the question when he was four, and when he was five, he was placed on a kindergarten waiting list. This list lasted 20 years in Cleveland. At six, he entered school, but could only attend for half a day because of the big enrollments. He went on relay classes in his school. During his six years in elementary school, he attended four different schools because the family moved often, seeking more adequate housing for the six children. When he got to high school, he wanted vocational training, but none was available.

The family was on relief, and he couldn't afford a good lunch at noon because Cleveland schools at that time were not participating in the Federal hot lunch program, and the average cost of lunches amounted to 70 cents.

Of his few friends who had graduated from high school, none had found jobs, and they couldn't afford to go to college.

Here he is now, discouraged and without hope -- economically incompetent at a time in life when traditionally young Americans have entered the economic mainstream as job holders.

A younger brother, aged nine, is now in the fourth grade. He attends a new school, opened in 1964. Though he lives one mile from Lake Erie, he has never seen it. He has never taken a bus ride, except when his class at school went on a field trip. The family still does

not subscribe to a daily newspaper. The television set is broken, and there is no money to have it repaired. His mother has never taken him downtown shopping.

He has never been in the office of a dentist and has seen a physician only at the local clinic when he was injured playing in an abandoned house in the neighborhood.

At home, there are no books. His toys, if any, are second-hand. His shoes are too small and his sweat-shirt, bought for 25 cents at a rummage sale, bears the insignia of a suburban school system.

Each morning he looks forward anxiously to the free milk he gets at school because there is no breakfast at home.

He can't study well at home because of the loud blare of rock-and-roll music from the bar up the street. There are nine bars in his rather compact neighborhood. I know because I sent an assistant out this week to count them. (I sent a non-drinking assistant out to count them.)

Briggs

These boys both have better than average intelligence but they are the victims of neglect and are lost in the maze of statistics. Their plight and that of the thousands like them in America's ghettos can certainly be considered the most pressing unattended business on America's agenda. In preparing to come here today, this week I talked with teachers and parents of children in one of our elementary schools near the center of the 1966 riot area.

Briggs

As long as the problem of the Houghs in America remain unsolved, the cities of this nation remain in deep trouble.

Briggs

HOUSING

In housing, we have produced some 600,000 units of public housing in 30 years, which is about 20,000 a year. The 221(d)(3) program for which there was great hope, aimed at serving the housing needs of people with moderate income, slightly above the public housing category, has produced only 50,000 units in six years. Rent supplements have hardly started at all. This is not much in the way of meeting the needs.

William Taylor
Director
U.S. Commission on Civil Rights

It would mean that when a federal housing official says, as one said to us in San Francisco, that he is not enforcing, or he is going easy on the enforcement of, the housing Executive Order because he does not want to jeopardize FHA's share of the market, which in the West Coast is pretty substantial -- about 51 per cent -- he would not be in his job the next day. I think it is as simple as that. It would mean that if the FHA, and Senator Brooke has been concerned with this, is not able to deal with programs of low and moderate income housing, with the kind of dispatch that it exhibits in carrying out the responsibilities it has for middle-income housing, perhaps then the responsibilities ought to be turned over to somebody else.

I think this has many many implications. A few of them are that we need to stop our policy of building mass institutional public housing in the center of the ghetto. It would mean that we will have to face directly the kinds of problems that we have not faced directly so far -- for example, the veto power that we give to suburban jurisdictions.

Taylor

We found the the President's Commission on Housing in 1953 (today it might have changed) that 40 per cent of the people living in slums didn't have to live there.

No doubt some of them were of minority groups who didn't have any place to go at that time, but a great many of them were white people of adequate means and who still live there because their roots were there, their friends are there and they prefer to live there.

Taylor

My impression is that there is no serious commitment yet on the part of the American public to come to grips with the problem. That is, there is no fundamental willingness to make the investment in the public schools that are essential, no willingness to break down racial discrimination in housing, which is essential, and no willingness of any single group in the society to do more than buy its way out politely.

Taylor

HOUSING

Now, in Milwaukee we have been working for fair housing legislation. I just want to point out some of these areas and the attitude of the structure towards what is going on in the black community because I think this is the cause of the social tension, and when a man uses all the ordinary procedures for the attainment of one's rights and still must live under an oppressive government, morally I have no problem whatsoever in that oppressed group in resorting to violence. Morally and objectively I have no problem whatsoever.

The Rev. James Groppi.

Now I just want to show you some of the things we have done in Milwaukee and have gotten no results. Take, for example, the Common Council. We have one black alderman in the City of Milwaukee. Four times she submitted a fair housing bill. Four times it has been defeated -- 18 to 1, 19 to 1, 18 to 1, and 18 to 1.

The first time she introduced that bill we brought to that hearing the Episcopal Bishop, we brought priests and ministers, black and white, university professors, black and white, rich and poor, black and white. We filled that Common Council in talking about the necessity of fair housing legislation and the moral implications involved.

That bill was defeated 19 to 1. It has been defeated three times afterwards, 18 to 1, 18 to 1, and 18 to 1. Now in the City of Milwaukee we have begun our demonstrations.

At any rate, this is our complaint. Right now we are fighting in Milwaukee for a fair housing bill. We are demonstrating and there is no doubt in my mind whatsoever that next week, when Mrs. Val Phillips presents her bill again, despite the fact that we have marched and this is a form of lobbying, it is the only form of lobbying the black man can afford, we don't have any money, they are again going to vote against a fair housing bill.

They are displacing a thousand black families in the ghetto through an urban development project. There is no place for the black families to go. The discrimination even on the fringe areas is that great. We need territorial expansion, and what it is going to do in reality is increase that tension because it is going to increase population density.

The Rev. James Groppi
Milwaukee NAACP Youth Council

HOUSING

Gentlemen, I am covering a wider field because for years we in the housing industry have tried to attack the housing problem alone and find that there is not way we can separate housing from the other factors that affect the slums and the areas that are on their way to becoming slums.

Alexander Summer

I want to point out that a piecemeal attack on slums will not work. A piecemeal solution of civil disorders also will not work. The best chance of a solution, if there is one, lies in a coordinated over-all program. Solution for housing ties in with other allied programs that are inter-related and vitally affect any housing solution.

Continued propoganda to simplify and modernize obsolete and expensive building codes.

Public exposure of slumlords and, where they exist, their unholy alliance with an inspector and/or city hall.

A reversal in our present ad valoren tax structure wherein, currently, owners who neglect their property benefit from lower taxes while those who maintain their structures are confronted with everincreasing taxes.

A program to change the attitudes of occupants of subsidy housing in order that they may develop responsibility and eventually take pride in their living quarters, and establishment of a definite policy of responsibility by both owner and tenant in protecting the property.

Recognition that the preservation of deteriorating existing housing inventory, known as gray areas, is of greater significance than is the creation of new housing in slums. There is an urgent necessity to undertake immediately steps to halt the widespread creation of new slums at its present appalling rate. Enforcement of housing codes and availability of financing incentives for rehabilitation are fundamental and essential.

Immediate and long-range practical programs to increase employment among the unskilled.

Alexander Summer
Past President
National Association of
Real Estate Board

Providing financial incentives through FHA-insured loans on rehabilitation properties, making available rental quarters for lower income groups, plus the subsidy as needed by the individual family, thus harnessing the vast and powerful building industry through incentives to dive headlong into this program. It must be realized that at the present rate of decay the slum and fringe areas known as gray areas are rapidly getting out of hand.

Summer

Recognition of the fact that with more than 50 or 60 million urban housing units in this country the great majority of our citizens must, of necessity, live in used housing. How ridiculous the efforts to insist on new housing only for the lowest-income group while those who pay the bill live in existing structures. Obviously, there is justification for a proportionate amount of new housing, like condominiums, etc., for lower-income families.

Summer

Enforce existing housing and occupancy codes in order to establish a minimum standard of decent housing for all.

Summer

One of the chief reasons for the spread of deterioration in our gray areas (which means that our slums are multiplying in area) is due to lack of mortgage financing for rehabilitation and maintenance. This is why we suggest to FGA a realistic and workable mortgage insurance section should be adopted by FHA.

Summer

In addition to financial implementation, many cases will require direct aid to the indigent family, but this should be only to the extent of the need and should be conditioned on them living in minimum-standard housing. Strict code enforcement, unfortunately, is easily proposed but most difficult to accomplish.

Summer

In addition to a moratorium on increasing ad valorem taxes when a property is modernized, there might be justification for reversing the present policy of reducing taxes for neglected properties and raising them as they are improved.

I am talking about residential properties. Other inducements might be income tax investment credits to encourage builders and others to invest substantial funds in rehabilitation and the establishment of not only the responsibility of the landlord to the tenant but, equally important, the necessity of the tenant recognizing his responsibilities and that of his family towards the property.

Summer

HOUSING

Now, a third factor grows out of the deep discrimination on the part of whites, not with respect to employment -- that is mild -- but with respect to housing. The whites have escaped from the central city and have carried a large number of jobs with them, jobs that Negroes normally would have performed, a large number of service jobs, a large number of jobs in the retail business. The suburbs are strongly discriminatory against the Negro, and the middle-class white women have become the competitors of the Negroes for these jobs since they comprise the new labor force in part in the suburbs. In addition, American manufacturers have moved to outer rings, where warehousing has moved for transportation reasons; again, these are jobs that Negroes normally would have had.

Eli Ginzberg
Columbia University

CITIES

Those of us who have been close to agriculture over the years have seen the inexorable thrust of modern technology and organization literally overwhelm millions of families, white and Negro, in the countryside and force them off the land into towns and cities where both white and Negro add to the overcrowding that leads to explosion.

John A. Baker
Assistant Secretary
U. S. Department of Agriculture

Careful analysis indicates for each 10 boys now growing up on a farm, only one can find a decent livelihood as a farmer in the years ahead. If we don't find jobs for those other nine in rural America, they, too, must join the lemming-like migration to the great cities. As a friend told me the other day, we can either provide jobs for these nine boys in rural America, or they will be in our cities tomorrow burning down our buildings because we have been unable to develop a better rural-urban balance of economic opportunities and population patterns.

I would like to turn now to the positive alternatives. I suggest if we are to solve the problem of overcrowded ghettos that are the basic cause of riots, we must simultaneously take action, one, to prevent the further impaction of city centers by stemming the tide of the rural poor, and, two, to break the iron ring around the ghettos, not by moving people out to add further to a suburban sprawl, but by enabling them to move to new job opportunities in new growth centers in rural areas.

John A. Baker
Assistant Secretary
U. S. Department of Agriculture

CITIES

This time of concern should be a time of commitment to the fight for the central city, for the long overdue massive infusion of Federal and state funds needed to translate concern into lasting solutions to hard-core economic and social problems which affect not only the life of the central city but also the fabric of American society.

Honorable Henry W. Maier
Mayor of Milwaukee

Well, as I said, our time of trial has continued in Milwaukee. During that emergency period, working with grassroots representatives from our Negro community we worked out what we called Milwaukee's little Marshall Plan, a 39-point program for action to build that greater city of trust and confidence and hope for all. It was a statement of "how." It was prefaced with a statement that it is simple to lay out objectives and describe what should be done, but the trick is how.

Secretary Weaver has said no one should lie to the people and tell them there are instant miracles, that the solution to these ancient problems needs dedicated hard work by everyone, and within that context we agreed to work toward the passage of a county-wide open housing law, increasing Negro employment opportunities, encouraging Negro-owned businesses and manufacturing establishments and improving the Model Cities program, increasing state aids for the central city and many other points.

Maier

CITIES

Secondly, . . . I say, for example, I think the whole thing could be done by creating a TVA for the slums. If we were willing, if we had the will to do that, a sort of program where you put \$30 or \$40 billion, up to \$100 billion, into the slums, rebuild them, tear them down, use the people living in the slums as carpenters and electricians, training them before you tear those buildings down, while you are tearing the buildings down, and afterwards -- that is one program.

Roger Wilkins
Director, Community Relations
Service
U.S. Department of Justice

Any number of programs could be devised. Again, I say, I think the problem is will . . .

I think, . . . that it would solve our basic problem. I think most of all, it would indicate to the people in the slums, the very deprived people in the slums, that America is still committed to this enterprise that it started out on many years ago, that America really believes in its original promise.

I think it would give them the hope which is most necessary at this time, would lead to a renewal of hope, a program of that dimension. But I have the impression that the black people in the slums are very skeptical. I meet it all the time, and when you come up with a band-aid program, they know immediately that it doesn't mean anything, that it is not going to work, is not going to change their lives. But a program of adequate dimension, I think, would change the internal orientation of black people and give them new hope in America. . .

Wilkins

CITIES

We must stop using the so-called "urban crisis" as an excuse for all our past mistakes and as a justification for all our future ones. Let's admit, for once, that the real urban crisis is a physical one, a crisis of bricks and stones and mortar, and that the social crisis of our cities is just a part of the social crisis of our entire nation. Let's quit the sociological tinkering and mount a major national effort to solve the physical problems of our cities.

Honorable Thomas Whelan
Mayor of Jersey City

CITIES

We are late. If you read the admissions of the City of Omaha's application, you'll wonder why we Uncle Tom, handkerchief-head Negroes in Omaha haven't burned that city to the ground. This includes City Hall and everything else.

They admit that they don't give us the social services. We don't get the welfare attention. The buses don't give adequate service. The city itself doesn't clean the streets. There is inadequate garbage disposal. The police are poorly trained. They have bad, anti-Negro attitudes. All of this is presented. And you know why he did it? Because of the promise of the possibilities of getting some Federal dollars. This made him admit crimes and flaws and shortcomings in the city which other considerations of morality never could.

We have been trying to bring these things to their attention for years, but they wouldn't acknowledge anything before. Then the Federal Government said "If you can show you have the imagination and you understand the causes of problems of the core cities, you can get some money." The Mayor laid it all out, and there it is. And this is what I come from in Omaha, Nebraska.

Ernie Chambers
Barber
Omaha, Neb.

CITIES

Cities are also victims of the great migrations of Negroes. Although everyone knew in the past decade that millions of Negroes would have to leave the land without schooling, no national planning was done to provide remedies. White immigrants in the 19th century were given free credit in land by the Government. In the early 20th century many social agencies absorbed white workers into factories and trained them in skills. There were obstacles and privations for white immigrants, but every step was upward. Care and concern could be found. When the Negro migrated he was substantially ignored or grossly exploited. Within a context of searing discrimination. He was left jobless and ignorant, despised and scorned as no other American minority has been. The result was aptly described by E. Franklin Frazier in the title of one chapter in his book on the Negro family in the City of Destruction. And so it is my great feeling that a massive program must be developed by the Federal Government to bring new hope into being. Among the many vital jobs to be done, the National must not only radically readjust its attitude towards the Negro and the compelling present, but must incorporate in its planning some compensatory consideration for the handicaps he has inherited from the past.

Dr. Martin L. King, Jr.

WELFARE

Social Security is not often thought of as a poverty program but if the President's proposals for a \$4 billion increase this year are accepted, it will take about 2 billion people out of poverty promptly.

John W. Gardner, Secretary
HEW

In general, the Secretary's recommendations in this respect mainly from the Congress, is that we need to have changed in the federal law which would permit young children to keep all of the earnings that they make. We think this would be, especially for not only because of the money but discipline work habits and incentives.

Wilbur Cohen, Assistant Secretary
HEW

We only have 80,000 of those people in training in the United States. There is no question in my mind that the change in the law and incentive, why we could not triple that to at least 240,000 in the next--I do not know, 12 months or 18 months, anyway.

Most all of this increased training and incentives in my opinion will take, the largest part of it will take place in the ghettos.

I mean, people who are on welfare in the large metropolitan areas.

Cohen

WELFARE

Generally, when people talk about welfare, they are talking about the four categorically-aided cash assistance programs, which are the aid to the aged, to the blind, to the disabled and aid to families with dependent children. These constitute some 7.3 million persons in the United States as recipients.

Of the 7.3 million, 2.7 million lie in the categories of the aged, the blind, and the disabled -- the aged constituting the biggest share of that group, the disabled and the blind relatively small segments. The balance, 4.6 million persons, are in the aid to families with dependent children program.

Of that 4.6 million, 3.6 million are children, and one million represent eligible family members with whom they live. Of this group, only 150,000 are men; so that of the approximately one million people, 850,000 are mothers or other persons assuming the relationship of a parent to the child.

Of the men, 100,000 are incapacitated, and that is the reason that the family is eligible for this care, and only 50,000 are in the category of the special program which we call aid to families with dependent children -- unemployed parent -- now operational in 21 states in the nation.

Basically, therefore, when you look at aid to families with dependent children -- talking about the males for a moment -- you are talking about 50,000 males who, at the time that they are on assistance, are eligible for work.

[Lisle C. Carter, Jr.
Assistant Secretary for Individual
and Family Services
U. S. Department of Health,
Education and Welfare]

WELFARE - (Continued)

If you examine this program against other large benefit programs that we support in this society, such as veterans' allowances, Social Security payments, the dependents exemption under income tax and even unemployment compensation, we find that, by and large, these attitudes do not prevail with respect to these other programs -- that we do accept here in this country cash assistance in one form or another going to people who we think, by either some investment they have made or some particular status they have, are entitled to receive it, and that we don't attach the stigma to such payments because we think of them as rights which these people have earned. But we don't have that same view about welfare.

[Carter]

Looking at it in the same way, we would say that we don't have any evidence that welfare recipients -- and it may be that the Commission has evidence in which I would be interested -- participated in any significant way in the disturbances during the summer. In one city in which inquiry was made it was found that only a very small number out of the total number of people arrested were welfare recipients.

[Carter]

We are putting forward the thesis that they haven't been significantly involved in these disturbances. We don't say that because we don't think that welfare is tension producing. We say it primarily because we think that, because of the tendency towards dependence generated by the program, the fear of loss of benefits would be a restraining factor. That is what we would attribute it to.

[Carter]

WELFARE - (Continued)

I certainly take the position that there is considerable reason for resentment in the day-to-day operations of welfare programs, despite the fact that one has to acknowledge, I think, that if there were no welfare program, a lot of people would suffer even more, because as mean as the program is in many respects, it is quite effective in getting the money to the people who need it most. Nobody else would undertake to seek it or survive the rigors of the examination which people are required to go through in order to qualify for the funds. Of course, as you know, this varies quite widely from state to state.

I think there are some steps that could help deal with some of the more offensive elements in the program. One is the simplifying of the determination of eligibility. Without subjecting people to this very intricate and exhaustive means test persons could be paid on the basis of a simple declaration of the conditions which they believe make them eligible and applications could be checked in the same way that income tax is checked.

[Carter]

The other thing that might be done, and the Administration has asked the Congress to do this, is to require states to pay the amount of money that they say people need to live on as a minimum. For the AFDC population this still is below the poverty definition of what people need to live on -- in most cases substantially below -- and yet we have 33 states that don't pay that, and of the balance that allegedly do pay the minimum, a significant number don't bother to up-date their payments from year to year based on the rise in cost of living.

[Carter]

WELFARE - (Continued)

Another thing that I think is extremely important is that welfare recipients begin to feel that the welfare worker is on their side. One study shows that the recipients tend to feel that what the worker says is something that cannot be challenged. Nowhere do you get the feeling that there is any opinion that the worker is there to really go to bat for the recipient in dealing with the other pressures that they face in the community, and if we could do that kind of turn-around and redefine the role of the worker and get them to function really as advocates for the recipients in dealing with the housing agencies, employment service, the health services and so forth, I think this would make a significant improvement.

Finally, there are all these incentive-destroying aspects of the welfare program. First, the dollar-for-dollar tax in the current program, and of course, you know there are many indications that this will be changed. Second, the need for providing adequate day-care services that will enable mothers who want to work to go out and work and, third, the problem of providing the kind of training which leads to jobs that people can see have some opportunity.

[Carter]

There are others who propose the so-called negative income tax, and this would certainly do a good deal to put money into the hands of the very poor in society. One of the problems as one looks at the negative income tax, however, is that we have not seen a proposal which on the one hand would put enough money into the hands of poor people who can't work and at the same time provide significant incentives to people who can and ought to work and who want to work.

WELFARE - Continued

Another proposal is guaranteed public employment, which is generally described as a universal program. Such a program has the handicap of not only applying just to the people who presently need employment or to those who are seriously underemployed. Accordingly, there is a real possibility that it would draw into the labor market many people who are not presently working, and therefore without some kind of limitation, it could become a very expensive program.

Another alternative that has been discussed is one that is in effect in most western countries, the children's allowance. If you will recall my description of the areas of need, families with children are the biggest poverty group in our population. One would say, therefore, this program would be specific to that group. On the other hand, this is a new concept for the United States, despite the fact it has been in effect in many other places, and if it were universal in coverage, it could be a very expensive program.

[Carter]

Let me first just say one thing. I wouldn't suggest, and I don't think I quite said that the welfare recipients were contributing to tension. I was saying that the system contributed to tension.

[Carter]

The reason I raise that is because, you know, this is another example of what I guess is commonly called participatory democracy, and that is increasing throughout our country in relation to many of our institutions, and obviously, much to the good and much too delayed. I don't happen to be one of those who believes that this kind of new expression in itself is something that can be said to be responsible for some of the disturbances that we have, although there are some that seem to take that view. It is just that these

WELFARE - (Continued)

issues have become more sharp for some of us who haven't wanted to look at them before because of this kind of expression.

As to how much control we have, I would say that there are those who argue we have a lot more than we exert, and there are those who argue that we have very little control, and I am sure that the answer lies somewhere in between, but traditionally, the federal agency has not attempted to exert control with respect to the way that these programs are organized after certain basic minimum requirements are met.

[Carter]

That is one of the reasons we think that the improvement of the standards of payment is an extremely important part of attempting to do something about the problems of welfare, and I think incidentally about whatever contribution welfare might make to this mobility problem.

[Carter]

This is the first year we have offered the legislation requiring states to meet their own minimum.

[Carter]

I have to honestly say I haven't finally made up my mind, not so much as to having my druthers personally but what seems to make more sense given the state of where we are.

It is one thing though that I do find very persuasive is that the one thing the federal government does do well is pay out cash benefits to people.

[Carter]

WELFARE - (Continued)

I would agree with you 100 percent, that it ought to be out of the local budget, but you are talking about the change in the administration of the program. I don't think that welfare costs should be applied to the local budget. I think this is plainly the case. The local budget, particularly as it is very heavily made up of real estate taxes in many places, is certainly not designed to take care of the kind of load of welfare payments, but that is not the sole issue. The issue is whether it should be federal all together or federal-state and so forth.

[Carter]

. . . It seems to me if a man is 80 cents or \$1 of that \$1.60, then the government ought to be prepared to make up the difference with that company for a limited period of time and that it falls off as he becomes more productive.

It makes sense to the company, it makes sense to the government, and it ends up costing us less money, because now we are paying the full amount. So the notion, you know, sure it would cost us something but it would cost us less than we are paying now. It seems to me that it would be a thoroughly desirable approach.

[Mitchell I. Ginsberg
Commissioner
Social Services of
New York City]

We could change easily 50 percent of our case work staff. We have been working with the notion of what we call differential use of staff. It is not only clerical, there are certain jobs in, you know, escorting clients to hospitals, which can be done very well by these people. We would like to -- welfare clients present a whole range of problems and difficulties. For the most

WELFARE - (Continued)

serious ones, you need people who are better than college graduates, the professional worker. On the other end of the scale it is idiotic to use the same person.

[Ginsberg]

The second and in my judgment the more fundamental step which is not in the administration registration which is to say it must not only meet its own needs but there is a minimum need, there is a floor for its own country which it is required that it be met. Otherwise, I am afraid there are many ways of getting around this.

[Ginsberg].

Perhaps though, even more significant than the overall size of the program, is the composition, and here again if you do a breakdown in the city, you get some connection with what Lisle Carter said about the national picture. Of the 750,000, better than 550,000 are in that category of ADC and ADCUP. We have about 120,000 mothers currently on welfare and better than 400,000 children below the age of 16 and that is the heart of our welfare problem.

[Mitchell I. Ginsberg
Commissioner
Social Services of New York City]

. . . over 55,000 people where the adult man is working full-time, and thus you have a program literally where the man in the family is working full-time and receives supplementary assistance because the pay he earns, given the size of his family, is less than he would get if he were on welfare,

WELFARE

The second thing is the perverse impact that the Federal government has on Negro life in America. I can't think of any single, one single factor of life in Watts that runs athwart the community's aspiration more than the Federal government and all of its agencies particularly the welfare agencies which tend to aggravate family instability rather than contribute to stability.

T. Stanley Saunders
Rhodes Scholar
Watts, California

This has all kinds of repercussions. It saddles everyone who works in the community with an "emergency, relief mentality" in that government waits until something drastic happens like a riot, before it steps in to take corrective measures.

Saunders

WELFARE

I won't dwell on this. Some of this is in my prepared statement. In welfare programs, for example -- aid to families of dependent children -- and here we are talking about people who by and large are not able to work, twenty states set a maximum payment for a family of four of \$150 a month. The states do not even meet their own standards of minimum need. The federal government should at least insist that the state meet its own standards. We also believe a national minimum standard for public assistance payments should be established below which no state may fall and continue to receive federal assistance.

William Taylor
U.S. Commission on Civil Rights

We have been talking about one stop service centers, which would mean that the health services would be in one place, the employment services in one place, the mental health services in one place, and this would mean that you would have federal, state and local services located in neighborhoods which were easily accessible.

Taylor

WELFARE

Fifth, for those who cannot work, the government should seek the immediate upgrading of the public welfare program, by raising payments above the poverty level, subsidizing states which now pay only a percentage of their minimum budgets, and enabling welfare recipients to retrain their earnings from work. Eligibility must be determined through the affidavit rather than the means test, income review and the other punitive and undignified methods by which payments to welfare recipients are minimized, and their lives are supervised and harrassed. The AFDC-U program should be expanded to enable unemployed and unemployable men to support their families and to stay with them.

Herbert J. Gans

Sixth, in the longer run, however, the welfare program ought to be eliminated, other than for the aged and the disabled, by supporting those who cannot work through a negative income tax and a family allowance. The present welfare program is not only punitive and stigmatizing, but it guarantees that children grow up to be poor and thus likely to become recruits for the rebellion of the next generation.

The new comprehensive health and social services center idea is a step in the right direction. We must find ways to create in the inner city, and throughout the city the neighborliness of small-town America, augmented by the rich array of health and welfare services and the cultural and civil resources that can only be developed and supported in the great urban center.

Gans

WELFARE - Continued

Secondly, I have urged the approach of guaranteed employment because as I said before training programs that don't lead to jobs have very, very limited value and in my judgment often do a disservice. I would do it primarily through private industry and I would urge we give serious consideration to some kind of incentive for private industry. I don't expect them to be social service agencies.

[Ginsberg]

Third, I would very much go for the children's family allowance. I think it is infinitely preferable to our existing system, and that it is better than a negative income tax. It is true there are problems with it, and it is true that in this country it hasn't been discussed and it seems revolutionary, but 62 countries in the world do have it now, and as I have said elsewhere, one of its original advocates was Bismarck, and nobody ever accused him of being too radical, so I think that this program -- you know, we do have a lot to learn.

[Ginsberg]

WELFARE - (Continued)

We do have an experiment since September 1st, by which families in these categories particularly who secure employment keep the first \$85 a month and 30 percent of the rest, until it reaches 4890. I don't make any claims. It has only been in effect in September and October but I guess that if we got 100 each of the first two months we would do very well and we have well over 400 in the first two months, so at least for that period of time it is working quite well.

[Ginsberg]

We do have some changes now that make it possible for welfare workers to take the initiative in providing information about family planning. The rules are archaic in this respect. Generally speaking, a case worker for instance in New York until fairly recently couldn't even volunteer the information unless the client asked about it. I am completely opposed to it, but the ability to provide information.

[Ginsberg]

One, I would like serious consideration of placing the aged and disabled under Social Security. I know the problem, that it does violence to the concept of wage related benefits, and that it would require a contribution, a general contribution from the national budget, but we have already violated that concept, if you call it violation. I happen not to. Secretary Carter has said that if the new Social Security regulations go through, a certain group will automatically be removed.

We have better than 50 or 60 thousand aged in New York City who get two checks, one from Social Security and one from us on old age assistance and there is no sense to that formulation.

[Ginsberg]

WELFARE - (Continued)

Your statistic writers use reports using what they call sub-employment shows rates better than 30 percent and that is the rate you have to look at with respect to welfare. The national unemployment rate doesn't mean anything.

In the 30's unemployment was different, it was generalized, it cut across the board and it was also seen as something temporary. Today it is specialized, concentrated and not temporary anymore. And a program designed to meet the first is not going to have any effect at all in my judgment or any significant effect on the latter.

[Ginsberg]

Another project that has also been touched on is this incentive. No other group suffers from the 100 percent tax in the same way that welfare people do. Mayor Lindsay has heard this, but I think it is an incident that should not be forgotten. We had a group of five mothers in Brooklyn on this ADC program, all with families, and on their own, not with our help, they went out and they got jobs for themselves, and they employed a sixth mother to take care of their kids, and they paid her. And she went off welfare. Then the Department, in line with the legal requirements, deducted from that mother, the sixth mother, all the money she was getting from the five so she ended up no better off taking care of the kids, so she gave up taking care of the kids, went back on welfare and one by one the other five joined her. So the net result of our operating strictly in accordance with the law was that we had six families, mothers and kids, on welfare, whereas a month preceding we had those six families off.

WELFARE - (Continued)

and we make up the difference on the notion which I think is a sound one that it is better to be giving some kind of supplementary assistance than having to pay the full cost -- but that represents 60,000 people in the City of New York.

[Ginsberg]

Those who are in political office have great concerns about it, about its cost, about its extension, about the current inability to find a way out. Welfare is a favorite target for all those who are opposed to bureaucracy. My experience in this has been, incidentally, in a program that has state, federal and local participation, that everybody is opposed to the other person's bureaucracy. Nothing is more frustrating than this business. Everybody is in agreement there are too many forms in welfare, that we ought to eliminate them, but when you get together everybody wants to eliminate the other guy's farm. It is very hard to reach agreement on it and that is why I think we don't get very far.

[Ginsberg]

Secretary Carter has said, and I feel very strongly that you have here a program that was set up to meet a condition in the 30's, and that basically hasn't changed. One of the most difficult concepts for people to understand, and one can have great sympathy with it, is why with a national unemployment rate dropping rather substantially you have an increasing welfare roll. Well, since 1963, there hasn't been any correlation between these two at all and there isn't likely to be because the national unemployment rate doesn't tell you anything about what life is and what unemployment is in the slum ghettos in the big City of New York.

YOUTH

However, we have recommended for next summer that the special summer NYC program level of 290,000 be retained at least at a level of 260,000 for in-school NYC youngsters. [Hon. Gerald W. Christensen, Executive Director of the President's Council on Youth Opportunity]

We recommend in each city what we call a Mayor's Council on Youth Opportunity, a broadly based group, and we think young people, and particularly disadvantaged young people, ought to be brought into that and involved right from the beginning with the planning stages. They ought to have a voice in what those programs are going to be and follow through. [Christensen]

I think we ought to be experimenting with handing recreation programs over to them, other kinds of businesses. There is a proposal now for a teen nite club run by the same group of youngsters in Washington. I think we have got to be willing to hand over even education programs to them with expert assistance but with them having the real control and I think then they may become involved because they will see that it is their programs and doesn't just have the facade of their giving a little bit of advice. [Christenson]

That is true. The people that were at the lowest level in Pride were mainly, I think, 15 and 16. The supervisors, however, were the older teenagers and people just over 20 in large part and most of them had criminal records and most of them were really hard core delinquents, putting it in more traditional terminology. And I think Pride today has even greater ability to get to that age group. At the time it started it didn't look that much different from lots of other programs that had come before. I think today it is quite well recognized in the ghetto communities for being an

YOUTH - (Continued)

organization which really is run by young people and I think they probably can attract at least a great many of the older teenagers, certainly not all of them, but a great many.
[Bruce Terris, President's Council on Youth Opportunity]

As many universities are beginning to do. It has obviously advantages on utilizing school facilities as well. Another possibility is just that there is going to be Government money needed to be put into either subsidizing private industry to hire more youngsters or to do the massive number of things that need to be done in our cities and are not now being done. [Terris]

Perhaps, however, there can be some kind of a compromise here. For example, maybe the youngsters could work 20 hours a week under the Neighborhood Youth Corps program at age 14 and 15 and even 16 and spend some of their other time in school or in recreation programs. [Christenson]

A variety of ways. Most of the money came from private sources. My memory is that there was about \$60,000 of Federal funds involved that came through OEO special summer program, but most of that was here in Washington which tied into the Camp Roosevelt program, which you may be familiar with where they reactivated that camp they were going to abandon. What I am saying is that almost all of the money outside of Washington came from private sources, UGF, private contributions.

I might add we met just yesterday with the promotion people from the Evening Star here in Washington and also radio and television people to explore ways of expanding the Washington Star type program. That is that camper program where they solicit money. They pulled in some \$50,000 last year to send needy kids to camp. The Vice President has suggested to me that we ought to mobilize this on a national basis.

YOUTH - (Continued)

I am aware that many newspapers around the country have similar programs, but we by no means cover all the cities at this time. So, we are right now actively exploring how we can involve perhaps not even just newspapers but television and radio in a national effort to provide the money so that we can open up, as you suggest, further scouting opportunities for these youngsters. We just think the scouting movement offers real opportunities as you do because the youngsters can tie onto it. There is skilled leadership there. And they are involved with other youngsters of different groups which we think is a healthy situation. So, I couldn't agree with you more. We are going to place major focus on that type activity for next summer. [Christenson]

The daily experience of ghetto youth is not that education is a bridge to a good job but [that] even college graduates may be postmen, maids or porters. The daily experience of ghetto youth has not been "Do unto others as you would have others do unto you" but "Do to others before they do you." [Mark Battle, Administrator, U. S. Department of Labor, Bureau of Work Programs]

I think, for example, that where youth opportunity centers which are a part of the Employment Service operation now have joined forces with other local organizations to do a positive recruiting job out in the communities where the young people are, whether it means going to the local pool halls or whether it means going to wherever the young people hang out, and where they communicate a real interest in those young people, they are successful in getting the young people into the programs. But, where they sit downtown in an office and wait for the young people to come to them, they have much more difficulty getting young people into the programs. [Battle]

YOUTH - (Continued)

Unfortunately, when that was first developed, too many people thought of it as, well, when they said youth opportunity center, they were thinking of buildings, too many people, rather than system, a system for reaching and serving people. I think more recently the idea has been gotten across that when we say youth opportunity centers we are really talking about youth opportunity systems.

[Battle]

In 1967 the summer program of the Neighborhood Youth Corps was expanded by Congressional action, by the passage of supplemental appropriation, of roughly \$47 million, which made it possible to expand the program from 165,000 level which was our year-round program level to 290,000 level. In the fall, at the end of the summer period, we were thus called upon to reduce the program back to its normal level, which resulted in effect, in the dropping from this kind of employment of better than 100,000 young people, 130,000 young people. Now, in order to annualize the level that we were at during the summer, one would have to have an authorization and an appropriation which made it possible, and only the Congress can make that possible at this point in time. I do not believe there was any anticipation in the legislation submitted to Congress that the summer program should be maintained at the 290,000 level nor do I believe there was any anticipation that the regular in-school program should be maintained at that level. And so unless there is some change in the legislation, you will find this situation continued where you have a peak program during the summer that is considerably larger than the program you are able to operate on a year-round basis.

[Battle]

YOUTH -- (Continued)

Well, I think it is very clear, given your permission, that you have to support the notion that dealing with the young people of this country is a year-round proposition -- and not simply a summer proposition. And, I think that it tends to add fuel to the difficulty to have this principle -- to fail to provide the opportunity for these young people to have this kind of experience on a year-round basis.

[Battle]

Now, if you ask me what the summer piece cost on the annualized basis, I can tell you that is roughly \$88 million.

[Battle]

That program is designed for roughly 70,000 young people. The cost of that program, I would figure, is roughly \$150 million. These are figures which I don't want to have locked in concrete. I will provide the specific figures for you.

[Battle]

For the summer alone, it would be \$135 million roughly.

[Battle]

YOUTH - (Continued)

So that the cost of a program for the employment of 290,000 youngsters would be \$250 million and the program would provide employment on a 12-month basis, which would be full-time in the summer time and 15 hours in the other nine months?

[David Ginsburg
Executive Director
Commission on Civil Disorders]

Yes. That is accurate.

[Battle]

In the out-of-school Neighborhood Youth Corps we are working on this rule of thumb. I think we are showing and I think on the basis of the studies we have that we are showing 75 to 80 per cent recovery rate on the various work training programs to the extent that they go to the relatively easy cases which I don't mean to discount but we are getting about a 75 to 80 per cent placement recovery rate on the easy programs.

Willard Wirtz
Secretary of Labor
Washington, D.C.

It sounds like a great figure and then we found out we are getting on-the-job training programs a smaller percentage of minority group participants than the other programs. So it is about 75 to 80 per cent on these relatively easy cases and a good rule of thumb as nearly as I can read the figures on the Job Corps, on the Out-of-School Youth Corps and the other youth programs the recovery rate is slightly less than 50 per cent and they were losing over half of them one way or another even after we get them into the program.

Wirtz

If you were to ask me which is the better record, slightly less than 50 per cent on the Neighborhood Youth Corps or 90 per cent on the On-the-Job Training program, I suspect in terms of civil disorders -- I suspect the better performance record is on the hard corps programs on which a 50 per cent recovery rate is much better than an 85 per cent on the others.

Wirtz

I have to say the question that haunts me right now is how far those programs have gotten to whatever it is that is causing the riots. The riots are caused by a general situation of deprivation and disadvantage in the community and the creation of the psychology of disadvantage they have held out.

Our figures show a million and a half people a large percentage who are in school or at work today as a result of these programs and their administration during the last three years and I am leaving out the increase in population and leaving out the results of an improved economy.

Willard Wirtz
Secretary of Labor
Washington, D.C.

Much has been made of the fact that Negroes are under employed and I noticed finally from the Bureau of Labor Statistics an official announcement that the BLS unemployment rate was not relevant so far as Negro unemployment is concerned. It is a 3.7 or 3.8 figure and doesn't mean anything as far as Negroes are concerned. We have always maintained that as a propaganda argument but Bureau of Labor Statistics finally agreed to it.

Wirtz