

Transcript of Proceedings

UNITED STATES COMMISSION ON CIVIL RIGHTS

DISTRICT OF COLUMBIA ADVISORY COMMITTEE

FORUM ON CIVIL RIGHTS ISSUES

Washington, D. C.

Thursday, 9 September 1976

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NATIONWIDE COVERAGE

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DISTRICT OF COLUMBIA ADVISORY COMMITTEE

FORUM ON CIVIL RIGHTS ISSUES

Main Auditorium
Martin Luther King Library
901 G Street, N.W.
Washington, D. C.

Thursday, 9 September 1976

The meeting was commenced at 2:00 p.m., Mr. Roy Littlejohn, Chairperson of the Advisory Committee, presiding.

Committee members present: Dr. Roy J. Jones, John C. Topping, Jr., Josefina Bustos, Ruth Jordan, James Larry Owens, Pauline W. Tsui.

Staff Present: Jacob Schlitt, Everett Waldo, Iver Stridiron, Victoria L. Squier, Edward Darden.

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MR. LITTLEJOHN: Ladies and gentlemen, I believe we can begin. May I take this opportunity to welcome you to the Forum on Civil Rights Issues.

I am Roy Littlejohn, Chairman of the D. C. Advisory Committee to the U. S. Commission on Civil Rights.

The members of the Advisory Committee who will participate in this forum are: Nellie W. Brooks, Dr. Roy L. Jones, Ruth Jordan, Deborah L. Matory, James Larry Owens, Joseph Rauh, John C. Topping, Jr., Pauline W. Tsui, Josefina Bustos, and Charles E. Smith.

Commission staff who are here today are: Edward Darden, Field Representative, Jacob Schlitt, Director, Everett Waldo, Deputy Director, Iver Stridiron, Attorney, Victoria L. Squier, Research/Writer, and they are all of the Regional Office of the Commission.

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1 As many of you know, the Commission on Civil Rights
2 is an independent agency of the United States Government,
3 established by Congress in 1957 and authorized by the Civil
4 Rights Act of 1957, '60 and '64, to investigate complaints
5 alleging that citizens are being deprived of their rights to
6 vote by reason of their race, color, religion, national
7 origin or sex; two, to study and collect information concern-
8 ing legal developments which constitute a denial of equal
9 protection of the law under the Constitution; and three,
10 to appraise federal laws and policies with respect to
11 equal protection of the laws; and four, to serve as a national
12 clearing house for civil rights information; and five, to
13 investigate allegations of vote fraud.

14 The Commission is authorized to establish ad-
15 visory committees to carry out its function. While these
16 committees have served important purposes in the past, their
17 operations have taken on importance and increasing signifi-
18 cance in recent years, as issues in the civil rights field
19 have become more complex and as the Commission has sought to
20 better utilize its resources.

21 The D. C. Advisory Committee, while being like
22 other state advisory committees in many aspects, is none-
23 theless unique. Our area of jurisdiction is the District
24 of Columbia. Nonetheless, many of the problems with which
25 we are faced are metropolitan in nature. Because of this,

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1 individuals representing organizations and agencies throughout
2 the metropolitan area have been invited to appear at this
3 forum and share with the Committee their concerns about
4 civil rights issues affecting the entire metropolitan com-
5 munity. We anticipate that we will hear presentations on
6 civil rights issues in the areas of employment, housing,
7 education, health, religion, and the administration of justice,
8 as well as problems related to civil rights enforcement and
9 discrimination based on sex and age.

10 This forum on civil rights issues is one way for
11 concerned individuals and organizations throughout the
12 metropolitan area to become involved in the Advisory Com-
13 mittee's planning process. The information presented here
14 will help all of us become more acutely aware of civil rights
15 issues, which affect citizens in the Washington D.C. area.

16 In addition, these presentations will assist
17 the Advisory Committee in determining which areas to pursue
18 in its next year's activities.

19 We want to make it clear that every effort
20 was made to obtain information from diverse groups within
21 our jurisdiction. Invitations were sent to a broad cross-
22 section of metropolitan area agencies and organizations
23 concerned with civil rights.

24 And the Advisory Committee also appealed to the
25 general public through radio and television messages for

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participation. We believe that those who are hear today, and will be here later, reflect that cross-section.

In accordance with this view, we will accept prepared statements from any individual or group who wishes to provide us with them whether or not they will be appearing as a speaker.

Further, each party will be limited to 15 minutes in order to make an initial presentation and to respond to questions. Because of the constraints of time, we suggest that each speaker summarize his or her statement so that no more than five minutes will be used in this regard.

Anyone wishing to submit a statement to the Committee should see Jacob Schlitt, to my right, who is a member of the Commission Staff, before the meeting is adjourned.

The Advisory Committee is concerned that we obtain all of the information you care to present. However, we are also concerned that no individual be the victim of slander or libel in these proceedings. Therefore, in the unlikely event that such a situation should develop, it will be necessary for me to call this to the attention of the person making the statement and request that the person desist from such conduct.

If a statement of the character noted above is of sufficient importance, it may be necessary for the Committee to hear it in closed session. In such an event, the person

1 against whom the allegations are being made will have ample
2 opportunity to make a statement in the same closed session
3 before the Committee, if he or she so desires.

4 Since this is a public meeting, the press, radio
5 and television, as well as individuals are welcome. Please
6 understand, however, that under Commission rules, any per-
7 son may specifically request that he or she not be televised.
8 No problem at the moment.

9 In this case it will be necessary for me to com-
10 ply with those wishes.

11 Again, our purpose today is to obtain more
12 definitive information about what problems you believe are
13 most pressing in the area of civil rights in this city and
14 metropolitan area. We hope that by obtaining this information
15 directly from you, we shall be better able to plan relevant
16 studies and other programs to address selected issues that
17 have been raised.

18 It is also our hope that those of you who have
19 responsibility for dealing with these issues will be responsive
20 to the concerns of the community and will use the information
21 presented in order to move more resolutely to resolve the
22 problems identified.

23 We are pleased at this point to call as our first
24 speaker, Mr. James Baldwin, Director of the Office of Human
25 Rights of the District of Columbia, who will be speaking on
behalf of Mayor Walter Washington.

STATEMENT OF JAMES BALDWIN, D.C. GOVERNMENT:

1 MR. BALDWIN: Mr. Littlejohn, distinguished members
2 of the D.C. Committee for the United States Civil Right Commis-
3 sion, ladies and gentlemen. When Mayor Walter E. Washington made
4 this commitment several weeks ago to be with you in this forum,
5 he had not planned to be out of the city. He is out of the city
6 and is on vacation, a much needed vacation. But his wife insist-
7 ed about 5 or 6 days ago that the major should take some time
8 off and she felt she deserved a little vacation so he is on
9 vacation and out of the city and will return Friday night.

10 But as his representative, and speaking on behalf
11 of the executive branch of the District of Columbia government,
12 I can say to you what commitments that I make to you in the
13 form of cooperation as far as our staff is concerned and as
14 far as the District government is concerned is binding and we
15 will in fact do it. Feel very free to call on us. I will be
16 back at 7:15 to make my own presentation and in that presenta-
17 tion also I will be making some commitments on behalf of the
18 District government. So feel free to call on us and we won't
19 hedge and say, "He made it and the mayor wasn't here, therefore
20 it isn't binding on the mayor."

21 I think also at this time that I shall applaud this
22 committee. After I was informed yesterday of the make-up of
23 the committee, I was very pleased and very enthused because
24 about 80 percent of them I have known for many years in various
25 areas. Some of us served on various committees together, some

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1 of us were schoolmates, and this city should be pleased with the
2 make-up of this committee because you have a group of dedicated
3 people who are not only concerned about civil and human rights
4 of the people of this city but concerned in other areas. And I
5 know that I speak for the District, executive branch, when I
6 say that you have a group of people representing us and that
7 included the District government and all of us who live and
8 work in the District government, that these are a great group
9 of committed and loyal people who are concerned about what is
10 going on in this city, especially in the area of human rights
11 and civil rights.

12 The Mayor has tripled the resources in the areas of
13 human rights and civil rights during his administration. I came
14 on in January of 1970. At that time we had a staff of three.
15 and today six years later we have a staff of 68 in the D.C.
16 Office of Human Rights. He's reorganized the District government
17 in the area of equal employment opportunity. He had made it
18 available and made it convenient so that each government employee
19 can file a complaint of discrimination now without going through
20 a lot of redtape.

21 The Mayor has also been responsible for sending to
22 the City Council one of the most comprehensive human rights laws
23 in this country. There is a problem that I will talk about
24 tonight in my presentation but this is a comprehensive law that
25 the City Council enacted in November 1973.

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1 So as far as the commitment from the executive
2 branch and also -- I am not representing the legislative branch,
3 but someone will be here to speak for them also -- we have a
4 District government that is committed to equal opportunity for
5 all of its citizens and the protection of the civil rights for
6 each individual. I am sure that during the forum there will be
7 some very helpful and very meaningful recommendations that
8 will flow from this session. I am sure I will have several
9 recommendations and hopefully you will be able to assist my
10 office in these civil rights issues that I am very much person-
11 ally concerned about and do need some help. Thank you.

12 MR. LITTLEJOHN: Thank you very much. Are there
13 questions from the panel at this time? Or shall we hold our
14 questions for Mr. Baldwin until this evening?

15 We will hold our questions for you until this evening.
16 Thank you and we look forward to seeing you again.

17 MR. BALDWIN: Thank you.

18 MR. LITTLEJOHN: We are very, very pleased to have as
19 our next speaker the chairman of our City Council the Honorable
20 Sterling Tucker.

21 MR. TUCKER: Thank you very much, Chairman Littlejohn
22 and members of the Committee, ladies and gentlemen.

23 I come not as a witness for I am anxious to get
24 results of this forum, but to bring greetings on behalf of my
25 colleagues on the Council, I sat where you sit some years ago

jeri 4 1 When I guess the organization was of the Committee, the Advisory
2 Committee, and so I understand the nature of your work. The
3 problems today are in many ways pretty much the same. I am sure
4 we are going to hear a lot probably in these next 7 hours about
5 the usual problems and how they effect us in the District and
6 what you will I am sure will be true.

7 What you may not hear much about is what I consider
8 the major civil rights problem, however, we face, and it's the
9 limited civil rights we have as relates to the federal government
10 itself. Until we are able to gain that freedom so we can
11 execute the normal rights that all citizens enjoy, we are going
12 to be forever handicapped and you will be working peripherally,
13 as you have had to do in the years past, not being able to come
14 to grips with the real issue that faces us.

15 We will never be able to solve the problems of equal
16 opportunity through this metropolitan region until the federal
17 government gets out of the business of running the city. We are
18 not going to be able to deal on an equal basis and bargain with
19 the same power we need that Montgomery County has or Fairfax
20 or Prince George's County has, as long as the federal government
21 can veto our efforts as we seek to try to bargain.

22 We are not going to be able to solve the problems
23 of housing in the District of Columbia alone so long as the
24 regions are able to execute all kinds of regulations and provi-
25 sions to pile up low- and moderate-income population in the

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1 District, close them out and leave that problem totally a
2 District problem. We are not going to be able to solve that
3 on a regional basis until we have the power of our own budget
4 and we have the power of our own laws, so that we can enforce
5 cooperative relationships throughout the region.

6 It seems to me, therefore, critically important that
7 a primary piece of the agenda of this Commission, the Advisory
8 Committee, has got to be to help the District of Columbia
9 secure its normal rights, basic simple human rights so that
10 we can govern ourselves, so we can solve the problems of civil
11 rights which we face. I would hope, therefore, that this
12 Committee will see it as one of its important considerations
13 and will utilize its influence to help the national government
14 focus an appropriate share of its interest on this problem and
15 its probable solutions.

16 I come therefore to suggest this to you. I would
17 hope that you, as you look at our problems, that you take a good
18 look at the District government. Mr. Baldwin has indicated the
19 commitment on the part of the local government, both executive
20 and legislative branches, and he's absolutely correct in this
21 commitment that we have. But I would hope that you would feel
22 free to suggest ways in which we both in our executive, and
23 legislatively, might more efficiently and effectively execute,
24 such as contract work and all these areas that I think we may
25 not have fully considered or explored, ways in which we can

1 equalize opportunities where they have not been.

2 The administration of some of our programs -- whether
3 it's jurisdiction of the Council of the District of Columbia
4 or the other departments -- how indeed do we carry out some of our
5 provisions of opportunity, the program the government itself
6 executes. It seems to me the federal government's house has to
7 be in order, and the District's house has to be in order when
8 we move in these direction comprehensively and efficiently.
9 We are on more solid ground in moving into the private sector.

10 I thank you for this opportunity to come and express
11 these few thoughts with you and look forward at some point to
12 having an opportunity to see the results of this day's work.
13 And if there are things we can do through the legislative branch
14 of government to help influence your work, we will do so.

15 MR. LITTLEJOHN: Thank you very much, Mr. Chairman,
16 it's our pleasure to have you here.

17 Counsel will call the next individual.

18 MR. STRIDIRON: Is Mr. James Vitarello here?

19 Mr. Marion Barry? Is Mr. James Harvey present?

20 MR. LITTLEJOHN: While Mr. Vitarello is getting ready
21 would you identify yourself for the record, Mr. Barry?

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1 MR. BARRY: My name is Marion Barry; I am a member
 2 of the D. C. City Council and a resident of the District of
 3 Columbia.

4 MR. LITTLEJOHN: Do you have a statement you would
 5 like to make at this time?

6 MR. BARRY: I don't have any prepared statement. I
 7 have some notes which I would like to use and to share with you.
 8 We have been very busy on a number of other things, so we haven't
 9 had a chance to get it typed and xeroxed.

10 I welcome this opportunity to appear before you and
 11 turn to the forum of the District of Columbia Civil Rights
 12 Advisory Committee to the United States Civil Rights Commission.

13 I happen to think that this kind of forum is long
 14 overdue and I am not enthusiastic about forums, only as a way
 15 of identifying possible problems and solutions.

16 I think the work comes after these kinds of hearings.
 17 And the complex problem of civil rights and newly enacted legis-
 18 lation designed to protect these rights, in my view, requires
 19 a far more sophisticated responsibility today by those of us who
 20 personally have been engaged in civil rights struggles of the
 21 '60s. Minorities and women are rarely confronted with the
 22 overt, blatant discrimination in 1976 that we were before.

23 The Bull Connors of this world have either died
 24 or assumed a new facade in sheep's clothing and the confrontation
 25 politics of yesterday, which a lot of us engaged in, are only

1 today's memories. But, I want to make sure we all understand;
2 I want to tell this panel, for the record, that racism and
3 sexism are still alive and well in the minds and hearts of
4 many Americans, but they have taken a new form and are far more
5 difficult to detect.

6 We all are aware of the overt racial and sexual
7 segregation but I think I would like to focus a little bit on
8 what I call the economic discrimination.

9 Washington, D. C., which is certainly the capital of
10 the United States, is about 75% black. But, when you take a
11 look at a number of sectors in our community, particularly
12 the economic sector, you find that there is still blatant dis-
13 crimination and disparities and inequities which exist between
14 women and minorities. For instance, in our own D. C. Government,
15 which awards millions of dollars of contracts every year, the
16 record is miserable in the sense that you find that less than
17 4% of all the contracts awarded by this government, which I am
18 slightly a part of, go to the minorities and to women.

19 Hopefully, Reverend Coates' bill called "The Minor-
20 ities Act of 1976" began to correct some of this, because it
21 calls for at least 25% participation in minorities in all of our
22 contracts.

23 If you look at our construction area, Metro included,
24 you find again that that 20% quota system, 25%, is not working
25 very well. I think that the shift and focus has to be on

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1 economic discrimination because in a capitalistic society which
2 we live in, it's the dollars which we have to be concerned about
3 and availability of those dollars. And I would like to ask the
4 committee to focus itself on these hard problems in the area
5 of economics, in the area of jobs, in the area of contracts, in
6 the area of money in people's pockets. And it is not enough
7 just to ask how many blacks are you hiring, or how many are
8 working in positions of management, but invariably, if you take
9 the dollars paid, that is the salaries paid, you find that in
10 some instances, the percentages of blacks in positions may be
11 30 or 40%, but the dollars is 10% or 15% and that is the kind
12 of area you have to look at.

13 More importantly, I would like to focus on an area
14 today that has become a subject of great concern to all of us
15 and that is the area of urban disinvestment or commonly known
16 as redlining. And this is particularly true in the District
17 of Columbia in the sense that if you take the data of our
18 surrounding jurisdiction, you find that in Montgomery and
19 Prince Georges County and Maryland and Virginia, that 56% of all
20 the housing which people live in is owned by the persons who
21 live there, whereas in the District of Columbia, that figure is
22 a miserable 32%. That is out of all the housing in the District
23 of Columbia, where people live, only 32% of those who live there
24 own those houses, as compared to some 55 in Atlanta, Georgia,
25 and 46, 47% in Philadelphia and even larger percentages in other

1 parts of our country. So, the whole question of home ownership
2 and money is very, very important.

3 Jim Harvey and Jim Vitarello will be discussing in
4 greater detail the results of redlining studies in the city,
5 what actions are being planned to stop this, but I wanted to
6 call this to the attention of the panel. The City Council has
7 recently enacted to establish a Neighborhood Reinvestment
8 Commission, as successor to the Residential Mortgage Commission.
9 The Neighborhood Commission will have a much broader mandate
10 than its predecessor and be responsible for developing an
11 affirmative employment plan for financial institutions and a
12 reinvestment program for commercial financing, as well as con-
13 tinuing to be involved in housing financing.

14 I learned, for instance, that our local bankers have
15 a lot of discretionary power as to who they lend money to and,
16 for instance, there are some local bank presidents or vice
17 presidents who have authority to lend up to \$10,000 in personal
18 loans just on a signature, if they so desire, and there is no
19 check and balance there. They say yea or nay, without anybody
20 knowing what they did.

21 And back to the commission, the composition of the
22 new commission is also broadened to include representatives of
23 the neighborhoods, the reinvestment and mortgage banking
24 community, minority businesses, credit union personnel and three
25 members of the City Council. I am fortunate to be one of the

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1 three members and look forward to working with the members of
2 the commission's staff in the very near future.

3 I would like at this time to focus my attention on
4 a problem I believe your committee is in a unique position to
5 help resolve. I am speaking about the well-documented lack of
6 enforcement of the Fair Housing Act of 1968 by the the Federal
7 Financial Regulatory Agency and the United States Department of
8 Housing and Urban Development. While numerous administrative
9 and congressional hearings have been held on this subject, I
10 have yet to see any concrete actions by these agencies directed
11 against offending financial institutions. The financial
12 institutions comprise the most regulated and protected industry
13 in America.

14 Nearly all of their deposits are insured by the
15 Federal Government and they receive millions of dollars in
16 loans as you very well know from the U.S. Treasury each year
17 at prime rates. In the District of Columbia, the problem is
18 particularly acute, because all but one of the 32 banks and
19 Savings and Loans based in this city are chartered by the
20 Federal Government. This means that the city government cannot
21 directly regulate the activities, despite the enormous impact
22 their lending and hiring practices have on the city's economic
23 and housing development. I have tried through our taxing
24 policies -- because we can, in fact, levy taxes on these
25 institutions -- to use that as a lever to get them to do a lot

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1 better, but again, you can only go so far in that area. New
2 ways must be found to make the financial institutions account-
3 able, to make the Federal Financial Regulatory Agency accountable
4 and to make them responsive to the needs of our cities. And the
5 place to begin should be Washington, D. C.; a city, as I said
6 earlier, with the highest percentage of blacks of any major
7 urban city center in America and the home of each of these
8 regulatory agencies. I say, again, the home of these agencies.

9 I would like to end by making one final point.
10 Washington, D. C. does have a strong anti-redlining law which
11 has existed since 1973, and we intend to move ahead on that.
12 But, unfortunately, as in the federal level, no action has been
13 taken by either the D. C. Office or the Commission of Human
14 Rights against a single financial institution. When you bring
15 the data forward, you will find very clearly that there are a
16 number of institutions that are blatantly discriminating against
17 women and blacks and, yet, our own D. C. Office of Human Rights
18 or our Commission on Human Rights have not moved against a single
19 institution and we intend to continue to bring it to their
20 attention and hope you do the same thing.

21 Also, I will be urging our city enforcement agencies
22 to cooperate closely with the Neighborhood Commission in the
23 development of affirmative action plans for local financial
24 institutions. Your assistance, however, will be most valuable.
25 I would suggest that you meet with the Human Rights Office and

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1 the Commission to review investigative procedures and join in
 2 the development of innovative guidelines for fair lending. I
 3 realize that your office, as most offices, is short-staffed and
 4 suffering from the budgetary crunch of our city, but I think
 5 money is not the only answer. Sometimes, it takes some zeal and
 6 guts and imagination to tackle these problems head-on. So, we
 7 would like to push very hard in spite of the financial difficul-
 8 ties that the country has. We have to move ahead to get that
 9 office to be more responsive in the area of financial and
 10 economic discrimination. We all need to get serious about
 11 economic discrimination and begin to realize that this form of
 12 discrimination is a foolish waste of our most valuable resources,
 13 that is, people.

14 The problem we deal with is too large for any single
 15 locality to solve alone. It takes a lot of help and work. So,
 16 we need your active involvement.

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1 Sorry I was so long in my statement, but I think the
 2 problem is large and huge and it needs to be spoken to, so I
 3 have tried to take a few minutes to try to speak to one
 4 part of it. I have not spoken to the traditional forms of
 5 discrimination against women, against ex-convicts, against
 6 other minorities and against blacks and against old people,
 7 because that is going to be spoken to, I am sure, by a lot
 8 of other people.

9 I took the idea of economic discrimination because
 10 I am chairperson of the committee on financial revenue, and
 11 money is something I have learned a lot about. I see every
 12 day what happens in the city. I know who owns and doesn't
 13 own the businesses, and I think that is an idea that ought
 14 to be pointed out and I welcome an opportunity to appear
 15 before you and to join Jim Vitarello and Jim Harvey in this
 16 endeavor.

17 Thank you very, very much.

18 MR. LITTLEJOHN: Thank you very much.
 19 We would like to have Mr. Vitarello and Mr. Harvey identify
 20 themselves for the record and, after they have made their
 21 presentation, we would like to ask questions of the entire
 22 panel.

23 MR. VITARELLO: My name is James Vitarello,
 24 Executive Director of the D.C. Neighborhood Reinvestment
 25 Commission.

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1 MR. LITTLEJOHN: Would you identify yourself,
2 Mr. Harvey.

3 MR. HARVEY: James Harvey, Executive Director
4 of the Metropolitan Washington Planning and Housing
5 Association.

6 MR. LITTLEJOHN: Now, you may proceed as you
7 wish.

8 MR. VITARELLO: Thank you for this opportunity to
9 discuss the major civil rights issues in the city. Like
10 Mr. Barry, I am also going to concentrate on economic
11 discrimination, and specifically going to be talking about
12 the mortgage lending practices of D.C. S&Ls.

13 I will also be addressing very peripherally the
14 employment patterns and commercial loans patterns of the
15 banks and S&Ls.

16 But this is an area that we are only now getting
17 into.

18 Let me first say that I have been involved in
19 research and community action for at least the last three
20 years. When I was the director of D.C. Public Interest
21 Research Group, a Nader-affiliated organization, we did the
22 first redlining study in the city that several of you probably
23 read about in the paper.

24 Since that time I have the honor and privilege
25 of becoming the director of what is known as the Mortgage

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1 Residential Commission which is now, technically, way off the
2 books. We do have a preliminary report which I have given you
3 and which is available to members of the public, and we are
4 in the process of finalizing the final report right now.

5 I just came on the Commission about four and a
6 half months ago and have been running around trying to put
7 together this report plus the final report, in addition to
8 getting the new commission started.

9 But let me just state one thing before I go to
10 the statistics, that based on my extensive research and
11 discussions with a number of people in this city and around
12 the country on this issue, I find there is no doubt whatsoever
13 that redlining has existed in the city for many, many years
14 and continues to exist in the city for many, many years, and
15 that the employment patterns of the banks and savings and
16 loans are horrendous -- particularly, the savings and loans.
17 And I will talk about them a little later -- but I want
18 to state for the record there is no doubt in my mind that
19 these practices have existed for years and continue to exist,
20 although there are some face-lifting PR programs that the banks
21 and S&Ls are putting together. I don't find them terribly
22 sincere at all.

23 I think they will have to go a lot further than they
24 have so far.

25 Let me address, if I may, very briefly -- there was

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1 a lot of data accumulated in the Mortgage Commission in the
2 last two years -- but very briefly, let me explain the
3 statistics we received from the banks and savings and loans
4 themselves.

5 Now, this is from 32 institutions. And we
6 aggregated or totaled these statistics, and this is just
7 a very small glimpse. The report goes into more detail.
8 But here is what it shows.

9 (Chart.)

10 The banks here on the top, the S&Ls on the bottom.
11 Can you see this?

12 We had two basic periods. Their portfolio as of
13 1971, that means the total mortgage loans they had inhouse,
14 could have originated years before, as of the end of '71.
15 And then we also asked them for their loans that they made
16 from '72 to the middle part of '75. With the S&Ls, I am
17 sorry to say, we did not get '73 and the first half of '74.

18 My predecessor, for some reason, decided not to get
19 it. But for the banks we got the full 3 1/2 years.

20 Let me point out here that in the '71 period,
21 the banks had 31 percent of their loans, this is their total
22 one- to four-unit buildings in the city, 31 percent of the
23 dollar amount went to the city and the remaining amount, 69
24 percent, went to the suburbs.

25 Now, you see here that it appears that their

bw5 1 percentage increased in the '72-'75 period and it did, in fact,
2 in the city, but I will show you on a following chart that the
3 overwhelming majority of that money went west of the Park, that
4 is Rock Creek Park.

5 With the S&Ls, it is not even that indiscrete.
6 It is very obvious that the percentage went from 27 percent
7 in the city as of '71, it dropped all the way down to 12
8 percent as of this new period.

9 I think here is where you really get a flavor
10 of what is going on in the city.

11 (Chart.)

12 This is a percentage of the D.C. loans that
13 were made. We're not including suburban loans any longer.

14 Here's where we really see what is going on. Of the
15 D.C. loans by the banks as of '71, 54 percent went to west
16 of the Park. I point out west of the Park has as of 1970
17 Census, only 12 percent of the population of D.C. and only
18 2 1/2 percent black at that time, 1970. I doubt if it's
19 gone up very much higher than that.

20 MR. TOPPING: Is that in dollar volume?

21 MR. VITARELLO: Yes, everything you see here
22 is dollar volume on one- to four-units. I am not talking
23 about -- I'm talking mostly about row houses, semi-detached
24 and detached houses.

25 31 percent west of the city and seven --

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Notice the population here for the city in '70. 28 percent east of the river, the population, and it was approximately 92 percent black in 1970. 60 percent is the rest of the city and the remainder of the city was approximately 88 percent black.

Now moving on to a more recent era, '72-'75, look what happens here. It jumped up to 70 percent west of the Park by the banks. The percentage east across the river dropped to two percent. And 28 percent was the remainder of the city. So the remainder lost a considerable amount too. You can see the trend going more and more west of the park, more affluent nonminority areas.

The S&Ls, while not as bad as of '71, with only 34 percent west of the Park, had a more dramatic increase as of '72-75 period.

They jumped up to 45 percent and that is a higher jump than the banks had in percentage terms, not in dollar total amounts.

But, again, you can see that their trend follows very much the bank trend.

I would like to point out that I have had extensive discussions with black real estate brokers, black appraisers, white appraisers, S&L presidents and so on. And based on these discussions, it only confirms what the data shows, that is, that we have two housing markets in

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1 Washington, D. C. It is very clear.

2 Perhaps more affluent blacks in the city might be
3 able to bridge that gap, but for the great majority of
4 blacks in the City, and I am talking about middle class income,
5 as well as moderate and low income, basically it's two
6 separate markets.

7 The black community primarily relies upon the
8 mortgage bankers, who are not depositors, not banks or
9 S&Ls. They get their money from insurance companies or
10 pension funds outside of the city. And the brokers and the
11 appraisers who deal with these mortgage bankers are totally
12 different people than the appraisers and brokers who deal with
13 the S&Ls. I have had a number of black brokers honestly
14 tell me that they never ever, ever sent their black clients
15 to S&Ls or banks, because they knew the door would be shut.

16 Now, this is a very serious problem, because,
17 even these black brokers are very justified in believing
18 this, because of historical redlining, they know all too
19 well has occurred, since they came, at least, the 30s, the
20 problem is now getting them to turn around -- as well as the
21 black appraiser -- getting them to start working with the
22 S&Ls and banks in the city.

23 They generally don't want to do it, because they
24 are reluctant.

25 Now, I am trying very hard to sort of bridge

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1 that gap and bring these people together, and I tried to
2 develop a housing finance plan which attempts to, among other
3 things, develop an affirmative marketing plan on the part
4 of the S&Ls and the banks to affirmatively let the public
5 know, particularly the minority community, that they want
6 to do business with them.

7 But I think you can play a very vital role here, even
8 perhaps serving as an intermediary between the city government,
9 the community and the entire real estate industry -- and I
10 want to emphasize, the entire real estate industry. This is
11 not an isolated situation of just banks and savings and
12 loans. They highly depend upon appraisers, for example, to go
13 out to the neighborhoods and appraise the properties.

14 Most of the appraisers -- I haven't got even a
15 figure yet, but I am sure the figure is 96 percent or more --
16 are white appraisers, and male, who work for the S&Ls
17 and the banks -- based on, again, just discussions.

18 We get into that in the new study we are doing.
19 And the same is true with the brokers. We have to be able
20 to crack that network and to try to open it up to the
21 entire city, so we no longer are a city of two different
22 people.

23 MR. LITTLEJOHN: Thank you, Mr. Vitarello.

24 Mr. Harvey?

25 MR. HARVEY: Thank you. I have a written statement

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1 that I would like to submit for the record, but I would like
2 to just summarize why we are in here. I recognize the job
3 you have to do, because I was in a similar situation when I
4 was chairperson of the Maryland Committee not long ago.

5 I want to mention a couple of different areas
6 that I think the Committee should consider. And the notion
7 is not new to you. I know we have had previous discussions.

8 That is, look at some of the civil rights problems
9 on a metropolitan basis, not it is not uncommon for us to find
10 we have the black home seeker who lives in the District,
11 who is seeking a house in Montgomery County and is dealing
12 with a bank environment. So you can't separate them.
13 You know we have this fluidity here.

14 Also I recognize and don't know whether it is
15 changed or not, but when I was with the Maryland state
16 group, we didn't pay much attention to what was going on
17 in Montgomery and Prince George's Counties, because by design
18 we chose to look at Baltimore, Baltimore County and the Eastern
19 Shore. So we know a lot of what is happening in suburban
20 Maryland here is not being addressed by the Maryland group,
21 unless that is changed.

22 I think you will find the same true with
23 the Virginia group, where they are dealing with other
24 problems and they view Northern Virginia as a different kind
25 of creature and maybe being a part of Washington is more

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1 identified with Washington.

2 So I would suggest that we begin to develop some
3 kind of study, take a look at what is happening in the
4 Metropolitan area. I think we find it true in the redlining
5 aspects of it also, as Jim pointed out, the loans as made
6 in the suburban jurisdictions. How would the Committee
7 get ahold of that unless you looked at the entire metropolitan
8 area, not just confined it to the District.

9 So I know there are real problems that you can
10 deal with here in the District of Columbia, how you can't do
11 it just in isolation of what is going on in Northern Virginia
12 and in Maryland.

13 So we have several recommendations and all
14 predicated on the first, of taking a metropolitan look at
15 economic opportunity. So what we would suggest is that the
16 Committee reconstitutes itself as an advisory committee for
17 metropolitan Washington and that can be done just on certain
18 sub areas.

19 I recognize that. And it would not detract from
20 if you wanted to concentrate on problems right here in the
21 District of Columbia.

22 So I don't know what it would take to make that
23 kind of change or whether it is permissible under the statute
24 or not, being created by a statute of Congress.

25 So if you would take that step, then our

bwll 1 recommendations are that:

2 1. We probably need to look at the governments
3 that make up the metropolitan area of Washington and since
4 COG is the coordinating function, a kind of quasigovernment
5 institution there, I think somebody needs to take a look at
6 the operation of COG.

7 We have done some preliminary looks at their
8 employment pattern, their contractual services, of the citizen
9 committee makeup, because that is one of the institutions
10 that we deal with in a number of areas, we cooperate in
11 a number of areas, using COG as our vehicle there.

12 Not long ago -- and I forget which year it was --
13 COG adopted an affirmative marketing plan for the metropolitan
14 area, and this was enforced by a number of jurisdictions.

15 But the question is -- and this could lend itself
16 to a study by your committee -- whether or not it's been
17 implemented and, if so, what impact it has had, as far as
18 fostering economic opportunity in housing.

19 What I am afraid that you will find is that these
20 governments, they like to have these nice statements of
21 economic opportunity and draw up these plans, but then nothing
22 happens. And we don't have an independent group who, I think,
23 could better do it than your Committee to take a look at
24 that plan to find out what has really happened with it.

25 It was quite a comprehensive plan and involved the governmental

12 1 jurisdictions, as well as the private industry, in housing,
2 talking about the way they give loans, the advertising
3 policies, their employment policies, but again it is just
4 nothing but paper, unless somebody really monitors and finds
5 out what is going on. Because they are proud to take a
6 lot of credit for getting that document passed, but I don't
7 think we see any progress beyond that.

8 One of the other areas, too, that I think we could
9 look at, again, on the metropolitan basis, where we do
10 have the fair housing laws and the laws dealing with
11 economic opportunity in employment and public accommodations,
12 but there is an unevenness, as far as the authority and the
13 enforcement that is being done by these local jurisdictions.
14 A lot we used to place at the federal level, but as you know,
15 most of the clients that come in, particularly housing, are
16 deferred to the local jurisdictions and again nobody has
17 taken a look at the real enforcement activities being carried
18 on by these local jurisdictions, including the District of
19 Columbia.

20 So we would suggest that as another area that you
21 may want to look into.

22 The other area -- and COG would never touch this
23 one -- of looking at the employment pattern, the employment
24 practices of these local jurisdictions. Now, Jim Baldwin's
25 office did do this for the District of Columbia to find out

bw13 1 at what levels blacks were employed, how many women,
2 looking at the various commissions established by local
3 jurisdictions, but nobody is looking at Montgomery,
4 Prince George's and Fairfax and Arlington Counties and that is
5 something else that can be done. Nobody is saying that you
6 need to hire on an economic opportunity basis and looking at
7 their record, as they have it now.

8 Another area that you may want to consider is this
9 whole business of transportation system, whether or not
10 our transportation system, as it is, is really serving
11 the low income and minority communities. Just on a cursory
12 look we notice how you get more frequent stops in some of the
13 white and affluent areas and more convenience than in the ...
14 minority areas.

15 This is another whole area that I think somebody
16 needs to pay some attention to.

17 Well, those are our recommendations, Mr. Chairman.

18 MR. LITTLEJOHN: Thank you very much.

19 MR. TOPPING: I would like to address the first
20 question to the panel. It is my understanding that some
21 people might have thought that one of the difficult problems
22 in the real estate investment area also concerns the
23 availability of insurance, that there have been some
24 indications sometimes in both a home owner situation and
25 business situation, sometimes there really is more redlining

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1 by insurance companies than there is by the financial
2 institutions themselves, and I wondered in the work that the
3 Reinvestment Commission and its predecessor had done, what
4 indications you have come up with to date that the insurance
5 inavailability in many areas itself is a major problem, and I would
6 assume also in some cases, probably would reinforce some of
7 the difficulties in securing financing by the various banks
8 and S&Ls.

9 MR. BARRY: I think that the District again has
10 a strong anti-insurance redlining, to us that word, it is
11 supposed to be endorsed by the Department of Insurance.
12 Generally, they have not been as vigorous as they ought to be.
13 But the problem you run into is that there are five or four
14 ways that you buy a house and one is through VA or FHA,
15 which is government-insured.

16 But a significant amount of housing is insured
17 not by any other person, except the fact that you take out the
18 loan and they use the house as collateral to some extent.
19 That is where the problem lies that a lot of these banks --
20 banks don't really like to make a lot of mortgage loans.
21 They are not in the long term business. But, certainly,
22 S&Ls just would not lend money to certain kinds of
23 people in certain areas.

24 Simple as that.

25 Now, naturally, the businesses have problems, and

1 the federal insurance program is some relief, but I think.
2 the big problem is just the attitude and willingness on the
3 part of industry to make these loans. Maybe Jim knows the
4 percentage of VA or FHA loans, but it is just a matter of
5 not doing it more than anything else, as I see it.

6 MR. STRIDIRON: Question to Mr. Vitarello. Most of
7 the statistics came from the banks and S&Ls?

8 MR. VITARELLO: All of them.

9 MR. STRIDIRON: Are they aware of your findings
10 or will that be --

11 MR. VITARELLO: I am a marked man in this city.
12 You better believe they are aware of it. Not only are they
13 aware of it -- of course, we have sent them tons of these.
14 (indicating). They are probably sick of seeing them
15 again -- but we are trying to negotiate a housing finance
16 plan with them.

17 It is very, very slow and every step along the way
18 it is like crawling with them. And I am really, I really
19 need all the help I can get from the City Council, the Mayor's
20 Office -- which I haven't received very much support from at all
21 all, but I am hoping to get it -- from citizens groups,
22 from the Civil Rights Commission.

23 We are all going to have to get together to work
24 on this.

25 It is extraordinarily complex. It involves

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1 insurance, involves city services.

2 I understand -- again I don't have statistics
3 to prove -- but I have been told that the city government
4 itself redlines certain neighborhoods.

5 Certain schools are better than others and, in
6 certain areas. Garbage collection is better west of the Park
7 than it is where I live, east of the Park.

8 So, it is sort of an ongoing cycle and I don't
9 want to point the finger at one particular industry.

10 The reason why I am emphasizing S&Ls and the
11 banks is because they do hold a very, very essential key,
12 as Marion said, that is called money.

13 As long as our society is controlled by money,
14 which no doubt it is, then we have to look at the money
15 people first.

16 But we shouldn't just stop there.

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DOWD:

1 MRS. JORDAN: I would like to ask Mr. Vitarello
2 whether or not he has found that the practice of steering --
3 and Mr. Harvey can probably address it, too -- which was
4 considered common throughout the early '60s east of the Park,
5 by both insurance carriers, by banks, by S&Ls -- that is, when
6 a person, of whatever race, is redlined out of that district,
7 looks at a house, is steered away from that house by suggestion,
8 by innuendo, by simply saying we do not give loans to white
9 people in this black neighborhood, we don't recommend it, or
10 we don't recommend that a black person, a middle class black
11 person live in this area.

12 Have you done any studies on the whole question
13 of steering?

14 MR. VITARELLO: No, I haven't done any studies, per
15 se. Again; I have had numerous discussions with the brokers,
16 both black and white, and there is no doubt that steering
17 continues, particularly west of the Park, if a black person
18 attempts to buy a house west of the Park. It's clear.

19 For a long time, it was difficult for a white
20 person to buy a house in a number of areas in the city,
21 because it was known as a black neighborhood. Now the opposite
22 is true. A number of those neighborhoods are turning white,
23 and it's very difficult for a black person to buy there.

24 See, that's the whole problem. The real estate
25 industry and the appraisals standards, the books that they use

1 and so on, teaches you one thing, that neighborhoods have to
 2 be totally homogeneous. Any kind of mixed neighborhood,
 3 either in terms of people, in terms of economic groups, or
 4 in terms of uses, like commercial, residential, is banned.

5 They want nice homogeneous neighborhoods. And I
 6 don't know why they have this hang-up. I think a lot of
 7 Americans like to live in mixed neighborhoods. Europe has
 8 that all over the place. It's their mentality and it's part
 9 of their teaching.

10 Unfortunately, it spreads on and on and on, to
 11 a number of different related industries, and we are trying to
 12 correct it -- that is, the underlying assumption that it's
 13 bad to have a mixed neighborhood.

14 And you can even see it in the appraisal handbooks.
 15 It's terrible.

16 MS. BUSTOS: Mr. Harvey, you mentioned affirmative
 17 action marketing plan.

18 MR. HARVEY: Within the last four years -- just a
 19 comment on the question about steering -- one of the difficul-
 20 ties with it is that a lot of people don't recognize steering
 21 when it is done to them. It's such a subtle kind of thing to
 22 do.

23 And we did some studies -- a study of steering --
 24 in 1970. We don't have any recent data on it. But what we
 25 found, as an example, you would find a house that was

1 advertised in the newspapers as being in the District of
2 Columbia when, in fact, that house was over in Prince George's
3 County. So people would follow through on the ad, and the
4 broker would ~~proceed~~ to take them out because that's where
5 he wanted to sell that house, and feeling that blacks would
6 be interested in the houses in the District of Columbia.

7 We have had calls from various community groups --
8 again, this is more in the suburban areas -- where they think
9 this is what is happening in their particular community, where
10 every house that goes up for sale, they never see a white
11 person look at it, and the area begins to change.

12 And we can point to neighborhood after neighborhood,
13 particularly in Prince George's County, that have changed
14 drastically in racial composition over the last three or four
15 years.

16 But again, it's such a subtle practice, and usually
17 from my experience, when I used to sell real estate -- that's
18 where I learned all these tricks -- that the people really
19 didn't know, because they are so anxious to look at houses
20 and buy a house.

21 One of the tricks -- we know this has happened --
22 where what you do is, you would show the prospect a house that
23 is really a dog. And then they say, we don't want that, and
24 in your mind you say, I'm going to sell them over here. They
25 see this as such a great improvement and then you've got them

1 hooked, and that was the neighborhood you wanted to sell to
2 begin with. But you play around with the bad neighborhood
3 first.

4 MR. LITTLEJOHN: Dr. Jones?

5 DR. JONES: I'd like to address this to Councilman
6 Barry.

7 To what extent do you need to begin to depend on
8 the District Government to utilize leverage to increase the
9 lending institutions' willingness to provide funds?

10 For example, just recently a contract was awarded
11 to Riggs National Bank for the collecting of taxes in the
12 District of Columbia. That's a heck of a lot of money that
13 I don't know what the District is going to get out of it. I
14 don't know to what extent.

15 We looked at Riggs, I think, in the past, and their
16 record wasn't that good. What do we base these kinds of things
17 on, and can we rely upon the D. C. Governemnt?

18 MR. BARRY: Dr. Jones, unfortunately, we have to
19 separate the District of Columbia Government out, and I am the
20 first to do that. You have to separate out, as you very well
21 know, the Executive's attitude and mentality from the Council's
22 attitude -- the Legislative Branch's attitude.

23 And I was the one who wrote that language into the
24 bill about the lock boxes, because it came to our committee.
25 I wrote into the law the requirement that those bids be

1 accompanied by the composition of the board of directors of
2 the institution who bid it, that it also have the number of
3 loans lent, by zip code or census tract, whichever was more
4 convenient, and also its employment policies and numbers as
5 far as women and blacks are concerned.

6 And that provision was opposed by the Mayor and
7 the Executive, but it indicated we were going to go forth with
8 it anyway, so they finally, reluctantly bought it.

9 But when the RFPs came out -- which is the request
10 for bids, for proposals -- out of a 100 point rating system,
11 they only had 5 percent for your employment, lending and
12 board policies. Now that was, again, a reflection of their
13 real feeling.

14 And Reverend Coates and myself were about to
15 introduce -- in fact, we did introduce an emergency act to
16 require a different weighting system. We found ourselves
17 in a legislative quagmire, because the Mayor indicated he
18 was going to veto -- which he did -- that bill, and if we
19 over-rode the veto, it would go to the President for 30 days
20 and we would not have an opportunity to take the bids in order
21 to get the money in before September 15th.

22 So the point I am making is, I haven't seen any
23 great rush or speed on the part of the Executive to greatly
24 use our money as leverage to change these things.

25 I think that I have learned a little bit about how

1 better to legislate, because we gave the Mayor in this instance
2 the authority to write a contract and to sign a contract by
3 just notifying us five days before.

4 Now, in the past, we have had situations where the
5 Mayor has to, by resolution, get up and approve. I don't
6 see a lot of hope:

7 I don't know why this Government, the Executive
8 Branch in particular, has been very weak. Not only in the
9 area of money, in the area of employment they have been weak,
10 if you look at the statistics of the Police Department, which
11 are atrocious at the top. And our own Department of Financial
12 Revenue, which is atrocious.

13 So I don't see a lot happening.

14 On the other hand, I do see that the Council is
15 going to be very, very vigorous in whatever we can do in
16 terms of legislation and other things.

17 Now I intend to, after we receive the budget from
18 September 16, I intend to bring in the savings and loans
19 and banks and everybody else for a big round table, because
20 we do have taxing authority in that area, and we do have the
21 authority to raise or lower the taxes.

22 So I am thinking very seriously of requiring this
23 data to be submitted with their tax returns, which is legal
24 to do.

25 So we are going to push very hard. I am going to

1 push very hard. I am going to push very hard as a member of
2 the Council -- the majority of us are.

3 We have had what I call some very slow response
4 on the part of the Executive. I mentioned to you earlier all
5 the contracts we award, those 200-odd million dollars of
6 just operating contracts, not to mention the 400 million of
7 capital contracts we issue a year. And only four percent
8 are to minorities.

9 And our own Government itself practices discrimina-
10 tion at the top. Look at the 40-odd department heads and
11 directors. You'll find that only two are women -- in
12 consumer affairs and legislative services. The rest are men.

13 So our own Executive Branch has a lot to do. If
14 you examine the Council statistics, you will find we are in
15 very, very good shape. Out of the GS-15s, 13s, 11s and above,
16 almost 50 percent of our employees are women and 50 percent
17 black. And on the staff, you find the same kind of ratio.
18 So the Council itself has set an example.

19 On my own staff, I have only six people. Three
20 are black, two are white, and three are women and three men.
21 And we have two GS-3s -- one woman and one man. So we try to
22 practice what I preach.

23 MR. LITTLEJOHN: Thank you very much, gentlemen.
24 We appreciated having you here before us.

25 MR. BARRY: Thank you very much.

1 MR. LITTLEJOHN: The counsel will call the next
2 witness.

3 MR. STRIDIRON: The next witness is Etta M. Horn,
4 Director of the D. C. City Wide Welfare Rights Organization.

5 STATEMENT OF MS. ETTA M. HORN, DIRECTOR,

6 D.C. CITY-WIDE WELFARE RIGHTS ORGANIZATION.

7 MS. HORN: Good evening, ladies and gentlemen.

8 MR. LITTLEJOHN: Do you have a statement you would
9 like to make? Go right ahead and proceed.

10 MS. HORN: Well, I usually never write anything.
11 I always just speak from what I know.

12 MR. LITTLEJOHN: That will be just fine. Go ahead.

13 MS. HORN: Okay. As you know, I am the Director
14 of the D.C. City-Wide Welfare Rights Organization, and I have
15 been with National Welfare Rights, and I have seen a lot of
16 civil rights being taken away from welfare recipients and low
17 income people all across the country, of all races.

18 And one of the things I never see in your books, of
19 any of the Commissions I have been--and I have been to one
20 from the United States Commission and we talked about welfare --
21 one of the things I never see in your books is what you are
22 doing about it, in what terms are you looking at where the
23 violations of civil rights is taken from the poor.

24 You know, we are talking about persons who -- well,
25 who have a job, who is being denied, violations in housing,

1 in taxes, bus service, trash service.

2 But the one thing we have done in Welfare Rights
3 were to look at where the violatins was.

4 I know you know we had residential requires law
5 struck down by the Supreme Court. Never was talked about in
6 the civil rights issue until we got an organization.

7 The next step is the man-in-the-house rule, law,
8 that was struck down by the Supreme Court, and some of the
9 things that I have seen in the violations of rights of people
10 should have been brought to the Commission and should have been
11 also in the civil rights struggle and the civil rights issues
12 as a commission, of what you all are serving on, and I feel
13 as though this is some of the things you should be looking at.

14 Where are some of the rights that are really being
15 violated. You take housing in the District of Columbia. If
16 you are a welfare recipient, you can't get an apartment. You
17 can't rent an apartment. Not here. You have to go through
18 struggling means of saying I will ask you, with a good job,
19 to go rent this apartment for me, and I'm going to live in it.

20 Now, you are not going to live in it. And one of
21 the things we had to get the Welfare Department to do was not to
22 put people out -- not to -- to still send them their check,
23 even though your name is on there, but we had to do this in
24 order for welfare recipients to get a place to stay in the
25 District of Columbia.

1 Which I feel is wrong. I don't think that I
2 should have to lie about my status of income in order for me
3 to get a place to stay.

4 And we are finding out that if the landlord finds
5 out that you are on welfare, they are asking you to leave
6 because you -- well, you didn't tell the truth in good faith.
7 You weren't honest..

8 These are the civil rights I am talking about.
9 As the gentlemen stated when they were up here, about the
10 bus stops wide and far apart, I live on Mississippi Avenue,
11 and the bus comes up Trenton Place, comes on around and
12 down, do you know, between 24th Street to 19th and Shipley
13 Terrace; there's about eight blocks that you have to walk.

14 These are the things we are talking about. Civil
15 rights. The violation of them. The violation of investiga-
16 tors.

17 We have been in the process of trying to keep a
18 check of when a person walks in to find out the status of a
19 person who has applied to welfare. Do they really live there,
20 is that their place, how many children do they have?

21 Okay with that. But we are saying you are not to
22 walk in and ask any degrading questions. You are to treat
23 the person with respect. That's what our organization is about.

24 A thing like the social worker who was in the
25 neighborhood and she says, "Well, I just want to stop in

1 because I was in the neighborhood." She can get the door
2 slammed in her face, because that was a violation of our rights.

3 So we fought very hard to change things, but when
4 you say that you are a Civil Rights Commission, informed on
5 civil rights issues, I am asking you to look into some of
6 the little jive, little nits and grits of the way the society
7 is really struggling and see what we can do about that.

8 And again, we have some apartments -- realtors who are
9 saying a person must make at least \$7,000. That person doesn't
10 have to be on welfare, just have a low-paying job. He still
11 has to go and get someone else to rent that apartment in their
12 name, that has a high-paying job.

13 I feel all this is discriminating. And that is
14 just part of it. The rest we have been fighting.

15 But I am only saying to all of you, if you are
16 saying now that you are with the Advisory Committee to the
17 United States Commission on Civil Rights, well, this is in
18 the United States, and the District of Columbia is on the map,
19 and when you are talking about welfare, look at all this
20 across the country. This is not only in D.C.

21 Thank you.

22 MR. LITTLEJOHN: Any questions from the panel?

23 MS. JORDAN: Mrs. Horn,, you brought up a problem
24 that has faced this panel many times and that is that what you
25 are talking about, I guess, is discrimination against these

1 people because they are poor.

2 MS. HORN: Right.

3 MS. JORDAN: Not only because of their race or
4 their religion, but because of their economic status?

5 MS. HORN: That's right.

6 MS. JORDAN: Do you think that this Commission,
7 this group which is set up to investigate discrimination
8 because of race and age and sex, should also look into the
9 issues of discrimination because of economic status?

10 MS. HORN: Definitely. Definitely. That is a
11 must, because the person, regardless to what his race, his
12 age or sex, is still being discriminated because he is poor.

13 And due to that, it's a problem, and anyone that
14 is faced with a problem with discrimination, regardless to
15 what their income or status or what, should be looked into
16 it, and it should be taken care of.

17 MR. LITTLEJOHN: Any other questions?

18 MR. TOPPING: I wonder if I might address this.
19 I wondered what would be the desirability from the viewpoint of
20 your organization, and I think also on the basis of your
21 experience, of encouraging the City government, the Human
22 Resources Department in its administration of the program, to
23 bring into jobs with the City government a number of those
24 who have been involved as recipients -- not actually running
25 the welfare program, but understanding it from the other end.

1 Do you think that would be a feasible situation
2 and bring more knowledge of this than you might get from some-
3 body who is coming in as a social worker but perhaps never had
4 much experience in actually understanding what it's like?

5 MS. HORN: You are saying that persons who are on
6 welfare to get a job?

7 MR. TOPPING: Right. Essentially, sort of turn it
8 around in many cases where, at that point, they would be
9 receiving, I would assume, larger compensations.

10 MS. HORN: I found out that you can hire a mother
11 out of the home, you know, welfare recipients, and she gets
12 a job, and she gets in the same bag. I mean, we have come
13 across that.

14 So it isn't a problem in that, because we find
15 that they do have case aides, in the winter, persons who
16 work, are able to go into that line of work.

17 Here's another thing that has to be looked at. What
18 is coming out of Congress, what is the City Council going
19 to vote on. That just might discriminate. What will be
20 coming out of the Department of Human Resources. All those
21 elements have to be looked into.

22 And just to give you a little tidbit, the D. C.
23 Committee of Congress, when it voted on, about four years ago,
24 a bill that says that a welfare recipient who didn't pay their
25 rent -- you know, who just said, "I'm going to buy some shoes"--

1 because, you know, we don't have a clothing grant or a
2 furniture grant -- the landlord is able to ask the Department
3 of Human Resources to send him his money firsthand. It
4 don't go to the welfare recipient, just goes directly to him.

5 That is a denial of civil rights, because a person
6 should be able to decide what they are going to do with their
7 money, if they are going to keep continuing paying the rent.
8 They can pay next month, but emergencies will come up.

9 Now what we have been watching out for, and keeping
10 our eyes on, is that law, and if it ever comes in effect, we
11 are going to battle it.

12 So I'm saying to you, these are the things that
13 have to be looked at by you. And when we talk on the civil
14 rights issues, we also should look at everybody who is being
15 -- their civil rights being violated.

16 MR. LITTLEJOHN: Thank you very much.

17 Will counsel call the next witness?

18 MR. STRIDIRON: Reverend Gary Richardson, Pastor,
19 Prayer Temple Church.

20 MR. LITTLEJOHN: Do you have a statement you care
21 to make?

22 STATEMENT OF THE REVEREND GARY RICHARDSON,
23 PASTOR, PRAYER TEMPLE CHURCH, WASHINGTON, D.C.

24 REV. RICHARDSON: Yes. Thank you to the panel.

25 In regard to the statement that Ms. Horn just made,

1 about the transportation in our city, as a member of the
2 Prayer Temple Church, I have had complaints from the members
3 who can't get to church because of the buses that fail to
4 stop and the irregularity of the buses run, so irregularly
5 they are not either able to stand at the bus stop and wait
6 for the buses.

7 Now in regard to what I have just heard as far as
8 real estate, buying homes, is concerned, in my neighborhood,
9 which I have lived in for sometime, they remodeled their
10 houses there, and one of the more interesting points is that
11 the people in low income can't get a loan to buy these houses.

12 MR. LITTLEJOHN: Can you tell us where your
13 neighborhood is located?

14 REV. RICHARDSON: It's in Southeast, 13th Street,
15 at K and L streets, in that area, known as Capitol Hill.

16 Once you sell your home there, you are unable
17 to re-locate anywhere else in that area. Not only because
18 of the financial condition and you are not able to get a loan,
19 but we find that many instances, there are two prices.

20 Now these houses that the real estate companies
21 are remodeling and repairing, they have two prices in that
22 area. Besides that if you can get the man to talk to you and
23 to talk to you about the house that you want to buy. They
24 aren't interested in talking to you.

25 MR. LITTLEJOHN: Could you tell us what the two

1 prices are?

2 REV. RICHARDSON: Well, one is maybe \$50,000.
3 The other is \$60,000 or \$70,000. Now if you aren't able to
4 get \$10,000, you are not able to pay down.

5 MR. LITTLEJOHN: What is the rationale for the
6 two prices? Who gets charged one price?

7 REV. RICHARDSON: Well, naturally, it's understood
8 that if I want to buy the house, it's going to cost me
9 \$60,000, or about \$70,000, and the white man who wants to
10 buy it, it's going to cost them \$45,000 to \$50,000. That's
11 understood, isn't that right, in many instances? Maybe I
12 shouldn't ask you that.

13 However, my main question is about our Department.
14 Now, we have some very fine police on our force, but we,
15 through the years, I notice that some of our Department does
16 not adhere to the citizens complaint. They don't hear the
17 citizen out in many instances, because you can call them and
18 they want to know who you are, and, of course, once you
19 identify yourself, of course -- I have known some of our
20 members to call the police and they don't pay it any mind.
21 But I can call them, as being the reverend, and they come
22 immediately.

23 I feel like this is an emergency for one as well
24 as it is for another.

25 Now we have a particular young man in our church

1 recently that came in -- this shooting accident that happened
2 not very long ago, and he explained it to me. The Department
3 did not listen to him, to his side of the story.

4 And he heard the other people, and they wanted the
5 thing to be in their particular manner, which is a closed
6 case. They want to shut it out, the way they wanted to
7 go. However, that goes, I am not too familiar with their
8 operation, but I find that many citizens sometimes are a little
9 leery of sharing their views to the public because of fear
10 of harassment.

11 Of course, I only have one life to live, and may
12 as well spend it for the right thing.

13 Now in this particular instance, the young man
14 tells me that they didn't hear his side of the story, they
15 said this is a closed case, the Mr. Harvey Petworth case --
16 you probably heard about it -- where two people were shot and
17 one -- four people were shot and two died and other others
18 survived.

19 Now, I think that the Department needs reviewing
20 somehow, because through the years I have noticed that
21 sometimes these incidents would happen to citizens and people
22 should really trust our Department, they should trust our
23 Police Department.

24 And I am a firm believer in cooperating with
25 our Police Department, but when we have this type of incident,

1 then we are leery in supporting them or cooperating with them.

2 I guess this is all I have to say. Since we have
 3 discussed the banking and loan situation, we can't get money
 4 for the low income people, and we have complained of for some
 5 time. I would like to be able to borrow more for the poor
 6 people.

7 That's all I have to say.

8 MR. LITTLEJOHN: Let me see if there are any
 9 questions for you from the panel.

10 All right. Thank you very much, sir, for appearing
 11 before us.

12 REV. RICHARDSON: Thank you.

13 MR. LITTLEJOHN: Counsel will call the next
 14 witness.

15 MR. STRIDIRON: Our next witness is Daryl Kemp.
 16 Is Daryl Kemp here?

17 (No response.)

18 The next speaker on the list is Charles H. Lawrence.
 19 Would you identify yourself for the record.

20 STATEMENT OF MR. CHARLES H. LAWRENCE, EEO OFFICER,
 21 DEFENSE MAPPING AGENCY TOPOGRAPHIC CENTER,
 22 BROOKMONT, MARYLAND.

23 Mr. Lawrence. My name is Charles H. Lawrence, I am
 24 Equal Employment Opportunity Officer for the Defense Mapping
 25 Agency Topographic Center located in Brookmont, Maryland.

1 MR. LITTLEJOHN: Do you have a statement you would
2 like to make?

3 MR. LAWRENCE: Yes, I have.

4 MR. LITTLEJOHN: You may proceed.

5 MR. LAWRENCE: Mr. Littlejohn and members of the
6 Commission and fellow citizens, I am pretty sure that the
7 United States Commission on Civil Rights is vitally interested
8 in equal employment opportunity, for it means jobs and
9 improved opportunities for jobs in the mainstream of our
10 American way of life.

11 I am only going to deal with two aspects of equal
12 employment opportunity, because of the limited time. In
13 closing, I will make a suggestion as to what this body can
14 do to assist EEO officers and United States government in
15 getting a more realistic program that can deal with both
16 under-utilization and upward mobility.

17 I will deal with under-utilization first. It needs
18 no definition, because it is exactly as it sounds. A person
19 is employed in a job and his or her full qualifications,
20 talents and abilities are not being utilized.

21 Now, this seems to happen more to minorities
22 and women than anyone else.

23 As an example, a black male recently applied for
24 a job at my agency with a bachelor's degree in psychology,
25 and he was informed that his talents couldn't be used. However,

1 if he really wanted a job, he could have a job as a truck
2 driver.

3 Now, when I was informed of this, I immediately
4 went to work. He was hired, and not hired as a truck driver,
5 but as a person that we call a technical information
6 specialist.

7 It's interesting to note that this young man has
8 now acquired a master's degree in personnel management
9 from George Washington University, and he will be employed
10 in our personnel office very soon.

11 Another example of under-utilization, a black
12 woman with a master's degree in history from Howard University.
13 I found that she is still being employed as a clerk typist.
14 She has over thirty years of government service.

15 Now the agency's excuse for not utilizing her
16 is that she is nearing retirement age, and she really can't
17 be placed.

18 Now, this always seems very strange to me, because
19 when a white, anglo-saxon protestant male is in such a
20 position, he can always be placed whether he has a degree or
21 not, whether he's approaching retirement or not.

22 And I will address this role further as I go along.

23 Another example is a minority lady with a master's
24 degree in education, who until recently has been only used
25 because of her language translation capability. She is now

1 out of that particular area, working where she can better
2 utilize her talents.

3 Now, these are just a few examples of individuals
4 who were hired and placed into positions where their full
5 qualifications were never used. Now this is quite contrary
6 to a part of the Executive Order 11,478, which states that
7 agencies must utilize to the fullest extent the present
8 skills of each employee."

9 Now I realize that in our present day environment
10 of resistance to school busing and recent rulings in the so-
11 called reverse discrimination cases, that there are more
12 blatant examples of these types of injustices that are
13 prevalent through our government structure. Whenever these
14 cases are called to my attention as an Equal Employment
15 Opportunity Officer, I make sure that these persons are given
16 every opportunity to rise above their circumstances of under-
17 utilization.

18 Now, another area that I am very interested in
19 is upward mobility. Also contained in the Executive Order
20 11,478 is a statement:

21 "Provide maximum feasible opportunity to employ-
22 ees to enhance their skills so that they may
23 perform at their highest potential and advance
24 in accordance with their abilities."

25 All this means is that all employees are given

1 opportunities to receive on-the-job training and other
2 education necessary to improve their competitiveness.

3 In other words, minorities and women who normally
4 occupy the majority of lower level jobs will be extended the
5 opportunities to rise above these jobs and become a member
6 of the so-called mainstream occupations.

7 Now, in the early 1960's, I had an opportunity to
8 observe what I considered one of the most unique upward
9 mobility programs ever devised. Because of the demands of
10 the 1960's for cartographic skills, recruiters were sent into
11 the hills of Tennessee, Alabama, Mississippi, Georgia, Florida,
12 and there they recruited young high school graduates.

13 These high school graduates did not have any
14 cartographic skills, and the only maps they knew anything
15 about were the Gulf road maps.

16 They were placed into training, they were encouraged
17 to further their schooling by taking certain science courses
18 at night.

19 As time progressed, they were promoted from
20 GS-2 to GS-3 to GS-4 to GS-5, and so forth, until, in a period
21 of six to ten years, some of these workers were at the
22 GS-9 level and had quite a bit of college work to their
23 credit.

24 Now, most of these individuals received tuition
25 assistance from their agency to continue their college work.

1 Some applied for long-term training from their agency in order
2 to eventually qualify for a college degree. This training
3 was afforded to them and most of them became college graduates.

4 Receiving promotions at regular intervals, in a
5 period of 13 to 15 years, some were GS-12s and GS-13s.

6 Now, this is amazing that, before the early age
7 of 35, these persons were in the GS-12, GS-13, and GS-14
8 levels of development.

9 Now this is not to say that they were not deserving.
10 But if you will examine closely those individuals who are in
11 those positions, you will find that the great majority of them
12 -- 95 percent -- are white males. This was an excellent
13 upward mobility program, which was well-planned and executed,
14 and was not called upward mobility at that particular time.

15 Now, what has happened to upward mobility? Well,
16 we can answer that question by looking at Federal Personnel
17 Manual Letter 713-27, which provides guidance to all agencies
18 in the development of an upward mobility program.

19 The Civil Service Commission, in all of its
20 infinite wisdom has devised a means by which all agencies
21 will develop an upward mobility program. It has stated that
22 an agency has to identify target positions.

23 Now, this is most difficult, because most managers
24 don't want to identify target positions. This is where your
25 program starts, and this is where your resistance begins.

1 And this is the most important step of the whole
2 process. If it's not done carefully, a great deal of trouble
3 can begin for the program.

4 The second step is a natural follow-on. Application
5 of merit procedures. And this is perhaps where I get most
6 of my work, the merit procedures are not applied uniformly
7 throughout the United States Government.

8 The third step is a development and delivery of
9 counseling services. This is an important step, but I have
10 found that counseling services have always been difficult
11 for minorities and women to acquire.

12 The fourth step is the involvement of supervisors
13 in program training and implementation. This is as difficult
14 as the first step, because management has resistance to the
15 program.

16 Supervisors are key people to the success of any
17 program, and without their support and cooperation, nothing
18 can be achieved.

19 The fifth step, the design and delivery of
20 required training, is easily accomplished, but most jobs are
21 established in the Civil Service Commission's X-118 standards
22 and the qualifications are spelled out in this particular
23 document.

24 The sixth step is the development of evaluation and
25 reporting procedures for the program, and is the simplest of

1 operations. This is the accounting for the progress and
2 success of the program: how many people were helped, and
3 how far have they progressed.

4 Now, this is quite a formal procedure, but will it
5 accomplish the same degree of success?

6 MR. LITTLEJOHN: Pardon me, Mr. Lawrence. In order
7 for us to be able to ask some questions, we have only a total
8 of 15 minutes for your presentation. Could you summarize?

9 MR. LAWRENCE: I certainly will.

10 I would like to say that there is a great deal
11 of difference between the formal procedures and the informal
12 procedures which are observed in the 60's. This is what I
13 wanted to bring out.

14 I realize that we are faced with trying times,
15 but I do feel that under-utilization and upward mobility
16 are two aspects of EEO which must be successful. I have
17 given you some examples of both aspects and effects of
18 discrimination in both of these areas.

19 You as a Commission can take a look at these
20 suggestions and make recommendations to the Civil Service
21 Commission that stronger programs will be mandatory at all
22 government levels.

23 And a mandatory system should be establish to
24 report each year on the progress of these programs.

25 I thank you, and I am sorry I over-spent my time.

1 As you notice, I get wound up in my subject.

2 MR. LITTLEJOHN: It's a very important subject.

3 Do we have questions from the panel? Dr. Topping?

4 DR. TOPPING: I wonder if I might address this.

5 My own experience in the government, for a number of years,

6 has been that really one of the most difficult situations

7 I think has been with regard to the older minority female.

8 And I think you made reference in your testimony here to that.

9 MR. LAWRENCE: Yes.

10 DR. TOPPING: This would typically be someone, let's

11 say, in the 50's or so, with time ahead of perhaps a few years

12 to potential retirement -- maybe five years, ten years, or

13 whatever.

14 I certainly witnessed a number of situations here

15 with people who really were outstanding performers, who

16 many years ago got themselves definitely along the clerical

17 track before any of the various upward mobility programs came

18 along, and then as a practical matter, from then, when the

19 upward mobility programs were addressed, they were addressed

20 to people in their 20's and 30's, and these people found

21 themselves effectively foreclosed from any activity.

22 It seems to me probably the most glaring area of

23 discrimination within the Federal government and probably

24 also is true to a certain extent within the state governments,

25 that is in this area.

1 There are many cases of people who are among the
2 most productive employees, but in many cases the most frustra-
3 ted because they have seen people a generation younger who
4 have moved ahead, taken advantage of the programs, but while
5 they have stayed exactly where they are.

6 And I just wondered from your viewpoint who one
7 might more effectively address this situation.

8 MR. LAWRENCE: How more effectively to address
9 the situation of the older employees?

10 DR. TOPPING: I am saying particularly the older
11 female employees who perhaps came with the Government back
12 in the 40s and early 50s and find themselves well along,
13 with perhaps high intelligence, potential to broaden, but
14 with the personnel offices normally looking at those people
15 roughly about 15 or 20 years younger, and automatically seeming
16 to assume that these people are past the stage where the
17 Government is going to get any productive return by having them
18 go through the training of the upward mobility programs.

19 MR. LAWRENCE: Well, what I have done -- I have to
20 relate to my own experiences -- I have gone out and sought
21 these individuals and tried to encourage them to take advantage
22 of what upward mobility programs we do have at the present
23 time. And some of them have done this.

24 They they have worked out very well in other
25 areas than as clerk typists. There are some who work for the

1 comptroller's office and other offices.

2 MS. JORDAN: My experience has been that EEO
3 officers spent half their time fighting personnel departments
4 and Civil Service Commission regulations which seem to
5 contradict EEO regulations.

6 We had an experience in the Smithsonian Institution
7 not too long ago where a highly competent, highly qualified
8 black woman was denied a job because suddenly we discovered
9 there was a residency requirement. There was a balance that
10 had to be maintained, a certain percentage of people had to
11 come from different parts of the United States.

12 Now, no one knew about this in our division until
13 it was suddenly sprung on us by the Civil Service Commission
14 who said we will have to post this job in Dallas.

15 We said, "Why post it in Dallas when we have this
16 incredibly competent woman that we have been bringing along
17 all the way?"

18 The personnel office did not back us up nor did the
19 Civil Service Commission. They pointed to the law.

20 Now, what do you do as an EEO officer in dealing
21 with these conflicting regulations which seem to contradict
22 each other?

23 MR. LAWRENCE: Well, as EEO Officer, we are always
24 at the odds with the personnel office. This is one of the
25 reasons why the equal employment opportunity is not under the

8
1 jurisdiction of the personnel office, because we are at
2 constant conflict.

3 But the only thing we can do in case there are
4 imbalances is to point out the imbalances to the personnel
5 officer and also to the agency head, and he can really over-
6 rule the Civil Service Commission, because he can do the hiring
7 as he pleases, really. He has that authority.

8 So if the EEO officer who is normally responsible
9 to the agency head, if he can convince the agency head that
10 there are imbalances, this person should be hired, the person
11 is qualified, and really the best qualified person on the
12 best qualified list, then this is the only way you can break such
13 a pattern.

14 MS. BUSTOS: When you weremaking your presentation,
15 you were covering various things, and I know you rushed at the
16 end. I'm trying to get clear what exactly would you
17 really be interested in having us do?

18 At the end, you mentioned a couple of things.
19 One of the things you said was possibly having each agency in
20 a sense really report on what the progress is in upward
21 mobility.

22 Well, in one way, I know that each agency has to
23 in a sense, to the Civil Service Commission.

24 You also mentioned the Civil Service Commission's
25 responsibility in a sense of enforcing. They really are the

1 ones who are supposed to enforce these two programs.

2 We also know that upward mobility is the law.
3 Are you asking us possibly to either look at the Government
4 agencies in the metropolitan area and see what is or isn't
5 being done in upward mobility and under-utilization?

6 Or are you asking us to check to see if reports are
7 done and what the status is?

8 Or are you saying you want us to push Civil
9 Service to enforce? Or all of that?

10 MR. LAWRENCE: Number three is correct. I would
11 like to see you push Civil Service Commission, because I would
12 like to see 713-27 revised so that we have a stronger under-
13 utilization and upward mobility program.

14 DR. JONES: That was the same question I had,
15 except that I wondered to what extent your organization --
16 you have an organization of EEO Officers -- might not better
17 do that than this group.

18 I take it that the Civil Service Commission is the
19 culprit in this instance, and you are asking us, therefore,
20 that the Civil Service Commission is violating the rights of
21 employees. This is what you are saying, right?

22 MR. LAWRENCE: Right.

23 DR. JONES: All right.

24 DR. TOPPING: Another area, I think this is perhaps
25 similar to the problem of the geographical distribution,

1 although, frankly, it's effect is probably much more
2 concentrated -- this would deal particularly with females --
3 might be the provision in the law right now for veterans
4 preference.

5 I say this myself as a veteran. It seems to me,
6 particularly when you get very tight times in the Federal
7 Government in terms of hiring, that the automatic veterans
8 preference that carries on -- that carries on throughout --
9 it seems to be a particular complication for all those who
10 are non-veterans, which includes probably 99 percent of the
11 potential female employees, plus a substantial certain number
12 of potential male hirees for the Government.

13 And I just wondered how much of a complication has
14 this been in your own situation?

15 MR. LAWRENCE: It's been a tremendous problem,
16 really. Veterans preference is a tremendous problem for all
17 aspects of equal employment opportunity, because it figures
18 into the risks and any other things which you have as far as
19 a personnel procedure is concerned in the government.

20 So it's a problem that I see no way really of
21 resolving, that particular problem of veterans preference.

22 MR. LITTLEJOHN: Thank you very much, Mr. Lawrence.
23 Counsel, would you call the next witness?

24 RM. STRIDIRON: I believe Mr. Kemp has arrived.

25 MR. LITTLEJOHN: Identify yourself for the record,

1 please, Mr. Kemp.

2 STATEMENT OF MR. DARYL KEMP, COMMUNITY COORDINATOR,
3 OPPORTUNITIES INDUSTRIALIZATION CENTER (OIC)
4 WASHINGTON, D.C.

5 MR. KEMP: My name is Daryl Kemp, I am Community
6 Coordinator for OIC here in Washington.

7 MR. LITTLEJOHN: Do you have a statement you would
8 like to make?

9 MR. KEMP: Yes, I do.

10 MR. LITTLEJOHN: Proceed.

11 MR. KEMP: As Community Coordinator, I am attached
12 to our ex-offender program. That is mainly my interest, the
13 civil rights of ex-offenders. All right.

14 Ex-offenders, as do all, have human rights, such as
15 food, clothing, shelter, temporary and permanent, and also
16 a right to pursue a livelihood.

17 I am going to address myself particularly to the
18 right to pursue a livelihood, although the others, of course,
19 are important also.

20 This summer, a report was released by the American
21 Friends Service Committee and addressed to the D.C. Human
22 Rights Office. I want to quote a portion of that, even
23 though it is, of course, U.S. Civil Rights.

24 "Job discrimination against ex-convicts should
25 be prohibited by law. The Council of the District

1 of Columbia now has in committee a bill to amend
2 the human rights law, Title 34, of the D.C. Rules
3 and Regulations, to prohibit employment discrimina-
4 tion and other discriminatory practices on the
5 basis of past criminal status.

6 "We urge the passage of this amendment, and we
7 further urge that the Office of Human Rights
8 allocate a fair share of budget, staff and program
9 time to prison concerns."

10 As I said before, this is a quote. Also, it
11 was addressed to the D.C. authorities. However, I feel we
12 all share these concerns, even the Federal agencies.

13 So, ladies and gentlemen, there are my concerns,
14 basically: a push for removal, at least somewhat, of the
15 discriminatory practices against ex-offenders, because they
16 have a past criminal record status.

17 That is the end of my presentation.

18 MR. LITTLEJOHN: Thank you very much. Are there
19 questions from the panel?

20 MS. JORDAN: I would just like to ask what the
21 Federal government and the District Government's regulations
22 are concerning the hiring of ex-offenders.

23 MR. KEMP: All right. I do not know all the
24 specifics, but apparently on a job that's not a security-type
25 job or situation, there's supposed to be a certain push to

1 hire a certain amount of ex-offenders. Some agencies are
2 supposed to be better than others.

3 However, this could be increased, because you are
4 dealing with two things here. Not only ex-offenders. Many
5 of course are minority and a portion are women. So you get
6 into multi-discriminatory practices, not just one area.

7 And I feel that these persons should be employed
8 as much as possible. That would perhaps significantly
9 decrease the recidivism rate -- not completely, but I'm sure
10 it would be a significant decrease, because we are seeing now
11 many crimes due to economic desperation -- is about the only
12 way to put it.

13 MR. LITTLEJOHN: Any other questions?

14 MR. OWENS: Are there any specific areas -- like
15 private sector, government sector -- where there's more dis-
16 crimination than maybe in other areas?

17 MR. KEMP: I would say that discrimination would
18 exist in both, I would say.

19 MR. OWENS: Equally?

20 MR. KEMP: Equally, right. Occasionally a push
21 might exist for one particular company or agency, as sort of
22 a trial basis or special program, but outside of those there's
23 no regular push to employ them, and that's what I am speaking
24 of, not anything special, it's just an on-going regular thing.

25 DR. TOPPING: What kinds of barriers now exist in

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1 the law -- in addition to prejudice or fear or whatever -- on
2 the part of potential employers -- whether private or government?
3 What actual barriers now exist in specific areas that make
4 it very difficult so that regardless of what the particular
5 areas or employees might choose to do, that they would find
6 themselves exposed by virtue of their hiring of offenders to
7 let's say a potential law suit?

8 What do you feel might be additionally changed
9 even before the passage of some generalized bill for affirmative
10 hiring?

11 MR. KEMP: Okay. I would like to say -- just to
12 backtrack a bit -- fairly recently, sometime in the past
13 year, there was a new regulation about disclosure of police
14 records. Okay. That was widely hailed as a step forward.

15 However, there are significant loopholes in that.
16 Some of them I can perhaps understand. One of them might be
17 if a person is going to be employed by an agency that's in a
18 security-type position, then they can have access to a
19 person's police record. Or the person is going to do security-
20 type work themselves, they have access to that record.

21 Also, sometimes a person might be employed by an
22 agency that has security-type work. The person doesn't come
23 in contact with anything involving money or security, but because
24 they are there in that building or one of the buildings of
25 the agency -- it could even be that broad -- they can develop

1 into it.

2 And there are other specific items about that.

3 So there's still work to be done in that area. I
4 don't have polls with me, but I know that it's not as broad
5 as it sounded at first.

6 Having a record is still a handicap, and sometimes
7 checks can be made.. Perhaps the checks cannot be as general
8 as before, but they indeed can be made.

9 MR. LITTLEJOHN: Any other questions? Thank you
10 very much, Mr. Kemp, for appearing before us. Your
11 testimony has been helpful.

12 MR. KEMP: Thank you.

13 MR. LITTLEJOHN: Will counsel call the next witness,
14 please.

15 MR. STRIIRON: Is Ethel James Williams available?
16 Would you identify yourself for the record, please?

17 MRS. WILLIAMS: My name is Ethel James Williams,
18 and I am with the Civil Rights Compliance Unit of the Depart-
19 ment of Human Resources of the D. C. Government.

20 MR LITTLEJOHN: Thank you. Do you have a statement?

21 MRS. WILLIAMS: Yes.

22 MR. LITTLEJOHN: Proceed.

23 STATEMENT OF MRS. ETHEL JAMES WILLIAMS, CIVIL
24 RIGHTS COMPLIANCE UNIT, DEPARTMENT OF HUMAN
25 RESOURCES, D.C. GOVERNMENT.

1 MRS. WILLIAMS: I have a statement I would like
2 to make.

3 The Department of Human Resources, D. C. Government,
4 welcomes this opportunity to participate in the public forum
5 on civil rights issues sponsored by the D.C. Advisory
6 Committee, U.S. Commission on Civil Rights. Our full report
7 is appended and details the Title VI Civil Rights Compliance
8 Program of the Department of Human Resources.

9 It includes an overview of the program, its
10 policies and procedures, mission and function and examples
11 of the monetary and evaluative instruments utilized in our
12 Title VI on-site compliance reviews.

13 The figures mentioned in this statement are
14 estimates. If the Advisory Committee wishes to study in depth
15 any aspects of the issues raised, precise data and supplemen-
16 tary information will be furnished.

17 Washington, D. C. has a population of approximately
18 730,000 people. This population is composed of various
19 economic strata. The range is from high income government
20 workers, private entrepreneurs, a great number of individuals
21 and families who are able to care for their common human
22 needs; to the indigent, poverty-stricken resident with poor
23 housing, unemployment, and unable to cope adequately with
24 inflation, illness, both mental and physical disease, and
25 crisis.

1 The basic concept of the Department of Human
 2 Resources is for the delivery of high quality service. It is
 3 a system of inter-related resources and supports working
 4 cooperatively to provide services in a humane and dignified
 5 fashion with the utmost of concern for the health and
 6 related welfare of the client.

7 And I am quite sure that most of you know the range
 8 of services offered by the Department of Human Resources from
 9 adoption services to delinquency prevention to protective
 10 services for adults and substitute care services for children.

11 To assure that all of its programs and services
 12 are rendered in such a way that they are equally available,
 13 equally utilized, without discrimination as to intention or
 14 as to effect, regardless of the race, color or national
 15 origin of beneficiaries, ultimate responsibility for Title VI
 16 is vested in the Department's Director. And the implementation
 17 of all rules and laws pertaining to civil rights compliance
 18 is vested in the Office of State Agency Affairs.

19 It is the responsibility of administrators and
 20 office heads of the Chief Program Subdivisions of the Depart-
 21 ment to see to it that all contracts, grants, and state plans
 22 include relevant documentation and assurances of compliance.

23 Additionally, program staff of these chief program
 24 subdivisions have the responsibility for the on-going super-
 25 vision, evaluation, and monitoring through annual on-site

1 Title VI compliance reviews for an assessment of compliance.

2 We do disseminate information about our Title VI
3 programs, and we also afford to all program staff training
4 in the whole area of civil rights.

5 The concept of civil rights compliance in the
6 Department embraces not only non-discrimination in federally-
7 assisted programs, but the assurances of services equally
8 available and equally utilized, specifically that the high
9 risk population, the vulnerable and the defenseless are provided
10 equal access to services that they need.

11 One of the pervasive problems in the delivery of
12 services in the District of Columbia is the lack of resources
13 for clients not needing institutional care. An unpublished
14 report of a Chronic Care Task Force convened by the
15 Director to study the problems associated with the dependent
16 adult indicated, among other observations, that costs are
17 skyrocketing and available resources over-taxed; that the
18 commercial sector was unable to serve our clients, given the
19 fees that the agency could pay; and the evergrowing demands
20 for intermediate and skilled care were being met by an increasing
21 shortage of available beds; that there was a mis-use of acute
22 care hospitals, both public and private, for extended hospitali-
23 zation because of the lack of nursing care beds.

24 The going rate in commercial establishments is
25 from \$700 to \$800 a month. The maximum the District of

1 Columbia can pay is \$450 a month.

2 There are about 1400 beds in supervised residential
3 care facilities not available to DHR clients because the
4 facilities, one, rely on private payments, two, restrict
5 entry due to religious or other affiliations, and three,
6 while located in the District of Columbia, serve the metro-
7 politan clientele.

8 Federal regulations concerning Medicaid payment for
9 intermediate care is now being endorsed. Its strict life-
10 saving code disallows the Department of Human Resources federal
11 matching funds for payment to these homes.

12 Two hundred sixty-three Medicare beds will be
13 adversely affected by these regulations, and there will be
14 a possible 223 clients without service if these regulations
15 are enforced.

16 Dependent adults in public housing, boarding homes,
17 and private homes become statistics when a tragedy strikes.
18 Community groups are trying to assist public agencies in
19 ascertaining the exact number of the "hidden" dependents who
20 need services.

21 The Department of Human Resources would like to
22 know, either on a regional basis or nationally,

23 (1) What has the impact of the enforcement of
24 the Life Safety Code been on state and localities in locating
25 suitable facilities for the dependent adult?

1 (2) How are states and localities dealing with
2 the hidden dependent adult.

3 (3) Are the personal care homes which in many
4 instances in the large urban centers with a large black
5 population are administered by black entrepreneurs -- are they
6 specially affected by these stringent rules and standards?

7 And (4), what plans are germinating in the Civil
8 Rights Commission to assure that standards are equally
9 imposed and equally administered?

10 The Department of Human Resources, under Medicaid,
11 Title XIX, and through the services under the annual Comprehen-
12 sive Services Plan, Title XX, provides skilled and intermediate
13 nursing care under provider agreements with licensed and
14 certified facilities.

15 Beyond this, the Department offers placement service
16 in approved facilities for those adult clients needing
17 a protective setting or foster care.

18 The admission policies of some charitable non-
19 profit institutions in the District are set by trusts, wills,
20 boards and executive directors. It is estimated that there
21 may be over 1,000 beds in these institutions, many of them
22 not being used.

23 Although these institutions are not the direct
24 recipients of Federal funds, they have to be licensed and
25 certified to operate. Their residents are frequently

1 Supplementary Service Income recipients and Medicaid
2 eligible.

3 Church-sponsored institutions benefit from local
4 and Federal monies. One church-sponsored home, before a
5 Medicaid client can benefit from admission to such a licensed;
6 certified, intermediate care facility, the client must first
7 gain admission into the institution through its admissions
8 policies. The beds in this facility are reserved strictly
9 for their membership.

10 Noting that the advisory committee has expanded
11 the categories to include creed, religion, sex or age,
12 would then the Department of Human Resources have the power
13 and authority to require that facilities and institutions
14 which have denied access to services for our clients because
15 of religion or creed, specifically provide services to all
16 clients referred to them?

17 In situations where equal protection under the law
18 is denied, because the client is not a member of a fraternal
19 body, secret order, or a commissioned officer of the Army,
20 Navy or Air Force, which would follow that the widow or
21 orphans would not be eligible, what Federal action is contem-
22 plated to assist states and local jurisdictions in their
23 desperate attempts to find facilities to care for their
24 clients?

25 Can private organizations still practice discriminati

1 where there is no constitutional statutory or regulatory law
2 to the contrary?

3 The salaries of our personnel in the Licensing
4 and Certification Division are paid in whole or in part from
5 Federal funds for the purpose of enabling the District of
6 Columbia to monitor and hold accountable providers of
7 services under the Title 19 program.

8 What, in fact, is the position of the Commission on
9 Civil Rights on the licensing and certification of
10 institutions that have clear policies of discrimination?

11 Protective Services for the Dependent Child:

12 Institutional care for dependent children is
13 another aspect of delivery of services that is of concern
14 to the Department of Human Resources.

15 Especially in the case of multiple disabilities,
16 the City has had to place wards in institutions in other states
17 and jurisdictions. We have had approximately fifty-seven
18 out-of-state private institutions and agencies under contract.
19 Many wards, adjudicated by the Courts, have been placed by
20 direct instruction from the presiding judge, in a specifically
21 named institution without the Department having time to
22 ascertain the civil rights status of that institution.

23 Title VI compliance status, as most of you know, for
24 out-of-state institutions is ascertained by written inquiry
25 to the regional Civil Rights office in the geographical area.

1 The Department's analysis and review since 1973
2 has led us to conclude that there is no probable cause for a
3 finding of unequal treatment of children because of race,
4 participating in or having been denied the benefits of this
5 out-of-state care.

6 However, it would be helpful to the Department of
7 Human Resources to obtain a clear picture of, and precise
8 data on -- either by region or nationally -- the following:

9 1. What is the referral rate of black, Spanish,
10 and white children to the most highly regarded, expensive
11 and reputable institutions for children.

12 2. What is the rejection rate reference above.

13 3. Out of the numbers of children referred, by
14 race, how many are placed in the least desirable, minimal care-
15 taking institutions. Especially those under local jurisdictions,
16 and beset with financial problems.

17 4. What states have initiated "institutional
18 finding" actions to identify newer and maybe more creative
19 institutional living arrangements for children.

20 5. What new monitoring and evaluative criteria
21 has been introduced to determine whether the activities and
22 the curricula of these institutions meet the unique cultural
23 and identity needs of their minority populations?

24 And my third area is the Spanish Community, and I
25 will say that I see that many from the Spanish community will

1 be speaking. . And my comment is certainly not complete, and
2 I will beg to say that they may have more precise data, but
3 because we do have in our Department a Spanish program, I
4 would like to tell you some of our observations.

5 I do not presume to be the spokesperson for the
6 Spanish community. My statement is based on inconclusive evi-
7 dence and reflects the comments, observations, reports of a
8 minimal outreach to this community.

9 Our Spanish program under the former EEO Division
10 was administered by one staff person on a collateral basis.

11 The problems of the D.C. Latin community are the
12 problems of the state of the nation as a whole: underemploy-
13 ment, industrial displacement due to automation, alienation,
14 racial fears, poor housing, limited educational opportunities,
15 the general gap. So all these problems would entail national
16 solutions.

17 Members of the Hispanic community threatened by a
18 different culture withdraw into the shelter of their own
19 community. The Census figures are inconclusive. One report
20 stated that in the District of Columbia, "few of the Spanish-
21 speaking residents are U.S. citizens."

22 This is up for question. Many of them, or most of
23 them, are legal, permanent residents, but there are a number
24 of illegal residents and these are victimized by landlords and
25 employees living in the Immigration Service Police.

1 I won't go into any more of the details, but I
2 would just raise some of our questions.

3 If we are serious about equal protection under the
4 law, the Spanish community and its problems of obtaining
5 access on an equal-basis to services merits our attention.
6 Members of the Spanish community tell us that new under-
7 educated, unskilled immigrants arrive in the District of
8 Columbia on a regular basis. It is reported that some agencies
9 and institutions, having immunity, are permitted to import
10 a large number of semi-literate, semi-skilled domestics
11 each year.

12 Our questions are: What recommendations can be
13 made to better clarify and refine U.S. Immigration policies
14 to aid, rather than terrorize the Spanish immigrant?

15 How can specific services at ports of entry be
16 initiated to orient the immigrant to the Nation's Capital,
17 the cross roads of the world?

18 What measures need to be devised to provide
19 appropriate coping mechanisms so the Spanish community can
20 utilize services which are available and become involved in the
21 seeking of services not now available?

22 What studies and analyses can the D.C. Advisory
23 Committee initiate to view comprehensively a need assessment
24 of the Spanish community.

25 The Department of Human Resources have raised many

1 issues through a series of questions. It is hoped that our
2 presentation will generate interest, and that, working
3 cooperatively, we may initiate on-going dialogue which will
4 generate appropriate action.

5 Respectfully submitted.

6 MR. LITTLEJOHN: Thank you very much. That was a
7 very, very complete statement. I am sure others have questions.

8 DR. TOPPING: Let me pick up quickly -- I gather
9 one of the immediate problems here, and I understood this is
10 also the case in a number of states as well, is the impact
11 that these safety provisions would have on the facilities you
12 mentioned.

13 As far as our understanding of the situation, is this
14 put out by some particular section of HEW? Or is this largely
15 imbedded in statutes, laws that would need to be amended?

16 And if this Commission is recommending some changes
17 here, to assure continuity of some services, are we really
18 addressing it to the Department or to the Congress?

19 MRS. WILLIAMS: Well, I don't know. Someone who
20 has a legal mind could tell me which would be the procedure.
21 But I see the nation becoming very panicky with a series
22 of fires, as we know, in these nursing homes, and they
23 immediately instituted some very strict enforcement to assure
24 that there would not be the kinds of tragedies that we have
25 had.

1 On the other hand, Life Safety Codes are extremely
2 expensive. Personal care homes emanated in the District
3 as a result of a fire in a nursing home back in 1954, and
4 that was an emergency measure where you have a couple in a
5 home that can take four individuals and a personal care
6 administrator.

7 But this law says they have to put in steel doors,
8 fire escapes, and you name it. They cannot afford it. Plus
9 the fact that many of our personal care home administrators
10 are not, you see, trained nurses, et cetera. They know how
11 to give the basic -- they have taken the basic Red Cross
12 course.

13 So this means, with a city of this kind, with no
14 other resources, what is going to happen if we have to say to
15 Mrs. X, "I'm sorry, you do not comply with the law, we have
16 to take the people out." And we know what the people are
17 screaming about, "take people out of institutions." So you
18 go through the rat race. You take them out of one and put
19 them in another.

20 So we have had D.C. Village; yet people say take
21 them out. St. Elizabeth's is another problem of taking them
22 out. Where?

23 This is our problem, finding adequate resources
24 for people and giving them the kind of care they need.

25 I don't know if it's HEW. I think the rules and

1 regulations do come out of HEW. But our License and
2 Certification Division is responsible for that.

3 MRS. TSUI: I have a question. In your statement,
4 you have information about Asian Americans. I wonder, in
5 Human Resources, where do you group the Asian Americans? Do
6 you have a branch that takes care of the Asian Americans?

7 MRS. WILLIAMS: Well, what we have found -- and I
8 hesitate to give you hard data -- in terms of Asian Americans
9 coming to our Department for help, this would be across the
10 board as far as getting services is concerned, and no
11 specific problems that would be unique to the Asian population
12 has come to my attention.

13 What we do have in our minority data that we have
14 to give to the Commission, we have a breakdown according to
15 the number of Asian Americans who are employees of the Depart-
16 ment. We employ 9,000 people in our Department. We do have
17 in our upper grade levels many Asian Americans. Many of our
18 doctors in our institutions are Asian Americans.

19 So in terms of our work force, they are adequately
20 placed. That is one part.

21 But in terms of coming for services, and not
22 getting them, I have not received any complaints.

23 MRS. TSUI: May I ask another question? Because
24 the Asian Americans, especially the older generation, might have
25 a language problem. Do you have any facilities in servicing

1 people -- do you have any people that are bilingual?

2 MRS. WILLIAMS: Well, we have bilingual as far as
3 the Spanish community is concerned. I do not know of any
4 special kind, but with our staff of Asian Americans, they
5 have helped out, I think, wherever possible. But we do not
6 have -- and I would be glad to find out in terms of our
7 service data -- the number of Asian Americans who may
8 have come to any of our centers for service.

9 I think they have been extremely self-sufficient,
10 so that their families and extended families are taking care
11 of their needs. This is my impression.

12 MRS. TSUI: I think your impression is wrong,
13 because Asian Americans do have a lot of problems, and I
14 hope you will look into that.

15 MRS. WILLIAMS: I will be happy to.

16 MRS. BUSTOS: First of all, let's get something
17 clear here. I think I heard you say the Department of Human
18 Resources not only enforces but provides services?

19 MRS. WILLIAMS: The Department provides services,
20 and because we contract -- we contract over \$40 million a year
21 so that we have to insure that our contractors comply with
22 Title VI.

23 MRS. BUSTOS: One of the things I wanted to make
24 clear -- you were asking us in a sense -- is possibly looking
25 into the area, and you related it specifically to religion and

1 creed in terms of what kinds of things might you relate to
2 in your enforcement aspect through either licensing or other
3 kinds of things that might help you to get institutions or
4 facilities that you might feel are discriminating to change
5 or to open their doors in a sense.

6 MRS. WILLIAMS: Right. Correct.

7 MRS. BUSTOS: So you are, in a sense, asking us for
8 help in trying to identify areas that will support you in what
9 you want to do?

10 MRS. WILLIAMS: We need help. We need legal help.

11 MRS. BUSTOS: Did you also say, if I remember right,
12 that you wanted us possibly -- and you mentioned specifically
13 the area of dependent children -- to look at, in a sense, where
14 the children are possibly being put or not being put, what
15 is the rate?

16 MRS. WILLIAMS: Right.

17 MRS. BUSTOS: So it's two kinds of things. You want
18 to look at a sense of what is and isn't going on specifically
19 in the area of institutions and facilities?

20 MRS. WILLIAMS: Yes. You see, I get a feeling, and
21 I wish I could prove it by data, but I have done a lot of
22 talking. In many instances, black children are stuck in the
23 city institutions but the white kids get to these high level
24 ones where you spend \$10-to \$12,000 a year for their service.

25 Now, I may be wrong, but I want the facts, to be able

1 in terms of the whole referral system and what is happening
2 across the country.

3 MR. LITTLEJOHN: Why can't the Department undertake
4 that kind of a study?

5 MRS. WILLIAMS: Well, we have, but I want comparative
6 data in terms of that. Because we are pulling back in terms
7 of money. There are many instances where our people have
8 gone to these expensive out-of-state places; but our money has
9 been cut off, so we are cutting off gradually, but I am curious
10 to know what has been the experience across the country.

11 MRS. BUSTOS: When you got to the area of the
12 Spanish-speaking community, am I right to understand at this
13 point that you said -- first of all, I think you did say that
14 your information is minimum, that you have a minimum amount of
15 out-reach to the community, and you only had one person in
16 the sense of going out on a collateral basis? Is that still so?
17 Only one person in terms of the Spanish-speaking program?

18 MRS. WILLIAMS: Well, the City Council has a law
19 now where all of our EEO people have been detailed to the Office
20 of Human Rights, so all of that now has gone to it, so the
21 Department of Human Resources, as such, does not have the kind
22 of EEO program we had previously.

23 Most of our EEO program now has, by law -- the City
24 Council has directed us to put our EEO program in personnel.
25 So we have had to transfer all of our EEO activities into our

1 personnel office.

2 MRS. BUSTOS: So you are really not working in terms
3 of having somebody directly there who can look on -- no one
4 in-house that is really giving you feedback on an on-going
5 basis?

6 MRS. WILLIAMS: Yes, that's right. We used to. In
7 this material, I had a list of Spanish groups we worked with,
8 et cetera, but we cannot continue this program as of now.

9 MRS. JORDAN: I was concerned about this whole issue
10 of dependent children. As I understand it, you are saying
11 that the courts make the selection in the case of the
12 dependent child where this individual should go?

13 MRS. WILLIAMS: That's right.

14 MRS. JORDAN: Can you not have the courts conduct
15 such a study? It would seem that it would be beholden on the
16 courts on the presentation of some evidence of discrimination,
17 which you could submit on the basis of your own study, to
18 conduct an investigation as to whether they are sending
19 these children to discriminatory institutions.

20 MRS. WILLIAMS: You see, the time element is such,
21 the judge says, "I commit John Jones to the institution." By
22 the time we get the report, it may be three weeks. By the time
23 we check with the region in terms of does this institution
24 comply with Title VI, the child is gone.

25 MRS. JORDAN: But D.C. children are sent to suburban

1 institutions?

2 MRS. WILLIAMS: All over the country. To Texas,
3 to -- you name it. To institutions that take care of the multi-
4 disabled. Because the community does not have that kind
5 of service.

6 And if I may say this, as an aside, one of the things
7 I lack --- and maybe it's not in this community to do it --
8 that we need to look at the metropolitan area, when we have
9 five counties and all kinds of studies going on, why we cannot
10 put some moneys together to be able to afford the dependent
11 child in the metropolitan area, some services within this area,
12 rather than having to send them to Pennsylvania, Maryland,
13 Texas.

14 If you have a multi-disabled child who may be blind
15 and several other things, we do not have a specific facility
16 in this area that can take care of that child.

17 MR. LITTLEJOHN: Do you have any idea as to the
18 number of children who are referred outside the District of
19 Columbia on a yearly basis?

20 MRS. WILLIAMS: I think I could get that for you.
21 It's not as many as it used to be. I didn't bring that with
22 me. It's not an overwhelming number, but when you think about
23 the amount of money that it takes for one child --.

24 MRS. BUSTOS: You are specifically pinpointing those
25 with multiple disabilities?

1 MRS. WILLIAMS: Yes. And we have to search for the
2 institution that will take care of the autistic child, where
3 a child may be crippled and blind, where they need highly-
4 specialized treatment.

5 MR. LITTLEJOHN: Thank you very much.

6 MRS. WILLIAMS: I will leave this as part of my
7 statement (Handing to court reporter).

8 MR. LITTLEJOHN: Counsel will call the next
9 witness.

10 MR. STRIDIRON: We have a note from Mr. William Hutton
11 indicating that he will be represented by a panel of three:
12 Alvin M. Rucker, Rudolph T. Danstedt, and Mrs. Rachel Essendoh.

13 STATEMENT OF ALVIN M. RUCKER, RUDOLPH T. DANSTEDT,
14 AND RACHEL ESSEND OH, FOR THE NATIONAL COUNCIL
15 OF SENIOR CITIZENS.

16 MR. RUCKER: Mr. Littlejohn, ladies and gentlemen,
17 members of the D. C. Advisory Committee to the U.S. Commission
18 on Civil Rights, my name is Alvin M. Rucker, I am the
19 Assistant to the Executive Director for Personnel and Special
20 Projects of the National Council of Senior Citizens.

21 With me are Mr. Rudolph T. Danstedt, Assistant to
22 our President, and Mrs. Rachel Essendoh, Regional Field
23 Director for the region which includes the Greater Metropolitan
24 Washington Area.

25 My colleagues and I, who, as you have said, represent

1 our Executive Director, Mr. Hutton, have decided that we will
2 divide equally the 15 minutes allotted to our organization.

3 MR. LITTLEJOHN: Pardon me for one second. The
4 15 minutes includes the time we would like to ask you some
5 questions, so if you would leave some time.

6 MR. RUCKER: Therefore, I will describe briefly
7 the history and programs of the Council, while Mr. Danstedt
8 will discuss some of the national issues on discrimination
9 affecting the elderly with which our Council is concerned,
10 and Mrs. Essendoh will review some highlights of problems
11 of the aging in the Washington area in attempting to secure
12 and exercise their equal rights.

13 The National Council of Senior Citizens is a
14 private non-profit, non-partisan action-oriented membership
15 organization. Our membership consists of over 3,500,000
16 persons, most of whom are affiliated with the over 3,500
17 senior citizens clubs scattered throughout the nation.

18 While we are not the largest private organization
19 of older-Americans, we feel certain that we are the most
20 effective in promoting their welfare, including their equal
21 or civil rights in the areas in which we operate.

22 We are not a civil rights agency per se, but we
23 maintain memberships or cooperative relationships with most
24 of the civil rights organizations operating on a national
25 basis.

1 We are an organization dedicated to making life
2 better for all Americans, including the elderly. We were a
3 major factor in the enactment of Medicare, and we constantly
4 alert our members to other needed legislation in the interest
5 of older Americans.

6 It is for these reasons that we are happy to
7 participate in this forum today. Our Council was founded
8 as a result of a series of meetings that took place during the
9 White House Conference on Aging, June, 1961. Over the bitter
10 opposition of the American Medical Association, the 1961 White
11 House Conference urged enactment by Congress of a program of
12 Federal health insurance for the elderly -- Medicare.

13 This was a significant victory and Medicare
14 proponents got together to map strategy for winning Congressional
15 approval of the Medicare program.

16 The point of the strategy was the launching of
17 a pre-Medicare senior citizens organization. That organization
18 was what is now known as the National Council of Senior
19 Citizens.

20 Architects of the original Medicare legislation
21 included the National Council's President, Nelson H. (Cruikshank
22 then director, AFL-CIO Social Security Department; and Wilbur
23 J. Cohen, later to become Secretary of the Department of Health,
24 Education and Welfare; Congressman (Amy Forent-?) introduced
25 the first Medicare bill in Congress and after his retirement

7
1 became the first President of the National Council.

2 William Lord Hutton, whom we represent, is our
3 present Executive Director.

4 While time does not permit me to describe in detail
5 all of our programs and operations, I think the following
6 examples are illustrative of our interests and activities.

7 We seek Social Security benefits at a meaningful
8 level; health security legislation for all Americans, including
9 the elderly; modern housing within the means of low income
10 elderly; a nation-wide senior citizens service corps to employ
11 seniors who want to work, a community service employment
12 not ordinarily available to them; property tax relief for elderly
13 home owners with limited incomes.

14 In addition, NCSC has pushed hard for improvement
15 of standards in U.S. nursing homes which care for one million
16 patients, nearly all senior citizens.

17 The flag under which we have marched is that of
18 social action, and we have been willing and ready to exercise
19 this at the ballot boxes, through testifying before Congressional
20 committees, letters and petitions, mass meetings, demonstra-
21 tions and picketing.

22 We have sought opportunities to testify and support
23 at the state, national and local levels legislation that will
24 benefit senior citizens. We have laid our concerns before
25 the Executive Branch of our government, and have enjoyed the

8
1 backing of proposals we have put forward from our friends in
2 the labor movement and from church and social welfare groups.

3 Our members are capable of having a major impact
4 on improving their own lives and the lives of all their fellow
5 citizens on the local level, if sufficient national coordina-
6 tion is provided.

7 Our female members are not little old ladies in
8 tennis shoes, and our male members are not sitting in
9 rocking chairs letting the world go by.

10 Our members are concerned, they are involved, and
11 they are informed about civic, social and political affairs.
12 They know the issues, both local and national. They listen
13 to the radio, look at the TV and read the newspapers.

14 They are anxious to help in making our world a better
15 place.

16 On behalf of the officers and members of the
17 National Council, I extend to the D.C. Advisory Committee of
18 the United States Civil Rights Commission our best wishes for
19 success and also extend an offer of cooperation and
20 assistance to the best of our ability.

21 Now, I would like to say that I recognized I have
22 not focused on civil rights issues, but I felt that, in view
23 of our offer of assistance, you ought to know something about
24 who is offering assistance, and my colleagues I am sure will
25 dwell on the issues.

1 MR. LITTLEJOHN: Go right ahead.

2 MR. DANSTEDT: Mr. Chairman and members of the
3 Advisory Committee, I hope today to sort of extend your
4 horizon a little bit as to what civil rights ought to include,
5 because I am going to address myself to the elderly and their
6 civil rights, which I interpret not only as civil rights, but
7 as equal protection under the law.

8 And I think, as Mrs. Williams just before me
9 indicated, equal access to services and treatment under the law
10 I think could well be covered under this, the general idea
11 of civil rights.

12 The first area I want to touch on, I am not going
13 to spend much time on, because you know all about it, and
14 that is the whole business of compulsory retirement, which we
15 consider a decidedly discriminatory type of operation.

16 In other words, when a person reaches a specified
17 age, whether employed in private industry, whether employed
18 in government, or under some union rules, he is compelled to
19 retire, even though he is fit, able, and willing to continue
20 to work.

21 We feel that is a very discriminatory practice,
22 and it's not treated under any law at the present time.

23 We know there is an age discrimination act, but that
24 only covers persons up to age 64. But by the time you reach
25 age 65, there is no protection at all for you in terms of

1 maintaining your rights on the job.

2 We know it is a very complicated issue. We know
3 the problem is not going to be solved unless we move toward
4 a more or less full employment economy. But we hope we never-
5 the-less could keep pushing for the idea when a person is 65,
6 if he is willing and able, he ought to be able to continue
7 on the job.

8 It means a great deal to the mental health and
9 well-being. I myself am an illustration. I had to retire.
10 Thank Heaven I got another job and have been at it for seven
11 years. It's been good for me.

12 To carry on, I want to lay that down first as an
13 area of serious discrimination that we ought to pay attention
14 to and it ought to be included under the concept of civil
15 rights.

16 Then, also in terms of the whole area of equal
17 access to services and treatment, I'd like to point out that
18 we are also concerned about the relative ease with which an
19 older person, because he is elderly and forgetful and sometimes
20 not fully capable of handling his own affairs, can be committed
21 to a mental institution.

22 And I think we saw in the Washington Post the case
23 of the 89 year old biochemist who is apparently a keen old guy,
24 but he didn't quite know where he was and where he lived. He
25 got committed to the state hospital, was smart enough to get a

1 jury trial. He got free, and then decided he had no arrange-
2 ments to take care of him at that particular point.

3 Again, you have an illustration of where society
4 presumes to set up some services to provide for people, but
5 when they are referred to those facilities, the services are
6 not existent. He's not getting what I consider equal treatment
7 under the law.

8 The obverse of that has been happening as a result
9 of Supplementary Security Income Program, which Mrs. Williams
10 referred to. The personal care homes, also private boarding
11 homes, where you have had for years thousands of elderly persons
12 in state institutions who are really not mentally ill.

13 In terms of medical diagnosis, they were sent back
14 into the community, because they had a Federal payment of some
15 sort, put into some kind of a private boarding home and were
16 exploited by private boarding home operators.

17 Again, I think society has an obligation to protect
18 those individuals and if they are going to be discharged,
19 as they probably should be because they don't belong in a
20 mental institution, I think society should carry on with
21 its protective arm around them.

22 Another area -- I'm not sure how much bearing it
23 has on the elderly, but some -- that is the whole business of
24 the peon status occupied by many in institutions for the
25 mentally retarded, whereby older people are doing jobs that

1 ought to be performed by regular employees, and given cigarette
 2 money. In other words, it again seems to me an unfair
 3 treatment of those individuals.

4 Some states have demanded that these persons be
 5 paid modest but small salaries and recognize that they have
 6 a status somewhat different from a patient.

7 But again, this is appropriately described as a
 8 peonage approach to treatment of certain persons in mental
 9 institutions.

10 And finally, I'd like to draw your attention to
 11 the fact that there are certain practices in the Social
 12 Security system that might also be considered discriminatory;
 13 they certainly provide unequal benefits to different groups.

14 I had the opportunity to serve on the '75-'76
 15 Social Security Advisory Council, and I was impressed by the
 16 fact that many individuals, particularly from some minority
 17 groups, because they had low-pay employment because of the
 18 kind of discrimination in employment, are receiving very
 19 inadequate Social Security benefits.

20 There is not a lot we can do about that at this
 21 point, because that is the result of past practices. Never-
 22 the-less, we did urge the Social Security Administration to
 23 take a look at that situation, and see if there isn't some kind
 24 of compensation that can't be developed to take care of the
 25 results of past discriminatory practices.

1 I also might point out that we discussed in this
2 advisory council the possibility that, since the longevity
3 of blacks is less than that of whites, the Society Security
4 System should be adjusted to take this difference into account.

5 However, no suggestion was set forth at that time
6 as to how this possible practice could be dealt with.

7 And finally, the advisory council -- and I would
8 refer this to your attention because it has to do with
9 equal treatment of men and women, which I can see is within
10 your jurisdiction -- they made an examination of the treatment
11 of men and women in Society Security and the report deals
12 extensively with that. I refer you to the '75-'76 report,
13 the Advisory Council on Social Security.

14 However, it is of interest that after we filed
15 our report, a case was brought and I think went to the
16 Supreme Court which did an interesting thing. It required
17 that widowed fathers be entitled to the same benefits as
18 widowed mothers. Up to that point, the mother did not have to
19 prove dependency, but a father did.

20 Under this new jurisdiction, a widowed father is
21 treated exactly the same as a widowed mother, and this is a
22 reverse of what usually is a common practice of women getting
23 unequal treatment.

24 Thank you very much.

25 MR. LITTLEJOHN: Thank you.

1 MRS. ESSENDON: I am Rachel Essendon and mine is
2 a work experience of what the aging process is about.

3 In the Nation's Capital, the population of the
4 elderly as of July 1, 1975 is 103,100, according to the D.C.
5 Division on Aging.

6 About 14 percent of the elderly population is at
7 or below the poverty level. 64,000 are female, 39,100 are
8 male, 48,800 are white, and 54,300 are non-white.

9 And it's very interesting to note here, with the
10 non-white, it did not give an ethnic breakdown as far as
11 Asian, Hispanic or blacks.

12 The elderly segment of the general population
13 is fondly referred to as a silent minority. Individually,
14 the elderly are identifying their problems and taking action.
15 However, they have been handicapped in properly organizing
16 for the kind of support they need.

17 Historically, many have suffered the gamut of
18 discrimination -- poverty, race, sex, income and education.

19 In their golden years, the same discrimination
20 still exists, but now it is compounded with age.

21 Is this the price they must pay for living so long?
22 Although they have managed to survive, the aged are still
23 deprived of the dignity and civil rights they worked so hard
24 to obtain.

25 We cannot deny that throughout -- through the

1 contributions of our elders, better opportunities for each of
2 us are now available. Unfortunately, many of us, through our
3 lack of sensitivity, have forgotten these important sacrifices.

4 Civil rights opportunities of today, which for the
5 most part are taken for granted by the younger population,
6 were not and still are not available to many of the elderly,
7 such as adequate income, decent housing, proper nutrition,
8 and educational advantages.

9 Services that are provided for the elderly generally
10 are staffed by insensitive personnel who do not give proper
11 assistance to the needy elderly.

12 For instance, crime committed against the D.C.
13 elderly is an increasing problem. Checks are stolen from
14 mail boxes, private property is robbed, and general harrassment
15 just for being old -- these are some of the problems the
16 elderly are forced to live with.

17 When they report these problems, not very much is
18 done about them, mainly because the general feeling is that the
19 elderly are senile, they cannot see well enough to identify
20 the suspect, et cetera.

21 Subsequently, the elderly are forced to isolate
22 themselves from the more dominant society for their own
23 protection.

24 Involuntary retirement is a time in most older
25 workers' lives that they would rather not think of, needless

1 to say prepare for this unwelcome opportunity. Based on
2 age, many older workers feel this is an unjust criteria for
3 retirement. Many need to continue employment for the same
4 reasons their younger counterparts are employed, and, further,
5 the older worker has proven to be as productive as a younger
6 worker.

7 It is humiliating for them to try to find employment
8 to help subsidize this meager income. They are immediately
9 confronted with the attitude that they are trying to compete
10 with the younger worker. Some who have marketable skills
11 would prefer to remain as independent as possible. Therefore,
12 they are reluctant to accept welfare assistance.

13 They very much would like to be a contributing
14 citizen for the economical and social values employment
15 offers.

16 Others who might need training find these oppor-
17 tunities are nil for their age group.

18 Housing is a major problem for all ages. But it
19 particularly creates a special problem for the D.C. elderly.
20 Better housing is not available for those on fixed incomes,
21 and, more importantly, they cannot relocate as readily as
22 the other portion of the population.

23 Public housing has a waiting period of availability
24 up to ten years, which could mean to the end of an elderly
25 person's life time.

1 These trends must be reversed to insure that all
2 elderly people be afforded their civil rights which they have
3 earned over the years.

4 The elderly have devised this Declaration of Rights
5 For The Elderly. If you have a few minutes, I will share it
6 with you. This is their feeling on their rights. Is there
7 time?

8 MR. LITTLEJOHN: Go ahead, yes.

9 MRS. ESSENDOH: "Humans' fundamental rights are
10 life, liberty and the pursuit of happiness. They are rights
11 that belong to all, without regard to race, creed or sex.

12 They declare that all people also possess these
13 inalienable rights without regard to age.

14 As love and nourishment are due to the infant,
15 as education and guidance are due to the child, as freedom
16 to work and build and lead are due to the grown man and
17 woman, so are certain conditions of justice due older or
18 retired citizens.

19 Among these we declare them to be the right to
20 live with sufficient means for decency and self respect.

21 The right to move freely, reasonably, and conveniently

22 The right to pursue a career or interest without
23 penalty founded on age.

24 The right to be heard on all matters of general
25 public interest.

1 The right to maintain health and well-being through
2 preventive care and education.

3 The right to receive assistance in times of illness
4 or need or other emergency.

5 The right to peace and privacy, as well as
6 participation.

7 The right to protection and safety amid the hazards
8 of daily life.

9 The right to act together to seek redress of
10 grievances.

11 The right to live life fully, with honor and
12 dignity.

13 MR. LITTLEJOHN: Thank you very much. Are there
14 questions from the panel? Mrs. Jordan?

15 MRS. JORDAN: I am particularly interested in these
16 problems, having studied my mother's notices from the
17 Government dealing with Society Security, Medicare, et cetera.

18 And I wonder if the Council has done anything
19 about the difficult and bureaucratic language that Government
20 agencies use which I imagine must be terrifying to an older
21 person who either cannot -- I mean, I can't comprehend it.
22 My husband is an attorney, and he has read it and is sometimes
23 baffled.

24 MR. DANSTEDT: I think we do try in our newspaper
25 to explain the new procedure or new regulations, and so forth,

1 in somewhat more understandable language.

2 I remember going through a frustrating experience
3 when I served on the Advisory Council on Society Security,
4 in which we kept asking the staff of the Administration, "Isn't
5 there any way in which you can simplify the rules and regula-
6 tions, tie them together, have the instructions you send out
7 easier to understand?" And we didn't make any progress.

8 I don't know whether this is some kind of protective
9 coloration the bureaucrats employ, or just what, when you
10 come right down to it, but we made no progress.

11 MRS. JORDAN: Can we take testimony -- let's say
12 we wanted to look into this -- that would indicate that people
13 have lost benefits or been denied their rights as a result
14 of simply not being able to understand documents that they
15 received?

16 MR. DANSTEDT: Well, yes. Well, I think to a cer-
17 tain extent some of us did try to meet that when SSI was put
18 into effect, a retail program which did its best to try
19 to locate people who might be eligible, door to door, newspaper
20 ads and radio programs, and all the rest.

21 I was reading in the magazine of the Society
22 Security Administration that they have established in their
23 Boston Regional Office a program directed toward being available
24 in an easier way to people who need to know about Social
25 Security and SSI.

1 All of us try to function in that capacity, but
2 there are millions of people to deal with from a practical
3 standpoint, and the only organization that can effectively
4 reach out to them is Government itself.

5 I don't think anywhere near enough has been done.
6 We have to keep pushing.

7 DR. TOPPING: One problem that exists in the
8 Society Security, and also recently paralleled in the tax
9 system as well, is certain changes which eliminate problems
10 against the single person. Now it causes a corresponding
11 problem against the married.

12 But this has existed longer in the Society Security
13 system, such that often two single individuals are better off,
14 in terms of benefits, than if they marry. So I understand there
15 are some instances where there have been divorces among the
16 elderly in order to increase their incomes.

17 MR. DANSTEDT: I don't know as there have been
18 divorces. But some people feel that the elderly are barred
19 from the after, in a sense, which is understandable, I guess,
20 if a woman has a pretty adequate benefit from her husband,
21 she's economically better off not getting remarried.

22 But there are other factors. In other words, the
23 inheritance business and children, and everything else, that
24 interfere with older people moving too fast into matrimony.

25 DR. TOPPING: Is that a major problem?

1 MR. DANSTEDT: No, it doesn't come as a major
2 problem. I think at one time it was rather major, but I think
3 the modifications were made.

4 I don't sense this as an acute thing that is dis-
5 turbing older people. Maybe more recent attitudes have also
6 changed, so that people are not that disturbed about some
7 kind of platonic relationship.

8 MRS. BUSTOS: You mentioned something about a report
9 on aging in 1974. What specific report is that?

10 MR DANSTEDT: The report of the Statutory Advisory
11 Council on Society Security, which occurs about every four or
12 five years under the law, is appointed by the Secretary of
13 HEW to review the adequacy and scope of the whole Social
14 Security program, and their report was published in March or
15 April of 1975.

16 MRS. BUSTOS: '75? Or '74?

17 MR. DANSTEDT: '75. But it existed during the last
18 half of '74, and the first three months of '75.

19 MRS. TSUI: Housing for the elderly is a deep
20 concern among the Asian community.

21 Do you advise the elderly to live together? Is it
22 better for them to live with different ages?

23 MR. DANSTEDT: Well, I think generally -- and I am
24 not speaking for the National Council of Senior Citizens; I
25 claim to be a minor student in the field of aging, because I

1 am an older person myself -- but I have also studied the litera-
2 ture.

3 I think, generally speaking, segregated by age
4 communities are not the best thing from many standpoints.

5 Now, I kind of like the pattern that they have in
6 some European countries, particularly in Scandinavian
7 countries where, if they build a residence for older people,
8 they will build it next door to a school or institution for
9 children, so there is a chance of the persons being aware
10 of the school and another generation or two coming along.

11 But I would say generally, I am not enthusiastic --
12 and our organization is not -- about age-segregated facilities.

13 MRS. TSUI: Another question. Because the Asian
14 community is faced with a double problem here with age, and
15 also the language barrier and cultural differences, is it
16 advisable for them to live together -- the Asians to live
17 together?

18 MR. DANSTEDT: Well, I don't know as I can answer
19 that. I think you are probably more aware of the meaning
20 of it.

21 I think that I recall -- I 'm trying to recall an
22 analogous situation. I think that efforts were made to kind
23 of impose general housing requirements and standards on some
24 Americans of Mexican background somewhere in the Southwest,
25 and it didn't work out very well, because there's much more of

1 a family tradition, and the average Mexican American didn't
2 want to go in an institution for the elderly. They wanted
3 to stay a part of an extended family.

4 Now maybe that's true also in the Asian tradition.
5 I wouldn't be surprised.

6 If that tradition operates, then obviously some
7 kind of housing which segregates older Asian Americans or
8 older Mexican Americans is not a very sound approach in terms
9 of their culture.

10 MR. LITTLEJOHN: Thank you very much. Your
11 testimony has been quite helpful.

12 The next segment of the hearing is a forum which
13 will be chaired by Mrs. Bustos.

14 MRS. BUSTOS: Counsel, will you call the next
15 speaker, please.

16 MR. STRIDIRON: The next witnesses are Ms. Aileen
17 Schlef and Ms. Milagros Velez McGuire.

18 STATEMENT OF MS. AILEEN SCHLEF, CHAIRPERSON, LATINO
19 MEDIA TASK FORCE OF WASHINGTON, D.C. and
20 MS. MILAGROS VELEZ MCGUIRE, ANDROMEDA HISPANO
21 MENTAL HEALTH CENTER, WASHINGTON, D.C.

22 MS. SCHLEF: I am here today as a representative
23 of the Latino Media Task Force of Washington, D. C.

24 The Task Force was established one year ago, has
25 been incorporated in the District of Columbia, and is a

1 member organization of the National Latino Media Coalition.

2 We organized last year because of Cooperacion
3 Latinas' attempt to create a better working relationship
4 between the print and electronic media and the Latino
5 community. We decided to assist the media in reaching their
6 objectives, both stated and legal, to better serve the entire
7 Metropolitan Washington, D. C. community, and as part of
8 this to serve the Spanish-speaking community with its news
9 programming and by providing a well-defined response to the
10 articulated needs of the community.

11 We began to examine the visibility and image
12 of the Spanish speaking in television and major newspapers
13 serving our metropolitan area. We worked with media, with
14 the local agencies serving the community by providing
15 assistance and by ascertaining the needs of the community
16 and relaying them to the media agencies.

17 We found not only that the Latino community is
18 isolated and invisible, but that there are gross misconceptions
19 among the executives at the agencies about the Spanish
20 speaking.

21 The community would at best be subject to stereo-
22 types and prejudices of outsiders who, because of the
23 realities of the marketplace, are trained to look for the
24 strange and exotic, for it will sell a better product.

25 The Task Force spent this past year becoming

1 knowledgeable about local programming and on the inner
2 workings of the press. We have built our efforts around
3 three areas: programming; community ascertainment; and
4 employment and training opportunities.

5 I would like to begin with a statement made by
6 Morris Ernst, a well-known media expert:

7 "No culture can be much better than its mass
8 media."

9 I will further state that it is the mass media
10 which controls how we perceive nearly everything in our
11 society, and it is the media which decides whether to give
12 legitimacy to a minority viewpoint or culture.

13 Today's minority very often becomes tomorrow's
14 establishment, whether it be the wearing of long hair or a
15 beard, or holding a strong political stand, it is by the media
16 that we grow accustomed to a certain given look or idea.

17 Television is our window into society. Its
18 decisions are dollar-based, but it's affected greatly by the
19 Civil Rights Act and the affirmative action plans of the
20 Federal Communications Commission. Sadly, changes do not
21 often come about because of morality, but because of the
22 pressure of outsiders to fulfill the laws.

23 Children in American Society watch more television
24 than anywhere else in the world. It is estimated that a
25 child graduating from high school has spent two years of their

1 life in front of the tube -- over 15,000 hours, more time
2 than is spent in school, in churches, or with the family.

3 Our children go to the moon, view assassinations,
4 witness wars such as Vietnam via the television. They come
5 into contact with China or different ethnic groups of our
6 own society via that box in the living room.

7 Sociologists say that first images or judgments
8 often remain throughout life, so television develops our
9 attitudes about people, places and things.

10 Moreover, our children learn which people society
11 values, which cultures and life styles hold the highest place
12 in this nation. Too often, only one life styles has been
13 reflected, only one value system.

14 To get on TV, minorities had to prove that their
15 commercials would sell, that the majority population would not
16 turn off the television, and the ethnic/racial minorities
17 grew accustomed to knowing that their looks and family
18 customs just didn't make it in America.

19 Now we are in a second phase whereby life styles
20 are still very plastic on television, but they have added
21 black faces or spaghetti sauce, or an accent.

22 In the present world of television, the Spanish-
23 speaking are overlooked, under-represented in programming, in
24 the news, in the arts, history, the economy, business, foreign
25 affairs -- all subjects which can have Spanish-speaking

7
1 perspectives and leaders.

2 All we have at present is a proliferation of
3 Latino convicts or prison-mates.

4 Are Spanish-speaking every the decision-making
5 leaders on television? Very rarely.

6 Do local talk shows include Spanish-speaking in
7 programming on family life, dating, education, health? No.

8 Do interviewers ever include Spanish-speaking
9 when they interview people on issues such as crime and
10 unemployment? No.

11 What about press coverage of international
12 dignitaries? Do we ever know when representatives of
13 Spanish-speaking nations arrive? No.

14 Do programs ever include the artistic contributions
15 of Spanish-speaking immigrants? No.

16 The same is true in all other areas of coverage.
17 The historical and present contributions of Spanish speaking
18 are all but denied through our media. I might add that our
19 Task Force is often asked what is the Spanish-speaking view-
20 point. This is a heterogenous community, which, as any other
21 community, has many different viewpoints and people of all
22 different backgrounds.

23 Latino Media Task Force meetings this past year
24 have started to open the doors, but we have a long, long way
25 to go. Except for a few friends at each station and within the

1 press, there is a domain that remains closed to all
2 minorities.

3 This is especially true with regard to employment.
4 Too many executives appear to be as packaged as some of our
5 television station programming. There must be a diversity
6 in hiring practices in the managerial levels.

7 At two stations, executives told us, "We have a
8 Spanish-speaking here. What's his name?"

9 Tokenism is rampant. And tokens find themselves
10 caught between a community which says, "What are you doing
11 for us?" and higher-ups who say, "Cool down your friends."

12 Tokenism I see as demeaning, because it overlooks
13 the standards of quality in hiring and just says, "Let's get
14 somebody here who can be a token."

15 Most stations profess an open attitude for hiring
16 minorities, but no in practice. One station executive
17 informed me when planning a conference last March, "Don't
18 forget to invite our black executive to your conference."

19 At this time, we are pushing for increased
20 training opportunities for Spanish-speaking, in all aspects
21 of the media -- production, writing, camera, whatever. Strong
22 programs and funding are needed. Who can turn away
23 credentials and capability? But the programs are very
24 necessary.

25 The print media is even more complex. There are

1 no regulatory agencies, and at this point there seems to be a
2 certain backlash against printing news regarding the Latino
3 community.

4 One member of the City Desk at the Post told us,
5 "Spanish speaking news won't sell papers; prove that enough
6 of the community will buy papers to make a difference."

7 The general attitude was, "Not much of importance
8 happens over there anyway. By the way, where is your community
9 located?"

10 Spanish speaking are almost never included in
11 interviews, in studies of city problems or programs. During
12 this next year, the Latino Media Task Force plans to spend
13 more effort on the printed media.

14 Four years ago, a national organization, the League
15 of United Latin American Citizens took up a petition against
16 the Post. Various community leaders have spent time in
17 meetings, where we were not the first to go. Finally, we
18 have reached a couple of people within the newspapers.
19 Representatives of the Post and the Star attended our
20 conferences, but there has been very little follow-up.

21 I will give you a few examples of the lack of press
22 coverage, or poor press coverage.

23 A year ago, all major Spanish-speaking agencies took
24 a petition against United Way, because of a funding cut. The
25 basis of the petition was that the cut was unwarranted because

1 the amount of money being funded originally did not even
2 come close to the amount of money donated by Spanish-speaking
3 persons.

4 The press reporter covering the event walked
5 around during the picketing and asked what rifts existed
6 between the different agencies and then proceeded to report
7 not on the problems with the United Way, but on the petty
8 rifts between agencies in the community.

9 A Spanish-speaking person would have understood
10 the community dynamics and could have given much more sensitive
11 reporting.

12 We have noticed that reporters often describe
13 American territories as foreign countries -- such as Puerto
14 Rico.

15 Again, a third instance is a major article on
16 Spanish speaking this year that the Post did had to do with
17 Spanish-speaking women marrying to stay in existence.

18 While there are problems within the community, there
19 are positive experiences, strong leaders, and citizen views
20 which are important enough to warrant press coverage.

21 An emerging community needs good press coverage
22 even more than other communities. The Spanish Heritage Week
23 coverage this year was rather weak and seemed to come from
24 a disinterested source.

25 A final example: This summer the League of United

1 Latin American Citizens teamed up with the Inter-American
2 Development Bank to host the first Hispanic Art Exhibit in
3 the city. Members of the Congress, dignitaries from South
4 America, and hundreds of people from the Washington area
5 attended. Katharine Graham served on the honorary committee.

6 Yet no press coverage was given to this event, which
7 honored Spanish-speaking artistic contributions from all over
8 the country.

9 Reporters of the press seem to fall back on, "We
10 reserve the right," "We can't cover everything," and "We can't
11 let the community groups dictate," and on and on.

12 We believe that it is the media's responsibility
13 to cover the entire society, and to have input from the
14 society in that coverage.

15 The Spanish speaking community does not ask for
16 favoritism, only that the media fulfill its lawful obligation
17 to represent the society as it is, to offer employment and
18 training opportunities for all people, and to portray the
19 community from the perspective of the Spanish speaking people,
20 with understanding of all those dimensions, the characteristics
21 of its many nations, customs, educational, employment and
22 economic background of the people.

23 We ask for a media that is discriminating, but
24 not discriminatory, that programs geared to the Spanish
25 speaking or reflective of the Spanish speaking be of the best

1 quality possible, and not an insult to our intellect.

2 Further, the media's role is two-fold: to introduce
3 the world to the viewer, and to enhance the self-concept
4 of the people viewing.

5 Thank you.

6 MRS. BUSTOS: Any questions?

7 MRS. JORDAN: I just want to say it's excellent
8 testimony, and I would like to have a copy of it for my own.

9 MS. SCHLEF: Thank you.

10 MRS. BUSTOS: I think a few weeks ago, looking at
11 the T.V. Guide, and trying to find what programming was on
12 the air for Hispanic children, and I found one on a regular
13 basis and one once or twice every two weeks.

14 Have you found this to be a big problem in the
15 area, or one of not being of major concern? I thought it
16 was funny.

17 MS. SCHLEF: There are no real programs. We haven't
18 yet got to the point of work -- we have done programming
19 for adults. We have assisted some of the stations; I did some
20 for Sesame Street. But we are not even at the level of
21 affecting it.

22 Channel 26 is thinking about initiating a program
23 in a year or so. That's the best we have been able to come up
24 with.

25 Channle 7 had something called the Magic Door, and

3
1 was looking for a bilingual person, and we are in the process
2 of looking for someone. But it's a case of bringing people
3 here from outside, because there's no trained people here to
4 run a program like that.

5 That is another problem, to get the training for
6 people in the community to go on TV.

7 MRS. BUSTOS: Thank you very much.

8 MR. STRIDIRON: Our next witnesses are Young Dae
9 Cha, President, and Samuel S. Markovitz, Attorney, the
10 Korean Pharmacist Association of Greater Washington.

11 You may proceed.

12 STATEMENT OF MR. SAMUEL S. MARKOVITZ, ATTORNEY, AND
13 YOUNG DAE CHA, PRESIDENT, THE KOREAN PHARMACIST
14 ASSOCIATION OF GREATER WASHINGTON, D.C.

15 MR. MARKOVITZ: I would like to make this presenta-
16 tion of the civil rights problems of the Korean Pharmacists,
17 Korean Americans and Asian Americans.

18 First, in behalf of the members of the Korean
19 Pharmacist Association of Greater Washington, and the Korean
20 Association of Greater Washington, I want to express our
21 appreciation for this opportunity to present these problems
22 to the United States Commission on Civil Rights.

23 These problems are most serious, not only to the
24 approximately 100 members of the Pharmacists' Association,
25 and the Korean Association which represents over 30,000 Korean

4
1 Americans, but also the many thousands of other Asian Americans
2 residing in the Washington Metropolitan Area.

3 Our presentation will be quite brief, so as to
4 conserve your time and to allow time for handling the
5 questions from the advisory committee.

6 What are these problems? First, there is a lack
7 of equal employment opportunity for qualified Korean pharmacists.

8 Second, class discrimination of the District of
9 Columbia agency in dealing with the Korean pharmacists.

10 Third, there is a serious deficiency in health care
11 delivery to the Korean and Asian Americans, because of poor
12 or complete lack of communication due to language differences.

13 And fourth, there is a denial or limitation of
14 social service and public welfare benefits to these Asian
15 American communities, because of the lack or absence of health
16 professionals with whom these minorities can communicate
17 freely in their native language.

18 In the area of the lack of employment opportunity
19 for foreign-educated and trained professionals, we must view
20 this question against the background of, shall we say, cruel
21 United States Government encouragement of the immigration
22 of these professionals through immigration, through the
23 preferences in our immigration laws.

24 The way the quotas are set up, there is preference
25 given to professionals who want to immigrate to the United

1 States. Now, once they come to our melting pot, these men and
2 women are told that their education, experience, and foreign
3 certification cannot be recognized and does not even give
4 them a ticket to enter a competitive, objective examination in
5 the District of Columbia, through which they could have their
6 competence tested.

7 The denial of licensing opportunities is blamed
8 on the fact that the licensing authorities do not have a
9 procedure for evaluating foreign schools of pharmacy. Yet
10 it is interesting to note that the State of New York was able
11 and did formulate a procedure for certifying foreign
12 pharmacy school graduates.

13 These foreign pharmacists are not asking to be
14 accepted automatically, but are willing and anxious to be
15 tested and examined to determine whether their knowledge and
16 ability meets the standards set for local pharmacy students.

17 Members of the Korean Pharmacy Association are
18 working very hard and diligently to maintain their competence
19 in their profession, even though they are all forced to do
20 everything else but pharmacy work. You name it and you will
21 find some Korean working at it.

22 And these people assemble on a regular basis every
23 Sunday -- and I have seen them -- from 10:00 o'clock in the
24 morning to 6:00 o'clock in the evening, to listen to lectures,
25 to have discussions and to study the latest developments in

1 their field and the practical application of theory in
2 local pharmacy practice.

3 The District of Columbia Board of Pharmacy has
4 been practicing class discrimination by refusing to allow
5 Korean pharmacy graduates to take the District of Columbia
6 pharmacy examinations, even though most of them have already
7 had their qualifications evaluated by the Education Depart-
8 ment of the State of New York and found to be eligible to take
9 the New York State Board Pharmacy Examination.

10 The local Board has even refused to send applications
11 to these pharmacists, contrary to the provisions of
12 Section 2-604 of the District of Columbia Code of 1967.

13 The problem of the Korean pharmacists stands out
14 even more clearly when we consider that other foreign educated
15 health professionals, such as medical doctors, dentists,
16 nurses, and veterinarians do have an opportunity, through
17 regulations that have been set up, to be examined and licensed
18 in the District of Columbia. Why this discrimination against
19 the pharmacists?

20 In the area of health services, the problems of
21 the Korean immigrants is becoming more serious as their numbers
22 grow, and they have no health professionals with whom they can
23 communicate about their problems in their own language.

24 And this, of course, is true of the other Asiatic
25 Americans.

1 At this time, our foreign-educated pharmacists who
2 want to practice their profession in this area have no
3 viable alternative but to repeat their education.

4 I repeat: They have to repeat their education at
5 a locally accredited school of pharmacy.

6 Now, even this avenue has been pursued by members
7 of the Association who have routinely been denied admission
8 because of the crowded school conditions. They have gone
9 to Howard University asking for arrangements of special
10 classes, perhaps refresher-type courses, which would permit
11 these Koreans to be examined under a special arrangement, if
12 they cannot be taken in routinely as part of the class.

13 They keep telling us they have too crowded conditions,
14 they can take only so many students.

15 Consider further that most of these Korean-born
16 and educated pharmacists who immigrate to the United States
17 are family people of limited wealth who can afford neither the
18 time nor the money to repeat their education.

19 Entry into the schools of pharmacy is highly
20 competitive, we all know that, and it's only natural that
21 American-born and education applicants are given preference.

22 This, in a nutshell, is our problem. I have not
23 gone into a great deal of detail. I would just be repeating
24 myself.

25 In California, when this hearing was held, we went

1 through the same thing, and you have it well-documented in
2 your publication.

3 Thank you very much. Do you have any questions?

4 DR. TOPPING: I wonder if we could get a little
5 background on what is the D.C. Board of Pharmacy. Is this
6 essentially a body of the D.C. Government? Or is this a
7 cartel of local pharmacists who might have a certain interest
8 in not having a lot of others coming in?

9 MR. MARKOVITZ: I think you described it very well
10 when you used the term "cartel." It is made up of members
11 of the business -- I'll call it a business here. They do
12 have hospital pharmacists, also, on the board, but this is only
13 part of the story.

14 MR. OWENS: Pharmacy has been described to me a
15 number of times as a dying profession, because..... because
16 of the drug companies. Is there any real demand for
17 pharmacists right now, particular in this area?

18 MR. MARKOVITZ: Perhaps Mr. Cha can help. Is there
19 a demand or need for pharmacists?

20 MR. CHA: I'm not sure on that point. However,
21 there is a shortage of professionals in the United States.
22 I know that. But I don't know in this area; I haven't studied
23 it.

24 MR. MARKOVITZ: Routinely, the pharmacists from
25 this group have not even had the opportunity to take that first

1 step to apply for jobs, because they have not had the
2 opportunity to be examined or licensed.

3 MRS. JORDAN: Is this aspect of the discrimination
4 true of all immigrants? Let's say someone coming from Western
5 Europe. Would they be allowed to take an exam, or would there
6 be some kind of commitments? Would they be sponsored?

7 Or is this particularly aimed at Asian Americans?

8 MR. MARKOVITZ: I could not fairly say that it
9 is aimed at Asiatic Americans. It is written into their
10 regulations, which say that the foreign schools have to be
11 accredited, and they have no procedure for accrediting them.

12 MRS. JORDAN: Well, I don't want to dwell on this,
13 But trying to clear up my own confusion, do they determine
14 the accreditation? Do they accredit some schools and not
15 others?

16 MR. MARKOVITZ: They rely on a national organization
17 for accreditation, and the national organization just isn't
18 doing it. Whereas the law actually puts the burden on the
19 Pharmacy Board to do this. Which I would maintain is
20 relegating or delegating their authority to an outside
21 organization.

22 MRS. JORDAN: Now Mrs. Williams, who has left,
23 testified that many Asian Americans are employed within the
24 Department of Human Resources. Now, what you are saying is
25 that immigrants, Asian Americans, who come with a pharmaceutical

1 degree, would be denied employment with this agency because
2 they would be denied credentials?

3 MR. MARKOVITZ: License, yes.

4 MR. OWENS: Are other professionals, like doctors,
5 say, for instance, having the same problem? Where there is a
6 shortage of such, do you know of any programs for them?

7 MR. MARKOVITZ: There are programs for these other
8 professionals. I mentioned in my presentation, doctors
9 and dentists do have a way of getting -- they may have to
10 go through what might be termed an apprenticeship, by working
11 in some hospital for a period of time, but they can make the
12 step, made the grade, as it were.

13 MRS. TSUI: Are there any other cities or states
14 besides New York that will allow the Asian Americans, the
15 Korean pharmacists, to take examinations?

16 MR. CHA: I am not sure about California.

17 MR. MARKOVITZ: No.

18 MR. CHA: I don't know. Only I know New York
19 State.

20 MRS. BUSTOS: Mr. Cha, did you want to make a
21 statement?

22 MR. CHA: No. Just the one statement.

23 MRS. BUSTOS: Do you know offhand how many Korean
24 pharmacists there are in Washington?

25 MR. CHA: About 100 members.

1 MRS. BUSTOS: Members of the Pharmacy Association.
2 But how many are in practice? How many were able to take
3 the exam and are practicing? Are there any who are actually
4 practicing in Washington at this time?

5 MR. CHA: As a pharmacist? There's none.

6 MRS. BUSTOS: So then, from that point of view,
7 you could say there is a need in the community to have a
8 Korean pharmacist. There's no question about it.

9 Any other questions?

10 All right. Thank you very much.

11 Our next witness is Dr. William Chung --?

12 STATEMENT OF MR. JUNG CHUNG, DIRECTOR OF THE
13 EXECUTIVE BOARD, D.C. CHAPTER, ORGANIZATION OF
14 CHINESE-AMERICANS, INC. (OCA)

15 MR. CHUNG: I'm not a Ph.D. yet, thank you for the
16 promotion.

17 I am Jung Chung. I represent the Organization
18 of Chinese Americans, Washington, D. C. Chapter.

19 What I would like to talk about generally is the
20 socio-economic status of Asian Americans in the Greater
21 Washington, D.C. area.

22 Briefly, there are approximately 50,000 Asian
23 Americans living here in the D.C. area. I am counting
24 Chinese, Japanese, Korean, Vietnamese, and all.

25 For years, Asian Americans have been and were

1 considered the silent, invisible minority, to be tolerated
2 as long as they do not compete with the majority group.

3 In recent years, the majority group and the media
4 have been referring to the Asian Americans as the model
5 minority, a non-white minority group that has made it into
6 the mainstream of American life.

7 This myth was and is being expounded today, even
8 in the Presidential campaign by Dr. Peter Bourne, the Jimmy
9 Carter representative in Washington, D. C., in his paper,
10 "The History of Chinese Americans in the United States."

11 The studies on Chinese Americans in the United
12 States by Professor Betty Sung, out of City University of
13 New York, and Tom Owan, out of the Social Security Administra-
14 tion, disprove this myth.

15 Another study was made by the University of
16 Kentucky, which stated the same thing. In fact, they said,
17 "Success of the orientals strongly suggests that Spanish,
18 American Indian and black minorities might improve their
19 positions if they could raise their level of educational
20 attainment."

21 But the statistics don't prove it, because they
22 show that, as an Asian American increased his educational
23 level, he doesn't increase his income. In fact, it stays down.

24 Normally what happens is, an educated Asian
25 will stay longer in grade and primarily he is kept in a staff

1 level or an entry level, and they get overlooked.

2 In fact, there's about 26 percent Asian Americans
3 who are in the professional and technical field. That is
4 because those are primarily the career fields that we are
5 permitted to enter, other than the traditional restaurant
6 or laundry business. The laundry business is being phased
7 out through technology.

8 Data on Asian Americans is difficult to obtain.
9 The Census Bureau and many of the other data is generally
10 published as total minority or black or Spanish, and the
11 Asian population or ethnic groups are faded into the back-
12 ground, and it's difficult to reduce the statistics to usable
13 form for Asian Americans because it's lumped in sometimes
14 as "other", and when you make the subtraction, you don't
15 normally come up with the answers that you are looking for.

16 We have other problems in terms of bilingual
17 education for the young and the young adult. Because of the
18 let's say unequal immigration laws of past years that said
19 "I will allow him now, but if he marries an Asian, she can
20 stay over there and he can come over here and live."

21 Well, that caused many problems in our family life,
22 both for the children and for the present.

23 Housing is also another thing, and I have a paper
24 here by Tom Owan from the Social Security Administration, which
25 I am going to give you for your use.

1 Our Asian women also run into another problem,
2 being female, so they have double jeopardy. Just as a white
3 female has only the sex problem to worry about, but she
4 doesn't have the race, but for our Asian women it's double.

5 In the minority recruitment programs we are
6 overlooked, because we are considered the model minority and
7 the silent invisible one.

8 For example, in the Washington Star of 8 July, they
9 ran the article about NASA looking for minority and women
10 to apply for astronaut positions, but it was headlined,
11 "NASA asks women and blacks to apply."

12 What happens there is the term "racial minority"
13 becomes "black", and any other minority group disappears.

14 But the same thing occurs in other minority
15 recruitment programs and medias. There's another publication
16 they call the Equal Opportunity and Minority Student Magazine.
17 The same thing occurs there.

18 In State Department and Defense Department recruit-
19 ment, I find the same thing. For instance, the Navy had a
20 big splurge in this minority newspaper, but all it showed was
21 they were looking for blacks, and many of our educated Asian
22 Americans don't get reached in that process. They say, "Am
23 I wanted?"

24 You know, when you look at the minority recruitment
25 and you don't find any drive for it -- in fact, the Defense

1 Department kind of overlooks Asian Americans, and even in
2 their affirmative action programs, they talk of total minority,
3 and only being one percent, you just fade out in any kind of
4 affirmative action program.

5 And these are the things that we feel that this
6 Advisory Committee can look into and help us direct these
7 inequities. We are talking in terms of collection and publica-
8 tion of data on Asian Americans, by group and by ethnic
9 groups. The same type of data presentations as given for the
10 black and the Spanish that is presently done.

11 Reporting of statistics should be done in the same
12 way, because then you can evaluate, "Is there any progress."

13 Having been an equal opportunity officer, I find
14 that this data is very important, because without the data
15 you can't make any prediction. A study by the Advisory
16 Council would set a base line to work from.

17 Establishment of a permanent ad hoc committee to
18 represent the Asian American community and to help advise you
19 that much better.

20 That is basically what our recommendations are to
21 the Advisory Council. We wish to help you and participate
22 in your activity. I have copies of my presentation and
23 Tom Owan's, and I also have a brief letter here that tells what
24 our objectives are.

25 MRS. BUSTOS: Thank you. We just found out that

1 somebody else was supposed to be on this panel. Would you
2 please come forward and state your name for the record?

3 (Complete text of Mr. Chung's statement follows.)

4 (Committee insert.)

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1 · STATEMENT OF MR. FRANKLIN D. FONG, SECRETARY,
2 CHINESE AMERICAN CITIZENS ALLIANCE.

3 MR. FONG: Ladies and gentlemen of the Civil
4 Rights Panel, my name is Franklin Day Fong -- the last name
5 being spelled F-O-N-G.

6 I am sorry, I have lost my voice because of a cold.

7 I am privileged and honored to be here to represent
8 the Chinese American Citizens Alliance Association this p.m.,
9 and to submit their view for your consideration.

10 And I would like to take advantage of this oppor-
11 tunity to pay our solemn tribute and respect to the men who
12 have given his life for this cause. Since then, life has
13 becoming much better, tensions have been reduced, the law
14 have been refined, and the legislature try to continue to
15 improve in this particular aspects of our civil rights of our
16 citizens.

17 So, in equality, we are much better off than what
18 we were when I was a younger man. However, it is my observa-
19 tion that there are some circumstances and there are some
20 situations that the individual have run into because of the
21 inadvertent act of the people in position to see that the
22 rights are being given.

23 In this particular area, it is my observation that
24 we should continue to support the legal agency which can help
25 this individual to see the rights being properly presented.

1 As you know, I am an American of Chinese ancestry,
2 and as an American of Chinese ancestry I am tended to speak in
3 the Chinese American interests. I now respectfully inform you
4 that there are many Chinese Americans who, because of their
5 cultural background, are left with a difficult language
6 ability to express themselves.

7 So it is my suggestion that this panel take into
8 consideration that the translation and the interpretation
9 facilities should be extended to them, and also provide a lot
10 more opportunity to the general public so that they know exactly
11 where to get help.

12 And I want to thank you for this opportunity.
13 That's all.

14 MRS. BUSTOS: Thank you very much. Do we have
15 any questions from our panel?

16 MR. SCHLITT: One of the things I would like to
17 know is about relationships within the Asian community. We
18 heard earlier from a representative of the Korean community.
19 Is there an over-all organization of Asians which would
20 include Japanese, Korean, Filipino?

21 MR. CHUNG: Not at present. Actually, we are in
22 the formation stage of an overall coordinating council. It's
23 been in progress for the last two years.

24 One of the difficulties is that we have the same
25 problem as the Spanish group in that each of us have a cultural

1 background, distinct, and sometimes it comes into conflict.

2 Let me use an analogous -- if I talk of the Mexican
3 Americans versus the Puerto Ricans, or you have many groups
4 even in the Mexican American. So you have a problem of
5 amalgamation.

6 MR. SCHLITT: One of the things we hope may come
7 out of this meeting is a coalition of all groups concerned
8 for the civil rights of all of the Washington area. And we
9 figure it will give us a step up if, within the Asian
10 community, there was some kind of coordinating council.

11 You say you are working towards that?

12 MR. CHUNG: Yes, in fact, I have been in contact
13 with the JACL, the Korean group, the Filipino group. I have
14 not touched base yet with the Vietnamese. They are still
15 kind of new and getting their feet wet.

16 DR. TOPPING: What is your estimate right now of the
17 Chinese-American population in the Washington Metropolitan
18 Area, in the City, and roughly also the Asian population in
19 the area.

20 MR. CHUNG: In your 1970 Census, let's say it's
21 the only usable data, we think, and we are sure it's an
22 under-estimate, but according to the 1970 Census there was
23 approximately 9,000.

24 With our immigration and uniting of families, and
25 everything, we have estimated there is now a doubling of that

1 population, and better. So you are talking at least of
2 about 20,000 there.

3 And I understand that it's a comparable group
4 in the Korean community. The Filipino group is about
5 equivalent. The Japanese group has not had the heavy immigra-
6 tion as the other groups, and that's why I say it's an
7 estimate primarily, because of the lack of usable data.

8 I am sure it's being collected, but it hard to
9 get the various agencies to release them in a usable form.
10 I happen to talk of that because I am a statistician, too.

11 MRS. BUSTOS: Are there any other questions?

12 MRS. TSUI: I think for the benefit of the panel,
13 maybe we can ask Mr. Fong about the housing problems among
14 the Chinese Americans.

15 MR. FONG: Ladies and gentlemen of the panel, and
16 Mrs. Tsui, I want to be honest with you in this particular
17 issue.

18 The housing situation in the District of Columbia --
19 and you knew, I suppose, I am referring to the public housing,
20 or do I refer you to the private housing -- I think at this
21 moment I better refer myself to the public housing.

22 With respect to public housing, as you know, there
23 is a general shortage of vacancies in public housing. Now,
24 I am not an expert in this field, but being a resident of the
25 District of Columbia for some 20 years, I have a feeling that

1 because of the newcomers into the District of Columbia and
2 accommodation for them is on an equal basis as to the old-
3 timers, and consequently the old-timer in a situation might be
4 squeezed out.

5 Generally, I am talking on a general basis.

6 However, with the Chinese situation, it's a little
7 bit different. For one thing, most Chinese Americans are
8 still hanging on to the old idea. They would rather to find a
9 way out, they try to help one another, and rather than look for
10 public housing. But because of the inflation and the shortage
11 of housing, now they look for public housing.

12 But there aren't too many housing to be looked. So
13 what actually we are short of is a public housing in Chinatown.

14 Now, the experience in other Chinese communities
15 have proving that this is a workable situation. I remember
16 when I was a high school student in San Francisco, where the
17 public housing were built then, and the newspaper covered all
18 kinds of criticisms that this would not be workable, and yet
19 now I found that those housing are making money rather than
20 losing money. And all the windows and the floors are
21 shining, and the public are in very good order.

22 So in this respect, we do not have difficulty
23 with the public housing in Chinatown as in elsewhere.

24 But because of the Chinese American who have
25 resided in the District of Columbia for certain length of time,

1 I, for one, would think that they should be given an oppor-
2 tunity of having public housing in the District of Columbia.
3 Not only just a public housing alone but the Chinese have a
4 habit of to work where they live.

5 But in this respect, it would help the District
6 to improve its business as well.

7 Thank you, Mrs. Tsui, for this opportunity.

8 MRS. TSUI: Thank you.

9 MR. SCHLITT: Following up on that, what would you
10 say is the future of Chinatown? There's been talk of building
11 a convention center, there's been threats to the community.

12 Will it function and continue as a viable community?

13 MR. FONG: As my friend have told me many time that
14 I have paint a very bleak picture for them. And this picture
15 I will paint for you again today.

16 As you know, the Chinatown is situated in a very
17 strategic location in reference to the entire city. And with
18 the new subway system and everything, and with the improvement
19 of the streets, the project sponsored by the Streets for the
20 People, and you see it right in front of this Library and in
21 front of the Portrait Gallery, and this is the center of
22 everything around.

23 So therefore, it will support my opinion that this
24 is a very strategic location.

25 Now nothing, of course, is heavily committed at

1 this moment. I think everybody is sitting on the side. But
2 it is my anticipation that once this area would become booming
3 again, and the big money will come in, once the big money is
4 move in and nobody can offer any resistance.

5 Under the present blue plan of the city, it is only
6 in favor of high rising, of big building. Unfortunately,
7 the Chinese are not in a position for that kind of investment.
8 So it's again my opinion, and it's to urge you to consider my
9 opinion, is this: The city must commit itself more financially
10 to Chinatown, because elsewhere that the city has profit by
11 Chinatown.

12 There is no bus driver or no cable car driver who
13 will pass by Chinatown in San Francisco without mentioning
14 Chinatown, in conjunction with mentioning Fisherman's Wharf.

15 So you can see the impact which Chinatown will
16 give to the city and the profit to the business community
17 in the city.

18 MR. STRIDIRON: Generally, who owns the real estate
19 in the Chinatown area? Do Chinese Americans? Or do others?

20 MR. FONG: I will say that if the Chinese Americans
21 are permitted to exchange, building by building, in the way --
22 roughly speaking, there would be two blocks you can assemble.

23 Quite a few Chinese own buildings. I, myself,
24 own two. But it's right now killing me because of the rent that
25 I take in and the operating expenses, you know. It's fairly

1 understandable right now, I operate on a cheap rent and that's
2 all they could afford. And it's understandable by the Govern-
3 ment the way that I feel; they would move on me, I would have
4 to put everything up to the building code. But if I were
5 required to build everything up to the building code,
6 naturally I would have to answer my bank, and naturally I
7 would look for my tenant to answer my bank, and obviously we
8 cannot do it at the present moment, although a lot of people
9 scream that it's inadequate and unhealthy conditions in
10 Chinatown. But it's one of the conditions that's
11 inevitable.

12 MR. CHUNG: If I may say, I don't really think
13 it's germane as to who owns the buildings as much as the impor-
14 tance of the area. I think the area is important to those
15 who live in it in terms of it gives them the cultural ties
16 and the communication lines and is the center of their
17 individual and family-type lives.

18 I think those are the important things, rather
19 than just who owns the building.

20 MR. STRIDIRON: Right. The question was addressed
21 to the subject matter of threats to the entire community,
22 rather than simply ownership versus --.

23 MR. CHUNG: The threat to the area really is that
24 site, and with the constant pressure to build the center there,
25 an exhibit hall, causes much problems within the people and the

1 establishments there, and I think that if that exhibit hall
2 was forgotten and we actually developed a procedure to build
3 up the area, rather than just to tear it down and leave it
4 in a shambles, as many of the blocks are in that area, I think
5 that is the important thing.

6 There's lack of playground facilities and
7 recreation facilities for the young people there.

8 MR. STRIDIRON: Thank you

9 MRS. BUSTOS: Thank you very much. Are there any
10 other questions ?

11 Thank you, gentlemen, for testifying today.

12 MR. FONG: Thank you.

13 MR. CHUNG: Thank you.

14 MR. STRIDIRON: The next witness is John Garland,
15 Staff Attorney, substituting for Rod V.O. Boggs, Executive
16 Director, the Washington Lawyers Committee for Civil Rights
17 Under Law.

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1 MR. LITTLEJOHN: Proceed. Would you state your
2 name?

3 STATEMENT OF JOHN GARLAND.

4 MR. GARLAND: John W. Garland, I am staff attorney
5 with the Washington Lawyers' Committee for Civil Rights
6 under Law.

7 MR. LITTLEJOHN: Do you have a statement that you
8 would like to make?

9 MR. GARLAND: Yes.

10 MR. LITTLEJOHN: Proceed.

11 MR. GARLAND: I briefly intend to set out for
12 you what the Washington Lawyers' Committee has done in the
13 areas of civil rights and hopefully highlighting for you
14 those problem areas we feel this Commission could review and
15 perhaps make recommendations to the Civil Rights Commission.

16 The Washington Lawyers' Committee was started in
17 1968 and is what the name implies. It is a committee of
18 lawyers amounting to over 60 lawyers and law firms in the Wash-
19 ington metropolitan area, who provide legal counsel in cer-
20 tain selected cases. The Washington Lawyers' Committee has
21 been conducting for the past three years a program involving
22 employment discrimination.

23 The Civil Service figures indicate nationally
24 there have been 24,000 informal complaints of employment
25 discrimination. There has only been 100 of these complaints

1 resolved with either back pay awards or restoration of the
2 aggrieved employees.

3 We feel this kind of statistics clearly demon-
4 strates that the Equal Employment bill has not been substan-
5 tially effectuated with respect to persons who are making
6 employment discrimination complaints. The same problem
7 exists in Washington, D.C., where we have a high percentage
8 of black government employees who occupy GS grades 7 and below
9 in disproportionate numbers.

10 One major problem with most Public Title 7 liti-
11 gation is the Government in most cases raises substantial
12 procedural blocks of any effective litigation of these
13 suits. An example under the revised 1972 revision of the
14 EEO Act, an employee, once there is administrative determin-
15 ation of discrimination or not, has a right to trial de novo.
16 In each instance, the Government will raise this question
17 at trial. Just recently at the US Supreme Court level,
18 the Government lost this claim on a 9 to 1 decision.

19 We feel the Government in many cases does not seek
20 to settle suits but instead seeks to try the suits, engage
21 the aggrieved party in protracted litigation when the statistics
22 clearly demonstrate there has been a violation of law.

23 Our suggestion to this board, to this Commission,
24 is that there be an investigation and recommendation made
25 to the Civil Rights Commission to get on the amount of

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1 cases the Government takes into extended litigation when the
2 issues are frivolous. I feel this could help alleviate
3 the backlog.

4 Another area involving public employment discrimin-
5 ation involves the Washington Plan. The Washington Plan
6 was initiated in 1970 to implement the requirements of the
7 Executive Order 11246. The Washington Plan's major
8 distinguishing feature, a series of goals and timetables
9 for affirmative action among Government contractors.

10 Because of a lack of enforcement of the Washington
11 Plan, it has largely failed to achieve its purposes. In
12 fact, the Freedom of Information Act request last fall
13 disclosed that the Office of Federal Contract Compliance, the
14 agency charged with enforcing the Plan, had not complied nor
15 had any comprehensive data indicating its compliance with the
16 Order, as it was promulgated.

17 Locally, the District of Columbia has a local
18 equivalent to Executive Order 11246. The Washington
19 Plan for Municipal Contracts under Commissioner's Order 73-51
20 and Administrative Instructions 2621. This plan has two
21 major components. One requires affirmative action programs
22 for employment of minorities and one for the encouragement and
23 support of minority contracts in the District's employment
24 activities.

25 Our research has indicated that absolutely nothing

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1 has been done by the city to effectuate this program. Again,
2 we have a situation where the District Government has not
3 been engaged in setting aside contracts to award to local
4 minority contractors and has in no way attempted to implement
5 the local Washington Plan.

6 I believe this Commission can make recommendations
7 to the Civil Rights Commission, in addition to investigating
8 the Washington Plan locally itself.

9 Another area we have been working on is private
10 employment discrimination. Currently, the Equal Employment
11 Opportunity Commission nationally has a four- to five thousand
12 backlog in this area.

13 The problem with this is current EEOC regulations
14 so impede the resolution of these cases that we are sug-
15 gesting and have suggested that there be a change in regula-
16 tions to permit EEOC and the private bar to exchange
17 information.

18 The Washington Lawyers Committee has had a
19 project over the past three years that has farmed out hun-
20 dreds of employment discrimination cases through our auspices,
21 the D.C. Bar Association also, which has a pro bono lawyer
22 referral service. This service is an attempt to provide
23 legal representation for the Title 7 cases for those parties
24 who reside in the Washington metropolitan area.

25 Again, in the private employment discrimination

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1 case, we have private employees creating substantial burdens
2 for an effective resolution of case by interposing what we
3 consider to be frivolous defenses. Recently, there was
4 a settlement in a large case involving a private employer,
5 the Izzo case. There was a recent resolution of the case
6 involving two bricklayers' unions in the District of Colum-
7 bia. Last year there existed two, Local 1 and Local 4,
8 Local 1 was white and Local 4 was black. Local 1 was re-
9 stricted to residential, It is reversed, Local 1 was re-
10 stricted to commercial production, units. Local 4 was re-
11 stricted to residential. Obviously commercial construction
12 brings higher salaries and more profits. This was broken up
13 just recently. This is an example of problems that exist
14 in the area of construction that has not been given much
15 attention by the D.C. Government or the Civil Rights
16 Commission.

17 One of the main problems in Washington is the fact
18 that the local citizenry, which is predominantly black,
19 does not have effective legal representation at its disposal.

20 We are aware of the fact there is a close relation-
21 ship between poverty and race in this society and in this
22 city. With poverty we have a lack of knowledge of one's
23 right, legal or civil, in addition to the unavailability
24 of legal representation. The Neighborhood Legal Services
25 Program currently has statistics which indicates there are

1 which indicates there are over 200,000 D.C. residents who
2 are eligible for legal services. But the Neighborhood
3 Legal Services Program has only 30 lawyers to serve them.
4 Clearly, this is a problem. NLSP has indicated in order for
5 them to properly represent the 200,000 people who are eli-
6 gible for legal services, they need 150 lawyers at least.

7 The problem here is the lack of money. The
8 Washington Lawyers' Committee believes that this advisory
9 commission can make recommendations to the Civil Rights
10 Commission, whom we feel somewhat has the ear of the Presi-
11 dent.

12 Perhaps, there can be more work done in the
13 legal services corporation to insure that local residents
14 throughout this country, particularly D.C., can have legal
15 representation made available to them. Currently, NLSP
16 states they serve only five percent of the eligible resi-
17 dents in this area.

18 Another problem with EEO and EEOC. The regulation,
19 The regulation states the complaintant is not to have any
20 consultation with the EEO representatives in private. The
21 practice is indicated that many cases the EEO counselor is
22 not a lawyer. He is picked on an ad hoc basis, Because
23 of his inexperience he often goes outside of his own relation-
24 ship with him and his client, and discusses the matter with
25 others.

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1 In many cases the EEO counselor is subject to
2 harassment and reprisal.

3 We feel this is an area that deserves this Com-
4 mission's attention and recommend to the Civil Rights Commis-
5 sion.

6 Currently there are no remedies available to
7 an EEO counselor for any reprisals that are worked upon him.

8 Another problem in the District of Columbia involves
9 the unequal enforcement of the law. Particularly, the
10 Lawyers' Committee at one time had been engaged in a study
11 to determine the effect of the gambling and prostitution
12 laws on the residents of D.C.. That study has indicated
13 there is unequal enforcement of gambling and prostitution
14 laws with respect to race in this city.

15 Our proposal then, which was supported by Marion
16 Barry, was that there be legalized gambling or numbers in
17 the city. Not only will this work to increase revenue to
18 the city, but we feel it will alleviate unequal enforcemtn
19 of the laws, particularly the gambling laws in the city.

20 As the staff attorney with the Lawyers' Committee,
21 I am currently a project director for the Military Discharge
22 Review Project. This Project attempts to ungrade less-than-
23 honorable discharges for prior military servicemen. Since
24 1951 my study has indicated, there are approximately 5 million
25 men and women in this country who have less-than-honorable

1 discharges. My projects indicate there are over 5,000
2 such individuals who reside in the D.C. metropolitan area.
3 What is the effect of this discharge? In most cases, the
4 veteran with less-than-honorable discharge is denied employment.
5 A 1973 decision by EEOC indicated it is unlawful employment
6 discrimination to deny a black veteran a job because of his
7 discharge. This decision was based on a 1974 Task Force
8 Report on the administration of military justice, which
9 demonstrates that black minority servicemen receive less-
10 than-honorable discharges in disproportionate numbers to
11 their representation in the military.

12 Blacks comprise about 20 percent of the mili-
13 tary. From what I have gathered they receive over 45 percent
14 of all less-than-honorable discharges.

15 Another effect of a less-than-honorable discharge,
16 particularly undesirable or worse, is this. A veteran is
17 unable to get GI benefits. Surveying the possible benefit to
18 a veteran, he stands to lose about \$10- to \$15,000 in
19 educational benefits. He cannot be eligible for a loan
20 guaranteed home loan. If he suffered medical injury or
21 emotional injury in the military, he cannot be compensated
22 or receive VA treatment for those injuries. It is our
23 feeling and our belief that this Commission, noting the
24 extremely high numbers of D.C. veterans with this kind of
25 discharge, can recommend to the Civil Rights Commission,

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1 urging the Civil Rights Commission to petition the President
2 to reconsideration and reconstruct the present military
3 policies of issuing less-than-honorable discharges, particu-
4 larly with the civil rights impact they have, noting that
5 blacks receive more less-than-honorable discharges than
6 whites.

7 As you may be aware, under the Constitution the
8 President has absolute authority with respect to the U.S,
9 Armed Forces with respect to policies military, justice and
10 separations. This is an area that has had detrimental
11 effect on the black servicemen and will continue to do so,

12 Additionally, there has been a recent committee
13 established by the President, which raised serious civil
14 rights problems with respect to the black serviceman. They
15 ask questions like, is the black serviceman reliable,

16 We all know history has demonstrated reliability
17 of the black serviceman. They raise questions and have
18 recommendations saying that perhaps the military should
19 no longer give scholarships to black schools, to black
20 colleges, noting the fact that the black serviceman perhaps
21 is not reliable any longer, particularly when we look, and
22 this is a Commission statement, at the fact there might be
23 confrontations in Africa,

24 I feel there are things happening, particularly in
25 the military, involving veterans and people who are in

Enl0 1 service that this Commission should look at and make recom-
2 mendations to the Civil Rights Commission.

3 I am open at any time to release statistics
4 and information I have gathered involving this problem.

5 Another area the Washington Lawyers' Commission
6 has worked on is involving housing. I was here earlier,
7 when there was a person discussing the problem of redlining
8 in the District of Columbia. His testimony has the
9 Committee's firm support.

10 We have a case now entitled Lawrence vs. Oriental
11 Savings. Oriental Savings Bank is an institution that has
12 a substantially high number of black investors. Our figures
13 indicate it fails to make more than 10 percent of any of its
14 loans to blacks in the community. We feel in this case,
15 and others, we intend to bring, will perhaps open up legal
16 avenues for challenging the redlining. It is a bad practice,
17 particularly considering the resurgence of white movement
18 into the city and the diminishing of certain black neighbor-
19 hoods in the city.

20 If blacks cannot get loans to improve housing
21 in the city, you are going to see a tremendous trend that will
22 result in blacks being pushed out to the various suburbs
23 and the city losing its historical racial character.

24 Thank you.

25 I am open to questions.

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1 MR. OWENS: There were two brick layers locals
2 but neither were exclusively black or white. I think
3 they merged basically because of the decline in the industry
4 for brick layers.

5 MR. GARLAND: They merged because a lawsuit
6 was filed in '73 by the Washington Lawyers Committee in
7 addition to the lawfirm of Wilmer and Cutler.

8 That suit challenged the distinction of the two
9 unions. The stipulation agreement resulted in the firms or
10 the unions being merged into Local Six. It is our feeling
11 it would not have happened but for the lawsuit.

12 If you look at the statistics of the black local
13 onelocal was predominantly black.

14 MR. OWENS: On another topic, the Washington
15 Plan, what is the current status of the plan now?

16 MR. GARLAND: The Plan is still there. It is
17 on the books. It is not being enforced. Studies are not
18 being done. Moneys are not being set aside. Contractors
19 are not being pressured by the local governments or by the
20 agency designed to enforce the Plan to come up with set
21 asides for minority contractors. The Plan is there. It
22 is not being worked on by the local government.

23 MR. OWENS: On the question on the low number of
24 percentage of contractors to minority contractors from the
25 D. C. government, are there other reasons for that? I have

dgs2 1 heard a lot about bonding. Minorities being unable to meet
2 certain requirements to attain performance bonds. Should
3 we address ourselves to that more or less than the attitude
4 of the local government?

5 MR. GARLAND: I think both. Bonding is discrim-
6 inatory in some cases. A case I did set in on GSA wanted
7 a local black contractor to first post his bond before he
8 was awarded the contract. This clearly is against the
9 regulations which requiring appose of bond. Bonding
10 institutions are imposing discriminatory standards for bonding.
11 I think it is incorrect to go after the bonding companies
12 when in fact blacks are not getting contracts that will
13 enable them to increase their capacity to perform under
14 these contracts. The contractor grows after he gets more
15 business. If he cannot get the business, he stays small.
16 That means he cannot compete for the larger contract or a
17 contract, period.

18 MR. OWENS: The city is restricted by law from
19 letting the contract.

20 MR. GARLAND: That is not the case across the
21 board. There are contractors in and around the city who
22 can perform, who can get bonding.

23 Again, the problem is the city is not setting
24 aside government local contracts for those contractors.

25 MS. BUSTOS: You said the Commission made the

dgs3 1 statement, "Blacks were not reliable."

2 Which Commission were you talking about?

3 MR. GARLAND: Defense Manpower Commission. They
4 raised that question seriously and had public hearings on
5 that.

6 MS. JORDAN: When?

7 MR. GARLAND: Around March of this year.

8 MS. BUSTOS: You said there were two Washington
9 Plans?

10 MR. GARLAND: Yes.

11 MS. BUSTOS: The first is enforcement was under
12 the Office of Federal Contract Compliance. In which agency
13 is that?

14 MR. GARLAND: The Labor Department.

15 MS. JORDAN: You mentioned the denial of lawyers
16 being serious problems in terms of maintaining civil
17 rights. There are two groups in which I am interested.
18 People who may not be eligible for legal services because
19 they are working but are underemployed or low income working
20 people.

21 First, what is your attitude towards the prepaid
22 legal services plan negotiated by the labor unions in the
23 Washington, D. C. area? The other question is, in your
24 work, have you found the rights of juveniles being violated
25 in cases where the court might assign competent attorneys

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1 who are tax or corporate attorneys but who do not know much
2 about the criminal code?

3 MR. GARLAND: To answer your first question, I
4 don't know specifically the attitudes of prepaid or groups
5 who are eligible who possibly can get prepaid legal services.
6 I know the whole concept of prepaid legal services is growing
7 rapidly.

8 The unions, in some cases, are requiring the member-
9 ship to set aside 10¢ an hour and are developing these
10 tremendous funds for prepaid legal services. My feeling
11 is that most groups are very happy to see this come in for
12 them. It is an opportunity for them to have legal services
13 and have it at a minimal cost to them.

14 Your second question, this is a problem. I
15 don't know how serious a problem it is but it is a problem.
16 In many cases the courts do assign well-meaning attorneys,
17 criminal cases.

18 MS. JORDAN: They are required to serve?

19 MR. GARLAND: Right. An attorney can sign up
20 on a list and be picked to serve. Unfortunately, I have
21 no specific horror story to tell you, but this is a problem.
22 All we can do is, this Commission, perhaps to establish
23 some sort of board or committee of lawyers who will be able
24 to provide assistance to these counsel and also which is
25 more important to increase the staff persons on the public

1 defender service and the legal services problem. In this
2 case, if a lawyer needs information, he can contact these
3 people. He can sit down with them and discuss his problems
4 with them.

5 MS. BUSTOS: When you talked about the private
6 industry problem. Is it the problem they are not hiring
7 blacks or once they get the jobs you feel they are being
8 discriminated against or they may be getting the lower
9 paying jobs.

10 MR. GARLAND: Both.

11 MS. BUSTOS: Do you know what the percentage of
12 minorities there are in the Washington Metropolitan areas
13 industry is?

14 MR. GARLAND: No, I don't. I have no filings
15 on that. I have them on public employment. It was broken
16 down black versus white, GS level and up or down. I have
17 no filings on private employment with respect to absolute
18 numbers of blacks.

19 Again, it is my feeling that there is not a real
20 affirmative action hiring program by the hiring industry.
21 Blacks who are being hired are being hired at the lower
22 paying jobs. In addition to the upward mobility once they
23 are employed by industry.

24 MR. TOPPING: Can any legal services offices now
25 participate in a contingent fee arrangement? There are cases

1 which involve substantial settlements.

2 One, can they do this? Do you feel that this
3 would be a visible means of generating financial support
4 to provide greater volume of services across the board?

5 MR. GARLAND: Presently, under the regulations
6 established by the Legal Services Corporation, a legal
7 services program or lawyer cannot take on a fee generating
8 case. If the case involves any fee or award, he cannot take
9 the case. He must refer it to the private bar.

10 Recently there has been a number of increases
11 in law firms. These firms can be awarded fees. These fees
12 go to paying the cost of litigation besides increasing
13 staffs. The Washington Lawyers Committee has embarked on
14 a new concept we feel.

15 Under new recent court decisions and a Senate
16 bill currently pending, there has been an increase in the
17 award of attorneys fees in civil rights litigation. We
18 are now trying in a House program to try to get civil rights
19 law pay for itself. If the Senate bill passes, it will
20 authorize courts to award attorneys vis-a-vis fees in
21 court cases. It counts for cases, for court and administrative.
22 If this passes, we will be able to have civil rights law
23 paying itself if we are successful. This will go to paying
24 for litigation and expanded staffs. I think that is some-
25 thing this Commission can also do. Urge passage of that

dgs7 1 Senate bill.. I can get you the number of the bill to you.

2 MR. STRIDIRON: You stated the government tends
3 to engage in protracted litigation. I was wondering if the
4 Lawyers Committee as a body has tried on individual cases
5 or in general to perhaps reduce the number of cases that go
6 to litigation by attempting arbitration and what success
7 have you had?

8 MR. GARLAND: What I mean is the U. S. Government,
9 public sector cases. The U. S. Government through AG or
10 U. S. attorney, they do. Every case we have had just
11 about has gone through litigation. This is from motions
12 practice, to trials to appeals. In each case as attorneys
13 acting in the best interest of our client, we sit down with
14 the agency involved and his attorney and we attempt to
15 negotiate a settlement. That is in each case.

16 In 80 percent of those cases, we wind up in
17 court going through motions to dismiss and to trial to
18 appeals. So, it is not so much that we don't try. The
19 government feels constrained to litigate each Amendment
20 of the Act. That is our problem. We have litigated
21 cases that we feel are very clear.

22 An example and this is a highlight this year,
23 we were involved as attorneys in the McCray vs. Runyon.
24 That outlawed discrimination in private schools. That might
25 have been avoided had the schools settled with us, we feel

1 in some cases litigation is good. We get good law on the
2 books. We feel it is extending in other cases and working
3 a further hardship on the government because of the expense
4 involved and on the client.

5 MR. LITTLEJOHN: Thank you very much. Your
6 testimony has been quite helpful.

7 STATEMENT OF MS. ANNE B. TURPEAU.

8 MS. TURPEAU: I am Anne Turpeau, the chairperson
9 of the District of Columbia Commission on the Status of
10 Women. Our commission has 21 members. We are all appointed
11 by the Mayor. We are all residents of the District of
12 Columbia. We are all citizens. We are one of the official
13 commissions of the District of Columbia. Our purpose
14 is to not only advise the Mayor on problems and questions
15 relating to the status of women but also to initiate
16 appropriate actions, programs and other things which would
17 seek to improve the status of women.

18 Sex discrimination and injustices resulting
19 from government action and inaction have been fairly well
20 documented within the past few years. In spite of a serious
21 lack of statistical information and analysis, particularly
22 that which correlates sex and ethnicity with income,
23 educational preparations, and other indicators of economic
24 status.

25 My purpose here today is not to present any new

1 data or findings but simply to highlight a few areas which
2 we feel merit the special attention of the U. S. Commission
3 on Civil Rights and the D. C. Advisory Committee.

4 The denial of employment opportunities and
5 discrimination against women are major concerns of commissions
6 on the status of women throughout the country. We think
7 that the findings and conclusions which were contained
8 in the U. S. Commission's volume five on employment dis-
9 crimination, in the enforcement series, are still valid.
10 We find in commissions throughout the country that govern-
11 ment whether it is the federal, state, or local government
12 is a major offender. Improvement is needed even in the
13 District of Columbia government where women enjoy the
14 highest participation rate among all types of governments
15 throughout the country.

16 44 percent of the District government employees
17 are women. However, women are clustered in the lowest
18 grades and they are excluded from upward mobility oppor-
19 tunities. Their median annual salaries as a percentage
20 of median annual salaries of men was 88 percent in 1975.
21 The annual reports of the USEEOC, the reports on women
22 and minorities in government reflect that some departments
23 of government continue to withhold employment for women.

24 For example, in the Department of Transportation
25 in the case of the District of Columbia, the old Highways

1 and Traffic, which is now the Department of Transportation,
2 Fire, Police and now the Department of Corrections, many
3 of these agencies continue to be white male dominated.
4 agencies.

5 It is especially true nationally in the criminal
6 justice systems where women hold very few policy making or
7 decision making jobs. In many jurisdictions they are
8 excluded from work in penal institutions.

9 As a result, problems of the woman offender
10 have gained little attention. We believe until women are
11 more actually involved in administration of justice, they
12 will continue to be denied due process.

13 We find it shocking that the legislative branch
14 of the Federal Government or Congress has exempted itself
15 from equal opportunity and equal pay laws. They are able
16 to discriminate against women and to deny women equal pro-
17 tection of the law. Even in instances of sexual harassment
18 which violate the employment rights of women, there seem
19 to be no remedies.

20 We believe that the problems of sexual harassment
21 are prevalent throughout government as well as in private
22 industry and that there needs to be more forthright policy
23 statements on this in this particular area.

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1 Many of the women in federal service are residents
2 of our city. We as a Commission feel that they are a part of
3 our constituency. We are especially upset by the report issued
4 by the Capitol Hill Women's Political Caucus last year entitled
5 "Sexes in the Senate?" It set out the differences in salaries
6 between men and women. The median salary of women, for
7 instance, was \$10,260 and for men \$17,670.

8 Even among persons who were earning over \$18,000,
9 only 24 percent of them were women and 75 were male.

10 We have learned also that the Supreme Court considers
11 itself exempt from the EEO laws. Many jurisdictions report
12 that information about employment practices throughout the ju-
13 dicial system is very difficult to come by.

14 We believe that where local and state governments
15 continue discriminatory practices and patterns, the federal
16 government should exercise whatever power it has to bring them
17 into compliance.

18 This includes the withholding of block rent moneys
19 and revenue-sharing moneys. We believe that the Department of
20 the Treasury, Office of Revenue Sharing, should use its power
21 to achieve this compliance.

22 We believe also that the Department of Labor, the
23 Office of Contracting Compliance, as well as our procurement
24 offices in the District Government should be more vigorous in
25 demanding compliance and deny contracts to those who discriminate

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1 against women as well as minorities. Within the past ten
2 years, there has been a steady and growing number of households
3 headed by women. This is especially true among black women.
4 The number has increased from one-fourth of all black family
5 units to one-third now headed by women.

6 Government action and inaction continue to place
7 the economic and the social burden for rearing children of
8 these households upon the female heads. Many are in deep
9 poverty, living in inner city areas and facing a number of other
10 jeopardies.

11 Urban growth patterns indicate within this generation
12 the population of many of our inner cities may be predominantly
13 black and female. Predominantly black women and heads of
14 household and their children.

15 The denial of equal employment opportunity both
16 on the basis of sex and race is a part of the burden of which
17 I speak. Even the opportunities for gaining education and
18 training, there are discriminations against women.

19 Women's commissions across the country including our
20 own District Commission are gathering information which points
21 up the fact that there is little oversight, no civil rights
22 enforcement and no real accounting of the use of block grant
23 moneys for the Department of Labor for employment training
24 programs which were intended primarily to assist the economically
25 disadvantaged.

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1 We are familiar with the U.S. Civil Rights Commission
2 report in 1974, which studied women in poverty. We think it
3 was a good step, but we think we should go further. We would
4 like to propose as an appropriate study both for the U.S.
5 Commission and the local advisory whether the economic and
6 social burdens which female heads of households bear are a
7 denial of due process and equal process of the law.

8 Such inquiry might include the manner in which our
9 social services are delivered and the regulations which govern
10 such delivery.

11 The judicial interpretations of the laws, especially
12 those related to child custody and the enforcement of court
13 orders, the discriminations in public education and training
14 programs and the inequities in benefits such as social security.

15 We know that there is an unjust situation. What
16 we suspect is that it may also be unlawful. We believe that
17 such studies will yield important new data which will be impor-
18 tant to the cause of civil rights throughout the country.

19 Thank you.

20 MR. LITTLEJOHN: Thank you. I will ask you two
21 questions. You mentioned the problem of sexual harassment. To
22 what extent is that a problem in the District of Columbia
23 Government?

24 MS. TURPEAU: Our indications are it is a serious
25 problem in all departments of government. You may recall last

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1 year when there was some reports that reached the press about
2 harassment within the Police Department. We received a number
3 of reports of women, working women within the District Govern-
4 ment and other instances in which this had taken place.

5 It was a pattern in government.

6 MR. LITTLEJOHN: Does your office or your Commission
7 undertake any studies of this?

8 MS. TURPEAU: No. We are not at this time.

9 MR. LITTLEJOHN: I have a third question. It relates
10 to whether or not you have discovered whether there is a serious
11 problem or increase in incidents of wife-beating in the District
12 of Columbia.

13 MS. TURPEAU: We understand the battering of women
14 in the District Government is a serious problem, as well as
15 throughout the metropolitan area. There have been task forces
16 associated with the Women's Legal Civil Defense Fund that has
17 gathered quite a bit of information and has looked into problems
18 associated with peace bond and shelters needed for women and
19 so forth.

20 I would think that within the next year there will
21 probably be studies undertaken either by the Women's Legal Defense
22 Fund or by the Commission itself.

23 MR. OWENS: There was talk of including timetables
24 for women in the Washington plan. I have heard that is ineffec-
25 tive. Is there talk on that?

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1 MS. TURPEAU: Women have been concerned about the
2 minority contracting and the enforcement of compliance as well
3 as the opportunity for apprenticeships, This is as well as the
4 establishment of goals. There has been a coalition effort
5 to examine the whole question and timetables for the apprentices
6 and to look at the whole area of apprenticeable trades.

7 This is to see whether not only account number
8 be increased but additional language and protection is added.
9 It may be that we need modifications by the City Council in
10 the present law.

11 MR. OWENS: Is there a problem of discrimination
12 of women on the job in nontraditional work areas? Particularly
13 work construction? This is one they get on the job.

14 MS. TURPEAU: I am unfamiliar with that. I know
15 there is a task force, women in construction. I will try to
16 find out about that but I am unfamiliar with that.

17 MR. LITTLEJOHN: Miss Jordan.

18 MS. JORDAN: What is the process of enforcement that
19 is open? A complaint comes into the Commission or you in
20 the course of your study uncover an area of discrimination, what
21 course of action do you take in referring the case for adjudi-
22 cation or some kind of investigative process?

23 MS. TURPEAU: Usually, our first step, if it is
24 coverage under Title 34, is to discuss it with and refer it
25 to the Office of Human Rights. We have had discussions where

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1 where persons are interested in carrying it further in some
2 type of litigation. We have been able to make referrals to
3 various interest groups in the city who would be able to
4 represent women and their complaints.

5 MS. JORDAN: That is not what I meant. Let me use
6 an example. The law prohibits a firm from saying don't bother
7 coming up for this job because I only want to hire a man. It
8 also prohibits employment agencies from doing the same in
9 representing a position to a possible employee. If such a
10 complaint came to you, would there be a prosecuting arm within
11 the District Government, within the Council office?

12 MS. TURPEAU: No. That authority rests with the
13 Office of Human Rights. The enforcement power, not the
14 Commission, on the status of women. We have no enforcement
15 power.

16 MS. JORDAN: I understand that. But do you refer?

17 MS. TURPEAU: Yes.

18 MR. LITTLEJOHN: Are there further questions?

19 Thank you very much. Would you call our next witnesses
20 or witness?

21 MR. STRIDIRON: We have a panel. Roy Oswald,
22 Carol Risher, and Rev. Don E. Howard. Would you state your
23 names for the record?

24 STATEMENTS OF ROY E. HOWARD, ROY OSWALD, AND
25 CAROL RISHER.

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1 MR. OSWALD: I am Roy Oswald, speaking for the
2 Interfaith Committee of Greater Washington. The document is
3 an outline of who we are and prioritizing of the issues that
4 we are addressing ourselves to. The Interfaith Committee
5 represents Protestants, Jewish, and Catholic. These are listed
6 below. We look at the quality of life in the Greater Washington
7 areas. The religious leaders have gotten together on a number
8 of occasions. The most recent time was January of '76.
9 They laid out priorities for issues to be dealt with. These
10 basically are local and world hunger, metropolitan housing,
11 criminal justice, education, and the elderly poor.

12 With the exception of education, we have task forces
13 actively working in each area. There are other issues that
14 we have addressed ourselves to, being immediate or between
15 the Capitulary United Ways and the Prince George's County
16 Community Fund. We are investigating the D.C. Children's Center
17 in terms of child abuse and supporting the recipricator
18 commuter tax for the District as a way of raising revenues
19 for programs.

20 I want to say the religious leaders represented on
21 the IFC consider hunger, housing, and criminal justice to be
22 the three major issues and problems of the city. They are very
23 concerned about these. The people in this city are hungry.
24 They are treated in an inhuman way when they try to sustain
25 food for themselves. Housing continues to be an issue. We

cmw8

1 continue to tear down houses and don't replace them.

2 The criminal justice system rather than rehabili-
3 tating and being fair continues to be a problem in turning out
4 hardened criminals. We are trying to work at some of these
5 issues.

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PALMER
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1 MR. LITTLEJOHN: Before we proceed, would you
2 introduce the other persons with you?

3 STATEMENT OF MS. CAROL RISHER.

4 My name is Carol Risher and I am speaking to
5 you tonight on behalf of the Jewish Community Council of
6 Greater Washington, which represents 180 affiliated Jewish
7 organizations in the District of Columbia, Maryland, and
8 Virginia.

9 We are engaged in a program of community relations,
10 information and action - roles encompassing policy guidance,
11 policy setting and action programs for both our constituent
12 organizations and individual members of these groups.

13 On behalf of the council, I would like to thank
14 the D. C. Advisory Committee for the opportunity to present
15 our views with respect to those civil rights issues affecting
16 the people living in the D. C. metropolitan area.

17 In Jewish tradition, all persons are equal,
18 for every human life is equally sacred in the eyes of God.
19 The oppression of man by man was condemned by the prophets.
20 To aid those in need is an obligation, an act of justice,
21 a right which grows out of the humanity common to both
22 giver and recipient.

23 To alleviate poverty is a duty, its object is
24 not only to reduce want but to restore dignity. With this
25 background of tradition, and the personal suffering and

1 discrimination felt by us as Jews throughout the ages,
2 the council feels that certain adjustments to the quality
3 of life must be sought in order to attain appropriate
4 goals for this nation.

5 1. All discrimination based on sex, religion,
6 race, national origin, or creed must be eliminated.

7 2. Every individual must be afforded an oppor-
8 tunity for meaningful work at decent wages.

9 3. For those individuals unable to work, an
10 income sufficient for a decent standard of living must be
11 provided. And,

12 4. Quality education must be provided for all
13 children in order to prepare them emotionally, intellectually,
14 and socially to contribute to the well-being of this society.

15 These items, the Jewish Community Council
16 believes, are essential to provide every individual with
17 dignity and self-respect. The Council continues to
18 pursue the civil rights aims of the previous decade, but
19 in addition we are concerned with two main areas endemic to
20 metropolitan D. C.

21 Our local council has long worked to insure Home
22 Rule for the District of Columbia. In the United States,
23 part of the essential dignity, freedom, and self-respect
24 of every adult is his possession of the right to vote.

25 To continue denying this right to the residents of D. C. is

dgs3 1 to deprive us of our God given human dignity and freedom.

2 For over 25 years the Jewish Community Council
3 has endorsed Home Rule for the District. Not only our
4 rights and the rights of District residents to elect our
5 local officials, but also full voter representation in
6 both the Senate and House of Representatives.

7 In addition, we support full decision making
8 authority by the District government at the local level,
9 full financial authority, and full taxing authority.
10 It is a sovereign right of statehood for governments to be
11 able to tax income at the source. D. C. is not a state and
12 by virtue of its undefined status, it is deprived of these
13 basic states rights.

14 D. C. is the vital core to the metropolitan area
15 supplying public housing, welfare services, and other
16 necessary functions to the entire metropolitan area and
17 yet its residents have only a nonvoting delegate in Congress,
18 so we have taxation with representation in its truest form,
19 Congress passes national legislation affecting D. C. as
20 well as all the states and yet does not allow D. C. residents
21 any say in the financial or legislative matters it enacts.

22 Full Home Rule is an area of human rights we
23 feel very strongly needs your attention.

24 Another area we feel extremely moved to mention
25 is hunger in D. C. There is a talmudic saying that,

1 "He who feeds the hungry feeds himself too, for charity
2 blesses him who gives even more than him who takes."

3 Throughout the history of the Jewish people, the
4 obligation of the community to help the poor and to feed the
5 hungry, has been a compelling moral responsibility. Pro-
6 viding for the needy is not a matter of choice or charity
7 for the Jew, but rather one of obligation. Traditionally the
8 Jewish people have fed the hungry and worked to enable the
9 hungry to develop the capacity to feed themselves. These
10 are clear and undeniable imperatives.

11 The major vehicle for helping the hungry in
12 this country is the food stamp program, enacted in 1964
13 to increase the food purchasing power of the poor, thereby
14 reducing hunger and malnutrition.

15 Yet, due to the structure of the food stamp
16 program, general ignorance about the program, and the pride
17 of potential recipients, only about one-half of the 30 million
18 Americans eligible for food stamps currently receive them.

19 Furthermore, in 1975 and 1976, the President
20 vetoed a bill extending the school lunch program and
21 instructed the Department of Agriculture to make changes
22 in the food stamp program that would result in eliminating
23 or sharply reducing the benefits of almost two-thirds of
24 the recipients.

25 The council is greatly alarmed at the possibility

dgs5 1 of these cutbacks and the ramifications that could result
2 from this action.

3 We suggest that the D. C. Advisory Committee
4 work with other coalitions to develop a comprehensive urban
5 strategy. Such a strategy or plan should include:

6 1. An investigation of current food stamp legis-
7 lation to determine whether it is discriminatory.

8 2. An analysis and interpretation of the funda-
9 mental problem.

10 3. The support of metropolitan groups working
11 to ease the food shortage of local individuals. And

12 4. the creation of a task force to monitor on-
13 going federal food programs to make sure they are serving
14 all eligible individuals.

15 As I mentioned earlier, these are the two major
16 issues which the council feels should receive priority
17 attention.

18 We deem the improvement of the quality of life
19 in the D. C. metropolitan area to require priority attention
20 by the D. C. Advisory Committee. On behalf of the Jewish
21 Community Council, thank you again for the opportunity to
22 present our concerns.

end#9 23

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CR 9772
Palmer
Take 10
gmk 10-1

1 MR. HOWARD: I am on the staff of the Council of
2 Churches of greater Washington. My presence is to affirm
3 an image which you may have formed. The religious community is
4 speaking to one another. We are bearing a common witness
5 here today. That is as a religious community discovered we
6 share a common vision on the quality and nature of community
7 life and that we have an understanding that certain principles
8 cannot be violated without disastrous results and that we
9 have a common allegiance to human values and concern for
10 being obedient and expressing the learnings from about 4000
11 years of human recorded religious experiences.

12 Without being pompous about that, I would affirm
13 for the religious community is the understanding that we
14 are not advocating certain positions or concerns on community
15 issues out of what has been labeled the liberalism but
16 out of the understanding that community life cannot be
17 sustained without certain minimum values and relationships
18 being observed.

19 If I could be biblical, we can refer to the passage
20 in Deuteronomy saying the widow and the orphan and the
21 migrant laborer have certain rights.

22 They were acted out in ways peculiar to an
23 agricultural community when those words were written in
24 the Bible. They are no less urgent today.

25 If we treat the widow, the orphan, and the migrant

gmk 10-2

1 worker as if they are undeserving recipients of the
2 larger community, it has one effect upon our relationship
3 to those people. If we understand that they have certain
4 claims and rights which the community must fulfill, it
5 changes that relationship and the future of our community.

6 If I can go on, you will find further in that
7 same book the comment, the person denying those rights is
8 damned. I realize those are particularly and peculiarly
9 religious phrases and conjures up in your mind possibly
10 some fatherly figure sitting on a cloud, sitting on a
11 cloud damning people who deny people their rights.

12 The fact is no community can survive. It is,
13 therefore, functionally damned. Not damned out of someone's
14 whim or some father figure's judgment; damned because we
15 cannot survive in community, wholesome human relationship
16 with one another unless we acknowledge certain basic
17 rights.

18 Speaking as a Protestant, it has been a particularly
19 galling thing for me to observe how the Protestant ethic, much
20 celebrated by sociologists being hard work, disciplined life,
21 and so on, has been held up to young people in our community
22 in our nation as being the model.

23 If that young person fails in that model,
24 there is something wrong with them. On the other hand, we
25 justify an economy in which there is no place for that

gmk 10-3
1 person to find meaningful work and to find opportunity for
2 race or sexes or other reasons to establish a disciplined,
3 creative life:

4 What we are doing is playing games on people.
5 There is a specific relationship, a very functional and
6 specific relationship between economic decisions we make
7 and the civil rights of persons. Those games we play
8 end up in pervading human life and making our cities
9 intolerable. We are literally condemned, if you will, to a
10 life-style that neither you nor the religious community can
11 condone.

12 The religious community has discovered systemic
13 relations which cut across the entire fabric of our life
14 together. There is a specific relationship between the
15 need for legislation which affirms the woman's right to an
16 adequate career and the black's right to an adequate career
17 and on and on and on.

18 Those relationships cannot be. We cannot
19 pretend they do not exist. I am getting cynical in my old
20 age. I suspect that there is a functional and specific
21 relationship. I am old enough and have enough background
22 in economics to know that if the woman is condemned to
23 lower wages or if the black is condemned to lower wages it
24 puts a ceiling on all wages. You are creating a labor
25 pool of inadequately paid people.

gmk 10-4 1 My point is that there has been in the past a
2 kind of informal alliance between the major religious
3 groupings and what has been called the establishment in this
4 country. That is breaking down because of a series of
5 events and histories. The fact also that we are becoming more
6 sophisticated in the interpretation of legislation and the
7 acts of administrations.

8 It does not take a sophisticated theologian to
9 discover when we play around with 50,000 lives in five
10 years and military ventures somewhere else, we are going
11 to play with adulteries of worship of martyrs. No one
12 but a mature theologian would miss that. We begin to associate
13 that behavior at the national level.

14 All the way up the line on what happens to saints
15 in our cities. We see things in systemic ways. There is a
16 functional relationship between the things you are concerned
17 for in this area of civil rights, housing, and hunger, and so
18 on, with the kind of the national life and the consciousness
19 of community which we share with one another.

20 It is doubtful that we as a nation can continue
21 much longer if we conceive of our national economic life,
22 especially as providing a happy hunting ground for anyone who
23 wants to exploit it for their own self benefit. When the
24 exploitive impulse begins to erode our national life, our
25 community life, and condemns certain people to careers that

gmk 10-5 1 you and I would not be interested in being our career, we
2 have to accept as a consequence, rupture and violence in
3 our life together.

4 My point is we are talking together. We do
5 believe, as a religious community, that we have something to
6 offer in the way of perspective that experience is rich. We
7 have discovered that the religious community and the church
8 is a viable avenue through which these things can be
9 expressed. Certainly, I think the civil rights movement could
10 not have been accomplished without the black church
11 functioning as the channel through which those values and
12 through which that community sense of belonging together
13 could be acted out for social change.

14 MS. JORDAN: We who are limited to studying
15 discrimination within this tiny political jurisdiction
16 because of the law, welcomes your comments about the
17 metropolitan community, particularly your comments on home
18 rule and your endorsement of the commuter tax.

19 I think that indicates our community is wider
20 than just the District of Columbia. I would
21 like to bring to your attention some previous testimony
22 that came up here that you might be able to clarify or
23 investigate. That is that D.C. residents, on the basis of
24 religion, are denied access to certain nursing homes run
25 in connection with religious institutions because of

gmK 10-6 1 requirements of the will, legacy, or something like
2 that which requires, since they do not accept federal
3 funds, they are maintained on an exclusive basis, thereby
4 limiting the number of beds available in nursing homes.

5 Would you comment on that?

6 The other area is that of homes for children
7 without parents. This did not come up in testimony, but
8 there are ethnic homes specifically in Prince Georges
9 County who are closely church-related, the Lutheran church,
10 in particular, who have been accused of discriminating
11 against black children. I don't know if you have an
12 investigating body that has looked into this.

13 MR. OSWALD: I appreciate hearing this. I frankly
14 am not aware of the discrimination. Your bringing that to
15 my attention is something I will bring to the Interfaith
16 Committee. This comes as a surprise to me. My sense is
17 that this was against the law and that this is not occurring.

18 Most major adjudicatories when they sponsor homes
19 for the aging or facilities for children, these must
20 be open to all the public regardless of race, creed, or color.

21 I have no further comments.

22 MR. HOWARD: I am personally surprised and would
23 need the data. I think we should have a right to the data in
24 order to help settle this within our community. It is the
25 first in the dealing with its own sin. It happens from time

gnk 10-7 1 to time. It does have to be brought to our attention in
2 specific ways.

3 MS. JORDAN: I can't give you that data.

4 MR. LITTLEJOHN: I am sure we can provide a copy or
5 a portion of that transcript for you. Let me ask you a
6 couple of questions.

7 I sense in the District of Columbia a change is
8 going on. We find in some Inner City communities that the
9 change is taking place again. Whites are coming back in.
10 Blacks are being moved out. We have tensions that are
11 being exacerbated.

12 On the other hand, you look at the situation where
13 the District of Columbia and realize we need people with
14 high incomes to return to the city in order to give us
15 that additional money to provide the services for people
16 who are in need.

17 Coupled with that, you look at the problem.
18 We have a significant number of laws on the books relating
19 to civil rights. The basic question to all of you in the
20 religious community is how do we at this particular time
21 in our history reach the people and cause the people to act
22 humanely toward each other rather than slipping back to a
23 point where we were in our recent history where racial
24 and religious antagonism were the order of the day.

25 How do we keep from moving backward in light of

gmk 10-8 1 all of these competing interests that are here?

2 MS. RISHER: I would think part of the reason
3 for the tension is the fact that there is such inequality.

4 If jobs were provided as mentioned in my statement, if
5 people had the right to adequate housing and the right to
6 have the human dignity that we have talked about, there
7 would not be tensions between the haves and have-nots.

8 You can cut it across economic lines. If you
9 have people being forced out of their homes because they
10 cannot afford to live in the District and rent is going up,
11 you are not having harmony; you have tension. The tension
12 results in rebellion or the noninhumanity against the fellow
13 man. It is against that person who is taking my home away.
14 That person eating and I am starving. That person is working,
15 and I don't have a job.

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PALMER

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1 MR. HOWARD: I would like a piece of that. I think
2 we are being unrealistic. If you look at the history of public
3 housing, what we have, in most cases, done is take poor people
4 and re-ghettoize them in high-rise apartment buildings and
5 wonder why the human chaos continues. Surface examination of
6 that gives you the answer. You are obviously, when you re-
7 ghettoize poor people, is telling them poor people and other
8 people are not supposed to mix. We are putting you off by
9 yourself.

10 The attitudes coming out of that experience are
11 normal and should be expected. It obviously reflects what
12 seems to be a part of our nation. They really don't care a
13 great deal about people. We act that out in a great number
14 of ways. I think what we are talking about if we are going to
15 provide housing for a low-income family, we are going to have
16 to pay attention to the fact that in most cases, perhaps, these
17 families need other support systems besides a roof over their
18 heads. We've done little homework in determining what kind of
19 supports and a formation of their lives is going to be required.

20 Certainly, we made no move to do much more than put
21 a roof over their heads. I think people get a lot of subtle
22 signals. One question you asked was, do we make a choice between
23 providing housing for poor people and providing a tax base by
24 providing housing for rich peoples. We have to live with what-
25 ever choice we make.

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1 MR. LITTLEJOHN: The basic question I am asking is
2 this. I think we can agree on the ultimate goal and what it
3 ought to be in terms of the resolution of the problem. My
4 question to you, as heads of religious organizations, is this.
5 What role can you play now in the little game when we know the
6 answers are not going to be forthcoming. We know that we are
7 not going to be able to resolve the issues of providing ade-
8 quate housing. More importantly, not only are we talking about
9 what role we can play with respect to the inner city, but what
10 role can you play with respect to the metropolitan area,
11 suburbia.

12 MS. RISHER: There is a coalition in town known as
13 Project Protestant, Jewish, Catholic. Project started as an
14 interfaith project to feed the hungry and clothe those who need
15 clothes in the D. C. area. In our various congregations and
16 other religious organizations, one thing Project organized and
17 I know from personal experience that the Jewish Council and
18 several temples engaged in was a food collection for a full
19 month. Everytime people came to services, we let them know
20 people are starving in the District of Columbia. As long as
21 you have food on the table, you have an obligation to feed these
22 people.

23 When you go shopping, buy an extra can of food and
24 bring that can with you everytime you come to church. We
25 collected at one congregation 1,000 cans of food in a month's

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1 times plus 1,000. This was to alert the congregation of the
2 awareness of the hunger problem. It was something that we have
3 done through the Jewish community in support of making people
4 aware of the problem. If you are aware of the problem and the
5 causes of it, through services and constant programs, perhaps
6 there is a better understanding it is not our problem, but it
7 is our problem as long as people are hungry. The reciprocal
8 tax area, by telling people you who live in Montgomery County
9 and suburban Maryland and commute to the District, are you taking
10 vital resources away from the District? The District is a
11 vital core. It goes both ways. By making people in the suburbs
12 aware of their interdependencies of the District, there is,
13 perhaps, an awareness through the religious community working
14 with the interfaith council, all religious groups have the same
15 party line. Human dignity is something we all must work for.
16 I don't know if this helps.

17 DR. JONES: What is right and what can we appreciate
18 and the tone of what you are saying is something we all buy.
19 I don't mean to be glib. What I get coming through is these
20 are the right things to do. Are they civil rights? Can you
21 be more specific with respect to what we can take hold of in
22 terms of civil rights? Is there a right to freedom from hunger
23 or public housing or a right to employment or a right to
24 education and by what right other than a God-given right?

25 MR. HOWARD: We take a God-given right rather

va 11-4 1 seriously. These rights have been affirmed and reaffirmed from
2 everyone from the United Nations to the Council of our Churches
3 and probably back and forth. We take the right as having been
4 well-established and identified.

5 DR. JONES: There is a court case that says, equal
6 education and opportunity is not a right. The quality education,
7 the person does not have a right to quality education. There
8 are counterarguments. Are you suggesting to us there is a right
9 to have freedom from hunger?

10 MR. HOWARD: The only thing the religious community
11 can say is this. You either have to accept it or not. Out of
12 centuries of religious experience and this includes an encounter
13 with ultimate values or God, yes. Those rights exist. They
14 are presuppositions from which we start. God intends people to
15 be a little lower than the angels. Something just short of God,
16 himself.

17 We cannot be humans. We cannot qualify for that
18 condition without the kinds of experiences that allow us to
19 appreciate and affirm ours in each other. I don't know what
20 your criteria for a right are. You are operating out of a rule
21 of law. We are operating out of a rule of two or four thousand
22 years of community experience.

23 It has to be this way or we are going to come apart
24 at the seams. We can point to history that shows that communi-
25 ties come apart at the seams.

wa 11-5

1 DR. JONES: I am not denying what you say is correct.
2 We are members of a Civil Rights Commission which has to deal
3 within the framework of what has been mandated by law. I am
4 asking, what are the inputs you can make that says this is
5 something we would want you to do that falls within this realm.

6 MS. RISHER: If there is a food stamp program man-
7 dated by law, it exists. It is on the books. There is legis-
8 lation to take that off the books. Is that something that falls
9 within the mandate? There is a law, and yet there are counter-
10 veilling forces trying to take that off the book and take away
11 the right legislated.

12 Secondly, the rights, that have been legislative,
13 started somewhere. Where did it come from? Deal with existing
14 legislation. Perhaps, it is within your mandate to look at
15 that Supreme Court case now which is in litigation and come
16 out in support of the fact that education should be a right.

17 We in the religious community believe that it is.
18 There is a law on the books that they are trying to change.

19 MR. HOWARD: There is legislation on the books making
20 it possible for a religious community and congregations to par-
21 ticipate in housing programs. There are many ways to abrogate
22 a law. One way is by the administration of that law. It requires
23 as my understanding a minimum and most probably two or three
24 years. This is to get the paperwork out of the way to think
25 about breaking ground. I had no hesitation in asserting that we

va 11-6

1 could out of the religious community alone find those groups
 2 which start 10 housing projects within the next six months.
 3 Accept that that is not a useful channel through which people
 4 can act out their religious commitment to the community. The
 5 effect of the laws is abrogated by additive procedure. What-
 6 ever word would you like to use to describe that process. The
 7 fact is the law is being abrogated and nullified. The religious
 8 community is feeling frustrated at this point and largely has
 9 given up on the idea of housing problems because of the adminis-
 10 tration of the law. I think we can find that in food stamps.

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PALMER
notes
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1 MR. OSWALD: Is it possible at this juncture of the
2 day after hearing testimony that you can give us an idea of
3 what your thinking is about what you can do with the informa-
4 tion you have accumulated and what you intend to do with the
5 results of these hearings?

6 MR. LITTLEJOHN: Yes. In our opening statements,
7 I indicated this is a part of the process by which the advisory
8 committee will determine its program for the coming year.
9 At the end of the meeting, I will again reiterate what we will
10 do with what we have heard.

11 I cannot say at this point that we will not be
12 drawing any conclusions at this point. And that we will be
13 going back to our session and talking about all we have heard
14 at this long meeting.

15 We have a question.

16 MS. BUSTOS: It was fascinating to me that this was
17 the first time throughout the day that I think actually the
18 word hunger was used. I don't think that word has been brought
19 up.

20 They talked about employment or housing or not
21 getting training and other kinds of things. It seems like such
22 a basic issue. This is whether we can find a way to fit it
23 under our mandate is a different story.

24 I was wondering how it seems the religious ones
25 would come up with it today. How in a sense hunger when you

pdml2-2

1 say it, rice and beans on the table. How is it that you
 2 really became aware of it?
 3 A friend of mine runs a program in Florida. They
 4 started providing lunches and meals and an unbelievable
 5 number of elderly started coming out. This is how they became
 6 aware of it. If we found a way, this is the way to investigate,
 7 where would we go to ask. We would like to have hunger to come
 8 and testify before us.

9 Did you find out through your congregations or senior
 10 citizens or how?

11 MR. OSWALD: The religious community for a decade
 12 has been involved in direct service to the hungry in some
 13 houses such as Zakeus house and Sun House. This is a
 14 subsistence level.

15 The religious community has been accused of doing
 16 the foodbasket bit too long. We discovered that charity is
 17 a crime when justice is the issue.

18 This gets to Dr. Jones's question. Is there a right
 19 to eat. That I think is questioned in this country. People
 20 say you can eat if you work.

21 I think it is a crime in a country as wealthy as
 22 this that everybody does not have adequate food. We became
 23 curious about the hungry in the city.

24 The international committee a year ago had hunger
 25 hearings in the District building. We were astounded at the

pdml2-3

1 testimony we received. We have copies of those hearings.

2 We discovered elderly people with dignity that
3 were shoplifting because they did not have enough food on
4 their tables. We discovered children having to steal food
5 because they came home from school hungry and they knew there
6 was not food to be had when they came home.

7 We have since tried to adjust our efforts in that
8 area because of those hearings.

9 MS. BUSTOS: Would we get copies of that.

10 MR. OSWALD: Our office can make that available for
11 you.

12 MR. STRIDIRON: Next is James Baldwin. You are
13 speaking as the director of the Office of Human Rights.

14 STATEMENT OF JAMES BALDWIN, DIRECTOR OF THE
15 OFFICE OF HUMAN RIGHTS.

16 MR. BALDWIN: Yes. I am thankful to the D. C.
17 Committee for inviting me and allowing me to participate in
18 this forum.

19 My presentation would be in a three-part summary.
20 Firstly, I would like to speak to you briefly about what the
21 Office of Human Rights is about, what is its mandate because
22 so many people don't know.

23 Secondly, I would touch on the highlights and
24 accomplishments of the Office during the past fiscal year.

25 Thirdly, I would like to present recommendations as

pdml2-41 far as civil right issues, I feel your committee could be very
2 instrumental in assisting the District Government in carrying
3 out the mandate for equal employment opportunity for all.

4 The Office of Human Rights has the primary statutory
5 responsibility for the elimination of unlawful discrimination
6 in the area of employment, housing public accommodation
7 and educational and institutions.

8 On the basis of race, color, religion, national
9 origin, sex, age, marital status, personal appearance, sexual
10 orientation, family responsibilities, physical handicap,
11 matriculation and political affiliation as provided under the
12 D. C. Human Rights Law that is commented on as Title 34.

13 As far as resources are concerned, there are 56
14 appropriated staff positions in the Office of Human Rights
15 with an average full-time employment ceiling of 48 positions.

16 Some of our accomplishments during the past fiscal
17 year 1976 we saw a number of significant accomplishments in the
18 Office of Human Rights. In the 12-month period ending June 30,
19 1976, 88 complainants gained what we termed, "tangible relief"
20 as a result of the Office's work. 46 of these complainants
21 received financial awards as all or part of their settlements.

22 These awards total \$173,000. The average case award
23 was \$12,595. The Office achieved 52 of the satisfactory
24 adjustments in previous termination and conciliation. We have
25 the right. Our law would allow us to participate in

pdml2-5 1 conciliation along the investigative process.

2 The very first day the complaint is filed in our
3 office, we can and do get involved in attempting to conciliate
4 without looking into the merits of the case. We feel the
5 important thing is remedies and relief for people who complain.

6 If one thing he has been discriminated against
7 and the law is worded that way and the law is worded that way
8 whether or not this is true or not, if that complaint can be
9 resolved to the satisfaction of both the complainant and the
10 respondent, that is what our office is about.

11 We do get involved in a lot of conciliation without
12 the respondent saying, yes, I did discriminate against someone.
13 A lot of times they are willing to participate in a conciliation
14 to resolve the complaint. If there is a meeting of the mind
15 as far as the complainant and the respondent, that case is
16 closed out.

17 During fiscal year '76, we closed 415 cases, an
18 increase of 76.2 percent over the previous fiscal year when
19 only 256 cases were closed.

20 The Office docketed 502 cases. We received 502
21 new cases during fiscal year '76. That also was a big increase
22 over 1975. We saw an activity case loss from 463 on June 30,
23 1975 to 514 cases ending June 30, 1976.

24 It is significant, over the last six months of
25 fiscal year '76, the Office closed 272 cases while 230 were

pdml2-9 1 you have asked me to do. I thought number one you should know
2 what we are about.

3 Secondly, you can see some of our accomplishments.
4 Thirdly, you have asked me to respond to some civil rights
5 issues that we feel that you would be concerned with or that
6 you probably could have input in correcting some of them.

7 So, I have three or four specific recommendations
8 and human right issues that I think a group like yourself
9 could be instrumental in assisting this city and all of us
10 could benefit from. I will take the first one.

11 That is an office of human rights. There is a
12 commission of human rights. There is a difference between the
13 two. You will understand a little later what my recommendation
14 is about.

15 The Office of Human Rights is a group of government
16 workers, employees.

17
18
19
20 end/pdml2

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25

ols Pat Dowd

#13
RP/fml
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1 We are civil servants. We are on the Government's
2 payroll. It is our job to investigate complaints of alleged
3 illegal discrimination.

4 The Commission on Human Rights serves as that hear-
5 ing panel. It is an advisory group to the Mayor. They have
6 a very important role. I would like to see your Committee
7 get more involved or get involved with the Mayor in setting
8 up guidelines or standards as to the choosing of people
9 who sit on a commission.

10 Knowing how some of you think and knowing you for
11 years, I think you have concern too. I think people who
12 work and get involved in civil rights, ought to be people
13 dedicated in civil rights.

14 I am not saying the present people are not, but
15 I am saying you can come up with guidelines that ought to
16 be on a human rights commission. Or you might say before
17 you appoint anyone to the Commission, "You need to touch
18 base with us. After all, we are in the business. We are
19 experts. We are very concerned. We deal with this issue
20 at all times. Maybe you should be one of the first groups
21 the Mayor would turn to for recommendations in filing vacant
22 slots on the Commission."

23 To me, that is very key to what we are about in
24 civil rights. Unless you have the right kind of people, the
25 people who are sensitive to human needs, you can see that there

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1 will be a gap or a barrier. That is one way to plan your program for
2 next fiscal year. You can take a hard look at who are the people and
3 who they represent and what are they interested in, et cetera,

4 You might ask the Mayor to have input into, if
5 no more than screening and taking a look at people he is
6 about to appoint to the Commission.

7 My second issue I feel needs exploring by a group
8 like yours is this. Take a look and see what impact does
9 this Human Rights Law have?

10 You heard me mention the Human Rights Law earlier
11 today. The comprehensive and expanded law in the country.

12 I am president of all the Human Rights agencies
13 in this country and Puerto Rico. So, I do know about what
14 other jurisdictions have as far as law is concerned,

15 Yes, we have a comprehensive law. Yes, we do have
16 a very much expanded law.

17 Let's take a look at some of the protective
18 classes and see if this is the intent of Civil Rights and
19 this is what civil rights is all about.

20 Should these be included under the heading of
21 "Civil Rights and Human Rights"? The base is race. That is
22 conventional. We have had race, Color, Religion, National
23 origin. Sex, Age, marital status,

24 Yes, some of the new protective classes put into
25 the new law are the following: personal appearance; sexual

fm3

1 orientation. I would say sexual orientation probably belongs
2 there. Family responsibilities? I put a question mark.
3 Physical handicap. I would put a question mark as to
4 whether that belongs there. Matriculation and political
5 affiliation. I have concerns about these classes coming
6 under the area of human rights and civil rights.

7 In other jurisdictions, they have ways of re-
8 sponding to the needs of the people. In other words, the
9 physical handicap is not part of a human rights law.

10 Personal appearance is not part of a human rights
11 law. All involved in personal appearance is this. If
12 a person went to a restaurant and they say, "You need to
13 have a tie" and he can put on a tie and come back and he is
14 okay. I am wondering if this is the type of thing that
15 should be under civil rights. Personal appearance and
16 political affiliation. I think it has diluted the civil
17 rights law by adding some of these.

18 In other jurisdictions they put them in other
19 departments. They protect the rights but they are not
20 called civil rights. It is hard for me to believe that
21 political affiliation and I am an outspoken person. If I am
22 the chief administrator of these laws, I will. I have had
23 three years' experience. Our law deals with family responsi-
24 bilities. No. Source of income. That is a new heading.
25 The intent of the law was good. The City Council was debating

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1 about people on welfare. A lot of time they had difficulty
2 getting credit. I can see that. We need to protect their
3 rights. What has happened is we get complaints where an
4 architect wants to move into a medical building. They will
5 say, "Sir, we can't rent this space."

6 He says, "I am an architect and I want to rent
7 this space."

8 If you don't allow him, he comes to the Office
9 of Human Rights and files a complaint. After investigating
10 that complaint, as I do on race and creed and so forth, I
11 have a strong feeling that the intent of the civil rights
12 movement and the human rights laws was not to include a source
13 of income when dealing with one professional group, wanting
14 to rent a space in another disciplined building. I have a
15 strong feeling that these should be included in the Civil
16 Rights Law.

17 I think a committee like yours could take a hard look
18 at our law and with the help of experts or whoever and
19 ask what is civil rights and human rights. I have strong
20 concerns about political affiliation. A classic example is
21 a person who is a party. One is a Democrat and the other
22 is a Republican. They say, "We don't want a Republican
23 in here." They file a complaint.

24 I think they are making a farce of the Civil
25 Rights and Human Rights Law. I think it was supposed to

1 be race, color, creed, sex. It is not supposed to be personal
2 appearance, source of income.

3 I think you could come up with a position as to
4 whether you think these should be included in a human rights
5 or civil rights law.

6 Finally, there is a need, I believe, for a com-
7 mittee like yours to explore some new ways of doing things
8 as far as investigation is concerned. The acting chairman
9 of EEOC is experimenting with new ways and methods of
10 investigating cases to speed up the process. For too long,
11 we have assigned an investigator to a case. It takes him
12 from seven to ten months to investigate. If the important
13 thing is to -- say, you are to determine whether or not
14 there has been discrimination. This is a law enforcement
15 agency. I believe strongly that if we can conciliate
16 cases, if we can get the complainant and the respondent
17 sitting around the table to resolve or reach an agreement,
18 this process or procedure is much more important than going
19 into the field and asking a lot of questions and requesting
20 a lot of information.

21 Lawyers can play games representing the respondents
22 and complainant. They will ask for a continuance. You can
23 find, eight or nine months after a case is filed, such as a case
24 filed in February in my office, we have lawyers for both sides
25 fighting on the whole jurisdictional thing.

1 Whether or not they have a right to send us any information,
2 You can subpoena information. I believe there
3 are new ways and methods and areas that you might want to
4 look into. I think those are the four specific human rights
5 areas that I have listed. I have a fifth one. What
6 impact has the recent court decisions had on the citizens
7 of this country?

8 It appears to me that the court, the lower, Ap-
9 pellate and Supreme Court, their decisions are moving.
10 You have seen these decisions. Richmond, Virginia in the
11 Fourth and Fifth Circuit and the Supreme Court is saying
12 affirmative action is out.

13 Secondly, we don't believe in goals; and, thirdly,
14 you get involved in a whole bit about reversed discrimina-
15 tion.

16 I think we need to take a long, hard look to
17 see what impact are these recent decisions having on human
18 rights in the city of Washington.

19 Thank you.

20 MR. LITTLEJOHN: Thank you very much for that
21 statement.

22 MR. OWENS: Is there an area within your department
23 where you have more discriminations than other areas?

24 For instance, employment, religion?

25 MR. BALDWIN: 95 percent of complaints are in the

1 area of employment and based on race. The majority of the
2 complaints are based on racial discrimination in the area
3 of employment.

4 The close second is sex, charges based on sex
5 discrimination.

6 MR. OWENS: Is that in hiring or promotions or
7 what?

8 MR. BALDWIN: It is across the board. The
9 majority had to do with determination or failure to hire.
10 Termination is second. Condition of employment is third.

11 In essence, we can say the majority of complaints
12 filed, on is based on race, where blacks filing complaints,
13 saying they are discriminated against in the area of employ-
14 ment. They say they were denied a job because of their
15 race.

16 MR. LITTLEJOHN: Ms. Jordan.

17 MS. JORDAN: I would respond to the comment about
18 political affiliation.

19 I share some of your concerns. I think we should
20 look into that. However, I suggest if you keep looking
21 at political affiliation as only Democrat or Republican, then
22 it is not terribly important if you keep in mind our recent
23 experience with the FBI and the fact employment has been
24 denied because of affiliation with a socialist organization
25 or another radical organization. I think it becomes an

8
1 important human right. I would not knock it out of the
2 picture so quickly.

3 MR. BALDWIN: I think that is a good observation.
4 I think you need guidelines to include such things as you
5 have mentioned. We checked with various jurisdictions
6 throughout the country. There are no guidelines in existence.
7 We are struggling to come up with our own guidelines.

8 I will take that back and include that. It has
9 to be much more than a narrow interpretation. The example
10 you gave is a good one.

11 MS. JORDAN: I have a question. It is about
12 something I am not familiar with. Personal damages, what
13 recovery can an individual get in a case that I would like
14 to tell you about that I have heard more incidents of.
15 You cover private employment agencies. We had an incident
16 related to an employment agency who recently told a person
17 not to bother coming for the interview because on further
18 investigation, it turned out the law firm did not want to hire
19 a woman in that position. They refused to give a name for
20 that law firm. They extended that. They simply denied
21 the right to go to the interview but stated clearly that a
22 woman would not be hired in this position. Can your agency
23 force the release of the name of the law firm? Can the
24 individual recover damages as a result of having been de-
25 nied this job?

1 MR. BALDWIN: The answer to the first is yes and
2 to the second yes, with some limitation. If we got involved
3 in an investigation of that particular complaint, we can get
4 that information even if we have to subpoena. Usually we
5 don't have to do that.

6 Secondly, as far as damages, you are talking about
7 relief, what is compensatory or punitive damages, that hap-
8 pens at the process I described to you, as far as the
9 Commission is concerned. When there is a public hearing,
10 I will spell out and define damages. It says, they have
11 a right to withhold punitive damages and attorney's fees.

12 We have not had a test case, but if you look
13 at New Jersey, California, Detroit and Philadelphia. The
14 courts have knocked us out, saying an administrative agency
15 like ours, cannot impose damages. We do it.

16 It depends on what happens in court. There are
17 some courts where the judge rules, yes, an administrative
18 agency like ours can impose damages. We have three cases
19 in courts now. We are waiting for a decision. One, the
20 Commission imposed \$20,000 punitive damages. They appealed
21 this. They are in appellate court.

22 We can impose damages. If it is appealed and
23 it goes through that judiciary process, it might end up
24 in the Supreme Court.

25 MS. JORDAN: Are you satisfied with the civil

fm10 1 remedies, the non-criminal remedies?

2 MR. BALDWIN: ON the administrative level, yes.
3 As far as we can go, we do get for the complainant. We
4 have a right as an administrative agency to say, yes, we
5 think this is equitable. This is right. This is enough.

6 They may appeal what we are asking for.

7 We had a case recently where a complainant got
8 \$21,000. Her attorney was there. If we went into court,
9 I think we could have gotten \$71,000. Based on the informa-
10 tion we had an offer of \$21,000 was sufficient, but they
11 can appeal us. I think the lawyer felt it also.

12 For the most part, the lawyer, damages, re-hiring
13 people, promoting people, we tend to be satisfied with what
14 we get.

15 MR. LITTLEJOHN: Dr. Jones.

16 DR. JONES: Mine is going to take too long.

17 I would like Mr. Baldwin to think about this.
18 That 45 percent increase, we have a contradiction in terms of
19 testimony earlier today, in terms of the increase in minor-
20 ity contractors.

21 I think you quoted 45 percent;

22 We have a 4 percent figure this morning.

23 MR. BALDWIN: I don't know what they had in mind.
24 My statement said a 45 percent increase over what we did
25 last year, what was given out to minorities last year.

fm11

1 Contracts in the District Government are divided. Construction
2 is one. Service is two. These are people serving them from
3 the Human Resources. Then you have sales contracts.
4 The majority of the money and the big increase is in the area
5 of construction contracts. \$1 million; \$500,000.

6 When I say there is an increase I am thinking in
7 terms of dollars, rather than numbers. If the District
8 only gave out 10 contracts and the dollar value was \$1
9 million, and you increased it this year and gave out 20
10 contracts, dollar value only increased five percent, I
11 don't think that is progress. How much money are people
12 really getting? If you are getting only four percent of
13 the contract as far as numbers are concerned, but the dollar
14 value is 25 percent and 35 percent, to me that is a big
15 improvement over last year. I don't get hung up on
16 the numbers.

17 The new bill before the City Council, if passed,
18 if it is not vetoed; if the President okays it and if the
19 Congress okays it, it would mean 25 percent of all contracts
20 whether it is construction, service contracts or what have
21 you will automatically go to minorities.

22 There are a lot of people fighting this. Big
23 business is fighting it.

24 A lot of organized groups are saying, "You are
25 setting quotas." They have a lot of Congressmen writing us.

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1 I don't know if this bill is going to get through.
2 The City Council has taken the step and said, "25 percent
3 of all contracts let in the future must go to minorities."

4 Our statistics show presently they are getting
5 more than 25 percent. What is the fuss?

6 We take a position the law says a reasonable
7 proportion of contracts must be awarded to minorities. What
8 is meant by "reasonable proportion"?

9 I am saying it is almost impossible to enforce
10 that. Let's put numerical value to it. To me, that means
11 25 percent. That means you have something you can measure.

12 You cannot measure a "reasonable proportion"
13 of the contract. The person has a right to put his inter-
14 pretation on it.

15 MR. LITTLEJOHN: Thank you very much for your
16 testimony.

17 MR. STRIDIRON: Councilman John Wilson or a
18 representative.

19 (No response.)

20 The next person is Sherman Briscoe.

21 Would you state your name?
22
23
24

13

1 STATEMENT OF SHERMAN BRISCOE AND

2 LENORE R. SIEGLEMAN, NAACP.

3 MR. BRISCOE: I am Sherman Briscoe, First
4 Vice President of the local branch of the NAACP.

5 MS. SIEGLEMAN: Lenore Siegleman. I am a member
6 of the local NAACP branch.

7 Mr. Chairman, I am merely going to make a few
8 preliminary observations for the D. C. Branch of the National
9 Association for the Advancement of Colored People regarding
10 some special civil rights deprivations of the people of the
11 District of Columbia growing out of the lack of meaningful
12 Home Rule. The principal presentation will be made by
13 Mrs. Leonore R. Siegleman, a member of the board of the local
14 NAACP Branch.

15 Lack of effective political democracy is the heart
16 of the problems of the people of the District of Columbia.
17 We are in a colonial status, deprived of meaningful Home Rule
18 and taxed without representation in the Congress.

19 As is often pointed out, the District of Columbia's
20 population of 756,510 as of 1970 is larger than that of nine
21 of our states: Alaska, Delaware, Idaho, Montana, Nevada,
22 New Hampshire, North Dakota, South Dakota and Vermont. And yet
23 these states have a total of 18 members of the Senate and 14 of
24 the House, while the District had none -- only a nonvoting
25 delegate, the Rev. Mr. Fauntroy, who does an outstanding job,

bwla

1 considering the handicaps under which he works.

2 I am sure that when the Founding Fathers, miffed
3 over the failure of Philadelphia's law enforcement personnel
4 to give them adequate protection on one occasion, decided to
5 establish a capital city over which they would have complete
6 control, especially of the police department, they had no
7 notion that the small town would expand into a metropolis of
8 750,000 within 200 years.

9 Certainly, patriots who had just fought a long
10 Revolutionary War to secede from England over taxation without
11 representation would not think of establishing a capital in
12 which nearly half a million citizens would be denied Home Rule,
13 including full representation in the Congress.

14 The time to right this wrong is long overdue.
15 And it is the hope of the NAACP that the Civil Rights Commission
16 will soon hold hearings on this urgent problem, so as to bring
17 to bear on it the creative imagination of the best political
18 minds in our country. Taxation without representation was
19 tyranny in 1776, and it is tyranny in 1976.

20 Now, Mrs. Siegleman, a member of our board, will
21 spell out the effects of some of the tyrannies on the people
22 of the District of Columbia.

23 Mrs. Siegleman.

24 Thank you, Mr. Chairman.

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1 MR. LITTLEJOHN: Proceed.

2 MRS. SIEGEMAN: Mr. Brisco has spoken of our
3 deprivation of civil rights and national effective
4 representation in Congress.

5 My testimony will deal with the charter under which
6 our government operates. In the '73 charter in which Congress
7 delegated a limited form of home rule to the District of
8 Columbia, it is restrictive of our elected officials and there-
9 by of the citizens of the District. Therefore, it constitutes
10 an obstacle to the full exercise of our civil rights in the
11 area of self-government.

12 Congress has retained line by line budget control.
13 Congress can veto any law passed by our officials, if both
14 houses pass a resolution disapproving a particular law
15 within 30 days. Our officials cannot control the criminal.
16 They are denied control over the heights of the buildings in
17 the District.

18 All of these restraints are carried out by the
19 Congress itself, the Senate and the House District and
20 Appropriations Committees.

21 We wish to place before you current examples of
22 these restrictions and ask you to consider using the
23 authority of the Commission on Civil Rights to study the
24 record under our charter and to assist the U.S. in obtaining
25 remedies. The Washington Post, September 1, has spoken of

1 how we finally got it and the dethroning of John McMillan.
 2 Suddenly this summer Congress has regressed. Congressional
 3 friends of home rule still sing the praises of self-
 4 government. They sing the refrain while they are hard at work
 5 trying to overturn decisions reached by the City's elected
 6 officials.

7 Example number one. You may have noticed in
 8 yesterday's Post the tragic story of a robbery ending in the
 9 death of a college-bound youth of 17, killed with a gun.
 10 A law was passed by the District City Council earlier in the
 11 year. A gun control law concerned a model for the nation,
 12 sent to the Hill. A Congressman from Pennsylvania sought to
 13 stop the law from taking effect by means of an amendment.

14 This amendment was tacked onto a bill dealing with
 15 the Criminal Code of the District. This bill originating
 16 under Diggs dealt with Congressional control of the Criminal
 17 Code and the extending of that control. Our charter was to
 18 be permitted to change criminal laws only after '77. The
 19 Congress sought to nullify this law by preventing the D. C.
 20 City Council to prohibit them from changing the laws.
 21 H.R. 12261. The bill was subsequently pushed through the
 22 Senate without public notice or floor debate. President
 23 Ford signed that bill this week.

24 In the opinion of the Justice Department and
 25 the D. C. Corporation Counsel, this bill does not affect the

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1 Gun Control Law.

2 Because of history, we can expect controversy
3 over the matter. This is not the end of the story of
4 Congressional interference in our self-government.

5 Representative Ron Paul of Houston, Texas, has introduced
6 a disapproval resolution on the Gun Control bill in the
7 House.

8 This comes up for voting next week. We hope this
9 will fail in the District Committee.

10 Taxing the commuters. The charter says the District
11 cannot levy a commuter tax, although the Council is given the
12 authority to tax. It is a large part of the Metropolitan
13 area, and it is the work center for tens of thousands of
14 people.

15 D.C. is considered a state for revenue-raising
16 purposes. It is the only state in the nation for taxing
17 income of nonresidents. There are 51 that do. Philadelphia,
18 Pittsburgh, Cincinnati. I could go on. This is unparalleled
19 restriction on the city. Many costs now pressing on the City
20 are a result of the Congress' action prior to the whole
21 movement. Actions which force an uncontrollable cost on the
22 city. Congressionally-authorized programs such as RFK and
23 the D. C. Armory. Policemen, fireman, teachers and judges.
24 These total over \$100 million. These are a part of these
25 Congressional actions.

Sense

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1 In the face of exercising prior authority with
2 the bills left for the city to pay, we are denied to tax non-
3 residents. There is a hopeful sign. Congressman McKinney of
4 Connecticut introduced a computer bill tax. This gives them
5 this authority. That is not bad. This bill only recognizes
6 the responsibility of Congress to help the City attain fiscal
7 support it needs.

8 It recognized the District's right for the income
9 source. It does not give the elective government a choice
10 for regulation of that tax. An important part of the revenue
11 power is completely outside the City's control. The budget.
12 The budget of the District of Comumbia is \$1,090 million for
13 Fiscal '77.

14 The revenue is raised by us by taxes on the citizens
15 and the businesses in the District. With the exception of
16 the federal payment intended to compensate the City-incurred
17 expenses, Congress reviews and approves that budget and
18 makes changes as it sees fit. It can cut the federal payment.
19 It can change items line by line. The Senate and the House can
20 come up with different sets of receipts. The House approved
21 appropriation for more police officers. The Senate voted
22 against that appropriation. The Senate added \$1.2 million
23 which was not asked for by the City.

24 In the face of all of this, the City government
25 is supposed to be able to do long-range planning for the

bw6

1 -future of the City.

2 the language of full home rule in the District
3 is a race issue. We seek full exercise of a civil rights
4 as expressed in full local judicial authority. We should have
5 equal representation apportioned according to our population.
6 This is, two Senators. It is Congress which limited our
7 self-government. It is from Congress alone the best remedy
8 can come.

9 We call upon the U. S. Commission of Civil Rights
10 to ask Congress to hold hearings on the Home Rule Charter
11 and the procedure by which it can obtain our citizenship
12 rights and free ourselves of the unfair restraints imposed
13 upon us.

14 We thank you for this opportunity to present the
15 views of the NAACP.

16 MR. LITTLEJOHN: We have no questions at this
17 time.

18 Thank you very much.

19 Would you call the next witness.

20 MR. STRIDIRON: Susan Holleran.

21 Would you state your name and affiliation for the
22 record.

23 STATEMENT OF SUSAN HOLLERAN.

24 MS. HOLLERAN: Susan Holleran, Vice President of
25 the D. C. Coalition of the Labor Unions Women.

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1 MR. LITTLEJOHN: Do you have a statement?

2 MS. HOLLERAN: Yes.

3 MR. LITTLEJOHN: Proceed.

4 MS. HOLLERAN: I will deal with the problems of
5 working women. There are difficulties faced by women of
6 all lifestyles, I would like to mention briefly. One, there
7 is a general problem of health care for women, quality,
8 availability and cost.

9 Two, the increasing invisible problem of the
10 abused wife. Damned if she leaves and physically and
11 emotionally scarred if she stays with her husband.

12 The alcoholic women. Her illness so well hidden
13 and ignored. Where does she go or what does she do for
14 help?

15 The women in the criminal justice system.
16 Inadequate accommodation, inferior counseling. Poor
17 rehabilitation programs and irrelevant or nonexistent
18 vocational training. For the woman who has not faced these,
19 there are other hassles.

20 Women work for the same reasons that men do.
21 They are heads of households. They have to supplement incomes.
22 They are still filing, key-punching, and while the change in
23 attitudes will take time, I think achievable goals for this
24 Commission are to study methods for training and upward
25 mobility programs.

bw8

1 With an increased number of women entering the
2 job market, the gaps between men and women earnings continue
3 to grow.

4 This is sliding into the low status jobs. Earning
5 little and going nowhere.

6 Serious application to this problem of training
7 and advisement in the Nation's Capital with its large number
8 of clerical and service workers would set a good example.

9 Mother who work also experience problems with
10 child care. Talk to a working mother for a length of time,
11 and the difficulty of finding decent care for her children,
12 the problem rises.

13 The child care arrangements existing in families
14 I personally know, boggle the imagination. Taking children to
15 other jurisdictions for school. Additional hours of transporta-
16 tion burdening the already overworked mother and disrupting
17 the schedules of friends, relatives and neighborhoods.

18 We owe our children all levels of good quality
19 education. We are working mothers. They had the right to a
20 decent job. There is also a lack of counseling in schools
21 that provide girls with models of women who achieved status
22 in their work. Women who succeeded in nontraditional jobs
23 and explanations of useful and collective methods, whether it
24 is unionizing, setting up a women's committee, et cetera.

25 Women average 20 percent less than, in salary

bw9

1 alone than women without collective bargaining representation.
2 It is hard to increase the contact between students and
3 a successful woman. There are women in the community happy
4 to visit schools and give encouragement to women and preparing
5 themselves to step out into the world of work.

6 Last and most important, jobs. I am sure all of
7 you realize a working woman must have a job. In this current
8 depression, depression, if you have lost your job and,
9 recession, if you have not, women have been especially
10 victimized at all levels. Women and minorities, who have
11 a foot in the door, lose job hopes and self-respect. We
12 cannot have equal opportunity until we have full employment.
13 A guaranteed job for everyone willing to work.

14 I speak for the labor movement, when I say I hope
15 everyone will rally behind full employment in the Congress
16 next year.

17 With this, we should come a long way toward equity
18 for our working women.

19 MR. LITTLEJOHN: Are there questions from the panel?

20 MR. OWENS: Do you think there is one area of
21 concentration that this group should work in for women,
22 working women?

23 MS. HOLLERAN: The upward mobility and training
24 would be good, because of the area we are in. With so many
25 government employers and large offices and service workers.

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If there were ways to encourage government to encourage government to really implement and really go through a full training and upward mobility program, that would mean a lot.

That would spread all over the country, even for places outside of government. Anybody in government sees and knows there is supposed to be advancement on the job, knows it is a farce. If you make sure workers know of training opportunities that are available, so they can take advantage of them, instead of having one of the deepest secrets, where you can only find out if you know somebody in personnel, implement a fair upward mobility, that would mean a lot.

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1 DR. JONES: One question this afternoon was the
2 Civil Service Commission itself was guilty of violation of
3 civil rights. Would you see this as a viable avenue for
4 instituting an equitable upward mobility program? For this
5 group and through the Commission itself begin to address this
6 issue at the national level?

7 MR. HOWARD: Which is the local level. Through
8 working with employee representative groups. If you have that
9 input, you can find out more what was going on from the inside.
10 You cannot find out on paper. The bidding looks fair on
11 paper. Job descriptions are written to fit the person that is
12 slotted into that job. There is two years of training or
13 whatever,

14 MR. LITTLEJOHN: Mrs. Jordan.

15 MS. JORDAN: Since some EEO programs fail to deal
16 with the Civil Service Commission problems, as women turn to
17 the union grievance procedures to fight some of the issues
18 of discrimination, do they find they are being discriminated
19 against because they are union minority women and using union
20 grievance procedure to prosecute?

21 MR. HOWARD: It happens to EEO counselors who do
22 a good job. Any time anybody stands up for their rights, there
23 are going to be problems. The only way around that is to
24 encourage people from an early time to know that working
25 together for this mutual interest is not a criminal or cowardly

cmw2 1 act. That is why I say talking to high school children about
2 worthwhileness of collective action. The only way those
3 women and men can be protected is if they can build an organi-
4 zation of their peers to stand behind them if they are harassed.

5 MS. JORDAN: If we held a hearing, the NAACP suggests
6 this. I think they would probably provide evidence if there
7 is such a hearing. Could there be as effective testimony as
8 to denial of individual civil rights and union grievance
9 procedures to gain civil rights? Do you think that there is
10 evidence?

11 MR. HOWARD: I think there are a lot of people
12 who feel that they have been discriminated against. When you
13 get to the question of evidence, it depends on whose evidence.

14 MS. JORDAN: They would provide testimony?

15 MR. HOWARD: Yes.

16 MR. LITTLEJOHN: Thank you very much for your
17 testimony.

18 MR. STRIDIRON: C. L. Anderson and Richard Sowell.

19 MR. LITTLEJOHN: Would you restate your names and
20 affiliations for the record?

XXXX 21 STATEMENTS OF C. L. ANDERSON, MICHAEL THOMPSON, AND RICHARD
22 SOWELL.

23 MR. ANDERSON: I am C. L. Anderson, chairperson of
24 Save Our City.

25 MR. THOMPSON: I am Mike Thompson, project director
of Save Our City.

cmw2-A

1 MR. ANDERSON: Members of the Commission, ladies and
2 gentlemen. We are grateful for the opportunity to appear this
3 evening in order to place before you our concerns, particularly
4 in the area of housing, of citizens in this community.

5 Allow me to identify the organization I represent --
6 "Save Our City" is a community-based, nonprofit organization,
7 with general concerns for the social welfare of the total
8 community. We have concentrated our efforts for the most
9 part in the field of housing.

10 Our principal role has been to dispense information
11 on housing; the needs, financing, red-lining, reinvestment, et
12 cetera, in order to organize the community to the point where
13 it can begin to formulate programs which will assist those who
14 desire to become home owners -- rebuild the neighborhood and
15 continue to preserve them.

16 The presentation we have this evening is designed to
17 share some of the efforts of our staff to carry out our objec-
18 tives, as well as a short presentation from some residents of
19 the communities in which we are working.

20 In conclusion, may I remind you that we have only
21 scratched the surface -- the problems here are so varied and
22 complex that if we are to develop a real solution it will require
23 not only a high priority, but a national commitment to decent
24 housing within the means of working people. We are convinced
25 there is a crisis and a great deal of frustration exists because

cmw2-B

1 too few people believe that they will ever fulfill the housing
 2 dream for themselves or their children. Housing has such an
 3 impact upon all our citizens. Until we believe if we are ble
 4 to make a significant gain in this area it will enable us to
 5 treat other social problems much more effectively.

6 Thank you for the opportunity you have afforded us.
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1 Our program is divided so that the director will
2 share with you some concerns and some work efforts. Following
3 the director, we have two or three community people that
4 we want before you share their personal experiences in this
5 particular area.

6 MR. LITTLEJOHN: We have only a short period of time
7 for the whole presentation.

8 MR. ANDERSON: I think we can get out of ours
9 within the time frame of 15 minutes.

10 The staff of Save Our City, Inc., has predominantly
11 involved itself in educating and organizing residents of disin-
12 vested neighborhoods within the boundaries of Census Tracts
13 33.1, 33.2, 87, 77.01, 77.02, 76.01, 76.02, and 76.03, which
14 are located in zip codes 20001, 200002, and 20020. Our efforts
15 of intent to combatting red-lining and alleviating its adverse
16 effects have encompassed block clubs; civic associations; church
17 groups; lending institutions; the D. C. Council and Government;
18 Urban Reinvestment Task Force; Community Action Agencies;
19 Advisory Neighborhood Commissioners; et cetera.

20 In attempts to crystallize our objectives within
21 specific geographical areas, we realized the enormity of red-
22 lining and the seriousness of its implications. The majority
23 of residents who are recipients of the adverse effects of red-
24 lining was not knowledgeable of the "movement" itself and
25 possessed a feeling of helplessness in trying to institute a

cmw 3-A

1 change. The leadership within the community was so thinly
2 spread that organizing was prolonged and somewhat hindered.

3 We have made a substantial, positive impact to the
4 decrease of the deterioration of neighborhoods which have
5 largely been provoked by lending institutions: awareness of
6 our constituency has been made; encouragement to the D. C.
7 Government to take a more active role in the struggle against
8 red-lining was partaken; the Justice Department has begun
9 investigations to these regards; disclosure laws have been
10 enacted; and the lending institutions have been put on notice.

11 While we recognize the progress which has been made
12 in this area, we also realize the many needs that remain to be
13 satisfied. Such a task of this magnitude requires additional
14 manpower for citywide coverage.

15 A second Neighborhood Housing Services, funded by
16 the Community Development Block Grant which has been allocated
17 for two years, is long overdue and should immediately be
18 established. The development of housing counseling centers
19 independent of the D. C. Government is a drastic need.

20 The Human Rights Commission, which has received
21 jurisdiction of savings and loans under the Federal 1968 Civil
22 Rights Act and also has at its exposure a comprehensive D. C.
23 law prohibiting red-lining, should become more aggressively
24 involved by utilizing the authority bestowed upon it and
25 implementing the means which have already been established.

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Financial institutions should allow all individuals to receive a loan application upon request; should give the applicant the right to receive appraisal reports (especially when it is at the expense of the applicant); and the Equal Credit Opportunity Act, which has been enacted into effect March 1977 and gives an applicant the right to know the reason (reasons) of rejection, should be strictly enforced.

We encourage this Committee to fully realize the ramifications of red-lining and to lend its support to the prevention of neighborhood destruction.

Thank you for the opportunity to appear before this Committee to express our concerns toward this issue.

cmw4

1 MS. PENDLETON: Florence Pendleton, president of
2 the 100 block, S Street-Seaton Place in the 1800 block of
3 Second Street, Northwest, Block Club. One group referred to
4 by Mr. Thompson.

5 We are in our block club concerned about red-lining.
6 Thank you for giving us the opportunity to express our views
7 to you. Red-lining is in our neighborhood. We wonder if it is
8 because we are not Europeans and instead Afro-Americans. We
9 would like to know if there is a conspiracy experiencing between
10 the home lending agencies and the power structure to deny us
11 a decent home, a respectable, tree-lined, quiet neighborhood
12 and to perpetuate second-class citizenship with the accompanying
13 feeling of inferiority.

14 Perhaps the answers to some of these questions can
15 be found if we look at some of the reasons given as to why our
16 neighborhood is red-lined. Poor zoning is one.

17 Really, who allows landlords to put 11 persons in
18 a single family dwelling with one bathroom? Certainly, not
19 those living in the area and watching helplessly as the building
20 structure deteriorates.

21 The second reason is the high crime rate. Do we
22 dare comment? Who makes the street safety? Who permits the
23 drug traffic and, then put in the newspaper the streets show
24 more drug in your area than anywhere else. The police allows
25 certain persons these privileges and not the people in the

cmw5

1 neighborhood.

2 We have complained and complained to little or no
3 avail and criticized when we have complained. When the poor
4 school's vandal system exists when parents don't know where
5 their children are. The product we produce in our schools
6 reflect in a large part the efforts parents give their children
7 in preparing them daily to do their schoolwork. In order to
8 teach the child the teacher must have the child's attention.

9 The fourth reason lending agencies give for red-
10 lining is poor municipal housekeeping. How many of us present
11 in this audience are responsible for sending out the trash and
12 garbage trucks, the streetcleaners? The moneylenders. If
13 your neighborhood shows pride.

14 Finally, their fifth reason is the irreversible
15 decline of a neighborhood. I can prove your neighborhood is
16 dirty if I can send out the trash trucks and we don't send
17 brooms along with the trucks to sweep as they do in other zip
18 code areas. It is our belief that these planned acts helped
19 to send our neighborhood into the tailspin of their forcing
20 owners to move, some to sell property for less than what it
21 is worth, and others to fall victim to the speculators.

22 It is made to appear in some cases the owners have
23 neglected their property which in fact they have been stereo-
24 typed to destroy the neighborhood.

25 What would happen when some of the members of the

cmw6

1 other group move into the neighborhood and you will send
2 the trend changing. We believe it is discriminatory. We
3 believe it is an issue that this advisory Commission can help
4 us with.

5 MR. SOWELL: I am Richard Sowell, a research
6 chairman of the two organizations mentioned by Thompson. Uni-
7 home Block Clubs, member of the Board of Inner City
8 Community Corporation.

9 As a home owner in my neighborhood, I have seen my
10 neighborhood decline and decline because of the red-lining
11 practice that is handled by the lending institutions in
12 the D. C. area.

13 We have thus tried to organize with Save Our City
14 and Mr. Vitarello you heard from in trying to stop this trend.
15 It is a hard fight because we don't have home rule. We have
16 no representation. We can't do anything with Congress except
17 get kicked in the teeth. We have an ineffective City Council
18 because they don't have representation in Congress except for
19 Congressman Fauntroy.

20 We are here to ask you to reverse the trend of our
21 inner city neighborhoods by making lending institutions who's chartered
22 under the federal government obey the law that they are
23 chartered under, which is to loan to people who deposit to
24 them not to loan the majority of the money to the the Maryland
25 and Virginia people.

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1 We feel we need help in doing this. I am here to
2 emphatically ask you to help us and to put it as a top
3 priority. I won't give you the story of my neighborhood.
4 Just ride through it and you can see the story.

5 MR. LITTLEJOHN: Thank you very much. Those were
6 impressive statements.

7 MS. JORDAN: Is the unit block of Q Street, is
8 that within your area?

9 MR. SOWELL: Yes. That is the center city.

10 MS. JORDAN: I know a lady who gets up every morning
11 and scrubs her street and has everyone out there and it is
12 still red-lined.

13 MR. SOWELL: We have a constant battle with city
14 services. You have to call for the police. You have to call
15 for the city services.

16 MS. JORDAN: What is the impact of commuter traffic?
17 What is the impact on your neighborhood streets?

18 MR. SOWELL: We live down the hill from the North
19 Capitol Street highway. We get quite a few parkers from Maryland
20 and Virginia because we are right up the street from the Capitol.
21 It is a straight-up bus trip. So there is no way to stop
22 this now they are trying to put something on the parking ban.
23 I figured if we asked for us, I know we won't get it.

24 DR. JONES: I think I see a pattern. You alluded
25 to it in terms of when others move in what happens. It seems to

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1 me I see a changing thing occurring. What happens to the
2 people who live in that neighborhood?

3 MS. PENDLETON: That is one of our concerns. It is
4 a trick bag. I can't endure. You can get my house. We
5 townhouse it and market it at \$70,000.

6 MR. ANDERSON: Money is power. When they cut off
7 money in the neighborhoods, they take away the power. This
8 leaves people powerless. All the things we talked about will
9 occur.

10 DR. JONES: How do you stop the red-lining and the
11 other forces saying this neighborhood is going to be the
12 \$70,000?

13 MR. ANDERSON: The people do not have the power
14 within themselves. They need all the help to get information
15 to them so they know what red-lining meant. A great many
16 do not know what is taking place. If we alert the neighborhood
17 and then join forces to use the power we have as well as good-
18 will of the committees and others like this to bring pressure
19 on the lending institutions and the governmental institutions
20 to enforce and pass laws to protect the citizens, that is the
21 beginning of what we can do to reverse the trend.

22 MR. LITTLEJOHN: Thank you.

23 Florence Turner.

24 MS. TURNER: I experienced red-lining. I have
25 proof of that. The institution did not loan me money for a

cmw9

1 repair on my house. It was Perpētual. They said if I did not
2 have a mortgage on my home I could not get it. I needed the
3 money but I did not get the money from Perpetual. It was
4 the largest building loan association in the District.

5 MR. LITTLEJOHN: Rosetta Byrd.

6 The record should reflect "No response."

7 Counsel, do you have documents for the record?

8 MR. STRIDIRON: I do have a number of housekeeping
9 chores. In order to retain an accurate record, I move that the
10 names of those people who cancelled or did not appear be
11 reflected in the record. They are Walt Fauntroy, Luis H.
12 Vidana, Blas Padrino. Walter B. Lewis and John Wilson.

13 I would also move that three documents submitted by
14 participants be incorporated into the record. I ask that the
15 be incorporated as exhibits rather than into the record as
16 read.

17 They are document SOS 76, Speak Out for Survival.
18 It is published by the Washington Urban League, Incorporated.
19 It was submitted by John Jacob, executive director.

20 The second document is entitled Residential Financing
21 Practices in the District of Columbia. Noted as a preliminary
22 report. It is produced by D. C. Commission on Residential
23 Mortgage Investment and submitted by James Vitarello, who
24 appeared earlier.

25 The third document is entitled Testimony by Samuelson

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1 Jackson before the 1976 Republican platform hearings on
2 Washington, D. C., June 22, 1976.

3 MR. LITTLEJOHN: It is ordered that all of these
4 be entered into the record.

5 MR. STRIDIRON: I have nothing further.

6 MR. LITTLEJOHN: Ladies and gentlemen, this forum
7 is about to come to a close. I know that all of you will agree
8 with me that it has been a long and productive day. It
9 has been a day in which we have heard from a wide variety of
10 witnesses who have discussed civil rights issues relating to
11 employment, housing, education, health, religion, the admini-
12 stration of justice as well as enforcement problems and
13 discrimination based on sex and age.

14 A question raised earlier as to what this advisory
15 committee will do with the information that has been presented
16 to us is going to be answered. Based on the information
17 gathered at this forum, plans will be made to study one or
18 more of these issues. The committee will consider all of the
19 information and data presented at a meeting that will take place
20 within the month.

21 The D. C. advisory committee is deeply grateful to
22 all of the individuals and agencies that sent representatives
23 here to take part in this forum. We are always very, very
24 appreciative of the persons who have stayed with us throughout
25 the day, those of you who are with us now. We reiterate a

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1 statement made earlier. We hope that those who have jurisdiction
2 over the issues raised will be responsive to the concerns
3 expressed and will use the information presented to us to take
4 remedial action to redress with the grievances as soon as
5 possible.

6 If there is anyone in the audience who would like
7 to offer additional information for consideration by this
8 committee, please submit your statement in writing to the
9 D. C. Advisory Committee to the U.S. Commission on Civil Rights,
10 2120 L Street, N.W., Room 410, 510, Washington, D. C. The zip
11 is 20037. This material should be mailed by September 30.

12 In closing, we thank you for your participation and
13 we look forward to working with you again in the near future.

14 This meeting is adjourned.

15 (Whereupon, at 8:55 p.m., the meeting was adjourned.)
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