

The original documents are located in Box 21, folder “Calhoun, John” of the William J. Baroody Jr., Files, 1974-77 at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE
WASHINGTON

Mr. Baroody:

Didn't Stan Scott say the
VP had given a definite no
on this?

Loraine

yes

THE WHITE HOUSE

WASHINGTON

January 6, 1975



MEMORANDUM FOR:

WILLIAM J. BAROODY, JR.

FROM:

JOHN CALHOUN *JC.*

SUBJECT:

National Newspaper Publishers Speech

Would appreciate your assistance in bringing to the Vice President's attention an invitation extended to him or the President to address this group on Friday, January 24 at 7:30 p.m. The time can probably be adjusted one hour earlier or later. The President's schedule will not permit his participation.

NNPA represents a majority of the 200 Black oriented newspapers in the Nation. They will meet at the Mayflower Hotel January 22-24 in what is called their mid-winter workshop.

On January 23 we will have a Cabinet level briefing for them in the EOB. The President will probably drop-by during this 3 hour briefing.

The Vice President would demonstrate the Administration's interest and concern for this Nation's 25 million Black citizens should he consent to be the dinner speaker on Friday. In view of the domestic scene, we need this message to go out loud and clear.

Other purposes would be:

- 1) To generate a feeling of mutual respect between the Black press and the Administration.

- 2) To gain much needed support of the Black community for the Administration.

Background: Former RNC Chairman George Bush and the
DNC counterpart addressed NNPA's meetings last year.

Previous Administrations have maintained a close working
relationship with NNPA.

I will be happy to work with members of the Vice President's staff
in furnishing background and preparation of remarks.

NNPA MID-WINTER WORKSHOP

January 22-25, 1975

Mayflower Hotel
Washington, D. C.

Tentative Program

Wednesday, January 22

2:00 - 5:00 Registration

6:00 P. M. Board Meeting President's Suite

8:00 P. M. Reception

Thursday, January 23

8:15 A. M. Continental Breakfast

9:00 A. M. Registration

9:00 A. M. Newspaper Circulation Seminar

"Ways of Promoting Circulation"

Moderator: Longworth M. Quinn, Michigan Chronicle
Panelists: Robert H. Fentress, Johnson Publications
Joe Lewis, East St. Louis Crusader
Mrs. Lenora Carter, Houston Forward Times
Circulation Director, Wall Street Journal

10:00 A. M. "Ways of Selling Subscriptions"

Moderator: John H. Murphy III, Afro-American
Panelists: Frederick Sengstacke, Chicago Defender
Mrs. Lencie P. Thomas, Mobile Beacon
Circulation Director, Newsweek
Christopher Bennett, Seattle Medium

11:00 A. M. "Solving Street Sale and Home Delivery Problems"

Moderator: Garth C. Reeves, Miami Times
Panelists: Mrs. Marjorie B. Parham, Cincinnati Herald
N. A. Sweets, St. Louis American
William A. Scott III, Atlanta Daily World

12:00 Noon "Importance of Circulation Verification"

Moderator: Mrs. Ruth Washington, Los Angeles Sentinel
Panelists: Officials of Audit Bureau of Circulation

12:45 P. M. Break for Lunch

1:00 P. M. Luncheon

Presiding: Howard B. Woods, St. Louis Sentinel
NNPA Vice President

Invocation:

Greetings: Mayor Walter Washington of Washington, D. C.
Stanley S. Scott, Special Assistant to the President
Stanford Smith, President, ANPA
Theodore A. Serrill, Executive Vice President, NNA

Address: Congresswoman Shirley Chisholm or Rep. Yvonne Burke

3:00 P. M. Executive Session

6:30 P. M. Reception -- cash bar

7:30 P. M. Dinner

Presiding: John H. Sengstacke, Sengstacke Newspapers
NNPA Founder

Greetings: Eddie Williams, President, Joint Center
for Political Studies

Dr. Lovinger Bowden, Acting Dean, School
of Communications, Howard University

Introduction of Speaker: Mrs. Dorothy Leavell, Chicago New Crusader

Address: Dr. Carlton B. Goodlett, San Francisco Sun Reporter
NNPA President

Friday, January 24

8:15 A. M. Continental Breakfast
 9:00 A. M. Registration
 9:00 A. M. Advertising Seminar

Moderator: John L. Procope, New York Amsterdam News
 Panelists: Planning an Advertising Campaign
 Kenneth O. Wilson, Afro-American Newspapers
 Analyzing the Market
 Norman W. Powell, Amalgamated Publishers, Inc.
 Developing Sales Approach
 Representative of J. Walter Thompson
 The Sales Presentation
 Ms. Ophelia DeVore, Columbus Daily Times
 and National Black Monitor

11:00 A. M. Special Problems of Publishers

Moderator: William O. Walker, Cleveland Call & Post
 Panelists: John A. Saunders, Philadelphia Tribune
 John B. Smith, Atlanta Inquirer
 Mrs. Mildred Brown, Omaha Star
 William H. Lee, Sacramento Observer
 George McElroy, Houston Daily Informer

12:45 P. M. Break for Lunch

1:00 P. M. Luncheon

Presiding: Mrs. Lenora Carter, Houston Forward Times
 NNPA Secretary

Greetings: President of Capital Press Club
 Basil Paterson, Vice Chairman, DNC
 Arthur Fletcher, GOP National Committee

Introduction of Speaker: William O. Walker

Address: John H. Powell, Jr., Chairman Equal Employment
 Opportunity Commission

3:00 P. M. FREE TIME

6:30 P. M. Reception -- cash bar

7:30 P. M. Dinner

Presiding: Dr. Carlton B. Goodlett, San Francisco Sun Reporter
 NNPA President

Greetings: Berkeley G. Burrell, President, National Business League
 Clarence Mitchell, Jr., Director, Washington Bureau
 NAACP

Address: President Gerald R. Ford or Vice President
 Nelson Rockefeller
 or
 Senator Henry M. Jackson

Saturday, January 25

9:00 A. M. Board Meeting President's Suite

Bon Voyage

THE WHITE HOUSE

WASHINGTON

March 27, 1975

TO: KEN LAZERUS
FROM: WILLIAM J. BAROODY, JR.

Ken: What's the White
House policy on something
like the attached?

Attachment



THE WHITE HOUSE
WASHINGTON

MAR. 20

Date

TO: BILL BAROODY

FROM: JOHN CALHOUN

~~Plan Your Information~~

PLEASE ADVISE IF YOU THINK
THIS MIGHT NOT BE A
GOOD MOVE.



March 10, 1975

John Calhoun
2816 Hewitt Avenue
Wheaton, MD
20906

Dear Mr. Calhoun:

You will be gratified to know that MASS COMMUNICATIONS IN JAPAN has received a responsive reaction from our reader's staff. The following excerpts from our evaluation and plans for publication demonstrate what may be formulated for your book.

MASS COMMUNICATIONS IN JAPAN, by John Calhoun, is a book that is valuable to anyone doing business in Japan, who plans to visit or live there, or simply wants to learn more about the cultural life of that nation...Included in this informative book are commentaries on Japanese customs, history, how the communications system works, the philosophy of Japanese attitudes, and a breakdown of the leading radio and TV stations, newspapers, journals of opinion, magazines, etc., along with practical information about how Japanese get their news and form their attitudes and opinions about life and the rest of the world....(Our editor will correct minor errors in spelling and punctuation along with some judicious pruning to achieve a book of 96 pages overall.)...Recommended for its valuable data of use to businessmen, travelers, investors, etc., who want to learn more about Japan and the potential market there for trade and communication.

As to production details, the contemplated format and appearance of this work will prompt extra sales appeal. Design an attractive jacket in color and have binding cloth harmonize. Editor Warren should send jacket copy and biographical sketch to author for suggestions. Print monochromatically on quality paper using the author's charts and tabular material for reproduction purposes with ample margins and stylized typography. The Hearst imprint on our forthcoming list is highly recommended.

Beyond the editorial and production considerations, your book offers a variety of promotional and publicity aspects. Press releases will be sent to radio-TV stations and national and specialized magazines and newspapers. Copies of the book will be mailed to reviewers all over the country. Bookstores will be contacted and reading copies rushed to major distributors for larger orders; personal interviews and autograph parties will be arranged wherever possible. Space ads will be reserved in local and national papers. A description of the book will be included in our next catalog and will be listed in such trade reference journals as BOOKS IN PRINT, TRADE LIST ANNUAL, etc.

The above quotations taken from our report indicate the merit, the varied publicity and promotion features, the editorial reaction, and the direct mail approach on your work that our staff will explore.

It is with distinct pleasure, therefore, that our publishing agreement is submitted for your signature.

My department heads have already been notified and our efforts will be directed to review attention -- window displays -- autograph parties -- regional and national advertising -- local radio and TV appearances if convenient for you -- library orders -- press releases -- and bookstore and jobber sales coverage. There is a broad and ever-growing market potential for your book, although it is of course directed to a special audience. For the protection of you and your heirs, the copyright for your book will be taken in your name.

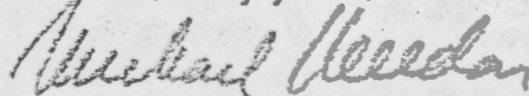
In addition, the subsidiary rights market is worthy of exploration. We'll aim for negotiations with book clubs, reprint houses, and perhaps foreign publishers for translation rights. As you will understand, no publisher can predict how an unpublished book will sell and in fact the range might be anywhere from one copy to many thousands; much depends on the response of the reviewers and public, both beyond control. The future alone will tell whether the sale is moderate, negligible, or highly successful. You may be sure, however, that our various pledges will be faithfully honored -- that the promotion, sales and publicity activities clearly specified in our contract for your protection will be fulfilled and that your book will be an extremely attractive volume of which you and your family can long be proud.

I have every confidence that our efforts and craftsmanship in production will measure up to your fullest expectations.

With the new book season approaching, our artist should start planning jacket sketches for your approval. And, incidentally, the completed questionnaire and your photo for the back of the jacket will help our promotion campaign.

Everyone here joins me in best wishes for your future success. The original copy of the enclosed contract is for your file. Please sign and return the carbon copy to my attention.

Cordially yours,



M. U. Sheldon
Executive Vice President

MUS:c11

P.S. A memorandum of some details is enclosed for your personal records.

THE WHITE HOUSE
WASHINGTON

Date April 28

TO: WAYNE V—
FROM: JOHN CALHOUN



_____ For your information
_____ For your appropriate handling
_____ For your review and comments
_____ Return to me
_____ Return to central files

Comments: WOULD ADVISE AGAINST ANY
FURTHER COMMUNICATIONS WITH TOM
CURTIS, AT THIS POINT.

—file—
wv

OK (C)

THE WHITE HOUSE
WASHINGTON

DATE 4/23/75

TO: John Calhoun

FROM: WAYNE H. VALIS *WN*

For your information _____

Per our conversation _____

Other:

per WJB

draft response

THE WHITE HOUSE
WASHINGTON

DATE: 4/23/75

TO: F. DEBACA PAM POWELL
 JEFF EVES STAN SCOTT
 VIRGINIA KNAUER WAYNE VALIS
 PAT LINDH JOHN VICKERMAN
 TED MARRS DON WEBSTER

FROM: WILLIAM J. BAROODY, JR.

 FOR YOUR INFORMATION
✓ FOR APPROPRIATE ACTION
 FOR YOUR COMMENTS/
RECOMMENDATIONS
 OTHER:

Tom Turtis article

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

BLACK STUDIES

April 16, 1975

Dear Bill,

I am glad that you found the condensation
of my article, from the Philadelphia Inquirer,
of interest.

Because of your interest in the full article,
I have enclosed an advance copy. Hopefully,
you will find it of interest, as well.

Sincerely,

Tom Curtis

The Sober Seventies

by Thomas Curtis

It has become fashionable in some quarters, especially those frequented by the Liberal Establishment, to look back with longing at the decade of the Sixties, and explain away many a societal shortcoming by blaming the recession, or recent incumbents of the White House, or some other existential condition related to the passing of the last decade. A case in point is a recent speech by Temple University President Marvin Wachman, which puts forth the thesis that our current economic problems have "set back race relations in the United States 10 years or more."

Contrasting this decade with the last, Dr. Wachman believes that the "belief in the reality of brotherhood has dimmed," in our post-Vietnam era, and that the "worst obstacle to brotherhood today is the national economy." Such sentiments are not atypical of the nostalgic unreality of so many Establishment white liberals, who seize upon any excuse, however transparent and self-serving, to counsel blacks as to why we must "go slow." I fail to see any reason for blacks' once again deferring our right to equality of treatment, in order to serve white liberals' political and economic goals.

From my perspective--that of a black American who as a college student played an active role in the civil rights sit-in movement of the Sixties, as a lawyer and Congressional assistant helped to codify and institutionalize the civil rights gains which the movement had made, and as an Army Officer fulfilled my commitment under other laws

of this nation, and fully earned the right to criticize our Southeast Asian involvement--the Sixties were not all that great and glowing and meaningful, and the Seventies have much to recommend them.

The sit-in movement gave younger white liberals something to occupy their time--niggers were the latest fad, somewhere between hula hoops and planting trees, but way before running around naked. For liberals of all ages, the marches, the hymn-singing, even for those who did not believe, gave them a warm feeling deep inside.

This is not to denigrate the genuine efforts of the precious few who made our cause their personal commitment. It is just to remind the many for whom our movement was but a media event that we were about some serious stuff--making the Constitution and laws of the United States truly meaningful to our kind of people. Behind the tension and the fervor, and the single moments of pure exultation, that is what we were about. Becoming wholly American, protections as well as obligations.

After the white kids had gone home, we had to make our peace with the mundane facts of our daily existence. And try to preserve some of the gains that had come our way under the glare of the white man's publicity apparatus. One of the continuing fears of those of us whose rights were at stake was that the white liberals, in their ever-regenerating adolescence, would misread the transient mood of a particular time in history, would confuse it, trick themselves into believing that the millenium had arrived. We knew better. The federal government was a reluctant ally, and no part of a deity at all. But the white liberals were still patronizing, forcing us a bit later on, to

reward their friendly contempt with the rude shocks of black power.

Lyndon Johnson was president. Magnificent, and caring, and outrageous, a rebel who had the soul to make "We Shall Overcome" the redemption of the Civil War's promise of full voting citizenship, in the Voting Rights Act of 1965. His was the ultimate cooptation of the movement, inviting and directing the hitherto separate stream of protest into the mainstream of American political life. The liberals who now speak reverently of the federal largess of the Sixties, were often the very ones who savaged their patron for his accent, and his manners, and the war which he adopted. One wondered which was the basic fault for which they blamed him.

After the Great Society we are spending billions more on failing education than we were before the Great Society was proclaimed. In view of the mounting parental dissatisfaction with our children's education, and the mounting functional illiteracy, a good case can be made that additional monies are a minus factor in the educational equation. Perhaps, like the billions spent in Southeast Asia, a good bit of the domestic spending represented the recurring affluent American illusion that any problem or difficulty can be submerged in a sea of dollars.

Another distressful result of the illusory affluence of the late Sixties was the white backlash phenomenon, as recent arrivals on our middle class treadmill tended to scorn the ever more apparent casualties of our technological society, especially if they were of another race or culture. It seems just a while ago that "welfare bums" was almost respectable political rhetoric, as full payrolls for

the hardhats and on the assembly lines led all too many to forget the common fate which all Americans share as a birthright, led all too many to assume the permanence of their economic and social ascendance over the "poor," whoever they are. It is such assumptions, born and bred in times of affluence, which lead to permanent cleavages in the political and social fabric.

But as in any family, in times of adversity temporary advantages are forgotten, or at least overlooked. Regrettably, it took the current recession to make too many of our citizens realize that we Americans have more in common than some of us had recently thought--that unemployment compensation, and food stamps, and in extreme cases even welfare, are reasonable and necessary societal provisions for the less fortunate. We realize anew that a society can best be judged by the provision which it makes for its most helpless members.

The Johnsonian effort to bring the civil rights movement into the front parlor, was effective in setting a broadened set of norms for our society--acknowledging that the most pervasive effect which laws can have in the process of social change is to affect the norms which stake out the permissible bounds of our individual conduct. As the norms changed, we blacks reacted, and began to get more serious about defining ourselves in our own terms.

The power of rhetoric in a context of social change is such that the serious, sober Seventies are more conducive to sensible thought than the heady atmosphere of that shining historic moment, the movement

of the Sixties. But even if that were not so, the Sixties are over. It was good to have been there, because we will not see them again. If romantics lament their passing, well and good. Let them. But let the sensible mundane people of this country get on with building on the past, instead of wasting time reliving it.

(Thomas Curtis teaches Black Studies and Criminal Justice at the University of Delaware.)

Curtis
BLACK STUDIES
UNIVERSITY OF DELAWARE
NEWARK, DELAWARE 19711



*Mr. William J. Baroody, Jr.
Assistant to the President
The White House
Washington, D. C.*





THE WHITE HOUSE

WASHINGTON

June 16, 1975



MEMORANDUM FOR: BILL BAROODY
FROM: JOHN CALHOUN *J.C.*
SUBJECT: Congressman Lud Ashley (D-Ohio)

The Toledo Blade's article regarding the assistance requested by Michael Pickard for his child and her grandmother contains many inaccuracies and is apparently partisan in Mr. Ashley's former opponent's favor.

The request was treated as a humane action, and at no time were any political considerations attached to Mr. Pickard's request or in any way reflected in my actions.

The circumstances as I recall them are as follows:

Carlton Finkbeiner called and asked for help for Mr. Pickard. He was advised that Mr. Pickard is the proper person to make this request.

Mr. Pickard called and was advised to send all details in a night letter (telegram). Based on his request, I contacted several persons on the Task Force, State Dept., etc., and sent out two White House referrals.

I responded to a telephone call from the Toledo Blade reporter and relayed the efforts made to be of assistance to Mr. Pickard. It is a fact error and a dramatization to say that the request for assistance was made "at the direction of the President." The reporter asked for an explanation of the White House referral system, and his dramatization apparently came from that.

Congressman Ashley's complaint would be more appropriately addressed to his former opponent for parlaying this matter into a partisan political issue.

I will be happy to talk further about this matter.

cc: Jack Marsh
Charlie Leppert

THE WHITE HOUSE
WASHINGTON

DATE June 16, 1975

FOR: John Calhoun

FROM: WAYNE H. VALIS

For your information _____

Per our conversation _____

Other:

Max Freidensdorf
is very unhappy about
the enclosed and would
like to have your version
of what has gone on.
Enclosed are my only
copies of the materials.

COMMITTEES:
BUDGET
BANKING, CURRENCY AND
HOUSING
MERCHANT MARINE AND
FISHERIES

Congress of the United States
House of Representatives

Washington, D.C. 20515

May 13, 1975

DISTRICT OFFICE:
FEDERAL BUILDING
234 SUMMIT STREET
TOLEDO, OHIO 43604

Mr. Charles Leppert, Jr.
Special Assistant for Legislative Affairs
The White House
Executive Office Building
Washington, D. C. 20500

Dear Charly:

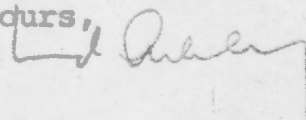
Attached is a copy of the story from the TOLEDO BLADE that we discussed a few minutes ago and also a letter to State in which I asked verification of the contacts made by my office in behalf of my constituent, Michael Pickard.

Although it would probably be difficult to establish, I have a strong feeling that it was the efforts made in the early part of April that made possible the evacuation of the child and her grandmother. I say this on the basis that Mr. Calhoon is said to have acted "at the direction of the President" on April 22 and 4 days later they were in the Philippines. It is pretty clear that if they hadn't been on the list of 20 sent by the State Department to Saigon early in April it would have been extremely difficult to locate the child and her grandmother and achieve the necessary clearances in the 4-day period after the White House got involved. If there's any way of getting an expression on this, needless to say it would be appreciated.

Let me say again that I have no particular feeling that Mr. Calhoon exceeded his responsibility. The motives of others involved, however, as revealed in the BLADE article are something else again and I think it only fair -- at the very least -- that the facts be allowed to speak for themselves.

I appreciate your understanding, Charly, and with best wishes, I am

Sincerely yours,



Thomas Ludlow Ashley, M. C.



Finkbeiner Intervenes

Child, Grandmother In Philippines, Toledo Couple Learn After Long Wait

Months of fear and frustration for a North Toledo couple have ended after a rapid chain of events followed an article in The Blade that described their efforts to bring their four-year-old daughter to safety from embattled Saigon.

The child and her grandmother now are in the Philippines with other refugees airlifted from Vietnam in the American mercy airlift.

Michael Pickard, of 222 Austin St., said the article in The Blade was seen by Carleton Finkbeiner. The unsuccessful Republican candidate for Congress last fall brought the matter to the attention of a White House aid, John Calhoun.

Details Sent

Mr. Calhoun, deputy special assistant in the office of White House public liaison, had Mr.

Pickard telegraph him details of, and the whereabouts of, the child and her grandmother.

Three hours after receipt of the telegram April 22, Mr. Calhoun took the information to the President's office. Within an hour a White House messenger carried to the secretary of defense and secretary of state letters requesting that at the "direction of the president" all possible assistance be given in the matter, Mr. Calhoun said today.

The results: A phone call in the early morning hours of Saturday informing the Pickards that the child and her grandmother were safe in the Philippines.

Mr. Finkbeiner said today that he was gratified that Mr. Calhoun, whom he met in Toledo several months ago when the White House aid spoke to a businesswomen's group, was able to unravel the red tape that previously frustrated Mr. Pickard and his Vietnamese wife, Luu.

Efforts Fruitless

Mr. Pickard confirmed that personal efforts and contacts with Senators Glenn and Taft, Congressman Thomas L. Ashley, the State Department, and White House had been fruitless.

Mr. Calhoun said Mr. Finkbeiner had brought to his attention the calls to the White House by Mr. Pickard.

"It is our job to be responsive to the needs of citizens. It is the President's desire that we be responsive," Mr. Calhoun said of the action that followed.

In Toledo, the Pickards were so overjoyed at the news that they would be reunited with their daughter, Diane, that they forgot to ask where she was in the Philippines, or when she would arrive in the United States.

Received Phone Call

The grandmother, Mrs. Nguyen Thi Quoi, telephoned them from the Philippines, Mr. Pickard said today.

Mr. Pickard said that in the last two months he has spent more than \$100 on long-distance calls as worries increased as North Vietnamese and Viet Cong forces closed the ring on Saigon, where Diane and her grandmother were living.

The grandmother sold her home and belongings and gave everything to her son, who did not come with her in the evacuation. They brought to the Philippines only what they were wearing and what they carried, Mr. Pickard said.

Three years have passed since Mr. and Mrs. Pickard have seen Diane, except in photographs, and the Pickards are looking forward eagerly to the reunion, hopefully within a week.

jc/pag
State Department

May 13, 1975

Honorable Robert J. McCloskey
Assistant Secretary for Congressional
Relations
Department of State
Washington, D. C. 20520

Dear Mr. McCloskey:

This inquiry relates to telephone calls from Mrs. Clendening of my staff to the State Department Task Force handling the incoming inquiries from American citizens about relatives and friends in South Vietnam during the evacuation period. Specifically, I am concerned about inquiries made by my office on behalf of Mr. Michael Pickard, 222 Austin Street, Toledo, Ohio about his daughter Dianne Dieme Pickard who is 4 years old and an American citizen.

According to our records, Mrs. Clendening telephoned the Task Force on April 7, 1975 and talked to Mr. Richman, the watch officer for that date. Mr. Richman confirmed that a list of 20 names including the name of Mr. Pickard's child, had been sent to our Embassy in Saigon confirming American citizenship and pre-paid flight information, but that no reply was expected because of the cutback in personnel in our Embassy.

Mrs. Clendening also telephoned the Task Force on April 9 and talked to Mrs. Fort, watch officer for that date, to see if by chance any reply from the Embassy on Mr. Pickard's child had been received. Mrs. Fort, who had also talked to Mr. Pickard that morning, advised that no response from the Embassy in Saigon about any of the 20 names was expected and further that the only way they had to reach Mr. Pickard's mother-in-law was by mail since no phone number was provided. Mrs. Fort advised that it would be up to Mr. Pickard's mother-in-law to bring the child into the Embassy for the required documentation to depart Vietnam.

-2-

I would simply like to have confirmation in writing of these inquiries and efforts on the part of my staff to assist Mr. Pickard in having his child brought to the United States.

With best wishes,

Sincerely yours,

Thomas Ludlow Ashley, M. C.

THE WHITE HOUSE

WASHINGTON

June 6, 1975

MEMORANDUM FOR: BILL BAROODY
FROM: MAX FRIEDERSDORF *M. G.*
SUBJECT: Congressman Lud Ashley (D-Ohio)

Bill, I am enclosing some correspondence which we have had with Congressman Lud Ashley.

If you will please check the TOLEDO BLADE article you will see that apparently an employee of your office by the name of John Calhoun played a little politics with the former opponent of Congressman Ashley.

I have no idea if this information is accurate, however, I would appreciate if you could check on it for us.

In addition to the correspondence from Ashley he has also discussed this with Charlie Leppert and is very irate and has made some very serious threats.

I am sure you are aware of Lud Ashley's stature and importance to us.

I would appreciate knowing further details about this situation and if Congressman Ashley's allegations are true, perhaps we will want to make an apology to him.

I am sure you agree we just simply cannot play politics in matters involving incumbents.

Many thanks for your help on this ~~bill~~ *matter*.

cc: Jack Marsh
Charlie Leppert

THE WHITE HOUSE

WASHINGTON

July 23, 1975



MEMORANDUM FOR: BILL BAROODY
FROM: JOHN CALHOUN *JC.*
SUBJECT: Black Republican Appointees Council
(BRAC)

We officially launched the Black Republican Appointees Council (BRAC) on Wednesday, July 16, aboard the "Spirit of 76" with a two-hour (social) cruise on the Potomac. Sorry you missed this very successful event. I discussed briefly with you the purpose of forming this group. In general we hope to:

1. bring together as a cohesive force all Black Republican appointees and Schedule C's to support the President, his Administration, programs, policies and positions on issues under the banner of good government;
2. communicate the positive accomplishments of the Administration affecting Blacks and other minorities to the Black community;
3. train and furnish Black speakers from BRAC's membership;
4. promote pride in being a Republican and foster better understanding of Republicanism and Black history within the Party.

My remarks launching BRAC are attached (Attachment #1) along with our Membership Badge (Attachment #2) and invitation (Attachment #3).

In attendance were:

- Representatives from the Republican National Committee --
Eddie Mahe, Executive Director of RNC and John Wilks,
Executive Director of Black Republican Council

*[*WJB has seen**

- Committee to Elect Ford (Mimi Austin, Executive Assistant to Chairman Calloway);
- Key Black Republican leaders from Ohio, Illinois, Georgia, New York, Missouri, California, District of Columbia, Maryland and North Carolina.

Nearly 50 Black political appointees and Schedule C's, including:

Lowell Perry, Chairman, EEOC

Connie Newman, Vice Chairman, Consumer Product Safety Commission

Ruth Washington, Chairperson, Benefits Review Board

James Blair, Assistant Secretary for Equal Opportunity, HUD

Samuel Cornelius, Deputy Director, OMBE

Betty Dotson, Assistant Director for Equal Opportunity, ACTION

Curtis Crawford, Member, Pardons and Parole Board, Justice

(All have joined the Council)

At some point in the future, it would be an added incentive to have you come and give some "straight talk" to the group.

Future Plans:

1. To continue weekly meetings with the Council's coordinating body.
2. To conduct a monthly meeting/seminar for training and open discussion purposes with membership.
3. To develop a speakers bureau.
4. To develop closer ties with the Black Republican leadership nationwide, Black Schedule C's and appointees.
5. To sharpen political awareness and understanding of laws affecting government employees.

-3-

I would welcome any comments or recommendations you might have.

Attachments

BRAC
BLACK REPUBLICAN APPOINTEES COUNCIL

Remarks by John Calhoun

I have been asked to make a couple of announcements:

- 1) If you are a Democrat and on board this beautiful cruise and you can't swim, you're in trouble.
- 2) There's no truth to the rumor that we tried to get Senator McGovern to come aboard tonight since we heard he's interested in testing the water -- some say he might be able to explain this veto proof Congress the Democrats used as a slogan in 1974.
- 3) Whenever a group of Democrats (this size) get together in Washington lately it's either to launch a new investigation or to announce a new candidate for president.
- 4) If you are a Republican and support the Administration, you are among friends tonight. And I would like to welcome you to a reception with BRAC -- Black Republican Appointees Council.

BRAC was founded to satisfy a need and to bring together those of us who are privileged to serve this Administration as political appointees. We believe that all Schedule C's and appointees who are Republicans ought to have an organization whose main concern is good government. Those of us who have traveled throughout the

country fully realize that there is an information gap which deeply divides those who serve and those who are served. We feel that Black Republicans must be the vehicle to bridge the gap and to open the channels of understanding between government, Republicanism and Black America.

We also believe that the man who now heads our government is the best man for the job and electing him to a full four-year term is synonymous with good government and, therefore, we will support the Administration, the President, and his candidacy.

THE WHITE HOUSE

THE WHITE HOUSE

(ATTACHMENT #2)



(ATTACHMENT #3)



brac

*We request the pleasure of your company
to attend a Gala Bicentennial Cruise on the
Luxurious yacht Spirit of '76"*

on

*Wednesday, July 16th
Nineteen Hundred Seventy Five*

at

*Southwest Park Pier Number 3
(Between Hogates and the Channel Inn
foot of 7th Street)*

Cruise departure time 7:00 p.m.

R. S. V. P. (limited space)

Cash Bar

232-2654

**This invitation is not transferable*

THE WHITE HOUSE
WASHINGTON

August 8, 1975

MEMO FOR:

BILL BAROODY

FROM:

JOHN CALHOUN

J.C.


Please note the cover and Pages 10 and 22, Libbey-Owens-Ford employees magazine.

Attachments



1975 Nov seen



LIBBEY-OWENS-FORD COMPANY

twx (810) 442-1750, telex 28-6437

811 MADISON AVENUE, TOLEDO, OHIO 43695

telephone (419) 247-3731

August 6, 1975

Mr. John Calhoun
Deputy Special Assistant to the President
The White House
Washington, D.C.

Dear Mr. Calhoun:

This is further to our correspondence concerning the "Tuesday At the White House" forum on Law Enforcement Assistance attended by Mrs. Delive Turner of our company. You will recall our interest in featuring Mrs. Turner's visit in the LOF employee magazine.

Per your request, we are pleased to enclose copies of our magazine containing this story.

Thank you once again for your help in providing background information for this article.

Very truly yours,

Charles E. Kingdom
Manager
Employee Communications

CEK/bkp

Enclosures

IN THIS ISSUE
"New"
Plant 11

theShield

A MAGAZINE FOR LIBBEY-OWENS-FORD EMPLOYEES



Vol. 6 • No. 5
 August-September, 1975



AN INVITATION TO THE WHITE HOUSE ... see page 10

A "New Plant 11" Is In Operation

Vari-Tran Production Takes Giant Step Forward With Revamping of Glass Filming Factory

Back in 1967, when LOF opened its Rossford glass filming plant, it often was a struggle to keep the factory busy.

That hasn't been the case since rising energy costs, and concerns about fuel availability, focused the spotlight on energy savings available with Vari-Tran coated glass.

Demand for Vari-Tran has increased many times over 1973 levels. The popularity growth stems from the product's ability to reflect a large percentage of the sun's energy, reducing air-conditioning loads and energy required to operate the air-conditioning system (the combination of Vari-Tran and Thermopane also reduces winter heat loss for fuel savings).

To meet this increased demand, LOF has doubled its coated glass production capacity with completion of an extensive expansion program at plant 11.

The glass filming plant's area has been doubled, and new, more efficient production equipment has been added.

To persons passing by the plant, located across Dixie Highway from Rossford plant 6, the visible part of the expansion program is the new construction. The 26,000-square-foot addition is glazed with Vari-Tran, giving it a mirror-like facade, and the construction brings total plant area to 52,000 square feet.

However, the bulk of the \$2.7-million invested in the project went into equipment to improve production output and product quality.

This included installing equipment to put a second filming line into operation.

In addition, to handle the much larger capacity of the filming chambers, new and improved handling and packing facilities have been installed for annealed glass.

A second, separate washer has been installed for tempered glass.

The production line is now equipped with two separate loading and unloading facilities, one for annealed glass and the other for tempered glass. This facilitates off-line loading and unloading of both types of glass.

"We have made, and are continuing to make, many other mechanical and electronic improvements in our vacuum chamber and glass-handling equipment," said Richard E. Warren, group vice president - architectural and specialty glass products.

He also noted that a new semi-clean room has been installed over the loading areas on the tempered and annealed lines to further improve product quality.

All scheduled improvements are in operation following a



Checking details of the Rossford glass filming plant's extensive expansion program are Jack Brown (right), plant manager, and Alan Beatty, plant superintendent. In background is the Vari-Tran glass frontage of the new construction which is part of the project. This

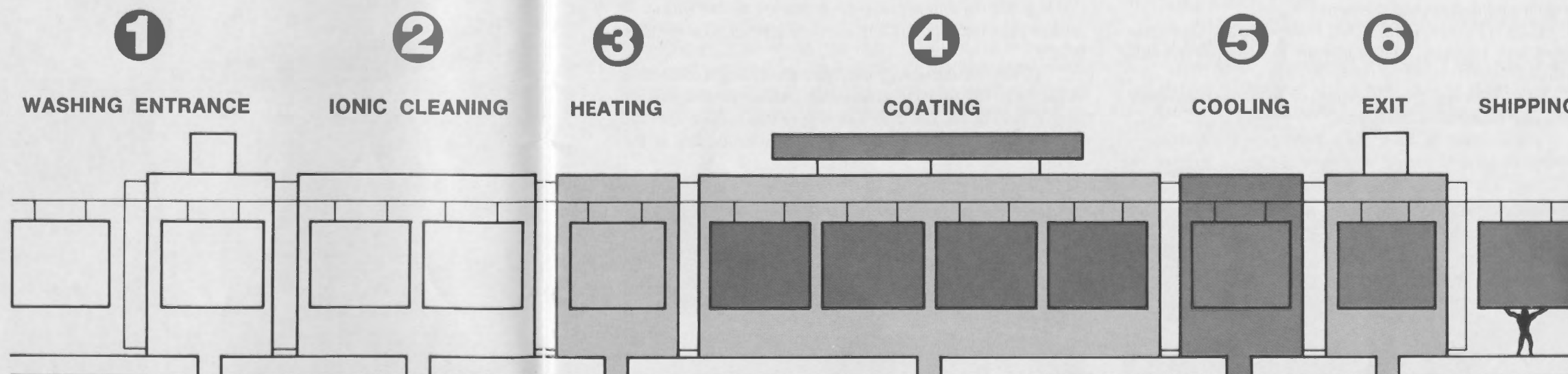
story tells how LOF's coated glass production capacity has been doubled to meet a product demand which has increased many times in recent years.

brief shutdown of the plant in mid-May to put new systems on stream.

"We believe the expansion program puts our equipment and systems in first class condition to produce large volumes of quality Vari-Tran products," Mr. Warren said. "At the same time we have put together a staff and organization capable of

efficiently handling a substantially increased volume of business."

Recent additions to the plant staff include Dennis Csehi, appointed engineering supervisor, and Charles Barnhart, appointed quality control supervisor. Both men had substantial experience with the plant's requirements through



This drawing of plant 11's coating system shows glass, suspended on an overhead track, moving through the chambers. After cleaning, the glass moves into chamber 1. Vapor-tight doors close as soon as the glass is in, and chamber 1 is pumped down to an atmosphere equal to that found 35 miles above the earth. The doors between chambers 1 and 2 open, and the glass moves to chamber 2, which has a constant atmospheric pressure equal to 35 miles above the earth. Here the glass is subjected to ionic

cleaning. The glass moves into chamber 3, and heated. The chamber is pumped down from the 35-mile pressure to the vacuum found 125 miles in space. In chamber 4, kept constantly under the 125-mile vacuum, the glass is filmed. In chambers 5 and 6, the pressure is increased to normal atmosphere, and the finished glass panel emerges. The man at the end is drawn to scale to illustrate the equipment's massiveness.

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Field Offices

COMPANY TRADEMARKS:

Parallel-O-Plate®
plate glass,

Parallel-O-Grey®
plate glass,

Parallel-O-Bronze®
plate glass,

Thermopane®
insulating glass, with

Vari-Tran®
coated glass, with

GlasSeal® edge,

Tuf-flex® tempered glass,

Vitrolux® spandrel glass,

Electrapane® electrically
conducting glass,

Mirropane®
transparent mirrors,

VigilPane®
safety glass,

Shock Absorber®
windshield.



"New Plant 11" (continued)

their previous assignments at Technical Center (Dennis was in the mechanical engineering department and Charlie was a member of research and development's glass filming group).

These supervisors' work relieves Jack Brown, plant manager, and Alan Beatty, plant superintendent, of detail responsibility in these areas, and enables them to concentrate on broader management and operating responsibilities. The organizational revamping also has brought improvements in such administrative functions as ordering raw materials and scheduling production and shipments.

Plant 11's operation is far more complex than mere factory size indicates, and Vari-Tran is a highly technical product.

The reflective glass is processed in a massive, highly automated vacuum-coating system.

The diagram on these pages shows how stock sheets of glass, up to 10 x 12 feet in size, move through a series of six

chambers. The glass passes by electron beam sources which hold the metal used in the coating; electrical power is applied to cause the coating substance to evaporate; the molecules of the coating material are bombarded onto the glass and form a very hard, uniform film over the glass. Multiple layers of film are applied to the glass during one cycle.

Vari-Tran is known as "high performance" glass, meaning glass that is designed to perform as part of a building's air-conditioning and heating systems.

The product is available in 52 varieties, including glass and coating combinations offering silvery and golden reflections as well as reflections in bronze, grey and blue tones. Coatings can be applied that allow from 8 to 50 percent of outside light into the building interior, depending on the type selected.

In view of the energy shortages which began to develop in the early 1970's, such performance glass is indeed a product with a built-in market. LOF can supply this market with the largest, most sophisticated vacuum deposition facility in the world.



Glass is cleaned and inspected several times during the Vari-Tran process. Cleaning the glass in this photo is Nelliewese Bunn, one of the plant 11 employees responsible for producing a high-quality product.



The color of each Vari-Tran reflective glass panel must meet exacting specifications. Dave Ruffert uses a paddle and background lights to check the color of a newly coated panel. The paddle holds two Vari-Tran samples—one with the coating too dark, the other too light—and the panel's color must be exactly between the two.

A FIVE-MINUTE TEST CAN BRING A LIFETIME'S PEACE OF MIND



Why get the facts about sickle cell anemia?

The reasons number 2,550,000. Approximately 50,000 Americans have the disease, while 2,500,000 have the capacity to pass on the disease (with its pain, crippling and possible early death) to their children.

Sickle cell anemia is one of the nation's major health problems, and affects more children than muscular dystrophy.

Yet most people believe only that sickle cell anemia is a disease of the blood found in black people. This unawareness of the total problem is shared by nearly the entire population of the United States. Even those who have the disease, or

those who carry the trait, are misinformed and unaware of both the nature and scope. People with the trait are not sick and never will be sick from the trait, but they could pass on the disease to their offspring.

Among the many misconceptions concerning sickle cell are these points:

- Sickle cell anemia and sickle cell trait are found only in blacks.
- Sickle cell anemia and sickle cell trait can be revealed by a standard blood test, such as those used in a general physical examination, complete blood count, or to



A FIVE-MINUTE TEST (continued)

obtain a marriage license.

These are just two examples of the kind of misinformation we all have regarding sickle cell trait and sickle cell anemia. The following pages provide more data to show the importance of being tested using electrophoresis—a special blood test which is the only means of detecting the trait.

This article is one example of how LOF is joining nationwide industries, community service groups, hospitals and schools in publicizing the sickle cell problem.

LOF also has donated money to Toledo's Model Neighborhood Residents Association to further an education and testing program conducted in cooperation with St. Vincent Hospital.

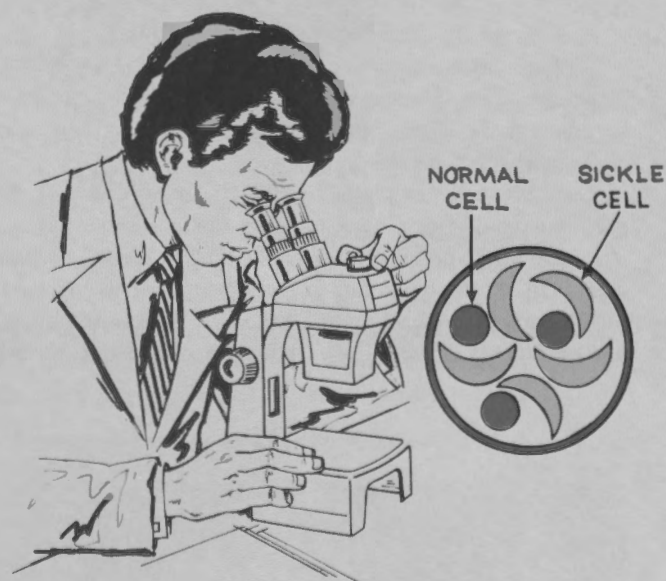
As part of this program, sickle cell blood testing is being made available to all Toledo-area and Lathrop, California employees in the plants. Rossford will have testing available in the main first aid station and the bending first aid station. East Toledo plant 4, East Toledo plant 8 and Lathrop will test in their first aid stations. These voluntary, free-of-charge tests will be held at Rossford on August 28, at the East Toledo plants on August 29, and at Lathrop on August 28 and 29.

"The test is quick and simple," explained Mrs. Lou Fuller, the Model Neighborhood Residents Association's sickle cell representative. "In Toledo, the blood sample is sent to St. Vincent Hospital for analysis and, within a week, the individual receives a postcard, if the results are negative. Direct and personal contact is made with people if the test is positive. All information obtained through the testing is held confidential between the person tested and the testing agency."

Although LOF's August 28-29 program is for employees only, families of Toledo employees can receive the same free testing at St. Vincent Hospital and Medical Center. Information on availability of testing at Charleston, Ottawa, Mason City, Brackenridge and Collingwood can be obtained from the plant industrial relations people at these locations.

What is sickle cell anemia?

Red blood cells float in the blood stream and move continually throughout the body, leaving oxygen along their route and picking up waste carbon dioxide. When the cells release too much oxygen, and the oxygen left in the cells gets too low, the cells take on a shape resembling a sickle (instead of the normal doughnut-like shape). The sickle shape makes it hard for the cells to float easily in the blood stream. If large numbers of sickle cells are present, they clog blood vessels, making it difficult or impossible for the blood to circulate. The blood cells of people with the trait will not sickle until the blood is drawn and the oxygen is removed.



What's the difference between sickle cell anemia and trait?

Sickle cell anemia is like other kinds of anemia in that the body cannot get as much oxygen as it needs to be healthy. The condition affects each individual differently. The most common symptoms are periods of severe pain in the chest, abdomen, arms and legs. Sickle cell anemia can be treated so that its victims can lead productive lives, but sickle cell anemia cannot be cured.

QUESTIONS AND ANSWERS ABOUT SICKLE CELL

Sickle cell trait is not a disease. A person with the trait is perfectly healthy. Although some of his blood cells' hemoglobin is abnormal, his red blood cells are not shaped like sickles. The trait cannot turn into sickle cell anemia.

It is important to know if you have the trait because offspring of persons with the trait can inherit the disease. The danger will be described later on this page.

How does one get sickle cell?

The only way to get either sickle cell trait or sickle cell anemia is to be born with it. There is absolutely no way for either the trait or the anemia to spread from one person to another, like a cold or the measles. Also, the disease definitely cannot be passed on in a blood transfusion.

The trait, which helped protect people against malaria, is believed to have developed in Africa thousands of years ago. Because of this origin, it is more prevalent in blacks. But people of Spanish, Greek, Italian or Turkish descent—or people having ancestors from the Mediterranean or Caribbean areas, the Middle East, South America and India—also can have sickle cell trait or sickle cell anemia.

How do parents pass on sickle cell?

The trait can be passed down to one's children at birth, just like such heredity characteristics as color of eyes and hair. When both parents have the trait, the chances are one in four that the child will have sickle cell anemia; two in four that the child will have the trait just like the parents; and one in four that the child will have neither the trait nor the disease.

Why should a person be tested?

It is important for people to know whether they have the trait for purposes of positive, preventative care.

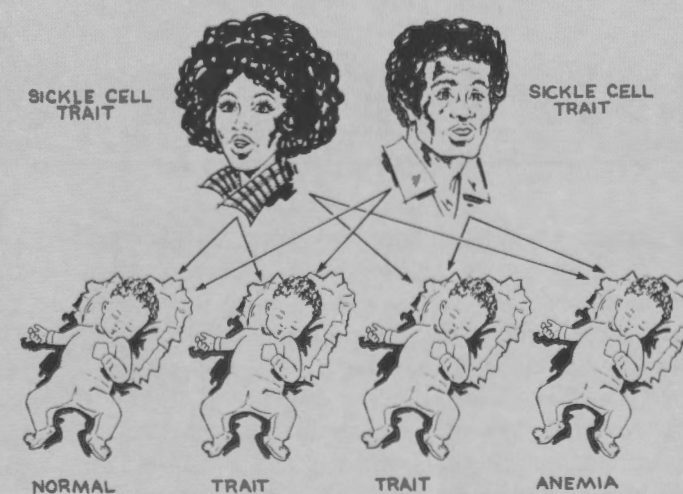
A second good reason for testing is to plan for the health of future children. People should know, before marriage, whether they have the trait so that they can get proper medical advice on family planning.

Sickle cell specialists recommend that all races, nationalities and ethnic groups be tested as early as possible. Each child of people with the trait definitely should be tested



SICKLE CELL ANEMIA IS NOT CONTAGIOUS

(although symptoms of the anemia usually don't appear before age 6 months, anemia and trait can be diagnosed at birth). Relatives of someone with sickle cell anemia are more likely to have either the anemia or the trait, and definitely should be tested.



The fact that sickle cell anemia cannot be cured is **NOT** a reason to refrain from testing. Early diagnosis is the key to prevention and comprehensive treatment. Drugs, surgery and medicine can help most sickle cell anemia sufferers. Knowledge and proper action can curb this life-threatening disease's effects on future generations.



Would You Like to do LOF's Shopping

TEST YOUR COST AWARENESS

In an era when most price tags know no path but upward, we've all had to become smarter shoppers. More selective purchasing, and greater care in using what we've bought, must be the rule when we're paying the bills.

Every bit of our personal buying know-how would be challenged, however, if we as individuals were to do LOF's shopping. Not only does our purchasing department deal in huge quantities, but the company has had to cope with unprecedented cost increases in virtually every material, fuel and service needed for operations.

The quiz on these pages enables you to test your knowledge of costs for the glass division (no subsidiaries are included). There are 20 questions on the price tags of some of the hundreds of items the company buys--large purchases, as well as supposedly "small" items which, cost-wise, really aren't so small at all.

Give yourself 5 points for every correct answer. If you score 80 or better, you have an expert's understanding of why cost increases are a major problem for our company. If you score 70 or better, rate yourself superior; between 60 and 70, good; and between 40 and 60, average.

But no matter what your rating, you might ask yourself, "How can I help reduce costs?"

The cost-increase problem affects all of us. We each can help offset added costs by not wasting time, effort or materials--and by improving our personal contribution to the company's business.

1. Sand used in glassmaking last year cost the company
 - (A) More than \$1,200,000.
 - (B) More than \$1,500,000.
 - (C) More than \$1,800,000.
2. Listed below are three other glass batch ingredients. Which of the three required the greatest total dollar expenditure for LOF last year?
 - (A) Salt cake
 - (B) Dolomite
 - (C) Limestone

3. LOF spent more for glass packing materials last year than for all batch materials. True or false?

4. More than \$5,000,000 was spent on one category of glass packing materials last year. Was it
 - (A) Packing cartons and containers?
 - (B) Lumber?
 - (C) Paper and stickers?
5. Nails and bailing wire are a comparatively small part of the overall cost of glass packing materials. Yet in 1974 these "small" items cost the company
 - (A) About \$35,000.
 - (B) More than \$76,000.
 - (C) More than \$106,000.
 - (D) About \$500,000.
6. As you might expect, natural gas and fuel oil are a major part of the glass division's budget. How much did we pay for these two items in 1974?
 - (A) \$2,446,000
 - (B) \$4,163,000
 - (C) \$12,321,000
7. Costs of natural gas to fuel our glass furnaces have risen, particularly in the Toledo area. The 1973 Toledo-area cost per 1,000 cubic feet of natural gas was 62½ cents. What was the 1974 cost?
 - (A) 75 cents
 - (B) 95½ cents
 - (C) \$1.12½
 - (D) \$3.65
8. Even though its cost has risen, natural gas still is much less expensive than fuel oil, which must be used to fire the furnaces when natural gas supplies are curtailed. At the beginning of the 1972-73 heating season, the cost of fuel oil was 10.9 cents per gallon. How did this fuel oil price increase for the 1974-75 heating season?
 - (A) More than 60 percent
 - (B) More than doubled
 - (C) Nearly tripled
9. During the six-month period from October, 1974 through March, 1975, we spent \$698,000 more for fuel oil than we spent during the same 1973-74 period. True or false?
10. Now that warmer weather has reduced overall natural gas usage, one would think that LOF now is able to obtain all of its natural gas requirements. This is not true in the Toledo area, however. As of April 1, 1975, LOF's Toledo-area natural gas supply is still being curtailed by
 - (A) 55 percent.
 - (B) 35 percent.
 - (C) 30 percent.
 - (D) 20 percent.
11. Automotive plastic for laminated windshields is one of LOF's costliest purchased items. From March, 1973 to January, 1975, the cost of this plastic rose
 - (A) Approximately 3.4 percent.
 - (B) About 14 percent.
 - (C) Approximately 20 percent.
12. Supplies costing only a few cents apiece are really a large expenditure when purchased in the quantities needed by LOF. Two examples are paper towels and toilet tissue. In the space below, write what you think was the total glass division bill for these two items last year.
13. Maintenance and repair work is a major budget item. For example, how much do you think we spent for parts for fork lift trucks last year? Write your estimate in the space below.
14. Approximately 50 percent of the safety work gloves purchased for plant employees' use are the white quilted cotton slip-ons. In 1974, these gloves cost the company
 - (A) \$32,000.
 - (B) \$147,000.
 - (C) \$257,500.
 - (D) \$196,000.
15. LOF's average cost of purchasing a new pair of safety work gloves was higher during 1974 than it was during 1973. How much higher?
 - (A) 10.3 percent
 - (B) 18.8 percent
 - (C) 29.9 percent
16. LOF's total 1974 bill for all glass division safety clothing was
 - (A) \$515,000.
 - (B) \$645,000.
 - (C) \$987,000.
17. A new safety shoe program recently went into effect at LOF's five largest glass division plant locations. In the space below, write what the company expects to pay for this program during 1975.
18. Case cards, used in the plants to label glass shipments, were more expensive in 1974 than in 1973. Approximately how much?
 - (A) \$800
 - (B) \$2,500
 - (C) \$7,000
19. Among the most common office supplies are bond paper (for stationery, many reports and reproduction department printing) and the grey wooden pencils imprinted with the company name. How much more did we pay for these two "routine" items in 1974 than in 1973?
 - (A) Approximately \$3,600
 - (B) Approximately \$6,800
 - (C) Approximately \$13,100
20. It will cost LOF approximately \$13,000 during 1975 to purchase the tabulating cards used in data processing. True or false?

LOF's Delvie Turner was among 85 persons from throughout the United States invited to a White House conference on Federal assistance in local law enforcement programs. Delvie, who also attended a Washington meeting on the black aged, is shown reviewing the trip with her boss, Dick Modlin, director of traffic. They are discussing a special pen, engraved with President Ford's signature and presented to Delvie by one of Mr. Ford's assistants.



SPECIAL WHITE HOUSE MEETING

Caps LOFer's Visit to Nation's Capital

Attending a special White House meeting. "Rapping" informally with Comedian Dick Gregory and other prominent black leaders. And a tour of White House areas normally closed to visitors.

These and many other never-to-be-forgotten experiences highlighted Delvie Turner's recent three-day visit to Washington, D.C. Delvie, employed in the Toledo headquarters, is secretary to Dick Modlin, director of traffic.

It all started last winter when John Calhoun, deputy special assistant to the President, addressed a meeting of Toledo's Business Ladies in Session, which Delvie serves as chairwoman of the group's Education Committee.

Soon after Mr. Calhoun's Toledo visit, she received a letter from the White House extending her a special invitation to attend a "Tuesday at the White House" briefing by officials from the Law Enforcement Assistance Administration (LEAA), an arm of the U.S. Department of Justice.

By coincidence, Delvie's White House invitation coincided perfectly with a separate meeting in Washington which she previously had planned to attend as a representative of Business Ladies in Session.

"It couldn't have worked out better," said Delvie. "The law enforcement meeting at the White House was scheduled for the afternoon of the last day of a three-day conference of The National Caucus on the Black Aged. I already had arranged to attend this conference, so my first visit to Washington proved to be an extremely busy, but productive, trip."

She especially enjoyed the White House meeting and a subsequent private tour of the historic residence with Mr. Calhoun serving as a special "guide."

"The law enforcement briefing was very interesting and helpful," Delvie continued. "Eighty-five persons from across the country attended the session to learn how any community or interest group can apply for Federal funding to initiate programs to help fight crime and assist its innocent victims."

She explained that New Orleans and Houston, for example, recently were awarded Federal grants to help identify and quickly prosecute "career" criminals. And since

crime most often victimizes the poor and underprivileged members of society, the Federal government's positive approach toward providing help for these people was particularly gratifying to her.

While in Washington, Delvie learned that Federal funding is available in a number of categories for formulating crime-related prevention and assistance programs.

The LEAA recently announced, for example, that \$8.5-million has been set aside for innovative programs designed to keep juvenile offenders out of detention and correctional facilities where they often become "hardened criminals" before being set free again.

Delvie further explained that Congress has authorized the LEAA to provide communities with Federal assistance grants to help local governments set up law enforcement programs to benefit minority groups.

One such example is a \$125,000 grant to the Cleveland, Ohio, police department for development of a court-ordered testing procedure designed to give men and women—regardless of race or national origin—an equal opportunity to receive promotions within a local police department structure.

"Essentially," Delvie continued, "the LEAA is a liaison group set up to help provide Federal assistance for public agencies and community involvement groups concerned not only with combating crime, but getting to the 'root' causes—the social, economic and environmental problems which in many cases can cause a person to resort to violent acts against society."

Prior to the LEAA session, Delvie attended the third annual conference of The National Caucus on the Black Aged. "Aging Black Women and Federal Policies: 1960-2000 A.D." was the conference theme.

Chaired by Mr. Hobart C. Jackson, the three-day caucus featured appearances by such prominent government and civic leaders as U.S. Senators Edward M. Kennedy, Henry Jackson and Lloyd Benton; Congresswoman Barbara Jordan; Congressman Morris Udall; Pennsylvania Secretary of State C. Delores Tucker; Mississippi NAACP Chairman Dr. Aaron Henry; and Dick Gregory, civil rights activist and comedian.

We Can Have only what we produce

pro-duc-tiv-i-ty (prō-duk-tiv-ə-ti)
n. abundance or richness in output; the physical output per unit of productive effort.

The dictionary definition of "productivity" doesn't do justice to the word, particularly in this time of economic difficulties. Productivity is a prime factor in the economy and our standard of living, and productivity improvement is a basic requirement to increasing that standard.

Productivity, its real meaning and why it is so vital were explored by LOF's chief executive officer in a recent conference of Ohio industrialists and journalists. In this Business Roundtable session on economic issues, Company President R. G. Wingerter emphasized America's critical need to improve productivity before there is economic collapse.

Because the productivity problem must be of major concern to all of us, we believe the following reprint of his remarks is among the most timely and important articles this magazine has published in its six-year existence.



I am very much aware that the term "productivity improvement" can carry different meanings to various people.

In its negative connotations, it can be taken to mean a boss bearing down unconscionably on employees to produce more output simply by insisting that they "work harder."

That is not the meaning of productivity improvement to any enlightened business management - to them it means developing and providing the right tools, the proper equipment and the ideal environment to increase the output of goods or services without requiring an excessive input of physical or mental work effort.

Let's start with the word "productivity" itself and what it means.

In simplest terms, it is a measure of the amount of goods or services produced by an individual during a given period of

time. Productivity also has been described as the ratio of the value of goods and services produced to the total costs for both direct and indirect dollar input.

In a practical business sense, the levels of productivity for individuals or groups result from the interaction of numerous factors.

One of these factors is the availability of highly productive tools that remove burdensome physical effort or time-consuming mental effort from the individual and place it upon machines.

Other necessary factors are the availability of capital to buy such productive equipment and a sufficient market demand and earnings opportunity for the products being manufactured.

There must also be reasonable expectations of economic

advantages to justify investment in such equipment. Yet another factor affecting productivity is the availability and cost of fuels and energy. In fact, there are various combinations of factors that have a role in making the individual more efficient and more productive.

The American Economic Foundation sums up the meaning of productivity by stating that man's material welfare results from the use of natural resources whose form is changed by the application of muscular and mental energy, aided by the use of tools. That is a pretty good definition of productivity and its impact on a society's relative standard of living.

Now it is not my purpose here to argue the pros and cons of what constitutes an optimum standard of living for our citizens. That is a choice that is being continuously expressed by society—through the political process and governmental actions, and in the daily marketplace in those economies where alternate choices are still available to the individual.

I suggest, however, that the personal physical effort required for survival in all societies located in reasonably comparable climates is quite similar. The productivity efficiency of each society, however, will determine its relative level of material welfare, culture, personal comforts and even the health of its people.

In the past two years, in particular, our citizens have suffered from a social malignancy that has plagued civilizations periodically from the dawn of history—a continuing decline in the purchasing value of our currency.

Inflation occurs when the volume of currency is increased at a faster rate than increases in the production of goods and services that hold valid economic values.

Our monetary inflation problem and the potential terrible economic and social consequences it can create, if left unchecked, can be parried importantly by the more efficient production of goods and services. As the volume of quality output is increased per hour worked and per unit of capital investment required to provide highly productive facilities, costs are reduced and so are prices.

However, as government has increased the currency for various reasons, little understanding has been visibly devoted to the basic requirement of producing more goods and services to support the action.

Our elected representatives, with our consent, have found it politically desirable to transfer an ever-increasing share of our society's assets from the productive to the nonproductive sector.

We have been frustrating the building of more efficient productive abilities through inadequate capital recovery policies.

We have discouraged increasing productivity by laws and policies that reward the nonproducer almost as well as they reward the producer.

We have permitted restrictive work practices and featherbedding.

We have in various ways protected incompetence on the

job. We have spent huge sums of money in nonproductive pursuits.

The escalating inflation problem we have experienced, I believe, is the end result of a serious overloading of our productive economic base. The producing segment of the economy is simply not strong enough to support all of the here-and-now demands our society has been imposing upon it.

We have so heavily mortgaged hoped-for future productivity improvements that continually increasing costs and prices of manufactured goods are presently built into our economic outlook.

This must end in economic collapse unless we can somehow come to our senses before it's too late.

We have witnessed for many years a declining percentage of our nation's total employed population that is engaged in the production of things holding tangible values, while the percentage engaged in the production of services has grown to over 60 percent of those employed.

Those who work in the services and professions, plus the one in six employed by national, state and local governments, can contribute to our total economic strength and producing functions only to the extent that such services increase the productivity of those producing tangible values.

We've been adding to this load on our productive base at an alarming rate, detracting from our output of goods and increasing their cost. There is no other place to reflect those increasing costs except in rising prices.

An answer to our inflation problem is to reorder our priorities so that we can bake a bigger economic pie, measured in real values, by increasing our productivity.

My point is that *we can have only what we produce*, regardless of what happens to prices or wages, or to the true values of dollars used to measure our Gross National Product output.

Gains in real wages are all due to productivity improvement. Inflationary gains in wages benefit no one, and cause serious distortions in all of our economic calculations.

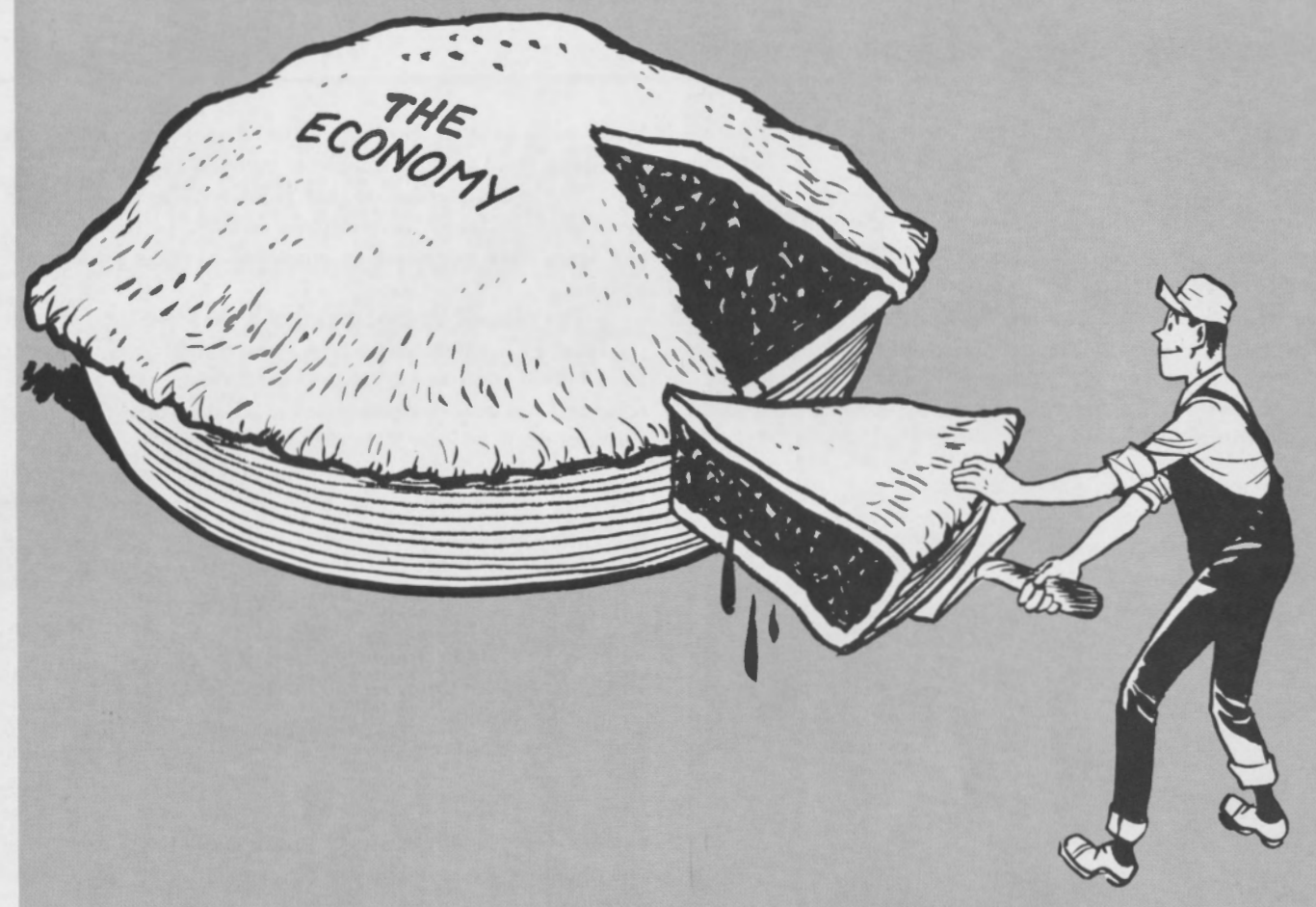
Improving productivity per capita carries a lasting benefit with tremendous cumulative effects to all members of a society.

Improvements made next year are added to the improvements of this year, last year, and all prior years. Boosting productivity annually by a few percent above our rate of population growth carries remarkable implications for our future standard of living as the effect is compounded.

The reason for the difference between our standard of living in America and that in underdeveloped countries is that we have steadily improved our productivity over many years and they have not. A dramatic illustration is what happened to our productivity advances in agriculture.

During the past 100 years, America's productivity improvement in agriculture averaged an increase of about 6 percent a year. Whereas the effort of nearly 50 percent of our population was required to raise the food needed to feed the entire American population in 1870, only 4 percent of our

SOUND GROWTH BENEFITS ALL



THE BIGGER THE PIE THE BIGGER THE SHARE

work force is now doing that job, besides exporting a great amount of the output to other areas of the world.

That achievement is a fine example of the interplay of the many necessary positive forces that, as I mentioned earlier, are required to accomplish productivity improvements.

Some of these positive forces were the development of more productive farm machinery powered first by steam and then the internal combustion engine, better seeds, soil enrichment, crop rotation, the economies of larger scale farming, the better education of farmers, and a free-enterprise society. All of these forces played important roles in the progress of American agriculture, and progress would have been delayed if any had been missing.

The great productivity advance on our farms also contributed to America's industrial growth by freeing people for better-paying jobs in factories. This provided the manpower needed for our industrial development that has made the United States the greatest industrial nation in the world.

But the big advantage we used to have over the rest of the world in industrial productivity has been disappearing. Many of the industrially developed nations are rapidly catching up, or have caught up.

The lag in the growth rate of U.S. manufacturing productivity in recent years is one of the things that has weakened the ability of American industry to compete with foreign producers both at home and abroad. That recent rate of growth is behind other major industrial nations.

For the years 1960 through 1973, for example, the annual productivity gains in the United States averaged 3.4 percent as measured in output per man-hour. That is significantly behind such average annual productivity improvements as 5.8 percent for West Germany, 6 percent for France, 7.5 percent for the Netherlands, and 10.5 percent for Japan.

Much has been said and written about the probable causes for our lag in those productivity improvement comparisons. I have listed some of the causes earlier in these remarks.

An apparent additional cause is that the United States has seriously lagged behind the better performing countries in the ratio of investment in new productive facilities to Gross National Product.

Our capital recovery policies and investment incentives compare poorly with the others. We are consuming too great a proportion of what ought to be seed corn in our insistence on

immediate social programs at the expense of longer-term greater potentials.

Our industrialized foreign competitive governments (other than the United Kingdom) appear better disciplined than we. There is much closer cooperation between government and business in those countries than currently exists in the U.S. Those governments also seem to have a good understanding of their industries' investment needs.

Here, however, the traditional pursuit of improved productivity by U.S. industry and business is being hampered on many fronts.



Labor's continual demands for wage increases beyond the rate of productivity improvement is counterproductive for the economy in total, as well as being a basic stimulus to inflation of the currency.

Social reformers' demands upon government for vast sums of money are made with little appreciation of any constraints on the availability of those funds.

Constraints of basic economics are replaced by political pressures.

The solution to date is to simply tax business and

better-paid citizens further, while drying up profits and dismissing them as being somewhat immoral anyway.

The consequences of that philosophy as it affects the availability of funds for industrial viability or the ability to pay taxes from corporate or employee earnings seem totally ignored.

The planned Federal deficit of some \$69-billion or more for fiscal 1976 establishes a new Federal debt level of around \$625-billion (over twice the estimated annual rate of Federal revenues) and bears testimony to the point, as does the current financial plight of New York City and England.

New York City, largely following the example of the Federal government, has been borrowing money from privately owned funds for years, with no real expectancy or plan to ever pay it back. England, supposedly a most advanced welfare state, is drifting into ever-deeper financial troubles.

But beyond those flights from economic realities, business and industry efficiencies are being frustrated by a hostile attitude of Congress and the Federal bureaucracy.

That hostility is expressed by an endless array of punitive, counterproductive and overly-restrictive legislation that burdens us with costly requirements that devour time, labor and capital. Those cost increases have to become expressed in product or service prices, further depressing what our discretionary spending can buy and lowering our standard of living.

But the causes and effects of these engines of inflation are not readily understood by the average citizen, so when some new economic problem appears, our labor leaders, social reformers, politicians and bureaucrats quickly disengage themselves from all blame and accountability by identifying some new whipping boy outside their groups—usually some part of private enterprise.

Energy is another basic factor of productivity. The efficient production of manufactured products requires a reliable source of energy in various forms. Electric power, steam generation, processing fuels, and the internal combustion engine perform irreplaceable functions in the mechanization and automation concepts which brought about our current high levels of productivity.

There is also a vital and direct correlation of energy consumption with the GNP and productivity. Marathon Oil Company, one of the nation's important oil producers, recently made this observation:

"Energy consumption relative to real GNP has remained essentially constant over the last 25 years. We could save a little over \$4.5-billion in annual import costs by reducing crude oil imports by 1,000,000 barrels per day. But studies have shown that for every 1,000,000 barrels per day of oil or its energy equivalent that the nation consumes, we produce about \$38-billion of goods and services in 1974 dollars, and we provide employment to nearly 2.4-million people. The current

recession, and especially unemployment, would be severely aggravated by the imposition of artificial constraints on consumption. The plain fact is that we cannot conserve our way out of the energy problem in either the short run or medium term. The economic penalties far outweigh the cost of imports."

Certainly it is important that we use our national energy supplies efficiently and prudently. I think industry and our citizens have responded quite well to that need, for economic cost reasons.

Practically all of the Congressional attention to the energy problem, however, seems to be directed toward reducing energy usage, while little action is being taken to encourage the development of practical alternative energy sources to replace imported crude oil.

As a matter of observation, it would appear that it is the intention of Congress to place roadblocks in the way of such programs as witnessed by its vacillations with atomic power, off-shore drilling, surface mining, counterproductive and overly stringent environmental regulations, the repeal of depletion allowances, and the adverse impacts of Federal regulatory policies and taxation. Those actions have frustrated the development and efficient utilization of increased domestic energy supplies.

The irrationality of our current energy debate and the absence of a responsive and responsible national energy program that would provide sorely needed incentives to develop domestic energy resources hold worrisome implications for our future national productivity trends. I agree with the statement recently made by an American geologist who said, "Our nation doesn't have an energy problem, it has a mental problem."

Our productivity outlook is clouded by the numerous crosscurrents that reflect our present debate on the kind of America our citizens want.

The lack of a general consensus and commitment for a continuing highly productive and strong economic society seems readily apparent.

The alternative of pervasive governmental regulations and inefficiencies is abhorrent to those who value personal freedoms and our standard of living.

What's needed, I think, is not a renewal of the old-fashioned work ethic but adoption of a "productivity ethic."

We need general agreement that improving productivity is necessary, desirable, beneficial and praiseworthy. The person who grew more corn or built better machines was a public benefactor in our parents' day, and he should be so regarded today.

The improvement of productivity is usually a private action—but I can hardly name anything that's more in the public interest in these troubled times.

LOF REPORTS 1975 SECOND QUARTER SALES AND EARNINGS

Libbey-Owens-Ford has reported consolidated sales of \$171,752,000 for the 1975 second quarter, an increase of 1.6 percent from sales of \$168,993,000 for the same period in 1974. Second quarter net earnings were \$12,491,000, including \$4,139,000 of gains from the sale of securities, compared to 1974 second quarter net earnings of \$8,839,000 restated for LIFO inventory valuation.

Second quarter earnings per common share after preferred dividends were \$1.01, including a gain of 38 cents per share from the sale of Johns-Manville common shares. Second quarter 1974 earnings per common share were 68 cents.

Consolidated sales for the first six months of 1975 were \$328,997,000, 2.8 percent above comparable 1974 first half sales of \$320,175,000. Net earnings for the 1975 first half were \$13,533,000, including the second quarter security gains, compared to net earnings of \$15,971,000 for the same period in 1974. Six months earnings per common share after preferred dividends, including the 38 cents from security gains, were 99 cents versus \$1.21 in 1974.

President Robert G. Wingerter said, "Although our 1975 second quarter results showed improvement over the company's poor first quarter, LOF earnings continue to be affected by manufacturing cost increases that have not been reflected in current prices and recessions in the automotive, furniture, and building construction industries. We hold optimism that the recessions in those principal markets have bottomed out and that a gradual recovery is underway."

Mr. Wingerter said that LOF's glass shipments are expected to show moderate improvement in the last half of 1975 compared to the same period of 1974 and the first half of 1975. He also noted that the outlook is improving for the company's plastics operations, which have been operating at reduced levels due to automotive and furniture production curtailments. LOF's principal subsidiary, Aeroquip Corporation, a leading manufacturer of fluid power components, reported a continuing high level of shipments in the second quarter, although order backlogs have been reduced by some recent cut-backs in capital goods spending.



Carole and John Kirk, in front of the house in which they have attained major heating cost savings.

They Lower the Heat—to 45 Degrees

Although it may seem odd to feature snow and cold weather in an August magazine, it also serves as a good reminder that Old Man Winter—with his high heating costs—is just around the corner.

Carole Kirk, secretary in our Buffalo district sales office, and her husband, John, need no such reminder.

That's because they're ahead of most of us in doing their "homework" to conserve heat and save money.

Back in 1968, when heating costs weren't such a problem, Carole and John purchased a three-story, eleven-room, turn-of-the-century house.

In the winter of 1970-71, they used 1640 gallons of heating oil for a cost of \$352. In the winter of 1973-74, fuel used in their home's hot air system was down to 1413 gallons, but the cost had risen to \$476.

To reverse the trend, the Kirks made major changes in their use of heating oil last winter. The results were impressive (for example, up to January 30, 1975, they used only 195.3 gallons—in comparison with 663 by that date in 1974).

Achieving these results meant taking the conservation steps all of us hear about, but too few of us heed.

They had their furnace brought into top shape by a

heating contractor, replaced some windows with Thermopane and weatherstripped all other windows, replaced cracked putty, and installed special thermal drapes around the biggest windows. They also added insulation between exterior walls and inside paneling, under the roof and in the basement ceiling, and closed the vents to unused rooms.

But the most dramatic change was in their use of the thermostat.

The winter temperature is kept at 62 degrees when the Kirks are home—and lowered to 45 degrees at night and when they aren't home.

"It takes 45 minutes to an hour before it gets warm when we arrive home," Carol explained, "but warm clothing and keeping busy prevent that from being any problem."

"At night we use an electric blanket, and in the few minutes it takes to get ready for work in the mornings, we use a small electric heater in the bedroom."

Although lowering the heat to 45 degrees may seem a bit radical for some of us, the move has proved a major economy for Carole and John. One thing for sure, the Kirks' experience shows that heat-saving techniques, and preparing for winter, do pay off.

LOF NEWSMAKERS AT EACH LOCATION

Howard Lewis Honored By F.G.M.A. and N.G.D.A.

Two national flat glass business organizations have honored Howard Lewis, manager of LOF's Central sales region, for his many contributions as one of our industry's leading figures.

The Flat Glass Marketing Association and the National Glass Dealers Association recognized Howard at their national conventions. He'll retire next year after completing 41 years with LOF.

The ceremonies honoring Howard, and plaques recognizing his long service, are testimony to his ability and the esteem in which he is held by his customers, competitors and associates. F.G.M.A. is made up of leading flat glass distributors and installers, and N.G.D.A. is composed of retail dealers in auto and flat glass.

Howard started with LOF as an hourly employee at Rossford in 1935. Since joining the salaried ranks, he has held sales and sales management positions in Philadelphia, St. Louis, Minneapolis,



The F.G.M.A. plaque honoring Howard Lewis (right) is presented by J. R. "Scorch" Gardner, F.G.M.A. president and general manager of glass operations for Bennett's, an LOF distributor in Salt Lake City.

Toledo and Chicago. He currently heads the company's non-automotive original equipment sales in a 14-state area.

Leland Beard

Leland Beard, Ottawa plant retiree and United Glass & Ceramic Workers union official for many years, recently passed away in Columbus, Ohio. He was 72.

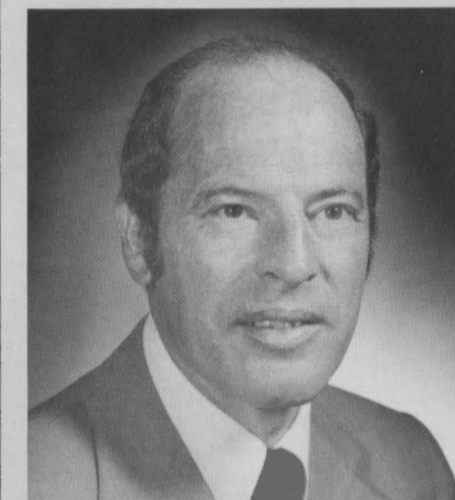
Lee joined the Ottawa plant in 1925, was Local 19 president from 1934 through 1943, and then served as the United Glassworkers' international vice-president until his 1965 retirement.

THE SHIELD joins Mr. Beard's many friends and associates in extending sincerest sympathy to his wife, Doris.

LOFer Meets With President Ford On Domestic and Economic Issues

LOF's Jim Palmer was among selected business executives meeting with President Gerald R. Ford in a recent White House Conference on Domestic and Economic Affairs.

Jim, the company's director of energy



Jim Palmer

utilization and conservation, was one of 20 Ohio industrialists who joined President Ford and his staff in a special question-and-answer session on national issues. Jim also was one of 35 invited to a breakfast meeting with Mr. Ford on domestic and economic problems.

At LOF, Jim heads programs pertaining to energy resources for the company's nationwide plants and offices. He has

overall responsibility for LOF's immediate and long-range programs to conserve such resources as natural gas, fuel oil, propane and electrical power.

Jim also is chairman of the Ohio Manufacturers Association's energy resources committee. In this capacity, he spearheads presentation of Ohio manufacturers' position on energy resource regulations before governmental boards and agencies.

It was through this position as state-wide manufacturers' energy spokesman that he received his conference invitation from the White House.

White House participants in the Cincinnati meeting read like a "who's who" in the Federal Government.

In addition to President Ford, the group included Frank G. Zarb, administrator-Federal energy administration; John T. Dunlop, secretary of labor; Casper W. Weinberger, secretary of health, education and welfare; and L. William Seidman, assistant to the President for economic affairs.

Also Virginia H. Knauer, special assistant to the President for consumer affairs; Stanley S. Scott, special assistant to the President for minority affairs; James T. Lynn, director-office of management and budget; William J. Baroody, Jr., assistant to the President and director, office of public liaison; and William A. Morrill, ass't. secretary for planning and evaluation, dept. of health, education and welfare.

Technical Center

The very best to our two new retirees: Walfred Humberstone, analytical control lab-research, and Ken Walters, mechanical engineering... Congratulations to Marv Gottschalk, engineer services, on being elected chairman of IEEE's Toledo section... Among recent University of Toledo graduates were Dave Sendi, analytical control-research, and Tony Shaw, civil engineering. Dave received a bachelor of science degree and Tony received a master of science degree in civil engineering.

Best wishes to newlywed Candy Hahn, special services-research, now Mrs. Robert Heinemann... Among latest Red Cross one-gallon blood donors are engineering's John Lewis, Bill Klee and Dick Ott... Wally Oelke and Hans Boehm, both of glass technology-research, and their families vacationed together in Germany. Other vacationers included Harry Conner, automotive products development (Mexico); Jim Blumer, v.p.-R&D (Canada); and Wayne Kohn, v.p.-engineering (Canada)... Among recent Tech Center visitors were retirees Dick Walp, Bert Ayers, Ralph Becker and



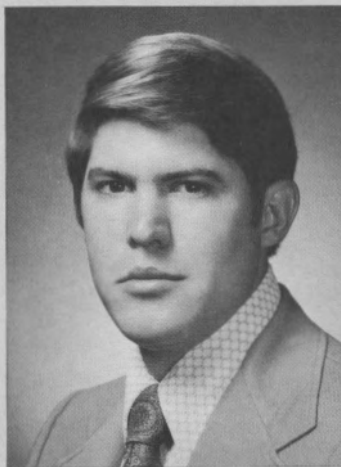
Walfred Humberstone

"Toots" McNutt. It also was nice to see retirees Arnold Asbury, Laura Heider, Gene Esling, Bill Hubbard and Bob Leck at Walfred Humberstone's retirement dinner... Approximately 200 LOFers and family members attended this year's picnic at Rossford Park.

Executive Offices

Congratulations to Gale Heise on being appointed assistant manager of technical sales services. Gale previously was supervisor of architectural technical services at LOF's Technical Center. The University of Toledo electrical engineering graduate joined the company as an electronic project engineer in 1969 and moved to architectural technical services in 1972... Serving as LOF's "loaned executive" in the 1975 United Way campaign is Tom Lenton, director of business insurance. Tom is participating in a pre-campaign management education program, in which he is calling on chief executives of various Toledo-area firms to encourage their companies' support of the United Way effort.

Linda Villarreal, product services



Gale Heise



Tom Lenton



Linda and Jesse Villarreal

secretary, and husband Jesse are \$5,000 richer—the result of Jesse's winning ticket in the Ohio Lottery's "Lucky Buck" drawing. The couple spent part of the money on a vacation in New Orleans and Florida, and have banked the rest... Joe Heban, purchasing, is rightfully proud of his son, Joe, a second-grader at Blessed

Sacrament School. The youngster won a special scholarship for music classes at the Toledo Museum of Art... Congratulations also to Ruth Jenkins, daughter of salaried administration's Ted,

on being named Clay High School's representative to The Lion Stores Teen Board... Scott Leeds, son of Dale, advertising mgr., is quite a soccer player. Scott was among all-stars from the Ohio-Michigan-Indiana-Canada area competing in a recent Windsor, Ont., tournament... Dick Thatcher, admin. director-occupational safety and health, recently chaired a special seminar on OSHA compliance for small and medium-size business and industry. Dick is chairman of the Toledo Area Chamber of Commerce's Toledo Industrial Safety Engineers Council.

Our best wishes to newlyweds Nancy Szarlip, traffic; Sheila Gladieux, marketing research; and Linda Taylor, pricing & planning dept. Nancy is the new bride of William Timmerman, Sheila married John Guzdanski, and Linda is now Mrs. Richard Autry... Linda Kinzel, payroll, and husband Terry, East Toledo, announce the arrival of a new daughter, whom they have named Kelly... Theresa Konesni, replacement safety glass and inventory control, is a first-time grandmother. The new

grandson is named Jacob Reid... Our sympathy to Don Ellis, building sup't., on the loss of his father; to Margaret Callahan, legal, on the passing of her husband; and to Bob Kwiatkowski, product services, on the loss of his mother... Dick Keim, supervisor-AGR warehouse delivery service plan, is back to work after serious injuries sustained in a softball game. Dick required surgery following his collision with another outfielder while going after a fly ball.

Joining in a fishing trip to Alpena, Mich., were office services' Gary Kuhns, Ken Hanes, Rich Caughhorn and Don Flory... Other recent vacationers included Dorothy Albright (Michigan's Upper Peninsula), Dick Eversman (Arizona, California and Las Vegas), Selma Asbury (Florida), Mary Sue Ostafi (Texas), Emily Richardson (Canada and New England), Gary Johnston (Bermuda and New Jersey), Ed Naber (Bermuda), Claudia Ogle (Yugoslavia and Italy), Rich Caughhorn (Tennessee), Beverly DiSabatino (Florida), and Lois Berning (California).



Meet Jim Oathout, new senior attorney in the legal department. Jim holds a law degree from Boston University Law School, from which he was graduated cum laude, and an A.B. degree from Dartmouth College. He joined LOF after four years as a partner in a Pittsburgh law firm.

bending's Richard. Selected as alternates were Sheryl Wernert, daughter of edging's Robert, and Pamela Soldenwagner, daughter of wareroom's George.

Graduating magna cum laude from Bowling Green State University was Kathleen Cajka, daughter of Joseph, machine shop. Kathleen, whose grade average was approximately 3.8, participated in the new modular achievement program, in which bachelor's degree requirements were completed in nine academic quarters instead of the usual 12... Congratulations also to 1st Lt.

David Grod on completing the Officers Rotary Wing Advanced Course at Ft. Rucker, Ala. The son of George Grod, salaried maintenance foreman, was assigned to the 101st Airborne at Ft. Campbell, Ky. after graduating from the nine-month helicopter pilot training... Bending's Terrence Piriczky placed fifth among 300 ballplayers in the Los Angeles Dodgers' recent tryout camp in Toledo. The son of edging's Richard Piriczky was the only catcher among the top five... Lester "Let" McPherson, general plant retiree, reports that his grandson, Douglas Shaffer, is a member of the American Youth Symphony and Chorus touring Europe this summer. The non-profit organization, dedicated to developing youth and furthering peace through music, selected Doug on the basis of musicianship, citizenship and character.

Bogardus, Wilson

Welcome to John Samways, a new Edmonton staff member who is heading that branch's new sealed unit plant... Welcome also to new employee Dawn Hall, who is assisting David Blackgrove, office manager in Burnaby... Burnaby's Albert Forshaw, marketing mgr., is quite a yachtsman. Al and his crew powered their new racing sloop to 17th place among 125 entries in the classic Straits of Georgia yacht race.

Congratulations to John Hays, Edmonton branch office manager, on his new grandson... John's daughter, Nancy, a famous dancer, currently is with the White Heather Show for a two-month tour of Australia and New Zealand... Vacationing in Palm Springs, Calif., was Ron DeBoer, Burnaby branch manager... Our Burnaby office building is getting a new paint job and a new sign. A warehouse addition was recently completed there.

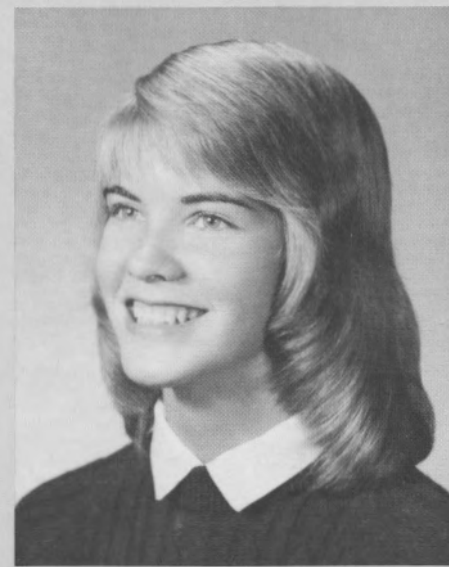


Charleston's Sam Darnell, packing dept. retiree, says this is the way to enjoy retirement life. Sam is relaxing after a six-week, 5100-mile trip to Texas, Florida, North Carolina and Washington, D.C.

LOF Girl Named One of Top U.S. Female Athletes

Tennis star Billie Jean King, publisher of "Women Sports" magazine, has selected the daughter of a Rossford LOFer as one of the country's top female athletes.

Patricia Lynne Ferguson was featured



Patty Ferguson

in the magazine's June issue as a "Women Sports Athlete of the Year." Her honor resulted from her outstanding career at Perrysburg High School.

The daughter of Chuck Ferguson, sup't.-automotive edging, set a school high-jump record with a 5'3" leap in the district track meet at Bowling Green State University. She then represented Perrysburg in the state women's track and field events, where she placed second with another 5'3" jump.

Patty received the most-valuable-player awards of the school's league-champion basketball and volleyball teams. In softball, she paced the team in batting average, hits, runs-batted-in and fielding, and was named to the all-league first team.

She also was named the Northern Lakes League's female basketball player of the year, and she lettered in track, basketball and softball and participated in tennis and golf.

Patty "lettered" in the classroom too—ranking first academically in the senior class! This fall she plans to enter Miami University at Oxford, Ohio and major in physical therapy.

Mahogany Grandfather Clock Handmade by LOFers' Son

In Europe's Black Forest, 18-year-old Jim Hummel now would be known as "der Uhrmacher."

Here in America, the title is simply "the clockmaker," but it certainly describes his talent for making an antique-style clock by the old handcrafted methods.

The son of Lila Hummel, executive offices, and Dale Hummel, technical center, Jim completed a 6'3" grandfather clock—fashioned not from a modern "do-it-yourself" clockbuilding kit, but from rough mahogany wood and careful construction over a five-month period.

Cutting and processing the mahogany planks, hand-tooling the detailed molding, as well as shellacking and lacquering the clock case to a high-quality finish, were all part of his initial venture in clockmaking.

Every clock component but the mechanism and Westminster chimes was made by Jim during Whitmer High School shop classes. The top of the case alone required two months of shaping the intricate curves and angles, making sure every part fit in perfect square so the clock works would operate properly.

Preparing the wood involved planing the boards to required thickness, ripping the wood to needed lengths, jointing the pieces, and scraping them to a precision smoothness.

Finishing the case required filler stain, two coats of shellac and two applications of spray lacquer.

Jim estimates that such a grandfather



Jim Hummel with the grandfather clock he built.

clock would cost about \$700 if purchased in the store. His total cash outlay was approximately \$160, of which \$120 was for the works.

Asked why he undertook such a complex project, Jim replied, "I wanted to make something which could be handed down, with pride, through future generations of my family. This is why I made a handcrafted item, rather than assemble a clock from a kit."

Rossford

Happy birthday number 100 to Chester "Jack" Chappell! The former carpenter shop employee is LOF's oldest retiree and was the first to retire under the company's hourly pension plan... Best wishes to new retirees Vince Lorenc, tank; Joseph Bakus and Tom Braun, wareroom; Fred Stricker and George Kish, edging; Robert Parker, Walter Badyna and Ted Gembus, general plant; and Robert Granger, brickmasons. Vince retired with 45 years service and Joe Bakus had 44.

Mollie Jacobec, wife of wareroom's

Eugene, has been honored with a life membership in Distributive Education Clubs of America, a work-study program in which students learn about distribution of goods and services in the economy. Mollie, who is The Lion Store's credit manager, was among Toledo employers recognized for assisting this program. William Kibler, son of wareroom's Paul, was among students presenting awards... Winning \$500 scholarships in Local 9's program were high school seniors Karen Gobbell, daughter of bending's James, and Ruth Beard, daughter of

East Toledo

Handshakes to assembly's Joe Ball on being appointed state council activity director for the Knights of Columbus. Joe, a veteran lodge member, will promote the "Spirit of 76" program among 276 lodge groups throughout the state... Among recent U.S. Naval



Joe Ball



Randy Avers

Academy graduates was Randy Avers, son of Earl, bending. He is staying on temporarily at the academy as an instructor and member of the coaching staff. His future assignment will be to the nuclear power school in Florida.

Bill Richardson, plant 8 labor, is real proud of his son, Ricky, and he should be. Twelve-year-old Ricky won the state's 90-pound junior olympic boxing championship—beating three opponents in Columbus to win the title and a beautiful gold medal... On Youth Government Day, when high school seniors assume duties of city and county executives, Cynthia Grosjean was superintendent of Lucas County schools. As Cynthia plans a teaching career, she was delighted to "start at the top" for

one day. Her dad, Francis, assembly, has been a school board member for six years... Congratulations to Tom Davies, son of personnel's Harry, on receiving Bowling Green State University's distinguished service award. A music major, Tom currently is assistant music director of the West Virginia Arts Theater. This fall he'll enter the University of Southern California for graduate study... Steve Haynes, son of edgeroom's Bob, has been elected senior class president at Whitmer High School. Steve, who is on the Junior Ohio State Fair Board and serving at the fair this month, plans a career in business and study at the University of

Toledo.

Our most recent retirees include Tony Zdybek, edgeroom, 42 years service; Lee Turk, cutting, 41 years; Stanley Wojton, fabricating, 36 years; Paul Pely, plant 4 electrical, 30 years; Bill Aberl, painters, 29 years; Max DeMuth, plant 4 warehouse, and Walter Kern, plant 8 warehouse, 25 years; and Otto Masters, tank, 19 years. Best wishes to a fine group... Golf is the king of sports at our plants. The hourly league consists of two divisions and 56 players. Emery Toth, plant 4 labor, is president and Chet Zuchowski, plant 4 wareroom retiree, is secretary. The salaried group has 48 players in two leagues. Les Cowell, template, is president and the secretaries are Brud McNutt and plant 8 electrical's Dick Hubaker.



Don Busdeker, plant 4 maintenance, putts for a par in the hourly golf league at Hidden Hills Country Club. Awaiting their turn are Hugh Ehram, plant 4 wareroom, and Tom Busdeker, plant 8 labor.

Ottawa Youth Receives Many Senior Year Awards

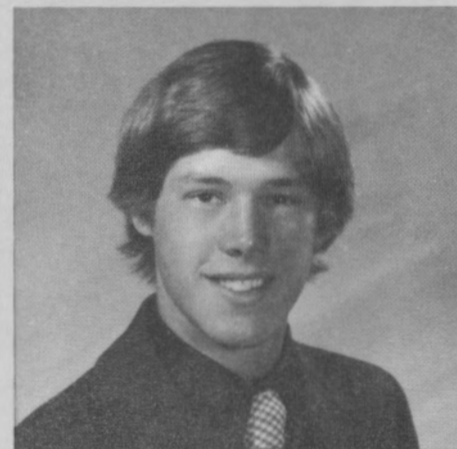
Judging by honors in his senior year of high school, Ottawa's Robert Rafalski seems certain to have a successful career at Purdue University.

The son of Harold Rafalski, plant 5 electrician, was awarded a full four-year scholarship to Purdue under the N.R.O.T.C. program. A look at his record shows why.

Bob received the Sons of the American Revolution medal, awarded to the boy with most outstanding citizenship qualities; a watch presented by the Kiwanis to the senior boy chosen by classmates and faculty for outstanding character and citizenship; and the Rotary Club award, a pen-and-pencil set going to the senior boy judged by the faculty to have performed outstanding service to the school.

In addition, he received the principal's award, a gold key which goes to the boy maintaining highest scholastic standing while earning at least two varsity athletic awards as a senior, and a trophy for being the football player ranking highest scholastically.

Bob, a National Honor Society member, played basketball four years, tennis



Robert Rafalski

four years and football three years. He has been named to "Who's Who" among American high school students, and was chosen as one of the outstanding teenagers of America.

Glass Filming

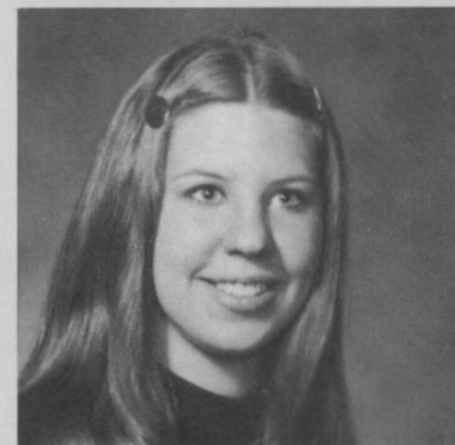
Welcome to Bob Stevenson, joining our production staff from Rossford plant 6 shipping... Congratulations to Gary Faykosh, operating technician, on completing his associate degree in engineering from the University of Toledo... Handshakes also to John Pettcoff, operating technician, on receiving his private pilot's license. John now plans to continue working toward advanced ratings.

Our congratulations to six employees who are newlyweds: Bob Wilson and Steve Waldenga, operating technicians; Lewis McCrory and John Hanley,

maintenance; and Ron Lacchne and Russell Benson, production... Passing out cigars and announcing the arrival of new daughters were Gary Faykosh and production's Mike Wernert... Our sympathy to Homer Cofer, production foreman, on the passing of his brother... Among recent vacationers were Bob Perry, Sr. (Pennsylvania), Jack Brown (North Carolina) and Charles Barnhart (Florida).

Lathrop

Patrick Grimshaw's daughter, Mary Ellen, will enter the United States Merchant Marine Academy in Kingsport, N.Y. Mary Ellen, who'll enroll in the fall



Mary Ellen Grimshaw

class as a midshipman plebe, was one of 35 chosen from 2,300 academy candidates... Congratulations also to Elaine Dollahite, daughter of tank department's Donald, on winning a four-year national merit scholarship. The graduate of Stockton's Franklin High School will enter the University of the Pacific as a biochemistry major... Holly Simpson, daughter of service labor's Raymond, is on the dean's honor roll at California State University in Sacramento, where she is a junior psychology major. Her brother, Allen, recently received his master's degree in psychology from Chapman University in Yuba.

All the best to new retirees Bob Woehrl and Frank Rockford. Bob started with LOF in Rossford, where he was in charge of special optical glass during World War II, and Frank began at the Ottawa plant when it was the National Plate Glass Company... Celebrating their golden wedding anniversary were Wendell Trenchick and wife Elizabeth. They were married in Rossford in 1925 and now reside in Modesto.

Mason City

Our sympathy to Harold Gamble, furnace no. 2 attendant, and Dave Klinge, organic inspector, on the loss of their fathers; to Michael Wolken, utility man, on the passing of his mother; and to Dennis Tolzman, tilt hoist operator, on the loss of his father-in-law.

Jenkins, Gembus Renamed To Chest Budget Group

LOF's Ted Jenkins and Joe Gembus have been reappointed to the Toledo-area Community Chest's budget committee.

Ted, director of salaried administration, and Joe, financial secretary of the United Glass and Ceramic Workers' Toledo Local 9, will be among those determining 1976 allocations to the 44 Chest agencies serving Lucas, Wood and Ottawa counties.

They are among volunteers selected from throughout the three-county area to assure broad community representation

in budget decision-making.

The committee is structured so that each member participates in an in-depth study of programs, proposals and requests of a specific group of agencies. This helps assure that funds pledged in this fall's United Way campaign will be channeled to areas of greatest community need.

Also serving on the 62-member committee is Mary Hamilton, wife of Bill, mgr.-marketing research, international. Mrs. Hamilton is senior trust officer at Toledo Trust Co.

Liberty Mirror

Steve Harwig's annual snake hunting trip to Savannah, Ga., didn't net any diamondback rattlers this year—but his group's catch did include two rare indigo snakes nearly 7 feet long. Indigo snakes are highly prized by snake fanciers for their docile nature, beauty and easy feeding habits. These two snakes won't be sold, but their worth is nearly \$200 each.

Best wishes to newlyweds Scott and Jan Schicker, as well as Gino and Lorraine Lionelli. Scott is the son of Herb

Schicker, plant superintendent, and Gino is employed in dept. 7... Announcing the arrival of a new granddaughter is Cecilia Svitek, dept. 4... Condolences to Rose DeBlasio Evans, dept. 4, on the loss of her mother and to George Kurn, quality control, on his father's passing... Recent vacationers included dept. 1's Richard Celecki (New Jersey), dept. 4's Irene Porter (Florida) and John Bibza, office (Boston).



Anna Augustine (center), new dept. 4 retiree, shows us the cake presented by her co-workers. Anna, who had more than 39 years service, plans to travel, work in her flower garden and attend bingo games.



The last workday for George Hatafsky (left) included goodbyes to such dept. 5 co-workers as Joseph Napolski and Wilbert Schrecongost. George's retirement plans include gardening and farming on his four acres, as well as travel.



Participating in the gifted and talented enrichment program, which involves supplemental individualized instruction, are 9-year-old Brian Bibza (left) and first-grader Alan Hooks. Brian, son of John, office, attends West Deer Township's Baird-ford School; Alan, son of dept. 5's Edward, qualified for the program in the Highlands School District.

Ottawa

The American Legion has presented Charlie Biecker, pattern cutter, with a lifetime membership card because of outstanding contributions since joining the organization in 1945. Charlie has been post commander, county commander and the county's Chef De Gare Voiture 40/8, and has served four terms on the board of trustees. He also has been post, county and district chairman for the Legion, and the poppy chairman for many years.

Harry Nangle, property protection chief, has been elected commander of Ottawa VFW Post 2470. Congratulations to Harry and to these other LOFers elected to VFW Post offices: Lawrence Majerus, senior vice president; Harold Hiles, junior vice president; Otha Foley, three-year trustee; Harold Carrier, two-year trustee; and Jesse Leal, one-year trustee.

The very best to our newest retirees: Wilbur Saager, plant 5 wareroom, 45



Working with leaded church glass is retiree Henry Schenk's hobby. Shown are some of the lampshades, candle holders, planters, mini-gardens and decorative items he has designed and constructed. Henry took up the hobby after retirement, when he bought an old lamp with a shade which had to be completely rebuilt.

Foltyniewicz and Mr. and Mrs. Frank Battistelli (their 25th). Owen and George retired from the G&P, Jasper is a bending retiree, Eugene is employed in plant 5 wareroom, and Frank is a tank foreman... Our sympathy to the families of these LOFers who passed away: Charles Hopp, plant protection; Larry Shallhorn, plant 7 labor; John Thrasher, plant 5 booking; and retirees Thomas Bassett, Henry Juergensen, Martin Rice, Jr. and William Schmidt.

Representing Ottawa in the Junior Prep International Basketball Tournament in Phoenix were these young men—members of the Shepherd Rams junior high school team. The Rams, who compiled a 49-1 record over the past three years, included Jon Schaefer, son of Mike, ass't. plant mgr., and Dave Danyen, son of Jack, plant 5 labor dept. head. Jon (number 52 in back row) was a starting forward, and Dave (front row, left) managed the team which won the tournament's outstanding citizenship trophy.

years service; Bill Kirkman, production mgr., 43 years; Hubert Prentice, plant 5 R&M, 42 years; Tranquillo Balocchi, assembly, and Louis Devine, edging, 40 years; Walter Mathews, bending, and John Meyers, plant 7 wareroom, 26 years; Bernard Donaldson, plant 7 R&M, 25 years; Adone Michelini, plant 7 labor, and Charles Freeman, plant 5 wareroom, 23 years; and Ralph A. Milano, plant 7 labor, 19 years.

Best wishes to Sandra Ferguson, daughter of Dale, industrial relations mgr., on her marriage to Robert Pearse. Congratulations also to newlyweds Elizabeth Donahue, senior maintenance clerk-PBP, and Jim Miller, plant 5 electrician... Retiree Ray Miller and wife Iva spent several weeks in Ottawa visiting friends and relatives. The Millers, now living in Arizona, were in town for son Jim's wedding... Wedding anniversary congratulations to Mr. and Mrs. Owen King (their 65th), Mr. and Mrs. George Grobe (their 50th), as well as Mr. and Mrs. Jasper Gjerde, Mr. and Mrs. Eugene

Field Marketing

Retirement best wishes to Helen Gade, who was secretary to Bob Drake and Wayne Foreman in the Toledo sales office. A retirement dinner, attended by 24 women, was held for Helen at The Willows, and Wayne also hosted a retirement party for her... Announcing their engagement are Noreen Bijou, AGR



Helen Gade

secretary in the Fort Lee office, and her fiancé, Richard Shannon... Recent vacationers included Fort Lee's Connie Athens (Colombia, South America), Toledo's Bob Drake (Hawaii) and Fort Lee's Carol Grandmougin (Florida).

Special White House Meeting Caps LOFer's Visit To Nation's Capital (cont. from page 10)

Delvie said the conference focused on problems encountered daily by elderly blacks, especially women, in areas of health care, housing, nourishment, employment and education.

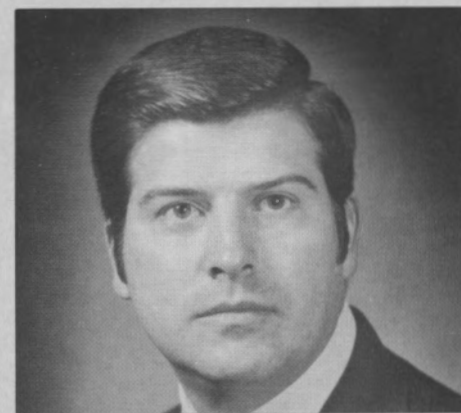
She explained that the problems facing black aged are numerous, but that hopefully, meetings such as the one she attended will help focus more attention on these problems and initiate action to help alleviate conditions created by poverty, governmental red tape, and social and economic discrimination.

"After all," Delvie observed, "we all are faced with the prospect of growing old. For those people, especially black women in poverty or near-poverty situations, the problems are compounded. It promises to be a big challenge, but with the information gained during my three days in Washington, I hope to be able to better relate these problems to my business associates and friends in Toledo."

"Helping others can be the most rewarding experience of all."

Delvie explained that The National Caucus on the Black Aged, Inc., was founded in Philadelphia in 1970 when a group of concerned persons, all specialists in the field of aging, committed themselves to working for the removal of social and economic obstacles confronting aging and aged blacks.

A major step toward realization of this goal, she said, was the opening of the National Center on Black Aged in Washington in 1973. The center offers a comprehensive program of coordination, communication, information and consultative services to help provide professional assistance in implementing and improving meaningful policies and programs for aging and aged blacks throughout America.



Meet Martin Wenzler, manager of LOF's St. Louis district architectural construction market. Marty joined LOF in 1965 and was assigned to the Seattle district. He moved to Los Angeles in 1970 as a district architectural construction market rep, and assumed a similar position in St. Louis in 1973.

Answers to COST AWARENESS QUIZ

(questions on pages 8-9)

1. (C) **More than \$1,800,000.** It was back in 1970 that the cost of batch sand was "only" \$1,200,000. The \$1,500,000 figure was for the year 1972. We spent almost \$300,000 more for sand in 1974 than in 1972, even though we purchased almost 10,000 more tons of sand in 1972. These figures do not include freight costs.
2. (B) **Dolomite.** In 1974 dolomite cost the company about \$662,000. This was more than \$154,000 above our dolomite cost in 1972. The 1974 figure for salt cake was more than \$445,000. In 1974 we paid more than \$142,000 for limestone.
3. **True.** The cost of all batch materials was more than \$11,700,000 in 1974. But the cost of all packing materials topped the \$12,000,000 mark.
4. (A) **Packing cartons and containers.** The cost of lumber was more than \$2,500,000, whereas the total bill for paper and stickers was more than \$2,100,000.
5. (C) **More than \$106,000** was spent last year for the nails and bailing wire to pack glass.
6. (C) **\$12,321,000.** The \$2,446,000 was the cost of fuel oil alone from October, 1974 through March, 1975. The \$4,163,000 was the cost of power, water and steam in 1974.
7. (C) **\$1.12% — an increase of 80.6 percent in one year!**
8. (C) **Nearly tripled.** From November, 1974 through March, 1975 we paid 31 cents per gallon of fuel oil. If you selected "A" (more than 60 percent), you chose the mid-November, 1973 price of 17½ cents per gallon. If you selected "B" (more than doubled), you chose the mid-January, 1974 price of 22.6 cents per gallon.
9. **True.** We purchased \$1,748,000 worth of fuel oil from October, 1973 through March, 1974. Because of fuel oil's increased cost, and the need to use more oil due to natural gas curtailments, the figure for October, 1974 through March, 1975 was up to \$2,446,000.
10. (C) **30 percent.** This is more than the 20 percent (choice D) the supply was curtailed during the cold-weather month of November, 1974! The 55 percent curtailment (choice A) was the figure for January 1 through March

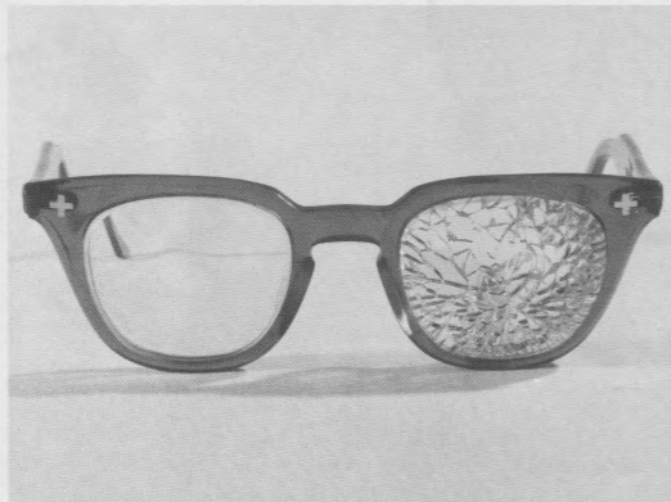
31, 1975. Choice B, 35 percent, was the curtailment for the month of December, 1974.

11. (C) **Approximately 20 percent.** The 3.4 percent was a price hike which went into effect in June, 1973. In June, 1974, another increase pushed the cost of plastic to about 14 percent above the March, '73 level. Still another increase boosted the cost to approximately 20 percent above the March, '73 price. This is for clear plastic — plastic with the shaded band now costs 25 percent more than it did in March, 1973!
12. **\$85,000** was the 1974 cost of paper towels and toilet tissue. We are now paying approximately 25 percent more for these items than we were at the beginning of 1974.
13. **Nearly \$632,000.** This is the 1974 total for parts alone. No labor costs for fork lift truck repairs are included.
14. (B) **\$147,000.** The \$32,000 (choice A) was the 1974 cost of leather gloves. The \$196,000 (D) was last year's bill for latex-coated gloves, and \$257,000 (C) was the total cost of *all* types of cloth gloves, including the quilted slip-ons.
15. (C) **29.9 percent.** In 1973, LOF's average cost for a new pair of gloves was more than 54 cents. In 1974, it was more than 70 cents.
16. (B) **\$645,000.** This breaks down to more than 4 cents for each hour worked by each glass plant employee throughout the year, an increase of almost 12 percent over the 1973 cost per man-hour.
17. **Approximately \$160,000.**
18. (C) **\$7,000 — the result of an 11 percent price increase.**
19. (C) **\$13,100 — because of a 23 percent increase in the paper price and a 21 percent jump in the pencil price.**
20. **False.** The \$13,000 figure is not the total cost, but only the additional cost resulting from two price increases which went into effect during 1974. In May, the price of these cards jumped 23 percent, and in September the cards went up an additional 10 percent.

THE NEWS IN PICTURES



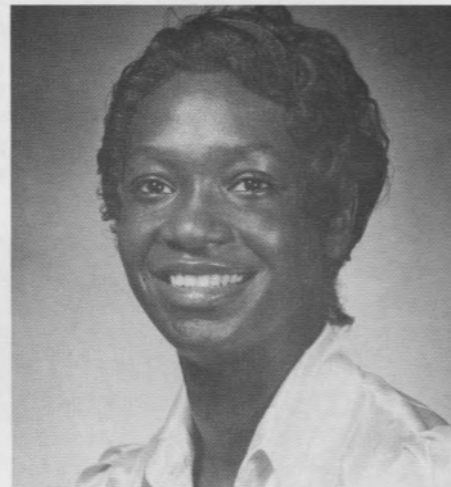
Current news of South Vietnamese orphans' arrival in the U.S. has stirred memories for Ottawa's Hank Schomas, retired plant 5 R&M foreman. Last December Hank's daughter, Mrs. Charles Steep, and her husband were awaiting a plane from Seoul and the arrival of an adopted Korean child, 3-year-old Cheri Lee. Cheri, who has adjusted well to her American home, is shown reviewing a scrapbook with Mrs. Steep, new brother Timmie, and grandpa Hank.



The shattered lens gives an idea of what would have happened to Donald Bialecki's eye had these not been safety glasses. Don was using a sledge hammer to chip brick during a Rossford tank tear-down when a piece of brick struck the lens. Don, whose eye was not injured, has joined the Wise Owl Club of America, made up of people who know first-hand the value of eye protection.



LOFers participating in the payroll savings program are finding a "new look" on their Savings Bonds. Series E Bonds now feature a bicentennial design—which includes a red, white and blue color scheme; the Minute Man replacing the eagle as the central figure; and bicentennial symbols replacing the portraits of Presidents. The \$50 Bond shown here uses the Liberty Bell, while \$25 Bonds feature Independence Hall, \$75 Bonds portray the Spirit of '76 and \$100 Bonds picture Valley Forge.



Meet Lisa Martin, who has joined the Toledo sales office as automotive glass replacement expeditor for the Central region-East. Lisa started with LOF in 1973 as a secretary in the AGR marketing department at Toledo headquarters. She is a graduate of the University of Toledo, where she currently is studying for a law degree.

theShield^{LOF}

LIBBEY-OWENS-FORD COMPANY

811 MADISON AVENUE

TOLEDO, OHIO 43695



SPECIAL CONSULTANT ON COMMUNITY RELATIONS

TELEPHONE 61 9111
TELEX 62002
TELEGRAPHIC ADDRESS:
COMMUNAL, CANBERRA

P.O. BOX E280,
CANBERRA, A.C.T. 2600

In reply please quote:



September 16, 1975

Dear Mr. Calhoun,

Following my visit to the United States last year and my consultations with yourself and your office, I am pleased to report that the Racial Discrimination Legislation on which I was working at that time has now passed both the House of Representatives and the Senate and will shortly be proclaimed. The attached is a copy of our Act.

2. I have been appointed Commissioner for Community Relations for Australia and I am in the process of building the structure which will have a continuing job to do for a long time.

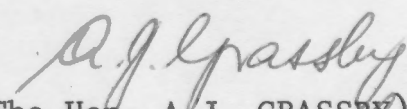
3. The attached paper outlines what I hope will be our approach to the problems here.

→ 4. A friend and associate of mine in Community Relations is Mr. Des Storer of the Centre for Urban Research & Action. This is situated in the State of Victoria of which Melbourne is the capital and which has 3 million people and is representative of the 60 different ethnic groups in the Australian community. It is also the third largest Greek speaking city in the world.

5. He will be visiting the United States shortly to study some aspects of community relations work there and I hope you will be able to help him through your office with the benefit of your guidance and advice.

Every good wish,

Yours sincerely,


(The Hon. A.J. GRASSBY)

Mr. J. Calhoun,
Office of Staff Assistant to the
President on Minority Affairs,
Room 179,
Old Executive Office Building,
Pennsylvania Avenue,
WASHINGTON, D.C. 20500

A NEW ERA IN AUSTRALIAN COMMUNITY RELATIONS

by Hon. A.J. Grassby

Australian Commissioner for Community Relations

Australia today is one of the most cosmopolitan countries in the world...26 percent of the Australian workforce was born outside Australia...3.1 million people came from 60 different countries and locations around the world in the past 25 years of mass migration.

Compared with the United States in the same period our per capital intake was 50 to one and even in New York, considered to be the most cosmopolitan city in the world, today only 19 percent of the people are born outside the United States.

These great changes can be more readily understood when we come down to the local level...when we find the city of Melbourne the third largest Greek speaking city in the world following Athens and Salonika...when some industries are manned by 80 percent migrants...some schools only a minority would have English as their first language.

It means today that Australia has been transformed into a multi-cultural society with an exciting future and an opportunity to show the world what the youngest of all nations can do in promoting tolerance, peace and unity among all sections of our population.

It might be thought by some that we should not have embarked on such an ambitious program; such thoughts are irrelevant because it has all happened but it is worth while contemplating an Australia which did not have a postwar migration program.

Our population would have climbed painfully slowly to 8 million by about 1980 and then would have steadily declined. It would mean we would now be a country of the middle aged; a country with a shortage of active people and unable to even service our present population and how real this difficulty would have been can be gathered from the fact that 75 percent of all our water and sewerage workers in most towns and cities

are young migrant workers.

The fact suburbs have been sewerred is due to migration because we would not have had enough people to go around and do the jobs if we had relied on our declining native born population.

But the decision was made and carried on by successive governments until today we have in Australia the newest people in the world with half the population soon to be under 25 and one Australian in three a product one way or another of postwar migration. This means that Australians who were alive in Australia at the time of World War II are now in a minority.

Against this background it is vital to have continuing programs to build national unity and amity and to take advantage of the wonderful reservoir of cultural and linguistic skills which are now ours.

There are two ways to proceed. If we take the now discarded United States 'melting pot' theory we find it has failed and been a factor in promoting racial and community tensions. The first generation settler clings to the old, the next violently rejects the old and the third or the fourth begin to retreat back to ethnic isolationism.

We can learn from the mistakes of the American and other migrant receiving countries and the great lesson which emerges is that to build lasting foundations for a successful multi-cultural society it is necessary to recognise the cultures and the languages and to cherish them all equally within the context of the Australian family of the nation.

More easily said than done perhaps but nevertheless the greatest challenge facing us as a nation. There has also to be a recognition of the continuing need to guard against the bigot or the extremist who would throw a spanner into the community harmony.

It is an old and too familiar charge that Australians are racists. I reject this charge. I believe the overwhelming majority of Australians would reject extremism and racism.

Yet we would be pretending if we did not acknowledge that there are Australians who are worried by shadows of the past...when it was a national phobia that somebody was coming from the north to take over.

This vague fear still exists and it showed up the other day when there was a survey taken in the Gladstone area of Queensland by High School students there. The survey showed that people acknowledged the importance of migration to Australia but felt we should not have too many migrants. A majority opposed Asian migration, the biggest group in opposition confessed it did not know why.

Again this was the vague fear coming out based on lack of information. How many Australians realise that our nearest neighbor Indonesia is underpopulated in every one of the 3,000 islands of the republic except one, Java...that every province seeks transmigrants from Java...that there is official opposition to migration to Australia just as there is in Singapore and Malaysia...none of these countries wish to lose their people because they want them at home to build rapidly expanding economies.

It is the same lack of information and understanding which so often causes a rift between our original Australians and the rest. Most Australians have never met an aboriginal Australian but are often warped in their view of the founding nations by racist text books.

Because of all these situations a new initiative has long been needed and the United Nations Convention Against All forms of Racial Discrimination provides the ideal launching pad.

This convention was adopted by the United Nations some 10 years ago. Australia signed the convention at that time through the then Foreign Minister, Mr Paul Hasluck as he was. We were not able to ratify the convention because we did not have the legislation enabling us to do so.

THE WHITE HOUSE

WASHINGTON

October 14, 1975

MEMORANDUM FOR: JOHN CALHOUN
JEFF EVES
F. DeBACA
PAT LINDH
PAM POWELL
TED MARRS
WAYNE VALIS
JOHN VICKERMAN

FROM: BILL BAROODY, JR. (B)

SUBJECT: Daily News Summary

Due to the tight White House budget, the Staff Secretary's office has notified me that individual news summaries will no longer be available each morning. A copy will be sent to my office, and you are all welcome to read it at any time, or make a copy.

During the 10 years we were considering the necessary legislation 82 other countries ratified the convention, including our neighbors in New Zealand and Indonesia; our friends in Canada, Britain and nearly every European country.

But over the years the legislation in Australia never rated sufficient priority to have it drafted and presented to the Parliament. In the past two years three Bills were drafted. The first two failed to receive priority consideration and the third considerably amended to place emphasis on education, information, cultural development and research rather than punitive measures was passed by the House of Representatives and then went before the Senate where further extensive amendments were made designed to remove completely all punitive provisions from the Bill and to place emphasis on conciliation while leaving the way clear for the complainant to seek redress from the courts.

Following these amendments the Racial Discrimination Act 1975 was passed in the autumn session of the Australian Parliament; it was assented to by the Governor-General within 14 days and preparations were then made for Australia to ratify the United Nations Convention. After ratification the Act has the force of law in Australia and October 1 was the date by which the processes of ratification would be completed and the Act would be proclaimed.

All of Australia's major political parties have now subscribed to the principles in the Racial Discrimination Bill which is designed to prohibit all forms of racial discrimination in Australia and to pledge the nations to programs designed to abolish prejudice and promote unity and amity among all ethnic groups.

In accordance with the United Nations convention the bill also provides for a Community Relations Commission as a focal point to coordinate the attack on these problems and to take initiatives where necessary. The problems will be as varied as the Australian population itself. It is recognised that it is not enough just to pass laws prohibiting racial

discrimination it is necessary to provide for systematic and effective observance of the law by government bodies, private industry and by individuals.

Side by side with this aspect and the emphasis will be on conciliation and mediation there is recognised the need for the promotion of education and research into programs to change community attitudes if we are to ensure that we have the reality as well as the theory.

It will come as a surprise to many that up until now Australia has had no laws which prohibit discrimination and guarantee fundamental human rights. Until these important gaps were filled it was impossible for Australia to meet its international obligations under the convention.

So if we set up the means to identify injustice and proscribe it we must also set up the means to correct it and the Act does this. If wrong has been done to a citizen he can under the Act take his case to the courts which can make an injunction or issue an order righting the wrong or even providing damages. A prerequisite is that the Commissioner for Community Relations should have exhausted the processes of conciliation without success and issued a certificate enabling court action to be taken.

But it could well be that no one will have to go to the courts because the Act has an emphasis on conciliation and mediation. The Commissioner for Community Relations will have the responsibility to make the inquiries, arrange the mediation and attempt to conciliate without leaving it to the courts.

The Act outlaws acts of discrimination on the grounds of race, color, descent or national or ethnic origin and which deny fundamental rights and freedoms. It provides for equality before the law and this means some of the blots on Australian system of justice which have occurred in recent years will be prevented in future.

The Act ensures there is no discrimination in access to places and facilities, in providing land, housing and other accommodation in the provision of goods and services, the right

to join trade unions and the right to equal consideration in jobs.

For the Australian who has not encountered the problems as well to cite some examples of discrimination by failing to do something, failing to provide proper facilities. Many hospitals do not have proper interpreter services. In some cases treatment has been detrimental because there was a lack of understanding of the problem. In another treatment was fatally delayed. In yet others people have found themselves in a mental asylum not because they were mad but because they could not make themselves understood.

In other cases before the courts there has been a long procession of injustice because the man or woman was not provided with adequate facilities to make himself or herself understood.

An example that came to my notice from Sydney concerned a man who came to Australia ahead of his family; he lived alone, had no relatives here and concentrated on working hard and saving for his wife and family to join him.

One evening he visited some friends travelling by suburban train. On his return he was pushed out of the carriage by two larrikans who thought it would be fun to push someone onto the platform, make him miss the train and wait for the next one - if there was one.

The middle aged migrant was frightened as he was roughly bundled out of the railway carriage and he struggled to get back on board; the stationmaster came up and the larrikans told him 'The old man's mad.' So he helped the larrikans. His small store of English evaporated in the emotion of the time. A policeman arrived, the larrikans disappeared onto the train, the stationmaster told the policeman the man was mad.

He was taken to the police station, charged on two counts, put in the cells, brought to court next day, no one understood him and he felt they were all mad as well he might...he was remanded in custody to undergo psychiatric examination at the State Asylum.

Meanwhile his Australian neighbor noticed he had not returned home; although there was limited language contact between them the Australian and the new arrival always chatted on going and coming.

Worried by his absence his neighbor went to the police, found he was in an asylum following his arrest, protested he could not speak English and queried whether he had an interpreter. Not satisfied, he found a lawyer and an interpreter. and, of course, the truth came out, the charges were dropped, the man set free and apologies offered but the mind boggles at what would have happened if he had not had a good neighbor.

To make this Act work and to usher in a new era of community relations it will not only take the cooperation of the 2,300 ethnic group organizations in Australia but the help of all Australian community organizations of good will. I am sure it will be forthcoming in the interests of building a strong, united independent nation for the generations to come.

But how will the Community Relations Commission work? I was appointed Commissioner-designate by the Governor-General in Council on 29 July 1975. On the proclamation of the Act the 'designate' is redundant.

Under my authority in conjunction with the Attorney-General a Community Relations Council is being established of 20 members to advise and recommend on the observance and implementation of the convention, the promotion of educational programs of studies and researches, publication and dissemination of national and all matters designed to promote understanding tolerance and friendship.

It is intended to devise forms of consultation with the community to ensure the council is representative and broadly based.

It is also intended that supportive sub councils be established in every State to keep ideas and needs flowing strongly from the grass roots to the national council.

Present planning provides for the headquarters of the Commission to be established in Canberra, with an office associated with the Attorney-General's Department in each State.

The Commission will remain small and highly specialized and work in support of and with existing agencies at federal, state and local level to achieve the objectives of the Act and the United Nations Convention. An Executive Officer in each state will monitor the community organizations in relation to their needs and objectives, to service the sub-councils and above all to ensure a continuing on the spot link with the grass root levels of the community.

The three major policy areas of the Commission will be in the areas of institutional education, the need for education, information research and cultural development in the community and finally the structure to deal with complaints of discrimination under the Act, their investigation, the conciliation required and finally but I hope rarely if ever the issuing of a certificate which enables the cases to be taken to the courts of competent jurisdiction.

The priorities for action now being considered include action research on the origin of prejudice - how can Australians of non-Italian origin, in some areas for example, believe Australians of Italian-origin have a high crime rate when in fact its one of the lowest and five times less than most.

Institutional discrimination will also rate priority attention and I have already made a submission to the Inquiry into the Australian Public Service on citizenship requirements which at present are discriminatory at federal, state and local levels in as much as they do not stipulate Australian citizenship but offer special privileges to the 32 countries of the Commonwealth of Nations as against the other 30 countries from which people came.

This continues the absurd situation where Idi Amin of Uganda can be appointed to Public Service positions on arrival but Hank from Holland waits a minimum of 3 years.

An example of initiatives in community education and information is the ethnic radio experiment conducted by the Office of Community Relations which conducted 2 radio stations in Sydney and Melbourne broadcasting in 8 languages programs based on culture and information. A further initiative could be considered in ethnic television.

Above all there will be an early series of initiatives in the education field spanning the discriminatory base of much of our cultural tendency or the lack of it, the crippling inadequacy of school language programs for both those whose first language is not English and those whose first language is English and in the community generally to provide information as to who we are as Australians in the 70's and to ensure the national tradition of giving a 'fair go' receives a much needed injection. A typical sin of omission is the omission of adequate books and newspapers in any language but English in our public school library and systems. This lack denies us all access to our new wider culture.

The work of the Commission is not the work of a week, a month or a year but for a century. It is my personal ambition to help lay the foundations soundly and well.

AUSTRALIA
HOUSE OF REPRESENTATIVES

(As read a first time)

RACIAL DISCRIMINATION BILL 1975

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SCHEDULE

International Convention on the Elimination of All Forms of Racial Discrimination

1974-75

AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 13 February 1975

(Attorney-General)

A BILL

FOR

AN ACT

Relating to the Elimination of Racial and other Discrimination.

WHEREAS a Convention entitled the "International Convention on the Elimination of All Forms of Racial Discrimination" (being the Convention a copy of the English text of which is set out in the Schedule) was opened for signature on 21 December 1965:

AND WHEREAS the Convention entered into force on 2 January 1969:

AND WHEREAS it is desirable, in pursuance of all relevant powers of the Parliament, including, but not limited to, its power to make laws with respect to external affairs, with respect to the people of any race for whom it is deemed necessary to make special laws and with respect to immigration, to make the provisions contained in this Act for the prohibition of racial discrimination and certain other forms of discrimination and, in particular, to make provision for giving effect to the Convention:

BE IT THEREFORE ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

PART I—PRELIMINARY

1. This Act may be cited as the *Racial Discrimination Act 1975*.

2. (1) Sections 1, 2 and 7 shall come into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act shall come into operation on a day to be fixed by Proclamation, being a day not earlier than the day on which the Convention enters into force for Australia.

Short title.

Commence-
ment.

(3) The power of the Governor-General to appoint the Commissioner or members of the Council or to make regulations under this Act may be exercised at any time after the day on which this Act receives the Royal Assent but any appointment or regulations so made shall not take effect until the date fixed under sub-section (2).

5

Inter-
pretation.

3. (1) In this Act, unless the contrary intention appears—

“Aboriginal” means a person who is a descendant of an indigenous inhabitant of Australia but does not include a Torres Strait Islander;

“Chairman” means Chairman of the Council;

10

“Commissioner” means—

(a) subject to paragraph (b), the person holding office as the Commissioner for Community Relations; and

(b) in relation to the appointment of officers or the engagement of employees, the receipt, holding or payment of moneys or the acquisition, holding or disposal of other property—the corporation referred to in sub-section 32 (2);

15

“conciliation committee” means a conciliation committee established under the regulations;

“Convention” means the International Convention on the Elimination of All Forms of Racial Discrimination that was opened for signature on 21 December 1965 and entered into force on 2 January 1969, being the Convention a copy of the English text of which is set out in the Schedule;

20

“Council” means the Community Relations Council established by section 31;

25

“Deputy Chairman” means Deputy Chairman of the Council;

“dispose” includes sell, assign, lease, let, sub-lease, sub-let, license or mortgage, and also includes agree to dispose and grant consent to the disposal of;

30

“employment” includes work under a contract for services, and cognate expressions have corresponding meanings;

“member” means a member of the Council and includes the Chairman and the Deputy Chairman;

“relative”, in relation to a person, means a person who is related to the first-mentioned person by blood, marriage, affinity or adoption and includes a person who is wholly or mainly dependent on, or is a member of the household of, the first-mentioned person;

35

“residential accommodation” includes accommodation in a dwelling-house, flat, hotel, motel or boarding-house or on a camping ground;

40

“services” includes services consisting of the provision of facilities by way of banking or insurance or of facilities for grants, loans, credit or finance;

“Territory” does not include Papua New Guinea;

5 “Torres Strait Islander” means a person who is a descendant of an indigenous inhabitant of the Torres Strait Islands;

“vehicle” includes a ship, an aircraft and a hovercraft.

(2) A reference in this Act to an Australian ship or aircraft shall be construed as a reference to a ship or aircraft registered in Australia or belonging to or in the possession of Australia or a State.

(3) For the purposes of this Act, refusing or failing to do an act shall be deemed to be the doing of an act and a reference to an act includes a reference to such a refusal or failure.

(4) A reference in this Act to the doing of an act by a person includes a reference to the doing of an act by a person in association with other persons.

4. This Act extends to every external Territory except Papua New Guinea.

Extension to
external
Territories.

5. Without prejudice to its effect apart from this section, this Act also has, by force of this section, the effect it would have if—

Additional
operation
of Act.

(a) there were added at the end of sections 11 and 13 the words “or by reason that that other person or any relative or associate of that other person is or has been an immigrant”;

(b) there were added at the end of sub-sections 12 (1) and 15 (1) the words “or by reason that that second person or any relative or associate of that second person is or has been an immigrant”;

(c) there were inserted in sub-section 14 (1), before the words “is invalid”, the words “or by reason that that person is or has been an immigrant”;

(d) there were added at the end of sub-section 14 (2) the words “or by reason that that other person is or has been an immigrant”;

(e) there were added at the end of sub-section 15 (2) the words “or by reason that the person so seeking employment or any relative or associate of that person is or has been an immigrant”; and

(f) there were inserted in section 18, after the word “person”, the words “or by reason that a person is or has been an immigrant”.

6. This Act binds Australia and each State, but nothing in this Act renders Australia or a State liable to be prosecuted for an offence.

Act binds
Australia
and the
States.

7. Approval is given to ratification by Australia of the Convention.

Ratification
of
Convention.

PART II—PROHIBITION OF RACIAL DISCRIMINATION

Exceptions.

8. (1) This Part does not apply to, or in relation to the application of, special measures to which paragraph 4 of Article 1 of the Convention applies except measures in relation to which sub-section 10 (1) applies by virtue of sub-section 10 (3).

(2) This Part does not apply to—

(a) any provision of a deed, will or other instrument, whether made before or after the commencement of this Part, that confers charitable benefits, or enables charitable benefits to be conferred, on persons of a particular race, colour or national or ethnic origin; or

(b) any act done in order to comply with such a provision.

(3) This Part does not apply to distinctions, exclusions, restrictions or preferences between Australian citizens and persons who are not Australian citizens.

(4) In this section, "charitable benefits" means benefits for purposes that are exclusively charitable according to the law in force in any State or Territory.

Racial discrimination to be unlawful.

9. (1) It is unlawful for a person to do any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.

(2) The reference in sub-section (1) to a human right or fundamental freedom in the political, economic, social, cultural or any other field of public life includes a reference to any right of a kind referred to in Article 5 of the Convention.

(3) Sub-section (1) does not apply in respect of the employment, or an application for the employment, of a person on a ship or aircraft (not being an Australian ship or aircraft) if that person was engaged, or applied, for that employment outside Australia.

(4) The succeeding provisions of this Part do not limit the generality of sub-section (1).

Rights to equality before the law.

10. (1) If, by reason of, or of a provision of, a law of Australia or of a State or Territory, persons of a particular race, colour or national or ethnic origin do not enjoy a right that is enjoyed by persons of another race, colour or national or ethnic origin, or enjoy a right to a more limited extent than persons of another race, colour or national or ethnic origin, then, notwithstanding anything in that law, persons of the first-mentioned race, colour or national or ethnic origin shall, by force of this section, enjoy that right to the same extent as persons of that other race, colour or national or ethnic origin.

(2) A reference in sub-section (1) to a right includes a reference to a right of a kind referred to in Article 5 of the Convention.

(3) Where a law contains a provision that—

(a) authorizes property owned by an Aboriginal or a Torres Strait Islander to be managed by another person without the consent of the Aboriginal or Torres Strait Islander; or

(b) prevents or restricts an Aboriginal or a Torres Strait Islander from terminating the management by another person of property owned by the Aboriginal or Torres Strait Islander,

not being a provision that applies to persons generally without regard to their race, colour or national or ethnic origin, that provision shall be deemed to be a provision in relation to which sub-section (1) applies and a reference in that sub-section to a right includes a reference to a right of a person to manage property owned by him.

11. It is unlawful for a person—

(a) to refuse to allow another person access to or use of any place or vehicle that members of the public are entitled or allowed to enter or use, or to refuse to allow another person access to or use of any such place or vehicle except on less favourable terms or conditions than those upon or subject to which he would otherwise allow access to or use of that place or vehicle;

(b) to refuse to allow another person use of any facilities in any such place or vehicle that are available to members of the public, or to refuse to allow another person use of any such facilities except on less favourable terms or conditions than those upon or subject to which he would otherwise allow use of those facilities; or

(c) to require another person to leave or cease to use any such place or vehicle or any such facilities,

by reason of the race, colour or national or ethnic origin of that other person or of any relative or associate of that other person.

12. (1) It is unlawful for a person, whether as a principal or agent—

(a) to refuse or fail to dispose of any estate or interest in land, or any residential or business accommodation, to a second person;

(b) to dispose of such an estate or interest or such accommodation to a second person on less favourable terms and conditions than those which are or would otherwise be offered;

(c) to treat a second person who is seeking to acquire or has acquired such an estate or interest or such accommodation less favourably than other persons in the same circumstances;

(d) to refuse a second person the right to occupy any land or any residential or business accommodation; or

(e) to terminate any estate or interest in land of a second person or the right of a second person to occupy any land or any residential or business accommodation,

by reason of the race, colour or national or ethnic origin of that second person or of any relative or associate of that second person.

Access to places and facilities.

Land, housing and other accommodation.

(2) It is unlawful for a person, whether as a principal or agent, to impose or seek to impose on another person any term or condition that limits, by reference to race, colour or national or ethnic origin, the persons or class of persons who may be the licensees or invitees of the occupier of any land or residential or business accommodation. 5

Provision of
goods and
services.

13. It is unlawful for a person who supplies goods or services to the public or to any section of the public—

(a) to refuse or fail on demand to supply those goods or services to another person; or

(b) to refuse or fail on demand to supply those goods or services to another person except on less favourable terms or conditions than those upon or subject to which he would otherwise supply those goods or services, 10

by reason of the race, colour or national or ethnic origin of that other person or of any relative or associate of that other person. 15

Right to
join
trade unions.

14. (1) Any provision of the rules or other document constituting, or governing the activities of, a trade union that prevents or hinders a person from joining that trade union by reason of the race, colour or national or ethnic origin of that person is invalid.

(2) It is unlawful for a person to prevent or hinder another person from joining a trade union by reason of the race, colour or national or ethnic origin of that other person. 20

Employment.

15. (1) It is unlawful for an employer or a person acting or purporting to act on behalf of an employer—

(a) to refuse or fail to employ a second person on work of any description which is available and for which that second person is qualified; 25

(b) to refuse or fail to offer or afford a second person the same terms of employment, conditions of work and opportunities for training and promotion as are made available for other persons having the same qualifications and employed in the same circumstances on work of the same description; or 30

(c) to dismiss a second person from his employment, by reason of the race, colour or national or ethnic origin of that second person or of any relative or associate of that second person. 35

(2) It is unlawful for a person concerned with procuring employment for other persons or procuring employees for any employer to treat any person seeking employment less favourably than other persons in the same circumstances by reason of the race, colour or national or ethnic origin of the person so seeking employment or of any relative or associate of that person. 40

(3) This section does not apply in respect of the employment, or an application for the employment, of a person on a ship or aircraft (not being an Australian ship or aircraft) if that person was engaged, or applied, for that employment outside Australia. 45

16. It is unlawful for a person to publish or display, or cause or permit to be published or displayed, an advertisement or notice that indicates, or could reasonably be understood as indicating, an intention to do an act that is unlawful by reason of a provision of this Part. Advertisements.

5 17. Any act that is done in contravention of a provision of this Part by a person as the agent or employee of another person shall be deemed, for the purposes of this Act, to be done by that other person as well as by the first-mentioned person unless that other person did not, either before or after the doing of the act, authorize the first-mentioned person, 10 either expressly or by implication, to do the act. Liability of principals and employers.

18. A reference in this Part to the doing of an act by reason of the race, colour or national or ethnic origin of a person includes a reference to the doing of an act for two or more reasons that include the first-mentioned reason, whether or not that reason is the dominant reason for the doing of the act. 15 Act done for more than one reason.

PART III—INQUIRIES AND CIVIL PROCEEDINGS

19. For the purposes of this Act there shall be a Commissioner for Community Relations. Commissioner for Community Relations

20. The functions of the Commissioner are— Functions of Commissioner.

(a) to inquire into alleged infringements of Part II, and endeavour to effect a settlement of the matters alleged to constitute those infringements, in accordance with section 21; 25

(b) where the Commissioner is unable so to effect a settlement of a matter, to institute a proceeding in a court in accordance with sub-section 25 (1) in relation to the matter; 25

(c) to promote an understanding and acceptance of, and compliance with, this Act; and

(d) to develop, conduct and foster research and educational programs and other programs for the purpose of— 30

(i) combating racial discrimination and prejudices that lead to racial discrimination;

(ii) promoting understanding, tolerance and friendship among racial and ethnic groups; and

(iii) propagating the purposes and principles of the Convention.

35 21. (1) Where—

(a) a complaint is made to the Commissioner that a person has done an act that is unlawful by reason of a provision of Part II; or

(b) it appears to the Commissioner that a person has done an act that is unlawful by reason of a provision of Part II,

40 the Commissioner shall, subject to sub-section (2), inquire into the act and endeavour to effect a settlement of the matter to which the act relates. Inquiries by Commissioner.

(2) The Commissioner may decide not to inquire into an act, or, if he has commenced to inquire into an act, decide not to continue to inquire into the act, if—

(a) a period of more than 12 months has elapsed since the act was done;

(b) the Commissioner is of the opinion that—

(i) the matter to which the act related was trivial; or

(ii) the person alleged to be aggrieved by the act does not desire that the inquiry be made or continued, as the case may be; or

(c) in a case where the inquiry results from a complaint to the Commissioner, the Commissioner is of the opinion that—

(i) the complaint was frivolous or vexatious or was not made in good faith;

(ii) the complainant does not have a sufficient interest in the subject-matter of the complaint; or

(iii) there is some other remedy that is reasonably available to the complainant.

(3) Where the Commissioner decides not to inquire into, or not to continue to inquire into, an act in respect of which a complaint was made to him, he shall inform the complainant of his decision and of the reasons for that decision.

Compulsory conferences.

22. (1) For the purpose of inquiring into an act, or endeavouring to settle the matter to which an act relates, in accordance with sub-section 21 (1), the Commissioner may direct a person referred to in sub-section (2) of this section to attend, at a time and place specified in the direction, at a conference presided over by the Commissioner or by an officer or employee of the Commissioner.

(2) Directions under sub-section (1) may be given to—

(a) a person who made a complaint to the Commissioner in relation to the act;

(b) the person who is alleged to have done the act; and

(c) any other person whose presence at the conference the Commissioner thinks is likely to be conducive to the settlement of the matter to which the act relates.

(3) A person who has been given a direction under sub-section (1) to attend a conference shall not, without reasonable excuse—

(a) fail to attend as required by the direction; or

(b) fail to attend and report himself from day to day unless excused, or released from further attendance, by the person presiding over the conference.

Penalty: \$250.

23. (1) Where a prescribed authority has reason to believe that a person is capable of giving evidence or producing documents relating to a matter that is the subject of an inquiry under section 21, the prescribed authority may, if the Commissioner so requests, by notice in writing served on that person, require that person to appear before the prescribed authority at a time and place specified in the notice and give any such evidence, either orally or in writing, and produce any such documents.

(2) A person served with a notice under this section is entitled to be paid out of the moneys of the Commissioner a reasonable sum for the expenses of his attendance before the prescribed authority.

(3) The prescribed authority may—

(a) require a person appearing before the prescribed authority to give evidence either to take an oath or make an affirmation; and

(b) administer an oath or affirmation to a person so appearing before the prescribed authority.

(4) The oath or affirmation to be taken or made by a person for the purposes of this section is an oath or affirmation that the answers he will give to questions asked him will be true.

(5) Where a person appears before a prescribed authority in accordance with a notice served under this section, either the prescribed authority or the Commissioner may put to the person such questions relating to the matter that is the subject of the inquiry under section 21 as the prescribed authority thinks proper.

(6) A person served with a notice under this section to appear before a prescribed authority shall not, without reasonable excuse—

(a) fail to appear as required by the notice; or

(b) fail to appear and report himself from day to day unless excused, or released from further attendance, by the prescribed authority.

Penalty: \$1,000.

(7) A person appearing before a prescribed authority shall not—

(a) when required in pursuance of sub-section (3) either to take an oath or make an affirmation—refuse or fail without reasonable excuse to comply with the requirement;

(b) refuse or fail without reasonable excuse to answer a question that he is required to answer by the prescribed authority;

(c) refuse or fail without reasonable excuse to produce a document that he was required to produce by a notice under this section served on him; or

(d) knowingly give evidence that is false or misleading in a material particular.

Penalty: \$1,000.

(8) A person is not excused from answering a question or producing a document in pursuance of this section on the ground that the answer

Taking of evidence by prescribed authority.

to the question or the document may tend to incriminate him, but any such answer or document is not admissible in evidence against him in any proceeding other than a proceeding for an offence against sub-section (7).

(9) A prescribed authority has, in the exercise of his powers under this Act, the same protection and immunity as a Justice of the High Court. 5

(10) A person who has been served with a notice under this section to appear before a prescribed authority has the same protection, and is, in addition to the penalties provided by this section, subject to the same liabilities, as a witness in proceedings in the High Court. 10

(11) In this section, "prescribed authority" means a person who holds office as a Judge of the Superior Court of Australia or of the Australian Industrial Court.

Conciliation committees.

24. (1) The regulations may make provision for and in relation to the establishment of conciliation committees for the purposes of this Act. 15

(2) The function of the Commissioner of endeavouring to effect a settlement of a matter in accordance with sub-section 21 (1) may, with the consent of the Commissioner, be performed by a conciliation committee and, when performed by such a committee, shall be deemed, for the purposes of the Act, to have been performed by the Commissioner. 20

Civil proceedings.

25. (1) Where, after inquiry into an act done by a person, the Commissioner is unable to effect a settlement in accordance with sub-section 21 (1), the Commissioner may, subject to sub-section (7), institute a proceeding in relation to the act by way of civil action in a court of competent jurisdiction for any one or more of the remedies specified in section 26. 25

(2) The parties to a proceeding instituted under sub-section (1) are—

- (a) the Commissioner;
- (b) any person who is joined by the court as a party to the proceeding in accordance with sub-section (3); and
- (c) the person who did the act to which the proceeding relates. 30

(3) Where an application to be joined as a party to a proceeding instituted under sub-section (1) is made to the court by a person who—

- (a) before the proceeding was instituted, made a complaint to the Commissioner in relation to the act to which the proceeding relates;
- (b) claims to be aggrieved by the act to which the proceeding relates;
- (c) claims to have an interest in the proceeding; or
- (d) is a member of an organization or association of persons that is claimed by him to have an interest in the proceeding, 35

the court may, in its discretion, join the person as a party to the proceeding. 40

(4) A person aggrieved by an act that he considers to have been unlawful by reason of a provision of Part II may, subject to sub-section (7), institute a proceeding in relation to the act by way of civil action in a court of competent jurisdiction for any one or more of the remedies specified in section 26. 5

(5) If the Commissioner is of the opinion that the continuance of a proceeding instituted under sub-section (4) will affect adversely the performance of the functions of the Commissioner under sub-section 21 (1), he may apply to the court for a stay of that proceeding.

10 (6) Where an application is made under sub-section (5), if the court is satisfied that the continuance of the proceeding will adversely affect the performance of the functions of the Commissioner under sub-section 21 (1), it shall stay the proceeding but, if not so satisfied, it shall refuse the application.

15 (7) A proceeding may not be instituted under this section in respect of the doing of an act (other than an act that is unlawful by virtue of section 16) in relation to—

- (a) accommodation in a dwelling-house or flat, being accommodation shared or to be shared, in whole or in part, with the person who did the act or a person on whose behalf the act was done or with a relative of either of those persons; or
- (b) employment, or an application for employment, in a dwelling-house or flat occupied by the person who did the act or a person on whose behalf the act was done or by a relative of either of those persons. 20

25 26. (1) Where, in a proceeding instituted under section 25, it is established to the reasonable satisfaction of the court that a person (in this section referred to as the "defendant") has done an act (in this section referred to as the "relevant act") that is unlawful by reason of a provision of Part II, the court may grant all or any of the following remedies:— 30

- (a) an injunction restraining the defendant from repeating the relevant act, from doing an act of a similar kind or from causing or permitting others to do acts of the same or a similar kind;
- 35 (b) an order directing the defendant to do a specified act, being an act directed to—
 - (i) placing a person aggrieved by the doing of the relevant act as nearly as practicable in the position in which he would be if the relevant act had not been done; or
 - 40 (ii) otherwise avoiding a detriment to such a person resulting from the doing of the relevant act;
- (c) if the doing of the relevant act resulted in the making of a contract or the relevant act was done in pursuance of a contract—an order

Powers of court in civil proceedings.

cancelling the contract, varying any of the terms of the contract or requiring the repayment, in whole or in part, of an amount paid in pursuance of the contract;

(d) damages against the defendant in respect of—

- (i) loss suffered by a person aggrieved by the relevant act, including loss of any benefit that that person might reasonably have been expected to obtain if the relevant act had not been done; and
- (ii) loss of dignity by, humiliation to, or injury to the feelings of, a person aggrieved by the relevant act; and

(e) such other relief as the court thinks just.

(2) Where any damages are awarded against the defendant in accordance with paragraph (1) (d) in respect of loss suffered by, loss of dignity by, humiliation to, or injury to the feelings of, a person aggrieved by the relevant act—

- (a) in the case where that person instituted the proceeding or, if the proceeding was instituted by the Commissioner, that person is a party to the proceeding—the damages are payable by the defendant to that person; or
- (b) in any other case—the damages are payable by the defendant to the Commissioner, who shall forthwith pay them to that person.

PART IV—OFFENCES

27. Except as expressly provided by this Part, nothing in this Act makes it an offence to do an act that is unlawful by reason of a provision of Part II.

28. A person shall not, with intent to promote hostility or ill-will against, or to bring into contempt or ridicule, persons included in a group of persons in Australia by reason of the race, colour or national or ethnic origin of the persons included in that group—

- (a) publish or distribute written matter;
- (b) broadcast words by means of radio or television; or
- (c) utter words in any public place, or within the hearing of persons in any public place, or at any meeting to which the public are invited or have access,

being written matter that promotes, or words that promote, ideas based on—

- (d) the alleged superiority of persons of a particular race, colour or national or ethnic origin over persons of a different race, colour or national or ethnic origin; or
- (e) hatred of persons of a particular race, colour or national or ethnic origin.

Penalty: \$5,000.

Unlawful acts not offences unless expressly so provided.

Dissemination of ideas based on racial superiority or hatred.

29. A person shall not—

- (a) incite the doing of an act that is unlawful by reason of a provision of Part II; or
- (b) assist or promote, whether by financial assistance or otherwise, the doing of such an act.

Penalty: \$5,000.

30. (1) A person shall not insult, hinder, obstruct, molest or interfere with the Commissioner, an officer or employee of the Commissioner, a person presiding over a conference referred to in section 22, a prescribed authority referred to in section 23 or any of the members of a conciliation committee in the performance of any functions or the exercise of any powers under this Act.

(2) A person shall not—

- (a) refuse to employ another person;
- (b) dismiss, or threaten to dismiss, another person from his employment;
- (c) prejudice, or threaten to prejudice, another person in his employment; or
- (d) intimidate or coerce, or impose any pecuniary or other penalty upon, another person,

by reason that the other person—

- (e) has made, or proposes to make, a complaint to the Commissioner;
- (f) has furnished, or proposes to furnish, any information or documents to the Commissioner;
- (g) has attended, or proposes to attend, a conference referred to in section 22; or
- (h) has appeared, or proposes to appear, before a prescribed authority referred to in section 23 to give evidence or produce documents.

Penalty: \$500.

30 PART V—COMMUNITY RELATIONS COUNCIL

31. (1) For the purposes of this Act there is established a Community Relations Council.

(2) It is the function of the Council to advise, and make recommendations to, the Attorney-General and the Commissioner, either of its own motion or upon request made to it by the Attorney-General or the Commissioner, as the case may be, concerning—

- (a) the observance and implementation of the Convention;
- (b) the promotion of educational programs with respect to the observance of the Convention;

Inciting acts of racial discrimination.

Offences relating to administration of Act.

Establishment and functions of Council.

14	No.	<i>Racial Discrimination</i>	1975
		(c) the promotion of studies and research programs with respect to the observance and implementation of the Convention;	
		(d) the publication and dissemination of material to assist in the observance and implementation of the Convention;	
		(e) the promotion of understanding, tolerance and friendship among racial and ethnic groups; and	5
		(f) any other matter related to the observance or implementation of the Convention.	
		PART VI—ADMINISTRATIVE PROVISIONS	
		<i>Division 1—Commissioner for Community Relations</i>	10
Appointment of Commissioner.		32. (1) The Commissioner shall be appointed by the Governor-General.	
		(2) The Commissioner—	
		(a) is a corporation sole by the name of the Commissioner for Community Relations;	15
		(b) has perpetual succession;	
		(c) shall have an official seal; and	
		(d) is capable, in his corporate name, of acquiring, holding and disposing of real and personal property and of suing and being sued.	20
		(3) All courts, judges and persons acting judicially shall take judicial notice of the seal of the Commissioner affixed to a document and shall presume that it was duly affixed.	
Tenure of appointment.		33. (1) Subject to this Part, the Commissioner holds office for such period not exceeding 7 years as is specified in the instrument of his appointment and on such terms and conditions as the Governor-General determines, but is eligible for re-appointment.	25
		(2) A person who has attained the age of 65 years shall not be appointed or re-appointed as the Commissioner, and a person shall not be appointed or re-appointed as the Commissioner for a period that extends beyond the date on which he will attain the age of 65 years.	30
Remuneration of Commissioner.		34. (1) The Commissioner shall be paid out of the moneys of the Commissioner such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration by the Tribunal is in operation, he shall be paid such remuneration as is prescribed.	35
		(2) The Commissioner shall be paid such allowances as are prescribed.	
		(3) This section has effect subject to the <i>Remuneration Tribunals Act</i> 1973–1974.	

1975	<i>Racial Discrimination</i>	No.	15
		35. The Attorney-General may grant leave of absence to the Commissioner upon such terms and conditions as to remuneration or otherwise as the Attorney-General determines.	Leave of absence.
		36. The Commissioner may resign his office by writing signed by him and delivered to the Governor-General.	Resignation.
		37. (1) The Governor-General may terminate the appointment of the Commissioner by reason of misbehaviour or of physical or mental incapacity.	Termination of appointment.
10		(2) The Governor-General shall terminate the appointment of the Commissioner if the Commissioner—	
		(a) is absent from duty, except on leave of absence granted by the Attorney-General, for 14 consecutive days or for 28 days in any period of 12 months; or	
15		(b) becomes bankrupt, applies to take the benefit or any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit.	
20		(3) The termination of the appointment of the Commissioner by reason of physical or mental incapacity shall be deemed, for the purposes of the <i>Superannuation Act</i> 1922–1974, to be retirement on the ground of invalidity.	
		38. The Commissioner shall not, except with the approval of the Attorney-General, engage in paid employment outside the duties of his office.	Outside employment.
25		39. (1) The Attorney-General may appoint a person to act in the office of Commissioner during any period, or during all periods, when the Commissioner is absent from duty or from Australia or during a vacancy in that office, but a person so appointed to act during a vacancy shall not continue so to act for more than 12 months.	Acting Commissioner.
30		(2) Subject to this section, the Attorney-General may—	
		(a) determine the terms and conditions of appointment of a person appointed to act in the office of Commissioner; and	
		(b) at any time terminate such an appointment.	
35		(3) Where a person is acting in the office of Commissioner in pursuance of an appointment under this section otherwise than during a vacancy in that office and that office becomes vacant while that person is so acting, that person may continue to act in that office until the Attorney-General otherwise directs, the vacancy is filled or a period of 12 months from the date on which the vacancy occurred expires, whichever first happens.	

(4) Sections 35, 36 and 38 apply in relation to a person appointed to act in the office of Commissioner in like manner as they apply in relation to the Commissioner.

(5) While a person is acting in the office of Commissioner in pursuance of an appointment under this section, he has, and may exercise, all the powers and shall perform all the functions of the Commissioner under this Act or under any other law and, for the purposes of the exercise of those powers and the performance of those functions, this Act or that other law has effect as if a reference to the Commissioner included a reference to a person acting in the office of Commissioner.

(6) The validity of anything done by a person appointed to act in the office of Commissioner shall not be called in question on the ground that the occasion for his appointment had not arisen or that the appointment had ceased to have effect.

Super-
annuation.

40. (1) The Commissioner is an approved authority for the purposes of the *Superannuation Act* 1922-1974.

(2) For the purposes of sub-sections 4 (3A) and (4) of the *Superannuation Act* 1922-1974, the Commissioner shall be deemed to be required, by the terms of his appointment, to give the whole of his time to the duties of his office.

Staff of
Com-
missioner.

41. (1) The Commissioner may, with the approval of the Attorney-General, appoint such officers and engage such employees as he thinks necessary for the purposes of this Act.

(2) The terms and conditions of employment of persons appointed or engaged under sub-section (1) shall be such as are, with the approval of the Attorney-General, determined by the Commissioner.

Officers'
Rights
Declaration
Act.

42. If a person appointed as Commissioner or as an officer of the Commissioner was, immediately before his appointment, an officer of the Australian Public Service or a person to whom the *Officers' Rights Declaration Act* 1928-1973 applied—

(a) he retains his existing and accruing rights;

(b) for the purpose of determining those rights, his service as Commissioner or as an officer shall be taken into account as if it were service in the Australian Public Service; and

(c) the *Officers' Rights Declaration Act* 1928-1973 applies as if this Act and this section had been specified in the Schedule to that Act.

Moneys
payable to
Com-
missioner.

43. (1) There are payable to the Commissioner such moneys as are appropriated by the Parliament for payment to the Commissioner.

(2) The Treasurer may give directions as to the amounts in which, and the times at which, moneys referred to in sub-section (1) are to be paid to the Commissioner.

44. (1) The Commissioner may open and maintain an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.

(2) The Commissioner shall pay all the moneys of the Commissioner into an account referred to in this section.

(3) In this section, "approved bank" means the Reserve Bank of Australia or another bank approved by the Treasurer.

45. The moneys of the Commissioner shall be applied—

Application
of moneys.

(a) in payment or discharge of the costs, expenses and other obligations of the Commissioner under this Act; and

(b) in payment of remuneration and allowances payable to the Commissioner, to officers and employees appointed or engaged by the Commissioner and to members of conciliation committees, and not otherwise.

46. (1) The Commissioner shall prepare estimates, in such form as the Attorney-General directs, of expenditure of the Commissioner for each financial year and, if the Attorney-General so directs, for any other period specified by the Attorney-General, and shall submit estimates so prepared to the Attorney-General not later than such date as the Attorney-General directs.

Estimates of
expenditure.

(2) Moneys of the Commissioner shall not be expended otherwise than in accordance with estimates of expenditure approved by the Attorney-General.

47. The Commissioner shall cause to be kept proper accounts and records of the transactions and affairs of the Commissioner and shall do all things necessary to ensure that all payments out of the moneys of the Commissioner are correctly made and properly authorized and that adequate control is maintained over the assets of, or in the custody of, the Commissioner and over the incurring of liabilities by the Commissioner.

Proper
accounts to
be kept.

48. (1) The Auditor-General shall inspect and audit the accounts and records of financial transactions of the Commissioner and records relating to assets of, or in the custody of, the Commissioner, and shall forthwith draw the attention of the Attorney-General to any irregularity disclosed by the inspection and audit that, in the opinion of the Auditor-General, is of sufficient importance to justify his so doing.

Audit.

(2) The Auditor-General may, at his discretion, dispense with all or any part of the detailed inspection and audit of any accounts or records referred to in sub-section (1).

(3) The Auditor-General shall, at least once in each year, report to the Attorney-General the results of the inspection and audit carried out under sub-section (1).

(4) The Auditor-General or an officer authorized by him is entitled at all reasonable times to full and free access to all accounts, records, documents and papers of the Commissioner relating directly or indirectly to the receipt or payment of moneys by the Commissioner or to the acquisition, receipt, custody or disposal of assets by the Commissioner.

(5) The Auditor-General or an officer authorized by him may make copies of, or take extracts from, any such accounts, records, documents or papers.

(6) The Auditor-General or an officer authorized by him may require any person to furnish him with such information in the possession of the person or to which the person has access as the Auditor-General or authorized officer considers necessary for the purposes of the functions of the Auditor-General under this Act, and the person shall comply with the requirement.

(7) A person who contravenes sub-section (6) is guilty of an offence punishable, upon conviction, by a fine not exceeding \$200.

Delegation. 49. (1) The Commissioner may, either generally or otherwise as provided by the instrument of delegation, by writing signed by him, delegate to an officer or employee of the Commissioner all or any of his powers under this Act, except this power of delegation.

(2) A power so delegated may be exercised by the delegate in accordance with the instrument of delegation and this Act has effect in relation to the exercise of the power by the delegate as if a reference in this Act to the Commissioner were a reference to the delegate.

(3) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Commissioner.

Division 2—Community Relations Council 30

Constitution of Council. 50. (1) The Council shall consist of such members (not being less than 10 or more than 20 in number) as the Attorney-General appoints.

(2) One of the members shall be designated in the instrument of his appointment as the Chairman of the Council and another of the members shall be designated in the instrument of his appointment as the Deputy Chairman of the Council.

(3) The performance of the functions or the exercise of the powers of the Council is not affected by the number of members falling below 10 for a period not exceeding 3 months.

51. (1) Members shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration by the Tribunal is in operation, they shall be paid such remuneration as is prescribed.

(2) Members shall be paid such allowances as are prescribed.

(3) This section has effect subject to the *Remuneration Tribunals Act* 1973-1974.

52. (1) The Chairman, or, if the Chairman is unavailable, the Deputy Chairman, may convene meetings of the Council.

(2) At a meeting of the Council, 6 members constitute a quorum.

(3) The Chairman shall preside at all meetings of the Council at which he is present.

(4) If the Chairman is not present at a meeting of the Council but the Deputy Chairman is present, the Deputy Chairman shall preside at the meeting.

(5) If the Chairman and the Deputy Chairman are not present at a meeting of the Council, the members present shall appoint one of their number to preside at the meeting.

(6) Questions arising at a meeting of the Council shall be decided by a majority of the votes of the members present and voting.

(7) The member presiding at a meeting of the Council has a deliberative vote and, in the event of an equality of votes, also has a casting vote.

(8) The Council shall cause records to be kept of its meetings.

PART VII—MISCELLANEOUS

53. (1) Jurisdiction is conferred on the Superior Court of Australia to hear and determine civil and criminal proceedings instituted in that Court under this Act or removed into that Court under sub-section (4).

(2) The several courts of the States are invested with federal jurisdiction, and jurisdiction is conferred on the several courts of the Territories, within the limits of their several jurisdictions, whether those limits are as to locality, subject-matter or otherwise, to hear and determine civil and criminal proceedings instituted in those courts under this Act.

(3) No proceedings under this Act shall be instituted in a court of a State or Territory before a day to be fixed by Proclamation as the day on which—

(a) that court shall commence to exercise its jurisdiction under sub-section (2); or

(b) a class of courts of that State or Territory in which that court is included shall commence to exercise their jurisdiction under that sub-section,

but nothing in this sub-section prevents a court from exercising jurisdiction in a matter arising under this Act in a proceeding instituted in that court otherwise than under this Act. 5

(4) Any civil or criminal proceedings instituted in a court (other than the Supreme Court) of a State, or in a court of a Territory, involving a matter arising under this Act may, at any stage of the proceedings before final judgment, be removed into the Superior Court of Australia under an order of the Superior Court of Australia, which may, upon the application of any party or the Attorney-General for sufficient cause shown, be made on such terms as the Superior Court of Australia thinks fit. 10

(5) When any such order for removal is made, such documents, if any, relating to the proceedings as are filed on record in the court of the State or Territory shall be transmitted to the registry of the Superior Court in the State or Territory concerned or, if there is more than one registry in that State or Territory, to such registry as is directed by the order. 15

(6) Where any proceedings are removed into the Superior Court of Australia under the provisions of sub-section (4), the Superior Court of Australia shall proceed as if the proceedings had been originally commenced in that Court. 20

(7) If in any proceedings removed into the Superior Court of Australia under this section it appears to the satisfaction of the Superior Court of Australia at any time after the removal that the proceedings do not really and substantially involve a matter arising under this Act, the Superior Court of Australia shall not proceed any further in the proceedings but shall remit the proceedings to the court from which they were removed and make such order as to costs as is just, and, where an order is so made remitting proceedings, any documents relating to the proceedings shall be returned to the court from which they were received. 25 30

(8) If a question of law concerning a matter arising under this Act arises in proceedings instituted in a court (other than the Supreme Court) of a State or in a court of a Territory—

(a) the court shall, if so directed at any stage of the proceedings before final judgment by an order of the Superior Court of Australia (which may, upon the application of any party or of the Attorney-General for sufficient cause shown, be made on such terms as the Superior Court of Australia thinks fit) refer the question to the Superior Court of Australia for the consideration of the Superior Court of Australia; and 35 40

(b) where a question is so referred, the Superior Court of Australia has jurisdiction to hear and determine the question.

54. (1) Jurisdiction expressed to be conferred on the Superior Court of Australia by this Act shall not be deemed to be so conferred before a court of that name is authorized under another Act to exercise jurisdiction.

Exercise of jurisdiction by Australian Industrial Court.

(2) If, at the date fixed by Proclamation under sub-section 2 (2), jurisdiction under this Act cannot be exercised by the Superior Court of Australia, then—

(a) until jurisdiction can be so exercised, any civil or criminal proceeding under this Act may be instituted in or removed into, and any question of law concerning a matter arising under this Act may be referred to, the Australian Industrial Court as if references in this Act to the Superior Court of Australia were references to the Australian Industrial Court; 10

(b) jurisdiction is conferred on the Australian Industrial Court to hear and determine a proceeding so instituted in or removed into, or a question so referred to, that Court and that jurisdiction may be exercised by a single Judge; and 15

(c) this Act has effect in relation to a proceeding instituted in or removed into, or the determination of a question referred to, the Australian Industrial Court in accordance with this section as if references in this Act to the Superior Court of Australia were, except where the context otherwise requires, references to the Australian Industrial Court. 20

55. (1) A person who—

(a) has instituted, or proposes to institute, a proceeding in a court under sub-section 25 (4) or is, in a proceeding instituted in a court by the Commissioner under sub-section 25 (1), joined by the court as a party to the proceeding in accordance with sub-section 25 (3); or 25

(b) has done, or is alleged to have done, an act in respect of which a proceeding has been instituted in a court under sub-section 25 (1) or (4), 30

may apply to the Attorney-General for a grant of assistance under this section in respect of the proceeding.

Legal and financial assistance.

(2) Where an application is made by a person under sub-section (1), the Attorney-General, or an officer of the Australian Public Service authorized in writing by the Attorney-General, may, if he is satisfied that it would involve hardship to that person to refuse the application and that, in all the circumstances, it is reasonable that the application should be granted, authorize the grant by Australia to the person, either unconditionally or subject to such conditions as the Attorney-General or officer determines, such legal or financial assistance in relation to the proceeding as the Attorney-General or officer determines. 35 40

Annual
report.

56. (1) The Commissioner shall, as soon as practicable after 30 June in each year, prepare and furnish to the Attorney-General a report of the operations of the Commissioner during that year, together with financial statements in respect of that year in such form as the Treasurer approves.

(2) Before furnishing financial statements to the Attorney-General, the Commissioner shall submit them to the Auditor-General, who shall report to the Attorney-General—

(a) whether the statements are based on proper accounts and records;

(b) whether the statements are in agreement with the accounts and records;

(c) whether the receipt and expenditure of moneys, and the acquisition and disposal of assets, by the Commissioner during the year have been in accordance with this Act; and

(d) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Attorney-General.

(3) The Attorney-General shall cause the report and financial statements of the Commissioner, together with the report of the Auditor-General, to be laid before each House of the Parliament within 15 sitting days of that House after their receipt by the Attorney-General.

Regulations.

57. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, prescribing the manner in which a member may resign his office and prescribing fees and allowances payable to members of conciliation committees.

SCHEDULE

Section 3 (1)

INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

The States Parties to this Convention,

Considering that the Charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action, in co-operation with the Organization, for the achievement of one of the purposes of the United Nations which is to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Considering that all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination,

Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, in whatever form and wherever they exist, and that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)) has affirmed and solemnly proclaimed the necessity of bringing them to a speedy and unconditional end,

Considering that the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (General Assembly resolution 1904 (XVIII)) solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State,

Convinced that the existence of racial barriers is repugnant to the ideals of any human society,

Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, segregation or separation,

Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination,

Bearing in mind the Convention concerning Discrimination in respect of Employment and Occupation adopted by the International Labour Organisation in 1958, and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization in 1960,

Desiring to implement the principles embodied in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and to secure the earliest adoption of practical measures to that end,

Have agreed as follows:

PART I

Article 1

1. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

SCHEDULE—continued

2. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens.
3. Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality.
4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

- (a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;
- (b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;
- (c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;
- (d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;
- (e) Each State Party undertakes to encourage, where appropriate, integrationist multi-racial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

Article 3

States Parties particularly condemn racial segregation and *apartheid* and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, *inter alia*:

- (a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

SCHEDULE—continued

- (b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;
- (c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution;
- (c) Political rights, in particular the rights to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;
- (d) Other civil rights, in particular:
 - (i) The right to freedom of movement and residence within the border of the State;
 - (ii) The right to leave any country, including one's own, and to return to one's country;
 - (iii) The right to nationality;
 - (iv) The right to marriage and choice of spouse;
 - (v) The right to own property alone as well as in association with others;
 - (vi) The right to inherit;
 - (vii) The right to freedom of thought, conscience and religion;
 - (viii) The right to freedom of opinion and expression;
 - (ix) The right to freedom of peaceful assembly and association;
- (e) Economic, social and cultural rights, in particular:
 - (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;
 - (ii) The right to form and join trade unions;
 - (iii) The right to housing;
 - (iv) The right to public health, medical care, social security and social services;
 - (v) The right to education and training;
 - (vi) The right to equal participation in cultural activities;
- (f) The right of access to any place or service intended for use by the general public such as transport, hotels, restaurants, cafés, theatres and parks.

Article 6

States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

SCHEDULE—continued

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

PART II

Article 8

1. There shall be established a Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) consisting of eighteen experts of high moral standing and acknowledged impartiality elected by States Parties from amongst their nationals who shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two-thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. (a) The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

(b) For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

6. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties.

Article 9

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of this Convention: (a) within one year after the entry into force of the Convention for the State concerned; and (b) thereafter every two years and whenever the Committee so requests. The Committee may request further information from the States Parties.

2. The Committee shall report annually, through the Secretary-General, to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and general recommendations shall be reported to the General Assembly together with comments, if any, from States Parties.

Article 10

1. The Committee shall adopt its own rules of procedure.
2. The Committee shall elect its officers for a term of two years.
3. The secretariat of the Committee shall be provided by the Secretary-General of the United Nations.
4. The meetings of the Committee shall normally be held at United Nations Headquarters.

SCHEDULE—continued

Article 11

1. If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee. The Committee shall then transmit the communication to the State Party concerned. Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter again to the Committee by notifying the Committee and also the other State.

3. The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.

4. In any matter referred to it, the Committee may call upon the States Parties concerned to supply any other relevant information.

5. When any matter arising out of this article is being considered by the Committee, the States Parties concerned shall be entitled to send a representative to take part in the proceedings of the Committee, without voting rights, while the matter is under consideration.

Article 12

1. (a) After the Committee has obtained and collated all the information it deems necessary, the Chairman shall appoint an *ad hoc* Conciliation Commission (hereinafter referred to as the Commission) comprising five persons who may or may not be members of the Committee. The members of the Commission shall be appointed with the unanimous consent of the parties to the dispute, and its good offices shall be made available to the States concerned with a view to an amicable solution of the matter on the basis of respect for this Convention.

(b) If the States parties to the dispute fail to reach agreement within three months on all or part of the composition of the Commission, the members of the Commission not agreed upon by the States parties to the dispute shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its own members.

2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States parties to the dispute or of a State not Party to this Convention.

3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

4. The meetings of the Commission shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Commission.

5. The secretariat provided in accordance with article 10, paragraph 3, of this Convention shall also service the Commission whenever a dispute among States Parties brings the Commission into being.

6. The States Parties to the dispute shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

7. The Secretary-General shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States parties to the dispute in accordance with paragraph 6 of this article.

8. The information obtained and collated by the Committee shall be made available to the Commission, and the Commission may call upon the States concerned to supply any other relevant information.

Article 13

1. When the Commission has fully considered the matter, it shall prepare and submit to the Chairman of the Committee a report embodying its findings on all questions of fact relevant to the issue between the parties and containing such recommendations as it may think proper for the amicable solution of the dispute.

2. The Chairman of the Committee shall communicate the report of the Commission to each of the States parties to the dispute. These States shall, within three months, inform the Chairman of the Committee whether or not they accept the recommendations contained in the report of the Commission.

SCHEDULE—continued

3. After the period provided for in paragraph 2 of this article, the Chairman of the Committee shall communicate the report of the Commission and the declarations of the States Parties concerned to the other States Parties to this Convention.

Article 14

1. A State Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.

2. Any State Party which makes a declaration as provided for in paragraph 1 of this article may establish or indicate a body within its national legal order which shall be competent to receive and consider petitions from individuals and groups of individuals within its jurisdiction who claim to be victims of a violation of any of the rights set forth in this Convention and who have exhausted other available local remedies.

3. A declaration made in accordance with paragraph 1 of this article and the name of any body established or indicated in accordance with paragraph 2 of this article shall be deposited by the State Party concerned with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General, but such a withdrawal shall not affect communications pending before the Committee.

4. A register of petitions shall be kept by the body established or indicated in accordance with paragraph 2 of this article, and certified copies of the register shall be filed annually through appropriate channels with the Secretary-General on the understanding that the contents shall not be publicly disclosed.

5. In the event of failure to obtain satisfaction from the body established or indicated in accordance with paragraph 2 of this article, the petitioner shall have the right to communicate the matter to the Committee within six months.

6. (a) The Committee shall confidentially bring any communication referred to it to the attention of the State Party alleged to be violating any provision of this Convention, but the identity of the individual or groups of individuals concerned shall not be revealed without his or their express consent. The Committee shall not receive anonymous communications.

(b) Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

7. (a) The Committee shall consider communications in the light of all information made available to it by the State Party concerned and by the petitioner. The Committee shall not consider any communication from a petitioner unless it has ascertained that the petitioner has exhausted all available domestic remedies. However, this shall not be the rule where the application of the remedies is unreasonably prolonged.

(b) The Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

8. The Committee shall include in its annual report a summary of such communications and, where appropriate, a summary of the explanations and statements of the States Parties concerned and of its own suggestions and recommendations.

9. The Committee shall be competent to exercise the functions provided for in this article only when at least ten States Parties to this Convention are bound by declarations in accordance with paragraph 1 of this article.

Article 15

1. Pending the achievement of the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, the provisions of this Convention shall in no way limit the right of petition granted to these peoples by other international instruments or by the United Nations and its specialized agencies.

2. (a) The Committee established under article 8, paragraph 1, of this Convention shall receive copies of the petitions from, and submit expressions of opinion and recommendations on these petitions to, the bodies of the United Nations which deal with matters directly related

SCHEDULE—continued

to the principles and objectives of this Convention in their consideration of petitions from the inhabitants of Trust and Non-Self-Governing Territories and all other territories to which General Assembly resolution 1514 (XV) applies, relating to matters covered by this Convention which are before these bodies.

(b) The Committee shall receive from the competent bodies of the United Nations copies of the reports concerning the legislative, judicial, administrative or other measures directly related to the principles and objectives of this Convention applied by the administering Powers within the territories mentioned in sub-paragraph (a) of this paragraph, and shall express opinions and make recommendations to these bodies.

3. The Committee shall include in its report to the General Assembly a summary of the petitions and reports it has received from United Nations bodies, and the expressions of opinion and recommendations of the Committee relating to the said petitions and reports.

4. The Committee shall request from the Secretary-General of the United Nations all information relevant to the objectives of this Convention and available to him regarding the Territories mentioned in paragraph 2 (a) of this article.

Article 16

The provisions of this Convention concerning the settlement of disputes or complaints shall be applied without prejudice to other procedures for settling disputes or complaints in the field of discrimination laid down in the constituent instruments of, or in conventions adopted by, the United Nations and its specialized agencies, and shall not prevent the States Parties from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

PART III

Article 17

1. This Convention is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to this Convention.

2. This Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 18

1. This Convention shall be open to accession by any State referred to in article 17, paragraph 1, of the Convention.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 19

1. This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the twenty-seventh instrument of ratification or instrument of accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 20

1. The Secretary-General of the United Nations shall receive and circulate to all States which are or may become Parties to this Convention reservations made by States at the time of ratification or accession. Any State which objects to the reservation shall, within a period of ninety days from the date of the said communication, notify the Secretary-General that it does not accept it.

2. A reservation incompatible with the object and purpose of this Convention shall not be permitted, nor shall a reservation the effect of which would inhibit the operation of any of the bodies established by this Convention be allowed. A reservation shall be considered incompatible or inhibitive if at least two-thirds of the States Parties to this Convention object to it.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General. Such notification shall take effect on the date on which it is received.

SCHEDULE—*continued*

Article 21

A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

Article 22

Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

Article 23

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 24

The Secretary-General of the United Nations shall inform all States referred to in article 17, paragraph 1, of this Convention of the following particulars:

- (a) Signatures, ratifications and accessions under articles 17 and 18;
- (b) The date of entry into force of this Convention under article 19;
- (c) Communications and declarations received under articles 14, 20 and 23;
- (d) Denunciations under article 21.

Article 25

1. This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.
2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States belonging to any of the categories mentioned in article 17, paragraph 1, of the Convention.

~~AIR MAIL~~



Mr J. Calhoun,
Office of Staff Assistant to the
President on Minority Affairs,
Room 179,
Old Executive Office Building,
Pennsylvania Avenue,
WASHINGTON. D.C. 20500

~~ATTORNEY-GENERAL'S DEPARTMENT~~

THE WHITE HOUSE
WASHINGTON

October 21, 1975



MEMORANDUM FOR: BILL BAROODY
FROM: JOHN CALHOUN

gc.

I met yesterday with Dr. Charles "A" Lyons, President of the National Association for Equal Opportunity in Higher Education (NAFEO), at his request.

NAFEO and the United Negro College Fund will be meeting with Secretary Mathews on November 4th.

I encouraged Dr. Lyons and NAFEO to:

- Explore increased involvement and funding from industry and the private sector.
- Improve Black college involvement within the Black community and search for solutions to motivational and behavioral problems associated with drug abuse, crime, the poor and minority elderly.
- Provide greater leadership and challenge to the Black community.
- To better utilize Black achievements in the arts and sciences (movie stars, TV personalities) to raise funds for support of Black colleges.
- To establish an ongoing dialogue with the Administration.

I think we may want to bring in Black colleges for a "Tuesday" meeting at some later date.

It was a good session.

Attachments

"WTB has seen"



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

SEP 22 1975

MEMORANDUM FOR HONORABLE JOHN CALHOUN

Thank you for your memorandum of August 1 referring a request from the United Negro College Fund for an appointment.

I plan to meet with Black college presidents under the auspices of the National Association for Equal Opportunity in Higher Education on November 4. Dr. Milton Curry, UNCF's President, will be present.

Thank you for bringing this to my attention.


Secretary

THE WHITE HOUSE
WASHINGTON

DATE: 10-28-75

TO: _____ JOHN CALHOUN _____ PAM POWELL
_____ F. DEBACA _____ STAN SCOTT
_____ JEFF EVES _____ JOHN SHLAES
_____ VIRGINIA KNAUER _____ WAYNE VALIS
_____ PAT LINDH _____ JOHN VICKERMAN
_____ TED MARRS

FROM: WILLIAM J. BAROODY, JR.

_____ FOR YOUR INFORMATION
_____ FOR APPROPRIATE ACTION
_____ FOR YOUR COMMENTS/RECOMMENDATIONS
_____ OTHER:

Laine



LINCOLN/BRINER

5461 SOUTHWYCK BOULEVARD
TOLEDO / OHIO / 43614
(419) 865-1244 / Res. 874-5064

CARLETON S. FINKBEINER, JR.
DIRECTOR OF PERSONNEL

Friday, October 24, 1975

Mr. William Baroody, Jr.
Assistant to the President
for Public Liason
The White House
Washington, D.C.



Dear Mr. Baroody:

This is to convey my support of the work of John Calhoun as he has related to people in Northwestern Ohio since going to work for the President of the United States.

I met John this past January when he was invited to Toledo to speak before a Negro women's organization. As the 1974 Republican candidate for the 9th. district seat in the House of Representatives, I was introduced to John following his remarks. Immediately we became fast friends.

Since that time, I have observed how easily John is able to relate to grass-roots people here in the 9th. district. Many of those who listened to John that January evening, have since visited with him in Washington. Others have had occasion to call upon him for direct assistance, and he has responded quickly. The rapport between Mr. Calhoun and many of the citizens here in Northwestern Ohio is excellent.

I am particularly grateful, as I hope to be the Republican Congressional candidate again in 1976. Our '74 election effort was very close, yet I did poorly in the black neighborhoods. With men like John Calhoun representing a Republican administration, I believe I can attract greater numbers of Negro voters in 1976. I am confident John will assist President Ford tremendously across the country, if his rapport is as I believe it to be with people everywhere he has been in behalf of the Administration.

You have an excellent man in John Calhoun, Mr. Baroody. I commend you for your selection of Presidential aides.

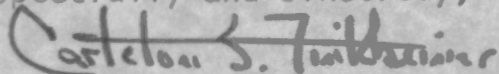
Friday, October 24, 1975

Mr. William Baroody, Jr.

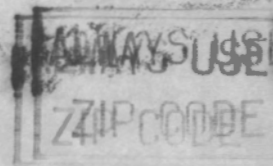
If I can be of assistance to you in any further way, please do not hesitate to be in touch with me at either of the phone numbers listed. I would be pleased to help in anyway.

I have forwarded to Mr. Rumsfeld, an earlier letter, expressing my highest respect for the work John Calhoun is doing for the Ford Administration in communities such as Toledo, Ohio.

Respectfully and sincerely,

A handwritten signature in dark ink, reading "Carleton S. Finkbeiner". The signature is written in a cursive style with a large, stylized initial "C".

Carleton S. Finkbeiner



Mr. William Baroody, Jr.
Assistant to the President
for Public Liason
The White House
Washington, D.C.

Carleton S. Finkbeiner

5461 SOUTHWYCK BOULEVARD

TOLEDO / OHIO / 43614

MEMORANDUM

THE WHITE HOUSE
WASHINGTON



January 6, 1976

MEMORANDUM FOR:

WILLIAM J. BAROODY, JR.

FROM:

JOHN CALHOUN *QC.*

SUBJECT:

Black Appointments

It is a disservice to the President to send a U.S. delegation of "Unknowns" on the international scene to the Inauguration of the President of Liberia, one of our closest allies in Africa.

In view of the current problems on the Continent of Africa, coupled with active bids by the U.S.S.R., Cuba and the People's Republic of China for influence with these developing countries, it would appear that the U.S. must seize every opportunity to visibly demonstrate support, concern and friendship to those African nations who share our love for Democracy.

African states now comprise more than one-third of the membership at the United Nations. One must assume that the heads of most of these nations would either attend the inauguration themselves or have top level representation. In sending less than top level representation, it is possible that we may be viewed as insensitive and this could increase our difficulties at the U.N.

President Ford said in his April 10th State of the World message that, "Africans must know that America is a true and concerned friend, reliable in word as well as in deed."

The Administration could be subjected to severe criticism for waiting until the day before departure to attempt to invite such persons as Dr. Leon Sullivan, founder of OIC, and John H. Johnson, publisher of Ebony - Jet magazines, since this could be interpreted to show lack of concern. Their declining the appointment can be understood, especially since the offer came during the holiday season.

Mr. Asa T. Spaulding, while a good Republican and successful black executive, is not a national figure and is definitely not recognized on the international scene. As an African diplomat said to me, "What does your country seriously think about us in sending this delegation?"

There are no pluses to be gained in sending Margaret Bush Wilson, an outspoken Democratic activist against the Administration, as a member of the U.S. delegation. Mrs. Wilson assumed her present low visibility post

as Chairman of the Board of the NAACP less than a year ago.

The third member of the delegation, a white minister from Atlanta, is unknown to me.

I was excluded from input on other recent appointments of blacks which have generated public criticism, such as that of Pearl Bailey to the U.N. Properly orchestrated, Miss Bailey's appointment could have been reported as a positive move.

It is essential during 1976 that special assistants charged with maintaining liaison with minorities, ethnics, women, etc. be included in the nominating process for Presidential Appointees, and not advised after the fact.

ADMINISTRATIVELY CONFIDENTIAL

THE WHITE HOUSE

WASHINGTON

March 12, 1976



MEMORANDUM FOR: WILLIAM J. BAROODY, JR.
FROM: JOHN CALHOUN *JC*
SUBJECT: A Review of Media Coverage of
Consumer Plan Conferences

It is apparent after reviewing the final tally of sample articles that over half of the articles contain negative tones. Less than a fourth of the articles portray positive tones, with the rest being basically neutral.

The reasoning of negative tones within the articles varies. In many cases it can be seen as one sided reporting which lacks the input of Administration comment on negative statements. A common example can be seen in Virginia Knauer's change in attitude toward the proposed consumer protection agency. Many papers commented on Knauer's shift in support, some merely stated the fact, implying that she was playing follow the leader with Ford rather than standing by her own belief. It seems obvious that the articles containing a quote from Knauer concerning an explanation were of a more positive nature than those which left her change in attitude up to the imagination of the reader.

This basic lack of Administration explanation could be seen as a deciding factor in many of the negative articles. This was found apparent in the articles concerning the consumer conferences. A large amount of the articles dwelled on the consumer advocates calling the conference a window dressing

File

as well as an attempt to cushion the blow of Ford's expected veto of the consumer agency. Several articles that contained a more positive tone were likely to back up a consumer quote with a relevant quote from either Knauer, Baroody, or some Administration spokesman. This element was able to give as essential balance to the articles that I believed favored the Administration due to their more informative explanations compared to the somewhat cynical and sarcastic comments of consumer groups.

I found the articles which were positive in nature to be the result of a type of feature article format. There were several articles of this nature with Knauer as the central character. Such articles allow the everyday reader to find an element that he can believe in and relate to in the individual rather than distrusting him as merely a spokesman carrying out the requests of the Administration. This basic type of feature format also allows for explanation of Administration policies and gives the central figure the opportunity to speak back to charges that have been made against them.

The majority of the neutral articles critiqued seemed to be the result of press releases, many being merely announcements. These articles, although merely informative and at times before the fact, could not be seen as either positive or negative in tones.

In order to present a more positive Administration tone in the articles, there must be more Administration input. At times this can be the job of the newspaper man who neglects to add quotes that would create a better balance to his article. This was apparent in many AP and UPI articles that would neglect to carry an essential paragraph of justification on the part of the Administration. Other papers carrying the same UPI or AP article would include such a paragraph and in turn create a more positive Administration tone to the article. Feature type articles such as those mentioned previously are an excellent way to accomplish Administration input and to deal with the inbalance found in articles.

CONTENTS

- 1) Tally of articles
- 2) Negative highlights
- 3) Positive highlights
- 4) Reviews of the 48 articles

TOTAL TALLY OF ARTICLES

NEGATIVE IN TONE----- 38

POSITIVE IN TONE----- 19

NEITHER NEGATIVE OR POSITIVE----- 13

PRESS RELEASE NATURE----- 6

TOTAL NUMBER OF ARTICLES TALLIED 76

Negative Points in Consumer Articles

- 1) Conferences were labled a "window dressing" cushion to soften the blow of Ford's expected veto of the consumer protection agency.
- 2) Several articles carried consumer quotes questioning the cost of Ford's proposal for inhouse consumer offices as well as the cost of the nine conferences. They stated that the consumer protection agency would save money.
- 3) Several articles were critical of Virginia Knauer and her change in attitude over the last eighteen months toward the consumer protection agency. There were implications that Knauer had compromised her beliefs and deserted the consumer.
- 4) In reviewing the consumer conferences the media portrayed an extremely skeptical audience. They cited hostility at the conferences and backed them up with negative quotes from outraged consumers.
- 5) The question was often brought up as to how an agency could effectively monitor itself on consumer affairs. In order to be effective it is suggested that there must be an independent agency that has some sort of legal power over other agencies.
- 6) Several articles voiced disapproval at the proposals already suggested by several of the agencies. The articles did not forsee the proposals as being effective.

7) There were several articles concerning Joan Braden and her new appointment. The articles questioned the need for such a post they feel was created for Braden. They also questioned her abilities and the channels she went through to get the job. References are made to her connections with the Rockefellers and Kissingers as well as her reputation as a socialite.

8) Probably the most damaging element in these articles are the negative quotes attributed to well-known figures such as Nader, Carol Foreman, Charles Percy or perhaps an unidentified Administration official. Such quotes are present in the majority of the articles.

Total number of articles reviewed----- 48

Articles carrying negative tones----- 27

Articles carrying positive tones----- 5

Articles balanced in positive and negative tones----- 11

Articles of a press release nature----- 5

Total articles 48

Those articles which were versions of the same AP report----- 16

Versions of AP with negative tones----- 9

Versions of AP with positive tones----- 0

Versions of AP with balanced tones----- 7

Those articles which were versions of the same UPI report----- 3

Versions of UPI with negative tones----- 2

Versions of UPI with positive tones----- 1