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FEDERAL EMPLOYMENT OF SPANISH-SPEAKING AMERICANS

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON CIVIL RIGHTS AND CONSTITUTIONAL RIGHTS

OF THE

COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

ON

FEDERAL EMPLOYMENT OF SPANISH-SPEAKING AMERICANS

MAY 6 AND SEPTEMBER 17, 1974

Serial No. 58

Printed for the use of the Committee on the Judiciary

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46-120 WASHINGTON : 1975

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FEDERAL EMPLOYMENT OF SPANISH-SPEAKING AMERICANS

MONDAY, MAY 6, 1974

HOUSE OF REPRESENTATIVES,
CIVIL RIGHTS AND CONSTITUTIONAL RIGHTS SUBCOMMITTEE
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 2226, Rayburn House Office Building, Hon. Don. Edwards [chairman of the subcommittee] presiding.

Present: Representatives Edwards, Drinan, and McClory.

Also present: Alan A. Parker, counsel; Linda Chavez, staff analyst; and Michael W. Blommer, associate counsel.

Mr. EDWARDS. The committee will come to order. The Civil Rights and Constitutional Rights Subcommittee of the House Committee on the Judiciary meets this morning to hear testimony on an issue of special importance to this Nation's 12 million Spanish-speaking persons. In its continuing oversight of equal opportunity in Federal employment, the subcommittee today looks at the problems which Spanish-speaking Americans have encountered in obtaining jobs in the Federal Government.

Two years ago, we examined the Federal employment problems of the Spanish speaking and concluded that, despite a great deal of publicity to the contrary, Spanish-speaking persons have not made significant gains in Federal employment in the period 1970 to 1972. The subcommittee issued a unanimous bipartisan report of its findings and made a series of recommendations at that time. We will attempt to determine during the course of this series of hearings, whether, in fact, any progress has been made in solving the Federal employment problems of the Spanish speaking. The most recent employment statistics, which will be presented by the Civil Service Commission this morning, indicate that Spanish-speaking persons have still a long way to go before they achieve full equal employment opportunity in the Federal Government.

We have with us now, Mr. Irving Kator, Assistant Executive Director of the U.S. Civil Service Commission, accompanied by Mr. Higinio Costales, director of the Federal Spanish-speaking program. Both Mr. Kator and Mr. Costales testified before the subcommittee in March 1972. At that time, Mr. Costales had just recently been appointed 16-point program director. The 16-point program was initiated by President Nixon in November 1970 to address the Federal employment needs of Spanish-surnamed Americans.

We look forward to your testimony, gentlemen. You may proceed.

TESTIMONY OF IRVING KATOR, ASSISTANT EXECUTIVE DIRECTOR, U.S. CIVIL SERVICE COMMISSION, ACCOMPANIED BY HIGINIO COSTALES, DIRECTOR, FEDERAL SPANISH-SPEAKING PROGRAM

Mr. KATOR. Thank you, Mr. Chairman.

I appreciate the opportunity to appear before your subcommittee to testify on the Federal employment situation of Spanish-speaking Americans. As you indicated, Mr. Higinio Costalse is here with me. He is director of the Federal Government's Spanish-speaking program, and has primary responsibility for providing leadership to Federal agencies in carrying out the President's program of equal opportunity for the Spanish speaking.

Mr. Costales had just come to the Civil Service Commission at the time that we testified before this subcommittee in 1972, and has been a tremendous assistance to us in making progress on the Spanish-speaking program.

Mr. Chairman, it is just over 2 years since we testified on the status of the Spanish-speaking program before this subcommittee. I would like to take this opportunity, therefore, to provide a brief update on the major program activities undertaken since that time. At the time of our previous testimony, the Equal Opportunity Act of 1972 was on the verge of enactment and was enacted March 24, 1972. This gave us new authority and additional funds to strengthen our total Equal Employment Opportunity effort, including the Spanish-speaking program.

To take stock of progress made on the Spanish-speaking program since its inception in November 1970, the Civil Service Commission during 1972 undertook a comprehensive study to evaluate the effectiveness of Federal agency efforts in this area. We made onsite reviews at agency headquarters and at field installations throughout the Nation.

The study showed many positive actions and accomplishments but it was clear from the study that the overall effort needed to be strengthened to achieve program objectives. A need for more affirmative leadership and guidance from headquarters to field installations was disclosed as well as a need for equal employment opportunity action plans to include specific items relating to the employment of the Spanish-speaking.

As a result of these and other findings, the Commission issued an instruction to Federal agencies on January 23, 1973, that is, Federal Personnel Manual Letter 713-18, to inform them of the findings of the study and to direct them to take specific actions to overcome the program deficiencies which had been identified.

Mr. EDWARDS. Do you have a copy of that letter, Mr. Kator, Manual Letter 713-18?

Mr. KATOR. Yes; we do.

Mr. EDWARDS. Would you provide it for the record?

Mr. KATOR. I would be delighted to do so.

Mr. EDWARDS. Without objection, it will be included.

[FPM Letter No. 713-18 follows:]

FEDERAL PERSONNEL MANUAL SYSTEM LETTER

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., January 23, 1973.

FPM Letter No. 713–18.
Subject: Equal Employment Opportunity—Implementing the Spanish-Speaking Program.

HEADS OF DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS

1. On November 5, 1970, President Nixon committed the Federal Government as a responsible employer to a Sixteen-Point Program to assure equal opportunities in Federal employment for Spanish-surnamed Americans. Attachment 1 to this Letter is a copy of the original White House press release announcing the program. This effort is a part of the Federal Government's equal employment opportunity program.

To evaluate the effectiveness of agency efforts in implementing the program, the Civil Service Commission undertook a special study to assess overall progress at agency headquarters level and at the installation level. Findings of the study are based on narrative reports and on a series of on-site evaluation reviews conducted by the Commission at 77 Federal field installations throughout the nation.

2. Purpose

The purpose of this letter is to let you know the findings of the study and to inform you of the specific actions that should be taken in implementing the Sixteen-Point Program to overcome the program deficiencies identified. The agency action steps listed below should be reviewed and considered in the light of each agency's Sixteen-Point Program accomplishments and each should be properly reflected in the agency's affirmative Equal Employment Opportunity Plan of Action.

3. General Summary

The review of agency efforts showed many positive actions and that solid accomplishments had been achieved, but that overall efforts need to be further strengthened in order to achieve the nationwide program objectives. Demonstrated commitment to the program in all agencies is essential and strong leadership from the headquarters level needs to be reflected by specific guidance issued to subordinate units. This will result in increased efforts in field installations. These findings emphasize that we must view this effort with the same sense of urgency that prevailed at the inception of the program. Within this context, we must assign high priority to the President's Sixteen-Point Program and communicate this sense of urgency to field managers in a timely and specific manner. Field managers must recognize that their personal involvement in assuring equal opportunities for the Spanish-surnamed is essential for effective implementation of the program.

4. Appointment of Spanish-Speaking Program Coordinators

To assure that the Sixteen-Point Program is fully implemented as an integral part of the agency's overall Federal Equal Employment Opportunity Program, each agency should appoint a Coordinator for the Sixteen-Point Program on the staff of the Director of Equal Employment Opportunity. The Coordinator may serve in this capacity on either a full-time or part-time basis, depending on the size and needs of the agency. Normally, we would expect departments and large independent agencies to establish a full-time position for this purpose. Smaller agencies may designate Coordinators on a part-time basis and these part-time Coordinators should also be responsible to the Director of Equal Employment Opportunity insofar as their Sixteen-Point Program activities are concerned. Agencies should also determine needs for program coordination at field offices or installations located in or near Spanish-speaking population centers, and designate full-time or part-time Sixteen-Point Program Coordinators to work with Equal Employment Opportunity Officers. Attachment 2 to this Letter describes the role of the Sixteen-Point Program Coordinator.

The Coordinator should serve as the principal staff advisor and focal point for program direction. He should advise the Director of Equal Employment Opportunity or the Equal Employment Opportunity Officer on the special concerns of the Spanish-speaking and ensure that specific actions are taken to provide equal opportunity for the Spanish-speaking in connection with programs of recruitment, training, promotion, upward mobility, etc.

5. Agency Action Steps

Immediate steps should be taken by headquarters offices to follow up on local implementation of the Spanish-Speaking Program and to identify problems and direct necessary action. Our studies suggest that particular attention should be focused in those geographical areas where sizable concentration of Spanish-surnamed Americans would appear to represent a relatively untapped recruitment source for the kinds of skills and abilities needed in Federal installations. This should be given specific consideration as agencies develop recruitment plans in the future. At the same time, implementation of the program should be intensified on a nationwide basis.

To avoid communication breakdowns which have apparently occurred at intermediate or regional levels, agencies must assure themselves that regional and intermediate level officials are aware of their responsibilities for providing guidance on the Spanish-Speaking Program and for evaluating progress at the field installations.

6. Agencies should continue to review traditional staffing and recruitment practices to identify and correct those which may act as artificial barriers in providing equitable opportunities to all persons, including Spanish-surnamed applicants. As part of its overall EEO responsibility, each agency should make a critical review of agency employment practices with particular attention given to assuring that (1) positions that can be reengineered to trainee levels are not being filled at the journeyman level; (2) work experience is given adequate consideration in job qualification requirements and that formal education is not being overemphasized; (3) persons with knowledge of the Spanish language are being recruited to fill positions requiring such knowledge; and (4) recruitment and referral practices are designed to tap Spanish-surnamed resources at local levels where significant numbers of Spanish-speaking citizens are concentrated.

7. The flexibilities of special entry programs such as the Veterans Readjustment Appointment Authority should be reemphasized to assure that they are fully understood and used in opening avenues to Federal employment. In many instances, the failure to establish entry level positions has precluded effective use of Veterans Readjustment Appointments. In other instances, failure to contact all veteran sources and inform them of the VRA authority has resulted in limited progress in this area. Agencies should take whatever special steps are necessary to assure that the returning Spanish-speaking as well as other veterans are informed of employment opportunities available under this authority.

8. Agencies should make sure that their use of the Cooperative Education Program includes consideration of college students from all groups. Agreements with universities that have significant Spanish-speaking student enrollments as well as other universities should be considered.

9. Agency equal employment opportunity action plans at all levels should include action items that reflect full applicability of the action plans to the Sixteen Point Program. Numerical goals and timetables are recommended where they will contribute to the resolutions of equal employment opportunity problems. CSC Bulletin 713–25 on the new requirements for action plans under the EEO Act of 1972 cites examples of the kinds of items applicable to the Spanish speaking.

10. Agency recruitment practices should be reviewed to assure that recruitment teams, as appropriate, include members who are Spanish-speaking and have knowledge of the Spanish-surnamed recruiting sources. Agency headquarters offices should instruct their field installations on the proper use of selective factors in requesting certification of eligibles for positions involving contact with Spanish-speaking citizens. Proper documentation of need was identified in our special study as an area requiring further improvement.

11. To avoid misunderstanding, agencies should review their supervisory and management training programs to assure that the Sixteen-Point Program is not viewed as a separate equal employment opportunity program, but as a special emphasis effort within the context of a total EEO program to assure all citizens equality of opportunity without regard to race, color, religion, sex, or national origin.

12. So that we may share current information on the program with your agency, please send us the name and mailing address of the person(s) you designate as the Coordinator for the program at the headquarters level. Please send this information to Mr. Higinio Costales, Director, Office of Spanish-Speaking Program, Civil Service Commission, Room 7H10, 1900 E Street, NW., Washington, D.C. 20415.

BERNARD ROSEN,
Executive Director.

Attachments.

ATTACHMENT 1

OFFICE OF THE WHITE HOUSE PRESS SECRETARY,
November 5, 1970.

The President today announced the initiation by the Civil Service Commission of a sixteen-point program to assist Spanish-speaking American citizens who are interested in joining Federal civilian service.

This program is a follow-up to the statement the President made in his July 30 press conference in Los Angeles welcoming interested and qualified Spanish-speaking persons who have an interest in Federal employment.

The sixteen steps which Civil Service Commission Chairman Robert E. Hampton will begin immediately to undertake are as follows:

1. Appoint a full-time official in the Civil Service Commission who will provide advice and assistance on matters relating to Spanish-surnamed population to assure full application of the EEO program in all Federal agencies to this group.

2. Begin an intensified drive to recruit Spanish-surnamed persons, particularly for identified public contact positions, in areas of heavy Spanish-speaking population, including the Southwestern states and in Chicago, Detroit, and New York, and certain other major metropolitan areas.

3. Use specialized recruitment terms, to include Spanish-speaking persons, for college recruitment, particularly at colleges with heavy Spanish-speaking enrollments.

4. Begin work immediately with OEO, DHEW, HUD, Labor to find ways to enhance opportunities at all levels for Spanish-surnamed Americans in programs dealing with the Spanish-speaking population as well as in other programs and in key occupations.

5. Step up recruitment for Cooperative Education Program at colleges with significant numbers of Spanish-speaking students to permit entry from FSEE registers without necessity of written examination.

6. Emphasize to Federal agencies availability of selective placement on bilingual basis so Spanish-speaking persons may be reached for appointment to positions dealing with the Spanish-surnamed population.

7. Hold an EEO conference of Federal managers and equal opportunity officials in the Southwest designed to assure equal opportunity for Spanish-speaking persons in employment and upward mobility in Federal agencies.

8. Develop plans for Federal agencies under CSC area office leadership to work with high schools in Spanish-speaking areas to make known job opportunities in the Federal Government and to counsel and to encourage students to stay in school.

9. Hire for summer employment in Federal agencies high school and college teachers from schools serving Spanish-speaking students to give them understanding of the Federal Government which they can relate to students.

10. Make special effort to inform Spanish-surnamed veterans of availability of non-competitive appointments for Vietnam Area Veterans including GS–5 level.

11. Require Federal agencies to review their EEO action plans and minority employment figures and make any necessary revisions to assure the full applicability of the plans to Spanish-surnamed population.

12. Review with agencies staffing of EEO program to make sure that there is understanding in the program of the special problems of the Spanish-speaking.

13. Provide additional training programs on EEO and personnel management for Federal managers in areas of Spanish-speaking population.

14. With the Department of Labor, explore the feasibility of establishing an Intergovernmental Training Facility for upward mobility and skills training for Federal, state and local careers in the Southwest, probably in San Antonio.

15. Collect necessary data and broaden analysis of minority statistics to bring out special information relating to employment and upward mobility of Spanish-surnamed persons in the Federal Government.

16. Require EEO reports from agencies to reflect special information on Spanish-surnamed persons and include in the CSC agenda for EEO evaluation questions directed at particular problems relating to employment and upward mobility of Spanish-surnamed persons.

ATTACHMENT 2

THE ROLE OF THE SIXTEEN POINT PROGRAM COORDINATOR

(Coordinator for Spanish-Speaking Program)

There is only one Equal Employment Opportunity Program applicable to all citizens. Within this program, necessary steps must be taken to assure that Spanish-surnamed Americans have a full and fair opportunity to compete with their fellow Americans for employment and advancement in the Federal service.

The primary role of the Coordinator should be to serve as the focal point within the agency for implementation of the Sixteen Point Program. In this role, the Sixteen Point Program Coordinator should advise agency management and the Director of Equal Employment Opportunity on the special employment concerns of the Spanish-speaking citizens and on the necessary actions required to effectively accomplish the goals of the Sixteen Point Program. To assure continuity and coordination of the total equal employment opportunity effort, the Sixteen Point Program Coordinator should be responsible to the Director of Equal Employment Opportunity at the agency headquarters level, or the Equal Employment Opportunity Officer at subordinate agency levels, in so far as the Sixteen Point Program activities are concerned.

Specific activities which will permit the Coordinator to meet his or her responsibilities are the following:

(1) Provide effective leadership and guidance to agency managers and supervisors on their responsibilities in implementing the Sixteen Point Program. Equal Employment Opportunity is the responsibility of the manager and it is he who is ultimately responsible for the success or failure of the program. The personal involvement of the head of the organization most assuredly is needed, but program responsibility is shared by every line manager and supervisor in the organization.

(2) Serve as the agency's resource person and principal staff advisor on the unique concerns of the Spanish-speaking. The Coordinator must actively participate in the development and implementation of the agency's national, regional, and local Equal Employment Opportunity plans so that specific action items directed at implementing the Sixteen Point Program are included in the plans.

(3) Assure that effective relationships are established and maintained with Spanish-speaking organizations and groups, including those representing Spanish-speaking women, in order to obtain their cooperation and advice on the agency's efforts to reach all Spanish-speaking manpower sources.

(4) Participate as a representative of the agency at meetings and conferences held by civic groups and Spanish-speaking organizations, such as LULAC, American GI Forum, SER, ASPIRA, etc., which are interested in improving the employability of the Spanish-speaking American. Maintain close liaison with Sixteen Point Coordinators from other Federal agencies through associations of Federal managers such as Federal Executive Boards, Federal Executive Associations, and Federal Personnel Councils.

(5) Assist in assessing the agency's Spanish surnamed employment situation so that employment patterns might be identified and participate in solving the problems identified through the development of employment goals and timetables where they will be useful in encouraging affirmative action. At the headquarters or regional levels assure that effective specific guidance and direction to field installations is developed and disseminated in a timely manner and that effective mechanisms for followup on implementation are instituted.

(6) Participate in special studies of agency employment practices to ascertain whether there are systemic barriers which have the effect of limiting opportunities for Spanish-speaking citizens. Such special studies should include internal evaluations and planned assistance visits to subordinate components of the agency, and Coordinators should be members of teams involved in these activities.

(7) Review agency training courses to assure that they include information on the Sixteen Point Program and participate in the development and implementation of upward mobility training and education programs required by E.O. 11478 and the EEO Act of 1972.

The person designated as the Sixteen Point Coordinator must be able to deal effectively in the organization and in the EEO program function including advice and counsel to management on proper and effective efforts to implement the Sixteen Point Program. Persons designated as Coordinators should be able to deal effectively with Spanish-speaking organizations.

Mr. KATOR. Departments and agencies were directed, for one thing, to appoint Spanish-speaking program coordinators at headquarters and field levels to serve as principal staff advisers and focal points for direction of the Spanish-speaking program. Agencies were further directed to review their staffing and recruitment practices to assure that there were no unnecessary barriers to employment and that they tapped all sources of Spanish-speaking persons in recruitment efforts; to identify public contact positions calling for bilingual ability; to use Spanish-speaking recruiters on recruitment teams; to make particular use of flexibilities on the cooperative education and veterans readjustment programs as avenues for entry into Federal employment; to develop goals and timetables where they would help overcome identified problems; to provide special training for managers on actions they should take to assure equal employment opportunity for Spanish speaking; and to make sure that action plans addressed the equal employment opportunity concerns of the Spanish speaking.

To assist agencies in taking these actions, the Commission increased its staff at headquarters and in the field and as a result was able to increase its program guidance by a variety of means such as: Publishing a monthly newsletter to help Spanish-speaking program coordinators carry out their duties as effectively as possible. It is entitled La Mesa Redonda. Conducting monthly meetings of Spanish-speaking coordinators to exchange information and ideas on solving problems.

Let me point out, Mr. Chairman, at this point that prior to the issuance of the FPM letter to which I referred, the agencies did not have Spanish-speaking coordinators.

Another step was designing numerous training courses and seminars covering the Spanish-speaking program; developing a guidebook for coordinators outlining their program responsibilities; developing a comprehensive Spanish-speaking recruitment sources booklet. This was a Civil Service Commission Bulletin 713–33, and its purpose was to inform Federal agencies on how best to recruit Spanish-speaking persons. Another step was publishing bilingual pamphlets designed to assist Spanish-speaking job seekers and help agency recruitment efforts. Another step was reviewing agency affirmative action plans at headquarters and regional levels to make sure that the plans are responsive to the equal employment opportunity problems of the Spanish speaking; and finally, developing revised evaluation guidelines for use by Commission evaluators and agency personnel in evaluating the Spanish-speaking program.

We also stepped up our evaluation of agency efforts, adding considerable staff to this activity. We strengthened our field capability to work with Federal installations on the Spanish-speaking program, providing more onsite guidance, developing training programs, consulting with Spanish-speaking groups, and undertaking a variety of additional efforts.

In addition to these and earlier efforts, the Civil Service Commission took other actions to assure accomplishment of the objectives of the Spanish-speaking program.

In September 1972, Commission Chairman Robert E. Hampton asked the heads of the 10 largest Federal agencies, whose total work force comprises over 90 percent of Federal employment, to view the Spanish-speaking program with the sense of urgency that had existed at the outset of the program and to give the program their personal

attention. He directed them to name Spanish-speaking program coordinators who would serve on a full-time basis. In the same communication, Chairman Hampton called on agencies to give particular attention to increasing employment opportunities for Spanish-speaking Americans in the State of California where there appeared to be skills in the Spanish-speaking work force which were not being fully utilized by Federal agencies.

In July 1973, Chairman Hampton began a series of consultations with leaders of Spanish-speaking groups. During the year he met several times with the national leaders of LULAC, IMAGE, American GI Forum and SER. As a result of these meetings further positive actions have been taken and additional ones are being initiated.

Among these are: A new instruction to Federal agencies has been released, and Mr. Chairman, with your permission, I would like to insert this into the record. This is FPM Instruction 713–23.

Mr. EDWARDS. Without objection, it will be so included.

Mr. KATOR. Thank you.

[FPM letter No. 713–23 follows:]

FEDERAL PERSONNEL MANUAL SYSTEM LETTER

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D.C., April 5, 1974.

FPM Letter No. 713–23.

Subject: Equal employment opportunity—Spanish-speaking program.

HEADS OF DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS

Purpose

1. The purpose of this letter is to provide additional guidance and direction to assist agencies in producing a viable, results-oriented Equal Employment Opportunity Program to assure that the special needs of the Spanish-speaking persons are met in respect to Federal employment.

Program Guidance

2. Federal Personnel Manual Letter No. 713–18 dated January 23, 1973, directed agencies to take specific actions in implementing the Spanish-Speaking Program. To assist agencies in taking these actions, the Commission has stepped up its program guidance efforts by:

Publishing a monthly newsletter, La Mesa Redonda, to help agency Spanish-Speaking Program coordinators carry out their duties as effectively as possible;

Conducting monthly meetings of coordinators to exchange information and ideas on solving problems;

Designing a special training course to prepare coordinators to assist their respective agencies in planning outreach efforts, developing EEO affirmative action plans, establishing liaison with community groups, etc.;

Developing a comprehensive Spanish-speaking recruitment sources booklet (Civil Service Commission Bulletin 713–33);

Publishing bilingual pamphlets designed to assist Spanish-speaking job seekers and agency recruitment efforts;

Reviewing agency affirmative action plans at headquarters and regional levels to make sure that the plans are responsive to the employment concerns of Spanish-speaking; and

Updating program evaluation guidelines for use in agency reviews by the Bureau of Personnel Management Evaluation.

3. As a result of overall agency efforts the Federal employment statistics of Spanish-speaking Americans are beginning to show a rising trend. As of May 31, 1973, the percentage of Federally employed Spanish-speaking Americans was 3.1%, an increase from 2.9% in May 1970, or a total of 4,275 jobs. (During this period, total full-time Federal employment decreased by 68,000 jobs.)

Review of Agency Efforts

4. Our review of agency efforts during the past year, however, shows that while there have been many positive actions, there are certain areas and tech-

niques that can be improved if the nationwide program objectives are to be achieved. In general, the main areas that can be strengthened are:

Agency Support and Direction to Spanish-Speaking Program Coordinators

Providing sufficient time and training to Spanish-Speaking Program coordinators with better definition of their roles and duties.

Affirmative Action Plans

Identifying in plans the specific problems affecting the Spanish-speaking and specifying concrete action items to overcome those problems.

Recruitment Efforts

Intensifying recruitment efforts by identifying positions where bilingual ability is a legitimate selective factor, by identifyng and contacting sources of potential Spanish-speaking candidates, and as appropriate, by including Spanish-speaking persons on recruitment activities.

Program Evaluation

Including, in agency internal evaluation reviews, coverage of how well the Spanish-Speaking Program is being implemented.

Required Agency Action

4. These areas are discussed in greater detail below. Specific action steps are also included for the immediate action of agencies.

Agency Support and Direction

(a) *Need for Full-time Coordinators.*—Public Law 92–261 requires that Federal agencies allocate sufficient resources to insure a results-oriented Equal Employment Opportunity Program at both headquarters and field level. Commission evaluations and studies reflect that lack of agency results in the Spanish-Speaking Program are related in part to insufficient resources provided to the program. One of the principal ways to deal with this is for each cabinet department and large independent agency to appoint a well qualified, full-time coordinator for the program at the headquarters level.

In addition, consideration should be given to designating full-time Spanish-Speaking Program coordinators in other agencies and in field installations where the following circumstances are found:

Large work forces located in areas (regional or local) which have significant Spanish-speaking population; or

Where EEO problems have been identified indicating that special knowledge, capability and resources are needed to deal with organizations or local Spanish-speaking groups to successfully implement the Spanish-Speaking Program; or

Where there appears to be a significant disparity between the skills available in the local Spanish-speaking population and those reflected in the agency's work force.

(b) *Assignment of Part-time Coordinators.*—Where the circumstances do not call for full-time coordinators, appointment of part-time coordinators is called for. Sufficient time must be allowed the persons assigned such duties so that proper program direction can be given.

(c) *Selection and Training of Coordinators.*—Coordinators should be selected from among thoroughly qualified candidates who are knowledgeable about employment problems affecting Spanish-speaking Americans; firmly committed to the objectives of the program; and able to serve as principal staff advisors and focal points for program direction. Bilingual ability in Spanish and English can be a legitimate selective factor when there is a need to communicate with national and local Spanish-speaking organizations and civil groups.

The coordinator needs the solid backing of management. The job is an integral and essential part of the total EEO program and employees, supervisors, and managers must give the coordinator full cooperation in efforts to carry out the objectives of the Spanish-Speaking Program. Agencies should give wide publicity to the Spanish-Speaking Program and insure through orientation and training that supervisors and managers at all levels are informed about the Spanish-Speaking Program and the coordinator's duties. Whether serving on a full- or part-time basis, the Spanish-Speaking Program coordinator needs support in terms of management responsiveness, necessary resources, and time.

Coordinators should be provided with appropriate training as quickly as possible after assuming their responsibilities so that they may perform their

duties effectively in the shortest period of time. Agencies should review the training needs of coordinators periodically. Among recommended courses are:

Spanish-Speaking Program Coordinator's Training Course;
Federal Personnel Procedures;
Developing Affirmative Action Plans;
Effective Briefing Techniques.

Affirmative Action Plans

During the past year, many agency national and regional EEO affirmative action plans were not sufficiently directed to the employment concerns of the Spanish-speaking. Despite the likelihood that their use would result in resolution of recognized EEO problems, goals and timetables were not employed as a management concept in problem areas where progress was recognized as necessary in assuring equal employment opportunity in circumstances where it often appeared appropriate to do so.

The following are some suggestions for improving affirmative action plans:

a. Describe the Sixteen-Point Program Coordinators role by specifying

Relationship with other EEO officials;
Duties and responsibilities;
Training needs;
Percentage of time that part-time coordinator is expected to spend on the program.

b. Specify Actions to Recruit the Spanish-speaking

Include lists of local schools as well as colleges and universities around the country having Spanish-speaking enrollments. (CSC Bulletin 713–33 is a valuable planning tool.)

Consult with Spanish-speaking organizations. (Also listed in CSC Bulletin 713–33.)

Use Spanish-speaking persons on recruiting teams. Recruitment efforts designed to reach all segments of the population are generally more successful when the team has minority group members.

List public contact positions where bilingual ability is a legitimate selective factor.

Recruitment Efforts

Agencies should continue to review traditional staffing and recruitment practices to identfy and correct those which may act as artificial barriers in providing equitable opportunities to all persons, including Spanish-surnamed applicants. As part of its overall EEO responsibility, each agency should make a critical review of agency employment practices with particular attention given to assuring that (1) positions that can be reengineered to trainee levels are not being filled at the journeyman level; (2) work experience is given adequate consideration in job qualification requirements and that formal education is not being overemphasized; (3) persons with knowledge of the Spanish language are being recruited to fill positions requiring such knowledge; and (4) recruitment and referral practices are designed to top Spanish-surnamed resources at local levels where significant numbers of Spanish-speaking citizens are concentrated.

On November 6, 1973, the Commission published and distributed to agencies Bulletin No. 713–33, a draft of a Spanish-speaking recruitment sources booklet. The purpose of the recruitment booklet was to assure that Spanish-speaking persons have equal opportunity to be considered in Federal recruitment efforts. This recruitment booklet provides information on universities and colleges having significant Spanish-speaking student enrollments, including academic disciplines offered; lists of public media facilities for use in reaching the Spanish-speaking public; and Spanish organizations interested in the employment concerns of Spanish-speaking citizens.

In addition, the booklet contains tips on recruiting Spanish-speaking persons. For the sake of brevity, these tips and other information in the booklet are not repeated in this letter. Agencies should make the booklet available to their recruitment officials and should combine the expertise of the Spanish-Speaking program coordinator with information contained in the booklet for more effective recruitment efforts.

Internal Evaluation Systems

Agencies should include in their internal evaluation programs criteria that will assess whether the objectives of the Spanish-Speaking Program are being reached. The Commission's Bureau of Personnel Management Evaluation recently updated its evaluation guides for assessing agency efforts in implementing the Spanish-Speaking Program, (see attachments). Agencies should tailor their internal evaluation guidelines to assure that the effectiveness of the Spanish-Speaking Program in their respective agency can be properly evaluated.

Official Program Title

5. The Spanish-Speaking Program, because of the 16 steps outlined by President Nixon to broaden Federal job opportunities for Spanish-speaking Amercians, has been popularly termed the "Sixteen-Point Program." While some of the original 16 steps are continuing, many have been completed. In addition, new program efforts such as agency Spanish-Speaking Program coordinators, internal evaluation activities, CSC reviews of agency affirmative action plans, bilingual publications, etc., are not among the steps originally specified. To avoid unnecessary limitations on the scope of the program, we believe the term "Spanish-Speaking Program" should be used in describing the program. This is more descriptive of the broad-gaged efforts underway and this terminology should be used in describing the program henceforth.

Summer Employment

6. Agencies should make sure that their summer employment plans reach out to all groups in the population, including the Spanish-speaking, in such programs as Stay-in-School, Summer Aids, Federal Summer Intern (CSC Bulletin 308–11, December 14, 1973), and the Summer employment examination. Summer employment is an important means of providing students not only with jobs but also with an understanding of the Federal Government and of job and career opportunities. It is also important in showing career opportunities available to persons who stay in school. As a means of assuring that the Federal Government is considered as a possible employer by Spanish-speaking groups, agencies are reminded that one of the original sixteen-points is the summer hiring of high school and college teachers serving Spanish-speaking students, to give faculty members an understanding of the Federal Government which they can relate to students. An excellent way to assure that summer employment programs are responsive to the Spanish-speaking is for agencies to include their Spanish-Speaking Program Coordinators in all aspects of summer hiring.

BERNARD ROSEN,
Executive Director.

Attachment.

CSC EVALUATION GUIDELINES FOR THE SPANISH-SPEAKING PROGRAM

(2) *Equal Employment Opportunity for Spanish-Surnamed Americans*

(a) The 1970 Census shows that Americans of Spanish origin are the second largest minority group. Although residing in all 50 states, the large majority of Spanish-surnamed Americans are in the following states:

California	3,100,000
Texas	2,487,000
New York	2,423,000
Illinois	687,000
Florida	502,000
New Jersey	464,000
New Mexico	387,000
Arizona	357,000
Colorado	272,000

Federal employment statistics for November 1969 showed that Spanish-speaking Americans held 2.8% of Federal jobs, an indication that their skills on the labor market were possibly not being fully tapped.

On November 5, 1970, President Nixon announced a Sixteen-Point Program to insure equal opportunities for Spanish-speaking Americans in Federal employment.

The Program is a special emphasis program within the Federal Equal Employment Opportunity Program. Its objective is to make sure that Spanish-speaking Americans have equal opportunity in the Federal service to compete in efforts

or programs involving recruitment, training, upward mobility, career counseling, and promotion.

Special employment concerns of the Spanish-speaking stem from experiences of job bias in certain parts of the country and for certain jobs. Until recently such factors as height and weight requirements for certain positions locked-out many Spanish-speaking persons from competition. Language has also been an obstacle in finding employment. In some cases bilingual ability, rather than serving as an advanatge, has been interpreted by some employers as a disadvantage. Sometimes there is simply lack of information on how to compete for Federal employment, or what rights individuals have if they believe they have been discriminated against in matters of employment. The end result is that some Spanish-speaking persons have been hesitant to compete in Civil Service job examinations even though they may be highly qualified. Aggressive and affirmative recruiting efforts, therefore, are sometimes necessary to attract Spanish-speaking persons to pursue occupations for which they are qualified.

In November 1972, the Commission conducted a special study of the Program. The major findings (CSC Operations Memorandum 713–42) showed:

Insufficient agency headquarters leadership in some agencies.

EEO Action Plans for the most part did not cover the problems of the Spanish-speaking.

A misconception among agencies that the Program was regional (Southwest) and therefore had regional limitations (Note: Program includes Puerto Ricans, Cuban-Americans, and other Americans of Spanish heritage, as well as Mexican-Americans).

Some agencies felt that the Program was temporary and therefore did not treat it with a sense of urgency.

Some agencies failed to provide adequate resources to the Program.

Some agencies had done little to educate their managers about the special employment concerns of the Spanish-speaking.

(b) Federal Personnel Manual Letter 713–18, dated January 23, 1973, requires Federal departments and agencies to take specific actions, including the appointment of Sixteen-Point Coordinators, to implement the Sixteen-Point Program. Advisors should encourage bureaus and field installations located in or near significant Spanish-speaking population to have a full or part-time Sixteen-Point Coordinator to assist agency or installation heads, Directors of Equal Employment Opportunity, Personnel Officers, managers and supervisors, in carrying out the objectives of the Sixteen-Point Program.

Below are unique concerns based on the Sixteen-Point Program, involving equal opportunity for Spanish-speaking persons, which require special evaluation attention.

What direction is the agency headquarters providing to field installations on implementing the Sixteen-Point Program? How adequate is it?

Do affirmative action plans include specific, appropriate action items aimed at resolving problems encountered by Spanish-speaking Americans?

Have adequate resources (e.g., Sixteen-Point Coordinator) been provided to the Program, particularly in areas of large Spanish-speaking population?

Have local managers and supervisors been made aware (e.g., through EEO training courses) of the special employment concerns of the Spanish-surnamed and of the Sixteen-Point Program?

Are there any Spanish-surnamed persons on the EEO program staff?

Since a principal thrust of the Sixteen-Point Program is on recruitment, advisors should determine whether installations have carried out the following specific recruitment efforts aimed at the Spanish-speaking:

Have Spanish-speaking persons been recruited for public contact positions calling for knowledge of the Spanish language?

Do recruitment teams, or efforts, include Spanish-speaking persons?

Have efforts been made to recruit for the Cooperative Education Program at colleges with significant numbers of Spanish-speaking students?

Is the agency using selective placement on a bilingual basis to reach Spanish-speaking persons for appointment to positions dealing with the Spanish-speaking population?

Has the agency hired for summer employment high school and college teachers from schools serving Spanish-speaking students, to give them an understanding of the Federal Government which they can relate to students?

Have special efforts been made to inform Spanish-surnamed veterans of VRA appointments?

Mr. KATOR. The principal areas covered by this instruction are assuring that in fact full-time coordinators are operational in all Cabinet departments and large independent agencies and setting criteria for appointment of full-time coordinators at selected field activities; developing more concrete action plans by agencies to overcome employment problems of the Spanish speaking; intensifying recruitment efforts; evaluating program effectiveness as part of agency internal evaluation reviews; and assuring that the Spanish speaking are included in summer employment programs.

Also, as a result of his meetings with the Spanish leadership, Chairman Hampton directed that a series of regional conferences between leaders of Spanish-speaking organizations and the heads of Federal field installations be sponsored by the Commission to be held during May and June 1974 at these cities: Los Angeles, Denver, Dallas, Kansas City, Chicago, and New York. Let me add that the first such conference will be held in Los Angeles and will kick off on May 13. The purpose of these conferences is to encourage constructive dialog and action from both groups to deal with local or regional employment problems affecting equal opportunity for Spanish-speaking persons. As a result of these conferences, we expect additional action to be taken at the local level by Federal installations and by Federal executive boards and Federal regional councils to move the program forward.

In addition to these activities, the Civil Service Commission, since our last appearance before your subcommittee, has begun a national undertaking to inform the Spanish-speaking public about Federal employment opportunities. So far, four bilingual publications have been released: the first, describing employment opportunities for veterans under the Veterans' Readjustment Act; the second, listing toll-free numbers to call CSC's Federal Job Information Centers across the Nation; the third, describing the Federal personnel system from job announcement to merit promotion to retirement; and the fourth, answering 16 frequently asked questions about the Spanish-speaking program.

In May 1974, this month, in fact, we will publish our newest bilingual booklet, giving helpful information to Spanish-speaking persons on how to fill out standard form 171, the application form for Federal employment.

Now, we recognize regardless of how well our program directions are carried out by Federal agencies, we know that the sum of our collective efforts will be evaluated on whether the main objective, assuring equal employment opportunities for Americans of Spanish origin, is being achieved. Federal employment statistics continue to show that, despite employment cutbacks and budget limitations, the number of Spanish-speaking Americans in the Federal service is increasing steadily.

In our testimony 2 years ago, March 1972, we reported that Spanish-speaking persons held 2.9 percent of total Federal jobs. Today they hold 3.1 percent. In terms of actual net gain in jobs since May 31, 1971, the reporting period on which we based our previous testimony, the number of Spanish-speaking Americans in the Federal work force has moved from 75,539 to 78,243 on May 31, 1973, and that is the latest date for which figures are available, or an increase of 2,704 jobs. This is particularly significant because this increase occurred while total

Federal employment was declining by over 53,000 jobs, thus reducing employment opportunities for all persons. These cutbacks, largely affecting Department of Defense agencies, could have had an adverse effect on employment of the Spanish speaking because half of all Spanish-speaking Federal employees are on the rolls of DOD agencies. Actually, however, there were overall gains in Spanish-speaking employment because of appointments in other agencies, most of which were in the better-paying whitecollar jobs of the General Schedule.

I would like to add, Mr. Chairman, if one compares data from November 1969 to May 1973, the increase in Spanish-speaking employment is 4,652 jobs occurring despite a total Federal employment decrease of 76,643 jobs in the 3½-year period.

Between the period May 31, 1972, and May 31, 1973, the 1-year period, Spanish-speaking persons registered the largest percentage gain of any minority group, with an additional 1,657 jobs for Spanish-speaking Americans. With respect to overall progress made since the inception of the program, statistics reflect that total Spanish-speaking employment has increased from 74,449 in November 30, 1970, to 78,243 in May 31, 1973, a net gain of 3,794 positions in this 2½-year period. While there was a numerical decrease in blue-collar employment, it is noteworthy that in better-paying General Schedule white-collar positions, Spanish-speaking employment during this period increased from 24,764 to 29,984, or a total of 5,220 jobs.

As a matter of fact, Spanish-speaking employment in the GS schedule, which is the white-collar, better-paying schedule, went from 1.8 percent of total jobs in that schedule to 2.3 percent from November 1969 to May 1973. This is a period of 3½ years.

Another indication of progress is that between November 1969, the year Executive Order 11478 on equal employment opportunity was issued, and May 1973, Spanish-speaking Americans accounted for over 15 percent of the total increase in white-collar Federal employment, 6,303 out of 41,475 jobs, and increases in Spanish-speaking employment occurred at all grade groupings. In fact, nearly 38 percent of the increase in Spanish-speaking employment occurred at grades GS–9 and above.

While Federal employment statistics for the Spanish speaking show a rising trend, we cannot be fully satisfied with the progress to date and will continue to move forward in every way possible.

Let me add, the Spanish-speaking program was built around 16 points which focused largely on outreach recruiting efforts to the Spanish-speaking population, and I believe we testified on these points when we were before your committee last.

Some of the original points were one-time efforts, some applied only to the Commission, and all have been largely accomplished. For example, our Southwest Intergovernmental Training Center, the establishment of which was one of the original 16 points, has been operational for 2 years and has trained 3,851 students, 52 percent of whom were Spanish speaking. Certainly, accomplishment of the original points has been the major factor in the employment gains so far. In addition, they have created an awareness on the part of Federal managers of the need to assure that the special concerns of this Nation's second largest minority were addressed in our equal employment opportunity programs. Nevertheless, we have found it necessary to go

beyond the 16 points. New program efforts such as the designation of agency Spanish-speaking program coordinators, stepped-up internal evaluation activities, Civil Service Commission review of agency affirmative action plans, and bilingual publications are just some of the actions now underway and which were not among the steps originally set forth in the 16 points. The program is now a stronger and more well-rounded effort, emphasizing equal opportunity for the Spanish speaking as an integral part of a total equal employment opportunity program.

In sum, we are not just overcoming a static situation which existed before inauguration of the 16-point program, but we want to assure a condition governmentwide in which there is true equal employment opportunity for all persons and in which affirmative action efforts are reaching the Spanish-speaking population so they can make a maximum contribution in terms of their skills and abilities in carrying out the important missions of Federal agencies.

Mr. Chairman, we have a report which I would like to ask permission to have entered in the record. It is a report on the status of the Spanish-speaking program. It is a compilation of actions taken in response to the 16-point program, and it summarizes and defines what the Civil Service Commission and what Federal agencies have done on each one of the 16 points. And with your permission, I would like to offer it for inclusion.

Mr. EDWARDS. Without objection, it will be included.

[The report referred to follows:]

REPORT OF THE STATUS OF THE SPANISH-SPEAKING PROGRAM

This is a report on the status of the Spanish-Speaking Program.

Since November 1970 when the Sixteen-Point Program was announced by President Nixon, the Civil Service Commission has had major responsibility for providing leadership, advice, and assistance to Federal agencies in implementing the program. This report encompasses activities undertaken by the Spanish-Speaking Program Office in cooperation with the other Bureaus and the regional offices of the Civil Service Commission. The significant activities which specifically apply to the original sixteen points outlined in the November 5, 1970 White House news release are listed on a point by point basis. Activities or accomplishments that are closely related to each point or which serve to strengthen the intent of each point are also listed in the same basis. These are what we refer to as programmatic achievements and as can be noted, the Civil Service Commission has strongly and affirmatively directed its efforts towards establishing the permanent framework from which Federal agencies can build an integrated Federal Equal Employment Opportunity Program which considers the Spanish-Speaking Program as an integral part.

One of the ways to assess trends in the employment of Spanish-speaking Americans is to review employment statistics on a nationwide basis. The following statistics indicate that despite employment cutbacks and budget limitations Spanish-speaking Americans are continuing to move forward:

As of May 31, 1973, the percentage of Federally employed Spanish-speaking Americans was 3.1%, an increase of .3% since November 30, 1969, or 4,652 jobs to a total of 78,243 from 73,591. This increase warrants attention because from November 1969 to May 31, 1973, total full-time Federal employment decreased by 76,643 jobs.

General Schedule (November 1969 to May 31, 1973). In the better paying General Schedule jobs, there was an increase in total full-time employment of 41,475 jobs; employment of Spanish-speaking citizens in this Schedule increased by 6,303 jobs. This was (15.2% of the total increase) 37.7% of the 6,303 was at GS-9 and above.

	Number	Percent
GS 1 to 4	+1,902	(+30.2)
GS 5 to 8	+2,025	(+32.1)
GS 9 to 11	+1,274	(+20.2)
GS 12 to 13	+821	(+13.0)
GS 14 to 18	+281	(+4.5)
Total	6,303	100.

Supergrade positions (November 1969 to May 31, 1973). In grades 16 through 18, employment of Spanish-speaking citizens increased from 14 to 36.

Total Wage Systems (November 1969 to May 31, 1973). Spanish-speaking employment decreased by 3,258 jobs, compared with a total decrease of 88,069 jobs.

Total Postal Field Service (November 1969 to May 31, 1973). The total Postal Service decreased by 29,893 jobs; Spanish-speaking Americans registered a net increase of 1,476 jobs.

Total "Other Pay Systems" (November 1969 to May 31, 1973). The total employment under these pay systems (i.e. executive level, Department of Medicine and Surgery in Veterans Administration, Foreign Service, and Tennessee Valley Authority) decreased by 156 jobs; Spanish-speaking Americans registered a net increase of 131 jobs. Spanish-speaking citizens earning $26,000 and above in these systems increased by 38 to 59.

Despite the steady increases in employment, the Commission recognized the need for determining what Federal efforts produced tangible results and what problems still existed that inhibited the strongest possible implementation of the program on the part of Federal agencies. A comprehensive study undertaken by the Commission in early 1972 revealed the following needs:

More affirmative agency leadership and guidance to field installations.

More applicability of agency equal employment opportunity action plans to the Spanish-speaking population in terms of specific action items which would direct agencies towards achieving nationwide program objectives.

More diligence on the part of agencies to view the program with a renewed sense of urgency and a sense of permanency.

More affirmation on the part of agencies to review the staffing of EEO offices to assure that there is understanding of the special emphasis program concerned with the problems encountered by Spanish-speaking Americans in obtaining Federal employment.

More awareness on the part of agencies to view the objectives of the Spanish-Speaking Program on a national basis rather than on a regional basis.

More adeptness on the part of agencies to revitalize their EEO training programs and assure that the employment concerns of the Spanish-speaking Americans are specifically covered by such programs.

To meet these needs the Commission and its Office of the Spanish-Speaking Program charted its course and its affirmative efforts are the following:

1. Appoint a full-time official in the Civil Service Commission who would provide advice and assistance on matters relating to the Spanish-surnamed population to assure full application of the Equal Employment Opportunity Program in all Federal agencies to this group.

Action: Mr. Fernando E. C. De Baca was appointed by the Commission as Director of the Federal Government Spanish-Speaking Program in January 1971. On Mr. De Baca's departure from the Commission in January 1972, Mr. Higinio Costales succeeded him as Director. Both Mr. De Baca and Mr. Costales have worked closely with the Commission's top staff and with Federal agencies in providing leadership, advice, and assistance.

Related to this point it was recognized that Federal agencies were also in need of individuals who could serve within their agencies as the chief advisor and focal point for program direction specifically concerned with the Spanish-speaking. As early as September 1972 the Chairman of the Commission wrote to the heads of the ten largest Departments and independent agencies which compose nearly 90 percent of the total Federal workforce urging them to appoint well qualified Spanish-speaking Program Coordinators, who could assist in taking the necessary steps to overcome the problems divulged through the special study.

On January 23, 1973, Federal Personnel Manual Letter 713-18 was issued on the Spanish-Speaking Program. It not only emphasized to agencies that the program was permanent in nature, but also informed agencies of the findings of the study and directed agencies to take specific actions to overcome the program deficiencies identified. It directed agencies to appoint Spanish-Speaking Program Coordinators at headquarters and field levels to serve as principal staff advisors and focal points for program direction. As a result of these instructions there were nine Spanish-Speaking Program Coordinators named in the D.C. metropolitan area who would devote full time to the program. One-hundred-and-fourteen others were named who were to devote less than full-time.

During March 1974 the Chairman of the Civil Service Commission wrote to 12 agencies (Department of State, Department of the Treasury, Department of Defense, Department of the Army, Department of Interior, Department of Labor, Department of Housing and Urban Development, Department of Transportation, Department of Commerce, Environmental Protective Agency, General Services Administration and Veterans Administration) requiring the departmental or agency head to appoint coordinators on a full-time basis.

In mid-April 1974 a second Federal Personnel Manual Letter will be issued emphasizing once again the need for departments and independent agencies of cabinet level stature to name coordinators for the program who will devote full-time to its implementation.

2. Begin an intensified drive to recruit Spanish-surnamed persons, particularly for identified public contact positions, in areas of heavy Spanish-speaking population, including the Southwestern states, and in Chicago, Detroit, and New York, and certain other major metropolitan areas.

ACTION: Agencies have identified a variety of public contact positions where knowledge of the Spanish language is a significant asset in areas of large Spanish-speaking population. A partial list of these positions includes:

Safety Officer, Department of Labor;
Social Security Representative, Social Security Administration;
Taxpayer Service Representative, Internal Revenue Service;
Consumer Protection Specialist, Federal Trade Commission;
Manpower Development Specialist, Office of Economic Opportunity;
Customs Inspector, Bureau of Customs;
Veterans Benefit Counselor, Veterans' Administration;
Community Relations Specialist, Department of Justice;
EEO Specialists, Equal Employment Opportunity Commission;
Minority Enterprise Representative, Small Business Administration;
Housing Counselor, Department of Housing and Urban Development;
Community Field Representative, Department of Commerce;
Civil Rights Specialist, Department of Health, Education, and Welfare;

Agencies have also conducted intensified searches to recruit Spanish-surnamed persons for these and other positions. Four examples illustrate the kinds of aggressive efforts underway in this regard:

To help staff the IRS Service Center, in Fresno, California, the Internal Revenue Service in cooperation with the Department of Labor and the California Department of Human Resources Development sponsored a comprehensive six-month Manpower Development Training Act class for 150 disadvantaged persons, many of whom were Spanish-surnamed. One-hundred and forty-four graduated, 120 were within reach on Civil Service Registers, and 110 were employed by Internal Revenue Service; 65 of these were Spanish-surnamed. Of the initial 795 employees recruited locally from all sources, 160 or 20% were Spanish-surnamed.

The Social Security Administration, working in conjunction with the Civil Service Commission and the Cabinet Committee on Opportunities for Spanish-Speaking People, conducted a nationwide drive to recruit Spanish-speaking persons for Social Security Insurance Representatives positions calling for bilingual ability.

In October 1972, selective certification on the basis of bilingual ability was used in hiring Detention Guards for the Immigration and Naturalization Service at Marfa, Texas, and 50% of the new hires were Spanish-speaking.

In response to recommendations made in October 1972 by the Commission's Dallas Regional Office, the Federal Correctional Institution in La Tuna, Texas, will continue to use bilingual ability as a selective certification factor in new hires.

Recognizing the need to explore recruitment practices of specific agencies whose mission directly affected people of Spanish origin, Spanish-speaking organiza-

tions called to our attention the Department of Justice. The Office of the Spanish-Speaking Program was asked to look into the Border Patrol Agency, Department of Justice. With the cooperation of the Bureau of Personnel Management Evaluation we were able to conclude that there existed within the agency's recruitment process including the oral panel interview instructions, built-in barriers and obstacles which precluded equality of opportunity to the Spanish-speaking. Specifically these barriers were the following:

An accent or a lack of an officer's command of the English language was sufficient to reject a candidate during the oral panel interview.

Height and weight requirements restricted Spanish-speaking candidates from gaining employment with the agency.

Even though the ability to speak English and Spanish was considered essential to the full performance of the job, bilingual and bicultural candidates were not properly rated on this ability.

Requests for certification submitted to the CSC for eligibles generally did not ask for selective certification based on the ability to speak Spanish.

The register of eligibles maintained by the CSC had been closed because of the large number of eligibles.

Based on these findings the CSC has removed the height and weight restrictions for the positions; has asked the Border Patrol Agency to revise their oral panel interview instructions; has required the Border Patrol Agency to submit for approval by the Commission those candidates who have been rejected because of the oral panel interview; has changed the examination rating process to give appropriate credit to those candidates possessing the ability to speak Spanish; and has required the Border Patrol Agency to ask for certification of eligibles based on the selective factor of being bilingual in Spanish and English.

The written examination will be reannounced and the qualification standards for the position of Border Patrol Agent will be revised to reflect the changes necessary as identified by this special study.

In addition, the Commission is stressing Outreach activities designed to inform the Spanish-speaking public about Federal job opportunities. The following bilingual publications have been or will be published to reach this goal:

Es Usted Veterano? (*Are You a Veteran?*) Explains the requirements for, and the benefits of, entering Federal service through a Veterans Readjustment appointment. Published January 1972.

Nosotros Hablamos Espanol (*We Speak Spanish*) Lists Commission's nationwide network of Job Information Centers and provides toll-free telephone numbers plus a capsule on the Spanish-Speaking Program. Published January 1973.

Trabajando Para Los USA (*Working for the USA*) Gives a summary of the Federal personnel system, from going to a job information center, getting a rating, entering on duty, merit promotions, to retirement benefits. Published March 1973.

Dieciseis Preguntas Sobre el Programa de Habla Hispana (16 Questions on the Spanish-Speaking Program) Answers the most frequently asked questions about the program. Published January 1974.

La SF–171 Se Llena Asi! (*How to Fill out the SF–171*) Provides tips on filling out a good application (SF–171) for Federal employment in order to get a proper rating and heighten interest of potential employers. Target date: July 1974.

3. Use of specialized recruitment teams, to include Spanish-speaking persons, for college recruitment, particularly at colleges with heavy enrollments of Spanish-speaking students.

ACTION: Although over all agency recruitment efforts have declined in the face of employment cutbacks and budget limitations, major agencies presently recruiting at colleges with heavy Spanish-speaking enrollments have Spanish-speaking employees on their recruitment teams.

Agencies now recognize the importance of including Spanish-speaking persons on recruitment teams. One problem that surfaced was the lack of information available to recruitment teams on universities and colleges whose student enrollments indicated a potential source of Spanish-speaking graduates. To assist these agencies, as well as field installations the Commission in 1973 published a Spanish-Speaking Recruitment Sources Booklet which lists colleges, universities and junior colleges with significant Spanish-speaking enrollments, including the curricula offered and the percentage of Spanish-speaking students attending. This booklet is replete with additional information for a recruitment coordinator's use. Instead of relying solely on the placement director's announcement of the recruiter's visit, the Commission has recommended to agencies that they also coordinate their recruitment visits with Spanish-speaking community organizations, Spanish-speaking student organizations and that they publicize their visits

in Spanish-speaking newspapers and magazines, and radio and television programs. A listing of such public media facilities and Spanish-speaking organizations is included in the booklet.

In addition, the Commission has publicized, in *La Mesa Redonda*, career days at such institutions as the College of Santa Fe, University of Texas at El Paso, and New Mexico State University.

4. Begin work immediately with OEO, DHEW, HUD, and Labor to find ways to enhance opportunities at all levels for Spanish-surnamed Americans in programs dealing with the Spanish-speaking population as well as in other programs and in key occupations.

ACTION: In conjunction with the Cabinet Committee on Opportunities for Spanish-Speaking People, we have participated in a series of Regional Council Conferences. The objective of these conferences was to undertake a comprehensive assessment of the extent of Federal responsiveness to the Spanish-speaking communities in the regions. These meetings gave us an opportunity to further emphasize the Spanish-Speaking Program to the Federal agencies involved in the Regional Councils, including Labor, Housing and Urban Development, Department of Health, Education, and Welfare, Department of Transportation, and the Office of Economic Opportunity.

Examples of recent Commission activity on this point:

Recent activity with the Cabinet Committee on Opportunities for Spanish-Speaking People include close coordination with Social Security Administration in assisting them to reach out into the Spanish-speaking community for the purpose of establishing employment referral contacts with Spanish-speaking organizations. Recent visits to New York City and Philadelphia have served to stimulate the Puerto Rican Spanish-speaking groups to become fully acquainted with the necessary procedures to be followed in applying for Federal employment, particularly with the Social Security Administration.

The Commission's San Francisco Region has been coordinating with SER (Service, Employment, and Redevelopment) in Glendale, Arizona, to promote Federal employment through job counseling activities. SER is operating a Manpower Development Training Act funded program to train Spanish-speaking migrant farm-workers.

In December 1972, the Commission's Area Office in Milwaukee, Wisconsin, met with officials from SER to make arrangements to conduct Federal employment examinations in classrooms at SER's offices.

In September 1973 a personnel management specialist from the Commission's San Diego area office visited the Padre Hidalgo Center which is funded by the Department of Labor and the Department of Housing and Urban Development.

As a result of the visit, 54 women who were taking clerical training received general information on Federal employment and arrangements were made to administer the CSC Office Assistant Test onsite at the center.

Regional conferences are to be convened in six regions. Member agencies of the regional councils and the Federal Executive Boards will be invited to participate. The purpose of the conferences is to help Federal officials to identify and carry out effective means for accomplishment of the objectives of the Spanish-Speaking Program and to inform the Spanish-speaking leadership of Federal actions underway relating to the Spanish-Speaking Program. This is to be attained through constructive dialogue between Federal officials and Spanish-speaking organization leaders.

5. Step up recruitment for Cooperative Education Programs at colleges with significant numbers of Spanish-speaking students to permit entry from Federal Service Entrance Examination registers without the necessity of a written examination.

ACTION: We published guidance to Federal agencies encouraging the establishment or expansion of Cooperative Education Programs at colleges with significant numbers of Spanish-surnamed students. This has been done by a number of agencies which have increased their participation in Cooperative Education agreements with such colleges and universities. In November 1972, a listing of colleges and universities having significant enrollments of Spanish-surnamed students was developed and provided to our Regional Offices to assist them in informing agencies of potential recruitment sources.

Agency Spanish-Speaking Program coordinators have received information and training on cooperative education programs. *La Mesa Redonda* for December 1973 provided coordinators and agencies with a summary of cooperative education programs, as well as proper Federal Personnel Manual references. The forthcoming update of the Spanish-Speaking Recruitment Sources booklet will

list those colleges that have a high concentration of Spanish-speaking students and have established cooperative education program agreements.

6. Emphasize to Federal agencies of the availability of selective placement on a bilingual basis so that Spanish-speaking persons can be appointed to positions where their knowledge of Spanish would be useful.

ACTION: Selective placement is the means by which an individual with special skills can be given special consideration for a position which requires knowledge of these skills. We have encouraged agencies through our instructional system to use selective placement on a bilingual basis so that Spanish-speaking persons can be appointed to public contact positions where these skills are desirable. Meetings held in February and March 1973 between members of the Civil Service Commission, the Cabinet Committee on Opportunities for Spanish-Speaking People, and the Social Security Administration reemphasized the use of selective placement methods for filling positions requiring bilingual ability in conjunction with new positions authorized by the Social Security Amendment of 1972.

7. Hold an Equal Employment Opportunity conference of Federal managers and equal opportunity officials in the Southwest designed to assure equal opportunity for Spanish-speaking persons in employment and upward mobility in Federal agencies.

ACTION: We expanded on this point, and held four separate conferences in regions with large concentrations of Spanish-speaking persons. These conferences, focusing on particular problems indigenous to the different areas, were held in:

Denver, Colorado, February 16–18, 1971.
Dallas, Texas, February 22–24, 1971.
San Diego, California, March 2–4, 1971.
Atlantic City, New Jersey, March 17–19, 1971.

Subsequent to the 1971 conferences, representatives of the Office of the Spanish-Speaking Program have participated in regional conferences on the Sixteen Point Program sponsored by regional Federal Executive Boards in Seattle, Washington; Portland, Oregon; Los Angeles, California; Albuquerque, New Mexico; El Paso, Texas; Boston, Massachusetts; New York City; Sarasota, Florida; Atlanta, Georgia; and Denver, Colorado. As an extension of these local conferences, the Commission Regional Federal Equal Employment Opportunity Representatives have either sponsored or conducted special conferences in their respective regions. Regional Council meetings previously mentioned have also served as meaningful conferences on the Sixteen Point Program.

The latest round of conferences is scheduled at these six cities during May and June 1974: Los Angeles, Denver, Dallas, Kansas City, Chicago, and New York. The purpose of these conferences is to renew the commitment of the Federal Government to reach the objectives of the Spanish-Speaking Program. Federal officials and leaders of Spanish-speaking organizations in these cities and areas, through constructive dialogue, will identify and carry out effective actions together that will assure that the Spanish-speaking are being afforded equal opportunity in Federal employment.

8. Develop plans for Federal agencies under Civil Service Commission Area Office leadership to work with high schools in Spanish-speaking areas to make known job opportunities in the Federal Government and to counsel and encourage students to stay in school.

ACTION: In cooperation with Civil Service Commission offices and inter-agency groups, such as Federal Executive Boards, agencies have reinforced their contacts with high schools in Spanish-speaking areas through an increased number of Career Days and other school visits. In addition, many agencies have invited high school students to tour their facilities. To encourage students to remain in school, many agencies have sponsored visits to schools by minority employees for the purpose of showing students the advantage of completing their education.

The April 1974 Federal Personnel Manual Letter exhorts agencies to give consideration to the summer hiring of Spanish-speaking high school students to give them an understanding of, and an interest in, Federal career employment.

9. Hire for summer employment in Federal agencies high school and college teachers from schools serving Spanish-speaking students to give them understanding of the Federal Government which the teachers can relate to students.

ACTION: A number of agencies hired Spanish-surnamed high school and college teachers during the past summers. Although most of these hires were in the field, a significant number were employed in the Washington area, so that faculty participants could return to their classrooms with a broad understanding of Government operations from the central office level.

The April 1974 Federal Personnel Manual Letter also calls the attention of agencies to the continued summer hiring of faculty members from high school and colleges having significant Spanish-speaking enrollments.

10. Make special effort to inform Spanish-surnamed veterans of all availability of non-competitive appointments for Vietnam Era Veterans through the GS–5 level.

ACTION: We have initiated and are continuing a series of actions to assure that Spanish-surnamed veterans are informed about non-competitive appointment opportunities in the Federal Government:

Developed a bilingual pamphlet, "Es Usted Veterano?", describing the Veterans Readjustment Appointment Program.

Distributed this pamphlet to State Employment Commissions, military separation centers and Spanish-speaking organizations.

Acquired names of returning Spanish-surnamed veterans from Spanish-speaking organizations and informed them of the VRA Program. In addition, name listings of these veterans have been distributed to agencies for consideration in filling positions through use of the Veterans Readjustment Appointment Authority.

Some recent examples:

In February 1973, the Commission's San Juan, Puerto Rico Area Office worked with the Veterans Administration in Guayama, Puerto Rico, in an effort to inform local veterans on how to apply for Federal employment.

Also in February 1973, the Area Manager of the Commission's Wichita, Kansas Area Office explained the Federal employment system to Spanish-surnamed youth leaders during a statewide youth conference held by the GI Forum.

In December 1972, the Chairman of the Civil Service Commission and other Commission officials, including the Director of the Spanish-Speaking Program, met with the National Chairman of the American GI Forum to discuss equal opportunity in Federal employment for Spanish-speaking Americans.

The December 1973 and January 1974 issues of the Commission's *La Mesa Redonda* publication provided agencies with additional information on the hiring of Spanish-speaking veterans through the Veterans Readjustment Appointment Authority avenue. Also included was publicity to the American GI Forum's Veterans Outreach Program, located in Denver, Colorado.

11. Require Federal agencies to review their EEO action plans and minority employment figures and make any necessary revisions to assure the full applicability of the plans to Spanish-surnamed population.

ACTION: As required by the Equal Employment Opportunity Act of 1972, all agencies have submitted Equal Employment Opportunity Plans of Action for our review. After the initial review for legal requirements, the EEO plans have been given in-depth reviews involving a comprehensive analysis of the plan by several CSC offices, including the Spanish-Speaking Program Office. Final approval of a number of agency plans was withheld because of lack of sufficient emphasis to the Sixteen Point Program. Notifications to the agencies informed them of modifications we felt were needed to make them more effective.

12. Review with agencies the staffing of the Equal Employment Opportunity programs to assure that there is understanding in the program of the special problems of the Spanish-speaking.

ACTION: Federal Personnel Manual Letter 713–18, dated January 23, 1973, directed agencies to appoint Sixteen Point Program Coordinators to serve as the principal staff advisors and focal point for program direction. As of May 15, 1973, 80 headquarters and field installation Sixteen Point Program Coordinators had been designated.

Additional letters from the Chairman of the Civil Service Commission have been sent as follow up to agency heads to assure that qualified, committed, and capable coordinators are named. In addition the April 1974 Federal Personnel Manual Letter contains further instructions on the naming of coordinators to serve on a full-time basis.

13. Provide additional training programs on EEO and personnel management for managers in areas of Spanish-speaking population.

ACTION: Civil Service Commission headquarters and regional offices have conducted a substantial number of courses and seminars for managers on the Sixteen Point Program. In addition, the Commission's Regional Training Centers have emphasized the Sixteen Point Program in all training courses for Federal managers and supervisors on equal employment opportunity and personnel man-

agement. Several special courses, such as "EEO and the Spanish-Surnamed" and the newly-designated course for Sixteen Point Program Coordinators, first offered in January 1973, have been developed.

Two Commission regions, San Francisco and Denver have offered specially designed courses for Spanish-Speaking Program coordinators.

14. With the Department of Labor, explore the feasibility of establishing an Intergovernmental Training Facility for upward mobility and skills training for Federal, State, and local employees in the Southwest.

ACTION: This training facility is now a reality. With a Department of Labor allocation of $432,000, the Intergovernmental Training Facility began operation in January 31, 1972, at a site on the campus of the University of St. Mary's in San Antonio, Texas.

The Center has developed a curriculum of over 20 courses designed specifically for the educational and skills training needs of lower level (GS–7 and below or equivalent) employees in the Southwest. Courses included in the curriculum have been selected on the basis of the individual trainee's needs, and on the basis that the skills and knowledge they gain can be of use to the governmental agencies within the employment area.

The curriculum of training is offered by capable staff utilizing pre- and post-testing and the latest teaching equipment. All training conducted through the Center is "individualized," focusing on the specific needs and learning levels of the participants. The effect of this approach has been a near 100% success rate among participants, minimal "dropout" of trainees, and strong support of the program by Federal, State, and local agencies.

From January 31, 1972, when the Center first opened its doors, through January 31, 1973, a total of 1,844 governmental employees were trained through the Southwest Intergovernmental Training Center. This number exceeded by over 100% the goal which was set at the Center's establishment of 900 employees trained during the first year. Of the 1,844 persons trained, 71.9% were Federal employees and 28.1% were State and local employees. Also, participation among minority group employees has been high: 63% of the trainees were Mexican-American; 11% were Negro; and 26% were Anglo. For the two-year period of operation, 3,851 employees were trained, 52% of whom were Spanish-speaking.

There is tangible evidence reflecting the quality and effectiveness of the Center's training. For example, approximately 95% of the trainees in typing and stenography have qualified for Certificates of Proficiency upon completion of the training. These certificates qualify individuals for clerk-typist or clerk-stenographer positions. The Center has awarded 156 typing and 221 stenography Certificates of Proficiency.

In addition, 165 trainees enrolled in the General Education Development (GED) course have successfully completed the five-part high school equivalency exam and have been awarded a High School Equivalency Diploma by the State of Texas. The "pass" rate among participants completing the training has exceeded 90%, an excellent record for this type of training.

The training has had a definite effect on the upward mobility and assignments of former participants. The data obtained through a recent survey report reflects that:

72 were promoted;
114 received reassignment (employee placed in a different job);
67 were assigned new duties in the same job;
416 showed evidence of improved job performance in the same job.

These changes came about despite a work force reduction and a "freeze" on promotions. We can expect more upward mobility by those who have received training at the Center. Many of the participants have only recently graduated and the effect on their careers of the training will be reflected in the near future.

15. Collect necessary data and broaden analysis of minority statistics to bring out special information relating to employment and upward mobility of Spanish-surnamed persons in the Federal Government.

ACTION: The Commission's report on the November 30, 1971, census of minority employment in the Federal Government added a section dealing with a broader analysis of Spanish-surnamed employment in the Federal Government. This analysis has been a continuing feature. In addition, we are developing a capability for preparing more detailed statistics on all minority groups, including Spanish-speaking, which will show promotions, selections for training, separations, and new hires, among other things.

16. Require EEO reports from agencies to reflect special information on Spanish-surnamed persons and to include in the Civil Service Commission agenda for EEO evaluation questions directed at particular problems relating to employment and upward mobility of Spanish-surnamed persons.

ACTION: In November 1972, the Commission released the results of a nationwide special study on the Sixteen Point Program. Information for the study was obtained primarily from department and agency progress reports and from a series of reviews by Commission representatives at 77 Federal field installations throughout the country. A number of problems were identified. Chief among these was the lack of demonstrated commitment to the program in some agencies, guidance to subordinate units from the headquarters levels which caused a lack of understanding of the program at the field installation level. As a result of these findings, the Chairman of the Civil Service Commission, on September 1, 1972, wrote to the heads of the 10 largest Federal agencies, whose total work force composes over 90% of Federal employment. He asked these agency heads to view the Sixteen Point Program with the sense of urgency that existed at the outset of the program and he called on them to appoint Sixteen Point Program Coordinators. On January 23, 1973, the Commission issued Federal Personnel Manual Letter 713-18 informing agencies of the results of the special study on the Sixteen Point Program and directing all agencies to appoint Sixteen Point Program Coordinators to serve as the principal staff advisors and focal points for program direction.

The Commission's agenda for evaluating agencies' equal employment opportunity programs has been revised to include specific coverage of the goals and objectives of the Sixteen Point Program. Approximately 50 reviews are conducted monthly by the Commission, the majority of which include coverage and recommendations on equal employment opportunity.

The Commission's Office of the Spanish-Speaking Program has been in continuous contact with agencies' headquarters officials to assure that guidance on the Sixteen Point Program reaches the local levels where it must make its major impact.

In January 1974 the Commission updated its guidelines for evaluation coverage of the Spanish-Speaking Program. These were transmitted to agency coordinators through a special letter and to agency personnel officials through the April 1974 Federal Personnel Manual Letter. These guidelines were designed to produce more results oriented coverage of the Program, particularly in the area of recruitment.

Mr. KATOR. Thank you, Mr. Chairman.

This concludes our testimony. Mr. Costales and I will be glad to answer any questions you have to the best of our ability.

Mr. EDWARDS. Thank you very much, Mr. Kator.

What is the present size of the Spanish-speaking program staff at the Civil Service Commission headquarters?

Mr. KATOR. At the headquarters level, the total staff is five in the program.

Let me add, Mr. Chairman, that we discussed this at our last meeting, although the staff, I believe, at that time was three, it has been increased by two professional staff members. The staff in the regional offices has been increased considerably. We have in our regional offices five Spanish-speaking persons who are working directly in the Equal Employment Opportunity Office, and in addition have other Spanish-speaking persons who serve from other divisions of the regional offices of the Commission, who serve as coordinators of the Spanish-speaking program and bring their particular expertise to the problems that we face.

In addition, of course, as I indicated last time, the entire Commission is involved in assuring equal opportunity for the Spanish speaking. I mentioned the intensification of our evalution efforts. We added 45 people to our evaluation staff on the basis of the Equal Employment Opportunity Act.

Now, many of the evaluations that are done by this staff are aimed at what agencies are doing with regard to the Spanish-speaking program. So I am always concerned that a fair picture of our level of effect is not given when we just say how many do you have in one particular aspect of the Commission's operation regarding the Spanish speaking.

Mr. EDWARDS. Well, we are concerned, of course, too, Mr. Costales—and you have two assistants, is that correct? And who are they, Mr. Costales?

Mr. COSTALES. I have three professionals.

Mr. EDWARDS. And who are they?

Mr. COSTALES. One is Mr. Carlos Esparza, one is Mr. George del Valle, and the other is Ms. Ana Bauza Jankowski.

Mr. EDWARDS. Now, Mr. Kator, in your testimony you mentioned that Chairman Hampton has requested that Spanish-speaking program coordinators be appointed for the 10 largest Federal agencies. What agencies specifically are included?

Mr. KATOR. Mr. Chairman, all Cabinet departments and all major agencies which we define as agencies with 7,500 or more employees, are required to have full-time Spanish-speaking coordinators on their staffs.

Mr. EDWARDS. Now, that directive was about 1½ years ago.

How many coordinators have actually been appointed?

Mr. KATOR. Mr. Chairman, if I may, the directive on full-time coordinators was issued just recently with the last FPM letter. That was dated April 5, 1974. The prior directive referred simply to having coordinators that could be part time, they could be full time. Now all agencies have coordinators, but what is happening since the April directive is that they are assigning persons on a full-time basis to serve as coordinators.

Mr. EDWARDS. What you are saying is, the first program did not work very well, so that in the last few weeks you felt that you had to strengthen it by insisting that full-time Spanish-speaking coordinators be appointed.

Is that correct?

Mr. KATOR. We felt that the addition of full-time strength to the Spanish-speaking coordinators would assist in further program implementation, and for this reason, insisted that agencies have it.

Mr. EDWARDS. And how many do the agencies have now?

Mr. KATOR. Go ahead, Mr. Costales.

Mr. COSTALES. We have seven departments that have full-time coordinators at this time. We have four departments or agencies that have given us a firm commitment that they will be appointing full-time coordinators.

Mr. EDWARDS. So you have 7 out of 10.

Is that correct?

Mr. COSTALES. Yes.

Mr. EDWARDS. And are these seven Anglos, or are they Mexican-Americans, Spanish speaking, are they Puerto Ricans? What are they?

Mr. COSTALES. They are all Spanish speaking.

Mr. EDWARDS. They are all Spanish speaking. Are some of them Anglo Spanish speaking?

Mr. COSTALES. No. They are all of Spanish ancestry.

Mr. EDWARDS. Now, at what level, what GS level are these coordinators placed?

Mr. KATOR. Mr. Costales may answer that better than I. My knowledge is that they vary at grade levels.

Gene, do you have any better data?

Mr. COSTALES. They vary from grade 14—we have one grade 14, two grade 12's, three grade 13's, and another grade 14 on a full-time basis.

Mr. KATOR. In other words, Mr. Chairman, they are fairly high placed in terms of the GS schedule.

Mr. EDWARDS. Are they all male?

Mr. COSTALES. Yes.

Mr. EDWARDS. You do not have any women at all in these high positions?

Mr. COSTALES. Not on a full-time basis. We do on a part-time basis.

Mr. EDWARDS. Now, do these coordinators actually determine policy with regard to recruitment and hiring of Spanish-speaking people within these agencies?

Mr. COSTALES. They recommend and they influence policy.

Mr. KATOR. Let me add, Mr. Chairman, that the policy, of course, on equal employment opportunity is made by agency heads and directors of equal employment opportunity, and as Mr. Costales said, the role of the Spanish-speaking coordinator is to influence that policy and to point out the need for action regarding the Spanish-speaking program. They are not operating officials. The coordinator is a staff official in an advisory capacity.

Mr. EDWARDS. Are you finding that the people who are in charge of recruitment and hiring are consulting with them, cooperating with them, and taking their message seriously?

Mr. KATOR. Very much so I believe. We are trying to improve this, and I think we are, by means of the equal employment opportunity action plans which agencies must submit to the Civil Service Commission. We try to make sure in those plans that there is a reflection of a special interest of the Spanish-speaking persons, and that these are built into the recruitment program, the evaluation programs, and other aspects of employment situation.

Mr. EDWARDS. Now, the committee is pleased, of course, that the figures that you bring us today are an improvement over the statistics of 2 years ago, an increase in Spanish-speaking employment in the Federal Government from 2.9 percent, I believe, to 3.1 percent, I believe.

Is that correct, in 2 years?

Mr. KATOR. Yes, sir.

Mr. EDWARDS. Now, can you break this figure down into GS–9 and above category?

Mr. KATOR. Mr. Chairman, let me see exactly what you mean.

Mr. EDWARDS. I mean, are these low level jobs or higher level jobs we are talking about?

Mr. KATOR. No, these are fairly——

Mr. MCCLORY. If the Chairman will yield.

Mr. EDWARDS. Yes, Mr. McClory.

Mr. MCCLORY. I notice in the gentleman's testimony you state that at the GS–9 level and above there is a 38-percent increase. We do not

have a numerical designation, so if you could tell us how many there were and then how many there are now, then we would know what the increase was to arrive at that 38-percent figure.

Mr. KATOR. I do have here, I think, some figures that will be useful.

If I may, Mr. Chairman, let me give you figures from November 1969 to May 31, 1973.

Now, in the better-paying general schedule jobs, there was an increase in total full-time employment of 41,475 jobs.

Mr. EDWARDS. Is this GS–9 and above, did you say?

Mr. KATOR. This is total general schedule. I will break it down.

Employment of Spanish-speaking citizens in this schedule increased by 6,303 jobs during that 3½-year period.

Now, as I indicated, Congressman McClory recognized, this was 15.2 percent of the total increase, and 37.7 percent of the 6,303 was at GS–9 and above. Now, I can break that out, the increase at GS–9 to GS–11 was 20.2 percent. The increase at GS–12 to GS–13 was 13 percent. The increase at GS–14 to GS–18 was 4.5 percent.

Mr. EDWARDS. The increases you mentioned last I am sure you are not pleased with because the statistics were so low in May 1972, starting out at GS–12, 1.1 for Spanish speaking, and then from then on the figures deteriorated, from 0.8 percent, 0.8 percent, 0.8 percent, down to 0.4 percent for the very highest.

Mr. KATOR. Yes.

Mr. EDWARDS. As a matter of fact, just 2 people, 7 people, 22 people in figures like that. But your testimony is that this improvement includes an appropriate proportion of higher level positions.

Mr. KATOR. Yes, Mr. Chairman.

I do not want to leave any misapprehension or misunderstanding. Let me, if I may, show you the number of employees that were added at these various levels. The overall figures that we had indicated of percentage of Spanish-speaking persons, say, in the grade—15 level, might not have changed significantly. It is probably 0.9 or 1 percent, a slight increase above the figure you indicated, but in number of persons from GS–9 to GS–11, for example, there were 1,274 Spanish-speaking persons added to the rolls; in GS–12 to GS–13, there were 821 Spanish-speaking persons added to the rolls; in GS–14 to GS–18, there were 281 Spanish-speaking persons added to the rolls.

Now, you are quite right, we are not happy. We are pleased that we are making progress. We think we are on the right road, and we anticipate further progress, but we have no idea of relaxing in any way the strong effort we have been making in this area.

Mr. EDWARDS. Mr. Kator, are you aware of any political influence that was used in the selection of Spanish-speaking people to fill jobs below the supergrade level in Civil Service?

Mr. KATOR. Not to my knowledge, Mr. Chairman.

Mr. EDWARDS. How about you, Mr. Costales?

Mr. COSTALES. Not to my knowledge either, Mr. Chairman.

Mr. EDWARDS. You had not heard of any being used in other areas of the Civil Service Commission?

Mr. COSTALES. I have not.

Mr. EDWARDS. You, Mr. Kator?

Mr. KATOR. No, sir.

Mr. Chairman, let me make clear that your question was related to political influence regarding appointment of Spanish-speaking persons.

Mr. EDWARDS. Yes.

Mr. KATOR. I have no knowledge of that at all. I do not want to indicate that there have not been questions from time to time of political activity that the Commission has, of course, investigated and taken appropriate action.

Mr. MCCLORY. Would the gentleman yield?

Mr. EDWARDS. Yes.

Mr. MCCLORY. Would you regard it as political influence if a Member of Congress writes a letter of recommendation on behalf of a constituent or a friend?

Mr. KATOR. No, sir; we do not regard it.

Mr. MCCLORY. A question of political influence would only arise if someone in the executive branch or someone who is in a position of influence or authority in the Congress, for instance, would pressure you or try to—or threaten some retaliation if you did not hire a particular person or something of that nature?

Mr. KATOR. That is right, Mr. McClory. We consider referrals as perfectly legitimate. This is a proper way of being able to obtain the most qualified person for the job. A person who is referred is simply considered along with other persons, and then as long as the selection is made among the best qualified persons in accordance with Civil Service regulations, this is not political influence, in our judgment.

Mr. EDWARDS. Are Spanish-speaking persons being hired to fill non-EEO positions?

Mr. KATOR. Certainly, Mr. Chairman, the numbers that I have given to you here in positions Grades GS–9 and above, for example, there are just not enough EEO positions there for all the Spanish-speaking persons appointed. These are operating positions, and the Spanish-speaking persons are now becoming a fully integrated part of the Federal establishment in many, many different types of jobs.

Mr. EDWARDS. Very good.

Now, I have a couple more questions.

Two years ago this subcommittee suggested that the Civil Service Commission adopt the method of self-identification in determining the ethnicity of Federal employees for statistical purposes. When you testified in March 1972 you were opposed to that proposal, saying that the Commission had tried it and that it had been unsuccessful. The Civil Rights Commission has also recommended that this method of self-identification be employed as the method most accurate and the most protective of employees' privacy.

Has the Civil Service Commission given further thought to implementing the subcommittee's recommendation?

Mr. KATOR. Yes; we have, Mr. Chairman, based on the subcommittee's recommendation, we looked again at what had happened when the Commission instituted a program of self-identification of minority employees, and after consideration, decided that it would be wrong to go back to that system, and that we were more likely to have correct statistics based on the system which we now use, which is supervisory identification worked into our ADP systems where we believe there are sufficient controls to make sure that the figures are accurate.

Mr. EDWARDS. The subcommittee also recommended that the Civil Service Commission undertake studies of the Federal Service entrance exam to determine whether or not it unfairly discriminates against minorities, and whether it is in fact a job-related test. At that time no validation of the FSEE usage, the empirical method as described by American Psychological Association's Committee on Testing, had been made. To date, what has the Civil Service Commission done to insure that the testing methods it utilizes in selecting employees conform to the same criteria required by the Supreme Court in Griggs versus Duke Power Co.?

Mr. KATOR. Mr. Chairman, as I indicated in our testimony 2 years ago, we felt that the Federal Service Entrance Exam was a valid examination. If we did not think it was valid, we would not have used it. It is not necessary to subject it to the criterion technique of validation in accordance with the APA standard, since it is what we call a construct test, and it is subject to the requirements of a construct validation. There is, of course, empirical data to support the constructs as related to job performance.

But let me go further than that and indicate that we are looking and have looked very carefully at the Federal Service entrance examination, and I am sure we will be making certain changes in it, but I think the most important thing is that over the period of the last 18 months, and since we testified before your committee, we have worked and are working with the Equal Employment Opportunity Commission, the Civil Rights Commission, the Department of Labor, and the Department of Justice, all of whom are members, along with the Civil Service Commission, of the Equal Employment Opportunity Coordinating Council established by the EEO Act of 1972. We are working with those agencies to develop a uniform selection guideline.

Now, these would be based on the guidelines that the Equal Employment Opportunity Commission issued in 1970 for test validation. Any test that we will use, we are confident will meet those particular selection guidelines. Now, they are not completed yet. The staff is working long and hard to be able to come up with a draft which we could present to the coordinating council, but if we are able to agree on a final draft—and I personally believe we will be able to do so in my judgment—then these guidelines would be applicable to private employers, State and local governments, and I am confident that the Civil Service Commission as well would consider adopting them for Federal testing.

So, what I am indicating to you, Mr. Chairman, is that any tests that we will use will be in conformity with such guidelines as are issued, based on the work that is now being done.

Mr. EDWARDS. Thank you.

I would like to include in the record at this point the statement of our colleague from California, the distinguished gentleman from San Diego, Congressman Lionel Van Deerlin.

[The prepared statement of Hon. Lionel Van Deerlin follows:]

STATEMENT OF HON. LIONEL VAN DEERLIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman: Representing as I do a district in which there is a large number of Mexican-Americans the matter of Federal employment of minorities is of great importance to me.

As the committee is well aware, the Federal Government, through its departments and agencies, is attempting to guarantee equal employment opportunities for Mexican-Americans. The Department of the Navy's Office of Civilian Manpower Management has, on paper at least, what could be a workable method for achieving this goal. Unfortunately, the system appears to be breaking down at regional and local levels.

The Bureau of the Census estimates the number of persons of Mexican heritage in my own San Diego district at 11 per cent. Yet employment of Spanish surnamed persons at naval installations in the area is only about 7.3 per cent. In the GS rating category the picture is even worse, with only 3.7 per cent Spanish surnamed personnel. In light of the above, one might presume that every effort would be made to improve the situation. In fact, the Navy's Affirmative Action Plan recognizes the need for such an effort at the national level. It permits the hiring of full time Spanish-speaking program coordinators to perform basically a threefold task: recruiting qualified potential civilian employees from the community, providing information on available positions, and maintaining contact with the Spanish-speaking community.

Yet in this the largest naval area in the United States—an area which also has one of the highest percentages of Spanish-speaking population—the Spanish-Speaking Program has not been successfully implemented. Of seven naval facilities in San Diego with more than 500 civilian employees, only one has a fulltime coordinator to carry out these responsibilities. Obviously the permissive language of the Affirmative Action Plan is not enough to encourage hiring of fulltime coordinators, and those in charge of civilian employment at the basis are not doing so voluntarily. In most cases the responsibilities of the coordinator are routinely assigned as part time work for a Deputy Equal Employment Opportunity Officer.

I strongly feel that the Affirmative Action Program should be fully implemented without delay. Steps should be taken to require the hiring of fulltime bilingual Spanish Speaking Program coordinators at installations with substantial civilian manpower and large Spanish-speaking populations. These individuals should be fluent in the Spanish language and otherwise qualified to carry out the duties of the position. If at all possible, additional staff should be provided the National Spanish Speaking Program Coordinator. I am attaching herewith a letter from the Executive Director of the Chicano Federation of San Diego County which contains additional suggestions for action hoped for by the Spanish Speaking Community.

It is my hope that the Committee will favorably consider my suggestions. Your continued efforts to achieve equal employment in government agencies, and your attention to the situation in the San Diego area is gratifying indeed. I am particularly grateful for the opportunity of presenting these comments to the Committee.

Mr. EDWARDS. I yield to Mr. McClory.

Mr. MCCLORY. Thank you very much, Mr. Chairman.

I am interested first in noting the progress that has been made. I think it is well when we are indicating our criticism of the deficiencies of the civil rights legislation, and it applies in all areas, I suppose, that we recognize, too, the steady progress which is occurring in all areas of promoting greater human rights and greater equality of treatment, regardless of questions or race, color, sex, language, and whatnot. I note a little confusion, however, in this problem. It seems to me that the Spanish surname or Spanish language—Spanish speaking, I guess we call it—identification is in a sense a problem in itself.

In other words, we are not sure what we are identifying, are we, or are we?

Are we identifying Spanish speaking or are we identifying Spanish surnamed, or exactly what is the identification as you interpret it?

Mr. KATOR. The identification as we interpret it—and Mr. Costales may want to add to this—is persons of Spanish descent. We simply use the words Spanish speaking in order to get uniformity among Federal agencies. That is the nomenclature which has been adopted. The Spanish surnamed is a little bit of a problem, because the surname

may not be Spanish, although the person may be of Spanish descent. And so we have adopted the nomenclature of Spanish speaking, and this applies to persons who are Spanish surnamed, who are Spanish speaking, persons of Spanish descent, Puerto Rican descent, Mexican descent.

Mr. McCLORY. Do we include third and fourth and fifth generations of Spanish-descent individuals?

Mr. KATOR. Technically we would. It depends on the way the individual is recognized in the work force generally, and I think Mr. Costales, I would be correct, would I not, that there would not be any difference in terms of generations?

Mr. COSTALES. I think you would be correct.

Mr. KATOR. We would identify, Mr. McClory——

Mr. McCLORY. Now, in connection with the job applications and the recordkeeping of the Civil Service Commission, do we keep an identification in our records with regard to Spanish surnamed?

Mr. KATOR. No; we do not note employment records as such as to whether an individual, the ethnicity or race of an individual. What we do is maintain a separate record apart from the employment records. This is the way we develop our statistics for the census period and how we are able to develop the data that I give at hearings of this kind.

We do this by a supervisor making an identification of a new employee, for example, coming on board, indicating that this individual is of Spanish descent. Let us assume for the moment there is no question. It is very clear that the individual is Spanish speaking, has a Spanish surname, is of Spanish descent. That is entered into, in most agencies, on ADP equipment, which lists the social security number and the identification of the individual ethnically. This data is not used for any other purpose except for the purpose of developing a census. It is a record kept separate and apart from employment records.

Mr. McCLORY. Is the individual requested to identify himself according to his ethnic background?

Mr. KATOR. No, Mr. McClory, he is not.

Mr. McCLORY. So that it is sort of a judgmental determination of the interviewer, then, that determines whether the person is Spanish surnamed or not?

Mr. KATOR. Yes; I suppose if there are any questions that might arise in the individual's mind, he might indicate or ask for information on this point. But generally speaking, it is supervisor identification, and I think we have generally indicated that we feel our records and the identifications are fairly accurate; in fact, are more than fairly accurate. I believe they are accurate. Obviously, there will be some mistakes. There is no question about that. We do not think the magnitude of the error is great, and we are developing a system now for making spot checks in agencies to assure that the data that has been supplied to us corresponds with what actually appears on the roles of that agency.

Mr. McCLORY. Last month one of my sons married a Chinese. She is applying for Federal employment now. Her name is McClory. Would you regard her as Chinese or would you——

Mr. KATOR. Yes; we would regard her as Chinese.

Mr. McCLORY. That does not change my identification?

Mr. KATOR. It does not change yours.

Mr. EDWARDS. You are still Swedish.

Mr. MCCLORY. How about the next generation?

I do not know what it is going to look like if we have one. But I am wondering.

Do we get a special advantage, or are we lumped in with the rest of the Irish?

Mr. KATOR. Well actually, it will depend how the individual, as I indicated, holds himself or herself out in the community. If he or she holds himself out as a person of Chinese ancestry, this is generally the nomenclature that would be used.

Mr. MCCLORY. We have a very high percentage, in my opinion, of Spanish speaking in my congressional district, originally Puerto Rican, now increasing rapidly with Mexican American primarily. We have devoted a lot of attention to education and other aids of that kind. And aside from that, it seems to me that our principal effort has been toward helping secure employment opportunities in private industry.

Do you have any special information about discrimination in public employment that relates to the 13th District of Illinois that you are aware of?

They have not brought this to my attention. That is why I do not think the Spanish speaking in this specific area regard the problem acutely.

Mr. KATOR. I have no special information on that at all, Mr. McClory. Mr. Costales may have.

Mr. COSTALES. No; I do not.

Mr. MCCLORY. We have the State convention there each year of the GI forum. The Spanish-speaking community is a popular group there, and they have good general support from public officials, including me. But I have not, it has not taken on the sort of radical or explosive nature as it has in the Southwest.

Mr. KATOR. The only thing I was going to say, Mr. McClory, is that I do know, and I think Mr. Costales will bear me out, that Illinois and other States in the Midwest are increasingly attracting persons, Spanish-speaking persons, and one of our conferences with Spanish-speaking groups will be held in Chicago. But we are bringing in Federal officials from the surrounding areas and other States as well in this Chicago region, because the Spanish speaking are no longer simply concentrated in the Southwest. They are an integral part of the total population and live in all areas.

Mr. MCCLORY. What I tried to do is, where we have programs specially designed to help the minority groups to insist that the Spanish speaking be included in those programs—Headstart and Follow Through, and that sort of thing—where educational opportunities are afforded, special education for minority groups. And then we have—they want to establish a center, a Spanish-speaking center where they could have the counseling services and that sort of thing provided, and we have established that. I think we have two or three—two, I guess—aldermen in the city council in Waukegan. Tony Fragrero I know for one—and members on the park board. It seems to me that a very good way for Spanish speaking to gain recognition and respect in the community is to run for public office and get elected, and to demonstrate their full citizenship in public service.

Mr. KATOR. I would certainly agree, Mr. McClory.

Mr. MCCLORY. I do not think I have any further questions.

Mr. EDWARDS. Thank you, Mr. McClory.

Mr. Drinan?

Mr. DRINAN. Thank you very much, Mr. Chairman.

I want to commend you on the progress that has been made over the past few years. I was not a member of this subcommittee 2 years ago when you held the hearings, but I have read them very carefully. And I wonder if you could comment on what bothers me and I am sure bothers you all the time, that it seems that the Spanish speaking are making less gain than other minorities. For example, the Oriental community has a population of 0.5 percent of the total population, one-half of 1 percent, and yet at the present time they hold 0.8 percent of Federal employment. That is 0.3 percent above parity. Similarly, the Indians with only 0.4 percent of the total population hold 0.7 percent of the Federal employment. That is a plus of 0.3 percent. They are above parity, too.

Similarly for the blacks, that they are above parity. They have roughly 15 percent of all Federal employment, and they have 11 percent of the population. Yet the Spanish speaking do not seem to come near that at all.

Would you have any comments on that?

Mr. KATOR. Mr. Drinan, I guess I am troubled with the use of word "parity" because I am concerned about lining up groups of Federal employees in relation to their descent and indicate that they are entitled or should have a certain amount of employment based on——

Mr. DRINAN. You have a good point, sir. I am troubled by the word, too. But I think that we are talking about the same thing, about the same phenomenon, that the Spanish speaking seem to be lagging back.

Mr. KATOR. Yes. Let me answer that this way, then. I was going to add that there is no question that employment as related to population is an indicator, and it is a point of departure for looking to see whether there are problems. And I am sure we would agree on the undesirability of the parity idea.

Let me just add this one dimension, that as a group the Spanish speaking are younger than other groups. Actually, there were 6 million Spanish-speaking persons 16 years and over in 1973, accounting for 4 percent of the Nation's civilian noninstitutional population. In other words, if we are talking what is available in terms of the population, that figure would be closer. If we took everybody 16 years and over, the figure would be 4 percent, and of course in Federal employment we have 3.1 percent, a much closer figure. Actually, teenagers of Spanish origin comprise a proportion of the working age population nearly 1½ times that of their counterparts in other groups. The median age, for example, for the Spanish speaking is 20 years as opposed to median age for total population of about 26.8 years. So I think these are two factors we have to look at. This is the body of people that we would draw from for employment.

Now, I just want to indicate that they are probably closer in line than what might appear if you just looked at population figures generally. Of course, the other questions then are interest in a Federal employment, past experience, questions of farm employment. There are many, many reasons, I imagine, historically, why this apparent discrepancy exists.

I know I have talked to Henry Ramirez of the Cabinet committee on why in California, for example, we have a lesser employment of the Spanish speaking, approximately 6 percent, while they are 15 percent of the population in the State. But you need to look beyond population figures to factors such as age, that I indicated, as well as to whether the group is in rural employment, for example, where they could not be located near Federal employment, and where they would not likely acquire the necessary skills because of having been in rural employment and farm employment for long periods of time.

Mr. DRINAN. Well, those are the facts that I had not really reflected upon. But our colleague, Congressman Roybal, in the hearings 2 years ago, indicated that at the present level of progress for better employment or more employment for Spanish speaking it would take them 60 years to get to parity, for lack of a better word.

Do you think that is a fair estimate, then and now?

Mr. KANTOR. I think not, Congressman Drinan. I think that the rate of progress is accelerating and in my judgment, within a matter of years I think the figure that we have indicated to you here will be even significantly increased. I do not think there is any question that Federal agencies are now reaching out actively to assure equal employment opportunity for the Spanish speaking, which may not have always been the case in the past.

Mr. DRINAN. Do you think that progress could be increased if the second recommendation of this subcommittee 2 years ago were carried out—namely, that adequate staff in the Washington and regional offices should be given?

I know that you have increased from three to five.

Would you feel that a larger number of personnel would be helpful?

Mr. KATOR. Personnel are always important, Mr. Drinan. No question about that. I do not think, though, that in the job that we are after, as far as the Civil Service Commission is concerned, which is providing the leadership and direction and getting the job done out in the field by the Federal agencies, that the program would be greatly benefited simply by having more people involved at the headquarters level.

Mr. DRINAN. On the number of Spanish speaking actually employed, roughly 40,000, roughly 50 percent, work for the Defense Department.

I wonder first, does that figure include Puerto Ricans in Puerto Rico who work for DOD there?

Mr. KATOR. Mr. Costales tells me no.

Mr. DRINAN. Has any thought been given to some sort of a stated preference for Spanish speaking as jobs are being phased out in DOD, as you say yourself here that the number of Federal jobs are going down and the number of civilians in the Defense Department will continue to decrease, I would assume?

Has any thought developed as to any preference that might be given to Spanish-speaking people already employed there?

Mr. KATOR. No, no thought has been given to a preference. I think it would probably be unlawful if we were to provide such a preference. But I think it is important to keep in mind that despite the large cutoffs in the Department of Defense, the Spanish-speaking employment there has not gone down to the same extent as the total employment has.

Mr. DRINAN. Well, that prompted my question, sir. And I concede

that the term "preference" is a bad one. It is Monday morning, I am not good at words yet.

But how did that happen that the Spanish speaking retain the same proportion?

Mr. KATOR. I am not sure I can answer that. It depends where, of course, the cuts in the DOD fall, and things of this kind. But they were not given any special preference in terms of retention. I think certainly, every effort was made to place persons where they could be placed. The Department of Defense has done this, and apparently this has worked out sufficiently well for the Spanish speaking so that their attrition has been less than other groups.

Mr. DRINAN. Where would be the biggest military installation where the majority of these people work, almost 40,000?

Mr. KATOR. Gene, help me on this, would you, please? Kelly Air Force Base in Texas would be one place.

Mr. COSTALES. California is a good State for the Department of Defense. Also, the Southwest part of the country and the Great Lakes area with the Department of the Navy.

Mr. DRINAN. All right, thank you.

I assume that Cubans are included amongst Spanish speaking.

Has any attempt been made to include or exclude out for the purpose of the statistics?

In other words, I do not think they are skewing the minority statis- or a more meaningful graph of what is happening to the Spanish speaking in this country who do not happen to be Cuban refugees?

Mr. KATOR. I do not think so, Mr. Drinan, because most of the Cubans are still, or large numbers of them, certainly, still noncitizens, and we are not able to employ noncitizens except under special circumstances. Therefore, I do not think you would find large numbers of Cubans employed in the Federal Government. That is my guess.

In other words, if Cubans were not included could we see a different ties on Spanish speaking.

Mr. DRINAN Fine, thank you.

One last question, now. I know that the whole question of the test is complicated, and you spoke to it before.

Is there anything that you would want to add to your statement about the Federal service entrance examination and its validation?

Mr. KATOR. Only this. I do not want to leave the impression that we think that everything that we do is perfect, because it is not. We do think we have got a good test here. We are looking at it and there will be changes made in it. I can assure you of that.

I think what is very important is the work that we are doing in connection with the Equal Employment Opportunity Commission and the other agencies in developing validation guidelines. Our tests, I can assure you, will meet those validation guidelines, so that there will be no question that they are fair to all persons regardless of their background.

Mr. DRINAN. In that connection—this is really my last question—in that connection, when Elliot Richardson was Secretary of HEW, he began to develop a new philosophy, so to speak, and it was outlined in the previous hearings and people have spoken of it, that Mr. Richardson said that America is turning away from the melting pot concept and now looks toward minority cultures and ethnic groups to continue

to preserve their traits. And he said, I think, as I recall, that he felt that mental health services and physical health services can best be administered and delivered to a Spanish-speaking population by Spanish-speaking administrators and practitioners.

Is your office moving in that direction?

Mr. KATOR. Only in this sense, Mr. Drinan. We are moving in it in the sense that we do believe that the ability to speak Spanish, for example, in dealing with Spanish-speaking persons is a very important ability and that we do provide a basis for matching the Spanish-speaking persons with those kinds of jobs. Also, in the border patrol, for example, in the Justice Department, where all the border patrolmen are required to know Spanish, we have changed our requirements so that now additional points, or credit, will be given for those persons who are able to speak Spanish.

So in a sense I think we are moving somewhat the way Mr. Richardson outlined, except we are doing it not on cultural factors, but rather on the ability to communicate where it is necessary to do that with a particular group.

Mr. DRINAN. Thank you very much.

I yield back to the chairman.

Mr. EDWARDS. Ms. Chavez?

Ms. CHAVEZ. Mr. Kator, when you testified before this subcommittee in March of 1972 you made the statement that the number of minority employees from November 1969 to May 1971 increased by 3,100, while the total Federal employment decreased by 23,487. I notice this morning that you made a similar statement saying that the Federal employment statistics continue to show that despite employment cutbacks and budget limitations, the number of Spanish-speaking Americans in the Federal service is increasing steadily.

Now, it would seem to me that the Spanish-speaking community is concerned not just that they have a proportionate share of Federal jobs, but that the total number of Federal jobs available increase. And I am somewhat at a loss to understand why the Civil Service Commission consistently draws attention to the fact that there is a decrease in employment while lauding the fact that there is an increase in minority employment. And perhaps you can enlighten me on that.

Mr. KATOR. Well, Ms. Chavez, the reason for that is that if you are in a situation where agencies are staffing up or building up staff and are really employing people on a wholesale basis, it is much easier to make progress. We are simply trying to indicate that in a tight labor market as far as employment of persons is concerned, that it is more difficult to make the kind of progress we are all seeking. In fact, it seems to us that if you have an overall decrease in employment and at the same time have an increase in Spanish-speaking employment, that this is really more difficult than if you were simply having an increase on both sides of the ledger. And that is all we are trying to indicate.

Ms. CHAVEZ. You would agree, then, that were there more jobs available in the total work force, that there would probably be a concomitant increase in the number of jobs available for Spanish-speaking persons?

Mr. KATOR. That would be conjecture, but I have no reason to doubt that that is exactly what would happen.

Ms. CHAVEZ. Also on page 3 of your testimony this morning you speak of training courses and seminars.

Could you tell me who these training courses are for, and what their purpose is?

Mr. KATOR. Yes. Mr. Costales knows more about this than I do. But they are basically—and I would like to have him answer the question—they are basically directed to coordinators and Federal managers.

Mr. Costales, would you amplify that, please?

Mr. COSTALES. I think we are talking about several types of training courses. The main type of training course that we had in mind was for the coordinators, Spanish-speaking program coordinators. And this involves the total EEO process. We talk about recruitment, affirmative action plans. We are trying to develop the coordinators so that they can be effective as fast as they can.

The other type of training courses and the seminars that we are speaking of, is making sure that we tap into any EEO course for managers, for supervisors, for personnel, is to ascertain that the Spanish-speaking program is adequately covered within those training sessions.

Ms. CHAVEZ. You are not, then, running training programs which would provide upward mobility for Spanish-speaking employees in the Federal Government, I assume?

Mr. COSTALES. That is not what we were talking about in the testimony.

Mr. KATOR. Let me add, if I may, that we are, however, in fact doing that, and not only for Spanish speaking as such, except in our Southwest Intergovernmental Training Center. Those are primarily upward mobility courses.

Would that not be right, Mr. Costales?

Mr. COSTALES. Yes.

Mr. KATOR. These are largely upward mobility courses helping people gain the skills that will help them move ahead. And while the center, of course, is not confined just to teaching of Spanish-speaking persons, a large—as I indicated, over 50 percent, over half—in fact in the first year it was over 70 percent of the persons who attended the center were Spanish speaking, and in the 2 years since it opened over 50 percent are Spanish speaking. So in a sense we have it there. And of course, Spanish-speaking persons participate in our total governmentwide upward mobility programs, which many agencies, including HEW, Commerce, and Defense, have very extensive operations in upward mobility.

Ms. CHAVEZ. Does the Civil Service Commission have any studies or reports showing progress under the upward mobility training programs which provide——

Mr. KATOR. I do not know what I might have. We are building into our data system an ability to identify persons who have gone through upward mobility courses and have then been able to use those skills in higher level jobs. If I may, I would like to be able to look at what data we have and supply the subcommittee. Mr. Chairman, with your permission I would be delighted to do so.

Mr. EDWARDS. Very good.

[Information on upward mobility follows:]

U.S. CIVIL SERVICE COMMISSION, WASHINGTON, D.C. 20415

UPWARD MOBILITY ACTIONS OF SELECTED AGENCIES

As part of their EEO Affirmative Action Plans, agencies are required to submit a summary narrative of Upward Mobility actions achieved for lower level employees (below GS–9 or equivalent) during the previous year. These reports show progress made toward goals established by each agency and describe, in a general way, the nature and level of efforts to provide meaningful, results-oriented opportunities for lower level employees to advance in accordance with their potential.

New instructions to agencies, targeted for September 1974, will outline procedures for reporting specific data through CSC's Central Personnel Data File. Such data, when summarized, will show each specific instance of Upward Mobility training and development experiences reported by each agency by minority group designator and will relate to uniform reporting elements which will then enable us to report program impact Government-wide.

Yet without this detailed information at hand, we have evidence of substantial Upward Mobility activity reported by agencies. The following are examples of such activity reported by agencies:

—Naval Material Command reported over 950 lower level employees in Upward Mobility programs.

—Naval Air Systems Command Headquarters moved 68 non-professional employees into trainee positions leading to qualification for higher level target positions.

—Army's White Sands Missile Range established specific target positions for nearly 200 employees and Redstone Arsenal enrolled 150 employees in Upward Mobility training toward 80 occupational series.

—Department of Commerce reported 5,677 lower level employees enrolled in Upward Mobility programs.

—GAO designated 89 positions for lower level employees to become qualified as management analyst assistant and claims adjudicator assistant.

—Agriculture designated over 1,300 positions in 20 occupational series for Upward Mobility.

—NIH entered 90 employees into technician or paraprofessional jobs leading to psychologist and physical therapist positions.

—GSA, through a formal training agreement, selected 80 employees for training into accounting, computer, legal, archival, personnel, and statistical career fields.

—HEW's Audit Agency, through job restructuring, created new bridge positions in the Management Analyst and Management Assistant series for 24 lower level employees.

Some of these programs did not exist eighteen months ago. A host of other agency programs are operational or are evolving which are committed to real opportunities for lower level employees. Several other agency Upward Mobility programs are in earlier stages of development and are being reviewed by our staff to strengthen and expand such opportunities.

One major step toward improved Upward Mobility programs has been the development of more definitive guidelines which emphasize the critical role of effective planning. This FPM Letter has been widely coordinated among agencies and will be distributed during July 1974. An advance copy is attached here for the Committee's information.

Attachment.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., June 28, 1974.

FPM letter No. 713–27.
Subject: Upward Mobility for lower level employees.
To: Heads of departments and independent establishments.

PURPOSE

Substantial progress has been made by Federal agencies to provide employees opportunities for Upward Mobility. Guidance to assist agencies in these efforts has been issued in such areas as training, job restructuring, skills utilization, testing and evaluation. This FPM Letter brings together pertinent provisions of these issuances and provides further assistance to agencies in planning and implementating Upward Mobility programs. It supplements EEO Affirmative Action planning and reporting requirements related to Upward Mobility contained in FPM Letter 713–22, dated October 4, 1973.

BACKGROUND

The Federal Government has its greatest investment in people. As an employer each Federal agency seeks to carry out its mission through people and thereby reach its established goals and purposes. People as employees also have goals and aspirations. When these two sets of goals can mesh and complement each other, mutual satisfaction results.

One of the areas in which employer and employee goals meet is Upward Mobility. It is through Upward Mobility that the agency and the worker move toward common goals.

Historically, the Federal career service has provided advancement opportunities for those who enter it. The career service is a comprehensive system including many career ladders, and provides for career counseling, career development and training opportunities, and merit competition for placement of qualified employees to move to higher positions. Therefore, Federal employees have traditionally had certain Upward Mobility opportunities.

Upward Mobility opportunities must, of course, be available to all employees on a non-discriminatory basis. There are, however, direct implications for an agency's EEO program. By assisting employees, including minorities and women in lower graded positions to gain skills and thus advance within the system, Upward Mobility programs will have a positive impact on an agency's overall EEO posture.

AGENCY REQUIREMENTS

As a part of the affirmative actions to be included in their Equal Employment Opportunity plans, Federal agencies are required to develop and submit specific plans which will assure a continuing results-oriented, Upward Mobility effort.

The recognition of Upward Mobility as an agency requirement is supported by two significant pronouncements. The President in Executive Order 11478 states that agencies must . . . "utilize to the fullest extent the present skills of each employee . . . and . . . provide the maximum feasible opportunity to employees to enhance their skills so they may perform at their highest potential and advance in accordance with their abilities."

The Equal Employment Opportunity Act of 1972 (P.L. 92-261) requires agencies to include in their annual EEO plan ". . . . provision for the establishment of training and education programs designed to provide maximum opportunity for employees to advance so as to perform at their highest potential."

The law does not specify any minimum or maximum grade levels for Upward Mobility efforts. Generally, however, the greatest opportunity for impact is at the lower grade levels. Most agency programs, therefore, should focus on providing Upward Mobility opportunities for employees below the GS-9 (or equivalent) levels.

DEFINITION

To implement this concept of Upward Mobility for lower level employees in the Federal service, the following definition is established:

Upward Mobility is a systematic management effort that focuses Federal personnel policy and practice on the development and implementation of specific career opportunities for lower level employees (below GS-9 or equivalent) who are in positions or occupational series which do not enable them to realize their full work potential.

Within this definition, Upward Mobility provides developmental opportunities to lower level employees which go beyond normal staff improvement practices. For example, the design of bridge and trainee positions which enable lower level employees to qualify for pre- or paraprofessional jobs is one means of providing Upward Mobility. Affording typing and related training to a GS-2 mail clerk who lacks qualification for an identified GS-2 or GS-3 clerk typist position, or providing required training for a typist to qualify for a targeted stenographic position are other examples of Upward Mobility. However, training and developmental efforts primarily designed to improve current occupational performance should not be regarded as Upward Mobility. Likewise, career intern, cooperative education, student employment, and other programs using outside recruitment are not examples of Upward Mobility for lower level employees. Each agency

should apply these concepts to develop a variety of Upward Mobility opportunities adapted to its organizational and mission requirements.

PLANNING FOR UPWARD MOBILITY

Planning is critical to program success. It is essential that Federal Government organizations at every level follow a defined process to ensure that Upward Mobility plans will yield anticipated results. The recommended planning process is described in Attachment 1. A flow chart showing the sequence of the planning steps is appended as Attachment 2. Agency planners should review these two attachments carefully before developing their plans.

UPWARD MOBILITY PLAN REQUIREMENTS

Upward Mobility plans are submitted by agencies as an integral part of their EEO Affirmative Action plans. *National* Upward Mobility plans should describe the agency's total Upward Mobility effort and must contain instructions to field installations to plan for each of the following essential program elements:

(1) identification of target positions

(2) application of merit procedures for selection of employees into Upward Mobility programs

(3) development and delivery of counseling services

(4) involvement of supervisors in program planning and implementation

(5) design and delivery of required training (Attachment 1 of Appendix II to FPM Letter 713–22)

(6) development of evaluation and reporting procedures.

Additional assistance is available to agency planners through the Civil Service Commission's Office of Federal Equal Employment Opportunity.

Regional Upward Mobility plans submitted to CSC Regional Offices should contain the following specific information:

(1) total number of target jobs by occupational series and position title, to be filled through Upward Mobility during the plan year

(2) procedures for communicating with, counseling, selecting, and placing eligible employees

(3) descriptions of the training and developmental programs available to employees selected for Upward Mobility (Attachment 1 of Appendix II to FPM Letter 713–22 for format)

(4) evaluation and reporting procedures.

Further assistance to field installations is available through CSC Regional Offices.

ROLES AND RESPONSIBILITIES

The development and implementation of effective Upward Mobility is a team effort. As a system, Upward Mobility is made possible only through the involvement of all facets of agency management. To ensure an effective program, agencies should allocate sufficient resources and establish a central point of coordination. One way to do this would be to designate a coordinator and establish an Upward Mobility working group whose functions would include planning, implementing and monitoring program activities. Agencies might include in this group persons representing the following:

(1) Equal Employment Opportunity Director and staff, responsible for a comprehensive EEO Affirmative Action plan and program of which Upward Mobility is an essential part.

(2) Personnel Staffing Specialists, who analyze data essential to the identification of problems, target positions, job requirements and elements of career ladders.

(3) Budget and Finance staff, whose knowledge of the budget process can assist planners in estimating and accounting for agency dollar resources.

(4) Trainers, who can identify appropriate training sources and assist in developing meaningful developmental experiences both formal and on the job.

(5) Counselors, who are trained to provide initial and ongoing career counseling for all employees and are especially qualified to meet counseling needs of those at the lower grades.

(6) Supervisors/Managers, within whose operational areas Upward Mobility may make the greatest impact and whose knowledge of job elements will assist in shaping meaningful developmental experiences.

(7) Employee Representatives, whose participation in planning can ensure an understanding of program goals and scope.

KEY REFERENCES

In implementing the planning requirements contained in this FPM Letter, agencies should refer to appropriate references listed in Attachment 3. A consolidated Upward Mobility Planning Guide, now in preparation, will treat each of the plan elements in greater detail with particular emphasis on conducting skills surveys, identifying target positions, designing selection systems, developing viable counseling programs, designing training plans, and setting criteria for program evaluation. This guide is scheduled for publication during third quarter, Fiscal Year 1975.

REPORTING REQUIREMENTS

Alternative means of obtaining Upward Mobility program information from agencies, including possible use of the Commission's Central Personnel Data File, are now under consideration. When a final decision in this regard is made, agencies will be furnished detailed reporting requirements and instructions and sufficient lead time will be provided for any automated systems modifications that may be necessary. Agencies should defer making any modifications until such instructions are issued, but should continue to comply with the reporting requirements contained in Part B, Appendix II to FPM Letter 713–22.

BERNARD ROSEN,
Executive Director.

Attachment.

THE UPWARD MOBILITY PLANNING PROCESS

A fundamental precept of Upward Mobility holds that employees with potential who lack qualifications may become qualified for current or projected higher level vacancies. Successful person-position matching, therefore, requires careful planning to ensure a results-oriented program—one which can be productive for both employee and manager.

The attached Upward Mobility Program Planning Chart outlines the process to be followed and the products which result from each planning phase. It is constructed to show the *sequence* of the essential steps to be taken as well as the continuing cycle of feedback for plan refinement.

IDENTIFYING TARGET POSITIONS

Critical to the preparation of the plan is the identification of appropriate target positions for which lower level employees will be developed. To arrive at the number and kinds of target jobs, agencies should:

First, analyze current and projected staffing needs to determine the number and series of anticipated position vacancies and estimate when those vacancies need to be filled (FPM 332 Appendix M—Guide to Short-Range Manpower Planning)

Second, review current employee skills to determine which of these position vacancies may be filled through merit promotion procedures by persons who presently meet qualification standards. FPM 713, Subchapter 2 and Appendix A—Maximum Utilization of Skills and Training)

Third, determine which current and projected position vacancies are appropriate for Upward Mobility purposes; review existing technical and professional positions to determine those which may be restructured for Upward Mobility purposes. Designate these as *target jobs.* (Handbook X118 and Personnel Management Series Pamphlet #26—Upward Mobility Through Job Restructuring)

ASSESSING EMPLOYEE POTENTIAL

As a prerequisite to employee participation in an Upward Mobility program, the potential of eligible employees should be determined. Potential is defined as the ability (including desire) to acquire and use skills and knowledges needed

to successfully perform higher level work, specifically in those kinds of occupations and at grade levels which could or will be targets for upwardly mobile employees.

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The attached Upward Mobility Program Planning Chart outlines the process to be followed and the products which result from each planning phase. It is constructed to show the *sequence* of the essential steps to be taken as well as the continuing cycle of feedback for plan refinements.

IDENTIFYING TARGET POSITIONS

Critical to the preparation of the plan is the identification of appropriate target positions for which lower level employees will be developing. To arrive at the number and kinds of target jobs, agencies should:

First, analyze current and projected staffing needs to determine the number and series of anticipated position vacancies and estimate when those vacancies need to be filled. (FPM 332, Appendix M—Guide to Short-Range Manpower Planning)

Second, review current employee skills to determine which of these position vacancies may be filled through merit promotion procedures by persons who presently meet qualification standards. (FPM 713, Subchapter 2 and Appendix A—Maximum Utilization of Skills and Training)

Third, determine which current and projected position vacancies are appropriate for Upward Mobility purposes; review existing technical and professional positions to determine those which may be restructured for Upward Mobility purposes. Designate these as target jobs. (Handbook X118 and Personnel Management Series Pamphlet No. 26—Upward Mobility Through Job Restructuring)

ASSESSING EMPLOYEE POTENTIAL

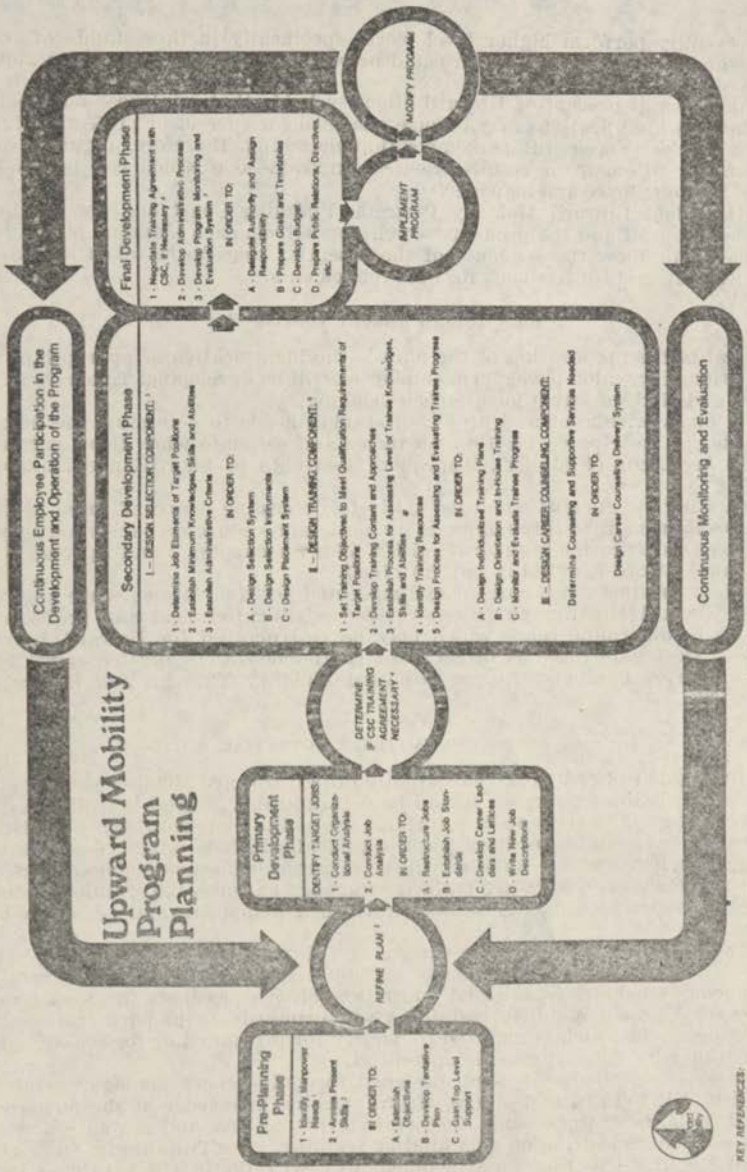
As prerequisite to employee participation in an Upward Mobility program, the potential of eligible employees should be determined. Potential is defined as the ability (including desire) to acquire and use skills and knowledges needed to successfully perform higher level work, specifically in those kinds of occupations and at grade levels which could or will be targets for upward mobile employees.

When agency employees are trained at agency expense, the training must be to meet demonstrated agency needs for trained manpower and be utilized by the agency.

All training must be related to current or future duties within the employing agency. Training for possible vacancies in other agencies is not authorized.

An agency must use established merit promotion procedures in selecting employees for Upward Mobility training given primarily to prepare trainees for advancement and which is required to qualify for promotion or for reassignment to a position with known promotion potential.

For a more detailed statement, designed to equip agency managers, training specialists, EEO staffs, and others with a working knowledge of the purpose of Upward Mobility training and the requirements of law and regulation which have a particular bearing on this kind of training, see "Training in Support of Upward Mobility Programs" (Attachment to CSC Bulletin 410–83). That statement is in harmony with policies on training appearing in Chapter 410 of the Federal Personnel Manual.



KEY UPWARD MOBILITY REFERENCES

Executive Order 11348, Providing for the Further Training of Government Employees, December 24, 1968.

Executive Order 11478, Equal Employment Opportunity in the Federal Government, August 8, 1969.

Public Law 92–261, Equal Employment Opportunity Act of 1972, March 24, 1972.

FPM 271 Subchapter 4, Nature and Use of Personnel Measurement Methods, July 1969.

FPM 271 Subchapter 7, Training Agreements (also Appendix A Requests for Training Agreements), July 1969.

FPM Supplement 271–2, Tests and Other Applicant Appraisal Procedures, November 1972.
FPM 332 Appendix M, Guide to Short-Range Manpower Planning, December 31, 1973.
FPM 335 Subchapter 2, Merit Promotion Requirements, December 31, 1973.
FPM Letter 335–10, Revised Instructions for use of Written Tests in Promotion and Internal Placement, December 17, 1973.
FPM Supplement 335–1, Evaluation of Employees for Promotion and Internal Placement, June 1969.
FPM 410, Training, June 1974.
CSC Bulletin 410–83, Training in Support of Upward Mobility Program, June 1974.
FPM Letter 713–22, Equal Employment Opportunity Plans, October 4, 1973.
Handbook X–118C, Job Qualification System for Trades and Labor Occupations, May 1969.

CSC PAMPHLETS (AVAILABLE ONLY FROM SUPERINTENDENT OF DOCUMENTS, U.S. GOVERNMENT PRINTING OFFICE, WASHINGTON, D.C. 20402)

Personnel Management Series No. 19—"How to Make the Most of the Merit System".
Personnel Management Series No. 24—"Guidelines for Agency Internal Evaluation of EEO Programs".
Personnel Management Series No. 25—"Guidelines for Federal Women's Program Coordinators".
Personnel Management Series No. 26—"Upward Mobility Through Job Restructuring".
FEEO–1—"Expanding Opportunities—Women in the Federal Government".
PS 14 June 1968—"Matching Person to Job—The Job Element Method . . . What it is and How it Works".

FILMS

"What's the Matter with Alice?"—A 25-minute 16mm color film for orientation of supervisors to Upward Mobility concepts. May be purchased for $225 per print from NEWSFILM USA, 21 W. 46th Street, New York, N.Y. 10036.
"The Supervisor and Equal Employment Opportunity"—A 35-minute 16mm color film which develops a variety of opinions and attitudes toward the EEO program and presents a clear statement of the EEO responsibilities of Federal supervisors. May be purchased for $185 per print from DATAFILMS, 2625 Temple Street, Los Angeles, California 90026.
"Remember My Name"—An 18-minute, 16mm color film which presents views of Federal employees and managers on Upward Mobility. May be purchased for $74 per print from the National Audiovisual Center, Washington, D.C. 20409.
"Upward Mobility—The NAVAIR Way"—A 30-minute color film describing how Naval Air Systems Command conceived and planned its Upward Mobility program.
Available on loan from CSC Central and Regional Offices, the Regional Office of Naval Civilian Manpower Management or by contacting the nearest Naval installation.

Ms. CHAVEZ. Also on page 3 of your testimony, point No. 7, you talk about reviewing agency affirmative action plans at headquarters and regional levels to make sure that the plans are responsive to the needs of the Spanish speaking.

Have there been any instances in which affirmative action plans have actually been turned down because they were not responsive to the needs of persons, Spanish-speaking persons trying to get Government employment?

Mr. KATOR. Yes; many plans.

Mr. Costales is involved in that particular phase of the operation, and he may want to comment on it. We, incidentally, for your information, review approximately 1,300 plans here at the headquarters levels and at each one of our regional offices. So, we are getting right

down to what each installation, each major installation, at least, is doing in terms of equal employment opportunity.

But we have turned down plans, have we not, Mr. Costales, at the headquarters level here on that basis.

Mr. COSTALES. I was going to mention, over 50 percent of the plans that we have reviewed in our office, we make recommendations for modifications on those plans because they lack specificity in terms of the Spanish-speaking population.

Ms. CHAVEZ. And have those plans then been changed so that they meet your objections?

Mr. COSTALES. Yes.

Ms. CHAVEZ. One final question in response to Congressman Drinan's question about the increase in the rate of Spanish-speaking employees. You mentioned that you believed the increase has been occurring at a more rapid rate in the past couple of years, and yet I notice since 1969, the rate has been fairly consistently 0.1 percent per year.

Do you have any other information you would want to add to that?

Mr. KATOR. Well, 0.1 percent would be, if everything remainded the same, 2,500 jobs a year. And if we could continue to do that—which I do not think we can unless the employment picture changes considerably—if we could continue to do that, it would be a very short period of time, I think, before we would meet whatever type of reasonable proportions people would think of as appropriate.

Ms. CHAVEZ. You are using the figure for Spanish-speaking persons living in the United States that is provided by the Census Bureau, are you not? The 4.4 percent, I believe, as of the last census?

Mr. KATOR. I did not refer, Ms. Chavez, specifically to that figure, though I know that is the first one that the Census Bureau did put out.

Ms. CHAVEZ. Because that figure is now under question, I believe the Census Bureau itself was looking into that.

Mr. KATOR. Yes, yes.

Actually, my 4-percent figure came from Spanish-speaking persons who are 16 years and over.

Ms. CHAVEZ. Would that not also have been gathered by the Census Bureau?

Mr. KATOR. Yes; that is a Census Bureau figure. As a matter of fact, if you take persons 18 years and over—which is really probably more of the labor market that we hire from—you find the figure is 3.9 percent.

Ms. CHAVEZ. All right, thank you.

Mr. EDWARDS. Well, Mr. Kator and Mr. Costales, we thank you for coming here today and reporting some progress. It is hard for the Chair to understand how you can handle a nationwide program, Mr. Costales, with you and two assistants. It is really very difficult to imagine, although I am not ever in favor of ballooning employment of Federal agencies in an unreasonable manner. But three people seems a little bit unrealistic.

Now, I would like to put in the record without objection the statement of Senator Tunney of California. And I note in reading or glancing over this statement of Senator Tunney—and that of Congressman Van Deerlin—that they are very much disturbed over employment opportunities for Spanish-speaking people in the San Diego area, especially with the naval installations there.

And Senator Tunney also points out, which is something that Mr. Valenzuela will point out in his testimony, that the Veterans' Administration is not doing a good job insofar as the employment of Spanish-speaking people are concerned.

[The prepared statement of Hon. John V. Tunney follows:]

STATEMENT OF HON. JOHN V. TUNNEY, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Congressman Don Edwards, I am pleased to have this opportunity of submitting comments, for the record, regarding the Spanish Speaking employment program within the federal government. Those appearing before you today will undoubtedly represent some of the same groups and individuals who have contacted my office with respect to the problems of the Spanish speaking in federal employment. Those areas of concern which have been brought to my attention are:

(1) The lack of Spanish speaking persons employed at Naval Installations in the San Diego area. As you know, San Diego, as do most cities in California, has a significant Spanish surname population. Estimates of the number of Mexican-Americans in greater San Diego range from 13–19%. In San Diego, Naval installations are the largest of the government's civilian employers, yet employment of the Spanish speaking is a dismal 7% at these installations. In the Los Angeles/Long Beach area the Spanish surnamed make up 18.3% of the population but only 7% of the Navy's civilian work force and in the Oxnard/Ventura area the figures are 19.6% of the population and 9.8% of the work force. To correct this situation I would like to see guidelines requiring full time Spanish speaking "Sixteen Point" coordinators be provided at all installations in areas of substantial civilian manpower and Spanish surnamed population.

(2) The lack of representation of Mexican-Americans in key public contact positions as personnel analysts and interviewers, and as recruiters within Civil Service Commission. Clearly the intent of the "Sixteen Point Program" to assist Spanish speaking American citizens was to recruit Spanish speaking individuals for public contact positions within the Commission, and we must see that this intent is met. In this regard I would recommend that steps be taken for the hiring of Spanish surnamed individuals in those identified public contact positions, as soon as possible.

(3) The Spanish-speaking and Mexican-American population in Los Angeles is larger than in any other city in the U.S. and North and Central America, with the sole exception of Mexico City. Thus, the Federal government's record of employment of this largest minority in Los Angeles and the entire state of California is particularly galling to those who support the attainment of equal opportunity and parity in employment when the record discloses that:

(*a*) The Veterans' Administration Regional Office in Los Angeles is the largest in the U.S. In December, 1973, it employed 1136 personnel of which 6.6% were Spanish-speaking. In San Diego, the Spanish-speaking employees at the Veterans Administration Hospital constitute 5.3% of the work force.

(*b*) The Department of Housing and Urban Development, a major Federal employer with significant impact upon the low-income level citizen, particularly the Spanish-speaking has a dismal record of hiring the Spanish-speaking. In FY 72–73 there were a total of 273 Spanish-speaking persons employed by HUD, 1.72% of all HUD employees. This certainly does not indicate a policy whereby the Spanish-speaking are being recruited to work in the different housing agencies, let alone in reaching decision-making levels, commensurate with the size and needs of this sector.

(*c*) There is presently in Los Angeles, no substantial effort being made by the Administration to implement the aims and goals of the President's 16 point program.

In conclusion, I would like to assure everyone that I am not asking that Spanish-speaking Americans receive preferential treatment. This is not the case. What we must do is insure that these individuals receive equal treatment, especially with regard to Federal employment. They do not and should not expect less.

Mr. EDWARDS. Do they have a coordinator over there?

Mr. COSTALES. Yes; and he was just recently appointed.

Mr. EDWARDS. Just in the last few weeks?

Mr. COSTALES. About a month.

Mr. EDWARDS. And they knew we were getting started again.

Mr. KATOR. They knew we were getting started.

Mr. EDWARDS. All right.

And Senator Tunney also says that HUD is not doing a satisfactory job at all, especially in the Los Angeles area.

Do you have any coments on HUD?

Mr. KATOR. Well, let me just say, Mr. Chairman, what we cited was overall statistics. There is no question that there is an unevenness among agencies.

Mr. EDWARDS. That there are soft spots.

Mr. KATOR. That is right.

Mr. EDWARDS. That is what I am trying to bring out.

Mr. KATOR. We are concerned about that. We are aware of the agencies, we believe, that need special attention; and we are providing that special attention to make sure that the soft spots are corrected. And I am sure—I need not repeat my comments about the number of people at the headquarters level—I just want to emphasize that we have more than just three people. There are five people working on this.

Mr. EDWARDS. I understand that, but we are very interested in getting the work done. We are also interested in these couple of other soft spots that were brought out by Mr. Valenzuela.

The Department of Interior—are you keeping your eye on that Department?

Mr. KATOR. Yes, sir; we are.

We have a commitment from them, have we not, Mr. Costales, that they will hire a full-time coordinator?

Mr. COSTALES. Yes; that is right.

Mr. MCCLORY. Will the chairman yield on that point?

Mr. EDWARDS. Yes; Mr. McClory.

Mr. MCCLORY. We do not have much in the way of national parks in Illinois, and we only have 179 total employees in the Department of Interior; but the percentage of Spanish speaking is zero. I would like you to employ at least one Spanish surnamed, to eliminate that goose egg there.

I think that part of the Department of Interior activity would relate to the Lincoln home and things in the Springfield area which are not probably very indigenous to the Spanish heritage. But nevertheless, it would seem to be equitable to provide employment for at least some Spanish surname. I probably could make a few referrals.

Mr. KATOR. We will call this to the attention of the Interior Department.

I might add, Mr. Chairman, if I may, while we are talking about the Department of Interior, and as one which has indicated to us they will be putting on board a full-time coordinator, that their progress while not where we believe it should be, certainly has not been a static situation. In November of 1970, they had 861 Spanish-speaking persons, or 1.7 percent. In November of 1973, they had on board 1,425 Spanish-speaking persons, at a percentage of 2.17. So there has been some not inconsiderable movement in that agency over that 3-year period of time. And this is also true in the Veterans' Administration, which had 3,131 Spanish-speaking employees in November of 1970; and

in November of 1973, had 4,309 Spanish-speaking persons, going up from 2.1 to 2.5 percent.

Mr. EDWARDS. Well, thank you.

I trust that you will examine the testimony of Mr. Valenzuela and the statements of Tunney and Van Deerlin with great care.

And we thank you very much for appearing today, Mr. Kator and Mr. Costales, and we will look forward to seeing you again in a year or so as to the progress you are making and the cooperation you are getting from the other agencies. Thank you very much.

Mr. KATOR. Thank you, Mr. Chairman.

[The prepared statement of Mr. Irving Kator follows:]

STATEMENT OF IRVING KATOR, ASSISTANT EXECUTIVE DIRECTOR, U.S. CIVIL SERVICE COMMISSION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before your Subcommittee to testify on the Federal employment situation of Spanish-speaking Americans. With me is Mr. Higinio Costales, Director of the Federal Government's Spanish-Speaking Program. Mr. Costales has primary responsibility for providing leadership to Federal agencies in carrying out the President's program of equal employment opportunity for the Spanish-speaking.

It is just over two years since we testified on the status of the Spanish-Speaking Program before this Subcommittee. I would like to take this opportunity, therefore, to provide a brief update on the major program activities undertaken since that time. At the time of our previous testimony, the EEO Act of 1972 was on the verge of enactment and was enacted March 24, 1972. This gave us new authority and additional funds to strengthen our total EEO effort, including the Spanish-Speaking Program.

To take stock of progress made on the Spanish-Speaking Program since its inception in November 1970, the Commission during 1972 undertook a comprehensive study to evaluate the effectiveness of Federal agency efforts in this area. We made onsite reviews at agency headquarters and at field installations throughout the nation. The study showed many positive actions and accomplishments but it was clear that the overall effort needed to be strengthened to achieve program objectives. A need for more affirmative leadership and guidance from headquarters to field installations was disclosed as well as a need for equal employment opportunity action plans to include specific items relating to the employment of the spanish-speaking. As as result of these and other findings, the Commission issued an instruction to Federal agencies (Federal Personnel Manual Letter 713–18) on January 23, 1973, to inform them of the findings of the study and to direct them to take specific actions to overcome the program deficiencies which had been identified. Departments and agencies were directed, for one thing, to appoint Spanish-Speaking Program Coordinators at headquarters and field levels to serve as principal staff advisors and focal points for direction of the Spanish-Speaking Program. Agencies were further directed to review their staffing and recruitment practices to assure there were no unnecessary barriers to employment and that they tapped all sources of Spanish-speaking persons in recruitment efforts; to identify public contact positions calling for bilingual ability; to use Spanish-speaking recruiters on recruitment teams; to make particular use of flexibilities of the Cooperative Education and Veterans Readjustment programs as avenues for entry into Federal employment; to develop goals and timetables where they would help overcome identified problems; to provide special training for managers on actions they should take to assure equal employment opportunity for the Spanish-speaking; and to make sure that action plans addressed the equal employment opportunity concerns of the Spanish-speaking.

To assist agencies in taking these actions, the Commission increased its staff at headquarters and in the field and as a result was able to increase its program guidance by a variety of means such as:

(1) publishing a monthly newsletter, *La Mesa Redonda*, to help Spanish-Speaking Program coordinators carry out their duties as effectively as possible;

(2) conducting monthly meetings of Spanish-Speaking coordinators to exchange information and ideas on solving problems;

(3) designing numerous training courses and seminars covering the Spanish-Speaking Program;

(4) developing a guidebook for coordinators outlining their program responsibilities;

(5) developing a comprehensive Spanish-speaking recruitment sources booklet (Civil Service Commission Bulletin 713-33);

(6) publishing bilingual pamphlets designed to assist Spanish-speaking job seekers and agency recruitment efforts;

(7) reviewing agency affirmative action plans at headquarters and regional levels to make sure that the plans are responsive to the equal employment opportunity problems of the Spanish-speaking; and

(8) developing revised evaluation guidelines for use by Commission evaluators and agency personnel in evaluating the Spanish-Speaking Program.

We also stepped up our evaluation of agency efforts, adding considerable staff to this activity. We strengthened our field capability to work with Federal installations on the Spanish-Speaking Program, providing more onsite guidance, developing training programs, consulting with Spanish-speaking groups, and undertaking a variety of additional efforts.

In addition to these and earlier efforts, the Civil Service Commission took other actions to assure accomplishment of the objectives of the Spanish-Speaking Program.

In September 1972, Commission Chairman Robert E. Hampton asked the heads of the ten largest Federal agencies, whose total work force comprises over 90% of Federal employment, to view the Spanish-Speaking Program with the sense of urgency that had existed at the outset of the program and to give the program their personal attention. He directed them to name Spanish-Speaking Program coordinators who would serve on a full-time basis. In the same communication, Chairman Hampton called on agencies to give particular attention to increasing employment opportunities for Spanish-speaking Americans in the State of California where there appeared to be skills in the Spanish-speaking work force which were not being fully utilized by Federal agencies.

In July 1973, Chairman Hampton began a series of consultations with leaders of Spanish-speaking groups. During the year he met several times with the national leaders of LULAC, IMAGE, American GI Forum, and SER. As a result of these meetings further positive actions have been taken and additional ones are being initiated. Among these are:

A new instruction to Federal agencies will be released next week. The principal areas covered are:

—assuring that full-time coordinators are operational in all Cabinet departments and large independent agencies and setting criteria for appointment of full-time coordinators at selected field activities;

—developing more concrete action plans by agencies to overcome employment problems of the Spanish-speaking;

—intensifying recruitment efforts;

—evaluating program effectiveness as part of agency internal evaluation reviews; and

—assuring that the Spanish-speaking are included in summer employment programs.

—Also, as a result of his meetings with the Spanish leadership, Chairman Hampton directed that a series of regional conferences between leaders of Spanish-speaking organizations and the heads of Federal field installations be sponsored by the Commission to be held during May and June 1974 at these cities: Los Angeles, Denver, Dallas, Kansas City, Chicago, and New York. The purpose of these conferences is to encourage constructive dialogue and action from both groups to deal with local or regional employment problems affecting equal opportunity for Spanish-speaking persons. As a result of these conferences, we expect additional actions to be taken at the local level by Federal installations and by Federal Executive Boards and Federal Regional Councils to move the program forward.

In addition to these activities, the Civil Service Commission, since our last appearance before your Subcommittee has begun a national undertaking to inform the Spanish-speaking public about Federal employment opportunities. So far four bilingual publications have been released: the first, describing employment opportunities for veterans under the Veterans Readjustment Act; the second, listing toll-free numbers to call CSC's Federal Job Information Centers across the nation; the third, describing the Federal personnel system from job announcement to merit promotion to retirement; and the fourth, answering sixteen frequently-asked questions about the Spanish-Speaking Program.

In May 1974, we will publish our newest bilingual booklet, giving helpful information to Spanish-speaking persons on how to fill out Standard Form 171, the application form for Federal employment.

Regardless of how well our program directions are carried out by Federal agencies, we know that the sum of our collective efforts will be evaluated on whether the main objective, assuring equal employment opportunities for Americans of Spanish origin, is being achieved. Federal employment statistics continue to show that, despite employment cutbacks and budget limitations, the number of Spanish-speaking Americans in the Federal service is increasing steadily.

In our testimony two years ago we reported that Spanish-speaking persons held 2.9% of total Federal jobs. Today they hold 3.1%. In terms of actual net gain in jobs since May 31, 1971 (the reporting period on which we based our previous testimony), the number of Spanish-speaking Americans in the Federal work force has moved from 75,539 to 78,243 on May 31, 1973, (the latest date for which figures are available), or an increase of 2,704 jobs. This is particularly significant because this increase occurred while total Federal employment was declining by over 53,000 jobs, thus reducing employment opportunities for all persons. These cutbacks, largely affecting Department of Defense agencies, could have had an adverse effect on employment of the Spanish-speaking because half of all Spanish-speaking Federal employees are on the rolls of DoD agencies. Actually, however, there were overall gains in Spanish-speaking employment because of appointments in other agencies, most of which were in the better-paying white-collar jobs of the General Schedule.

Between May 31, 1972 and May 31, 1973, in fact, Spanish-speaking persons registered the largest percentage gain of any minority group, with an additional 1,657 jobs for Spanish-speaking Americans. With respect to overall progress made since the inception of the program, statistics reflect that total Spanish-speaking employment has increased from 74,449 in November 30, 1970 to 78,243 in May 31, 1973, a net gain of 3,794 positions in a 2½ year period. While there was a numerical decrease in blue-collar employment, it is noteworthy that in better-paying General Schedule white-collar positions, Spanish-speaking employment during this period increased from 24,764 to 29,984, or a total of 5,220 jobs.

Another indication of progress is that between November 1969, the year Executive Order 11478 on equal employment opportunity was issued, and May 1973, Spanish-speaking Americans accounted for over 15 percent of the total increase in white-collar Federal employment—6,303 out of 41,475 jobs—and increases in Spanish-speaking employment occurred at all grade groupings. In fact, nearly 58 percent of the increase in Spanish-speaking employment occurred at grades GS–9 and above.

While Federal employment statistics for the Spanish-speaking show a rising trend, we cannot be fully satisfied with the progress to date and will continue to move forward in every way possible.

The Spanish-Speaking Program was built around Sixteen Points which focused largely on outreach recruiting efforts to the Spanish-speaking population. Some of the original points were one-time efforts, some applied only to the Commission, and all have been largely accomplished. For example, our Southwest Intergovernmental Training Center, the establishment of which was one of the original Sixteen Points, has been operational for two years and has served 3851 students, 52% of whom were Spanish-speaking. Certainly accomplishment of the original points has been the major factor in the employment gains so far. In addition, they have created an awareness on the part of Federal managers of the need to assure that the special concerns of this nation's second largest minority were addressed in our equal employment opportunity programs. Nevertheless, we have found it necessary to go beyond the Sixteen Points. New program efforts such as the designation of agency Spanish-Speaking Program Coordinators, stepped-up internal evaluation activities, CSC reviews of agency affirmative action plans, and bilingual publications are just some of the actions now underway and which were not among the steps originally set forth in the Sixteen Points. The program is now a stronger and more well-rounded effort, emphasizing equal opportunity for the Spanish-speaking as an integral part of a total EEO program. In sum, we are not just overcoming a static situation which existed before inauguration of the Sixteen Point Program, but want to assure a condition Government-wide in which there is true equal employment opportunity for all persons and in which affirmative action efforts are reaching the Spanish-speaking population so they can make a maximum contribution in terms of their skills and abilities in carrying out the important missions of Federal agencies.

That concludes our testimony, Mr. Chairman. Mr. Costales and I will be glad to answer questions to the best of our ability.

Mr. EDWARDS. Our second witness today is Mr. Edward Valenzuela, an old friend of the Committee's. Mr. Valenzuela is the president of IMAGE, a national organization of Spanish-speaking persons seeking the elimination of barriers and expanded opportunity in Government employment for their community. As part of its program, IMAGE has instituted Operation Compliance to monitor Federal agency efforts in the area of Spanish-speaking employment.

We welcome you, Mr. Valenzuela; and would you be so kind as to introduce, both for the committee's benefit and for the stenographer, the gentleman and the woman with you.

Mr. VALENZUELA. Thank you, Mr. Chairman.

I would like to introduce Dianna Smith and Mr. Manny Fierro, both knowledgeable persons who have worked very diligently in the past in promoting Government employment of the Spanish speaking.

Mr. EDWARDS. We welcome you both.

Proceed.

TESTIMONY OF EDWARD VALENZUELA, PRESIDENT, IMAGE, ACCOMPANIED BY DIANNA SMITH AND EMANUEL FIERRO

Mr. VALENZUELA. I would like to thank the committee and the chairman for this opportunity to bring to your attention some of the concerns that we have—continuing concerns. The problems of the Spanish-speaking underemployment in the Federal Government continues to be reallocated to obscure priorities generally in Government. The Vietnam war, the Watergrate, the fuel crisis, the Presidential impeachment proceedings all have caused our people to ask, when will we have our day.

Your committee and your concern provide us now with a forum to air our complaints and some of the concerns that we do have.

Mr. MCCLORY. Could I just interrupt?

What is the relationship of the Vietnam war and Wategrate to Spanish employment that we are considering here now?

Mr. VALENZUELA. It appears that every time we try to bring this problem to the fore, to the administration, to the Congress, it appears there is another priority always ahead, and we see now, since the establishment of this subcommittee, we have now a forum to which to bring our complaints, where this can be aired.

Mr. EDWARDS. We have also had to cancel a couple of hearings because of the impeachment matter, Mr. McClory.

Mr. MCCLORY. Well, do you want us—you are not suggesting, are you, that we discontinue our impeachment inquiry in order to take up the Spanish-speaking problem?

Mr. VALENZUELA. I do not think I could suggest that to the committee.

Mr. MCCLORY. Are you complaining against the Congress now, or who are you complaining against?

Mr. VALENZUELA. I am stating it seems there are always priorities which have prevented us from bringing this to the attention, to the emphasis of the people who make the laws and to the administration.

So, for that purpose, I do welcome the opportunity to be here and to bring some of our concerns.

Mr. McCLORY. Well, I do not see the relevance of the other charges, unless they are intended for some prejudice against somebody or other. And I do not know whether it is just a general prejudice or what the purpose is, but anyway, I question the wisdom of that kind of testimony as being very persuasive with a congressional committee.

Mr. VALENZUELA. Unfortunately, I cannot share the feelings of Mr. Kator and the Civil Service Commission as far as the picture being so rosy as far as the Spanish speaking.

IMAGE is a national organization. It is established for the purpose of promoting Government employment for the Spanish speaking because we had been underrepresented, because we had been far below in the ladder of employment, and especially in Government employment throughout the land.

IMAGE was formed to bring about a just and fair representation of Hispanics, or Spanish speaking in public employment. Since it was organized over a year ago, IMAGE has grown to be an organization with over 40 chapters and some 7,000 members across the land. We have the support of all of the major Spanish-speaking groups and organizations in our fight to secure an equitable representation in Federal, State, and local governments, and to eliminate the obvious discriminatory practices they pursue.

In the Government, Federal Government, for example, Hispanics hold only 3.1 percent of the jobs in a Federal work force in excess of 2.5 million employees, while constituting over 7 percent of the Nation's population.

The organization has developed what is called Project Compliance, to bring attention to four specific agencies that we find have been the most blatant in disregarding the mandates of equal employment opportunity. It was also developed for the purpose of bringing our plea to elected officials so that they can help us in providing concrete action to remedy this problem.

Compliance, we find, must be required of all Federal agencies so that the Spanish speaking is assured equal employment opportunity in Federal employment. That is the goal of Project Compliance. Although most Federal agencies have failed in this area, four have been chosen for special attention because they are large employers and have significant operations throughout the Nation and have blatantly disregarded the mandate and the responsibilities entrusted to them in providing equal employment opportunities to Americans of Spanish heritage. These agencies are the Department of Transportation, the Department of the Interior, the Department of Justice, and the Veterans' Administration.

The 16-point program was announced to provide equality of employment opportunity for Spanish-surnamed Americans. The responsibility has been placed by the executive branch on the Federal departments and agencies. The executive branch has not acted to enforce compliance in carrying out the spirit and objectives of the Spanish-speaking employment program.

The 16-point program, by having as its source of authority a mere press release has none of the attributes associated with legislation and therefore has been ineffective in achieving the equitable Federal employment stance rightfully being sought by the Spanish-speaking people.

The history of civil rights shows that without the intervention of the legislative and judicial branches, the rights of citizens and equality of treatment and opportunity are not assured. It is resolved by IMAGE to enlist the support of the legislative and judicial branches in enforcing compliance on the part of Federal departments and agencies to assure that Americans of Spanish origin receive equal employment opportunity in Federal employment.

With regard to the Department of the Interior, as a major Cabinet agency with key installations and concentrations of personnel in areas of high Spanish-speaking populations through the Equal Employment Opportunity program administered by the Department's Director of Equal Employment Opportunity, the Bureau EEO officers have openly challenged the administration's 16-point program. This has resulted in appointment of Equal Employment Opportunity officials who are unaware of the employment concerns of the Hispanics; in complaints about flagrant discrimination; and in the lack of capability of developing a program that would result in positive measures to improve the poor employment record with regard to Spanish-speaking Americans.

Since its 16-point coordinator position is held by a non-Hispanic, who has no awareness or commitment, and has not undertaken any positive measure to assist management in fulfilling its Equal Employment Opportunity responsibilities, no progress has been made, or is expected to be made with respect to the employment stance of Spanish-speaking Americans.

The Department of the Interior, as a major employer, with a work force of 65,607 employees as of November 1973, only had 1,425 Spanish-speaking employees, which comprised only 2.17 percent of the work force.

The Department of the Interior, as a Federal agency falling under Civil Service Commission's merit system, maintains its Spanish-speaking employees relegated to menial and nonprofessional positions. The Spanish-speaking hold a mere 1.8 percent of the better paying and mostly professional general schedule jobs, while holding 3.4 percent of the wage grade jobs. As you may know, wage grade jobs are blue collar jobs. Furthermore, as of November 1972, the average grade of general schedule Spanish-speaking employees was 6.6, as compared to 8.3 for the total work force, and 8.8 for the dominant non-minority employees.

The Department of the Interior, as a vehicle for delivery of public policy to the people of the United States, is ineffective in providing the Spanish-speaking people services. This is due to the lack of Spanish-speaking employees in policy and upper grade progammatic positions. Hispanic representation in grades 14 through 15 is 0.4 percent; in grades 16 through 18 it is 0.9 percent. In comparison, the dominant nonminority employees hold 94.7 and 94.5 percent, respectively, of those positions. The Department of the Interior has not even achieved an equitable representation of Hispanics in the menial wage grade positions, where the Hispanics only comprise 3.4 percent of the wage grade jobholders.

The Department of the Interior in the State of California, which has a Spanish-speaking population of over 3 million—comprising

15.54 percent of the total population—has 4,833 employees, of which only 124, or 2.6 percent, are Spanish speaking.

The Department of the Interior in the State of New York, which has a Spanish-speaking population of over 2 million—comprising 7.98 percent of the total population—has 396 employees, out of which only 7, or 1.8 percent, are Spanish speaking.

The Department of Transportation, as a major Cabinet Department, holds one of the poorest records for Federal employment of Hispanics. Despite its record, it has shown little interest and made no attempts to implement the administration's 16-point program, and has even failed to include the Spanish speaking in any meaningful way in its own minority outreach efforts, such as the "150 Program."

The Department's callousness toward the 16-point program is reflected by the fact it has refused to appoint an Hispanic coordinator or even give their present part-time coordinator significant duties. For these reasons, complaints of discrimination are rampant, resulting in such a situation that even if the Department acted, the roots of discrimination are too deeply implanted for a case-by-case resolution.

Even though made aware of the problem with respect to Hispanics in a report prepared by the Civil Service Commission's Bureau of Personnel Management Evaluation, it has taken no action to correct the practices and lack of action which resulted in the following statement in the report:

> "Our reviews disclosed that program response to both of these special emphasis areas"—referring to the Spanish-speaking and Federal women's programs—"have been minimal." At some installations, coordinators for these programs have not been appointed. Where coordinators have been appointed, they usually serve on a part-time basis. Interviews at field activities disclosed a lack of leadership and guidance from higher levels. As a result, local leadership is often inadequate, and problems bearing on equal employment opportunity for women and the Spanish surnamed are not being identified and appropriate objectives are not being met.

The Department of Transportation, as a major employer, with a work force of 65,227 employees as of May 1973, only had 791 Spanish-speaking employees, which comprised a mere 1.2 percent of the total work force. This is an increase of one-tenth of 1 percent in 4½ years since the establishment and the announcement of the 16-point program.

The Department of Transportation has managed to relegate the Spanish speaking in the work force to menial and nonprofessional positions, as depicted by the following facts, as of November 30, 1972:

The average grade for the dominant nonminority element is 10.60; for the Spanish speaking it is 8.52—a two-grade difference.

The percentage of Hispanics in General Schedule grades decreases as the grades get higher, from 1.4 percent representation at the lower grades, to 0.4 percent at the higher grades; while the dominant nonminority representation increases from 78.7 percent at the lower grades, to 90.6 percent at the higher grades.

I presently understand there is no Spanish-speaking employee in the Office of the Secretary, with regard to the policy administration of equal employment opportunity.

Moreover, the Department of Transportation in the State of New Mexico, where the Spanish-speaking people comprise 40 percent of the total population, the Department's work force of 949 employees

has only 73 Spanish-speaking employees, for a mere 7.7 percent of the work force total.

In the State of Arizona, where the Spanish-speaking people comprise 18.8 percent of the total population, Transportation's work force of 402 employees includes only 18 Spanish-speaking employees, or 5 percent of the total work force.

In the State of Texas, where the Spanish speaking comprise 18.47 percent of total population of the State, it has only 153 Spanish-speaking employees—3.6 percent of the 4,260 employee work force.

In the State of New York, which has a Spanish-speaking population of over 2 million, representing 7.98 percent of the total population, the Department has a work force of 4,388 employees, out of which 76—a mere 1.7 percent of the total—are Spanish speaking.

The Department of Justice, although beginning to show semblances of progress in its employment profile for Hispanics, has been chosen because of its employment policies in its Immigration and Naturalization Service, particularly the Border Patrol. The Department has permitted these components to pursue a business as usual approach, either in overlooking or systematically screening out Spanish-speaking Americans for positions where Spanish language skill is essential, and in denying real opportunities for Hispanics to advance to supervisory or managerial positions. As of November 30, 1973, the Department of Justice had 7,279 positions at the GS–13 level and above; of these, only 58 were occupied by Hispanics.

For the Border Patrol, in 1974, a class will start for Border Patrol School. They have been selected from all Civil Service Commission registers, which determines Spanish speakers for qualifying: 150 vacancies will be filled through the force. Candidates will include no women, less than 10 Spanish speakers, due to a height and weight requirement and oral interview to demonstrate English language fluency. And all candidates will be trained in a Spanish-speaking language, which is considered necessary for the particular occupation.

The Justice Department, with a total work force of 46,418 employees and 1,331 positions occupied by Spanish-speaking Americans—this is only 2.9 percent of the work force—has not properly executed the 16-point program.

Mr. EDWARDS. Mr. Valenzuela, may I interrupt you?

Are you telling us the Border Patrol is going to hire 150 new agents, and they have a class coming up?

Mr. VALENZUELA. That is the information I do have.

Mr. EDWARDS. And that—I imagine that the border that they patrol is generally the Mexican border; is that not correct?

Mr. VALENZUELA. The Mexican border.

Mr. EDWARDS. Most of the agents are used there, and you are telling the committee that they are only considering 10 of 150?

Mr. VALENZUELA. The information I have received; only 10 presently are Spanish speakers, of the prospective 150.

Our recommendations in meeting with Mr. Hampton have been that since there are sufficient numbers in the Department of Defense—Spanish speakers—being involved in layoffs, that they be considered, based on other skills, for these positions on the Border Patrol.

Mr. EDWARDS. Do you not think it is a little bit unrealistic to think that Anglos can learn Spanish quickly enough and competently enough to be able to handle a very difficult Border Patrol situation?

Mr. VALENZUELA. I agree with you, Mr. Edwards.

Mr. EDWARDS. Well, the committee will certainly direct an inquiry to the Department of Justice, because we have been—we have already had hearings on this subject, and as I recall, they had a witness here.

Please go ahead.

Mr. VALENZUELA. Thank you, Mr. Chairman.

The Justice Department, in its blue collar wage-graded systems, reflects the same trend, the Spanish speaking comprising 10.8 percent of the nonsupervisory jobs and 1.4 percent of the supervisory positions, while the dominant nonminority holds 65.9 percent of the nonsupervisory and 94.2 percent of the supervisory positions.

The Department of Justice, as of September of 1973, still permits some of its components, such as Federal Prison Industries, to maintain staffing practices that result in the Spanish speaking representing only 0.85 percent of the work force; 1.1 percent in the Law Enforcement Assistance Administration; 1.2 percent in the policymaking legal and administrative activities functions; and finally, 8.9 percent in the Immigration and Naturalization Service, which, due to its activities, especially the Border Patrol, should have more than a 20-percent Spanish-speaking representation.

The Immigration and Naturalization Service, according to their own annual report of 1972, reflects that approximately 70 percent of people crossing the borders crossed the Mexican border; that approximately 50 percent of the immigrants are Spanish speaking; that 40 percent of the foreign visitors come from Spanish-language lands; and that approximately 35 percent of the persons naturalized are Spanish speaking.

The Veterans' Administration, for the minority group with an outstanding record of military service, combat duty and valor, has responded with insensitivity and a sense of detachment in meeting its equal employment opportunity responsibilities for Hispanics. Evidence of this attitude is its lack of outreach efforts, its "lip service" in carrying out the objectives of the 16-point program, its foot-dragging in filling the long vacant post of the 16-point coordinator and, of course, its overall employment record.

With a work force of 169,826 employees, making it the largest Federal nondefense employer, the Veterans' Administration has only 3,871 Spanish-speaking employees, a mere 2.3 percent of the total work force.

VA, while having 248 employees above the grade GS–15 making policy and programmatic decisions, has no Spanish-speaking employees in this category.

While depicting an average mean grade of 6.69 for the total work force, 7.17 for the dominant nonminority, relegates the Spanish-speaking employees to lower grades, resulting in their average grade being below those, a mere 6.09.

The Veterans' Administration has only managed to increase the Spanish-speaking representation in their work force by a mere two-tenths of 1 percent over a 3-year period, when having ample opportunity to hire a significant portion of their new over 20,000 jobs with Spanish speakers.

The Veterans' Administration in the State of California, which has an Hispanic population of over 3 million—representing over 15 percent of the total population—out of a work force of 16,221 employees, only 5 percent are Hispanics.

In the State of Illinois, where the Spanish speaking comprise 3.27 percent of the population, 1 out of every 86 employees is Spanish speaking, or 1.2 percent.

Mr. McCLORY. Would the chairman permit an interruption at that point?

Mr. EDWARDS. Yes.

Mr. McCLORY. I would just say I know there are job opportunities at Downey Hospital, which is the largest Veterans' Administration hospital in the country, I believe, from the standpoint of beds; job opportunities for nurses, for all kinds of aides. And I have talked to the director there, and he says the problem of understaffing is not that they do not have the job openings, but they do not have the qualified personnel to apply for and get these jobs, so that you could perform a genuine service for a number of persons in the Spanish-speaking community in our area if you would admonish them to qualify themselves for these standards—which are not too high, in many cases—because the job opportunities are there, and you could increase the VA percentage in Illinois rapidly, I am confident, on behalf of the Spanish surnamed.

Mr. VALENZUELA. Thank you, Mr. McClory. We are in the process of establishing a national computerized skills bank for Spanish-speaking Government applicants. And presently we do have thousands of individuals who are highly qualified who would be interested in those types of jobs. It is a matter that presently we do not have the resources. We would hope that the Federal agencies, who do have the resources and the responsibility, would have outreach recruitment programs. But I would be glad to get that information into your area.

I think in conclusion—I think we feel that the conditions existing in these four agencies are not isolated examples, but rather depict the prevailing norm throughout the Federal structure. An analysis of the figures and statistics compiled on four agencies and the Federal work force clearly show that the Spanish-speaking people are not receiving a fair share of positions in the Federal Government, or equitable opportunities for advancement. And for this reason, the implementation of public policy lacks—it has to be effective with respect to the Spanish-speaking people. The reason for the poor Federal employment stance for the Spanish-speaking people is systemic, institutionalized discrimination on the part of Federal agencies.

The merit system is not meritorious. An open, competitive system as it is supposed to be, would react statistically in the same manner as a random sample of the U.S. population. With this perspective, there should be no reason for the gap that exists between Spanish-speaking representation in the work force and that they have in the total population of the United States. A gap that exists in salaries and in the classes of occupations held by Spanish-speaking Federal employees and what the Civil Service Commission refers to as all other employees nonminority under the Minority Group Employment for Federal Government report.

As of May 31, 1973, according to the Civil Service Commission's recently released figures, out of a work force of over 2.5 million employees, the Spanish speaking only held 78,243 positions—3.1 percent of the total work force.

Mr. EDWARDS. Mr. Valenzuela, the Civil Service Commission's witness pointed with pride to that figure; that it was an increase from

2.9 percent to 3.1 percent in 2 years; an increase in jobs of nearly 5,000 for Spanish-speaking people.

What would your observation be on this claim of the Civil Service Commission?

Mr. VALENZUELA. With regard to that statement, although the total Federal work force decreased, as according to the Civil Service Commission figures by 33,000 positions, over 457,000 jobs were filled, due to separations and retirements and other attrition. This means that many jobs were filled from either outside the Federal Government, through transfers or promotions within the Government.

If the 16-point program as a special emphasis program was operative and was effective, then the Spanish speaking should have filled at least 5 percent of those jobs—or approximately 23,000 positions. According to their own report, the Spanish-speaking gain was only—the figures I have—is 1,657 for that 1-year period.

The question is, Where is the special emphasis? There is special emphasis placed on the underrepresentation of the Spanish speaking. With regard to this underrepresentation, the lack of not being even close to parity, we feel that something in the area of $882 million annually are being lost to the Spanish-speaking community. The impact of this fund would mean better situations, social conditions, better educational conditions for the Spanish speaking: $882 million is quite a bit for the Spanish-speaking community. This is just in the area of the Federal Government.

If you were to translate that across the State and local government, I think we could see equally dismal figures in the situation presently.

The rest of the statement, Mr. Chairman, is being presented to the committee; so I would like to possibly open up for questions.

Mr. EDWARDS. Yes; without objection, it will be made a part of the record—and I see you have supplied the committee with an impressive group of statistics and charts.

[The prepared statement of Edward Valenzuela follows:]

IMAGE . . . WAS FORMED TO BRING ABOUT A JUST AND FAIR REPRESENTATION OF HISPANICS IN PUBLIC EMPLOYMENT. IN THE FEDERAL GOVERNMENT, FOR EXAMPLE, HISPANICS HOLD ONLY 3.1% OF JOBS IN A FEDERAL WORK FORCE OF OVER TWO AND HALF MILLION EMPLOYEES, WHILE CONSTITUTING OVER 7% OF THE NATION'S POPULATION

PROJECT COMPLIANCE Is a Plea to Our Elected Officials for Concrete Action To Remedy This Problem

INTRODUCTION

The Declaration of Independence proclaims in ringing terms, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men . . ." A Constitution was drafted to institute the Government that would protect these rights. Never in the mind of our forefathers did the thought that this equality of White, Christian, Anglo-Saxon, Black, Mexican-American, American Indian, or any other minority—did not exist. The Constitution is addressed to ALL MEN, and establishing Civil Rights policies is fundamentally a part of the Constitution.

It is not a matter of safeguarding civil rights as a function of government, an area of public policy, but rather the matter on hand is whether ALL MEN are to have their constitutional rights and the educational, social, and employment opportunities to take full part in the nation created by the American Constitution.

Certain liberties, rights, and opportunities are essential to the operation of a Democratic Government, they are not means of securing self-government, they

are ends by themselves. They exist not in furtherance of the government, but the government exists to protect them. Our forefathers called them "natural rights", today they are referred to as "human rights"—but the concept is still the same one, that of moral primacy of men over government, and the dignity and supremacy of worth of each individual. With this perspective, as we approach the bicentennial of the Declaration of Independence, the government must assure those peoples who are treated differently nothing less than equality; and with regards to constitutional rights and natural rights as proclaimed two hundred years ago—Compliance . . .

Compliance, on the part of all Federal Agencies, is assuring equal employment opportunity in federal employment to Spanish-speaking Americans. This is the goal of Project Compliance . . .

Although most Federal Agencies have failed in this area, four have been chosen for special attention because they are large employers; have significant operations throughout the nation; and have blatantly disregarded the mandate and the responsibilities entrusted to them in providing equal employment opportunities to Americans of Spanish Heritage. These agencies are: Departments of Transportation, Interior, Justice, and the Veterans Administration.

In brief, attempts to bring awareness to these agencies must be shifted to the Legislative and Judicial branches of government, so they will know of the attitudes, lack of commitment, lack of action, and most important: the lack of positive results of these agencies in providing the equality of treatment required of them by the law and public policy. We are confident that Federal Agencies will move affirmatively as a result of the success and momentum of this project.

PREAMBLE

Whereas, the Sixteen Point Program was announced to provide equality of employment opportunity for Spanish Surnamed Americans,

Whereas, the responsibility has been placed by the Executive Branch on the Federal Departments and Agencies,

Whereas, the Executive Branch has not acted to enforce compliance in carrying out the spirit and objectives of the Spanish speaking employment program,

Whereas, the Sixteen Point Program by having as its source of authority a mere press release, has none of the attributes associated with legislation, and therefore, has been ineffective in achieving the equitable federal employment stance rightfully being sought by the Spanish speaking people,

Whereas, the history of Civil Rights shows that without the intervention of the Legislative and Judicial branches, the rights of citizens and equality of treatment and opportunity are not assured,

It is resolved to enlist the support of the Legislative and Judicial branches in enforcing compliance on the part of Federal Departments and Agencies to assure that Americans of Spanish Origin receive equal employment opportunity in Federal employment.

ALLEGATIONS

We assert that:

The Department of Interior . . .

As a major Cabinet Agency with key installations and concentrations of personnel in areas of high Spanish speaking populations through the Equal Employment Opportunity program administered by the Department's Director of Equal Employment Opportunity, and Bureau EEO Officers has openly challenged the Administration's Sixteen Point Program. This has resulted in appointments of Equal Employment Opportunity officials who are unaware of the employment concerns of the Hispanics; in complaints about flagrant discrimination; and in the lack of capability of developing a program that would result in positive measures to improve the poor employment record with regards to Spanish-speaking Americans. Since its Sixteen Point Coordinator position is held by a non-Hispanic, who has no awareness or commitment, and has not undertaken any positive measure to assist management in fulfilling its Equal Employment Opportunity responsibilities—no progress has been made, or is expected to be made with respect to the employment stance of Spanish speaking Americans.

As a major employer, with a work force of 65,607 employees as of November 1973, only had 1,425 Spanish speaking employees, which comprised only 2.17% of the work force.

As a Federal agency falling under the Civil Service Commission's Merit System maintains its Spanish speaking employees relegated to menial and non-professional positions: The Spanish speaking hold a mere 1.8% of the better pay-

ing and mostly professional General Schedule jobs, while holding 3.4% of the Wage Grade jobs. As you may know, Wage Grade jobs are blue collar jobs. Furthermore, as of November 1972 the average grade of General Schedule Spanish speaking employees was 6.6, as compared to 8.3 for the total work force, and 8.8 for the dominant non-minority employees.

The Department of Interior, as a vehicle for delivery of public policy to the people of the United States is ineffective in providing the Spanish speaking people services, this is due to the lack of Spanish speaking employees in policy and upper grade programmatic positions—Hispanic representation in grades 14 thru 15 is 0.4%, in grades 16 thru 18 it is 0.9%. In comparison, the dominant non-minority employees hold 94.7 and 94.5%, respectively, of those positions.

The Department of Interior has not even achieved an equitable representation of Hispanics in the menial wage grade positions, where the Hispanics only comprise 3.4% of the wage grade job-holders.

Moreover, the Department of Interior, in the State of California, which has a Spanish speaking population of over three million, comprising 15.54% of the total population—has 4,833 employees, of which only 124, or 2.6% are Spanish speaking.

The Department of Interior, in the State of New York, which has a Spanish speaking population of over two million, comprising 7.98% of the total population—has 396 employees, out of which only 7, or 1.8% are Spanish speaking.

The Department of Transportation

As a major Cabinet department, holds one of the poorest records for Federal employment of Hispanics. Despite its record, it has shown little interest and made no attempts to implement the Administration's Sixteen Point Program, and has even failed to include the Spanish speaking in any meaningful way in its own minority outreach efforts, such as the "150 Program". The Department's callousness toward the Sixteen Point Program is reflected by the fact it has refused to appoint a Hispanic coordinator or even give their present part-time coordinator significant duties. For these reasons, complaints of discrimination are rampant, resulting in such a situation that even if the Department acted, the roots of discrimination are too deeply implanted for a case by case resolution.

Even though made aware of the problem with respect to Hispanics in a Report prepared by the Civil Service Commission's Bureau of Personnel Management Evaluation, it has taken no action to correct the practices and lack of action which resulted in the following statement in the report: "Our reviews disclosed that program response to both of these special emphasis areas, "referring to the Spanish Speaking and Federal Women's Programs", have been minimal. At some installations coordinators for these programs have not been appointed. Where coordinators have been appointed they usually serve on a part-time basis. Interviews at field activities disclosed a lack of leadership and guidance from higher levels. As a result local leadership is often inadequate and problems bearing on equal employment opportunity for women and the Spanish surnamed are not being identified and appropriate objectives are not being met."

The Department of Transportation as a major employer, with a work force of 65,227 employees as of May 1973, only had 791 Spanish speaking employees, which comprised a mere 1.2% of the total work force.

Has managed to relegate the Spanish speaking in the work force to menial and non-professional positions, as depicted by the following facts. As of November 30, 1972:

The average grade for the dominant non-minority element is 10.60, for the Spanish speaking it is 8.52. A two-grade difference.

The percentage of Hispanics in General Schedule grades decreases as the grades get higher, from 1.4% representation at the lower grades to 0.4% at the higher grades; while the dominant non-minority representation increases from 78.7% at the lower grades to 90.6% at the higher grades.

Moreover, the Department of Transportation in the State of New Mexico, where the Spanish speaking people comprise 40% of the total population, the Department's work force of 949 employees has only 73 Spanish speaking employees for a mere 7.7% of the work force total.

In the State of Arizona, where the Spanish speaking people comprise 18.8% of the total population, Transportation's work force of 402 employees includes only 18 Spanish speaking employees or 5% of the total work force.

In the State of Texas, where the Spanish speaking comprise 18.47% of total population of the state, it has only 153 Spanish speaking employees—3.6% of the 4,260 employee work force.

In the State of New York, which has a Spanish speaking population of over two million, representing 7.98% of the total population—the Department has a work force of 4,388 employees, out of which only 76, a mere 1.7% of the total, are Spanish speaking.

The Department of Justice . . .

Although beginning to show semblances of progress in its employment profile for Hispanics, has been chosen because of its employment policies in its Immigration and Naturalization Service, particularly the Border Patrol. The Department has permitted these components to pursue a "business as usual" approach, either in overlooking or systemically screening out Spanish speaking Americans for positions where Spanish language skill is essential, and in denying real opportunities for Hispanics to advance to supervisory or managerial positions (As of November 30, 1972, the Department of Justice had 7,279 positions at the GS–13 level and above; of these, only 58 were occupied by Hispanos).

With a total work force of 46,418 employees and 1,331 positions occupied by Spanish speaking Americans (this is only 2.9% of the work force)—has not properly executed the Sixteen Point Program. The Hispanic recruitment conducted denies Spanish speaking Americans equality of opportunity and advancement, resulting in a work force where the dominant non-minority's modal grade is GS–13, as compared to GS–5 for the Spanish speaking; the average mean grade for the total work force is 7.85, for the dominant non-minority 8.45, and for the Spanish speaking 5.8—two and three grades below respectively.

In its blue collar wage graded systems reflects the same trend, the Spanish speaking comprising 10.8% of the non-supervisory jobs and 1.4% of the supervisory positions, while the dominant non-minority holds 65.9% of the non-supervisory and 94.2% of the supervisory positions.

The Department of Justice, as of September of 1973, still permits some of its components, such as Federal Prison Industries, to maintain staffing practices that result in the Spanish speaking representing only 0.85% of the work force; 1.1% in the Law Enforcement Assistance Administration; 1.2% in the policymaking Legal and Administrative Activities function, and finally, 8.9% in the Immigration and Naturalization Service, which due to its activities, especially the Border Patrol, should have more than a 20% Spanish speaking representation.

The Immigration and Naturalization Service, according to their own Annual Report for 1972, reflect that approximately 70% of people crossing the borders crossed the Mexican border; that approximately 50% of the immigrants are Spanish speaking; that 40% of the foreign visitors come from Spanish language lands; and that approximately 35% of the persons naturalized are Spanish speaking.

The Veterans' Administration . . .

For the minority group with an outstanding record of military service, combat duty and valor, has responded with insensitivity and a sense of detachment in meeting its equal employment opportunity responsibilities for Hispanics. Evidence of this attitude is its lack of outreach efforts, its "lip service" in carrying out the objectives of the Sixteen Point Program, its foot-dragging in filling the long vacant post of the Sixteen Point Coordinator, and of course, its overall employment record.

With a work force of 169,826 employees, making it the largest federal non-defense employer, the Veterans Administration only has 3,871 Spanish speaking employees, a mere 2.3% of the total work force.

While having 248 employees above the grade GS–15 making policy and programmatic decisions, has no Spanish speaking employees in this category.

While depicting an average mean grade of 6.69 for the total work force, 7.17 for the dominant non-minority, relegates the Spanish speaking employees to lower grades, resulting in their average grade being below those, a mere 6.09.

Has only managed to increase the Spanish speaking representation in their work force by a mere two-tenths of one percent over a three year period, when having ample opportunity to hire a significant portion of their new over 20,000 jobs with Spanish speakers.

FEDERAL EMPLOYMENT IN DENSELY SPANISH AMERICAN POPULATED STATES

[Figures as of Nov. 30]

	1971	1972	Change
Arizona (18.8 percent Spanish surname population per population census, 1970):			
Total Federal employees	27,542	27,996	+454
Spanish surnamed employees	2,485	2,586	+101
Percentage Spanish surnamed	9.0	9.2	+.2
Percentage Spanish surnamed employees in:			
General schedule positions	5.1	5.6	+.5
Wage grade positions	16.4	16.8	+.4
California (15.54 percent Spanish surname population per population census, 1970):			
Total Federal employees	289,632	283,144	−6,488
Spanish surnamed employees	17,232	17,691	+459
Percentage Spanish surnamed	5.9	6.2	+.3
Percentage Spanish surnamed employees in:			
General schedule positions	3.9	4.4	+.5
Wage grade positions	8.5	8.9	+.4
Colorado (12.97 percent Spanish surname population per population census, 1970):			
Total Federal employees	41,225	42,051	+826
Spanish surnamed employees	4,402	4,480	+78
Percentage Spanish surnamed	10.7	10.7	----------
Percentage Spanish surnamed employees in:			
General schedule positions	5.0	5.2	+.2
Wage grade positions	29.4	29.8	+.4
New Mexico (40.08 percent Spanish surname population per population census, 1970):			
Total Federal employees	24,119	24,015	−104
Spanish surnamed employees	6,136	6,484	+348
Percentage Spanish surnamed	25.4	27.0	+1.6
Percentage Spanish surnamed employees in:			
General schedule positions	18.1	19.5	+1.4
Wage grade positions	41.9	46.8	+4.9
New York (7.98 percent Spanish surnamed population per population census, 1970):			
Total Federal employees	168,091	163,242	−4,849
Spanish surnamed employees	6,506	6,432	−74
Percentage Spanish surnamed	3.9	3.9	----------
Percentage Spanish surnamed employees in:			
General schedule positions	2.2	2.3	+.1
Wage grade positions	6.3	6.5	+.2
Texas (18.47 percent Spanish surname population per population census, 1970):			
Total Federal employees	140,648	139,447	−1,201
Spanish surnamed employees	27,427	27,393	−34
Percentage Spanish surnamed	19.5	19.6	+.1
Percentage Spanish surnamed employees in:			
General schedule positions	13.2	13.7	+.5
Wage grade positions	39.2	39.1	−.1

DEPARTMENT OF INTERIOR

	November 1970		November 1971		November 1972		November 1973	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total employment [1]	63,354	----------	63,161	----------	63,783	----------	65,607	----------
Spanish surnamed employment	1,263	2.0	1,299	2.1	1,321	2.1	1,425	2.2

State [2]	Spanish surnamed representation in that State (percent)	Total employment	Spanish surnamed employment	Percent
California	15.54	4,833	124	2.6
Texas	18.47	959	130	13.4
New York	7.98	396	7	1.8
Illinois	3.27	179	0	0
Florida	6.64	522	8	1.5
New Mexico	40.08	5,038	555	11.0
Arizona	18.80	5,928	140	2.4
Colorado	12.97	5,601	156	2.8
New Jersey	4.3	130	0	0

DEPARTMENT OF INTERIOR—Continued

	Total full-time employees	Minority employees	Spanish surname employees	Nonminority employees
Work force[2]	63,783	15,114	1,321	48,669
Percentage of work force	100	23.7	2.1	76.3
General schedule employment	51,495	10,778	913	40,717
Percentage of general schedule	100	20.9	1.8	79.1
Modal grade (GS)	9.0	4.0	4.0	9.0
Median grade (GS)	8.3	4.2	5.3	8.2
Mean (average) grade	8.3	4.9	6.6	8.8
Percentage in grades:				
1 through 4	100	50.5	2.6	49.5
5 through 8		22.7	2.5	77.3
9 through 11		12.3	1.5	87.7
12 through 13		5.9	.7	94.1
14 through 15		5.3	.4	94.7
16 through 18		5.5	.9	94.5
Wage grade employment	11,573	4,181	399	7,392
Percentage	100	36.1	3.4	63.9
Regular nonsupervisory	100	52.6	3.9	47.4
Regular leader	100	47.8	2.2	52.2
Supervisory	100	31.8	3.4	68.2

	Total employment	Spanish-surnamed employment		Minority employment	
		Amount	Percent	Amount	Percent
Departmental total[3]	65,607	1,425	2.17	15,380	23.44
Office of the Secretary	1,738	13	.75	331	----
National Park Service	11,208	277	2.47	1,819	----
Geological Survey	8,652	191	2.2	925	----
Bureau of Reclamation	8,308	426	5.12	621	----
Bureau of Indian Affairs	16,262	242	1.48	10,341	----
Bureau of Mines	5,895	49	.83	358	----
Bureau of Land Management	5,062	146	2.9	358	----
Bureau of Sport Fisheries and Wildlife	4,405	61	1.38	277	----
Bonneville Power Administration	3,366	19	.56	169	----
Bureau of Outdoor Recreation	473	1	.21	57	----
Southwestern Power Administration	166	0	0	2	----
Southeastern Power Administration	36	0	0	0	----
Alaska Power Administration	36	0	0	0	----

[1] 4-year change: in total employment, +2,253; in Spanish-surnamed employment, +162.
[2] As of November 1972.
[3] As of November 1973.

DEPARTMENT OF JUSTICE

	November 1970		November 1971		November 1972		September 1973	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
Total employment	39,373	----	42 938	----	46,418	----	46,201	----
Spanish surnamed employment	953	2.4	1,065	2.5	1,331	2.9	1,451	3.1

State	Spanish surnamed representation in that State (percent)	Total employment	Spanish surnamed employment	Percent
New Mexico	40.08	190	33	17.4
Arizona	18.80	589	75	12.7
Texas	18.47	3,037	468	15.4
California	15.54	4,656	304	6.5
Colorado	12.97	484	16	3.3
New York	7.98	4,222	80	1.9
Florida	6.64	1,434	56	3.9
New Jersey	4.3	773	4	.5
Illinois	3.27	1,785	21	1.2

DEPARTMEMT OF JUSTICE—Continued

	Total full time employees	Minority employees	Spanish surname employees	Nonminority employees
Total work force [1]	46,418	6,431	1,331	39,987
Percentage of work force	100	13.9	2.9	86.1
General Schedule employment	43,477	6,106	1,246	37,371
Percentage of General Schedule	100	14.0	2.9	86.0
Modal grade (GS)	5.0	3.0	5.0	13.0
Median grade (GS)	7.0	4.70	5.64	7.42
Mean (average) grade	7.85	5.8	5.8	8.45
Percentage in grades:				
1 through 4	100	25.5	3.8	74.
5 through 8		18.8	3.8	81.2
9 through 11		7.1	2.6	92.9
12 through 13		3.6	.9	96.4
14 through 15		2.7	.7	97.3
16 through 18		3.8	.9	96.2
Wage grade employment	1,551	217	60	11,334
Percentage	100	14.0	3.9	86.0
Nonsupervisory	100	34.1	10.8	65.9
Leader	100	44.4	33.3	55.6
Supervisory	100	5.8	1.4	94.2

Component	Total employment	Spanish surnamed employment		Minority employment	
		Amount	Percent	Amount	Percent
Departmental total [2]	46,201	1,451	3.1	6,900	14.93
Legal and administrative activities	6,722	83	1.2	1,501	
Marshal Service	1,973	73	3.7	395	
Drug Enforcement Administration	3,607	135	3.7	477	
Federal Prison Industries	466	4	.85	49	
Law Enforcement Assistance Administration	646	7	1.1	153	
Immigration and Naturalization Service	7,228	643	8.9	1,656	
Federal Bureau of Prisons	5,694	160	2.8	778	
Federal Bureau of Investigations	19,866	1,451	3.1	6,900	

[1] As of November 1972.
[2] As of November 1973.

DEPARTMENT OF TRANSPORTATION

	November 1970		November 1971		November 1972		May 1973	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
Total employment	65,128		67,488		66,140		65,227	
Spanish surnamed employment	696	1.1	729	1.1	809	1.2	791	1.2

State	Spanish surnamed representation in that State (percent)	Total employment	Spanish surnamed employment	Percent
New Mexico	40.08	949	73	7.7
Arizona	18.80	402	18	5.0
Texas	18.47	4,260	153	3.6
California	15.54	5,536	116	2.1
Colorado	12.97	1,515	66	4.4
New York	7.98	4,388	76	1.7
Florida	6.64	2,878	36	1.3
New Jersey	4.3	2,098	9	.4
Illinois	3.27	2,039	9	.6

Department of Transportation—Continued

	Total full time employees	Minority employees	Spanish surname employees	Nonminority employees
Total work force: [1]	64,140	6,365	809	59,775
Percentage of work force	100	9.6	1.2	90.4
General schedule employment	59,318	5,322	722	53,996
Percentage of General Schedule	100	9.0	1.2	91.0
Modal grade (GS)	12	5	12	12
Median grade (GS)	10.91	6.9	10.35	10.05
Mean (average) grade	10.38	8.08	8.52	10.60
Percentage in grades:				
1 through 4	100	21.3	1.4	78.7
5 through 8		19.5	1.8	80.5
9 through 11		7.6	1.3	92.4
12 through 13		4.7	1.1	95.3
14 through 15		3.4	0.4	96.6
16 through 18		9.4	0.4	90.6
Wage grade employment	5,779	1,006	79	4,773
Percentage	100	17.4	1.4	82.6
Nonsupervisory	100	18.2	1.4	81.8
Leader	100	10.6	0.7	89.4
Supervisory	100	9.0	0.8	91.0

Component	Total employment	Spanish surnamed employment		Minority employment	
		Amount	Percent	Amount	Percent
Department total [2]	65,227	791	1.2	6,350	9.7
Office of the Secretary	1,243	15	1.2	378	
Federal Aviation Administration	50,042	559	1.1	3,605	
Federal Highway Administration	4,578	101	2.2	573	
National Transportation Safety Board	267	2	.7	44	
U.S. Coast Guard (civilian only)	6,509	68	1.0	1,222	
Federal Railroad Administration	424	1	.23	43	
Urban Mass Transit	231	8	3.5	66	
National Highway Traffic Safety	697	9	1.3	126	

[1] As of November 1972.
[2] As of May 1973.
Note.—Office of the Secretary includes Washington, D.C. only. Federal Railroad Administration—exclusive of Alaska Railroad.

VETERANS' ADMINISTRATION

	November 1970		November 1971		November 1972		November 1973	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
Total employment	149,257		160,709		169,826		171,589	
Spanish surnamed employment	3,131	2.1	3,528	2.2	3,871	2.3	4,309	2.5

State [1] (Spanish language population)	Spanish surnamed representation in that State (percent)	Total employment	Spanish surnamed employment	Percent
New Mexico (387,000)	40.08	987	367	37.2
Arizona (357,000)	18.80	1,812	202	11.1
Texas (2,487,000)	18.47	9,337	582	6.2
California (3,100,000)	15.54	16,231	813	5.0
Colorado (272,000)	12.97	1,900	274	14.4
New York (2,423,000)	7.98	15,454	700	4.5
Florida (502,000)	6.64	5,806	171	2.9
New Jersey (464,000)	4.3	3,468	19	.5
Illinois (687,000)	3.27	9,451	110	1.2

See footnotes at end of table.

Veterans Administration—Continued

	Total full time employees	Minority employees	Spanish surname employees	Nonminority employees
Total work force [1]	169,826	49,671	3,871	120,155
Percentage of work force	100	29.2	2.3	70.8
General schedule employment	133,619	33,753	2,671	99,866
Percentage of general schedule	100	25.3	2.0	74.7
Modal grade (GS)	4	4	4	4
Median grade (GS)	4.89	3.99	4.26	5.71
Mean (average) grade	6.69	5.22	6.09	7.17
Percentages in grades:				
1 through 4	100	35.7	2.6	64.3
5 through 8		27.5	1.9	72.5
9 through 11		13.2	1.2	86.8
12 through 13		6.2	.7	93.8
14 through 15		11.4	3.5	88.6
16 through 18		2.8	.0	97.2
Wage grade employment	33,597	15,224	1,126	18,373
Percentage	100	45.3	3.4	54.7
Nonsupervisory	100	46.6	3.5	53.4
Leader	100	41.7	2.2	58.3
Supervisory	100	36.3	2.6	63.7

Component	Total employment	Spanish surnamed employment		Minority employment	
		Amount	Percent	Amount	Percent
Agency total	171,589	4,309	2.5	50,787	29.6
Central office	3,462	12	.35	903	
Field installations	168,127	4,297	2.5	49,884	

[1] As of November 1972.
[2] As of November 1973.

Note.—Approximately 85 percent of field installation employment is in Veterans' Administration hospitals.

Mr. EDWARDS. Where did you get these figures?

Mr. VALENZUELA. We have what we consider an excellent expertise in the Spanish-speaking community, wholly qualified individuals—statisticians, mathematicians, research analysts. These figures generally are those that are public information that are provided by the Civil Service Commission and by other Federal agencies.

Mr. EDWARDS. You think they are accurate, then?

Mr. VALENZUELA. We think they are probably more accurate than some of the ones that are based just on census reports.

Mr. EDWARDS. Is IMAGE a corporation?

Mr. VALENZUELA. Presently it is incorporated in individual States. We are in the process of incorporating it at the national level.

Mr. EDWARDS. You are a nonprofit corporation?

Mr. VALENZUELA. Nonprofit, educational corporation.

Mr. EDWARDS. How do you support yourself?

Mr. VALENZUELA. Presently the dues are minimal—$2 per person. Hopefully, at the end of this month it will be increasing to $15 per person.

Mr. EDWARDS. How many fulltime employees does IMAGE have?

Mr. VALENZUELA. We do not have any fulltime staff members. It is a volunteer organization.

Mr. EDWARDS. Mr. McClory.

Mr. MCCLORY. Thank you, Mr. Chairman.

I think one of the real weaknesses of your testimony, in my opinion; and something that I think particularly has been emphasized in the testimony on behalf of the Spanish speaking, or the Spanish-surnamed community, is the tremendous emphasis that you put on percentages and quotas. And I think that that kind of statistical information is not too persuasive. It does not, to my mind, it does not follow that there is discrimination because there is a certain percentage of employees in a particular kind of employment, and there is a comparable percentage of Spanish-surnamed people in the total population.

And what I would like to know, do you have instances; do you have figures of discrimination? Do you have evidences of departments and agencies that are deliberately excluding or preventing Spanish-surnamed individuals from applying? Is there something discriminatory about the testing or something like that that needs correction?

Mr. VALENZUELA. Yes, Mr. McClory.

In the private sector—the courts, I think, including the Supreme Court, has ruled, as it were, if there is a significant segment of the minority community in an area, in a community, and an employer does not have a like or representative figure of that minority group or women in his work force, that this can be considered as a prima facie case of discrimination. It is an inference of discrimination.

This places the burden of proof on the employer to prove that he is not discriminating. So, systematically, that is discrimination.

On an individual basis, we have many cases documented; many of them are following the administrative procedures in hopes of finding some resolution. However, we would bog down the administrative channels through each agency if we were to pursue these alone. We presently have third-party complaints filed with two of these agencies in question, following the administrative procedures in hopes of finding some resolution. But we are not optimistic at this point.

Mr. FIERRO. Mr. McClory, I think another point that can be made is, how else can we demonstrate to you, in terms of the underrepresentation of the Spanish speaking, if we do not provide you with statistical data that you can relate to in terms of Federal agencies? Or, would you rather we just present a case on a case-by-case basis? You know that we could go on forever in terms of those in the Southwest or even here in Washington. But I think that the purpose of the study and the project was to provide you with the statistical information so that you could also reflect on hard data, because that is one of the things we are always told to do, is to give us specifics, statistics. And as I hear you, you say that is not a very good case to make, with the hard data. And I kind of find it difficult to accept that premise.

Mr. MCCLORY. I think it has lost its efficacy from the standpoint of being a persuasive argument in support of discrimination. I think to suggest that we have to have employment on a percentage basis in accordance with the racial population is——

Mr. FIERRO. I do not think we are alluding to the fact of parity and I think Mr. Drinan and the Civil Service Commission made that very clear. I do not think we are necessarily talking about parity here, but we are talking about equal opportunity in those jobs, in those agencies that show patterns and practices of discrimination against the Spanish speaking, and especially in their EEO programs. It is very well demonstrated, you know. And I think we are not concerned

that we want parity and a quota system in these agencies, but I think that equal access and equal opportunity is much more important, and I think that that ought to be demonstrated, not necessarily just by providing information to the Spanish and materials in Spanish, but the hiring of individuals that relate to our community, that identify with our community, and can go out and recruit individuals in the community.

Mr. McCLORY. Well, take, for instance, now, your testimony with regard to the number of job separations that there were, and the number of those who were separated from their jobs and were given other types of employment.

How would you expect that to be handled differently in order to provide more jobs for Spanish speaking without discriminating against those that have long tenure and are looking for other Federal employment when their job is taken away?

Mr. VALENZUELA. I think you are generally addressing yourself to the problem of the Department of Defense and its reduction in force procedures, where the Spanish speaking have been laid off in significant numbers. Specifically, if you want a specific, recently in El Paso at Fort Bliss, where we had Spanish-speaking employees who had been there up to 25 and 30 years who had been in certain positions where military-Anglo retirees would come in at a lower level and then would be bypassed, would be promoted over them, so when it came out to a layoff, of course, the lower grade, the lower individual would be the first to go.

Yet here is outright discrimination. Other specifics of the high rate, I have a statement here by William Bacó Imandt who as a GS–14 had applied to these four specific agencies. His statement I would like to include for the record, which indicates that he attempted to obtain employment at the GS–15 level, yet he was denied opportunity for these positions at each one of these agencies, as well as other agencies.

So if you combine this and multiply it by the number of others who are also highly qualified for these positions, we come out with statistics, and these are statistics that we are addressing ourselves to today.

[The prepared statement of William Bacó Imandt follows:]

STATEMENT BY WILLIAM BACO IMANDT

I have read the January 29, 1974, joint statements issued by U.S. Representatives Don Edwards and Jerome Waldie, and by national president of IMAGE Edward Valenzuela concerning the flagrant underrepresentation of Spanish-Americans in the Federal Government. I endorse their objections wholeheartedly.

When you consider that at the time the 16-point program was launched by our President in 1970, the Spanish Americans held only 2.9 percent of the Federal jobs; and now today, almost 4 years later, the figure has increased only by a paltry .2 percent—this is decidedly an affront to the Spanish Americans who constitute the second largest minority group. In connection with this, I would like to submit data that is directly related to the four Federal agencies currently under the scrutiny of the Subcommittee on Civil Rights and Constitutional Rights of the House Judiciary Committee, and which will be the subject of their forthcoming hearings.

First, something about myself. I have over 25 years of career service with the Federal Government. Of this 2½ years was accrued in World War II service. I am presently a GS–15 Contract Compliance Program Manager in GSA's Office of Civil Rights. As a Program Manager for the past 3½ years, I have full responsibility for the operation of all utility and communications contract compliance reviews in the region 3 area; and in addition I also have full

responsibility for providing national technical and policy guidelines for these same critical industrial areas. I reached my present position after entering civilian Federal Government service as a GS–5 claims examiner trainee in 1951.

For the past eleven years, I have served in various phases of the Federal governmen'ts equal employment and economic opportunity programs. On numerous occasions, evaluators have rated me as being highly qualified in the civil rights area. I have also been cited as the highest graded Spanish American in GSA. Regarding my ethnic background, my mother is Puerto Rican. She was born in Yauco, Puerto Rico in 1885 of Puerto Rican and Dominican Republic parentage.

Having this type of highly specialized technical background, I considered myself to be well-qualified for positions in the civil rights field. Consequently, I applied for positions in each of the four agencies identified recently by IMAGE as having "been chosen for special attention because they are large employers, have significant operations throughout the nation, and have blatantly disregarded the mandate given to them and the responsibilities entrusted to them in providing equal employment opportunity to Americans of Spanish Heritage". I have had recent disillusioning experiences with the Department of Transportation, Department of the Interior, Department of Justice, and the Veterans Administration. I submit that all four of these agencies selected and placed lesser qualified candidates in those positions for which I applied.

In June 1972, the Department of the Interior had a GS–15 position announced for an Assistant Director for the Title VI Program in their Office for Equal Opportunity (Announcement No. 72–85). I was told I was highly qualified. I was interviewed, but not selected. Out of Interior's 65,607 employees, 23.4% are minorities, but only 2.17% are Spanish American.

In August 1973, the Department of Justice had a GS–15 position announced for a Director of Equal Employment Opportunity in their Drug Enforcement Administration (Announcement No. 73–128). I was told I was highly qualified. I was interviewed, but was not selected. Out of Justice's 46,201 employees, 14.9% are minorities, but only 3.1% are Spanish American.

Later in 1973, the Department of Transportation had a GS–15 position announced for a Director of Equal Employment Opportunity in their National Highway Traffic Safety Administration. I was told I was highly qualified. I was interviewed, but not selected. Out of the Department of Transportation's 65,227 employees, 9.7% are minorities, but only 1.2% are Spanish American.

In March 1974, the Veterans Administration had a vacancy for a GS–16 Director of Contract Compliance Service (which is my particular specialty). I was told I was highly qualified. My name and file had been obtained from the Civil Service Commission's Federal Executive Inventory Register which is maintained for employees who are eligible for supergrade positions. My application included a copy of my Army military record which I attached in order to enhance my job possibilities with the V.A. (In 1945, I had been the subject of an article, in the principal Puerto Rican newspaper, as being one of the most highly decorated American soldiers of Puerto Rican origin). I was interviewed, but was not selected. Out of 171,589 employees, the V.A. has 29.6% minorities, but only 2.5% are Spanish American.

As a highly qualified manager of an extremely complex Federal equal employment opportunity program, I think it is an affront to the Spanish American community in general to be continually rejected for positions where lesser qualified candidates are being selected. The EEO program is supposed to represent each of the four minority groups and women. I have not found this to be true.

I can cite two other examples of where the Spanish American has been bypassed. In the middle of 1972, the Department of Health, Education, and Welfare had announced a GS–15 position for Director of the Higher Education Division in the Office for Civil Rights. I was told I was highly qualified. I was interviewed but not selected. The person who was selected (and whose qualifications left something to be desired) could not cope with the demands and responsibilities of the position. She resigned a few months later, citing physical problems as her reason. Almost immediately after leaving HEW, she went back to work at her old job with the University of Maryland. In April 1973, HEW advertised the job again (Announcement # OS–73–108). Once more I was told I was highly qualified. Again, I was not selected. This time the position was given to a person who did not have a discernable background in civil rights of this category.

As another example, I would like to cite an interesting experience I had with

the Federal Communications Commission in 1973. At that time, FCC wanted to establish a completely new external EEO program and they were looking for some one with the proper expertise to head it. The position was a GS–15 Director of the External EEO (Licensee Compliance) program. I was told that I was very highy qualified. I was interviewed, but not selected.

The person selected was a minor executive with the National Association of Educational Broadcasters who had no EEO experience in that EEO category. In my position as head of the Federal government's contract compliance for all communications (radio, television, telephone, telegraph, etc.) I was considered to be the expert in that area. Yet, in spite of this, an inexperienced member of the media was selected. To add to the injustice, a few months after FCC's selection, I was contacted by the successful candidate's co-worker and was asked to assist them by providing as much contract compliance process information as possible because FCC did not have any experience in that area. I was told that the reason I had been contacted was because I was considered to be "the government expert" in that area of EEO.

In concluding this statement, I would like to point out that there is presently one outstanding opportunity the Federal government has at its disposal that it can utilize to demonstrate it is making a major effort to overcome some of this lopsided arrangement of the Federal EEO program. A vacancy exists in the Federal government office that has full reponsibility of the entire contract compliance program. This position is a career GS–16 Deputy Director of the Office of Federal Contract Compliance (OFCC) of the Department of Labor. To my knowledge, no Spanish American has a position of any authority in OFCC. I was not able to obtain definite statistics on this, but I would venture to state (through personal knowledge) that OFCC has less than 2% of Spanish Americans in grades above GS–11. Consequently, even though there are 14 million Spanish Americans in the United States, the truth is that they do not have a viable voice, or even any voice, in such an important office as the OFCC.

It is my recommendation that we commence to do all possible to correct these imbalances as quickly as possible. We should start immediately with this OFCC vacancy. The position of the Deputy Director of OFCC is still not filled. A well-qualified Spanish American should be sought out for this position. That person does not have to be this writer. There are others who are qualified in this area. I have applied for the position and I would appreciate being considered for it, but I will readily yield to the best qualified.

There is also presently pending at HEW, a GS–15 position for the Director of the Health and Social Services Division in their Office for Civil Rights (Announcement No. 74–100). I applied for that position. HEW's Office for Civil Rights does not have one single Spanish American in their management level. It is about time they considered the placement of some highly qualified Spanish American for a responsible position in that office.

I have prepared this statement in the hope that it may bring some interesting experiences to light and perhaps provide some data that would be useful in illustrating how the second largest minority group in this country has consistently been short-changed. The Spanish American does not want to be carried as a liability; he wants to work and share in helping this country grow to be strong and self-sufficient. He (or she) wants to participate, with dignity and pride by occupying a respectable position in the mainstream of this Society.

As a postscript, I would like to conclude this statement by commenting on the candidates who were actually selected for the above eight (8) positions. None of those selected are in the Spanish American category. I know this to be a fact because I personally looked into each individual situation and obtained first-hand information regarding the results.

Mr. McCLORY. Are there any Federal officials that you are aware of in any of these departments who are deliberately violating your own regulations, or are they able to single out Spanish-speaking, Spanish surnames and exclude them from employment opportunities? Is there any kind of a pattern like that that you could point to?

Mr. VALENZUELA. Just on statistics alone. Again, as I mentioned, the courts have stated——

Mr. McCLORY. Well, do you have any other evidence other than just percentages?

Mr. VALENZUELA. Yes.

Mr. McCLORY. Frankly, I think these percentages—we are talking about quotas, too, and we are talking about jobs, and you may be talking about goals or objectives or something like that, but it gets down to a question of quotas when you talk about a percentage of jobs in a particular category or a particular level in relation to the percentage of population, and that is not a very popular theme.

Mr. FIERRO. Mr. McClory, I think that one of the concerns that we have is so long as Spanish-speaking people are not in some of the policymaking roles within Federal agencies or any agency at all, it is very difficult to expect, for example, as you indicated in a very specific, that in Illinois your district, there is a sizeable Spanish-speaking population, and yet, you know, you are saying there is an awful lot of jobs, you know, and that you are familiar with the jobs that exist. I think that so long as we do not have people, say, for example, in your staff, you know, that can relate to Spanish-speaking problems, it is going to be very difficult for yourself to understand some of the problems that the Spanish-speaking people have, and I think this is a thing we are saying here.

It is very difficult for a lot of Anglos to go out and recruit in our community, or to know where to recruit, and what colleges to hit.

Mr. McCLORY. I keep in pretty close touch with the Spanish-speaking community.

Mr. FIERRO. But I am talking about so long as the Spanish-speaking people are not in those positions that can relate and correspond and act as liaisons to the Spanish-speaking community, it is still going to be difficult to understand and identify groups or individuals that can provide or bring about some progress, and I think that whether it is congressional staffs or whether it is Federal agencies, I think that we want to have the opportunity to also bring about those changes within those agencies.

But we are excluded from that participation. It is not going to happen.

Mr. McCLORY. Well, I can see our committee writing a report which would include references to testimony that you are giving, but which would merely result in our complaining that different Federal agencies had employee ratios of Spanish surnamed only at a particular percentage in contrast to the population ratio in the area or in the Nation, which was far greater.

And if we indicate that as a basis for discrimination, it does not seem to me it would be very persuasive.

Mr. FIERRO. Well, I think that, you know, you have five people in the Civil Service Commission, for example, dealing with the total 16-point program throughout the country. Now, what kind of a job can we adequately expect them to do, and yet, within the other agencies, within the other departments, they have very low representation of Spanish-speaking people, so that we do not also want to put people within the civil rights type of arms, you know, to deal with our—relative to our issues. But also in terms of their own expertise, their own backgrounds, their own fields, and I think this is what we are talking about.

But I disagree with you that that is all you can report. I think that if that is all you get from the report that is before you, you know, I would certainly like to pursue further in terms of what these statistics and this information relates to.

Mr. McCLORY. I think it would be very helpful to me if you could provide me with some statistics indicating merit which we are denying to ourselves because we are discriminating against a person of merit on the basis of his ethnic background, or any other parameter which is used as a basis for discrimination.

Mr. VALENZUELA. One example, may be those Border Patrol positions where they are hiring Anglos over qualified Spanish-speaking and then training them in Spanish, and we know that the Spanish-speaking are highly qualified for these positions. I know particular situations along Arizona where Spanish-speaking individuals at the GS–12 grade levels have been by-passed and Anglos below have been placed in supervisory positions above them. Those are specific incidences of discrimination.

I would be glad to provide the committee with more specifics.

Mr. McCLORY. Do you have those figures included as a——

Mr. VALENZUELA. I do have some other figures.

Mr. McCLORY. I think that might be helpful to us.

Mr. VALENZUELA. If I may, maybe an example of that also is the Department of Justice with the Federal prisons. We have information that a Mr. Tomas Zuniga, a correctional treatment specialist, recently employed at La Tuna, Tex., which is a Federal prison outside of El Paso, Tex., expressed some of the problems which he encountered while employed at the correctional facility. La Tuna's Spanish-speaking inmates consist of approximately 63 percent of the total inmate population as of December 1973. Many of the Spanish speaking are also Spanish monolinqual and Mexican nationals. He noted that there exists a great animosity between the Mexican Nationals and American-born Spanish-speaking inmates. He indicated that the greatest percentage of La Tuna staff and administrative personnel were non-Spanish speakers, which resulted in a constant communication problem between the staff and the inmates.

As a consequence, the administration of justice as it exists in La Tuna, and which is greatly based on verbal communication, was very limited.

Mr. EDWARDS. If I may interrupt, we have to move along, but with regard to La Tuna, the committee will direct a letter to the warden there. I visited that particular correctional institution myself, and for the matter of more than 50 percent of the employees there, Spanish speaking, Chicanos, Mexicans, and Mexican Americans, just does not make sense, because practically every face you see is a Mexican American or Mexican face there.

Now, Mr. Drinan—oh, pardon me. I did not mean to interrupt.

Mr. McCLORY. Well, Mr. Chairman, I would like us also to have information that if the other qualifications are equal and they are excluding a Spanish-speaking, a Spanish-surnamed individual in favor of an Anglo whom they have to teach Spanish I would like to know about that. That is the kind of rank discrimination that we certainly should not allow.

Mr. EDWARDS. If we did not have this kind of activity 7, 8, 10 years ago, we would not have had any advance in civil rights.

Mr. McCLORY. I have had strong support of this committee in its oversight.

Mr. EDWARDS. Yes.

Mr. Drinan.

Mr. DRINAN. Thank you, Mr. Chairman.

Going back to the 16-point program, you indicated, sir, one moment in your thrust, that if the 16 points were in fact followed, I think you said there would be a much greater increase in the actual number of Spanish speaking hired.

Would you explain that a bit more?

Mr. VALENZUELA. My personal belief for the 16-point program is that it is the spirit, now that we have to follow the original 16 points, drafted in 1970. Although important at that time, I think now we have to address ourselves to some more specifics of those 16 points.

The 16 points as we see it now, we feel the spirit—what it represents is the fact that it is an emphasis program for the Spanish speaking, and as we emphasize it, there are problems with the Spanish-speaking employment, that we do develop special programs, the different points generally following, that the agencies and the Civil Service Commission follow those specific points. We feel that there would be great increases in representation.

However——

Mr. DRINAN. Well, do you think, going back, were the Spanish speaking involved in the development of these 16 points that were issued by the President on November 5, 1970?

Mr. VALENZUELA. Yes. As I understand it, at that time there was even—there could have been a more effective draft that was watered down that included what we have now.

Mr. DRINAN. Well, can you point to—you said that the 16-point program is not being carried out, and that if it were, more Spanish speaking employees would be retained.

Well, which of these 16 points are not in fact being followed?

Mr. VALENZUELA. Again, as I mentioned, the spirit, when the——

Mr. DRINAN. I mean, just answer the question, will you?

You know, you made an accusation. I want to know. It seems kind of general to me, these 16 points, and yet there are some specifics. For example:

> No. 5. Step up recruitment with significant numbers of Spanish-speaking students to permit entry from FSEE registers without necessity of written examination.

I want to know specifics. Is that being enforced or not?

Mr. VALENZUELA. With the FSEE, no; it was not being enforced, and the fact that such areas such as Denver where there are 150 Spanish speaking with bachelors and masters degrees taking the tests, I believe only about 12 in one class passed it. So we felt that the test itself was detrimental, it was not helping the Spanish speaking.

Now, there has been——

Mr. DRINAN. Well, wait. Without necessity of written examination. Do they in fact waive the written examination?

Mr. VALENZUELA. No. They are required to take the FSEE.

Mr. DRINAN. So they have in fact not complied with No. 5 of the 16 points. Is that what you are telling me?

Mr. VALENZUELA. That is right.

Mr. DRINAN. Well, I would like to have documentation on that, because that is a specific that we can go back with.

Mr. FIERRO. I think that there is an evaluation that was conducted by IMAGE on the 16-point program, and I think that the committee

does have a copy of that and we would like to provide you with——

Mr. DRINAN. Is it that one?

Mr. FIERRO. No; it is an evaluation of the 16-point program across the country. We would like to provide you with a copy of that evaluation as determined by IMAGE of the 16-point program that will give you the specifics that you are relating to, compared to every point.

Mr. DRINAN. That would be very helpful.

Now, on another question, I do not want to quibble about how many Spanish speaking there are, but I think nonetheless that it is rather essential, and you quote on page 11 of one of the documents here that the Catholic Church—I do not know what agency of the church—estimates there are approximately 15 million, or 7 percent, Spanish-speaking people in the United States.

Now, as I say, I do not want to get into statistics too technically, but would you have any comments on that? How essential is it to determine the percentage of Spanish speaking?

Now, as I say, I do not want to get into statistics too technically, programmatic moneys are concerned since in many cases they determine the amount of moneys that is going into special programs by the population. As far as the figures for the population, we have derived some of the information ourselves; in fact, in California, as an example, where the Mexican-American Population Commission was instrumental in filing suit against the Census Bureau to correct and update their figures. In fact, this week, on Friday of this week there will be a press conference with new disclosure of more corrected figures by the Census Bureau.

Mr. DRINAN. All right. Thank you very much.

I yield to the chairman.

Mr. EDWARDS. Ms. Chavez?

Ms. CHAVEZ. I just have one question. Mr. Kator and Mr. Costales testified this morning that the Department of Interior was about to appoint a full-time coordinator for the Spanish-speaking program.

In your testimouy today you mentioned that the Department of Interior has a Spanish-speaking program coordinator, but that he is in fact non-Hispanic.

Could you clarify that for me? Is this person now being replaced? What is the status of this appointment right now?

Mr. VALENZUELA. The person who was initially designated, as I understand, was given this additional responsibility, although he held a full-time job, another position, another responsibility, only part-time responsibility or the 16-point program coordinator.

From the testimony this morning, apparently they are going to fill it with a full-time person in that position.

I would like, if I may, to speak about the 16-point program coordinators. I think at times the Commission as well as the agencies, are losing sight of what the problem is. We hope that the 16-point program is a vehicle for developing fair representation in Government employment. However, we do not want them to lose the spirit and the reason, the purpose of the program just in the development of the program itself.

Well, we cannot move until we develop the program. Vacancies are occurring at supergrade levels and high positions throughout these agencies. They can indicate and demonstrate their commission at any time, beginning right now, with the next vacancy that occurs, by

filling these positions with Spanish speaking. They do not have to wait for the implementation or development of the 16-point program alone. They can begin that immediately.

Mr. EDWARDS. Mr. Valenzuela, you picked these four agencies as sort of your targets. You find them, insofar as your views are concerned, the worst in discrimination.

Is that correct?

Mr. VALENZUELA. Yes. The criterion that was used is the impact these agencies had across the Nation, their input into the various communities throughout the country, their blatant disregard of the 16-point program in documented areas of discrimination, and their disregard for the 16-point program.

Mr. EDWARDS. Well, insofar as at least three of them are concerned, it would seem to be that they would have a rather easy job with regard to the fair employment of Spanish speaking, the Veterans' Department, the Department of Justice, the Border Patrol, and Drug Enforcement Administration, things like that. And what was the other, the Interior and Transportation. I should think they would have no problem at all.

So, is it rather interesting that these are less than satisfactory, three of these four especially in light of the fact that you have other agencies that are doing better, that have done a good job insofar as your organization is concerned.

Mr. VALENZUELA. That is very true. Those that are socially minded or social program oriented are the ones that appear to have the worst records. The Justice Department conducted its own review, its own investigation in-house last summer. The recommendations were presented in-house. These recommendations for the development of a strong Spanish-speaking recruitment drive, and the development of a unit within the civil rights section for Spanish speaking, this has not come about.

Mr. EDWARDS. Are there any other questions?

Mr. FIERRO. I have another point. I think that one of the concerns that we have is relative to, you know, making a request of this committee, and that is that the committee, the subcommittee requests from all of the four agencies their action plans, all of the pertinent corre-

spondence of the four agencies, the program management evaluation team results and recommendations, and a statement as to their compliance, the Civil Service Commission's affirmative action plan with pertinent correspondence, specifically recommendations concerning Spanish-speaking people, and the name, title, date of employment, whether full-time or part-time responsibility for the 16-point coordinator acting entity for the four agencies and the Civil Service Commission; in addition, a statement describing those qualifications, experiences or education or natural origin qualifying them for those positions.

I think that what we are asking is that this committee also continue to conduct oversight, have oversight responsibilities of the four agencies, by requesting them to submit for the record every 4 months or quarterly the progress in terms of the Spanish speaking.

Mr. EDWARDS. Mr. Fierro, you have our assurance that the subcommittee will do just that.

Mr. FIERRO. Thank you.

Mr. EDWARDS. We also are sending to the Chairman of the Civil Service Commission a lengthy questionnaire with regard to this subject, and we will make public the response that we receive from Commissioner Hampton.

Well, we thank you very much for appearing before the committee today. This is a continuing effort by the House Judiciary Committee in this important area of American life, and we appreciate the cooperation of IMAGE. We look forward to working closely with you. We welcome communications from you.

Mr. VALENZUELA. Thank you, Mr. Chairman.

May I ask when will the four agencies be providing testimony?

Mr. EDWARDS. We have not actually set the dates. As you know, we have had a problem in holding hearings because of the claims made upon us, the members, by the impeachment inquiry, but it is a subject that is close to our heart, and I assure you that we will move right ahead, and I trust that in your capacity as president of IMAGE, that you will remind us from time to time if we are derelict.

Mr. VALENZUELA. Thank you very much.

[Whereupon, at 12:10 p.m., the subcommittee was adjourned.]

FEDERAL EMPLOYMENT OF SPANISH-SPEAKING AMERICANS

TUESDAY, SEPTEMBER 17, 1974

HOUSE OF REPRESENTATIVES,
CIVIL RIGHTS AND CONSTITUTIONAL RIGHTS SUBCOMMITTEE
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 2237, Rayburn House Office Building, Hon. Don Edwards [chairman of the subcommittee] presiding.

Present: Representatives Edwards, Waldie, Sarbanes, Drinan, Rangel, Wiggins, McClory, and Butler.

Also present: Alan A. Parker, counsel; Linda Chavez, staff analyst; and Kenneth N. Klee, associate counsel.

Mr. EDWARDS. The subcommittee will come to order.

The Civil Rights and Constitutional Rights Subcommittee of the House Committee on the Judiciary meets this morning to continue hearings on the Federal employment of the Spanish speaking.

We have with us today witnesses from the U.S. Department of the Interior. I would like to take this opportunity to welcome Mr. Edward E. Shelton, Director for the Office for Equal Opportunity of the Department of the Interior. And Mr. Shelton is accompanied by Ms. Ruth Graham, Assistant Director of the Office for Equal Opportunity, and Mr. Jess Quintero, Spanish-speaking program coordinator.

As I am sure our witnesses here today are aware, this committee undertakes with great seriousness its mandate to oversee enforcement of our civil rights laws. Over the past 3 years the subcommittee has held numerous days of hearings on equal employment opportunity within the Federal Government.

During 1972 and again in 1974 the subcommittee has paid special attention to the problems which Spanish-speaking Americans encounter in obtaining jobs within the Federal Government. The record with regard to Spanish-speaking Federal employment has been particularly dismal.

In the 2 years since this subcommittee initiated its first hearings on the Federal employment problems of the Spanish speaking, there has been an increase in Spanish-speaking Federal employment of only two-tenths of 1 percent. Spanish-speaking persons now number 3.1 percent of all Federal employees while they represent more than 6 percent of our population.

It is the intent of this subcommittee to focus on the efforts of various Federal agencies to increase employment opportunities to Spanish-speaking persons. Earlier this year the subcommittee re-

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ceived testimony from the Civil Service Commission concerning this agencywide Spanish-speaking program. We also heard at that time from IMAGE, an organization of Spanish-speaking Government employees.

At the outset of our initial hearings the subcommittee announced its intention to receive testimony from the Department of the Interior, the Department of Justice, the Veterans' Administration, and the Department of Transportation. We commence today the second phase of those hearings with testimony from the Department of the Interior.

Mr. Shelton, we are pleased to have you with us today. We look forward to your statement, and have I identified everybody who is with you, Mr. Shelton?

TESTIMONY OF EDWARD E. SHELTON, DIRECTOR, OFFICE FOR EQUAL OPPORTUNITY, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY RUTH A. GRAHAM, ASSISTANT DIRECTOR, OFFICE FOR EQUAL OPPORTUNITY; MARY WRIGHT, ASSISTANT TO THE ASSISTANT DIRECTOR, OFFICE FOR EQUAL OPPORTUNITY; AND JESS QUINTERO, SPANISH-SPEAKING PROGRAM COORDINATOR

Mr. SHELTON. Yes, with the exception of Ms. Graham's assistant, Ms. Mary Wright.

Mr. EDWARDS. Ms. Wright, glad to have you.

You may proceed with your statement, Mr. Shelton.

Mr. SHELTON. Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before your subcommittee to testify on the employment situation of Spanish-speaking Americans within the Department of the Interior.

With me is Ms. Ruth A. Graham, Assistant Director of Equal Employment Opportunity. Ms. Graham has primary responsibility for providing leadership in the Department in carrying out the overall equal employment opportunity program including the President's program of equal employment opportunity for the Spanish speaking.

First let me extend my personal apology for any inconvenience caused by the Department of the Interior through its failure to appear to testify on July 1. Please be assured that there was a misunderstanding over the appearance of a witness from this Department at the hearing before this subcommittee.

The Department is most desirous to cooperate with the subcommittee and wishes to share with it the Department's programs and activities designed to implement the President's 16-point program for the Spanish speaking. While the Department of the Interior is not satisfied with its utilization of Spanish-speaking persons, it has expended considerable resources in making the progress that it has made to date.

Since the inception of the 16-point program for the Spanish speaking in November 1970, the Department has made every effort to be responsive. In keeping with U.S. Civil Service Commission instructions, the Department named a 16-point program coordinator.

The individual designated, Ms. Ruth Graham, has extensive civil rights background and as Assistant Director of Equal Employment Opportunity for the Department, reports directly to the Director, Office for Equal Opportunity.

The organization for the 16-point program as a part of the overall EEO program was in keeping with Civil Service Commission guide-

lines whereby the Director of Equal Opportunity was held responsible for the entire EEO program, which includes the Spanish-speaking program, while insuring the input of the person designated as coordinator in the development and implementation of the total program.

In addition, in July 1971, the Office for Equal Opportunity hired a bilingual-bicultural person at the GS–12 level to serve under the Assistant Director's supervision as staff specialist for equal employment opportunity programs unique to the needs and concerns of the Spanish surnamed and American Indians.

Approximately 75 percent of this individual's time was devoted to the 16-point program. He was promoted to GS–13 in September 1972 and then transferred to another Federal agency last September 28. Active recruitment was underway to fill this vacancy with an equal opportunity specialist who has bilingual capability when the Department received Chairman Hampton's letter requesting the Department to appoint a full-time coordinator for the Spanish-speaking program.

A full-time position of Spanish-speaking program coordinator, GS–160–13/14 was established and the position advertised through the merit promotion program. Mr. Jess Quintero, GS–160–12, title VI compliance officer, Office for Equal Opportunity was selected and will assume the duties of the position on August 5.

In addition to the staffing within the Office for Equal Opportunity to carry out a viable program for the Spanish speaking, the Department requires that there is a Spanish-speaking program coordinator at each bureau headquarters and at major installations in the field. All coordinators, 41 percent of whom are Spanish-surnamed, serve on a part-time basis. During this fiscal year, three Spanish-speaking applicants were selected for key bureau equal opportunity specialists positions.

The Office for Equal Opportunity has attempted to keep this program before supervisors and managers. One of the most effective methods used by the Department to provide program direction is through national and regional conferences. In response to the President's program announced in November 1970, the Department of the Interior held a conference of departmental officials responsible for employment practices to discuss opportunities for Spanish-surnamed Americans. The end product of the conference held February 19, 1971, in Denver, Colo., was designed to be a commitment by each bureau for goals for hiring and promotion of Spanish-surnamed Americans. A copy of the conference report is enclosed as exhibit 1. During the latter part of September 1971, the Office for Equal Opportunity, in cooperation with the Office of Personnel Management, made followup visits to the bureau facilities in the Southwest to discuss bureau commitments made at the conference.

The Department of the Interior held a national EEO conference in March 1973 to assure that top management officials throughout the Department are knowledgeable of new trends in EEO. The Civil Service Commission was invited to speak concerning the goals of the Spanish-speaking program.

In addition, there was opportunity for discussion in a two-day work group devoted to the 16-point program. As a followup, the Department has sponsored two regional conferences—November 14–15, 1973, at Atlanta, Ga., for managers serving in Interior installations in the

east and April 2–4, 1974, at Portland, Oreg. for west coast managers.

A Midwest conference is scheduled to be held in Denver, Colo. later in 1974. The Spanish-speaking program is a major part of these conferences and Spanish-speaking resource people are made available to discuss all aspects of this program. The conference report of the national conference is enclosed as exhibit 2.

The Department also has given program direction through use of written correspondence. On April 13, 1973, the Director of Equal Opportunity sent a memorandum to heads of bureaus and offices which publicized the name of the Department coordinator, described the function of bureau coordinators and recommend CSC training for Spanish-speaking program coordinators. The Departmental Manual, 370 DM 713; the EEO action plan; Equal Employment Opportunity Memorandums; and the EEO Newsletter all are used to give program direction. Copies of these are enclosed as exhibits 3, 4, 5, and 6.

Mr. EDWARDS. Mr. Shelton, we have not received those exhibits. Do you have them there?

Mr. SHELTON. Right here.

Mr. EDWARDS. Thank you. They will be made a part of the record, without objection.

Mr. SHELTON. The Department of the Interior has been well represented at the 1974 annual conventions of three major Spanish-surnamed national organizations: IMAGE, May 30–June 2, Las Vegas, Nev.; League of United Latin American Citizens (LULAC), El Paso, Tex., June 26–30; and American GI Forum, Los Angeles, Calif., July 17–21. The Assistant Director of Equal Employment Opportunity attended the IMAGE convention.

The last several years the Department has rented exhibit space and coordinated bureau exhibits at the LULAC national convention. Bureau representatives are available at the exhibit area to discuss the programs of Interior.

Last year, Mr. Higinio Costales, Director, Spanish-speaking program, U.S. Civil Service Commission requested that the Department representative appear as a panel member of a workshop for 16-point program coordinators. In his request, Mr. Costales said, "His purpose on the panel will be to discuss the many affirmative activities your Department has undertaken to implement the 16-point program."

A special issue of the EEO Newsletter Adelante was published in June 1973 featuring Interior Spanish-surnamed employees in significant positions. The newsletter not only received regular distribution within the Department, but a copy was made available to each person attending the LULAC convention program.

The Department also participated in the American GI Forum convention held at El Paso, Tex., on August 15–18, 1973. Again, exhibit space was rented and bureaus participated actively in the convention. Adelante was made available to all convention participants.

Perhaps the most significant Outreach effort made to date is the National Conference on Minority Participation in Earth Science and Mineral Engineering sponsored by the Department of the Interior and the Colorado School of Mines on June 7–9, 1972.

The conference, with the participation of numerous civic community and professional organizations, Federal agencies, and major

mining and oil companies, was aimed at devising ways whereby young people in minority groups may become aware of career potentials and obtain the training necessary to qualify for positions in geology, geophysics, mineral engineering, and related sciences.

Spanish-speaking individuals were actively involved in planning the conference and participating in it. Efforts of the Department to increase minority participation in Earth science have been intensified since the conference, and those efforts are beginning to show concrete results. A copy of the conference report is enclosed as exhibit 7.

The Bureaus also have taken positive action to assure that there is true equal employment opportunity for all persons and that Bureau programs are reaching the Spanish-speaking population. Examples of the kinds of activities undertaken which include use of the Intergovernmental Personnel Act, cooperative education agreements, recruitment programs, identification of positions requiring a knowledge of Spanish are enclosed as exhibit 8.

On July 13, 1973, IMAGE published an evaluation of a Civil Service Commission 16-point program study and status report. Significantly, the Department of the Interior was referenced as one of the few departments or agencies that had put forth some effort.

One quote from the report states:

> The Department of the Interior alone conducted an indepth analysis of their Spanish-Speaking work force, identified their problem areas and called these to the attention of their field staff.

Another quote on the guidance provided for program implementation stated:

> The Department of the Interior issued extensive guidance while the majority of agencies did not evaluate their Spanish-Surnamed employment situation and did not point out identified problems to their field offices.

The report further states that:

> With few exceptions, agencies have not added Spanish-Surnamed staff members to their headquarters civil rights and EEO offices. Although a number of agencies have appointed Spanish-surnamed 16-point program coordinators, these have usually been placed in either personnel offices or at the special assistant level. Agencies adding Spanish-surnamed staff members to their civil rights and EEO offices at the headquarters level have been AEC, DOT, VA, GSA, and Interior.

While the employment posture of minorities in the Department of the Interior is far from what we would like to see, Spanish-speaking employment has had a gradual but steady increase since the inception of the 16-point program in November 1970. Progress for the Spanish-speaking can be measured not only in terms of gross statistics. Gradual upward trends can be observed in increased representation, in better paying jobs, and in better utilization in scientific, other professional, and administrative positions.

The 1970 census shows that Americans of Spanish ancestry are clustered in certain States rather than distributed more or less evenly among all 50 States. It also shows that the 9 States where the largest number of persons of Spanish origin live are California, Texas, New York, Illinois, Florida, New Jersey, New Mexico, Arizona, and Colorado with well over half of the Spanish population concentrated in the five Southwestern States.

These States comprise slightly more than one-third of the entire Department work force. In addition, the Bureau of Indian Affairs which provides preferential hiring for American Indians constitutes 74 percent of the Department's employment in New Mexico and 76 percent of the total in Arizona. In fact, the Bureau of Indian Affairs comprises 40 percent of the Department's work force in the five Western States. Only 2 percent of the Department's employees are located in New York, New Jersey, Florida, and Illinois. Enclosed are statistics showing the utilization of the Spanish speaking in the Department of the Interior as exhibit 9.

While the Department wishes to evaluate its own equal employment opportunity program against the analysis of its problems and the goals and objectives it has established to help alleviate the conditions which adversely affect the employability of the Spanish speaking, it has looked more closely as a result of the IMAGE complaint at the programs and the results achieved by other Federal agencies in an attempt to better our employment posture.

Mr. Chairman, this concludes our testimony. Ms. Graham and I will be glad to answer questions to the best of our ability.

Thank you very much, sir.

[The prepared statement of Mr. Edward E. Shelton follows:]

STATEMENT OF EDWARD E. SHELTON, DIRECTOR, OFFICE FOR EQUAL OPPORTUNITY, U.S. DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before your Subcommittee to testify on the employment situation of Spanish-Speaking Americans within the Department of the Interior. (With me is Ms. Ruth A. Graham, Assistant Director of Equal Employment Opportunity. Ms. Graham has primary responsibility for providing leadership in the Department in carrying out the overall equal employment opportunity program including the President's program of equal employment opportunity for the Spanish-Speaking.)

First let me extend my personal apology for any inconvenience caused by the Department of the Interior through its failure to appear to testify on July 1. Please be assured that there was a misunderstanding over the appearance of a witness from this Department at the hearing before this Subcommittee. The Department is most desirous to cooperate with the Subcommittee and wishes to share with it the Department's programs and activities designed to implement the President's Sixteen-Point Program for the Spanish-Speaking. While the Department of the Interior is not satisfied with its utilization of Spanish-Speaking persons, it has expended considerable resources in making the progress that it has made to date.

Since the inception of the Sixteen-Point Program for the Spanish-Speaking in November 1970, the Department has made every effort to be responsive. In keeping with U.S. Civil Service Commission instructions, the Department named a Sixteen-Point Program Coordinator. The individual designated, Ms. Graham, has extensive civil rights background and as Assistant Director of Equal Employment Opportunity for the Department, reports directly to the Director, Office for Equal Opportunity. The organization for the Sixteen-Point Program as a part of the overall EEO program was in keeping with Civil Service Commission guidelines whereby the Director of Equal Opportunity was held responsible for the entire EEO program, which includes the Spanish-Speaking Program, while insuring the input of the person designated as Coordinator in the development and implementation of the total program.

In addition, in July 1971, the Office for Equal Opportunity hired a bilingual-bicultural person at the GS–12 level to serve under the Assistant Director's supervision as staff specialist for equal employment opportunity programs unique to the needs and concerns of the Spanish-Surnamed and American Indians. Approximately 75 percent of this individual's time was devoted to the Sixteen-Point Program. He was promoted to GS–13 in September 1972 and then transferred to another Federal agency last September 28. Active recruitment was underway to fill this vacancy with an Equal Opportunity Specialist who

has bilingual capability when the Department received Chairman Hampton's letter requesting the Department to appoint a full-time Coordinator for the Spanish-Speaking Program.

A full-time position of Spanish-Speaking Program Coordinator, GS–160–13/14 was established and the position advertised through the merit promotion program. Mr. Jess Quintero, GS–160–12, Title VI Compliance Officer, Office for Equal Opportunity was selected and will assume the duties of the position on August 5.

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The Office for Equal Opportunity has attempted to keep this program before supervisors and managers. One of the most effective methods used by the Department to provide program direction is through National and Regional Conferences. In response to the President's program announced in November 1970, the Department of the Interior held a conference of departmental officials responsible for employment practices to discuss opportunities for Spanish-Surnamed Americans. The end product of the conference held February 19, 1971 in Denver, Colorado, was designed to be a commitment by each bureau for goals for hiring and promotion of Spanish-Surnamed Americans. A copy of the conference report is enclosed (Exhibit 1) [1]. During the latter part of September 1971, the Office for Equal Opportunity in cooperation with the Office of Personnel Management made follow-up visits to the bureau facilities in the Southwest to discuss bureau commitments made at the conference.

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A mid-west conference is scheduled to be held in Denver, Colorado later in 1974. The Spanish-Speaking Program is a major part of these conferences and Spanish-Speaking resource people are made available to discuss all aspects of this program. The conference report of the national conference is enclosed (Exhibit 2).

The Department also has given program direction through use of written correspondence. On April 13, 1973, the Director of Equal Opportunity sent a memorandum to head of bureaus and offices which publicized the name of the Department Coordinator, described the function of bureau coordinators and recommended CSC training for Spanish-Speaking Program Coordinators. The Departmental Manual, 370 DM 7713; the EEO Action Plan; Equal Employment Opportunity Memorandums; and, the EEO Newsletter all are used to give program direction. Copies of these are enclosed (Exhibits 3, 4, 5 and 6).

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The last several years the Department has rented exhibit space and coordinated bureau exhibits at the LULAC National Convention. Bureau representatives are available at the exhibit area to discuss the programs of Interior. Last year, Mr. Higinio Costales, Director, Spanish-Speaking Program, U.S. Civil Service Commission requested that the Department representative appear as a panel member of a workshop for Sixteen-Point Program Coordinators. In his request, Mr. Costales said, "His purpose on the panel will be to discuss the many affirmative activities your Department has undertaken to implement the Sixteen-Point Program."

A special issue of the EEO Newsletter "Adelante" was published in June 1973 featuring Interior Spanish-Surnamed employees in significant positions.

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[1] See exhibits in the appendix at p. 133.

The newsletter not only received regular distribution within the Department, but a copy was made available to each person attending the LULAC Convention. Also, the Department placed an employment advertisement in the LULAC Convention program.

The Department also participated in the American G.I. Forum Convention held at El Paso, Texas on August 15–18, 1973. Again, exhibit space was rented and bureaus participated actively in the convention. "Adelante" was made available to all Convention participants.

Perhaps the most significant outreach effort made to date is the National Conference on Minority Participation in Earth Science and Mineral Engineering sponsored by the Department of the Interior and the Colorado School of Mines on June 7–9, 1972. The conference, with the participation of numerous civic, community and professional organizations, Federal agencies, and major mining and oil companies was aimed at devising ways whereby young people in minority groups may become aware of career potentials and obtain the training necessary to qualify for positions in geology, geophysics, mineral engineering and related sciences. Spanish-Speaking individuals were actively involved in planning the conference and participating in it. Efforts of the Department to increase minority participation in earth science have been intensified since the conference, and those efforts are beginning to show concrete results. A copy of the conference report is enclosed (Exhibit 7).

The Bureaus also have taken positive action to assure that there is true equal employment opportunity for all persons and that bureau programs are reaching the Spanish-Speaking population. Examples of the kinds of activities undertaken which include use of the Intergovernmental Personnel Act, cooperative education agreements, recruitment programs, identification of positions requiring a knowledge of Spanish are enclosed (Exhibit 8).

On July 13, 1973, IMAGE published an evaluation of a Civil Service Commission Sixteen-Point Program Study and Status Report. Significantly, the Department of the Interior was referenced as one of the few departments or agencies that had put forth some effort. One quote from the report states, "The Department of the Interior alone conducted an in-depth analysis of their Spanish-Speaking work force, identified their problem areas and called these to the attention of their field staff." Another quote on the guidance provided for program implementation stated, "The Department of the Interior issued extensive guidance while the majority of agencies did not evaluate their Spanish-Surnamed employment situation and did not point out identified problems to their field offices."

The report further states that: "With few exceptions, agencies have not added Spanish-Surnamed staff members to their headquarters civil rights and EEO offices. Although a number of agencies have appointed Spanish-Surnamed Sixteen-Point program coordinators, these have usually been placed in either personnel offices or at the special assistant level. Agencies adding Spanish-Surnamed staff members to their civil rights and EEO offices at the headquarters' level have been AEC, DOT, VA, GSA, and Interior."

While the employment posture of minorities in the Department of the Interior is far from what we would like to see, Spanish speaking employment has had a gradual but steady increase since the inception of the Sixteen-Point Program in November 1970. Progress for the Spanish-Speaking can be measured ont only in terms of gross statistics. Gradual upward trends can be observed in increased representation in better paying jobs and in better utilization in scientific, other professional, and administrative positions.

The 1970 census shows that Americans of Spanish ancestry are clustered in certain states rather than distributed more or less evenly among all 50 states. It also shows that the nine states where the largest number of persons of Spanish origin live are California, Texas, New York, Illinois, Florida, New Jersey, New Mexico, Arizona, and Colorado with well over half of the Spanish population concentrated in the five southwestern states.

These States comprise slightly more than ⅓ of the entire Department workforce. In addition, the Bureau of Indian Affairs which provides preferential hiring for American Indians constitutes 74 percent of the Department's employment in New Mexico and 76 percent of the total in Arizona. In fact, the Bureau of Indian Affairs comprises 40 percent of the Department's workforce in the five western states. Only two percent of the Department's employees are located in New York, New Jersey, Florida, and Illinois. Enclosed are statistics showing the utilization of the Spanish-speaking in the Department of the Interior (Exhibit 9).

While the Department wishes to evaluate its own equal employment opportunity program against the analysis of its problems and the goals and objectives it has established to help alleviate the conditions which adversely affect the employability of the Spanish-Speaking, it has looked more closely as a result of the IMAGE complaint at the programs and the results achieved by other Federal agencies in an attempt to better our employment posture.

Mr. Chairman, this concludes our testimony. Ms. Graham and I will be glad to answer questions to the best of our ability.

Mr. EDWARDS. Thank you, Mr. Shelton.

Now, according to the civil service guidelines, Mr. Shelton, each agency is supposed to appoint a full-time Spanish-speaking program coordinator. When was Mr. Quintero appointed?

Mr. SHELTON. Mr. Quintero was appointed, or he came on duty, on August 5, this year, sir.

Mr. EDWARDS. Now, prior to his appointment, who was the coordinator?

Mr. SHELTON. Ms. Ruth Graham.

Mr. EDWARDS. And how much of her time was devoted exclusively to the Spanish-speaking program?

Mr. SHELTON. Well, it is very difficult to say, Mr. Chairman. Maybe I should give you a little history of our office to answer that question in particular.

Mr. EDWARDS. Yes.

Mr. SHELTON. The Office for Equal Opportunity was composed of only 5 persons at the inception of the 16-point program for the Spanish-speaking. At that time, Ms. Graham was the EEO specialist for the Federal employment program. This means that Ms. Graham had responsibility for all of the special emphasis programs, plus the complaint processing function.

And I would like to say at this time, actually two-thirds of her time was given over to the complaint processing function. The other staff members had responsibility for the Department's contract compliance program.

Now, I was the Director and we had two in-staff support. At that time I served as not only the Director of the Office but the Federal women's program coordinator.

The conference that I talked about was put together in 1971 on the basis of all of the five of us in the Office putting our shoulders to the wheel to get the job done. Based upon that analysis of our situation, sir, we just did not have the ceiling or the positions to appoint a full-time Federal Spanish-speaking program coordinator until just recently, sir.

Mr. EDWARDS. Now, you mention in your testimony the third party compliant that was filed against your department on behalf of IMAGE, the Spanish-speaking organization of Government employees.

Without objection, this complaint, along with the Interior Department's response is inserted in the record at this time.

[The complaint and response referred to follow:]

Phoenix, Ariz., March 15, 1974.

Secretary ROGERS C. B. MORTON,
Department of Interior,
Washington, D.C.

DEAR MR. SECRETARY: The Washington, D.C. Chapter of IMAGE hereby files this third party complaint of discrimination against the Director of the Office for Equal Opportunity and the Director, Bureau of Outdoor Recreation of the Department of Interior pursuant to 5 CFR 713.251.

General Allegation

A pervasive pattern of discrimination against Spanish Surnamed Americans exists in the Department of Interior, especially in the overall Departmental EEO Program and Bureau of Outdoor Recreation with respect to recruitment, hiring, assignments, classification, career counseling, training, promotions, and implementation of the President's 16-Point Program for Spanish Surnamed Americans.

Specific Allegations/Requests for Information

1. The 16-Point Program for Spanish Surnamed Americans, established by President Nixon in 1970, has not been effectively implemented in the Department of Interior as an integral part of the overall EEO Program.

(a) A full-time 16-Point Program Coordinator has been appointed.

(b) Please furnish name, non-minority or minority designation, sex, grade level, and number of hours spent on 16-Point Program for FY '73 and '74 as per the following format:

Name, non-minority—minority designation, sex, time

(c) No publicity has been given to the 16-Point Program and the 16-Point Program has not been effectively included in the Departmental EEO Program.

(1) Please furnish copies of FY '73 and '74 Affirmative Action Plans (replete with goals and timetables) for the Department of Interior and for the Bureau of Outdoor Recreation with each item designed to implement the 16-Point Program marked in red.

(2) Please furnish copies of U.S. Civil Service Commission's evaluation and comments on FY '73 and '74 AAP, especially those comments dealing with the 16-Point Program.

(3) Please furnish copies of all policy statements, as well as other statements of support, regarding top management officials at the Departmental and Bureau level for the past three (3) years.

(4) Please furnish the names, minority, non-minority designation (including ethnic and racial group) grade and sex of all participants—to include all Bureau representatives—at the initial meeting for drafting Departmental Guidelines for FY '75 Affirmative Action Plan. Also, furnish a copy of said guidelines with each item designed to implement the 16-Point Program marked in red.

(d) The 16-Point Program is not included in EEO or supervisory management training sponsored by the Department of Interior.

(1) Please furnish a list of courses, percent of time of course spent on 16-Point Program, number of people trained for FY '72, '73, and 1st ½ of FY '74—list separately for Departmental EEO Office and for Bureau of Outdoor Recreation—as per the following format:

Course, percent of time on 16-point program, number of people trained

(e) Department of Interior EEO staffing does not reflect any concern for the 16-Point Program.

(1) On attached format, list EEO staff by organizational unit for Department of Interior nationwide by minority and majority designation, sex, grade, and as a footnote to the form, indicate dates of implementation of the 16-Point Program.

(2) Please list training received by principle EEO officials during FY '72, '73, and 1st ½ of FY '74 on 16-Point Program for Spanish Surnamed Americans, especially Director of EEO and 16-Point Program Coordinators as per the following format:

Name, title, date of course, length, name and source of course

2. Lack of employment of Spanish Surnamed Americans in the Bureau of Outdoor Recreation in Washington, D.C. and nationwide reflects a prima facie case of national origin discrimination.

(*a*) On attached format list employment information by organization unit 10: the Bureau of Outdoor Recreation and all locations under its jurisdiction as per minority and majority designation, sex, and grade.

(*b*) List recruiting efforts by the Bureau of Outdoor Recreation for Spanish Surnamed Americans. In line with this, list all minority organizations and colleges and universities utilized in recruiting efforts, cooperative education efforts, etc.

3. IMAGE requests employment information on the attached format for each Bureau in the Deparment of Interior and for the Office of the Secretary as per minority and majority designation, sex, and grade.

In accordance with 5 CFR 713.251, and because this complaint is directed in part to the Departmental of EEO Program, IMAGE requests that the Office of the Secretary conduct the investigation. IMAGE further requests that the investigative team include a Spanish Surnamed investigator. IMAGE has included specific suggestions for information to be secured in the investigation in an effort to be helpful and to make clear the nature and scope of our allegations.

At the conclusion of the investigation, IMAGE will require five (5) copies of the complete investigative file. We assume most of the information requested is on hand and should not take long to compile. Please advise us if it will take longer than 30 days to reach us and, if so, how long.

IMAGE looks forward to working with the investigative team in processing this complaint and please be assured that we stand ready to assist in the preparation of an affirmative plan to correct the lack of participation of Spanish Surnamed Americans in the Department of Interior and especially in the Bureau of Outdoor Recreation and the Departmental EEO Program.

Sincerely,

GILBERT CHAVEZ,
President, IMAGE Chapter of Washington, D.C.

Enclosure.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 3, 1974.

Mr. GILBERT CHAVEZ,
President, Washington D.C. Chapter, Incorporated Mexican American Government Employees, Sterling, Va.

DEAR MR. CHAVEZ: A final review of the record on your third-party complaint of discrimination based on national origin against the Department of the Interior has been completed. A copy of the decision is enclosed. Under the rules and regulations of the U.S. Civil Service Commission, you have the right to request a review of this decision by the U.S. Civil Service Commission, Washington, D.C. 20415, not later than thirty (30) calendar days after receipt of this letter.

Sincerely yours,

ROGERS C. B. MORTON,
Secretary of the Interior.

DECISION

The Incorporated Mexican American Government Employees (IMAGE) third party complaint of discrimination based on national origin against the Department of the Interior.

Background

On March 15, 1974, the Washington, D.C. Chapter of IMAGE filed a third party complaint of discrimination against the Director of the Office for Equal Opportunity and the Director, Bureau of Outdoor Recreation.

IMAGE alleged that a pervasive pattern of discrimination against Spanish-Surnamed Americans exists in the Department of the Interior, especially in the overall Departmental EEO Program and that of the Bureau of Outdoor Recreation with respect to recruitment, hiring, assignments, classification, career counseling, training, promotions, and implementation of the President's 16-Point Program for Spanish-Surnamed Americans.

A letter dated May 2, from the Under Secretary of the Interior, acknowledged receipt of the complaint and advised IMAGE that a file was being prepared which would be responsive to the allegations.

A team of three EEO investigators was assigned to examine the complaint and develop an investigative report. In response to the request made by IMAGE, the investigative team included a Spanish-Surnamed investigator. The team began its on-site evaluation on May 16, 1974.

Specific allegations and findings of fact

1. The 16-Point Program for Spanish-Surnamed Americans, established by President Nixon in 1970, has not been effectively implemented in the Department of the Interior as an integral part of the overall EEO Program.

An examination of the records indicates that, shortly following the initiation of the 16-Point Program by the President in November 1970, the Department of

the Interior's Office for Equal Opportunity put into action plans 1) to implement the 16-Point Program within the framework of the total EEO Program and 2) to orient and prepare management officials to fulfill their responsibilities in providing opportunities for the Spanish-Speaking.

In keeping with U.S. Civil Service Commission instructions, the Department named a Sixteen-Point Program Coordinator. The individual designated is the Assistant Director of Equal Employment Opportunity for the Department and reports directly to the Directors Office for Equal Opportunity. The organization of the Sixteen-Point Program as a part of the overall EEO program is in keeping with Civil Service Commission guidelines whereby the Director of Equal Opportunity was held responsible for the entire EEO program, which includes the Spanish-Speaking Program.

In July 1971, the Office for Equal Opportunity hired a bilingual-bicultural person of Spanish origin at the GS–12 level to serve under the Assistant Director supervision as staff specialist for equal employment opportunity programs unique to the needs and concerns of the Spanish-Surnamed and American Indians. Approximately 75 percent of this individual's time was devoted to the Sixteen-Point Program. He was promoted to GS-13 in September 1972 and then transferred to another Federal agency September 28, 1973. Testimony indicates that active recruitment was underway to fill this vacancy with an Equal Opportunity Specialist with bilingual capability when the Department received CSC Chairman Hampton's letter requesting the Department to appoint a full-time Coordinator for the Spanish-Speaking Program.

Last year the Civil Service Commission produced a Sixteen-Point Program Study and Status Report. On July 13, 1973, IMAGE published an evaluation of the report. Significantly, the Department of the Interior was referenced as one of the few departments or agencies that had put forth some effort. One quote from the report states, "The Department of the Interior alone conducted an in-depth analysis of their Spanish-Speaking work force, identified their problem areas and called these to the attention of their field staff."

Another quote on the guidance provided for program implementation stated, "The Department of the Interior issued extensive guidance while the majority of agencies did not evaluate their Spanish-Surnamed employment situation and did not point out identified problems to their field offices."

The report further states that: "With few exceptions agencies have not added Spanish-Surnamed staff members to their headquarters civil rights and EEO offices. Although a number of agencies have appointed Spanish-Surnamed Sixteen-Point program coordinators, these have usually been placed in either personnel offices or at the special assistant level. Agencies adding Spanish-Surnamed staff members to their civil rights and EEO offices at the headquarters level have been AEC, DOT, VA, GSA, and Interior."

1a. A full-time 16-Point Program Coordinator has not been appointed.

The record supports the allegation that the Department had not appointed a full-time Sixteen-Point Program Coordinator at the time the IMAGE complaint was initiated. The record does indicate that a full-time position of Spanish-Speaking Program Coordinator, GS–160–13/14 was established and the position advertised through the merit promotion program on April 30, 1971. Mr. Jess Quintero, GS–160–12, Title VI Compliance Officer, Office for Equal Opportunity was selected and entered on duty August 5.

1b. Please furnish name, non-minority or minority designation, sex, grade level, and number of hours spent on 16-Point Program for FY '73 and '74 as per the following format:

Name, non-minority—minority designation, sex, time

This request for information is not clear as it does not indicate whether IMAGE wishes information concerning the Office for Equal Opportunity or the Department-wide program. Nonetheless, the Department is unable to comply with the request for name and non-minority or minority designation. Chapter 713 of the Federal Personnel Manual provides in the subchapter dealing with minority group statistics that: "Output from these files, always must be in the form of gross data only, without identification of any employee by name."

There is a Spanish-Speaking Program Coordinator at each bureau headquarters and at major installations in the field. All Coordinators, 41% of whom are Spanish-Surnamed, serve on a part-time basis. Since the Spanish-Speaking Program is an integral part of the Department's total EEO program, it is not possible to determine the exact percentage of time spent in implementing it. During this

fiscal year, four Spanish-Speaking persons were selected for key bureau Equal Opportunity Specialist positions.

1c. No publicity has been given to the 16-Point Program and the 16-Point Program has not been effectively included in the Departmental EEO Program.

The record indicates that publicity concerning the 16-Point Program has been forthcoming from the Office for Equal Opportunity since the inception of the Spanish-Speaking Program.

On February 19, 1971, the Department held a conference of departmental officials responsible for hiring and promoting to discuss employment of Spanish-Surnamed Americans. This conference was a part of the Department's overall affirmative action plan and was convened in response to the President's 16-Point Program. The end product of the conference held February 19, 1971 in Denver, Colorado, was designed to be a commitment by each bureau for goals for hiring and promotion of Spanish-Surnamed Americans. (See published conference report, page 155 of exhibits.)

During the latter part of September 1971, the Office for Equal Opportunity in cooperation with the Office of Personnel Management made follow-up visits to the bureau facilities in the Southwest to discuss bureau commitments made at the conference.

The Department of the Interior held a National EEO Conference in March 1973 to assure that top management officials throughout the Department are knowledgeable of new trends in EEO. The Civil Service Commission was invited to speak concerning the goals of the Spanish-Speaking Program. In addition, there was a two-day work group devoted to the Sixteen-Point Program. As a follow-up, the Department has sponsored two regional conferences—November 14–15, 1973 at Atlanta, Georgia for managers serving in Interior installations in the east and April 2–4, 1974 at Portland, Oregon for west coast managers.

A mid-west conference is scheduled to be held in Denver, Colorado later in 1974. The Spanish-Speaking Program is a major part of these conferences and Spanish-Speaking resources people are made available to discuss all aspects of this program. (The published report of the national conference appears on page 156 of exhibits.)

The Department also has given program direction through use of written correspondence. On April 13, 1973, the Director of Equal Opportunity sent a memorandum to heads of bureaus and offices which publicized the name of the Department Coordinator, described the function of bureau coordinators and recommended CSC training for Spanish-Speaking Program Coordinators. The Departmental Manual, 370 DM 713; the EEO Action Plan; Equal Employment Opportunity Memorandums; and, the EEO Newsletter all are used to give program direction. (Copies of all issuances are part of the exhibits.)

The Department of the Interior has been represented at the 1974 annual conventions of three major Spanish-Surnamed National Organizations: IMAGE, May 30, Las Vegas, Nevada; League of United Latin American Citizens (LULAC) El Paso, Texas, June 26–30; and, American GI Forum, Los Angeles, California, July 17. The Assistant Director of Equal Employment Opportunity attended the IMAGE Convention.

The last several years the Department has rented exhibit space and coordinated bureau exhibits at the LULAC National Convention. (See exhibit, page 164). Bureau representatives have been available at the exhibit area to discuss the programs of Interior. Last year, Mr. Higinio Costales, Director, Spanish-Speaking Program, U.S. Civil Service Commission requested that the Department representative appear as a panel member of a workshop for Sixteen-Point Program Coordinators. In his request, Mr. Costales said, "His purpose on the panel will be to discuss the many affirmative activities your Department has undertaken to implement the Sixteen-Point Program."

A special issue of the EEO Newsletter "Adelante" was published in June 1973 featuring Interior Spanish-Surnamed employees in significant positions. (Exhibit page 161.) The newsletter not only received regular distribution within the Department, but a copy was made available to each person attending the LULAC Convention. Also, the Department placed an employment advertisement in the LULAC Convention program. (Exhibits, page 274.)

The Department also participated in the American G.I. Forum Convention held at El Paso, Texas on August 15–18, 1973. Again, exhibit space was rented and bureaus participated actively in the convention. "Adelante" was made available to all convention participants.

Perhaps the most significant outreach effort made to date is the National Conference on Minority Participation in Earth Science and Mineral Engineering sponsored by the Department of the Interior and the Colorado School of Mines on June 7–9, 1972. The conference, with the participation of numerous civic, community and professional organizations, Federal agencies, and major mining and oil companies was aimed at devising ways whereby young people in minority groups may become aware of career potentials and obtain the training necessary to quality for positions in geology, geophysics, mineral engineering and related sciences. Spanish-Speaking individuals were actively involved in planning the conference and participating in it. Efforts of the Department to increase minority participation in earth science have been intensified since the conference, and those efforts are beginning to show concrete results.

The Secretary of the Interior's Committee on Minority Participation in the Earth Sciences and Mineral Engineering includes a Spanish-Surnamed faculty member, a Spanish-Surnamed University President, and a Spanish-Surnamed official of a city government.

In addition the Department placed a paid advertisement in the May 1973 issue of La Luz; First National Magazine Serving Sixteen Million Hispanos. (Exhibits, page 276)

In January 1973, the Spanish-Surnamed staff specialist in the Office for Equal Opportunity spent two weeks in the State of Arizona. The purpose of this visit was to assist bureaus with field facilities in the area make the most of their community contact efforts. Minority group organizations, predominantly Spanish-Speaking, schools, colleges and all other educational and social institutions were made aware of bureau missions and equal employment opportunity programs. This activity will continue now that the full-time Spanish-Speaking Coordinator position has been filled.

The bureaus also have taken positive action to assure that there is true equal employment opportunity for all persons and that bureau programs are reaching the Spanish-Speaking population. Activities undertaken include use of the Intergovernmental Personnel Act, cooperative education agreements, recruitment programs for the Spanish-Speaking, identification of positions requiring a knowledge of Spanish, and Spanish-Speaking Coordinator training courses. (Exhibits, EEO Officer affidavits)

1c(1) Please furnish copies of FY '73 and '74 Affirmative Action Plans (replete with goals and timetables) for the Department of Interior and for the Bureau of Outdoor Recreation with each item designed to implement the 16-Point Program marked in red.

Copies of the EEO Plans appear in the exhibits (pages 57 through 61). Specific items have not been marked as the Spanish-Speaking Program is covered by each action item of the entire plans.

1c(2) Please furnish copies of U.S. Civil Service Commission's evaluation and comments on FY '73 and '74 Affirmative Action Plan, especially those comments dealing with the 16-Point Program.

Copies of the CSC evaluations of FY '73 and '74 Plans appear in the exhibits (pages 49 through 57).

1c(3) Please furnish copies of all policy statements, as well as other statements of support, regarding the 16-Point Program which have been issued by top management officials at the Departmental and Bureau level for the past three (3) years.

All issuances concerning the EEO Program involve the Spanish-Speaking. Issuances and copies of correspondence unique to the 16-Point Program appear in the exhibits (pages 62 through 126).

1c(4) Please furnish the names, minority, non-minority designation (including ethnic and racial group) grade and sex of all participants—to include all Bureau representatives—at the initial meeting for drafting Departmental Guidelines for FY '75 Affirmative Action Plan. Also, furnish a copy of said guidelines with each item designed to implement the 16-Point Program marked in red.

The majority of action items contained in the Department EEO Plan are of a long-term nature and as such are continuing beyond a single 12-month period. It was the concensus of bureau EEO officials that limited changes would be made in the plan of action for fiscal year 1975, particularly since a new method of plan development had been implemented with the plan for fiscal year 1974. Each bureau headquartered in Washington, D.C. was requested to assign an EEO staff member to serve on a committee to update the plan for fiscal year

1975. The committee was composed of EEO Office Equal Opportunity Specialists, Federal Women's Program Coordinators, and 16-Point Program Coordinators. The guidelines were then sent to the bureaus for review and comment. Comments were received from 16-Point Program Coordinators, and suggested changes were made in the plan.

The EEO Plan for Fiscal Year 1975 was approved by the Civil Service Commission on June 25. A copy of the Plan and the letter of approval appear in the exhibits (page 57a).

1d. The 16-Point Program is not included in EEO or supervisory management training sponsored by the Department of Interior.

Bureau supervisory management training does include information concerning the 16-Point Program. This year, the training and EEO staffs at the Departmental level met to discuss the EEO portion of the Department Supervisory Training Program. As a result of the meeting, the program emphasis was changed to include more specifics about the Department's EEO Program and the specific responsibilities and requirements of the Spanish-Speaking Program.

As indicated previously, the Spanish-Speaking Program has been a part of each of the three recent conference sponsored by the Department of the Interior and will be included in the forthcoming conference planned to be held in Denver later this year.

1d(1) Please furnish a list of courses, percent of time of course spent on 16-Point Program, number of people trained for FY '72, '73, and 1st ½ of FY '74—list separately for Departmental EEO Office and for Bureau of Outdoor Recreation—as per the following format:

Course, percent of time on 16-point program, number of people trained

It is not possible to provide this information. Training is decentralized in the Department; also, specific course titles are not part of our departmental personnel data file which is designed to be responsive to the requirements of the Civil Service Commission Central Personnel Data File.

1e. Department of Interior EEO staffing does not reflect any concern for the 16-Point Program.

This matter has been considered previously in terms of staffing in the Federal program. Eleven percent of the staff of the other functions of the Office for Equal Opportunity is Spanish-Speaking. All are serving in professional Equal Opportunity Specialist positions.

1e(1) On attached format, list EEO staff by organizational unit for Department of Interior nationwide by minority and majority designation, sex, grade, and as a footnote to the form, indicate dates of implementation of the 16-Point Program.

This information is not available. The Civil Service Commission does not require this information and records are not maintained regarding the more than 1,000 employees engaged in the Department's EEO program nationwide.

1e(2) Please list training received by principal EEO officials during FY '72, and 1st ½ of FY '74 on 16-Point Program for Spanish-Surnamed Americans, especially Director of EEO and 16-Point Program Coordinators as per the following format:

Name, title, date of course, length, name and source of course

This information is not available. A survey could be made of the training received by the current staff but such a survey would not provide the data requested for fiscal years '72 and '73. Training is on-going; the major thrust for EEO training has been in EEO plan development, personnel management, and program evaluation. Available information concerning training of staff members of the Division of Federal Equal Employment Opportunity, Office for Equal Opportunity is enclosed. (See page 278 of the exhibits)

2. Lack of employment of Spanish-Surnamed Americans in the Bureau of Outdoor Recreation in Washington, D.C. and nationwide reflects a prima facie case of national origin discrimination.

As of April 1, 1974, the Bureau of Outdoor Recreation employed 467 permanent employees. Some 150 are in Washington, D.C. with the remainder located in seven regional offices. The San Francisco, Denver and Albuquerque offices have a total of 116 employees. Four of those permanent employees are of Spanish origin. One GS–3 was hired in December, one GS–4 was hired in October, one GS–4 began work April 1, and another was promoted from GS–4 to GS–5 in August 1973, all in fiscal year 1974. The Albuquerque office employed a Spanish-Surnamed applicant for two months as a summer aide and another Spanish-Surnamed applicant was employed on a one-month appointment in February.

The Bureau EEO Officer discussed career objectives with each of the permanent Spanish-Surnamed individuals while visiting the regions last December. Each was encouraged to avail herself of training opportunities. One of the employees is currently taking a correspondence course on Effective Report Writing. During the conversations, the EEO Officer also probed to determine general morale and the employee's acceptance by the staff with positive results. Each was asked to encourage her friends to apply for work with the Bureau.

At the League of United Latin American Citizens Convention in Albuquerque a year ago, ten different Bureau employees alternated in manning the Department of the Interior booth at the convention for four days. Conferees expressed considerable interest.

The Bureau has developed two tapes in Spanish which describe or emphasize some facet of outdoor recreation. These have been played on radio station KABQ and other stations in the Southwest.

A letter dated May 21, 1973, from the Bureau Director accompanied instructions for preparing a Bureau EEO Plan for FY 1974. Regional Offices in San Francisco, Denver, and Albuquerque were instructed to appoint Sixteen-Point Program Coordinators. Such appointments were made but opportunities for training have not yet presented themselves. Strong emphasis is placed on this training whenever suitable opportunities are available.

In summary, the statistics may not be a real indicator. The Bureau has taken several approaches to inform the Spanish population of opportunities in the recreation field and is ready to consider qualified applicants. There are limited opportunities in a bureau of this size.

2a. On attached format list employment information by organizational unit for the Bureau of Outdoor Recreation and all locations under its jurisdiction as per minority and majority designation, sex, and grade.

See pages 262 through 269 of the exhibits.

2b. List recruiting efforts by the Bureau of Outdoor Recreation for Spanish-Surnamed Americans. In line with this, list all minority organizations and colleges and universities utilized in recruiting efforts, cooperative education efforts, etc.

The Regional Office in San Francisco informs the Spanish-Surnamed Coordinator of Human Rights on all vacancies. They also contact EEO Officers of other agencies and the Federal Regional Council talent bank. Some referrals and hires have resulted.

Bureau representatives made visits in fiscal year 1974 to 13 colleges and universities where there were significant numbers of Spanish-Speaking students. The colleges were:

San Jose State College; Bi Anza College; Colorado University; Northern Colorado University; Texas Technical College; University of Texas; University of New Mexico; Hayward State College; Merritt College; Colorado State University; University of Denver; Texas A & M; and Oklahoma State.

At the time of a recent professional vacancy in a regional office, announcements were sent to: New Mexico State University; University of California at Berkley; College of Santa Fe; University of Texas; University of San Francisco.

3. IMAGE requests employment information on the attached format for each bureau in the Department of the Interior and for the Office of the Secretary as minority and majority designation, sex, and grade.

This information is enclosed, using the format designed by the Department for the collection of recurring minor census statistics. See pages 179 through 259 of the exhibits.

Summary:

The findings of the investigation fail to support the allegation that a pervasive pattern of discrimination against Spanish-Surnamed Americans exists within the Department of the Interior. Based on information contained in the report, certain weaknesses in the program will require the following corrective action be taken:

The Division of Federal Employment must intensify its program monitoring efforts to insure that Departmental program guidelines are being properly disseminated and implemented at all levels within the Department.

It is the decision of this Department that the allegation that a pervasive pattern of discrimination on the basis of National Origin exists within the Department of the Interior is not substantiated. The complainants, Washington, D.C. Chapter of IMAGE, are advised that should they disagree with this decision, they may

within 30 days of receipt of this decision, request a review by the Civil Service Commission, Washington, D.C.

Mr. EDWARDS. Did you hire Mr. Quintero after the filing of the third party complaint?

Mr. SHELTON. We were in the process. We had problems, one, in getting out the announcement. Once the announcement was received we had to go through the selection process. The announcement had to be out roughly 15 or 20 days. We were in the process of hiring. Well, at least the announcement for the hiring of a Spanish-speaking coordinator was out at the time the IMAGE complaint came to the office.

Mr. EDWARDS. How many of the initiatives that you outlined in your excellent statement were initiated as a result of the complaint by IMAGE?

Mr. SHELTON. None of them. These things were ongoing prior to the IMAGE complaint.

Mr. EDWARDS. I just have one more question here for now. Earlier this year when IMAGE testified before this subcommittee, figures were presented regarding Spanish-speaking employment within the Department. Now, you, in these exhibits that you have provided us today, are providing us with all of the statistics regarding the number of Spanish-speaking people that the Department of the Interior employs today?

Mr. SHELTON. Yes, sir.

Mr. EDWARDS. According to IMAGE, there were 1,425 Spanish-speaking persons employed in Interior as of November 1973, or roughly 2.2 percent. Is that correct?

Mr. SHELTON. That is correct, sir. But, I would like to make a statement regarding that. You will have to remember that the Department of the Interior is rather unique in that when you look at our overall statistics we have roughly 24-percent minority, roughly 16 percent of that percentage are Indians in the Bureau of Indian Affairs. And with the preferential treatment arrangement I think that it is rather unfair to judge the Department of the Interior on its total employment when there are better than 10,000 Indians involved, and due to the preferential treatment no minority has any access to these positions, especially with the recent Supreme Court decision that talks in terms of Indian preference, not only in terms of initial employment, but for upgrading, and promotion, training, et cetera. So, I think a more realistic look at the Department of the Interior's Spanish-surnamed employment should be based upon taking out of the Department's total employment those Indians in BIA. I am not talking about taking out the Indians in the other bureaus and offices, and then the figure would be more representative of what is truly available for minority employment. When you look at it from that point of view, our employment of Spanish surnames would be 2.6 percent, sir.

Mr. MCCLORY. Mr. Chairman, would the chairman yield for elaboration or clarification of that?

Mr. EDWARDS. Yes. Sure.

Mr. MCCLORY. With respect to the preferential treatment which is required of Indian employees, what percentage of Indian blood is required for one to be classified as an Indian?

Mr. SHELTON. I understand it is one-quarter percent, sir.

Mr. MCCLORY. One-fourth?

Mr. SHELTON. One-fourth.

Mr. MCCLORY. Do you have any statistics that have been compiled with respect to those Indians who might have one-fourth or less than full Indian blood, and as to what percentage of those might also have Spanish blood or have Spanish surnames in their families?

Mr. SHELTON. I have no facts on that, sir.

Mr. MCCLORY. There are apparently a large percentage of those folks in the Southwest, at least?

Mr. SHELTON. I would think so.

Mr. MCCLORY. Thank you.

Mr. SHELTON. I think it is one of those things where the person himself makes the decision that he wants to be so identified, and there are certain procedures through which he goes in the certification process. And I would think and suspect that if Spanish-surnamed people in the Southwestern part of the United States wanted to be so identified, the process would be pretty simple.

Mr. MCCLORY. The only reason I asked the question is when you get down to the subject of percentages and the racial goals and so on, and you get into that kind of vague area of mixed, I suppose you call it mixed blood between Indians and Spanish-surnamed, or Spanish ancestry, it is impossible to compile any accurate statistics.

Mr. SHELTON. That is correct, sir.

Mr. EDWARDS. California has 15.54 percent people who are Spanish speaking, I believe. What percentage of the Interior Department's employees in California are Spanish speaking?

Mr. SHELTON. 2.8 percent, sir.

Mr. EDWARDS. That is not very good, is it?

Mr. SHELTON. No; it is not.

Mr. EDWARDS. Mr. Wiggins.

Mr. WIGGINS. Do you try to achieve regional parity around the country?

Mr. SHELTON. No, sir, not regional parity, sir. Parity applies various connotations and represents quotas, and quotas are prohibited by the civil service regulations. In fact, the Civil Service Commission from time to time has published bulletins that speak to this issue.

Mr. WIGGINS. What is it then that you are trying to achieve?

Mr. SHELTON. Actually I am trying to achieve a 12-percent minority percentage in the Department of the Interior by the end of fiscal year 1977. That is when you take out the American Indian. According to our statistics right now, if you leave the Indians in, we have roughly 6-percent minority, and if you take the Indians out that figure rises to about 9.5 percent. So, our goal for the Department of the Interior is 12-percent minority input or minorities on board by fiscal 1977.

Mr. WIGGINS. Looking at all minorities——

Mr. SHELTON. I beg your pardon?

Mr. WIGGINS. Did you have something to add?

Mr. SHELTON. I am advised that we have 24 percent minorities in the Department now.

Mr. WIGGINS. That is what I understand.

Mr. SHELTON. Counting Indians. And when you take out the Indians, our percentage is 9.7. What I am trying to do is increase that percentage of minorities to 12 percent by fiscal year 1977.

Mr. WIGGINS. How do you propose to do that?

Mr. SHELTON. Well, we have established goals on an annual basis or rather objectives on an annual basis. The goal is the long-run concept. We have, through our affirmative action program, asked the bureaus and the offices to identify occupational categories in which they have few or no minorities, and to see what can be done to bring minorities on board in these categories. We have talked in terms of utilizing minorities which would mean more in managerial-type positions, and we have goals established for that. We have an objective on an annual basis. For example, we talk in terms of each bureau and office should on an annual basis include one of each of the minorities and two women into management-type positions, and if not into management-type positions in training positions leading toward management-type positions, and management-type positions as defined by us are those jobs in which the manager is the supervisor of supervisors.

Mr. WIGGINS. I am going to make a statement and I would like you to criticize it if it is inaccurate factually and wrong conceptually. The Department of Interior employs approximately 24 percent minorities of all categories?

Mr. SHELTON. That is correct, sir.

Mr. WIGGINS. That exceeds the national average of minorities of all categories?

Mr. SHELTON. That is correct, sir.

Mr. WIGGINS. Accordingly, the Anglos are in a deficit in the Department of the Interior. Now, if the minority employment is to be increased in any single category, subcategory, you must draw away from your existing minority employment or deny employment opportunities to Anglos. They are already in a deficit posture. Is it your intention to deny an equal employment opportunity to an Anglo in order to achieve your goal?

Mr. SHELTON. Sir, under the parity concept your statement would be true. But, under the equal employment opportunity program where managers are supposed to provide equal employment opportunity for all persons, irrespective of race, color, creed, sex or national origin, I would differ with that. It would seem to me that when you are looking for employees, you are looking for the best available, and all that the affirmative action plan requests is that when you are seeking employees for categories in which you have never had minorities or women, look a little harder for minorities. That is all I am saying. And I guess by what you are saying I would have to agree, that to the tune that you do this, you deny at least one position or two positions to white males who have always encumbered these jobs.

Mr. WIGGINS. Are you aware of any overt discrimination being practiced in your agency against any of the protected classes that you mentioned; namely, minorities?

Mr. SHELTON. No; I am not personally aware. But I do believe that there are many people in the Department who feel that they have been discriminated against. I know that our complaint load is rising, so that is the only indication I have.

Mr. WIGGINS. Well, you, of course, investigate these complaints?

Mr. SHELTON. We investigate these complaints. But I am just saying in terms of how people feel.

Mr. WIGGINS. And if you find that there is, you take corrective action?

Mr. SHELTON. If we find that there are discriminatory actions taken, we take corrective action. In fact, we have done some pretty stiff things in terms of resolving complaints of discrimination.

Mr. WIGGINS. Overall, do you find that your agency is rampant with discrimination?

Mr. SHELTON. No, sir, I do not find that it is rampant with discrimination. I think the Department has made considerable progress in terms of the utilization of minorities and females. I think the statistics show that there is a rise in the percent and number of minorities who are moving up through the pipeline and coming out of the other end at GS–13's, 14's and 15's, sir.

Mr. WIGGINS. Overall, are you satisfied that your agency is doing its best to provide an equal employment opportunity to racial minorities?

Mr. SHELTON. I am not satisfied. I think there are a lot of things that need to be done. But, we could do the job better, and as long as I am the director of the office I intend to do that.

Mr. WIGGINS. Are you inhibited by any failure of legislation, or is there any legislation which is inappropriately on the books in accomplishing those objectives?

Mr. SHELTON. I do not feel that way at all, sir. I think that we are inundated with paper, all kinds of reports and that kind of thing that have to be made to various and sundry other agencies. This is part of my problem. I have five people in the office that administer the Federal employment program, and because of the functions related to developing guidelines, and developing programs, and developing all kinds of statistical reports, we find little time to spend in terms of the actions necessary to see that those guidelines that we are issuing and the programs that we are developing are actually carried out.

Mr. WIGGINS. Well, on the surface that would appear to be an internal management problem, but what can Congress do to help you achieve the congressional policy of an equal employment opportunity for racial minorities?

Mr. SHELTON. I would think that part of our problem is a resource one, manpower. It appears that there is a lot of legislation, lots of Executive orders that are forced upon departments and agencies to implement, but in many instances they have to take the resource, manpower resource necessary out of their present ceilings, and you are robbing Peter to pay Paul, so to speak. And I recognize that offices such as mine will never have all of the manpower resources that I think is necessary to carry out the job. But I think that I am going to have to take a good hard look at the total program and begin to identify or reassess maybe what our priorities are, and be in a position to tell anyone this is the total workload, this is the manpower resources that I have, and with the manpower resources allocated, this is all that I can do.

Mr. WIGGINS. That is all I have, Mr. Chairman.

Mr. EDWARDS. Mr. Sarbanes.

Mr. SARBANES. Mr. Shelton, I was interested a little bit in the nature of the relationship with the bureaus and the field offices, just how that works. You sketched out your involvement within your own office, but I wonder what the nature of that working relationship is, how direct

it is, what is actually going on out there. That, after all, is where most of the hiring in the department takes place, is it not?

Mr. SHELTON. Let me say to start with that the Office for Equal Opportunity is a policy office, and the bureaus and the offices are organized each having its own equal employment opportunity officer. We spell out in guidelines an affirmative action plan, what have you and what are the requirements in terms of manpower resources to get the job done as we think it ought to be done. As I said, each of our bureaus and offices has a headquarters equal employment opportunity officer who reports directly to the bureau head. We have insisted that our major field facilities have equal employment opportunity officers also. I think there must be some 41 or 42 of these. I am advised that the figure is 77.

The Office for Equal Opportunity exercises no direct line control over the EEO officers in the field activity level, nor at the bureau level. But, we do try to give guidance and assistance. And I know that Ms. Graham meets with the equal opportunity officers as a group at least once a month at which time they talk about problems and progress, and those programs that need to be implemented as a result of some sort of action on the part of the Civil Service Commission. That office reviews and evaluates all of the reports that gives us some indication about how well the equal employment opportunity programs is faring. That includes a quarterly report in terms of how well they are carrying out their affirmative action, affirmative program plans that they themselves have developed.

As a result of this review, Ms. Graham and I then meet with the equal employment opportunity officer and the head of the bureau to discuss problems, progress, our assessment of what is taking place, and try to jack them up in terms of any shortfall that they might have in terms of implementing their affirmative action plan.

On top of that, the office participates on an "as can" basis with the personnel, the departmental personnel office in making some of the field evaluations, looking at what is taking place in the field activity level. They have a part in developing the overall report on the total people's program, with the representatives from our office looking at the equal opportunity aspects as relates to this investigation. I do not know whether that answers your question or not.

Mr. SARBANES. Well, it partly answers it. Let me ask this question, because I am looking at your statement at the top of page 4. I take it that in all of the Department of the Interior there is only one person, and that is the Spanish-speaking coordinator in your office, in the central office, who has as his sole responsibility the implementation of the 16-point program. Is that right?

Mr. SHELTON. That is correct.

Mr. SARBANES. In the entire Department?

Mr. SHELTON. In the entire Department, that is absolutely correct. But, there are a number of officers who have Spanish-speaking programs responsibilities as an adjunct to another program.

Mr. SARBANES. Now, these people that are in the field, I take it that you have no authority over them, you have only a counseling or guide control, is that correct?

Mr. SHELTON. That is correct, sir.

Mr. SARBANES. Now, further following up on your statement, I take it that in some States the equal employment program really involves essentially the Spanish speaking as far as the Department of the Interior is concerned?

Mr. SHELTON. That is correct. I would say that would be almost correct in the five Southwestern States.

Mr. SARBANES. Well, what kind of special programs does the Department have that differ in quality or kind with respect to Spanish-speaking employment in those States as compared or contrasted with the general policy pursued by the Department in this area?

Mr. SHELTON. Well, we contemplate that our Spanish-speaking program coordinator will develop a program that will put him in the field in those areas where the Department has large concentrations of employees, and you have large numbers of Spanish-surnamed people developing, and I intend that Mr. Quintero will begin, once he is acclimated in terms of the civil service requirements, began to move out into the field to take care of some of these problems. But, I think that we have on board in the various bureaus and offices equal employment opportunity people who are Spanish surnamed, and I am positive that all of these persons have as part of their responsibility the development of programs and activities that will get at the problems of employment for the Spanish surnamed.

Mr. SARBANES. Well, let me illustrate perhaps what I am driving at. You make a point in the statement of the regional conferences that have been held by the Department, and the fact that an effort to do something about Spanish-speaking employment as a part of those regional conferences, but I guess I would be more encouraged if you were having either State conferences or regional conferences more narrowly defined to those areas where this is a pertinent consideration.

In other words, you could say to me, well, we have never had a regional conference in the Northeast, although we want to have one, but we have had half a dozen in the Southwest in an effort to try to move on this situation. And that would seem to me to be a more directed approach to the problem than to have it just generally encompassed within the Department's efforts.

I guess I am really getting at the point of whether it just has been added on as another item that has to be covered, or whether there is a focus that comes in with respect to where there is really an opportunity to do something about the situation, perhaps where the situation is most pressing.

Mr. SHELTON. Well, we have had conferences in the Southeast that took care of the Northeast and the Northwest. I mean the North and the Southeast. The Denver conference will take care of the Southwest. This is the proposed conference. And we had a conference in Portland to take care of the Northwestern part of the United States. Inherent in these conferences is how to do.

For example, we are trying to get our managers to understand how an affirmative action plan that is result oriented has to be developed. We are talking in terms of goals and timetables to be reached in a specified period of time. For example, if in the development of an affirmative action plan it is assumed, and we try to assure the people developing these plans that they understand fully what is involved, and now

there is no point in talking in terms of going to hire 15 or 20 Spanish surnamed people to become mining engineers if the area from which you are going to draw does not afford an opportunity for placing these people on board. That is just so much wasted time.

What you have to do is look at the kind of jobs that you are going to fill in a definite prescribed period of time, get some statistics about what the labor market affords in terms of people who can do the job and make some assessments in terms of how many of these people you are going to try to get on board.

Now, when a person tells me that I am going to hire four mechanics to do a mechanical job, and I am satisfied that there are mechanics in the work force or the labor force that are available, when his first quarterly report comes in I expect to see the first one on board. This is the kind of thing we are talking about in terms of specificity.

Mr. SARBANES. Well, do you have any reason to believe that the Spanish-speaking population perceives the Department of the Interior as an agency in which there is real opportunity for them, particularly in those parts of the country in which there are significant numbers of Spanish speaking in the Nation's population?

Mr. SHELTON. Yes, sir. I think in my statement I indicated——

Mr. SARBANES. Your answer is yes. What gives you a reason to think that?

Mr. SHELTON. Let me answer your questions this way, sir. In my prepared statement I said that in the five Southwestern States, 74 percent of the total Department's employment was in the Bureau of Indian Affairs. I also indicated that because of the preferential treatment that the Indians have in their employment posture, it is almost impossible for any minority to seek employment opportunities in the Bureau of Indian Affairs.

Now, let us face it. We are dealing with a couple of things here. We are dealing with educational attainment. This is with all minorities, with the exception of the Orientals. We are dealing with people who are in direct competition in the Southwest for 74 percent of the jobs that are in BIA, where there is little or no opportunity for them to get jobs. This is what we are talking about, because they are in direct competition with Indians who have preferential treatment.

Mr. SARBANES. Well then, I take it the answer to my question I asked is no with respect to the perception of the Spanish-speaking people in the population concerning the Department of the Interior employment opportunities.

Mr. SHELTON. No, I would not say that. I think that the big problem as it relates to minorities, insofar as the Department of the Interior is concerned, is one, a lack of training in the disciplines that are the bread and butter occupations of the Department. Number two is lack of mobility.

For example, sir, I can cite instances where relatively high-level jobs were offered to minority group people, and because the job was not located in the geographic locale in which they were located, they refused to take the job. They were not interested.

We have had high level equal employment opportunity jobs right here in Washington where the top candidate was a person of Spanish surname descent, and because the job was not located in the south-

western part of the United States, that person refused to take the job. That is what I am trying to say.

Then there is another problem that relates to this thing, and that has to do with the civil service certification. In many instances we play heck trying to get some of our people certified to us. Mr. Quintero down the table here, it took us 8 months to get him certified through the auspices of the Civil Service Commission. We though that Mr. Quintero was qualified for the job, he had the bilingual ability that we thought was necessary for the position he was going to encumber, he had a good experience in terms of relating to the public, had all of the attributes that would have made a good title VI compliance officer, and yet it took us 8 months to get the man certified through the civil service channels. So, certification is a big problem when we start dealing with how you are going to add to your numbers insofar as minorities are concerned.

Mr. SARBANES. Well, I do not really want to pursue this any further. I guess the point I am really trying to make is it seems to me you can have quite a good policy developed in the central office, and one that even forms all of the applicable objectives, and really quite a good set of guidelines that are distributed out to the field, but you have no direct control over those people, and too, I am a little concerned about any sort of specifically directed efforts in the area perhaps of the greatest relevancy that comes in with any real bite at that level.

And I was really, I guess, trying to find out whether there were such policies more singly directed, and I gather really only you have the general departmental policy, but does it not focus or zero in on the way that I was asking about?

Mr. SHELTON. Maybe not, sir.

Mr. SARBANES. Thank you, Mr. Chairman.

Mr. EDWARDS. Mr. McClory.

Mr. MCCLORY. Thank you, Mr. Chairman. I notice that in Illinois you have 179 employees and we have 3.27 percent of Spanish-surnamed people in Illinois and no Spanish-surnamed employees. I think I understand that, and see if I am not correct. Most of the Department of Interior facilities, and I believe we have no national park in Illinois, are national monuments such as the Lincoln Home. I suppose there might be some things out on the Mississippi River that the Department of the Interior might be interested in. Most of our Spanish-speaking population is in my congressional district, in Waukegan, Ill., as well as the general area of Chicago, and northeast Illinois. I do not think the Department of the Interior has much to offer in that general area. Is that true?

Mr. SHELTON. That is true.

Mr. MCCLORY. It is difficult to take a State as a whole.

Mr. SHELTON. That is true.

Mr. MCCLORY. I suppose this is especially true when you have a State that is equivalent to, or, much larger than most nations of the world. Do you have any complaints from Illinois, from any of my Spanish-speaking or Spanish-surnamed friends?

Mr. SHELTON. No, we have not had any complaints from Illinois.

Mr. MCCLORY. We also have the GI forum State convention in my district, and I am usually there to visit and discuss problems. But, we have not had any problems with the Department of the Interior that I have heard of.

You mentioned that there must be evidence of discrimination beyond this business of the statistics, which does not impress me too much. I am much more interested in people actually being discriminated against, not the percentage of people that happen to have jobs in different areas. Tell me about this increased number of complaints. How many complaints do we have pending now?

Mr. SHELTON. We have a load of approximately 70 complaints and most of them are complaints coming from women.

Mr. MCCLORY. Well, how many complaints coming from Spanish surnamed that are denied jobs or denied advancement?

Mr. SHELTON. We have received our first one from IMAGE and I understand that we received one complaint this week from a Spanish surname.

Mr. MCCLORY. Are people afraid to file complaints? Are you indivually aware of any discrimination that is being practiced by individuals or by Department policy, or in any other way that is not being rectified?

Mr. SHELTON. Sir, I am the equal employment opportunity for the Department.

Mr. MCCLORY. Yes, I know.

Mr. SHELTON. And I have the delegate authority of the Secretary to act in this area. If I knew of any discrimination, corrective action would be taken forthwith.

Mr. MCCLORY. So that the real problem here results from these, quite bluntly, from the statistical information that is before us with respect to the racial employment as compared to the racial population in a particular area overall in the Nation?

Mr. SHELTON. You are absolutely correct. But, let me say this for the record, that statistics alone should not be the only criteria upon which progress is measured. Rather one should take a careful look at the program content and good faith efforts shown. And as far as we are concerned, the most meaningful statistics to indicate discrimination would be the number of qualified applicants for employment that the Department has had and the number of those applicants that were hired or not hired on a racial basis. Unfortunately, we do not keep those kinds of statistics, and candidates for employment with Interior and all other Federal departments and agencies must be certified by the Civil Service Commission, following the establishment of their eligibility under appropriate examinations. And that is about the size of it.

Mr. MCCLORY. Well, I have looked at this answer that you have filed or that was filed by the Department of the Interior in the IMAGE complaint and then, of course, I have listened to your testimony. Do you have any other, and this relates to efforts that are made through the universities, through scholarships, through the outreach program, as you call it, and in various demonstrative ways, do you have any other suggestions as to how the Department of the Interior or you, or the Congress, or the Executive can contribute further to, shall I say upgrading the status of Spanish surnamed or improving their job opportunities in the Department of the Interior or elsewhere?

Mr. SHELTON. We are trying to do this through the cooperative education program where we are trying to identify minority and women individuals in the academic setting, giving them an opportunity to come on board and work, and then go back to the school situation. We

have done this in terms of refuge management, creating fish and wildlife biologists, that kind of thing.

The other thing is we have had an intensive program on for the last 2 years trying to encourage minorities and women to more actively participate and get educated in the various sciences. And I know as a followup to that I come up with two pages of persons identified who are either in the baccalaureate program or in the advance degree program who have been contacted by members of the Department and identified in terms of whether or not they were interested in serving internships with the Department. And in some instances the Department has, through programmatic activities, helped in their getting advanced degrees, and in many instances given temporary employment. And I looked at that roster just last night and I identified, I think it was 18 of those persons who were Spanish surnamed. And, interestingly enough, of the 18 I think all of them were contacted prior to this August, and there was no response from 7, but there were others who indicated they would be interested in participating with the Department either as interns on a temporary assignment, or in terms of help to get their masters and Ph. D.'s. So, I think that it is in this way that we will begin to get minority group youngsters interested in what I would like to say are the natural resource areas, because up to this point we have had very few.

For example, I think that a study was made some time ago in which they were trying to find out how many mining engineers there were in the country who were minority; and I think that they identified four blacks and something like six Spanish surnamed. And here we are in an area where energy is one of the big things to be dealt with, and here is a category where I think minorities could really establish some beacheads in terms of being in on the beginning of something for the first time. And we find a dearth of persons trained to take advantage of it.

Mr. McCLORY. Now, the statistics do show that there is a percentage improvement, and a substantial numerical improvement as far as Spanish-speaking job opportunities and new jobs are concerned in the Department of the Interior. And I take it that there is progress being made, and I think we should recognize that. And I think we should point to that to encourage the Spanish speaking that there are opportunities for them. I think if we point to aspects of success, instances of success, I think that in itself is an inspiration for further success.

I would say also that both you and we—and I am sure the members of the committee agree that we are hopeful—will use our best efforts to see that further and accelerated progress is made. Does that sound like a good statement?

Mr. SHELTON. That is a good statement, sir, and one that I wholeheartedly subscribe to.

Mr. McCLORY. Thank you very much. Thank you, Mr. Chairman.

Mr. EDWARDS. Mr. Waldie.

Mr. WALDIE. I apologize for being late, Mr. Chairman.

So that I understand the basis from which we began this, is it agreed that there was discrimination in employment practices in the Department of the Interior?

Mr. SHELTON. No, sir.

Mr. WALDIE. At any time?

Mr. SHELTON. Not to my knowledge, sir.

Mr. WALDIE. Well, if we cannot concede that, then the creation of your office really did not make such sense, did it?

Mr. SHELTON. Well let me put it this way——

Mr. WALDIE. If you do not believe any discrimination ever occurred——

Mr. SHELTON. You are talking about ever occurring? Yes; I know there was discrimination in the Department of the Interior.

Mr. WALDIE. Well, would you describe to me the nature of that discrimination?

Mr. SHELTON. Well, there was a time when minorities could be nothing but messengers in the Department of the Interior, irrespective of educational attainment level. That is true. I think that when we look at the thing over the long haul, we have come a long way, and yet we have got a long way to go. I still am not satisfied with some of the patterns that I see, and we are doing everything in our power to see that changes come about. I indicated in my testimony that I am certainly not satisfied with the utilization of minorities in the Department, and we are going to do something to increase the utilization to the best of our ability.

Mr. WALDIE. I do not want to be critical of you because I do direct these remarks to all agencies and departments. I have sat on this committee with Edwards for a few years now, and on this problem particularly—employment problems of the Spanish speaking—I have always heard that response made to all criticism, that we recognize the problem, and we are really going to do something about it. But, I have not seen any change in the statistics in all of this time. I honestly have not. I have seen a few work up to the top, and they are always pointed to with pride as an example of how open the system is now. And your statement does that.

I think probably all that does—there are so few—is show that the pattern of discrimination really does exist, and that you have to point with pride when one makes it anywhere near a top level. I would rather you point with pride at the numbers at the bottom to begin with who enter the system. I do not see much change there, and I see hardly any change in the middle of the system. I see that symbol occasionally rise to a high position, and I see every administrator boast of that symbol. But that does not really address the problem.

And I think the statistics on the States that you quoted are really quite meaningful to show how little we move, and I do not blame you because I think it is a pervasive thing through the Federal Government. I think we spend a lot of time going to conferences, and going to conventions, and putting out literature booths, and then they are cited as how strong we are working toward it, and I suppose all of those things have to be done. But, it is the statistics that you cite in the last document in this material that we have that are most interesting to me.

I do not understand California with a total employment of 4,833 and only 124 Spanish surnamed. Now, that is not because of the competition in the preferential requirements of Indians in California for employment? Am I reading that correctly?

Mr. SHELTON. Yes, you are reading it correctly.

Mr. WALDIE. Well, how does that come about, 4,833 in California employed by the Department and 124 of them Spanish surnamed, with a massive percentage, 15.5 percent of a 22 million population Spanish surnamed, and only 124 of them employed by the Department of the Interior, 2.6 percent?

Now, maybe I could understand better this whole problem if you could just identify California for me.

Mr. SHELTON. I think it is the nature of the Department's operation there. For example, we have the Geological Survey, which is topheavy with professionals.

Mr. SHELTON. The Geological Survey employs 1,243 people in that area.

Mr. WALDIE. In California?

Mr. SHELTON. In California, at Menlo Park.

Mr. WALDIE. How many of them are Spanish surnamed?

Mr. SHELTON. 34, 2.7 percent.

Mr. WALDIE. Well, that is not high.

Mr. SHELTON. I have been to Menlo Park, sir, and I have raised the question you are raising with me right now, and I was told that the Spanish-surnamed community lived in an area that was south of, far removed from the Geological Survey.

Mr. WALDIE. That is absolute nonsense. That is Mr. Edward's community, and it is within a block.

Mr. SHELTON. Well, I was there. Let me say this, I do know the most of the minorities who are at Menlo Park are black, and that was simply because the black population was in close proximity to Menlo Park. If you know the area, sir, it is one of those areas where the blacks have changed the name to an African name.

Mr. WALDIE. What is the percentage of the black minority?

Mr. SHELTON. I do not know the percentage of blacks in California, but I do know that insofar as the Geological Survey is concerned, their percent of employment is 11 percent.

Mr. WALDIE. Is there an Equal Opportunity officer at Menlo Park?

Mr. SHELTON. Yes, sir, there is.

Mr. WALDIE. Is that officer black?

Mr. SHELTON. No, he is not. He is white.

Mr. WALDIE. Is the primary membership of those that make the determination for minority employment black in Menlo Park?

Mr. SHELTON. No. I doubt seriously if there is a black in Menlo Park that is above GS–7.

Mr. WALDIE. Why is that?

Mr. SHELTON. First of all, it is the nature of the work. I am saying now we are talking in terms of geologists, geophysists, and that kind of thing, and the Geological Survey certainly has a penchant for hiring mostly Ph. D's, and as a result you find very few minorities who have matriculated in this discipline to the point where they are coming through in terms of any numbers.

And I would assure you, sir, that if they were, if they were coming through, the Federal Government would have a hard time trying to hire them, simply because of the private industry.

Mr. WALDIE. Let me get away from the Ph. D's. Let me get back to the Menlo Park problem.

Being closer to Menlo Park, there are more blacks than there are Chicanos, and that was the excuse, was it?

Mr. SHELTON. Yes, that was the excuse, yes, sir.

Mr. WALDIE. And did you accept that?

Mr. SHELTON. Not on face, no. But when they began to tell me what they had done, and the offers that had been made, and the turndowns that they received, you have got to believe that they made a good faith effort.

Mr. WALDIE. You concluded that their effort to employ Mexican Americans or Spanish-surnamed Americans was a satisfactory effort?

Mr. SHELTON. I thought that there were other things they needed to do. I think that there are ways you talk to people to get them converted, or convinced that you are giving them a viable employment opportunity, one that would serve their ego need.

I do not think any place in Government we are doing that kind of a job to assure that those persons who turn us down on the basis of a thorough knowledge of what is to come.

Mr. WALDIE. Just one final area. When did discrimination, overdiscrimination, against the Spanish surnamed cease in the Department of the Interior?

Mr. SHELTON. I cannot answer your question, sir.

Mr. WALDIE. Well, a rough guess.

Mr. SHELTON. I could not even guess.

Mr. WALDIE. When was your office created?

Mr. SHELTON. 1965, sir.

Mr. WALDIE. That is the affirmative action, I guess.

Mr. SHELTON. No, affirmative action in-house, I guess, came about about 1968 or 1969.

Mr. WALDIE. Can you give me any estimate. These statistics are 1973, I gather, are they not, the 2.6 out of 15.5 Spanish surnamed in California?

I do not fully understand that. It seems to me that it is November of 1973, is that right?

Mr. SHELTON. I have December 1973, figures here.

Mr. WALDIE. Wait a minute. I have November 1972. All right, what is December 1973, for California? What is the percentage?

Mr. SHELTON. 2.8 for Spanish surnames.

Mr. WALDIE. And can you relate that to 1970? That would be my last question, what was the similar percentage in 1970?

Mr. SHELTON. We do not have that with us, sir.

Mr. WALDIE. Would you provide that to the committee?

Mr. SHELTON. We will provide that for the record.

[The information referred to follows:]

Department of the Interior, Minority Statistics—California, November 1970

Total all employees	5,212
Negro (2.5 percent)	128
Spanish-surnamed (2.4 pecent)	124
American Indian (4.4 percent)	229
Oriental (2.2 percent)	114

Mr. WALDIE. So, your total of Spanish surnamed now, a year later, was from 2.6 to 2.8, and that made it from 124 Spanish surnamed to what?

Mr. SHELTON. To 129.

Mr. WALDIE. All right. Thank you, Mr. Chairman. No further questions.

Mr. EDWARDS. Mr. Drinan.

Mr. DRINAN. Thank you, Mr. Chairman.

Mr. Shelton, as I read these statistics, over the 3 years from November 1970 to November 1973, you hired 162 Spanish surnamed people out of 2,253 employed, and that is a slight increase from 2 percent to 2.2 percent.

Now, you give this projected increase so that come June 30, 1978, you will have 12 percent of minorities. Now, I wonder if you could tell us that if you come here on September 17, 1975, a year from today, how many more do you project of Spanish surnamed people you will hire according to your scenario?

Mr. SHELTON. I would have to guess.

Mr. DRINAN. What's that, sir?

Mr. SHELTON. I would have to guess, sir.

Mr. DRINAN. I do not want you to guess. If you have a 4-year plan, if you say on June 30, 1978, we hope and project we are going to have 12 percent minorities, then you have to have a yearly plan.

Mr. SHELTON. My plan is not broken out into terms of blacks, Spanish surnamed, or any of that kind of thing. I am talking in terms of minorities in general.

Mr. DRINAN. Therefore, you have no indication of what you want by way of progress a calendar year from now? You have no goal?

Mr. SHELTON. I have a goal of 12 percent by fiscal 1977. Now, it would seem to me that if we were to carry out the program the way it has been carried out now on the regional basis, that in the five Southwestern States, and in those States where you have a high percentage of Spanish-surnamed people, part of the input, as it relates to manpower, in the region of this 12 percent objective, sir, I would assume that in those five Southwestern States and those places where the Spanish-speaking population is a goodly portion.

Mr. DRINAN. Except you have nothing to demonstrate that?

Mr. SHELTON. I have nothing to demonstrate that.

Mr. DRINAN. Why, therefore, do you say on page 10 of your statement that Spanish-speaking employment has had a gradual but steady increase?

Mr. SHELTON. That is demonstrated from the graphs.

Mr. DRINAN. All right, now. In the next sentence you say that the progress can be demonstrated not only in terms of gross statistics, but by other things, and you mentioned the gradual upward trend, and on the next page you mention exhibit 9, and I am not certain we have exhibit 9. I do not anyway.

We have exhibit 9 here. But, translate your overall objective of increasing to 12 percent minorities 3 or 4 years from now, and what sort of progress in that manpower grouping would be required within a year or 2 years, and is there any indication that the 12 percent is realistic?

Mr. SHELTON. Sir, to reach our objective, the Department would have to take in, on an annual basis, and this is predicated on a stable full-time employment picture. I would say roughly 626 minorities a year to reach the objective of 12 percent by fiscal 1977. And, we are looking at our affirmative action plans in terms of those action items that can be quantitated, to see whether or not the inputs are going to be 626.

Now, I cannot tell you in any precise terms what percentage of these would be Spanish surnamed. You see, in the Equal Opportunity program, it is one where you are talking about equal employment opportunity for all people. This is mandated by regulation, with special emphasis, and this constitutes one of the special emphasis kinds of drives.

I am talking in terms of identification of occupational areas in which you have fewer known minorities and women, and identifying those on a quantitative basis.

Mr. DRINAN. If you cannot promise us anything about next year or even over the 4 years, with regard to our problem here of the Spanish surnamed, then what do you need in order to give us some assurance that next year, and the year after, you will, in fact, be on target with your overall goal?

We are here to help you. What do you need? You indicated to Mr. Wiggins, I think, that you need more personnel. Well, how many more personnel?

Mr. SHELTON. We would need at least five people in the in-house program.

Mr. DRINAN. Have you made any requests for five people?

Mr. SHELTON. I certainly have, and it was turned down.

Mr. DRINAN. Let us find out why you were turned down.

Now, that is the essence of the problem, and you did not even mention that. If that is the essence of what you are telling us, why do you not tell us who turned you down, and for what reasons? Why did you not ask this subcommittee to protest when you were turned down and by whom?

I would ask that every decision, Mr. Chairman, related to the turndown of five additional personnel be incorporated in this record. I would like to know how and who did it. OMB?

Mr. SHELTON. I do not know exactly. All I know that it was turned down.

Mr. DRINAN. It is your obligation to know, sir.

Mr. SHELTON. I was advised by the Assistant Secretary for Management that we were not getting any positions.

Mr. DRINAN. Maybe we ought to have him here instead of you. We do not mean to be unfair to you, if he is the one that has impeded the program, and we ought to have him here, and we do not even have his name, and we do not have the information that you submitted to him, justifying the five positions that you requested.

And we have nothing from him as to why he did not give you these five positions. Have you protested that? Have you appealed those positions?

Mr. SHELTON. I certainly have.

Mr. DRINAN. Why do we not get the documents as to why you want these five positions and your justification in your appeal. Why did you not mention that in your answer to IMAGE?

It seems to me that is the most important thing that you have said this morning, that you appealed for five additional people to carry out this program and it was denied to you by some faceless bureaucrat, and that you now appealed and you are not giving us the essential information.

I am sorry that IMAGE is not here to justify their position, and I

would like to know what your response would be to their reaction yesterday.

Mr. SHELTON. Their reaction yesterday?

Mr. DRINAN. I have it right here. They wrote back. I assume that you wrote the answer and they, as you know, they filed this complaint on March 15. And on September 3, Interior get around to answering them.

Then yesterday, September 16, IMAGE answered and said the investigative file is incomplete, and they pointed out that it was not responsive, and they said that unless they have an immediate response, they have no recourse except to go to the U.S. Civil Service Commission.

What will you respond to Mr. Gilbert Chavez, of IMAGE?

Mr. SHELTON. I assume that that letter was addressed to the Secretary, and I have not seen it.

Mr. DRINAN. I am sorry. We have it here. I am sorry, it is to the Secretary.

Mr. SHELTON. I have not seen it.

Mr. DRINAN. Well, going back to the complaint of IMAGE, here you have a Spanish-speaking organization concerned with Government employees, and they are totally opposed, and they are not getting what they consider to be a responsive answer from Interior.

How are you going to deal with them? Obviously, Interior has alienated them now. This is a very strong reply, saying that we have been brushed off, we have waited for this reply, and the information we have requested is not forthcoming.

Mr. SHELTON. Well, we cannot answer that until such time as we examine the letter and see what it is they are saying.

Mr. DRINAN. May I ask, are you negotiating with IMAGE? Do you keep the channels open, so that they will understand what you are trying to do? Have you ever communicated with them, for example, on your request for five additional personnel being denied?

Mr. SHELTON. Ms. Graham has certainly sought an audience with Mr. Chavez, and he has turned it down.

Mr. DRINAN. He turned it down?

Mr. SHELTON. That is correct.

Mr. DRINAN. On another point, you say there is lack of mobility among Spanish-surnamed people. Do you have any evidence that that lack of mobility is any greater than among any other Americans?

Mr. SHELTON. I did not say that. Yes, I said a lack of mobility is part of the problem.

Mr. DRINAN. But, you use that as a reason to justify your failure to make progress. And unless you can show that they have a greater lack of mobility than people of Italian ancestry, or other groups, do you have any evidence.

Mr. SHELTON. When I said that about people, I was not talking about the Spanish surnamed, I was talking about minorities in general.

Mr. DRINAN. Do you have any evidence of that?

Mr. SHELTON. Certainly, all I have is the experience I have in terms of offering positions and being turned down.

Mr. DRINAN. Well, sir, it really does not add up unless you can say that minorities have a greater lack of mobility than white people, and I do not think there is any evidence of that.

On another point, with regard to the statistics about Texas, do you have any explanation as to why, in Texas, you are doing apparently quite well, in that in Texas you have 13.4 percent Spanish surnamed, which is quite commendable, and it is almost up to the representation in the total community.

Would you have any explanation why that is so impressive, whereas in New York, with 1.8 percent, and California with 2.6 percent being so unrepresentative?

Mr. SHELTON. Not unless it is the nature of the bureau's work.

Mr. DRINAN. Excuse me?

Mr. SHELTON. Not unless it is the nature of the bureau's work. For example, in that area you have Reclamation, which is construction, and you have National Park Service and you have the Bureau of Mines, and here again you also have the Geological Survey.

I think that in terms of the National Park Service, they have a history of hiring of persons for park work of that kind, and the Bureau of Reclamation hires a lot of people in terms of ditch riders, and that kind of thing. And you have the Bureau of Mines.

Mr. DRINAN. Well, you are saying, in other words, that Texas has not been characterized by any affirmative program by which they seek out Spanish surnamed?

Mr. SHELTON. The same kind of a program that is supposed to take place in Texas takes place all over the United States. The person responsible for the program is one and the same person, to tell you the truth.

Mr. DRINAN. Well, that does not quite explain the disparity to me. In any event, would you tell me, sir, the name of the individual who turned down the request for the five additional people, his name and title, because I am going to call him up this afternoon. I am just tired of being pushed around by people who do not tell us the facts.

Mr. SHELTON. Assistant Secretary James Clark.

Mr. DRINAN. James Clark. And I would echo what Mr. Waldie said. I have been on this committee a lesser period of time than he, but we are just trying to help you, sir, and help the program, and I am afraid that we are not as effective as we want to be, and we just want to be effective, and all I say is that Mr. Clark should be here instead of you.

Thank you very much.

Mr. EDWARDS. Mr. Rangel.

Mr. RANGEL. Thank you, Mr. Chairman.

Mr. Shelton, has it been your experience that there is a pervasive pattern of discrimination against Spanish-speaking people in this country?

Mr. SHELTON. Yes, there has been a pervasive pattern of discrimination against Spanish-speaking persons in the United States.

Mr. RANGEL. You do not believe that your Department is guilty of the same thing?

Mr. SHELTON. Yes, I do.

Mr. RANGEL. Then the same concepts that flow through the United States as regards prejudice and discrimination exists in your Department, is that so?

Mr. SHELTON. Yes, sir.

Mr. RANGEL. Well, then, Secretary Morton really would not be honest in his summary, as it relates to a response to IMAGE, in saying that the findings of an investigation failed to support the allegation of

a persuasive pattern of discrimination against Spanish-surnamed Americans existing within the Department of the Interior? That would be less than honest, would it not?

Mr. SHELTON. We are talking about two different things. One, we are talking in terms of generalities, and No. 2, we are talking about specifics.

We find that on the basis of the evidence submitted, there was no basis for that complaint, to tell you the truth.

Mr. RANGEL. I do not know. I know that there are departmental answers and I suppose there are congressional, political answers, but it would be a lot easier for me if we find out what we are talking about.

You are saying that your Department is not more racist than any other department in the United States, right?

Mr. SHELTON. That is what I am saying.

Mr. RANGEL. But racism does exist?

Mr. SHELTON. Certainly, racism does exist.

Mr. RANGEL. OK. All right. You answered one of the members here that we should not be governed by the increase in the number of minorities or Spanish-speaking people that are hired, that other factors must be considered, that numbers of people hired and the jobs they hold should not be the criteria.

Mr. SHELTON. It should not be the ultimate criteria. I think it is one of the factors.

Mr. RANGEL. You think it is one of what?

Mr. SHELTON. I think it is one of the factors.

Mr. RANGEL. It is one of the major factors, is it not? I mean, unless you can say there are no people available to fill the job, and unless you can say what efforts you have made in order to get people qualified to fill the jobs, you do not expect us, as elected officials, to really look beyond anything except what you had in 1970 under the President's proclamation, and what you do have in 1974, and why is it that you have not made any drastic improvement.

So, I do not know what you expect from us, except numbers. There are some members of the committee that disagree, and some Members, perhaps, of the Congress that believe that the Emancipation Proclamation is probably a good step forward and that with a little time, they will come to the realization of being citizens.

But, if the President of the United States says that he is going to have an affirmative action program, equal opportunity for all, and specifically sets up a Spanish-speaking cabinet, certainly should we not be able to expect more than 0.2-percent improvement in 2 years?

Mr. SHELTON. I would hope so.

Mr. RANGEL. I wish you would let the lady talk directly into the mike, because this really is a little—I mean, I do not care who responds, but if he is going to respond to what you are telling him, you might as well save us the time.

Ms. GRAHAM. Thank you, Mr. Rangel, for letting me respond here in this regard. Certainly, as Mr. Shelton indicated formerly, a person to be hired by the Department of the Interior, or any Federal agency, has to be certified by the Civil Service Commission.

Mr. RANGEL. Now, is that really so?

Ms. GRAHAM. Yes. Yes, that is true.

Mr. RANGEL. I was under the impression that under some special

legislation that was geared toward the hiring of minorities, that it was not necessarily so.

Ms. GRAHAM. I do not know of that.

Mr. RANGEL. May I ask the Chair about the schedule A and other schedules that other departments seem to have been able to utilize in an effort to increase their affirmative action program?

Mr. EDWARDS. We will provide that for the record. I do not know the answer to it.

[The information on Schedule A positions in the Department of the Interior follows:]

Number of current "Schedule A" positions in the Department of the Interior

Office of the Secretary	21
Bonneville Power Administration	133
Bureau of Land Management	548
Bureau of Indian Affairs	10,057
Geological Survey	2
Bureau of Mines	411
National Park Service	1
Bureau of Outdoor Recreation	69
Mining Enforcement and Safety Administration	107
Total	11,349

Mr. RANGEL. Well, we certainly have found out what the Drug Enforcement Administration did, and they were able to bypass the Civil Service Commission criteria in order to meet certain specific obligations.

Mr. WIGGINS. Will the gentleman yield?

Mr. RANGEL. I certainly will.

Mr. WIGGINS. In some agencies, and the Drug Enforcement Agency was one particular agency, racial characteristics were deemed to be a job qualification, and there was some special hiring to meet those job qualifications.

Mr. RANGEL. And that is a schedule.

Mr. WIGGINS. I think so. I will be happy to find out.

Mr. RANGEL. All right. Well, let us find out, and I assume that what you did do, what you do, is within the guidelines that you are working with, and it seems that your major response to IMAGE, as well as to the statistics, the data and so forth, is a strong emphasis on conferences, booths, and conventions.

Ms. GRAHAM. Yes. Let me repeat again, and probably you were not here when we indicated the role of the Office of Equal Opportunities. The program implementation is decentralized to the bureaus, where there are Equal Employment Opportunity officers and full-time people to carry out the program.

The function of Mr. Shelton and his staff is to establish policy for the Department, and see that that policy is communicated throughout the Department, to establish program guidelines based on Civil Service Commission requirements and regulations, and see that those requirements, and regulations, and guidelines are distributed throughout the Department.

Mr. RANGEL. Well, Mr. Shelton leaves me with the impression that the work precludes the hiring of minorities in areas where there is an overwhelming minority population, that the percentages, because I, like Father Drinan, feel that unless you can specifically talk about

mobility as it relates to minorities, then it is certainly not a factor that we should even consider.

But, as it relates to the nature of the work, if, in fact, we are talking about specific professional job opportunities, and you are saying that it has been your experience that we do not have minorities trained to do that work, then policy is really not important, is it? I mean, you are just saying that you cannot find anyone qualified to fill the job.

Ms. GRAHAM. Well, I can certainly testify to the fact that speaking of immobility or lack of mobility for some minorities, the Department of the Interior has roughly 900 isolated facilities in wildlife and fish refuges, national parks, monuments, and what have you. And it is difficult to get minority group people, particularly since most of them are located in the Far West——

Mr. RANGEL. Is it because the job pays so little that poor people cannot afford to relocate? I mean, is it a minority problem?

Ms. GRAHAM. It is a matter of isolation in some instances of some of the positions and categories.

Mr. RANGEL. Whites can assimilate better than minorities?

Ms. GRAHAM. Yes, because we have had the experience of certainly sending minorities into the Park Service facilities and finding that they were the only ones there and they would not stay. We have had that experience, too.

The bureaus have had that experience, too.

Mr. RANGEL. And this is compiled in the reports so that the United States would better be able to assist you in providing whatever you believe minorities need in assimilating.

I mean, this is one of the things you say to them, that you report to as a problem?

Ms. GRAHAM. There is a matter of housing in some instances, and there is the matter of social isolation in some circumstances.

Mr. RANGEL. You mean discrimination in housing?

Ms. GRAHAM. Yes.

Mr. RANGEL. Does your office not have any influence in that area of government?

Ms. GRAHAM. We do, and we act upon that. But, it is mostly the social isolation that causes minorities, when they find themselves in facilities that are somewhat isolated that they become dissatisfied and want to move into urban areas or into areas with which they are more familiar.

Mr. RANGEL. We are not talking about aliens, we are talking about citizens who are Americans who have to have Spanish surnames?

Ms. GRAHAM. Yes.

Mr. RANGEL. And it has been your experience that their ties to the homeland have been so great that they have been unable to assimilate in a normal American situation?

Ms. GRAHAM. I am aware of the fact that the National Park Service has had extensive recruitment efforts in the Southwest, which would require that the Spanish speaking move away from their areas, their homes in New Mexico and Arizona, to the national park facilities.

Mr. RANGEL. What problems have the minorities found in New York where I see out of 396 employees, 7 are Spanish surnamed? Is that a question of assimilation or isolation?

Ms. GRAHAM. I think we have only 100—let me see how many employees we have in New York.

Mr. RANGEL. This sheet says 396.

Ms. GRAHAM. There are actually 407. The National Park Service employs 203, and that is not in New York City, sir. This is for the State of New York. We do not have a New York City office.

Mr. RANGEL. Well, the State. Has that been considered one of the barren areas where Spanish-speaking people just do not like to live, in New York State?

Ms. GRAHAM. Most parks, National Park Services facilities are out in the boondocks, so to speak.

Mr. RANGEL. So New York State would apply as to one of the isolated areas where mobility is a factor?

Ms. GRAHAM. Yes, I would say so.

Mr. RANGEL. And the nature of the work and mobility would account for why only 1.8 percent Spanish-surnamed people are employed out of some 400 in the State of New York?

Ms. GRAHAM. I would say so.

Mr. RANGEL. Well, let me ask this. Do you work at all with the office of the Spanish-speaking cabinet? Is there a relationship between your office and that cabinet?

Ms. GRAHAM. No, not ongoing. We have had contact with the Cabinet committee on several occasions. They have requested information from us, which we have provided.

We have sought applications.

Mr. RANGEL. That is a Cabinet position, which I understand under the law that the chairman of that Cabinet meets periodically under the law with other Secretaries, in order to facilitate the hiring of Spanish surnames.

Have you asked for assistance from that Cabinet?

Ms. GRAHAM. Yes, we have.

Mr. RANGEL. Well, could you tell me what the relationship is, rather than them requesting information?

Ms. GRAHAM. It is not an ongoing relationship. We have sought candidates for the positions that we have tried to fill in the Washington headquarters office to deal with the 16-point program in handling and administering it.

Mr. RANGEL. It is my understanding that this office was not to serve as an employment resource, but to cut a lot of the redtape in terms of hiring, and to deal directly with other Secretaries and members of the President's Cabinet, even far more so than a legislative committee.

It is just my understanding that this Cabinet position was created to assist you in getting what you need in terms of existing regulations. Is that your understanding of the Cabinet, Mr. Shelton?

Mr. SHELTON. That is my understanding of it, yes.

Ms. GRAHAM. The Cabinet committee has quite a bank, a talent bank.

Mr. RANGEL. I am not saying it should not be used in order to get people. But, it is my understanding that this position was allegedly created for you to be able to cut through the bureaucracy to meet your policy demands, or the demands that have been made of you under the law.

Of course, we have also heard that it was just created politically, in order to enhance the reelection of the President. I would like to know what your experiences have been.

Mr. SHELTON. We tried to cooperate, we tried to utilize the talent

bank that they have. We have certainly not called upon them as an adjunct to put pressure on the Secretary, if that is what you are talking about.

I think that, as I find it, the Secretary certainly has a commitment to equal employment opportunity. Last Friday in the staff meeting, at that time, EEO was one of the principal topics of discussion, and he indicated that he was sick and tired of the bureaucracy giving lip service to EEO and to get on with the program.

Mr. RANGEL. Is that the same person that is responsible for your being denied people?

Mr. SHELTON. I am talking about the Secretary now.

Mr. RANGEL. Well, if he has such a strong commitment, could he not give you five people to assist you with your commitment?

Mr. SHELTON. I have not had time to go back and utilize the Secretary's statement of last Friday to talk to the Assistant Secretary, Mr. Clark, saying let us get on with this subject.

Mr. RANGEL. You have had to hear from the Secretary to make a statement in order for you to——

Mr. SHELTON. No, I did not. I had gone to the Assistant Secretary and talked to him about these positions and nothing was forthcoming. It just seems——

Mr. RANGEL. Mr. Shelton, I think you recognize that all of the committee members want to assist you in doing a job that you can be proud of.

Mr. SHELTON. I understand.

Mr. RANGEL. And from your testimony, I understand you are doing the best you can with what you have to work with.

Mr. SHELTON. I think so.

Mr. RANGEL. And it seems to me that the reasons for why there has been no substantial improvement in the hiring of Spanish-speaking people is due to the factors which are not under your control.

Well, you are not in charge of mobility, of emotional feelings about where people want to live.

Mr. SHELTON. That is true.

Mr. RANGEL. So giving a report to us in connection with the mores of Spanish-speaking people in terms of whom they would like to live with, you might allow us to investigate this, because they might have implications as to whether or not Spanish-speaking people can assimilate to military conditions, or whether they should be subject to the draft, or a variety of things that could be associated with minorities that we are not familiar with, if this is a factor that you have to deal with based on people turning down job opportunities for meaningful experiences in working with our Federal Government.

Mr. SHELTON. I can only talk in terms of my own experience. I am not generalizing.

Mr. RANGEL. Well, if we have your experience in writing, perhaps we can find out from other agencies whether they have similar experiences where black and Spanish speaking just do not like to travel.

Mr. SHELTON. Do you want me to document it?

Mr. RANGEL. I wish you would. And in addition to that, I would like to know this term "the nature of the job". Of course, that bothers me.

If you were the American Medical Association, I could understand what the qualifications are for a job, and unless I could produce

minority doctors, then, of course, I should not be in a position to complain, if they are just not available.

You indicate that you used a number of qualified applicants and that a number have accepted. It could be the nature of the problem to get qualified applicants, and it seems to me that your statistical information, which I would be relying on, could never be substantially improved unless we find out why you do not have qualified applicants.

Mr. WALDIE. Would the gentleman yield?

Mr. RANGEL. Yes, but the good Father asked as to what was being projected. Now, I do not know whether improvement is from 2.0 to 2.2 in a 3-year period, I don't know, it could really be a dramatic improvement, but I am certain that this is not what President Nixon was talking about when he created the Spanish-speaking Cabinet. I think you would agree with that, and so any improvement, in fact, if there are decreases in Federal expenditures, if there are Federal cutbacks that your Department must suffer, they could have a very adverse effect, and if seniority means anything, on what your statistics would be next year.

Mr. SHELTON. That is true.

Mr. RANGEL. You have to help us protect you in order to protect these people, and it seems to me that what I need, since from what you have given me you say we should not rely on statistical data——

Mr. SHELTON. That is right.

Ms. GRAHAM. Not that alone.

Mr. RANGEL. Not that alone. Well, you have to give me what else I have to rely on, and that is what happens with the qualified application. We will rely on statistics, but we will take into consideration why those statistics are so poor, and the reasons for it.

If it is going to be mobility, that should be spelled out. If it is going to be lack of qualified applications, then you should have a breakdown as to what jobs are involved.

It is rather embarrassing for me to find out in any given location that we should be asking these questions only to get a response that they require Ph. D.'s. If that is the situation, then perhaps we should be looking at our college grants, we should be looking at Government assistance, and perhaps be looking at some of the people that are being discharged from the military and see whether or not they were forced to take courses in certain sciences because they felt there was a need for people, rather than minorities.

Now, we want to assist, and that is our job, not to be critical. But, it is rather disheartening to see that everyone is doing the best they can, and yet they are not in control of anything to make improvements. And I would like to know what are the breakdowns on the job opportunities within your Department, and what are the qualifications and what suggestions you have where Government can assist perhaps in the public and private sector in preparing minority peoples to meet the qualifications.

I am convinced that if the nature of the relationship between your agency and the Congress was one, so you would not be funded unless these jobs were filled by the minorities, and I do not suspect that we will get legislation like that, that you would come up with innovative ways to meet that responsibility.

Again, I am not being critical of you, but in a racist society, with the

racist departments, we should hear more than you are doing the best you can under a racist situation.

Mr. WIGGINS. Will the gentleman yield for one question?

Mr. RANGEL. I yield.

Mr. WIGGINS. Do your job applications have racially identifying data on them?

Mr. SHELTON. No; not at all.

Mr. WIGGINS. In any way?

Mr. SHELTON. Well, sometimes you can tell because of the nature of the housing patterns in the United States.

Mr. WIGGINS. This is all; nothing specific?

Mr. SHELTON. You can sometimes tell by the university that a person attends.

Mr. RANGEL. That they are a minority?

Mr. SHELTON. Especially for blacks.

Mr. RANGEL. You can tell by the university whether or not the applicant is white or black?

Mr. SHELTON. I think so in some instances.

Mr. RANGEL. Well, do you not need a tool, do we not have to have a tool where you cannot violate the civil right statutes in saying this is what I am looking for in the university, and this is what I want to know, as to which applicants are black, Puerto Rican and Chicano? Is that so violative of civil rights?

Mr. SHELTON. In many instances I have been told by recruiters that when the recruiter goes in and talks about how all he wants to see is minority applicants, in many instances he is put out of the door.

Mr. RANGEL. If that is his job, hiring minorities, he should not say it, but let you know who are the minority applicants.

Mr. WIGGINS. If you would yield further, some members on this side, Mr. McClory and myself, were on the floor declared to be if not racists, at least leaning in that direction by suggesting that there was a need for statistical data which can only be obtained by having some racial identification on an application, and it was fought very vehemently by those who disagreed, because it was felt that it had some racial motivation.

Mr. RANGEL. And perhaps there are some people on the floor that you would suspect. But, I would not be included in that group, since we had to go to the New York State Legislature and make that same type of a revision in our applications in order to have a better understanding of the number of minorities that apply.

Mr. WIGGINS. I agree.

Mr. RANGEL. Thank you. Thank you, Mr. Chairman.

Mr. EDWARDS. Ms. Chavez?

Mr. WALDIE. May I ask a question?

Mr. EDWARDS. Yes; go ahead Mr. Waldie.

Mr. WALDIE. I listened to Mr. Rangel's questions and your answers, and I got the impression that the factors prohibiting your getting a better record than we have now are beyond your control, such as mobility, such as cultural reasons for not wanting to locate in isolated places, and yet you have suggested that five more employees would enable you to do a better job.

What would those five employees do? Where are you not doing a sufficient job now that five more employees would assist?

I ask the question not in a critical sense, though in the factor that led to the poor showing that I think has been made in the Department as being beyond your control, then why would five more employees assist?

Mr. SHELTON. Well, first of all, I certainly would like to have my staff spend a lot more time in those areas of large minority concentrations. I think that we have go to do a job at the community level, maybe starting with parents, getting them to motivate their children to take a different direction.

Mr. WALDIE. Wait a minute. Is that the Department of the Interior's responsibility?

Mr. SHELTON. I think we have the responsibility to generate the resources that we are going to need. That is the way I see it, because it seems to me that the way that recruitment takes place now, that there is little sensitivity on the part of a recruiter in the terms of the cultural differences as relates to minority status.

Mr. WALDIE. What you are really saying is that racism exists in the recruiting?

Mr. SHELTON. I beg your pardon?

Mr. WALDIE. What you are really saying is politely and gently, that racism exists in the recruitment?

Mr. SHELTON. I think so.

Mr. WALDIE. Well, to get more employees into your shop would not eliminate that, would it?

Mr. SHELTON. Not entirely.

Mr. WALDIE. What we really have to do, it would seem to me, is to have a report from someone of responsibility in each of the departments saying exactly what you are saying, that racism exists in this recruitment, and until that is eliminated, any problem of bringing a better proportion of minorities into employment will never be solved.

I get the impression that it is very difficult in this field to criticize openly. I believe racism does exist, and I do not see any reason—well, I see every reason why you should be the one responsible with your people for the objective of pointing a finger and saying, in this agency, in this facility, in Menlo Park, or wherever, racism has existed and the recruiting pattern demonstrates it.

Now, that would seem to me to be a heck of a lot more constructive in bringing about a response than exhibits at conventions and passing out literature and educating youngsters from primary grades on up, and their parents, to take a job with the Department of the Interior.

I just think you are looking at a quiet, soft, do-not-rock-the-boat approach, when we have tried that, and I did not find progress, as your statistics indicate it to be. And it seems to me that we ought now to try a different approach for people who have the responsibility that you have, and that ought to be to call things what they are in terms that people understand, and not the gentle phases that you use that do not cause any abrasiveness.

Mr. RANGEL. Will the gentleman yield?

Mr. WALDIE. yes.

Mr. RANGEL. In recent months, one person in a similar position was raising questions that Mr. Waldie raised and she was fired. And it took a lot of political pressure to have her reinstated.

I suggest that it might have been better assistance to you to talk with us in executive session, and we would like to extend that invitation to you, rather than to have you in a position of criticizing those people that you have to report to. And I certainly volunteer to be of any assistance to you outside of being just a member of this committee, because we recognize how difficult it is for you to justify perhaps your pay, when you are supposed to say you are doing a good job, if, in fact, you do not have the tools to work with.

So, I can see where you could be in that position. But, I offer to you as a vehicle to assist us, perhaps the route of testifying in executive session, or contacting me individually to see whether or not we can get you some tools to work with.

Mr. EDWARDS. Ms. Chavez.

Ms. CHAVEZ. Thank you, Mr. Chairman.

I just wanted to get one point clarified at this point. When Ms. Graham responded to one of the questions from Mr. Rangel, I believe that you said that there was a problem in terms of Spanish-speaking persons moving outside of the area from which they came in order to accept positions with the Department of the Interior.

I am a native of the Southwest, and it has been at least my recollection that most of the national forests in the United States are located in the Southwest, and I am just wondering whether or not there isn't some sort of a discrepancy in what you told us, and the fact that most of the parks are located in the Southwest?

Ms. GRAHAM. As I indicated, Ms. Chavez, the program implementation is decentralized to the Bureaus. The Bureaus have reported to us, and particularly the National Park Service, that they have recruited extensively in the Southwest, particularly New Mexico, and are unable to get the Chicanos to move away from their families, to go into the parks where they would have to reside to occupy positions.

Some of them were full time, some of them seasonal. Most of them seasonal, I would say.

Ms. CHAVEZ. In northern New Mexico especially, there are many parks and of course, there are a large number of Spanish-speaking residents there, some of whom have had families that have lived there for well over 200 years. It does seem that this would not present a problem, if recruiting was done at least among these persons, that there should be some Spanish-speaking persons available.

Ms. GRAHAM. Well, our records show that we hired 217 seasonals as of June 30.

Ms. CHAVEZ. Some other problems that were raised during the question-and-answer period, I know much of your time has been devoted and the answers you have given us, have been responding specifically to the number of Indians in preferential hiring. And, as I understand, the Department of the Interior has supplied the minority counsel for the subcommittee with statistics for Spanish-surnamed employees, not only full-time employees throughout the agency, but also excluding the Bureau of Indian Affairs and excluding Indians employed by the Bureau of Indian Affairs.

And I am wondering if you could supply us, for the record, these statistics so that we can include them?

[A copy of the statistics referred to follows:]

U.S. DEPARTMENT OF THE INTERIOR FULL-TIME EMPLOYMENT FOR 1971-73

	Total full-time employment	Negro		Spanish surname		American Indian	Oriental	Total minority	Percent
		Number	Percent	Number	Percent				
Nov. 30, 1971	63,161	2,956	4.7	1,299	2.1	10,157	411	14,823	23.46
Minus Indians in BIA	53,442	2,956	5.5	1,299	2.4	438	411	5,104	9.55
Nov. 30, 1972	63,773	2,898	4.5	1,320	2.1	10,792	403	15,413	24.16
Minus Indians in BIA	53,433	2,898	5.4	1,320	2.5	452	403	5,073	9.49
Dec. 31, 1973	63,655	2,812	4.4	1,370	2.2	10,952	471	15,605	24.5
Minus Indians in BIA	53,154	2,812	5.3	1,370	2.6	451	471	5,104	9.6
Mar. 31, 1974	64,041	2,781	4.3	1,395	2.2	11,264	475	15,915	24.8
Minus Indians in BIA	52,777	2,781	5.3	1,395	2.6	446	475	5,097	9.7
June 30, 1974	72,123	2,125	4.3	1,587	2.2	10,760	539	16,011	22.0
Minus Indians in BIA	61,375	3,125	5.1	1,587	2.6	709	533	5,960	9.7

Just looking at the copy that I have, it looks like in December 1973, the full-time employment of Spanish-surnames in the Department of the Interior is 2.15 percent. However, if you exclude the Bureau of Indian Affairs, it still only moves up to 2.4 percent for that same time period, and excluding Indians employed in the Bureau of Indian Affairs, it moves up to 2.59 percent.

But, the very highest figure, the highest is still only 2.58 percent. I just wanted to make sure that these are accurate?

Ms. GRAHAM. Yes, 2.58. I will call it 2.6 percent, but I am sure you are right. I hope that we have made it clear to you why it is important to exclude the Indians.

Ms. CHAVEZ. Yes.

Ms. GRAHAM. Employed in BIA, because nobody can compete for those jobs.

Ms. CHAVEZ. Also, that brings up another question that has been raised here. When this subcommittee held hearings 2½ years ago on Federal employment problems for Spanish speaking, and issued a report subsequent to those hearings, one of the recommendations that was passed unanimously by the members was that minority persons be allowed to identify themselves when they apply for jobs, so that the Civil Service Commission could, in fact, keep more accurate statistics.

How are Indians identified in terms of the preferential hiring system. Do they identify themselves in some way, or are they identified by supervisors, as are most minorities in the Civil Service Commission?

Ms. GRAHAM. They have to show certification that they are one-quarter Indian blood or they are not entitled to Indian preference.

Ms. CHAVEZ. So Indians are required to state that they are Indian.

Mr. SHELTON. But, for the record, that only applies to the BIA.

Ms. CHAVEZ. To the BIA. The reason that I bring it up, as Mr. Wiggins stated, is that this has been a concern of the subcommittee before, that we might get more accurate statistics if all minorities were required to provide that information. Right now, the Civil Service Commission has supervisors identify whether or not the person is Spanish-speaking, or American Indian, or black, or whatever.

Mr. SHELTON. May I speak to that?

Ms. CHAVEZ. Sure.

Mr. SHELTON. I do not know whether you know it or not, but some years ago there was a move afoot through the auspices of the Civil Service Commission in terms of self-identification. On the first trial

run, this pilot study worked very well. The second was a real fiasco, in that the employees took the position that it was none of anybody's business what they were.

And we found a rash of people being called Indians, which was way out of proportion, which we knew were being hired in the Federal Government, so that is not a panacea.

Ms. CHAVEZ. As I recall, the Civil Service Commission testified before the subcommittee back in 1972, and they did cite the feasibility of a study that you are referring to. And, as I understand, that was taken prior to the onset of the affirmative action programs?

Mr. SHELTON. That is correct.

Ms. CHAVEZ. That was in the early 1960's, I believe, and there may be some difference now. The Civil Service Commission last year issued a report recommending that minority persons be allowed to identify themselves.

The report is entitled "The Right To Know." And we will refer to that in these hearings.

On page 4 of your statement, you mentioned the conference held in Denver on February 19, 1971, to discuss opportunities for Spanish-surnamed Americans, and you also mention that in September of this year, the Office of Personnel Management made followup visits to Bureau facilities to see what plans were being implemented in regard to commitments made at the conference.

I am wondering if you have any written report of the findings on those followup visits?

Ms. GRAHAM. Yes, I believe it is not in the exhibits, but I can certainly leave a copy with you, because I do have a copy.

[The reports of followup visits follow:]

FOLLOWUP VISIT ON EEO SPANISH-SURNAMED PROGRAM, ENGINEERING AND RESEARCH CENTER, BUREAU OF RECLAMATION, DENVER, COLO.

Our visit with Center officials began at 8:30 a.m. on September 24 in the Personnel Office with Paul Olbert, Acting Personnel Officer and Head, Compensation & Labor Relations Section. We were joined later by Chuck Roybal, Personnel Management Trainee, who had been recruited through a formal cooperative education agreement with the University of Colorado in fulfillment of the Bureau's commitment for the E&R Center during the February Conference.

Since February, the Center has hired two permanent SS employees among a total of 54 new hires; 2 temporary SS employees among a total of 31; and 8 SS summer aides among a total of 18. The total workforce (1,387 as of November 30, 1970) currently includes 31 Spanish Americans, 27 Negroes, 13 Orientals and one Indian. There is one additional SS employee over and above the total SS workforce as of November 30, 1971. There are 12 minority Stay-in-School employees—6 Spanish surnamed and 6 Negroes.

Our discussion centered on the findings of the CSC special EEO inquiry conducted in the Spring, and the Center's plans for improving the effectiveness of management's effort as outlined in the Center response to the Commission dated August 25, 1971. (A copy of that response is attached). The Center's EEO program is currently under development including the establishment of an EEO Committee targeted for October with representation of each of nine independent division managers. The Committee's first action will be to develop a local supplement to the Bureau's revised Plan of Action. EEO Coordinator, Shirley Stokes, & FWP Coordinator Shirley has FWP Committee.

Shirley Stokes, the full-time EEO Coordinator and FWP Coordinator, was at the Bureau's headquarters office during our visit. We were able to complete our review of the Bureau's committed actions for an improved program in discussions with Shirley following our return to Washington. The seven employees identified (in the attached response to CSC) for the upward mobility program as minorities included in fact only one minority—a SS Engineering Draftsman, GS-3, promoted

to Electrical Engineering Tech. (Drafting), GS–4. The others were non-minority and included five women and one handicapped male employee.

We are impressed with the strong organization proposed to administer an effective EEO program for the first time. Mr. William Lange, Jr., Chief, Division of Management Support, will have overall responsibility as EEO Officer. The EEO Committee will have top representation from each division delegated to speak for the division heads. Mrs. Stokes already has organized an FWP Committee of women to assist her with the Federal Women's Program, and has initiated a survey to identify women with potential for development. There are five fully trained EEO counselors who also will be utilized in the development of program.

We suggested a possible inter-agency organization (Interior facilities in the area) for exchange of ideas and information on job vacancies.

One of the projects accomplished by Chuck Roybal last summer was to set up a conference of all the Summer Aids (many of whom were minority group members) at the Federal Center, which helped in their orientation to the world of work and to the Federal government as an employer. He has worked closely with the EEO Coordinator on much of the equal employment operation of the Center.

FOLLOWUP VISIT ON EEO SPANISH-SURNAMED PROGRAM, DENVER SERVICE CENTER, BUREAU OF LAND MANAGEMENT, SEPTEMBER 23, 1971

For 3 hours during the afternoon of September 23rd, we visited with the personnel officials of the Denver Service Center including George Holte, Bill Griffith, Ruth Mickey, Dick Loya, and Lillie Burnham. For part of the discussion we were joined by Vicki Kohler, Dorothy Corona, and Florence Glickman, especially concerning the Women's Program. Messrs. Oliver Johnson and Andrew Ondrof were also present for the last part of the meeting.

Bureau commitments presented during the February Denver Conference included five (5) beginning professional positions earmarked for recruitment of Spanish surnamed. Toward this goal one Civil Engineer was picked up under a permanent appointment by the Denver Service Center. One Spanish surnamed employee previously serving in a clerical position in New Mexico was selected to undergo beginning professional training in the L&M Training Program in Phoenix, Arizona.

Other appointments committed during this employment season for the Spanish surnamed were 25 technician and aide and 15 clerical positions. Progress to date reveals that this goal has been exceeded in the four States covered, and that new SS accessions had totalled 50 by September 17, 1971. Most were temporary appointments with a grade range of GS–1 thru GS–5. Four permanent appointments, however, included Cash Clerk, GS–5, and Clerk Stenographer, GS–3, in New Mexico; and Card Punch Operator GS–1, and EEO Specialist, GS–12 in the Denver Service Center. The chief difficulty in the Denver area is that few SS candidates appear within reach on the CSC registers.

Dick Loya, the new DSC EEO full-time coordinator, has so far been concentrating on the Service Center's own program and problems, after which it is planned that he will get out to the States. He is working on establishing some cooperative education programs, perhaps first with Metropolitan State College in Denver. Also, he would like to see each BLM office in the Service Center area adopt a school, such as the Las Cruces District Office adopting New Mexico State University in Las Cruces. To further this, he plans to make a survey of all schools to see which ones would be most appropriate, etc. Such programs would assure within the next few years a substantial number of SS employees with college degrees in land and natural resource subjects. The personnel ceiling and pay aspects of the programs need to be worked out at the Bureau headquarters level, and Mr. Holte indicated that he would submit a proposed plan to this effect to Washington.

Features of the improved organization at DSC for EEO program implementation included the assignment of Dick Loya and his full-time EEO Specialist assistant, Lillie Burnham, to the Director's office.

A film entitled "Mexican-American Heritage and Destination" was shown at the DSC on September 16 and about one half of the work force attended. The supervisory training conducted by the DSC also makes use of films of this type.

Considerable discussion took place concerning the DSC Women's Program, including the fact that the two Women's Coordinators had very busy jobs and

found it difficult to involve themselves in the program as much as desirable. It was suggested that to "get the program off dead center" Vicki Kohler's draft action plan be circulated and serve as the basis for discussion in small meetings of the women at the Center; the final program could then be kicked off by the Center Director.

Other suggestions made were that Dick Loya start travelling around the servicing area and showing up in State Offices as soon as possible; and that the four major bureaus in Denver should get together periodically to exchange ideas and help each other in the EEO area.

FOLLOWUP VISIT ON EEO SPANISH-SURNAMED PROGRAM, ROCKY MOUNTAIN REGION, GEOLOGICAL SURVEY, SEPTEMBER 22, 1971

For 2½ hours during the afternoon of September 22 we visited with the personnel officials of the Rocky Mountain Region including Jim Hanson, Bob Barr, and Messrs. Musser and Flores. In preparation for this visit a comprehensive folder had been put together containing copies of all the various correspondence, documentation, statistics, etc., pertaining to the subject, which proved very helpful in our discussion and also was valuable in the other three follow-up visits we subsequently conducted. A copy of the cover sheet to the folder, "Summary of Accomplishments under 16 Point Program," is attached.

Since the Departmental conference in February, there have been 10 new hires in the Rocky Mountain Region of Spanish Surnamed individuals, bringing the total SS employee population up to 108, or slightly over 5 percent of the total work force. As for Summer Aids in 1971, 17 of the 26 hired were SS (and seven black, making 24 of 26 minority group members). The Summer Aids worked out well and some of them received $35 achievement awards at the end of the summer.

One of the main and significant features of the Regional EEO program is the policy of informing each and every minority group organization in the geographic area of each and every vacancy that occurs. The list of such organizations in Denver and in every other location around the region where Survey had employees is extensive. Regional facilities are required to report on all contacts made and the results. Mr. Hansen monitors personally positions filled in which minorities were considered and not selected. Contacts with these groups is not limited to this one matter; various letters have been sent to such groups concerning employment and career development opportunities in general, and many personal contacts are made. For example, three SS community groups in Denver (LULAC, SER, and LARASA) have recently been invited to send representatives to the Regional Office in the Federal Center to tour the actual work sites and become better acquainted with types of work being performed and the skills needed. By coincidence, the two SER reps were making this tour on the afternoon we were visiting, and we had the opportunity to meet them briefly. They seemed pleased with what the Region is doing and appreciated the tour.

One of the more unusual EEO efforts consists of two Geologists outfitting a mobile lab with technical and scientific equipment and taking it to Manual Training High School in Denver to let the students (mainly black) operate the analytical equipment and become interested in preparing themselves for careers in Survey. Plans are now progressing to take the lab on a tour of southern black colleges.

We had considerable discussion about the EEO Committee (a rep from each Division including the Women's Coordinator); revision of the Action Plan (it's proceeding in conjunction with the revision of the overall Bureau plan); the EEO part of the supervisory training program conducted by the personnel office; and the use of four different films on Spanish Americans, blacks and American Indians which some 700 employees came to view. Based on these discussions, we made several suggestions:

Involve the Women's Coordinator more heavily in all EEO matters, in the decision-making; perhaps get her surname on all written material.

Have the EEO Counselor Coordinator hold periodic meetings of all the Counselors, to compare impressions, discuss mutual problems, etc.

Utilize the EEO portion of the Departmental employee/supervisory questionnaire to obtain a sample of opinions/views on EEO from workforce.

Further details of the Region's EEO Spanish Surnamed program efforts are contained in the above-mentioned folder; we were impressed with their extent and innovation.

ROCKY MOUNTAIN REGIONAL EQUAL EMPLOYMENT OPPORTUNITY

Summary of Accomplishments Under 16 Point Program

1. Issued three memos to all operating officials outlining 16 Point Program and emphasizing hiring the Spanish Surnamed.
2. Conducted a survey of key occupations with low Spanish Surnamed incumbency and developed plans with Administrative, Water Resources, and Topographic Divisions for recruiting and hiring Spanish Surnamed as vacancies occur.
3. Presented four Spanish-American and other minority group oriented "awareness" films to approximately 700 employees in the Denver area.
4. Continued established program of referring all vacancies Region-wide to major Spanish-American organizations (as well as others) for referral of applicants.
5. Established a sympathetic "contact" for Spanish-surnamed citizens who desire assistance in approaching the Federal complex.
6. Visited three major Spanish-American organizations in Denver area and established an effective liasion for enhancing employment possibilities for Spanish-American citizens.
7. Arranged first of a series of tours of Survey installations in Denver for Spanish-American organizations.
8. Hired 10 Spanish-Surnamed applicants since date of Departmental EEO Conference on 2/19/71 (Resulted from requests in item 10).
9. Hired 20 Spanish-Surnamed applicants since date of President's 16 Point Program, 11/5/70 (Resulted from requests in item 10).
10. Made 118 requests to major Spanish-American organizations for referral of applicants.
11. Hired 17 Spanish-American Summer Aids in the Denver area for the 1971 Summer Employment Period.

FOLLOWUP VISIT ON EEO SPANISH-SURNAMED PROGRAM, WESTERN ADMINISTRATIVE OFFICE, BUREAU OF MINES, SEPTEMBER 23, 1971

For 2½ hours during the morning of September 23 we visited with the personnel officials of the Western Administrative Office including Harold Graham, Ruby Alexander, Freda Dilbeck, and Ralph Hay. In preparation for this visit a 3-page statement of the Spanish Surnamed EEO activities of the Office had been prepared (copy enclosed); in addition, a complete list of minority group employees throughout the organizations serviced by the Office was handed out as well as several pages of personnel actions indicating upward mobility for specific minority group members in Denver, Laramie and Salt Lake City.

The Personnel Officer is the EEO Officer, and he also serves as an adviser to the EEO Committee, on which there are representatives of all minority groups and various grade levels. Ruby Alexander is the Women's Program Coordinator. The committee is quite active, helps in locating SS applicants, helps them understand the application process, and has set up a buddy system for new hires which helps with any transportation problems, etc. Two SS professional employees, a chemist and a programmer, serve as active recruiters.

While there appears to be more SS applicants on CSC registers (they were just able to hire a GS–5 Computer Technician off the register), it is still very difficult to reach most of them because registers are loaded with veterans and with college graduates trying to get into the Federal service through any device possible including clerical jobs. Hence few minority group members are within reach and can be certified. An additional difficulty is the apparent lack of interest on the part of many applicants; often several interviews have to be set up per applicant because the person does not follow through and keep the appointment.

Of the 89 new hires in the Denver metropolitan area (January 1–August 7, 1971), seven were Spanish surnamed. Four were hired under the Public Service Careers Program at the GS–1 level. Three of the four have since left WAO for personal reasons—one for illness and two moved out of the city. Throughout the servicing area (26 organizations in 13 States), there are 2,343 employees, 38 of whom are Spanish surnamed. Two are Public Service Career employees. There are some 518 employees in the Denver area including 19 Spanish surnamed.

In addition to the community groups mentioned in the enclosure, the Office

was also in contact with SER. These organizations have been invited on occasion to visit the Office and discuss the employment situation, but generally the experience has been that the representatives do not come out.

We suggested that such invitations be re-extended and that a specific effort be made to get guidance counselors from these organizations to take a tour of the work sites and become better familiar with the types of jobs and the skills needed. We also suggested that the Office might obtain and show for the work force one or more of the films on minority groups available in Denver, and we provided the Office with the names of those being used by Geological Survey.

We also had a discussion on the status of the Women's Program, where the Office's feeling is that there are good opportunities for women to advance straight up the grade ladder in whatever occupational field they are in, such as Personnel, Finance, ADP, and the scientific fields. There are, of course, women in secretarial jobs who have reached the top grade for their position and who feel "stuck" at that point.

SIXTEEN-POINT PROGRAM FOR THE SPANISH SURNAMED AND ACTIVITIES FOR THE TOTAL EEO PROGRAM

This office continuously reviews recruitment plans and evaluates recruitment activities to try to obtain full coverage of all manpower sources for all types of candidates, including minority group eligibles. Even though recruitment has been somewhat restricted for the past year, we have tried to keep all recruitment channels open. Our two best contacts for minority group applicants have been Mrs. M. Garcia, Latin American Research and Service Agency, for the Spanish surnamed, and Mrs. Mary Hewing, Urban League of Coloroda, for Negro candidates. We have also tried to maintain contacts with the organization called the Crusade for Justice, but have received no response of any kind to our personal visit to that organization.

We have encouraged the employees of the Bureau of Mines, who are members of minority groups, to refer applicants to us, so we can assist these applicants in securing Civil Service ratings and possibly have them certified to us for employment. Mr. Manuel Gomez, Chemical Research Engineer, GS–13, in the Mine Systems Engineering Group, and Mr. Antonio Urioste, Computer Programmer, GS–7, in the Division of Automatic Data Processing, have made special efforts in these areas, with reference to Spanish-surnamed applicants. A number of applicants have commented favorably about the special assistance they have received from this office in completing appropriate application forms and getting information as to job vacancies, qualifications, and ratings.

Cooperative agreements have been established with 22 colleges and universities in the area served, including many in the southwestern states where there are significant numbers of Spanish-surnamed students. We have sent literature to these and to many other colleges, as well as to high schools in the area. Mrs. Gloria Bakula, the Placement Assistant, has personally appeared before some high school classes to speak to the subject of Federal employment and how to prepare for it.

The Civil Service Commission has sponsored Career Days at many of the colleges in the area, and we have regularly participated. This cooperative approach, with all Federal Agencies in the areas participating in Career Day activities, avoids duplication of effort and, according to reports received by the Civil Service Commission, is preferred by the colleges themselves, since most of them do not appreciate having to prepare to meet with recruiters from each agency separately.

Much of our most effective college recruitment is accomplished through informal contacts between our professional employees and the faculty members and/or student assistants who are on the Bureau's rolls. The professional employees try to be particularly careful to record any recruitment contacts that have been made, and to refer names of applicants to the Branch of Personnel so appropriate follow-up action can be taken.

Although we are aware that bilinguality can be a factor in selection, we actually have few opportunities to use this as a selective factor in recruitment. Where it can be justified, it will be used.

The Summer Employment Program has been effectively utilized as a means of introducing young people to Federal employment. During the past two summers fifteen Spanish-surnamed young people have been employed during the summer months by the stations served by this office. A few of these young people

have stayed on the rolls under the Stay-In-School program. However, we have not been very successful in keeping these young people on the rolls. A number of them have failed to report for work after only a very few days on the job. A few of the losses have been due to circumstances beyond the individuals' control, but others have been due to lack of interest in the assignment. Efforts have been made to encourage supervisors to make the assignments as varied as possible, to reassign to other duties if this is feasible, and to be constructive in the areas of training and development. In spite of conscientious efforts on the part of some supervisors, much needs to be done to overcome this problem.

The Public Service Careers program has also been used to give young people an employment opportunity in which they can learn and can progress to higher level work. We originally had 8 young PSC employees, of which 4 were Spanish surnamed. However, we have lost 4 of the original 8, and have replaced only 2 of the losses as of this time. Of the 4 losses, 1 was due to ill health; the other 3, 2 of which were Spanish-surnamed, moved out of the state. We therefore have only 2 Spanish-surnamed PSC employees on the rolls now, but both of these have been reassigned from their original appointments to enable them to attain further growth and development. One of these will probably be prompted as soon as the restriction on promotions is lifted.

In order to keep the goals of the Equal Employment Opportunity Program in the minds of all supervisors and employees, we have utilized "The Tie Line", our monthly Personnel Newsletter, for items of interest. These items have appeared on an average of every 6 months for the past several years, as reminders that all who are employed by the Bureau of Mines activities in the western area should support the program.

Although we are not satisfied with the results of our efforts under the 16-point program, we do feel that we have made, and will continue to make, progress. The attached list of actions summarizes this progress as it applies to the stations in the Denver CSC Region.

We and the Station Managers and top-level supervisors have earnestly tried to give equal attention and emphasis to each of the many special recruitment programs—the various minority groups, veterans, the handicapped, the mentally restored, the mentally retarded, the various student programs, and the summer programs. Only by such attention, by continued efforts, and by utilizing the established regulations of the merit system, can we actually claim to have an equal employment opportunity program.

Ms. CHAVEZ. We just got the exhibits this morning. Have there been any conferences aimed at the Bureaus since 1971, excluding the one that you are going to be holding in Denver?

Mr. SHELTON. Yes; we have had regional conferences since that time. The first one was held in Atlanta last year, in November 1973. There was one in Portland in April of this year.

Ms. CHAVEZ. Those are the conferences that were in your statement? Those were of the same nature of the earlier conference in Denver?

Mr. SHELTON. Just a mini version, but at the same time the emphasis was on how to develop an affirmative action plan involving the managers in this process.

Ms. CHAVEZ. In the appendixes that you presented us, are there conference reports from those different conferences in Atlanta and Portland?

Ms. GRAHAM. Not the regional conferences. We do not have published reports at this time.

Ms. CHAVEZ. Will you have those at a later date?

Ms. GRAHAM. It is entirely possible, once we get around to it. As was indicated, our staff is so small, to put a report together takes a half-a-man year.

Ms. CHAVEZ. On page 7 of your statement, you also mention Mr. Costales, who testified before the subcommittee on Federal employment problems of the Spanish-speaking earlier this year. You mention

he requested a representative from the Department of the Interior to appear as a panel member of a workshop for the 16-point coordinators. Was anyone actually assigned, and was the request fulfilled?

Mr. SHELTON. Yes, it was.

Ms. CHAVEZ. And who was that person?

Mr. SHELTON. It was Mr. Sanchez, who was a member of our staff that worked for Ms. Graham.

Ms. CHAVEZ. And so he was the assistant, then, to Ms. Graham?

Mr. SHELTON. He was the equal opportunity specialist, with special responsibilities for the Indian and Spanish surnamed program.

Ms. CHAVEZ. I believe one of the witnesses today made reference to the fact that there is an ongoing relationship of sorts with the cabinet committee on opportunities for Spanish-speaking persons. Does the Interior Department regularly list employment vacancies in the EEO newsletter?

Mr. SHELTON. No; we do not.

Ms. CHAVEZ. Were you aware that they do list employment vacancies, and I think it is on the last page of the newsletter that lists vacancies, both within the Federal Government and the private sector?

Ms. GRAHAM. The Park Service has done this for the Park Police.

Ms. CHAVEZ. Also, the subcommittee, for the last couple of years, has been involved in the whole problem of the Geological Survey's move to Reston here locally, and in answer to some of the other questions in the hearing, there was mention made of the problem of location for the minorities, that for some reason blacks, Spanish speaking and other persons, the location of certain of their installations seemed to be a problem or to present a problem in terms of their being hired or wanting to work there.

And this is something that the subcommittee has, as I say, looked into in terms of the Geological Survey. Have there been any studies done by the Interior Department, or any other Government group that you are aware of, which tried to study what the impact is when a Federal installation such as the Geological Survey moves to a suburban area, an area which usually does not have low-income housing?

Mr. SHELTON. I think that we tried to take advantage of the depth of the experiences of the AEC and other Federal agencies that have moved out, and we tried to make certain things that happened in those moves not happen in the Reston situation. And as a result, we have had a commitment from Gulf of Reston that they would provide housing opportunities for all of the Geological Survey people who elected to move with their jobs with the Geological Survey.

We encouraged and made provision for Geological Survey personnel to visit Reston. We provided transportation. We talked in terms of the kinds of subsidies that these people would get as a result of this particular move.

We tried to get definite answers from each employee as to whether or not he wanted to move to Reston, the kind of abode he would be interested in, whether it was subsidized, whether it was low cost, or what have you. I think that from the—we even involved the real estate interests in terms of assuring that all persons, irrespective of income levels, would have access to housing of his choice, his or her choice, based upon ability to pay, whether it was rental or property to buy.

I can say, without equivocation, based upon the experiences of other

agencies, we studied all of the things that we felt were mistakes made by other agencies, to assure ourselves that all employees who wanted to move with their jobs to Reston had an opportunity to do so.

Ms. CHAVEZ. In the Menlo Park area, were similar efforts made on behalf of the minority employees who would potentially be employed in that installation?

Mr. SHELTON. I do not know. I have not received the final report in terms of who actually moved to Reston and what kind of houses they elected. But, there was this kind of a commitment.

Ms. CHAVEZ. No; I am not now referring to Reston. I think the subcommittee in its files does have pretty complete information on that.

What I am interested in in earlier response to a question on Menlo Park, mention was made that Spanish-speaking persons may not have found the area of Menlo Park either attractive, or there were not many Spanish-speaking persons living there when the move was made to Menlo Park, and I am wondering if similar kinds of affirmative programs were initiated on behalf of the Department of the Interior at Menlo Park, or whether any are anticipated to try and open up housing opportunities in that area, so that more Spanish-speaking employees might find that an attractive place to work?

Mr. SHELTON. I do not know of anything that happened in terms of Menlo Park, the initial move. But, I do know that as far as the Department's affirmative action program, that managers and heads of bureaus and offices are supposed to be involved in the well-being of their employees to the point where they get involved in community affairs, especially as relates to the housing.

How much of this is being done at this particular stage I have no feel for it.

Ms. CHAVEZ. Is Menlo Park a fairly affluent area?

Mr. SHELTON. It is a very affluent section.

Ms. CHAVEZ. Then there probably are not any available housing opportunities for the middle- or low-income people?

Mr. SHELTON. I would doubt that seriously.

Ms. CHAVEZ. Have any efforts been made by the Department of the Interior recently to try and involve any other agencies like HUD or the Small Business Administration, or any agencies that would be involved in bringing in money to that area to build low-income housing?

Mr. SHELTON. I will have to supply you that information. I have no feel for it.

[The information follows:]

Geological Survey is aware that there is a housing shortage in Menlo Park for low and middle income people. Although Geological Survey attempts to assist its employees and potential employees in finding suitable housing in the commuting area, there has been no attempt to provide low-cost housing in the immediate area. The reason for this is that there is simply no land available to afford any opportunity for such an undertaking. The only housing built in the area in the recent past has been through private development. Approximately 75 percent of all employees of the Geological Survey facility in Menlo Park live more than 10 miles away. There is a community of Spanish-speaking people located about 10 miles from Menlo Park but efforts to recruit employees from this community have not been encouraging.

Mr. WALDIE. May I interrupt for a minute?

I think it ought to be clear that San Jose is only 17 miles from Menlo Park, and San Jose, in northern California, has the largest concentra-

tion of Spanish speaking in California that exists, other than in Los Angeles.

But, in northern California, it is the largest by far. In addition, in Menlo Park, though it is upper income, a great portion of it, there is a large black concentration in the Menlo Park area. So, really, it is not a lack of mobility or a lack of housing opportunities that have denied minorities their share of opportunities in Menlo Park. There are other factors, but that is not one of them.

Mr. SHELTON. Is not transportation a factor?

Mr. WALDIE. Seventeen miles in California is no factor in transportation at all. I mean, there is nowhere in California that you work 17 miles closer to your home.

Mr. SHELTON. All I was trying to indicate in my testimony in response to a question was my concerns when I visited Menlo Park a year ago that we did not have more Spanish-speaking people aboard. And in discussing this with officials, I was told that they had made jobs and opportunities available to Spanish-surnamed people and were turned down.

Mr. WALDIE. Well, all I am saying is you should not take that at face value. It surely was not because they could not get to work from San Jose. People do not walk to work in California anyway. So they have to drive or have public transportation, and they use it. And if there is no public transportation, they drive. And it just simply is not a response, if that is what they told you, that the jobs were offered but they were too far away.

Mr. SHELTON. The reason I asked that question was because I was concerned because I had visited Denver, Colo., and I knew that the location of the Federal center in Denver, Colo., was far removed from the locations in which we find Spanish-surnamed and blacks. And part of the problem, they told me, was a lack of public transportation.

Mr. WALDIE. Well, I do not want to deny that as a factor in certain parts of the country. It is.

It is not, though, in the bay area of California, and those who tell you it is are misleading. So, I would suggest you reexamine that situation.

And I would note that you are a very accommodating individual, who apparently has great faith in those with whom you deal. And I am not sure you should be as trusting as you are. You should ask more questions.

Ms. CHAVEZ. I have just one more question. I just want to make sure I am clear on this.

You indicated that it would be helpful to you to have some sort of indication of the number of applicants who have applied for positions in the Interior Department who were minorities, the number certified and the number eventually hired. This kind of information will be helpful to you, in terms of evaluating the EEO program and is not provided currently, is that correct?

Mr. SHELTON. It is not provided.

Ms. GRAHAM. No.

Ms. CHAVEZ. But, it would be helpful to you if the Civil Service Commission were in some way able to get that information to you? It would be helpful in evaluating your own success?

Ms. GRAHAM. We had in mind, when we made that statement, we

had in mind the applications that we receive directly from Spanish-speaking people, and we have received volumes of them. Some of them are on the registers of the Civil Service Commission and some are not.

We refer those applications wherever a job vacancy occurs for consideration. We do not have that information with respect to which ones or the numbers involved in terms of whether they are hired or not hired.

We will have that information in the future, because that would be a determining factor that will indicate success.

Ms. CHAVEZ. The reason I asked the question is because of the whole area of controversy between affirmative active versus discrimination.

In order to prove discrimination, you almost have to have an indication that they have applied in great numbers but have been turned down for positions.

Thank you, Mr. Chairman.

Mr. EDWARDS. The Chair notes with pleasure the presence in the committee room of distinguished guests and friends of the subcommittee, Mr. Edward Valenzuela, national president of IMAGE; Tony Morales, national president of the GI Forum; Mr. Jo Benitez, national president of the League of United Latin American Citizens (LULAC); Mr. Ricardo Zazueta, national director of operation, SER (Spanish-Speaking Manpower Program); and Pete Villa, national chairman of SER.

We are delighted that these distinguished guests are here.

Mr. Klee.

Mr. KLEE. Thank you very much, Mr. Chairman.

I would like to follow up with some questions about the statistics that so many people seem to be relying on, especially statistics dealing with the future. Do you not think it would be a vital statistic to determine the number of Spanish-surnamed people who voluntarily quit their jobs after they are hired, and thereby decrease the total number of Spanish-surnamed employees.

Ms. GRAHAM. Yes, it would be. We do not have any automated data from the computer with respect to turnover or exits.

But, it is being planned for, and we hope that it will be available to us.

Mr. KLEE. Do you also plan to program any statistics on those who are fired, as opposed to those who voluntarily quit?

Ms. GRAHAM. Well, an exit paper will determine whether or not it was a voluntary exit or involuntary. I do not know if that particular difference is being programed for.

Mr. KLEE. Thank you. To further clarify the statistics I have noticed that especially in the following States there seems to be a very high percentage of Spanish-surnamed people in the populations: California, Texas, New Mexico, Arizona, and Colorado.

Could you correlate the number of Indians that are also present in those States that would be, of course, eligible for preference under the Bureau of Indian Affairs preference program? In other words, my question would be, are there also very many Indians in California, New Mexico, Arizona, Colorado, and Texas?

Ms. GRAHAM. Yes. Those States have high concentrations of Indians.

Mr. KLEE. Could I ask you this: Might it be the fact that Texas has fewer Indians than the other States that I mentioned.

Ms. GRAHAM. Yes; Texas does have fewer.

Mr. KLEE. Perhaps this could account for discrepancies in these statistics whereby Texas seems to be very well represented in Spanish-surnamed employment, and where California, New Mexico, Arizona, and Colorado statistics reflect bias, since they include Indians in the Bureau of Indian Affairs?

Ms. GRAHAM. Yes; you are right.

Mr. KLEE. I notice, by the way, that there are over 23,000 jobs in these Western States, and I have before me the computer print-out from the Department of the Interior for March 1974, for the Bureau of Indian Affairs, which shows that in the Albuquerque area, there are approximately 1,000 Indians employed, in the Navaho area there are 4,000, and in Phoenix, roughly 850, Sacramento, 210, Aberdeen, 1,250. These are just rough numbers, but it approximately comes to 7,220 out of 23,000 jobs.

Now, the question I would like to ask, since statistics really are important to very many members of the committee, is where, for example, is the Navaho area located?

Ms. GRAHAM. It covers several States. New Mexico, Arizona, and one other.

Mr. KLEE. If we do look at the Navaho and the Albuquerque areas together, we find that there are 5,000 Indians employed in the Bureau of Indian Affairs. If you look at Arizona and New Mexico, here in the statistics that have been supplied, we find that there are 11,000 total jobs, so would there be a vast distortion by the inclusion of almost half of these jobs, being Indian preference jobs, in statistics purported to reflect Spanish-surnamed employment?

Ms. GRAHAM. I would say so.

Mr. KLEE. Okay, I would like to clarify one more point about the Indian preference program.

You mentioned earlier that for someone to qualify, he needed to have only one-quarter Spanish blood.

Ms. GRAHAM. Indian blood.

Mr. KLEE. Indian blood. Does this mean someone with three-quarters Spanish blood and only one-quarter Indian blood could qualify under the Indian preference program?

Ms. GRAHAM. Yes.

Mr. KLEE. Would such a person then be classified as an Indian, rather than a Spanish-surnamed person, even though he had a Spanish surname?

Ms. GRAHAM. For employment statistics, he would be classified as an Indiana, and if he takes advantage of the Indian preference for employment, yes.

Mr. KLEE. Well, this factor indicates further skewing that was not taken into account in your 2.6 figure which merely excludes Indians in the Bureau of Indian Affairs, because some of these people being excluded could, in fact, be Spanish-surnamed people?

Ms. GRAHAM. Yes, they could have more Spanish blood than Indian blood and they could choose to declare themselves as Indians to take advantage of the Indian Preference Act. I would suggest that a survey of that would probably result in the information that the Spanish-speaking people are closer to parity in Interior than is indicated by the statistics that we have.

Mr. KLEE. OK. I just have one last question.

Mr. WALDIE. Wait just a minute. May I interrupt just a moment, and put that conclusion in proper perspective.

The figures you gave us eliminated Indians. We have that figure.

Ms. GRAHAM. Yes, we gave you both.

Mr. WALDIE. It shows an increase in December 1973, from 2.4 to 2.58.

Ms. GRAHAM. Yes.

Mr. WALDIE. That is not——

Mr. WIGGINS. Well, if the gentleman would yield further, as I understand the testimony, the 10,000 Indians may, in fact, represent a high number of Spanish surnamed, Spanish speaking, and even Latinos in terms of three-quarters of their blood.

They choose to identify themselves as Indians because they were one-quarter Indian and sought Indian preference.

Mr. WALDIE. But, how would that change the statistic that not many Latinos have been employed. They are getting credit, it is 2.58 for all of the Indians.

Ms. GRAHAM. No, no; those are Spanish-surnamed people that you are reading.

Mr. WALDIE. The other figure, 2.15, you are getting credit for all of the Indians, so we still end up with 2.15.

Mr. SHELTON. No; not necessarily. You would have an increase of those who are identified, who have elected to be called Indians on the basis of one-quarter Indian blood, which would mean that you have an increase in the number that we are talking about, but by the same token, you would have a decrease in the number of Indians so identified. And I do not know whether they wash each other or not. I do not really know.

Mr. KLEE. Let me try to pose this clarifying question.

We can assume that we can exclude those who classify themselves as Indians from these statistics, because they are given preference, at least in the Bureau of Indian Affairs. This would raise your percentage up to 2.6 percent.

If, in fact, some of those people being excluded as Indians were actually Spanish-surnamed people who had elected to become part of the Indian preference program because they had one-quarter Indian blood, then would this exclusion further compound the error, and would this fail to be reflected in the 2.6 percent, because these people actually should be included in the statistics since they are, in fact, Spanish-surnamed people who are not being treated by the statistics.

Ms. GRAHAM. Yes; certainly a percentage of Spanish surnames.

Mr. KLEE. And I take it further that a factor affecting the statistics that has not been taken into account is that while the great bulk of the Spanish-surnamed people are located in the Southwest, we also have the great bulk of Indians located in the Southwest, and they are competing directly with Indian jobs, is that correct?

Ms. GRAHAM. Yes.

Mr. KLEE. All right. I just have one last question, and this concerns the acceleration in the rate of increase in your Department.

Last year, Mr. Roybal testified, or actually in 1972, that for the whole Government, if the present rate of increase of Federal employment continued, it would take 60 years to reach parity. Mr. Roybal was just looking at the increase in one given year.

If we look at the increase over a period of time, though, we begin to see an acceleration, and I wonder perhaps if the acceleration between

1971 and 1972, and 1972 and 1973 were to remain constant, when would Spanish speaking in the Interior reach parity?

Ms. GRAHAM. 1977 or before.

Mr. KLEE. I see. Thank you very much. I have no further questions.

Mr. WALDIE. The meeting is in adjournment.

[Whereupon, at 12:30 p.m., the hearing was adjourned, subject to the call of the Chair.]

[At this point the prepared statement of Hon. Tom Railsback is included in the record.]

STATEMENT BY THE HONORABLE TOM RAILSBACK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS—EQUALITY FOR SPANISH-SPEAKING AMERICANS

Mr. Chairman, I am encouraged that this Subcommittee has again opened hearings on our country's second largest minority, Spanish-speaking Americans, who, according to the Census Bureau, comprise approximately 6 percent of the total U.S. population. I also want to thank you for providing me with this opportunity to submit my views.

It is clear that while great accomplishments have been made towards equal opportunity for Spanish-speaking Americans, there still remains such to be done. Our commitment to full equal opportunity must continue to be the tool enabling us to tap the vast resource of talent and knowledge which we have too often denied the Spanish-speaking citizen of our country.

We Americans are a people of high morals who recognize the wants and needs of others throughout the world. Thus, our efforts to eradicate the many injustices toward each other must be a dynamic force—a force denouncing complacency, for complacency permits prejudice and injustice.

According to the Bureau of Census, in May 1974, the overall economic and social status of Spanish-speaking persons is far behind those of other Americans identified as "whites."

The median income in 1972 for a Spanish-speaking family of four was $8,759 or only 75.8 percent of the $11,549 median for whites.

Only 35 percent of the Spanish-speaking completed four years of high school or more, compared with 65 percent of all blacks and 90 percent of white Americans.

Employment figures released by the Bureau indicate that most Spanish-speaking Americans were in the lower paying occupations, with 27 percent working in jobs such as garage workers, service station attendants, dressmakers, and the like.

Only 13.6 percent of the Spanish-speaking population hold professional and technical positions; 13.6 percent are managers and administrators; 6.2 percent are sales workers; and 6.8 percent are clerical workers.

As is true with some of America's other minorities, the Spanish-speaking population is often denied the opportunities the rest of us take for granted.

Nationwide, the Spanish-speaking community is now trying to "get it together." There are groups such as the League of United Latin American Citizens and the La Raza Unida who have assisted in organizing their communities into more effective voting and economic blocs. Self-help programs are quickly developing with the assistance from such groups as the American Association of Spanish-Speaking Certified Public Accountants.

While such groups are doing all that they can, the government also has a responsibility to lend a helping hand as it has done for so many other people all over the world.

Mr. Chairman, I know this subcommittee is deeply committed to equal opportunity for all Americans, and I trust that a renewed commitment will be one of the positive results derived from these deliberations. I also hope and urge that some affirmative action is agreed upon that will assure our Spanish-speaking population that they have not been forgotten.

Thank you.

APPENDIX

EXHIBIT 1

CONFERENCIA

"HORIZONTES NUEVOS PARA CIUDADANOS AMERICANOS DE HABLA ESPAÑOL"

The Department of the Interior
EEO Conference "New Horizons for
Spanish Speaking American Citizens"

February 19, 1971
Foothills Ramada Inn
11595 W. 6th Avenue
Denver, Colorado

46-120 O - 75 - 10

"Assuring equal employment opportunity for all Americans is high on my personal priority list for things to be achieved by the Department of the Interior. All that it takes is the personal commitment on the part of each of us that the job will be done and then the effort to seek out innovative and creative ways for doing it. I know that this conference will accomplish its purpose because its intent is not only right but just in the best tradition of the American dream."

ACKNOWLEDGMENTS

The Office for Equal Opportunity and the Office of Personnel Management express their sincere appreciation for the willing cooperation and generous assistance of those individuals who helped to make this Conference a success:

Conference Committee

Leonard Zaciewski, MGS, Chairman
Chester Baggs, WBR
Chuck Spath, MGS
Billy Spillers, BIA
Medardo Sanchez, BIA

Arrangements Committee

Tom Lyons, MGS (Denver)
Bob Barr, MGS (Denver)
& their staffs

Conference General Chairman
Edward E. Shelton, OEO

Conference Coordinator
Andrew J. Ondrof, APM

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Field Representative, Southwest Region

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U.S. Civil Service Commission

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District Manager, Arizona State Employment Service

Mr. Roy E. Gonzalez
Asst. Executive Education Director
Jobs for Progress, Inc., Operation SER

Mr. Carlos F. Vela
Education - Civil Rights Chairman
Texas American G.I. Forum

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Director, Office of Personnel Management

Appendix 21

INTRODUCTION

What follows is an account of a meeting held on February 19, 1971, in Denver by the Department of the Interior. Departmental officials responsible for hiring and promotion were brought together to discuss employment of Spanish-surnamed Americans in the Department.

Executive Order 11478, issued on August 8, 1969, requires each department to develop an affirmative action plan to guarantee that applicants are recruited and are promoted because of individual ability. Quite plainly those preconceived notions, or in Justice Thurgood Marshall's words "ancient canards", which would determine individual ability on the basis of race, religion, sex or national origin have no place in Government employment. Such attitudes must be changed. The concept of affirmative action, however, requires the executive branch to go beyond expressions of policy and to identify and correct employment practices which prevent full equal employment.

The Denver meeting, then, was a part of the Department's overall affirmative action plan and was convened in response to the President's Sixteen Point Program for employment of Spanish-surnamed Americans in the Federal service announced on November 5, 1970.

THE EMPLOYMENT PICTURE: PRESENT AND PREDICTED

Prior to convening this meeting, the Department's workforce was analysed by Mr. Paul Lorentzen of the Office of Personnel Management to determine how many Spanish-surnamed Americans now are employed and where opportunities for employment existed. The statistics shown in the diagrams (Appendix II), tend to confirm the pattern revealed by the 1970 census.

According to census data, there are approximately 9.2 million residents of Spanish origin in the United States. In terms of employment patterns, these same figures show that Spanish-speaking Americans as a group are worse off than any other group. More Americans of Spanish origin are concentrated in low paying jobs and fewer in white collar jobs than any other racial or ethnic group. The unemployment rate for Spanish-speaking Americans nearly doubled that of the general population while their income was only about 70 percent of average American family's income.

About three-fifths of the Spanish-surnamed Americans live in five Southwestern states: Arizona, California, Colorado, New Mexico and Texas. (See Fig. 1). In these same five states, the Department of the Interior employs some 23,000 employees. Figure 2 shows the breakdown of employees by bureau and Figure 3 identifies the areas in which those employees are concentrated.

The overall employment of Spanish-surnamed Americans by the Department in this five state area is 8.5 percent and is significantly lower than the percentage of Spanish-surnamed Americans in the area (15.2%) (See Fig. 4). Figures 5 and 6 further support the conclusions reached in the 1970 census analysis by showing that Spanish-surnamed employees are not evenly distributed throughout the various job classifications. Rather, most are concentrated in the lower paying wage board classifications and below the GS-7 classification.

Figure 7 is a sample analysis of accessions in the Department of Denver. It indicates again that Spanish-surnamed people are not hired in the same numbers as they are represented in the area population. Four percent of the new technicians and aids and five percent of the new clerical employees hired in the last six months were Spanish-surnamed Americans. At the same time, Spanish-surnamed Americans represented 11 percent of the Denver population.

OPENING REMARKS

Chairing the conference was Edward E. Shelton, Director of the Department's Office for Equal Opportunity. In his opening remarks, Mr. Shelton observed that this was the first meeting held by any department or agency to effectuate part 7 of the President's Sixteen Point Program. Other such Departmental meetings, he said, will follow to focus on the special problems confronting other groups subject to discrimination.

He continued:

Reflecting upon what I might say to you as your conference chair person in calling this meeting to order, there came to mind two experiences representing two extremes in my educational development that have sustained me down through the years. The first came from a penmanship exercise in elementary school and the second was a statement read in an ethics course at college. The first goes something like this: "Genius is only the power of making repeated efforts. The line between failure and success is so small that many a man has given up when just a little more effort would have turned hopeless failure into decisive victory." The second: "There is nothing new. We merely see old things in a new relationship."

The Department, while leading the way in the holding of this conference, is not alone in the pursuit of these objectives. The Federal budget for FY 1972 submitted to the Congress by President Nixon on January 29 seeks an increase of almost one hundred percent over the current year's budget for programs to help minority groups achieve equal employment opportunity. In his budget message, the President promised that the activities of the Civil Service Commission would be accelerated to assure equal employment opportunity for all with special emphasis on opportunities for Spanish-surnamed Americans.

When this conference closes, it is my hope that the bureaus will leave with the resolve to explore fully the idea of a coordinated recruitment, training and placement program in metropolitan areas where such is feasible. Further, that each bureau take a second look at minority group persons already on board with the idea of seeking to enhance their upward mobility. The key word is *results*, not procedures.

SECRETARY'S MESSAGE

This statistical analysis plainly showed that the time for making excuses had passed and the time for a commitment to action had come. Although he was unable to attend the conference, Secretary Morton expressed his support of the conference objectives.

Deronda (Pete) Shoup, Jr., represented the Secretary at the meeting and delivered the Secretary's message. Mr. Shoup, who is the Secretary's Field Representative for the Southwest Region remarked:

Today is unique in the experience of this Department. For the first time, as an entity, we assemble in an equal employment opportunity conference to focus on finding ways and making commitments to enhance the employment opportunities for Spanish-surnamed persons. The holding of such a conference is proper because it is provided for by the Civil Service Commission in its 16-point program to assist Spanish-surnamed people interested in joining the Federal civilian service.

The setting for this conference is particularly appropriate. We find ourselves in that geographic area of our country where the Spanish-surnamed people represent the basic reservoir of untapped manpower and womanpower. In addition, the southwest area is the home base for greater than 30 percent of the Department's total employment. It appears that the two ingredients that make for a good stable employment situation merge in this location—jobs and people seeking employment.

The holding of this conference at this time and in this place graphically demonstrates the Department's and the Administration's concern for assuring that all persons have an equal chance to participate in employment opportunities with special emphasis placed on the involvement of Spanish-surnamed people. To do this, the Administration is asking in the budget for fiscal year 1972 an increase of almost 100 percent over current year in money to help minority groups. This puts the total request for all civil rights activity at $456 million for the year starting next July 1. Compare this with $235 million in 1971, and only $94 million in 1970. Along this same line, the Department is requesting $2.7 million in fiscal 1972. Compare this with $1.9 million spending rate in 1971. This is an increase of $800,000 for fiscal year 1972.

Also, increased program emphasis and new regulations made it necessary to strengthen the Department's activities in the civil rights area by further centralization of overall responsibility and management of resources directly under the Office for Equal Opportunity. This means that the manpower and functions of the contract compliance and Title VI programs are now coordinated under the direct supervision of the Director.

The aspect of this centralizing process of direct concern to this conference is the fact that the in-house employment program will add four persons. This input will increase the Office's capacity to review and evaluate the effectiveness of what is being done and will aid in the development of new programs aimed at assuring equal employment opportunity.

I see this conference as the beginning of a noble experiment, the place where we renew our commitment to the concept of equal employment opportunity for all segments of our population and at the same time clearly define our employment objectives, building in specific intervals of review to see how far we progressed toward meeting those objectives.

The Departmental analysis of the data submitted on employment of Spanish-speaking people used in conjunction with the planning for this conference certainly indicates that they are concentrated in the lower graded and lower paid jobs. For example, in the Southwest area as a whole, of technicians GS-1 through GS-6, 163 of the 983 (or 16.5%) are Spanish-surnamed, but only 47 of the 143 GS-7 and above (or 0.3%) are Spanish-surnamed. Similarly, 125 of the 1,363 GS-1 through GS-6 clericals (or 9.1%) are Spanish-surnamed but only 8 of the GS-7 and above (or 0.5%) are Spanish-surnamed.

The above example is not in the critical sense but rather as a means of pointing the way to more positive recruitment, training, and placement programs based upon clearly defined and enunciated employment objectives.

The objectives that we set for ourselves can be reached without equivocation provided we make up our minds to do so. The important guidepost in this undertaking is a clear image of what it is we are going to do, how we are going to do it, who is going to do it, and when it will be done.

ROLE OF THE CIVIL SERVICE COMMISSION

Under the Sixteen Point Program, the Civil Service Commission is given primary responsibility for implementation, and Fernando E. C. DeBaca, former Commissioner of Motor Vehicles for the State of New Mexico, is the Commission's chief advisor for the program. Both Mr. DeBaca and Charles Gomez of the Civil Service Commission's Denver office addressed the conference.

Mr. DeBaca touched on the significance of this meeting as a starting point, a first recognition that too few people know or understand the prejudices which act to exclude the Spanish-surnamed person from employment in the Federal Government. The problem largely has been caused by lack of communication. Spanish-surnamed people are unaware of job opportunities in the Government and uncertain what reception they would receive as applicants. From the Government's point of view, there has been a tendency to equate the ability to perform with the ability to comprehend English.

The Civil Service Commission has experimented with different approaches to this problem by printing job announcements and career information in Spanish and by reviewing its employment examinations. But, Mr. DeBaca emphasized, the primary role for the Commission is as a resource of information on recruiting and training techniques for the agencies.

Mr. Gomez elaborated in this theme and spoke from his viewpoint as both a Chicano and a Commission employee:

How can I reach you, who do the firing, who do the hiring, who do the promoting, who do the recommending, who do the testing, who do the grading, you, the keeper of the gate, you the judge and the jury? I have brought no statistics. I will let you read you records, on your own time, and draw your own conclusions.

Should I talk to you, pounding on the desk, pointing the finger and charging you with all kinds of discrimination for hundreds of years? I do not choose that course, not only because it would be unfair, but also because it would make me guilty of branding you all with the same iron. I would be guilty of the same thing that we are trying to prevent.

Some years ago, when I first started to work in equal employment opportunity, I thought about developing a system to help the poor, the disadvantaged, los Indios, los Negros, los Chicanos. I took pictures of the homes and living conditions as they existed then and still exist today. (I didn't bring those slides with me.)

Should I play on pity? the minorities' real want? their need? pity? Would I discuss history: "Remember the Alamo"? Do you think that the child who has always been reminded that he is a Mexican, not an American but a Mexican, could ever forget that he is Mexican? I choose not this approach.

Should I come to you and tell you that there is no problem, that Chicanos have always been close to the ground that they enjoy doing the work of the soil, the menial tasks? Should I say that we enjoy the "Frito bandito" remarks? Should I agree when someone attempts to greet me with "Como esta trijole" and then interprets this as "how you been"?

Sometimes, because a man does not cry when he tells you of the past experiences, it doesn't mean that he has never been hurt.

What, then, have I as a Civil Service Commission representative and as a Chicano chosen as an approach to touch you? I choose to make you aware of the problems of the minorities wherever they might be, in whatever region. Whether the discrimination is against the black in the east, the Jewish somewhere else, los Indios in the Southwest, or los Chicanos also in the Southwest, let us work on that problem and let us do something together to solve it. What about the Sixteen Point Programs for the blacks, the browns, the reds, the green? (Somehow I have always associated the green with the Irish. So you see, we get caught in generalities too.) The Sixteen Point Program was brought about because some interpreted the equal employment opportunity program as a black and white program.

I choose now in my role as a human being and as a Civil Service Commission employee to help you develop plans that you and I together can implement. Right now it can be done. I ask you to let me help you by developing qualitative education programs, by going out with you to recruit, by making contacts of those people in your agency that might help you, especially the minorities. I choose to ask you who are in our region to let me help you seek the members of Chicano organizations, of minority groups, to talk with them and get their help in helping themselves. Even if minority group people must vent their frustrations that have developed over many years before they can exchange good information, it is worth it.

As a Commission employee, I challenge you, if you are really serious, to ask me. For I believe that this is not the job of the Commission alone. You cannot point the finger at the Commission and say, "It is up to you" and we of the Commission and minority groups cannot do the same—point the finger back and say, "It's up to you." No. I believe that much can be accomplished for all—not minorities but human beings. We must try to work a little bit longer, a little bit harder, and a little bit more.

PANEL OF SPANISH-SURNAMED LEADERS

Does the Federal Government speak too often and listen too seldom? In its approach to equal employment opportunity, the Government frequently is said to be paternalistic. Problems seem to be defined and solutions devised at some remote level without even consulting the persons who are the intended beneficiaries.

The panel discussion brought together four Spanish surnamed people who are active in the equal employment opportunity program.

Manuel O. Martinez
District Manager
Arizona State Employment Service
Phoenix, Arizona

In discussing the problems facing the Spanish-surnamed in employment and barriers to their upgrading, Mr. Martinez said, there is a need for all Government agencies to make their employment opportunities known to the Spanish-surnamed populace. He said putting our reams and reams of announcement of job openings which are posted on bulletin boards in post offices and other public places was not the way to reach the Spanish-surnamed job seeker.

The employment expectation of the Spanish-surnamed are not unsurmountable, Mr. Martinez said. They expect the same things anyone else aspires for—just an equal chance for the jobs that managers are filling from time to time. He indicated the managers were in the best position for making possible the opportunity for an equal chance in jobs. For the Spanish-surnamed, Mr. Martinez then cited several cases where he felt that selecting officials had opportunities to provide an opportunity for Spanish-surnamed employees to be upgraded but rationalized away their failure to do so.

Mr. Martinez said that in order to provide an equal job opportunity for the Spanish-surnamed, all that was needed was true commitment on the part of Federal officials to carry out the President's Sixteen Point Program.

Mr. Martinez ended his presentation by saying:

"At the risk of sounding maudlin, I would like to quote from President Kennedy: 'Ask not what the country can do for you, but what you can do for your country'. I would like to paraphrase it by saying, give a Spanish-surnamed a chance."

Let him show you what he can do for you, your organization and for our country.

Roy E. Gonzalez
Assistant Executive, Education of Jobs for Progress, Inc., Operation SER (Service, Employment, Redevelopment)

Mr. Gonzalez discussed briefly Operation SER and how it was established as a self-help Mexican-American Spanish-surnamed organization of bilingual, bicultural persons to help this large segment of the population. SER provides training and employment techniques. It develops jobs and works closely with every town of private and public employers in placing Mexican-Americans, Spanish-surnamed into the mainstream of American life.

Mr. Gonzalez indicated that the Sixteen Point Program is the initial start for dealing with the problem of employment to the Spanish-named. It could well be the beginning point for reading them into the Federal employment system. Mr. Gonzalez offered the aid of his organization in helping to identify the areas of potential manpower resources in the Spanish-surnamed community.

In discussing management tools and techniques, Mr. Gonzalez suggested that if supervisors persist in their failure to hire Spanish-surnamed individuals, their responsibility to select and promote employees should be taken away.

Mr. Gonzalez ending his presentation saying:

There is one thing that I always say to myself, and I want to say it to you. We were paid for what we did yesterday and for our past accomplishments. If we are to be paid tomorrow and for what we do today and tomorrow, then let us get about the task before us and accomplish the goals set before us for a greater nation under God.

Carlos F. Vela
(A Practicing Attorney)
Education – Civil Rights Chairman
Texas American G.I. Forum

The American G.I. Forum, said Mr. Vela, is a Mexican-American Veteran's Family Civil Rights Organization with membership in 26 States. He went on to say, the Forum represents those Mexican-American people who have fought the wars for this country, and those people who are dying out of proportion in the battlefield, and those people who are patient enough to believe that the democratic system must work for them sometime. This patience of his people, however, is beginning to evaporate, he added.

He pointed out that the great need now is to eliminate the attitude in Government that there is no discrimination against Mexican-Americans and that the Mexican-Americans are not an identifiable minority group.

He admonished the conference to put aside negative attitudes concerning Mexicans and do something about the "English language Federal Entrance Examination" which to him presented a serious problem by making it almost impossible for his group to adequately compete through the examination process because of the language barrier.

Pointing out that there has been no enforcement of previous Executive Orders in-so-far as the Spanish-surnamed were concerned, Mr. Vela made the following suggestions for immediate implementation:

I. That a committee (we want Mexican-Americans to be a viable part of this committee) be established within the Department with the following authority:
   a. The Committee should be empowered to investigate the employment practices of each agency within the Department. (We want a complete internal evaluation of the hiring, promotion, training and upward mobility programs within the Interior Department.)
   b. The Committee should be empowered to establish employment goals and timetables in order to provide full parity in employment of Mexican-Americans within the Department.
   c. The Committee should be empowered to enforce these employment goals and timetables.

II. That the Department utilize longstanding civil rights organizations, such as the American G.I. Forum and LULAC, to advise, to recruit, and as general resource people.

The final member of the panel was EDWARD LUCERO, President of the Colorado Economic Development Association. Mr. Lucero is concerned with assisting minority contractors to begin operation and to stay in business. The problems confronted by minority businessmen involve acquiring skills and making contacts in a world which has largely excluded minority group persons.

Mr. Lucero told the story of his early business career when companies would not employ Spanish-surnamed persons as salesmen in the Southwest. Instead, he was sent as a salesman to the Eastern cities where he might "pass" for an Italian.

Those prejudices in the business community, often explained as observance of local custom, change but slowly. Mr. Lucero's organization, CEDA, has been responsible for some of those changes in Denver. By pressuring city officials, greater employment of minorities on construction projects has been obtained and a larger number of contracts have been awarded to minority contractors. The organization also has worked with banks to obtain the necessary bonding and financing for minority businessmen.

Mr. Lucero sees Federal employment and the Sixteen Point Program as a means to develop managerial skills in minority employees. Once these skills have been obtained, the individuals then could opt to remain in Federal service or to enter business. Thus, the Sixteen Point Program could be used to reach beyond Federal employment.

WHAT ABOUT OTHER MINORITIES?

Throughout the conference, the question recurred whether it was wise or proper to concentrate solely on the Spanish-surnamed American. In the Southwest the American Indian experiences many of the same prejudices and has similar difficulties in obtaining employment.

Several representatives of the American Indian Movement (AIM) attended the conference to protest the ignoring of the Indian by the Federal Government. In all, six men and women representing AIM appeared before the participants.

While stressing their support and concern for the Spanish-surnamed Americans, blacks, and other minorities, the Indians challenged the Civil Service Commission to convene a special meeting on the employment of Indians.

It is sometimes difficult for persons steeped in the folklore of the movies to comprehend how recent the Indian wars were. One speaker said that the white man had made the Indian give up his soft mocassins and put on hard shoes to walk in a concrete jungle. Another called attention to the urban Indian who is without the services provided to the reservation Indian and without the personal resources to make a decent living. A third pointed to the Bureau of Indian Affairs to promote more Indians into supervisory and management positions.

Again the plea made echoed that made by Charles Gomez and other speakers: The Federal Government must listen and let the people speak for themselves.

WORKSHOPS: "As a manager, what problems, if any, do you envision in hiring, training, upgrading, and generally improving career opportunities for Spanish surnamed?"

Conferees report on workshop discussions.

Richard (Rick) Harrison–Bureau of Mines, Washington, D.C.

Dan Kaiser–Bonneville Power Administration, Portland, Oregon

Bill Spillers–Bureau of Indian Affairs, Washington, D.C.

Avery W. Rogers–U.S. Geological Survey, Menlo Park, California

E. J. Peterson–Bureau of Land Management, Asst. State Director, Sacramento, California

Lorraine Kropitzer–Bureau of Land Management, Federal Women's Program Coordinator, Portland Service Center, Oregon

T. S. Roberts–Bureau of Sport Fisheries & Wildlife, Portland, Oregon

Grail G. Dawson–Bureau of Reclamation, Sacramento, California

Conferees caucus by Bureau to set goals.

Congressman Lujan & Andy Ondrof

Local news reporter interviews **Mr. DeBaca** and **Mr. Shelton**. Conference highlights were televised on the evening news at Denver.

American Indian Movement visitors are luncheon guests of the Conference

From left, **Deronda (Pete) Shoup, Newell Terry, Congressman Lujan, Edward Shelton, W. H. Rima** (Denver Regional Director, U.S. Civil Service Commission) and **John O. Crow.**

Roberta Espevis and **Linda Funk** (USGS) register conference participants.

KEYNOTE ADDRESS

by Hon. Manuel Lujan, Jr.

Congressman Manuel Lujan, Jr., the keynote speaker, is the representative to Congress from the first district of New Mexico. Mr. Lujan was first elected to Congress in 1968 and is a member of the House Interior and Insular Affairs Committee. Mr. Lujan:

Dignity, Trust, A Voice, and a Choice

Before getting into my discussion of employment opportunities for Spanish-speaking citizens, I want to compliment my good friends in the Department of the Interior for having arranged this conference.

I have been very impressed with the program. It's obvious this is not just another get-together to hear ourselves talk. That was going on for years and nothing was getting done. Now it's time for action, and this Administration means business when it says it wants every qualified citizen to have an equal chance for Federal jobs regardless of race, religion, sex, or national origin.

It's very fitting that this conference should be called by Secretary Rogers Morton. I've known him for a number of years, in his capacity as our Party's national chairman, as a colleague in Congress and now as a member of the President's cabinet.

Because he is a hard-working administrator, his humanistic side is often overlooked. His message this morning mentioned his plans for implementation of the President's Sixteen Point Program. To give you a glimpse of the man behind that message, let me quote from a talk I heard him deliver when he was Chairman of the Republican National Committee.

> "I want to share with you," he said, "this very strong feeling I have that people in this country are a lot more the same than they are different . . . they all want a good many of the same things . . . for themselves and for their country. No matter how much their problems might vary from place to place, from person to person, the vast majority wants a little bit of dignity, a decent environment, a renewed feeling of trust and faith in his elected officials, and most of all a feeling that he has a voice and a choice about the way he lives."

Dignity–trust–a voice– and a choice. Those are the things we're all looking for.

That's why I was very pleased to learn that this conference had been set up–and that I was invited to speak.

Before discussing some other thoughts with you, let me cite a few statistics as to the progress of minorities in the last two years.

Since January 1969, although the total Federal civilian employment is down by 28,000, the number of individuals from minority groups holding Federal jobs is up by 4,000!

Since 1969 the number of needy people getting food assistance has doubled. The number getting food stamps has tripled. And the number of our kids receiving free school lunches has gone from three million in 1969 to 5.3 million today.

We all know that Government programs are not a lasting answer to any human problem. Certainly, we want to feed the hungry, give material help to the needy, make sure the youngsters have at least one hot meal a day, and we want to give every qualified citizen an equal crack at Federal jobs.

But when all that is done–when every hungry man, woman and child is being fed, when food stamps are going to everyone who needs them, when every Federal job has been filled–when all that is done, we've done nothing but buy a little time to work toward our real goal: full employment, at good wages, in private industry, for every single man and woman in this country who is able to work.

It is very important to devote our energies to the job of giving our people an equal chance not only for jobs but for advancement within the Federal system. It is important that discrimination of every kind be wiped out of existence, particularly in Government. It is

important that the necessary training for promotion be provided for all who need it and are willing to learn. But we must remember that we are talking here only of Federal jobs.

I'd like to see the day come, when there are so many good paying jobs available in the private sector that Government at all levels will have to actively recruit people to fill civil service openings.

Isn't it true that the purpose of most Federal employees is to work themselves out of a job? The War on Poverty is a war that should be won as quickly as possible. The scores of training programs in the Labor Department are aimed at filling the training gap in private industry. When we have achieved equal employment opportunities in the private sector, the EEOC will be out of business. When we have reached the point of full employment, the employment security commission will be out of business.

Think of the taxes that will save! And when we reach the millenium, taxes will be so low we can put the Internal Revenue Service out of business. That day will go down in history as the second Fourth of July!

Seriously, we all know big government is here to stay. It's not about to be put out of business in the foreseeable future. So we may as well put it to good use. To get done what needs to be done.

One of the things that has been crying for Government action for years is the development of our human resources. This conference is just one indication that Government is responding. Our national priorities have been realigned. And the figures show we're making progress.

This year, for the first time in ten years, the percentage of the Federal budget devoted to human resources is greater than that devoted to national defense. Defense spending has dropped from 48 percent in 1961 to 37 percent in 1971. Human resource spending is up from 30 percent to 41 percent. One of the results of this has been the four billion dollar increase in our Federal investments in education. Another has been the fact that according to HEW more school desegregation has taken place in the last two years than in the entire period between 1954 and 1970.

The number of programs aimed at helping not just the Spanish speaking minority but all minorities has doubled in the past two years. One of the shining examples has been the Small Business Administration. Under the leadership of Hilary Sandoval, the SBA became a force in helping the little guy cut out a piece of the free enterprise action for himself.

In New Mexico, the number of SBA loans going to Spanish-surnamed people is ten times today what it was two years ago. The minority entrepreneurship program and NEDA have helped many of our people to establish their own businesses.

More than that, after helping a man to get into business, we are today providing him with help from private industry experts to make sure he learns good management practices. If he is producing a saleable product, we go a step further and help him sell that product to the Government, under the 8-A Program.

That's only one department of Government. Similar progress is being made in all departments. As a member of the House Interior Committee, I am particularly pleased to see the Interior Department taking such positive steps in this direction. I note in the program that a panel is scheduled for this afternoon for each agency to explain specifically how it plans to implement the Sixteen Point hiring program.

Aside from actually placing people on the payroll, however, we have many opportunities to use Government programs as a catalyst in helping solve the problems of our people.

To cite just one example of how these programs are being used to help our people in New Mexico, I want to tell you about the Sange de Cristo Apple Marketing Corporation.

Those of you who are familiar with the Rio Grande Valley in northern New Mexico will remember that the growing of apples was a major industry in the Espanola area for many years. But in recent years it has declined and many of the orchards were left to die.

One of the reasons for this was that the apple growers were not organized. Most of the orchards were small, and the apples were sold at harvesting time to out-of-state truckers who played one grower against another, keeping the price down to as little as a dollar a box.

The growers were in a bind. They had to sell the apples as they were picked, because they had no cold storage sheds to hold them for the winter market. And none of the growers could afford to build storage facilities. The result was that many of them just walked away from their orchards and took whatever work they could find in town. And an industry that used to provide jobs for hundreds of people was dying.

That's when Government stepped in to lend a hand. Two years ago, we encouraged the growers to get together and form a co-op. The idea was to combine the slender resources of the individual growers into a single unit that would have some economic leverage. Their individual crops were too small to interest the big buyers, but their combined crop could amount to better than a hundred thousand boxes. They formed the co-op and agreed to sell their apples as a unit rather than piecemeal.

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Then they formed a corporation—the Sangre de Cristo Apple Marketing Corporation. It was obvious they needed a large processing facility to clean, sort, grade, box and store the apples, and here again the Government lent a hand.

With a minimum of their own funds as a base, they entered the 502 Community Development Program. The Small Business Administration provided $350,000 on a long term, low interest loan to get the facility built. It was completed last year in time to handle the fall crop. And for the first time in the history of the valley, the growers had a central point where their apples could be boxed and placed in cold storage.

But in concentrating on organization and physical facilities, there had been little time to develop a marketing system. They wound up with about 70,000 boxes of apples in cold storage but with a market for less than half of them.

Again the Government lent a hand. Through the 8-A Government buying program, authorized by Congress to assist minority-owned enterprises to find Federal markets for their products, we arranged for the military to buy $100,000 worth of the apples. And now we have marketing experts working on getting this year's crop sold on the open market.

One of the results of all this has been that the growers' co-op received $4.50 a box for their apples instead of a dollar. More importantly, jobs have been created for about 200 people in the orchards.

My purpose in telling this story has been merely to illustrate that Government can play a much larger role than just putting Spanish-speaking people on the Federal payroll. By mobilizing the full resources of Federal agencies behind the development of private minority-owned enterprises, it can help create new industries that put people to work in the private sector. This multiplies the number of tax paying workers at very little cost to the tax paying public.

The end result is jobs. And jobs are the only real answer to our problems. We all know that when a person has a good paying job with security for the future, most of the problems he had before are automatically solved. He can afford a better home, better education for his youngsters, his mental outlook is better and he becomes a useful, productive member of society. He might even be able to afford a TV set, which in turn helps reduce the population explosion.

In closing, I will return to Secretary Morton's statement of the things we are trying to provide for people: dignity—trust—a voice—and a choice.

An individual with a good job—whether in Government or in the private sector—has the basis for personal pride that carries with it the ingredient of personal dignity. If he has seen Government acting to help him get that job or form a business that employs not only himself but others, he will tend to trust his Government. By becoming an active, productive member of society, he acquires a new voice in the management of community affairs. And when there are plenty of jobs available, he is no longer locked in a hopeless rut. He has a choice.

These things we are trying to do. I congratulate all of you for taking your time to help in this aspect of the work. Today is truly a time for action, not words. And I'm going to set the example by stopping my talking and letting us all get on with the job.

COMMITMENTS BY THE BUREAUS

The end product of this conference was designed to be a commitment by each bureau to goals for hiring and promotion of Spanish-surnamed Americans. Participants were grouped randomly in workshops to discuss what problems they, as managers, envisioned in hiring, training, upgrading, and generally improving career opportunities for the Spanish surnamed. Following the workshops and intermittently throughout the day, those in attendance also caucused according to bureau to design the goals.

The workshops showed that budget restrictions were viewed most often as obstacles to improving employment patterns. The educational lack and language difficulties were not considered to be serious problems in the lower paying jobs but caused at least conceptual problems for managers employing a large number of specially trained professionals.

The resolution to these difficulties was most clearly stated by Wilbur Kane, Assistant Commissioner of Reclamation. These problems will be overcome and minorities will be hired if there is a commitment from the top management communicated to all line supervisors.

Reliance on budgetary restrictions as a reason for failure to act shows that managers still tend to think of the equal employment opportunity program as an extra, something added to their programmatic responsibilities. The

conference showed, however, a changing attitude toward seeing and evaluating the equal employment program as an integral part of the Department's normal activities.

The following goals presented by the different bureaus indicate this progression of attitudes. (The Bureau of Indian Affairs, because of its statutory preference for employment of Indians, did not present goals.)

Bureau of Land Management. Statement by John O. Crow, Associate Director:

I am pleased to have this opportunity to appear on behalf of the Bureau of Land Management to present a brief summary of the action items that we are pursuing in our endeavors to make equal employment opportunity a reality in the Bureau of Land Management.

One of the more relevant action items that we are presently undertaking is the identification of minority employees who are in under-utilized and dead end positions; counseling of those individuals concerning their career goals with the establishment of special training programs. Once this is completed, we will be able to establish specific targets.

The following items represent areas where we have already been able to establish targets for positive action related specifically to the President's Sixteen Point Program for the Spanish Surnamed:

1. We are establishing a close working relationship with predominately minority schools, such as New Mexico State University to assist them in curriculum development, drafting proposals for grants, loan of employees as faculty members, temporary employment of their faculty, co-op programs, etc. The main purpose being to assure that their students are qualified for our positions.

2. We have established targets for recruiting minority, beginning professionals and within these targets we have earmarked 5 positions for the Spanish surnamed.

3. We intend to utilize EEO committees in the Southwest to work at all levels in local public school systems in an effort to direct Spanish surnamed people to Federal careers, and specifically, to BLM.

4. We have established the following targets to be accomplished this employment season in these areas—technicians and aides, 25 positions; clerical—15 positions.

5. Although we do not yet have a system for identifying minorities within our emergency work force, such as fire fighters, we are continuing our program for seeking out, organizing, and training emergency fire-fighting crews which have in the past and will continue to include a large number of Spanish surnamed.

In conclusion, these goals for hiring in the professional, technical, and clerical areas are approaching the population percentages of the Spanish surnamed within the states where our work force is located. One of our major objectives is to reach or exceed those population percentages.

Bureau of Mines. Remarks of Stanley Weis, Assistant Director, Administration:

Although this conference is concerned about the employment of Spanish-surnamed in a five state area, the Bureau of Mines is going to concentrate its recruiting efforts in the Denver area. This is because of the small and/or static workforce in Arizona (11 employees), New Mexico (5 employees), California (30 employees) and the helium activity in Texas.

Taking into consideration our current and anticipated staffing needs, the majority of positions will be in the clerical and technician areas. There will be a limited number of positions in a professional field. The positions for technicians and professionals will be located within our Health and Safety activity, while the clerical jobs will be throughout the Western Administrative Office.

As a result of the Federal Coal Mine Health and Safety Act of 1969, the Bureau has been given additional responsibilities. This has led to the establishment of new positions and programs:

1. Education Specialist
2. Mine Inspector Trainee (GS-5 and 7)
3. Engineering Technician (GS-1 thru 4)

The Educational Specialist will provide training to the mining industry in the areas of first aid, mine rescue, safety, etc. Positions require FSEE eligibility with an education background.

Federal Mine Inspector—entry level GS-9. The written test is abolished and supervisory experience is not mandatory.

Mine Inspector Trainee was designed to reach those applicants who do not have five years of mining experience as required for the normal entry into the mine inspection workforce as a grade GS-9. The minimum requirement for these positions is three years of mining experience or a college degree.

Engineering Technicians will assist inspectors and laboratory personnel. The actual duties assigned will be dependent upon the grade at which hired. Through a combination of work experience and training, these employees will have the opportunity to become mine inspector trainees.

The applicants that we will recruit for the clerical positions will be in grades GS-1 through GS-3.

To date, our major recruitment effort directed at Spanish-surnamed community has been for Federal coal mine inspectors. We have sent recruiting teams into those mining regions such as Trinidad, Colorado, and Raton, New Mexico, to seek out applicants. Those persons contacted by the teams have since been sent letters informing them of new application procedures. The assistance of Chuck Gomez, Civil Service Commission EEO representative, was utilized. In addition, ads were placed in the Spanish newspapers and tapes have been provided to Spanish radio stations.

We are in the process of sending representatives from the Bureau to organizations such as the Latin American Research and Services Agency and the Hispano Youth Congress, seeking their assistance in the referral of Spanish-surnamed applicants and providing information and assistance concerning Federal employment. As part of our program, we are inviting officials of these organizations to the Federal Center to meet Bureau managers and receive an orientation concerning the mission and function of the Bureau and to get a better understanding of the types of positions which we have.

We are also taking a look at the personnel currently on the rolls with the intent of using tools such as job redesign and upward mobility to increase employment stature of our Spanish-surnamed employees.

National Park Service. Remarks of Luis A. Gastellum, Chief, Office of Operations Evaluation, Southwest Regional Office.

The National Park Service is committed to:

1. Hold conferences with superintendents and other key staff to foster understanding and support for the employment of minority group members.

2. Develop, through selective use of regional staff and superintendents, positive contacts with Spanish and other minority leaders at schools of higher learning, and with cultural Spanish organizations to assist the Southwest Region in recruiting the kind and quality of special candidates that the Service requires.

3. Recruit a Personnel Specialist in the Southwest Regional Office to give special attention to contacts with colleges and minority group organizations to ensure a steady flow of candidates for employment as vacancies develop.

4. Identify at least one position in each area in the Southwest Region in the Management Specialist or Public Contact Technician category, and proceed to recruit minority candidates, so that eventually minority group members can be represented in all levels of the organization.

Fill at least 20 percent of these the first year.

(There are 58 areas in the Region.)

5. Identify appropriate Park Aid, Guide, and other entry level public contact vacancies, and fill them with disadvantaged indigenous minorities with above average potential for advancement.

6. Recruit teachers in summer positions who have regular working experience with Spanish-speaking students, so that such seasonal instructors can serve as a future source in recruiting for the Service.

7. Staff information and cultural interpretation outlets with indigenous minorities.

8. Foster Indian and Spanish-American arts and crafts demonstrations and folk art presentations.

9. Identify under-utilized, disadvantaged, and minority employees; and provide intensive training for their upward mobility.

Bureau of Reclamation. Statement by Assistant Commissioner Wilbur P. Kane:

Examples of the Types of Activities Planned by Reclamation Offices to Increase Opportunities for the Spanish-Surnamed

1. Our E & R Center located here in Denver has reviewed its staffing requirements in its personnel office and has identified at least 2 impending retirements within the next year or so. In view of this and to provide continuity of trained staff to service the organization, this office will aggressively seek out a Spanish-surnamed candidate for this position. Plans have been made to visit colleges and universities in the area, utilize the Management Intern and Federal Service Entrance Examination listing, and contact other Reclamation offices in an effort to locate a well-qualified candidate.

2. Our office in Sacramento has, for several months, been recruiting for a minority group person to fill the position of Personnel Trainee. Contacts have been made with several sources, including universities, minority organizations, and the Civil Service Commission requesting referrals of qualified applicants. Several persons have been interviewed, including those of Spanish surname, but thus far there has been no success in obtaining certification of candidates from FSEE register. Efforts in this area are continuing.

3. Our Amarillo, Texas, regional office has initiated a plan to develop a Spanish-surnamed fiscal technician for movement into the professional accounting series. Further advancement in that series will involve the establishment of a career development plan for the employee which will incorporate a target position, training assignments both on and off the job, and other developmental activities which are aimed toward enabling the employee to obtain the necessary qualifications for advancement into professional accounting.

4. Our office in Salt Lake City, which has jurisdiction over the Colorado River Storage Project Office, has made plans to select Spanish-surnamed candidates from the Civil Service register for apprentice jobs in the power operation and maintenance field as future vacancies occur in the project.

5. Several of our field offices have made plans to identify Spanish-surnamed and other minority employees who do not have at least a high school education and to assist them in arranging to take necessary courses or to take the high school equivalency examination.

Bureau of Sport Fisheries and Wildlife. Remarks of Assistant Director Samuel Benjamin:

As the Equal Opportunity Officer of the Bureau of Sport Fisheries and Wildlife I am particularly pleased with this opportunity. The response of our Bureau and field organizations to this program is attested to by our large turnout to today's conference. I look upon this as responsive to a renewed commitment by the Federal Government to the principles of equal opportunity for all and certainly to the goals and objectives which have been discussed in today's conference directed toward the Spanish surnamed.

Preparation for the conference, which involved the collection and analysis of employment data, required that we take a good hard look at our present employment situation as it specifically relates to employment and career opportunities for the Spanish surnamed.

Our present record, frankly, needs stimulation. This shall be done, and steps will be taken to improve our present employment picture for Spanish-surnamed people. Our total Bureau full-time employment in the five state area is 677 full-time employees. Only 45 of these are Spanish surnamed and only three are in professional occupations.

We have compiled and distributed detailed statistics to Bureau managers and our participants here and these will serve as a basis for formulating a constructive and workable program and to maintain followup action.

Already we have on the drawing board plans for recruitment of ten additional Spanish-surnamed em-

ployees. This will give us an increase exceeding 20%. Of these, six are scheduled for professional positions which more than doubles our present professional on-board number.

The statistics I gave you reflect only full-time employment. We have not accounted here for the significant number of part-time and intermittent employees on board. Employments in these categories are significant, however, from the standpoint that some of these employees will be converted to career appointments as ceiling spaces become available.

The Bureau's career opportunity program makes special provision for training and developing minority employees for advancement within the Bureau. Several of our Spanish-surnamed employees have advanced upward in the Bureau under this program.

A revised positive action plan is being developed in the Bureau which will include a comprehensive study of the numerous existing special programs and authorities available to us which are geared to the employment and uplift of minority employees. In the western area, special emphasis within these programs will be given to the Spanish surnamed. This information will be compiled into a readily usable source reference for use particularly by line people. We recommend Departmental use of this concept.

In addition to the new Public Service Careers Program, we plan to make increased use of the Work-Study Program established under the Vocational Education Act. This program is administered by the Board of Education, or equivalent local organization. We believe we can make increased use of the Neighborhood Youth Corps as well as our own Job Corps Conservation Center enrollees to enhance employment opportunities. Our summer program will emphasize attracting Spanish-surnamed candidates. We are establishing a Youth Conservation Camp at our refuge in San Benito, Texas, during the summer of 1971. We anticipate a reasonable number of enrollees with Spanish surnames as well as staff personnel in this new program.

Emphasis in professional employment of the Spanish surnamed will be pursued by exploring cooperative work-study agreements with colleges and universities with strong Spanish-surnamed enrollments.

In summary we will utilize all possible avenues to advance the employment and career development of the Spanish surnamed through contacts with colleges and high schools, vigorous recruitment actions, and close attention to identifying training needs of present employees. I say this with cognizance of our employment restrictions and budgetary problems.

Another step we are taking in revising our positive action plan involves the reemphasizing of line management's responsibility for an active and vigorous role in the total equal opportunity program. We feel it is vital that line supervisors regard their role as the most significant action level in the organization. It is at this level that much of the action must be originated if we are to develop and implement a fully successful program.

There is much to be accomplished and we are cognizant of this. We have identified several specific actions for immediate attention and are committing ourselves to a positive action plan which will bring about needed improvements in our program.

Geological Survey: Remarks of Assistant Director W. F McCornack:

In preparation for this discussion, I welcomed Paul Lorentzen's geographic analysis of employment statistics. In fact, it became relatively easy to recognize, after studying his analysis, where the Survey should concentrate its efforts. Obviously, Survey has the greater number of jobs requiring technicians and clerical skills at three locations within the five state area studied, namely, Denver, Menlo Park, and Sacramento, in that order. A further analysis provides the following:

Denver: 45 out of an overall total of 1371 employees and 14 out of a total of 413 technician/aid employees are Spanish surnamed individuals. This is a percentage Spanish surnamed of 3.3% and 3.1% respectively. When one considers that the population of Denver is 11% Spanish surnamed, it is evident that there is room for major improvement here. It has been our experience that recruiting or interviewing carried out on a face-to-face basis by persons who themselves are Spanish surnamed is of major benefit. Recently, a Spanish-surnamed personnel placement technician has been employed in Denver which will permit greater stress to be placed on the use of this technique.

Menlo Park: The situation in Menlo Park is rather different than it is in Denver. There is no good source of Spanish-surnamed persons reasonably close to Menlo Park. This is clearly established when one looks at our employment rate of Spanish surnamed, i.e., 1.5%. Historically, those Spanish surnamed who have been hired have normally come from the San Jose area which

is about 30 miles away. We have hired from this area but the retention problem is difficult because of transportation expense. In addition, with a built-in supply of relatively unskilled negroes adjoining Menlo Park, our total requirements to fill unskilled job vacancies in lower level technician and clerical jobs can be easily met from local sources. So, a major part of the problem becomes one of priorities as between Spanish surnamed and blacks.

Sacramento: Out of 60 total employees in our Sacramento office, none is Spanish surnamed. Even realizing that a majority of these positions are professional, it does appear that it should be possible to fill several lower level technician and/or clerical positions by Spanish surnamed individuals. We have not yet completed our review to determine exactly what should be done to improve our position in Sacramento.

In summary, we feel that the major problem is to hire additional Spanish-surnamed employees, particularly at the three locations named above. We feel that this can be done and it will be a major emphasis in our recruitment plans for the next six months or so. We further feel that we already have the machinery through our upward mobility program to do a better job of retraining and developing all lower skilled employees, including blacks and Spanish surnamed. But if you don't get the Spanish surnamed on the rolls—we can't very well increase their upward mobility.

BUREAU COMMITMENTS IN SUMMARY

In summary, Bureaus have made the following commitments:

1. Establish quantitative goals for the employment of the Spanish surnamed which will reach or exceed their percentage of the population.

2. Establish close working relationships with the predominately minority educational institutions (e.g. New Mexico State University) to assist them in qualifying their students for Federal employment.

3. Develop ongoing relationships with the Spanish surnamed organizations and schools, soliciting their cooperation and assistance in the referral of qualified minority applicants for employment.

4. Identify specific occupational categories in the management assistant or public contact area, and recruit minority candidates for such positions in the Southwest Region. Establish a time frame for the filling of positions identified.

5. Recruit and hire teachers of the Spanish surnamed for summer positions, and cultivate them as recruitment sources.

6. Revise affirmative action plans to provide for the training of line managers and supervisors, re: their responsibilities and the special programs available for their use in implementing an effective EEO program.

7. Identify the under-utilized and disadvantaged employees and provide the training necessary for their development to full potential.

CLOSING REMARKS

Where, after a day of meeting and discussion, did the Department stand? NEWELL B. TERRY, the Department's Director of Personnel, summed up the conference and its effect.

Mr. Terry:

We are living in a world of change. We have been for the last 150 years. The rate of change is accelerating. Many examples in the scientific world could be given to illustrate this.

In this country and the world, we are also experiencing great social changes. And the rate of social change is accelerating.

It was only a dozen or so years ago that a substantial career official of the Interior Department said to me that one reason he liked to work for Interior was that it was practically all white.

The thing that startles me as I look back on that incident is that I was not nearly as shocked to hear it expressed as a philosophy as I would be today. So I must confess that my own opinions and feelings have been changed and enlightened.

And I suspect that most of you, if you are honest with yourselves, will admit also to changes in your attitude toward the social problems facing this country. If not, I doubt you have grown much—and if you are not growing, you are dying.

I have plenty of evidence that there have been changes throughout this Department. I have watched this change take place through the years. I suspect a great deal of this change is the result of people like Ed Shelton and Ruth Graham, to Personnel Officers, to bureau heads, to regional directors, to field managers, to supervisors at all levels who understand and are sincerely dedicated to the proposition that the mission of the Federal Government is not limited to the basic programs we carry out so well—running the parks, building the dams, scientific research, protection of the environment, education of Indians.

The mission of the Federal Government is also to effect social change for the betterment of all our people—and one important way of doing that is by providing employment opportunities to those who have heretofore been denied such opportunities. And that, in simple terms, is what we have been talking about today.

In the view of the disadvantaged peoples, we have not done enough. And on that score, we have to agree with them. Our purpose today has been to place especial emphasis on one group of people—the Spanish surnamed or Spanish speaking segment of our population. This doesn't mean they are the only ones we are concerned about. But they could well lay claim to the argument that they are the most neglected. This is, indeed, the first time we have mounted a strong special effort in their behalf.

In doing so, we are following Presidential and Administration policy. President Nixon has clearly enunciated this policy and set forth his objectives in the 16-point program which has been referred to many times here today.

But lasting Presidential policy is sometimes hard to come by. At least five presidents prior to the present one have said they wanted to reduce or eliminate discrimination.

They did not accomplish it, and we will not be able to accomplish it completely in this administration or in the forseeable future. But like an awful lot of personnel problems, a great deal of good can come from working at it—sincerely, intensively, and with a true desire to solve it as much as we can.

The present conference is one of many evidences of the Department's sincere desire to work at this problem with vigor. Ed Shelton is the kind of a guy who's willing to talk about a problem until it becomes apparent that talking is no longer the answer. Then he wants to see some action and some results. He's a kind of Billy Sunday type of evangelist. He preaches for a while, then he invites the congregation to hit the sawdust trail—to make a personal commitment.

So that's what we've tried to do. We've asked each bureau represented at this conference to examine and analyze the facts, to study what can be done, and report the results of those deliberations back to the conference.

And that has happened. My own guess is that your estimates of what can be done are conservative. I think you'll do even better than you said.

Of course, we all know you've got budget problems and ceiling problems and skills problems and training problems, and a host of other problems. And we don't want to be unreasonable about them. What is needed, and what I think we've seen adequate evidence of today, is a sincere desire on your part to do your job as you see it and as it has been shown to you. For if you really believe in what you are doing and in the importance of your role in carrying out this important program of the Government for which we all work, I'm quite willing to

trust in your own ingenuity and competence to see that things will be significantly better than they are.

We all know that this is not the only special interest program. We had a dramatic demonstration this morning and this afternoon of the intensity of feeling of certain other groups who must be listed as among our most disadvantaged peoples. They are all trying to catch up. And we who happen to have been born more fortunate, whose opportunities have come much easier, and who now find ourselves in relatively comfortable positions, cannot afford for the sake of our own consciences to be a part of the barrier that they must overcome.

We cannot do it alone; private industry cannot do it alone, and they cannot succeed without help. As Mr. Lucero said this morning, "We must do it together." And do it we shall, because the alternative is too dreadful to contemplate.

Where do we stand? A story, which may or may not be true, is told of Prime Minister Churchill. The Prime Minister, it is said, was visited by a delegation of temperance ladies who came to complain about Mr. Churchill's consumption of brandy.

One little old lady addressed Mr. Churchill and declared, "Why Mr. Prime Minister, if all the brandy that you drank in a year was poured into this room, it would come up to here." Mr. Churchill looked solemnly at the floor, and then at the ceiling and then at the little lady's hand somewhere at the midway mark. Then he muttered, "So little done; so much yet to do!"

So that's where stand. We have done so little, and there is so much yet to do.

I would like to express our appreciation for your attendance at this conference—particularly to those of you who work in what we in Washington call "the field."

Come to think of it, "the field" is a fairly appropriate expression. It indicates that we know you are where the real work of the Department is done. Without your energies, your dedication, your understanding, and your support, neither the Secretary nor anyone else in Washington can do anything.

Your presence and participation in this conference give us great comfort. Whenever I come into contact with the people who work in and for the Department of the Interior, I come away with renewed confidence and renewed pride in the Department with which I am most fortunate to be associated.

I passed my sixteenth anniversary with this Department last week. They have been the most rewarding and satisfying years of my life. I would like to share those rewarding and satisfying experiences with as many people as I can.

And to that end and that purpose, may we all rededicate ourselves.

APPENDIX I

THE PRESIDENT'S SIXTEEN POINT PROGRAM DIRECTED TO THE CIVIL SERVICE COMMISSION FOR EMPLOYMENT OF SPANISH-SURNAMED AMERICANS

1. Appoint a full-time official in the Civil Service Commission who will provide advice and assistance on matters relating to Spanish-surnamed population to assure full application of the EEO program in all Federal agencies to this group.

2. Begin an intensified drive to recruit Spanish-surnamed persons, particularly for identified public contact positions, in areas of heavy Spanish-speaking population, including the Southwestern states and in Chicago, Detroit, and New York, and certain other major metropolitan areas.

3. Use specialized recruitment teams, to include Spanish-speaking persons, for college recruitment, particularly at colleges with heavy Spanish-speaking enrollments.

4. Begin work immediately with OEO, DHEW, HUD, Labor to find ways to enhance opportunities at all levels for Spanish-surnamed Americans in programs dealing with the Spanish-speaking population as well as in other programs and in key occupations

5. Step up recruitment for Cooperative Education Program at colleges with significant numbers of Spanish-speaking students to permit entry from FSEE registers without necessity of written examination.

6. Emphasize to Federal agencies availability of selective placement on bilingual basis so Spanish-speaking persons may be reached for appointment to positions dealing with the Spanish-surnamed population.

7. Hold an EEO conference of Federal managers and equal opportunity officials in the Southwest designed to assure equal opportunity for Spanish-speaking persons in employment and upward mobility in Federal agencies.

8. Develop plans for Federal agencies under CSC area office leadership to work with high schools in Spanish speaking areas to make known job opportunities in the Federal Government and to counsel and to encourage students to stay in school.

9. Hire for summer employment in Federal agencies high school and college teachers from schools serving Spanish-speaking students to give them understanding of the Federal Government which they can relate to students.

10. Make special effort to inform Spanish-surnamed veterans of availability of non-competitive appointments for Vietnam Area Veterans including GS-5 level.

11. Require Federal agencies to review their EEO action plans and minority employment figures and make any necessary revisions to assure the full applicability of the plans to Spanish-surnamed population.

12. Review with agencies staffing of EEO program to make sure that there is understanding in the program of the special problems of the Spanish-speaking.

13. Provide additional training programs on EEO and personnel management for Federal managers in areas of Spanish-speaking population.

14. With the Department of Labor, explore the feasibility of establishing an Intergovernmental Training Facility for upward mobility and skills training for Federal, state and local careers in the Southwest, probably in San Antonio.

15. Collect necessary data and broaden analysis of minority statistics to bring out special information relating to employment and upward mobility of Spanish-surnamed persons in the Federal Government.

16. Require EEO reports from agencies to reflect special information on Spanish-surnamed persons and include in the CSC agenda for EEO evaluation questions directed at particular problems relating to employment and upward mobility of Spanish-surnamed persons.

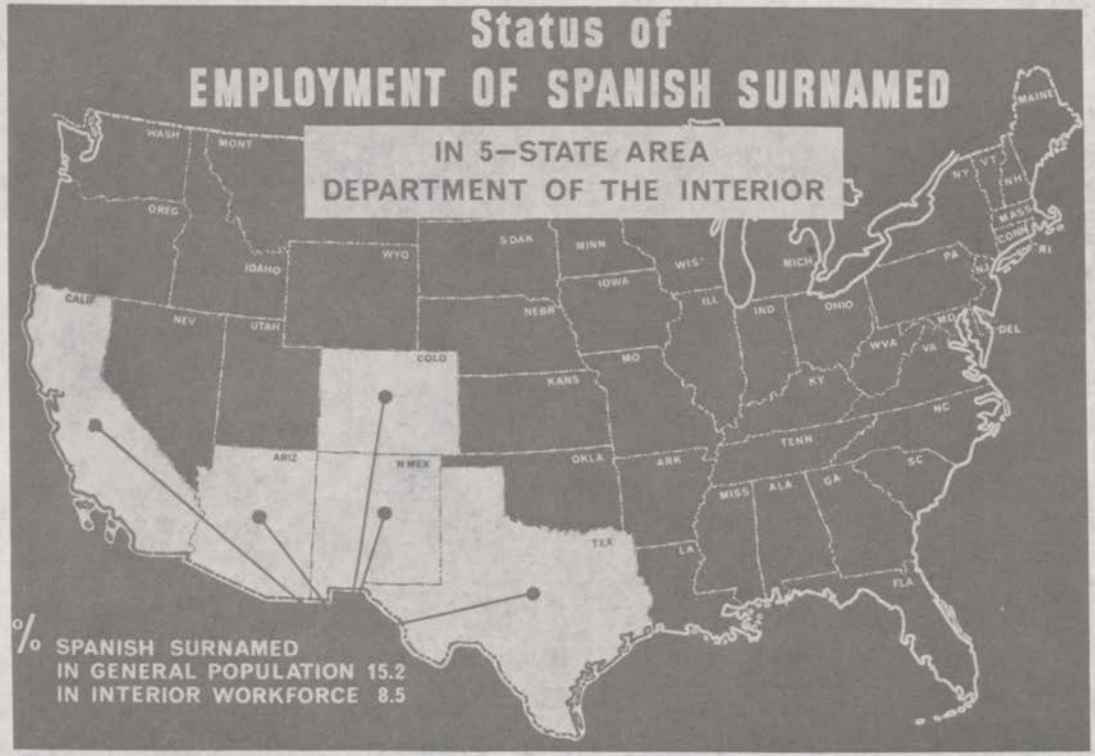

Status of
EMPLOYMENT OF SPANISH SURNAMED
IN 5–STATE AREA
DEPARTMENT OF THE INTERIOR
WASH
MONT
OREG
CALIF
NEV
IDAHO
UTAH
WYO
COLO
ARIZ
N MEX
NDAK
SDAK
MINN
NEBR
IOWA
KANS
OKLA
TEX
WIS
ILL
MO
ARK
LA
MICH
IND
OHIO
KY
TENN
MISS
ALA
GA
FLA
SC
NC
WVA
VA
MD
DEL
PA
NJ
NY
MAINE
VT
NH
MASS
CONN
RI
% SPANISH SURNAMED
IN GENERAL POPULATION 15.2
IN INTERIOR WORKFORCE 8.5

Figure 1

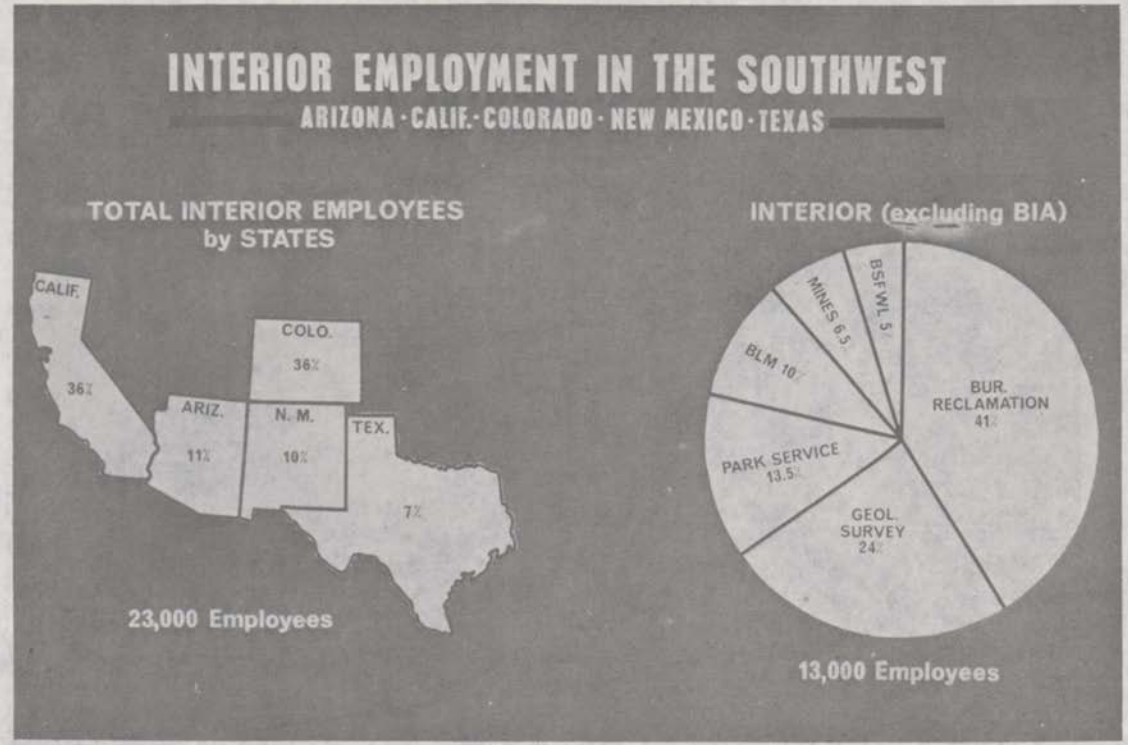

INTERIOR EMPLOYMENT IN THE SOUTHWEST
ARIZONA · CALIF. · COLORADO · NEW MEXICO · TEXAS
TOTAL INTERIOR EMPLOYEES
by STATES
CALIF.
36%
COLO.
36%
ARIZ.
11%
N. M.
10%
TEX.
7%
23,000 Employees
INTERIOR (excluding BIA)
BUR. RECLAMATION
41%
GEOL. SURVEY
24%
PARK SERVICE
13.5%
BLM 10%
MINES 6.5%
BSFWL 5%
13,000 Employees

Figure 2

75 % OF INTERIOR EMPLOYEES
LOCATED IN THESE 22 KEY DUTY LOCATIONS[1]
Redding 176
Willows 105
Auburn 239
Sacramento 774
Tracy 161
Fresno 277
Loveland 155
Denver 3,756
Montrose 259
Pueblo 193
Flagstaff 133
Santa Fe 211
Albuquerque 495
Amarillo 287
Blythe 197
Phoenix 613
Yuma 184
El Paso 187
Austin 119
[1] BIA excluded

Figure 3

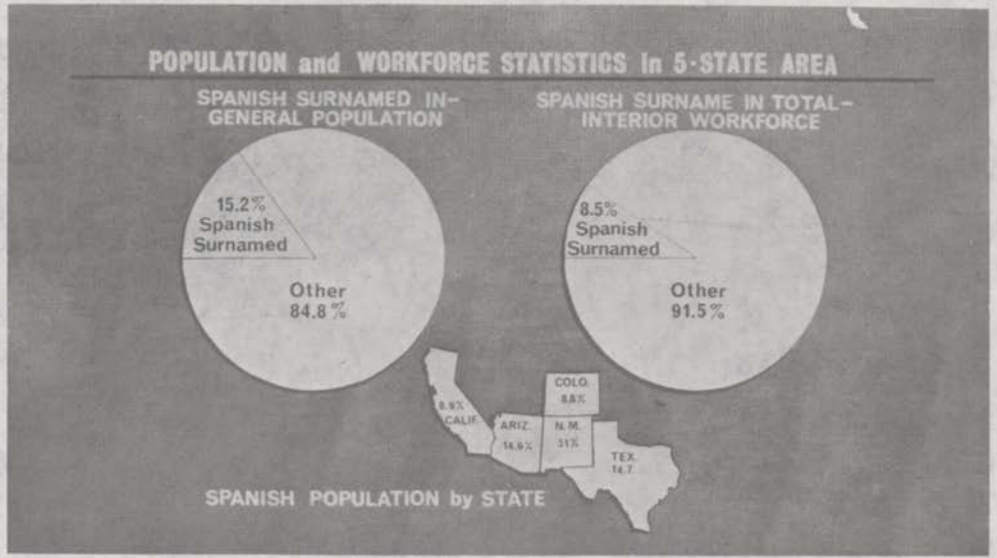

POPULATION and WORKFORCE STATISTICS In 5-STATE AREA
SPANISH SURNAMED IN-GENERAL POPULATION
15.2% Spanish Surnamed
Other 84.8%
SPANISH SURNAME IN TOTAL-INTERIOR WORKFORCE
8.5% Spanish Surnamed
Other 91.5%
8.9% CALIF.
ARIZ. 14.6%
COLO. 8.8%
N.M. 31%
TEX. 14.7
SPANISH POPULATION by STATE

Figure 4

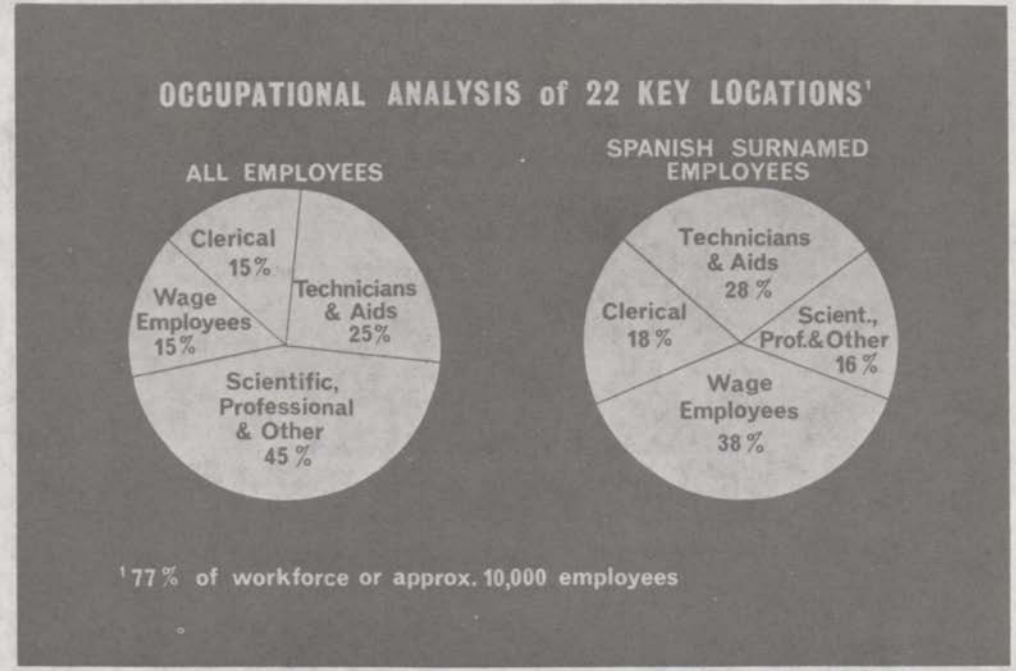

OCCUPATIONAL ANALYSIS of 22 KEY LOCATIONS'
ALL EMPLOYEES
Clerical 15%
Technicians & Aids 25%
Wage Employees 15%
Scientific, Professional & Other 45%
SPANISH SURNAMED EMPLOYEES
Technicians & Aids 28%
Clerical 18%
Scient., Prof.& Other 16%
Wage Employees 38%
'77% of workforce or approx. 10,000 employees

Figure 5

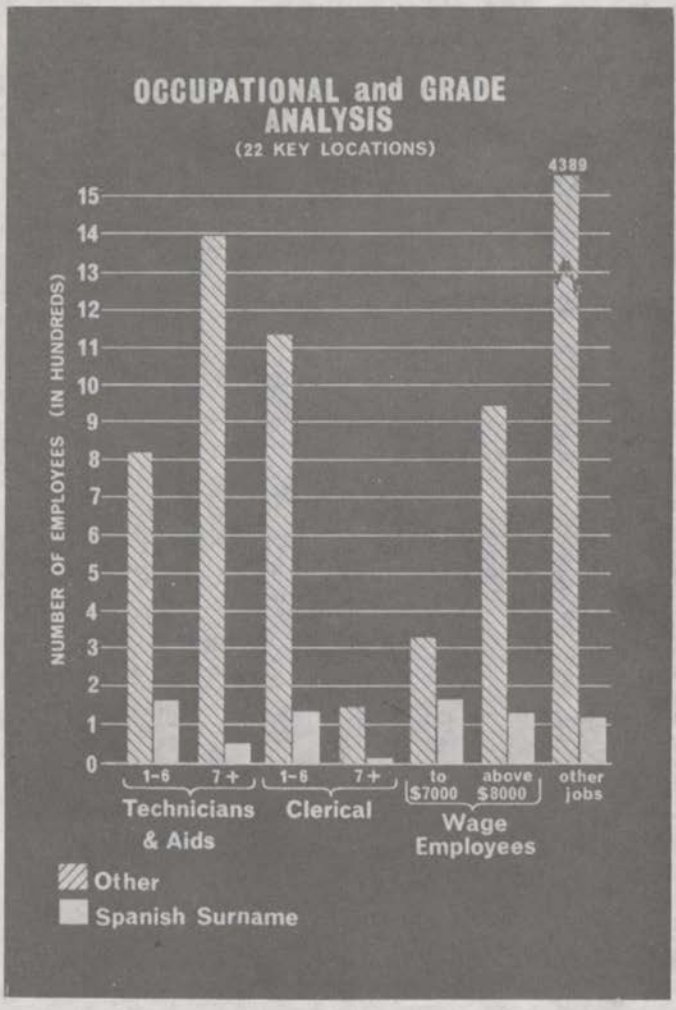

OCCUPATIONAL and GRADE ANALYSIS
(22 KEY LOCATIONS)
NUMBER OF EMPLOYEES (IN HUNDREDS)
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
0
4389
1-6
7+
1-6
7+
to $7000
above $8000
other jobs
Technicians & Aids
Clerical
Wage Employees
Other
Spanish Surname

Figure 6

46-120 O - 75 - 12

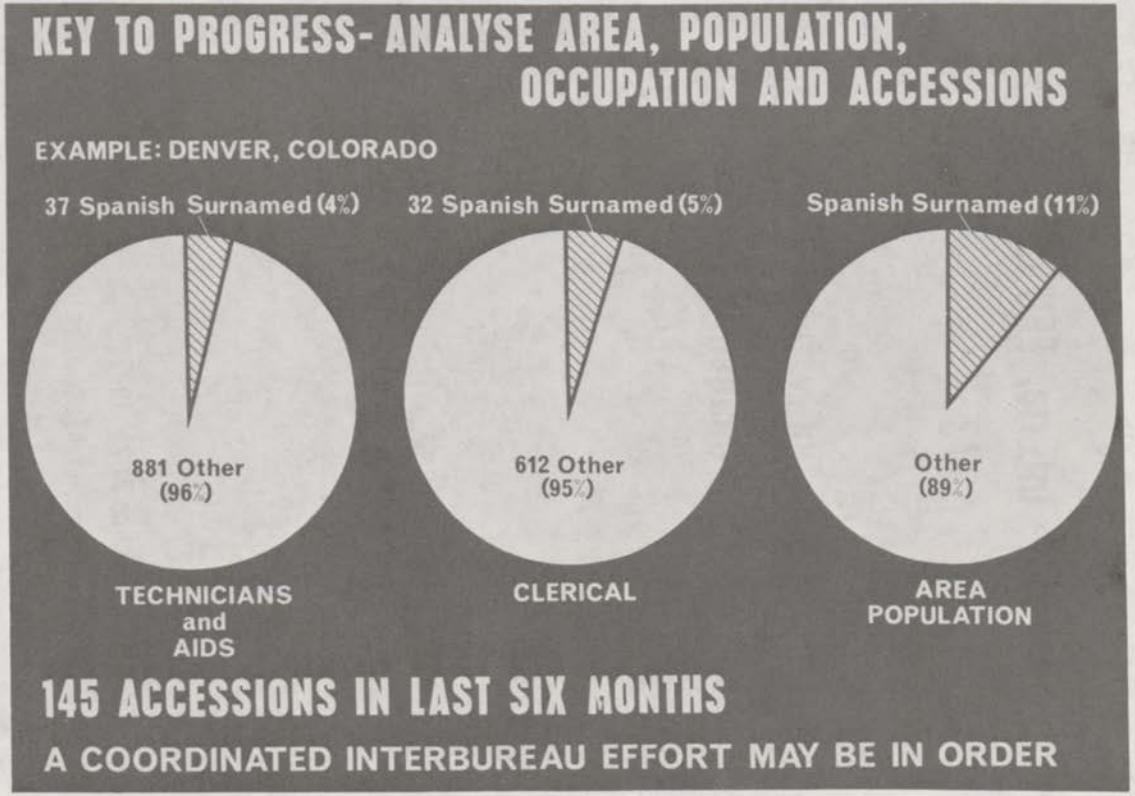


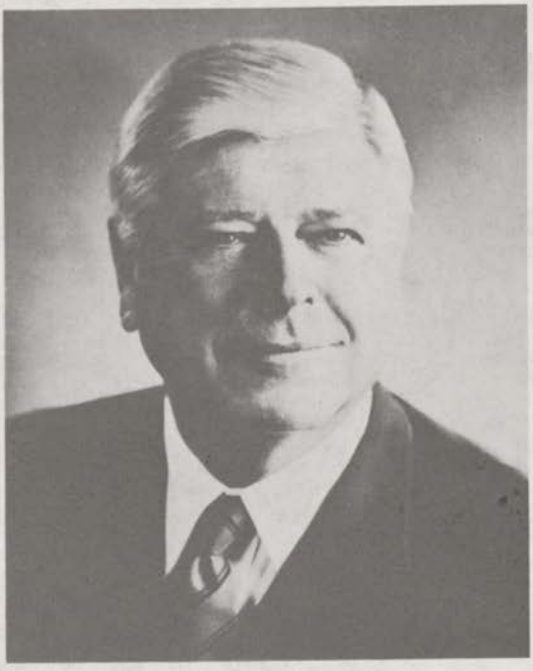
Figure 7

EXHIBIT 2

Department of the Interior EEO Conference 1973

Equal Opportunity for all-- Management's Challenge NOW

March 21-23, 1973
Washingtonian Motel & Country Club
Gaithersburg, Maryland



The Secretary of the Interior

"... The goals you set for strengthening and upgrading human resources in your own bureau or office should have no less concentrated effort and determination than the goals set to meet the crisis involving our Nation's natural resources."

Rogers C. B. Morton

ACKNOWLEDGMENTS

The Director of Equal Employment Opportunity, the Federal Women's Program Coordinator, and the staff of the Office for Equal Opportunity express their sincere appreciation for the willing cooperation and generous assistance of those individuals who helped to make this Conference a success.

CONFERENCE COMMITTEE

Ray Gunter, FNP
James P. Howell, LIA
Paul Lorentzen, APM
Barbara Payne, FSF
William Thurston, MGS
Bill Spillers, APM

WORKSHOP LEADERS

Theodore C. Krell, FSF
José Cisneros, FNP
Ray Gunter, FNP
Maxine Millard, MGS
Bill Spillers, APM
Barbara Payne, FSF
Gordon Jennings, APM
John Caracciolo, MGS
Shirley Kennedy, OS
Irene Moore, FSF
Paul Lorentzen, APM
John Fulbright, OEO
Chester R. Baggs, WBR
Geneva Ruffin, APM
Lorraine Kropitzer, LLM
Larry M. Lane, APM

CONFERENCE GENERAL CHAIRMEN
Edward E. Shelton, OEO
Wilma Victor, S

Conference Coordinator
Ruth Graham, OEO

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Special Consultant to the President

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Equal Employment Opportunity Commission

INTRODUCTION

On March 21 thru 23, 1973, top managers, personnel officers, equal employment opportunity officers, and federal women's program coordinators from bureau headquarters and field installations throughout the nation met in Gaithersburg, Maryland, for the first major EEO conference in the Department of the Interior since 1963.

The conference focused on new trends in equal employment opportunity as a result of passage of the EEO Act of 1972, and other significant happenings as the result of court actions.

In addition to the mandates of Executive Order 11478, equal employment opportunity in the Federal Government now has a clear and positive statutory charter. Managers participated in two full days of sessions discussing with Departmental and Civil Service Commission officials their role in this new EEO era. Personnel officers, EEO officers and Federal Women's Program coordinators were continued in sessions for a third day to develop measures that would ensure the fulfillment of management's role.

Registering Conference participants were from left, Maryjean Kogon, MBM, Jo Ann Taylor, OEO, Anne Kirby, MBM, and Mary Donovan, OEO.

OPENING

The Conference was opened officially by a message from the Secretary of the Interior who was not able to attend in person due to illness.

In remarks preliminary to the opening, Mr. Edward E. Shelton, Conference General Chairman, established conference objectives and goals of the various sessions and special workshops. Mr. Shelton expressed his hope and anticipation for the development of the best results-oriented affirmative action program ever devised as the major outcome of this conference. He expressed, further, that he expected the firm commitment from each manager present to implement effectively every aspect of the affirmative action program.

Edward E. Shelton
Conference General Chairman

EEO Conference General Assembly

THE SECRETARY'S MESSAGE

Royston Hughes delivers the Secretary's Message

On the first of this month, President Nixon sent a message to the congress devoted entirely to human resources. In it he wrote:

"America's greatness will endure in the future only if our institutions continually rededicate themselves to saying yes to the people–yes to human needs and aspirations, yes to democracy and the consent of the governed, yes to equal opportunity and unlimited horizons of achievement for every American."

We are fortunate to live in an era in which these principles are an integral part of the commitment in government and among our people to human rights, and human justice. Today these principles are not only a precious part of our national heritage, but a dictum for action that all Americans must follow if we are going to be a people that is truly free.

While we have the spirit of justice and the dictate of law to guide us, we can only achieve *true* opportunity when the attitudes and actions of our people reflect human values.

As the managers of our nation's natural resources we cannot–and we must not–overlook the needs of our fellowman. It is imperative that, as we move towards achieving equal opportunity within our department, we must not lose sight of the fact that discrimination not only has a human cost–it represents the underutilization of manpower resources.

I believe that the department's "affirmative action program" captures the spirit and intent of our civil and human rights laws and that we have made sweeping progress to achieve not only our natural resources goals–but our human goals as well. These accomplishments, however, are the outcome not just of a commitment on the part of our entire management team–but the result of the selfless dedication of people like Edward Shelton, the Director of the Office for Equal Opportunity and his capable staff, especially Ms. Ruth Graham. Nevertheless, there is still much to do.

While there are few remaining legal obstacles to equal opportunity–and I mention this because the President has placed a high priority on the ratification of the Equal Rights Amendment to the Constitution so that American women may never again be denied equal opportunity–there are continuing economic and social needs to carry our laws to the daily lives of our people.

While the administration has provided massive increases for Civil Rights and Equal Opportunity in the FY 1974 budget–$3 billion–3-1/2 times more than in 1969, *some* Americans still face difficulty in jobs, in housing, and in education.

I believe that our efforts within the Department of Interior are succeeding to provide equal oppotunity for *all* members of the department. We have made a vigorous effort to recruit women, Blacks, Indians and other minorities for key positions within the department. More important, however, we have made a genuine effort to promote and upgrade members of minority groups within the department itself.

While each of our bureaus has a full-time equal opportunity officer reporting directly to the bureau head and we have a similar system in the field–we have also designated full-time federal women's program coordinators to assure that our overall EEO efforts represent *all* our people.

Our talent bank has already provided the department with capable professionals who might otherwise have not had the visibility to be considered and appointed to key positions within Interior.

I am proud to say that over half of my special assistants are women:

– Miss Wilma Victor, who coordinates Indian Affairs.

– Miss Shirley Kyle, who coordinates District of Columbia Affairs.

– and, Miss Pamela Coe, who directs Cultural Affairs Activities within the department.

I am unhappy to say that we have not done as well at the bureau level. Last year we established a goal placing 50 women in the grades of GS-13 and above. Unfortunately, we only placed 27. While this certainly marks progress–we must do better.

While I believe we must devote greater recruiting efforts to fill our mid-level and executive management positions with women and other minorities, I also maintain that our bureau directors and section heads must place just as great an emphasis on looking within the department for men and women who can fill these positions–who already know the department–and who can continue to make an even greater contribution to the Interior in a more challenging and responsible job.

I would like to make a final point regarding Indian Rights.

Today, America's Indians are at the threshold of a new era of self-determination that can turn around their century and a half of frustration and paternalism at the hand of the federal government. While I believe that the President's philosophy of "self-determination" responds to Indian needs because it provides our first citizens with

– cultural integrity
– the freedom of choice on his personal patterns of living
– and, most important, human dignity

I also feel that the greatest strength in our policy is that it is predicated on the belief that the American vision–and the American character is built upon individual responsibility and individual decisions. Human freedom is not based on anarchy. Human freedom, instead, is the result of the preservation of individual rights and opportunities for individual choices. That is what the American Indian has asked for, and that is what we are seeking to provide him.

As our efforts in equal opportunity move forward during this next year let us keep in mind those principles.

As President Nixon said, *"If we shirk our individual responsibility, the American Dream will never be more than a dream. But if the people say yes to this challenge, if government says yes to the people–and if all of us in Washington say no to petty quarrels and partisanship and yes to our public trust–then we can truly bring that dream to life for all Americans in the new day of peace that is dawning."*

KEYNOTE ADDRESS

by Honorable Leonard Garment
Special Consultant to the President

Leonard Garment

What I would like to do is use this occasion to discuss a policy position in an important EEO area: namely the federal government's developing relationship with State and local governments in making sure that the latter bring their own personnel systems up to the EEO standards required by law.

What I am going to say represents something more than a casual statement of my personal views. It is based on an agreement worked out with care among representatives of the various Executive Branch agencies which have responsibility in this area. Inevitably, the more authoritative a statement is, the duller it is—and while I will try to minimize this problem, I hope you will recognize that it is unavoidable.

The Federal Government is involved with State and local governmental personnel systems in a number of ways.

First, the new amendments to Title VII of the Civil Rights Act, known as the Equal Employment Opportunity Act of 1972, give the EEOC and the Department of Justice new enforcement responsibilities for eliminating discriminatory employment practices among State and local governments, including authority for the EEOC to seek Court enforcement of its decisions and authority for the Department of Justice to bring civil actions against State or local governments.

Second, under the Intergovernmental Personnel Act, the Civil Service Commission assists State and local governments; for instance the Commission gives grants to improve testing and selection procedures. One of the Commission's objectives in this assistance is to help ensure nondiscrimination in the various State and local personnel systems.

Third, the federal government pays the expenses of some State and local service-delivery systems, e.g. the U.S. Employment Service, in which the local workers remain local, rather than federal, employees. Regulations under these laws require that such local systems be operated on a non-discriminatory basis.

Fourth, state and local governmental units, insofar as they may be contractors with the federal government, are covered by Executive Order number 11246, which forbids discrimination on the part of the federal contractors.

We thus have four separate government agencies—EEOC, the Civil Service Commission, Justice and Labor—directly involved in advising (or in some cases instructing) State and local governments as to how to discharge their legal responsibilities to ensure nondiscrimination in their personnel systems. When it is a matter of arguing cases in court or drafting consent decrees—as frequently occurs—the Department of Justice must speak for the entire Federal Executive Branch in defining what are acceptable or unacceptable remedies on the part of State or local governments which have been delinquent in their equal opportunity responsibilities.

The moment we have four different agencies which deal with State and local governments in the same operational field, we have the challenge of making sure that each of the four follows the same policies and guidelines as to proper and improper ways to move from a discriminatory to a nondiscriminatory personnel system. Nothing is more frustrating to State and local officials than to get conflicting "signals" and advice from different sources in the Federal Executive Branch. Every reasonable effort must be made in this particularly complex and sensitive area to avoid multiple interpretations and the ensuing confusion.

The policies I am about to discuss reflect an attempt at a unified approach on the part of the four Federal agencies just mentioned.

All four agencies agree that there is no conflict between a true merit selection system and equal employment opportunity laws—because each requires nondiscrimination in selection, hiring, promotion, transfer and layoff, and each requires that such decisions be based

upon the person's individual ability and merit, not on the basis of race, color, national origin, religion or sex.

All four agencies recognize that goals and timetables are appropriate as a device to help measure progress in remedying discrimination. Furthermore, all four agencies recognize the basic distinctions between permissible goals on the one hand and impermissible quotas on the other. Let me elaborate on these points of agreement specifically.

In the employment context, a quota would mean the application of a fixed number or percentage of persons of a certain group that would have to be hired; the crucial consideration would be whether the mandatory numbers of persons had in fact been hired or promoted. The fixed number would have been derived from the population in the area or some other numerical base, regardless of the number of vacancies or the number of potential applicants who would meet necessary qualifications. If the employer failed to meet the fixed requirement, he would be subject to sanction. It would be no defense, under a quota arrangement, for the employer to argue that the quota may have been unrealistic to start with, that there were insufficient vacancies or that there were not enough qualified applicants available although he tried in good faith to obtain them through appropriate recruitment methods.

A goal, on the other hand, is a numerical objective, fixed realistically in terms of the number of vacancies expected, and the number of qualified applicants available in the relevant job market assuming affirmative recruitment efforts. An employer is not expected to displace existing employees or hire unneeded or unqualified applicants to meet a goal. If the employer has demonstrated a good faith effort in advertising and recruiting eligibles under an affirmative action program, but still cannot find enough qualified applicants to meet his goal, he is not subject to sanction.

Under a system of goals, therefore, an employer is not required to hire a person who does not have qualifications needed to perform the job successfully; an employer is not required to hire an unqualified person in preference to another applicant who is qualified; an employer is not required to hire a less qualified person in preference to a better qualified person, provided that the qualifications used to make such relative judgments realistically measure the person's ability to do either the job in question, or other jobs to which he is likely to progress. The terms "less qualified" and "better qualified" as used here are not intended to distinguish among persons who are substantially equally well qualified in terms of being able to perform the job successfully.

Unlike quotas, therefore, which call for a preference for the unqualified over the qualified, or of the less qualified over the better qualified to meet whatever is the numerical requirement, a goal recognizes that persons are judged on individual ability, and therefore the setting and fulfilling of goals is consistent with the principles of merit hiring.

In sum, goals, timetables and affirmative action programs are a process designed to work toward the elimination of discrimination by breaking down barriers of habit, attitude and training which prevent the recognition of individual merit. Quota systems, on the other hand, can actually compound discrimination by establishing arbitrary numbers that take no account of individual merit. Under the quota system, the individual qualities of particular employees virtually disappear; what counts are those attributes which the employee happens to share with some larger group—even though these attributes are unrelated to the work in question.

Making all these distinctions work in practice is bound to be delicate and a difficult task. Dissatisfaction with particular applications by one side or the other is inevitable. This is the case with most of the important questions of public administration in our complex society. Determining just what constitutes good faith, for example, can be a subtle process involving highly subjective considerations and difficult questions of fact. But each day administrative officials must make thousands of controversial judgments concerning other highly discretionary areas of social policy.

In the absence of sensitive administration, affirmative action plans can quickly be transformed into *de facto* quota systems. It is easy and tempting for those who enforce such plans to substitute arbitrary quantitative measurements for more complex criteria in measuring compliance, to give undue weight to proportional representation in working out goals and timetables, and to allow the goal of advancement for every person on the basis of individual merit to yield to the effort to vindicate group rights.

When these things happen, the reaction is inevitable: resentment and resistance builds against the whole idea of affirmative action. It is seen as a sham, a semantic trick for disguising what turns out to be a quota system after all. And out goes the proverbial baby with the bath water.

The President has reaffirmed his support for affirmative action programs and his opposition to quotas. The apparent deterioration of the distinctions discussed above, prompted his instruction to federal officials last August to re-examine their procedures and to take whatever remedial actions are necessary. What I am reporting on today is part of that continuing process.

This effort is not a retreat from strong affirmative action programs. There is no truth to the rumors which predict such a retreat. There is, however, every reason to work to protect true affirmative action programs by

preventing their fatal transformation into *de facto* quota systems. For if that happens, the crucially important struggle for equal opportunity will inevitably be set back. State and local governments must be able to count on not only the senior officers of the EEOC, the Civil Service Commission, the Department of Labor and the Department of Justice, but also each and every one of their representatives in the field, to recognize and respect these distinctions and to carry out the President's policy in a unified and consistent fashion.

Turning now to specifics, the question is this: when a State or local personnel system has been challenged on grounds of discrimination involving race, color, national origin, religion or sex, and has been found by the EEOC, the Civil Service Commission, the Department of Labor, the Department of Justice or the Courts as having in fact used such discriminatory practices, what are the proper remedies to be sought, either administratively or in Court?

In other words, in light of my previous general discussion of agreed principles relating to goals and quotas, to what extent should the responsible federal agencies attempt to intervene and alter State and local governmental personnel systems? What specific steps should they take or argue that Courts take in such interventions?

There are some cases where administrative agencies or Courts find that the patterns and practices of discrimination have been deep and persistent. (The particular factual circumstances are most important; no case stands apart from the months and years of history of personnel administration in the particular State or municipality.)

The four agencies Justice, EEOC, Labor and the Civil Service Commission agree that if a State or local government's personnel system is administratively or judicially found to be discriminatory, that system must be changed and that the following remedies are appropriate means to do so:

First, where an individual person has been found to be the victim of an unlawful employment practice, he or she should be given priority consideration for the next expected vacancy, regardless of his or her relative "ability ranking" at the time the new hire is made - because were it not for the act of discrimination, he or she would in fact be on the job.

Second, affirmative action plans need to be utilized to fill additional available vacancies, and the key to such plans is often an imaginative program of advertising and recruitment in order to open up sources of eligible applicants which had simply never been sought out before.

Third, numerical goals should be utilized, the President having characterized them as "an important and useful tool to measure progress which remedies the effect of past discrimination".

Fourth, if necessary, it is appropriate for a court to *order* an employer to make a good faith effort to meet the goals and timetables, and for a court to *impose* hiring goals on an employer who has engaged in racial or ethnic exclusion or other unconstitutional or unlawful employment practices. In some job classifications, in which the newly hired person learns, on the job, the skills required, and where there is no extensive education, experience or training required as prerequisite to successful job performance, many applicants will possess the necessary basic qualifications to perform the job. While determinations of relative ability should be made to accord with required merit principles, an employer should be expected to meet the goals if there is an adequate pool of qualified applicants from the group formerly discriminated against from which to make selections. If the employer in these circumstances does not meet the goal, he has the burden to justify his failure.

Fifth, the four agencies agree that in State or local governmental employment cases where selection procedures are alleged to be structured on a merit basis but are in fact discriminatory, such procedures must be changed. The State or local government will be expected to devise or borrow a selection procedure which is as objective as possible, and is likely to be proved valid, and is not likely to perpetuate the effects of past discrimination. If the hiring goal, referred to in step 4, is not being met because of this interim selection procedure, that procedure and other aspects of the affirmative action program will have to be revised and in such a way that the procedures which are used do not raise artificial or unnecessary barriers.

Sixth, it is agreed that under any interim selection procedures, it will not be fair to impose on those persons who have been excluded from employment because of past discrimination new tests or standards more severe than those used by the employer in selecting from the previously eligible groups, unless the new standards are required by business necessity.

Finally, it is agreed that administratively or through the courts we will urge and we will help the state or local employer to develop a valid, job-related, merit selection procedure as rapidly as circumstances permit.

At the very heart of a merit system, of course, is a set of selection procedures which allow applicants for a new job or a better job to be objectively rated and scored. Once there are scores, there is a rank order "ladder" and merit principles demand that the rank ordering be respected. It is essential of course, that if such ladders are going to be used in that fashion, the tests or other

selection procedure on which those all-important scores are based must be devoid of discrimination with respect to race, color, national origin, religion or sex. In the words of the Supreme Court, the Civil Rights Act—

> "proscribes not only overt discrimination but also practices that are fair in form but discriminatory in operation. The touchstone is business necessity. If an employment practice which operates to exclude Negroes cannot be shown to be related to job performance, the practice is prohibited."
>
> and, further, that:
>
> "... good intent or the absence of discriminatory intent does not redeem employment procedures or testing mechanisms that operate as 'built-in headwinds' for minority groups and are unrelated to measuring job capability."

A task to which the Civil Service Commission expects to give high priority is that of aiding State and local governments to improve all aspects of their personnel administration so that discrimination is eliminated from all their selection procedures. If it has engaged in a pattern of discrimination in the past, of course, the employer has an obligation to take affirmative steps to eliminate the present effects of that discrimination. Such steps may include recruiting, and setting goals and timetables.

When progress has been made to eradicate the effects of such practices, and selection procedures can be developed and put into effect which meet the Supreme Court's standard, then a true merit system exists. When that happens, as I said at the beginning, there is no conflict between a true merit system and the Civil Rights Act since both of them include nondiscrimination as a *sine qua non.*

The general principles which I have discussed and the specific steps which the EEOC, the Civil Service Commission, the Department of Labor and the Department of Justice have concurred in, constitute a framework of reasonable certainty on which State and local government can rely in their developing relations with the Federal Government.

Future interagency differences will almost inevitably arise—but these will be identified and discussed; we hope State and local governments will call cases to our attention where this process of coordination needs sharper focus and better definition. Although the Courts may go further than these principles and strike out in directions of their own, as of today there is yet no great inconsistency between what the Courts have said and what we have spelled out here.

With general revenue-sharing now a reality and with special revenue sharing bills pending for Congressional consideration, the several States and the many municipalities—and we ourselves in the federal government—all want to make sure that State and local personnel systems are models of fairness.

We also wish to ensure that the principles we apply to our efforts to eliminate discrimination at all levels of public employment are consistent with our efforts *vis a vis* private employment. These remarks have the added objective of aiding in that coordination process as well.

I repeat: difference of interpretation will almost certainly continue to arise. There are many words of art in the interagency agreement which forms the basis for this speech this morning—words which will require men and women of wisdom and good will in cooperating institutions at every level of our federal system to work together to find more precise definitions which define general principles in the light of concrete experience and common sense.

State and local governments can be assured of cooperation by the affected federal agencies in moving toward this objective. The process will be what Reinhold Niebuhr described in defining democracy which he characterized as the constant seeking after "proximate solutions to insoluble problems."

The first step in this process of course is for us in the federal Executive Branch to work with one another. If we fail to do that, our own disagreements will simply become magnified as they get farther from Washington - and the resulting confusion and reverse discrimination will produce a backlash which will prevent us from achieving even the most modest objectives.

Within the Federal Government's own civil service system, the Civil Service Commission is by law the agency responsible for ensuring the steady progress of our own equal employment opportunity program. The principles enunciated here of course apply to our own Civil Service system. We uncover problems too—and we are addressing them with good results. We shall continue that forward motion with the help and dedication of men and women like yourselves.

WHERE WE ARE – THE EMPLOYMENT PICTURE

The Office for Equal Opportunity had analyzed the Department's work force, and had presented its findings in six major graphs which were placed on exhibit at this conference and duplicated in miniature as handouts. These graphs appear in Appendix I.

Of significance is the finding that the percentage of minority to total employment in the Department (exclusive of Indian employment in the Bureau of Indian Affairs) has increased only 1.76 percent over a ten year period–from 5.48 percent to 7.24 percent. (Figure 1) As for Indian employment, 10,040 (95.7 percent) of the total of 10,492 Indian employees in the Department are concentrated in the Bureau of Indian Affairs. (Figure 5)

Another significant graph (Figure 2) shows that the percentage of women employees in grades GS-6 and below far exceeds the percentage of men employees in these grades. Just past the GS-6 grade level, however, the percentage of men employees begins to abound and reaches 90 percent and above for all positions at GS-11 and above. There are no women employees above the GS-15 grade level, and less than 5 percent of total employment at any grade level above GS-11.

The breakdown by occupational category of total, female, and minority employment which appears in (Figure 3) reveals a remarkably low utilization of women and minorities in the major occupational groups identified with the Department. These are the professional positions in Urban and Outdoor Recreation Planning, Park Management, Biological and Related Plant Sciences, General Fish and Wildlife Sciences, Engineering, and the Physical Sciences.

The challenge to managers was clear. The impact of the above employment picture was such that goals began to establish themselves, as affirmative action program approaches were discussed.

Edward E. Shelton

Ms. Wilma Victor
Conference Co-Chairman

PANEL

From left, Mr. Samuel M. Hoston, Ms. Helene Markoff, Mr. Irving Kator, Mr. Jerry Hinch, and Mr. Carlos Esparza.

Mr. Irving Kator, Assistant Executive Director, Civil Service Commission, the Federal Equal Employment Opportunity Program staff, and Mr. Samuel M. Hoston, Director of EEO, Department of Health, Education and Welfare, discussed the impact of the EEO Act of 1972 on the Federal manager. Mr. Kator led the discussion, and a spirited question and answer period followed.

Mr. Kator:

Ladies and Gentlemen, let me first take Ed up on his invitation to introduce the members of the panel here with me today—my associates of the CSC. Sam needs no introduction. When I saw his name on the program, I knew Ed had him here to keep us honest. Sam will do that, I know.

Let me start with Helene Markoff who is Director of the Federal Women's Program. Jerry Hinch who is Director of Federal EEO Program. Jerry came to us from Chicago where he was in the labor management field, and bears the brunt of all responsibility—in fact of managing and moving forward the EEO program in the Federal Government. Next to Jerry is Carlos Esparza; Carlos is substituting today for Gene Costales who is Director of the Spanish-Surnamed program who is on the West Coast today and couldn't be with us.

Let me start by giving a little congratulations to Secretary Morton of the Department of the Interior and Ed Shelton for having a conference of this kind at this time with so many people on a nationwide basis. I think it shows the kind of commitment that does exist in the Department of the Interior and what we've got to do now, of course, is to put that kind of commitment to work. Commitment is a good word. We always talk about the great commitment we've got, but it's what comes out at the other end that's important. Commitment goes in, but we've got to make sure there are results at the other end.

But I am delighted, Ed, that you are having this kind of conference at this time. I think it's auspicious that

you had it on the first day of spring because it augurs new things, and I think there are new things that are going to happen. I think it's also auspicious that you held it almost on the anniversary of the EEO Act of 1972. You just beat it by 3 days, and that just shows that you are eager to get things done. On March 24 last year, the President signed the EEO Act of 1972 which amends the Civil Rights Act of 1964, and for the first time covers Federal employees under the Civil Rights Act of 1964 as amended.

Ed and I have a long acquaintanceship going back to the time when Ed was with the President's Committee on Equal Employment Opportunity. So, I know Ed's dedication, his ability to get things done, and I know that has been translated in the Department of Interior into effective action, and I think it's your job to get more of that effective action. But as an old bureaucrat, the **main** point I want to make is that I am convinced most of us live not by just the words that we read, but we want to know what those words are really saying. What's the signal they are giving out? And I think that's really our purpose here today—to give you the signal—in words, obviously, but that's the way we've got to transmit. But, it's a signal that things are not the same—that things are different under the EEO Act of 1972. That is going to be the burden of what I have to say and what my colleagues will say, and I think what Sam will tell you, too, in connection with his presentation.

This is really what the Act represents to me. What I will talk about generally is the Act itself; what it means, at least as I perceive it; what I think it's going to mean in the future for Federal managers and for you as personnel managers, as EEO staff—what this really means to you and what it's going to mean for the Federal Government.

I'm going to try to quit fairly on time, Ed, and have my colleagues make their pitch, too. Then, we would like to open it up and give the people here the opportunity to ask questions. I think sometimes we can give you more information by answering something that's on your mind than sitting up here and just talking to you. But there are some parts of the Act that I think are terribly important that I feel it essential to give to you before we open the conference for questions.

This is really, from my standpoint, what I like to refer to as third generation EEO. We've had Executive Orders on the books since 1941 involving Federal employment. Starting with President Roosevelt and every President since then has found it essential to put his personal stamp on EEO in the Federal government by issuing an Executive Order. And, you know, we've run a long curve there. We started out with passive non-discrimination in the early days with President Roosevelt's first Order. We've worked thru what we called non-discrimination EEO 'til we got to the point of affirmative action and to what I call the second stage. And that's E.O. 11478 which in my judgement, is the strongest Order ever issued on EEO in the Federal government, and issued by President Nixon in 1969.

What we've got is a curve—a natural evolution is what we've got—starting with a non-discrimination emphasis and evolving into strong affirmative action. And that's good. What we've got now, however, is something new. This Act was called the EEO Enforcement Act. Just before the law was enacted, that word "enforcement" was dropped. But the effort here was enforcement. Congress was saying as far as the Federal government was concerned, and of course the Law was not addressed solely to the Federal Government in-house employment, but it was addressed to the Equal Employment Opportunity Commission which needed new tools to enforce and ensure equal opportunity in the private sector. This was the failure of the '64 Act.

It had no teeth. And what Congress was trying to do here was put some teeth into that Act and certainly did for the Federal Government.

So, what we now have is a Congressional mandate for a result oriented program—not a preference program, but a truly EEO Program with strong affirmative action. While the Act was being debated, there was serious discussion as to whether it would not be proper and desirable for the Federal program to be supervised by the Equal Employment Opportunity Commission. This was the subject of much debate. Congress finally said "No", that the responsibility ought to be with the Civil Service Commission, and with the people in Federal agencies. What Congress was doing then was, it seems to me, recognizing the inseparability of EEO and personnel management, by providing for enforcement of that Act by the Civil Service Commission and not by the Equal Employment Opportunity Commission.

The Federal employees are the only group of employees not under the jurisdiction of the Equal Employment Opportunity Commission. So the spotlight is on us. Even state and local employees are covered by the Equal Employment Opportunity Commission. So there is no question that the Congress has said to us, has really laid down the challenge that you guys say that you can do the job. This is what we told Congress when we testified. We said if you really want to have equal opportunity in the Federal Government, you've got to make the personnel system itself reflect equal opportunity every step of the way. And when you get that, when you accomplish that, then you're going to have equal opportunity, because the manager will be thinking and acting equal opportunity. Until you have that, no

matter where you place the responsibility, it won't do any good because you won't get it, and the best way to assure that you make your personnel system responsive is to give that responsibility to the central personnel agency of government, which is what Congress did.

You know the Civil Service Commission cannot operate without agencies. A lot of the things in the Act I'm going to talk about apply to you specifically, because you're the people in the field who are going to have to carry these things out. You've got to make it work. If we're going to have a personnel system that is non-discriminatory, that is strong on affirmative action, that is fair, you're the people to do the job. There's a lot we can do, but the crunch is going to be on people in agencies and particularly managers, personnel people, and EEO people.

What does the Act do? It's simple, really, in what it says. It's easy to understand, and says simply that all personnel actions shall be free from discrimination on the basis of race, religion, sex and national origin. And don't forget–I may use the term "minorities" later on as I go in my discussion with you, but I mean women as well. The Act clearly applies to women, even though there was some question when women were first included under the amendments of the Civil Rights Act. What has happened is that women have proved that they are a very strong force in assuring EEO; that they want a voice; that they have a voice; and that they have problems which are very similar to those of minorities. The symptoms are quite the same. Sometimes the treatment is different, but the symptoms are certainly the same.

The law prohibits discrimination. It incorporates the Executive Order and it puts the burden not just on the Civil Service Commission to enforce the law but on the agency head. It doesn't let him off the hook. It says "It's your responsibility, Mr. Agency Head, to make sure that you've got equal employment opportunity in your shop."

It requires the submission of national and regional plans, and Jerry Hinch will be talking to you about what those plans mean, because they are really the heart of what we are doing. It calls for a review by the Civil Service Commission of manpower resources devoted to EEO. We are making that review now and you're going to be hearing from us on this. It requires EEO officials to meet certain standards. We have never had a requirement like this before. It insists on the inclusion of training and education programs by agencies–upward mobility plans. You've got to have them in your plans of action. By law, it is required. You know one of the major problems, and this doesn't necessarily mean Interior, if you look at our figures, you may say we're doing great when 20% of Federal government employees are minorities. The point is that you have to look at where they are, and you've heard where the women are located generally. And you know that, generally speaking, there are very good signs of progress. Still, we have too heavy concentrations of women and minorities in the lower grade levels of the Federal service. This is what the upward mobility program is designed to correct. And this is what Congress was talking about. Let's do something about helping people on the job acquire the kinds of skills they need to be able to move up the ladder. That's what upward mobility is, and if you don't have a program of that kind in your agency, your section, your division, you better get one because you're going to have to have one.

The law provides for employees for the first time to move into the courts. This is a very important provision, and believe me when I tell you, it is being used to the hilt. I spent an hour just before I came over here today working on a case with an attorney, a case stemming from a complaint. Employees are going to be using these cases. The courts are going to be looking over our shoulder, over your shoulder, at what you're doing. I think this is healthy. When the Act was being debated, Clarence Mitchell came up and said to Senator Harrison Williams, the one holding the hearings, that there is one thing we've gotta have for employees–access to the courts–if they feel they have been discriminated against. We said we certainly had no objections to that kind of provision.

Another important provision in the Act is back pay. You know it used to be like giving a guy ice in the wintertime. You could find discrimination, but what could you do about it? Now, you can give him back pay. This is a very, very potent weapon. Agencies will find that if they are discriminating, it's going to cost them money. I think this is going to be a very effective tool in terms of ensuring a non-discriminatory posture in agencies. The Act requires the Commission to evaluate agencies, and the agencies to abide by the orders and instructions of the Civil Service Commission. That's generally just a basic outline of the law itself.

The question that I would pose to you is what action do you take? You can pose it to me too and I'll try to give you some answers. What action do you take to make this law come alive?

You know every time you get up in the morning you have to look at yourself in the mirror. You've got to look at the figures on employment in Interior and decide what you as a manager can do about them. You've got to analyze your own unit or area of control, determine your problems and how to address them. If you're not attracting into the system the kinds of skills and abilities

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of the available minority and women workforce, then you've got a problem that needs action. If the skills and abilities are out there–and they generally are there–and they are not in the organization you operate, then you're not properly carrying out your programs. Because the people will move into the system if you're aggressive, vigorous, and carrying out strong affirmative action programs.

If you would pull out of the Department of the Interior, the Bureau of Indian Affairs which has 15% of your total minority employment, there is not much left. I think you can do better. The skills are there. No one is asking you to give preference or quotas, but you've got to determine what your problems are and make a vigorous effort to bring these people into the Department. You heard Leonard Garment say this morning that the President thinks that the establishment of goals is a good concept and ought to be used.

We are given a strong enforcement role at the CSC, and frankly if I have anything to say about it, we intend to use the authority the law has given us. We don't intend to sit back and accept excuses. If your plans for progress are not solid, you're going to get them back with directives to change. If you don't change, somebody upstairs is going to hear about it and the necessary action will be taken to make the change come about.

You are going to be evaluated on-site more frequently and more thoroughly than ever before to make sure that you've made that good faith effort we talk about. We've got almost three-million dollars to enforce this Act most of which has gone into strengthening our evaluation activity. On the basis of our on-site evaluation we'll be ordering corrective action including back pay. We are going to review complaints and order remedial action with back pay when there has been discrimination and the party has been injured. You've heard already of two or three cases in which we have done just that where Interior was concerned.

You will be hearing from Berzak later on. But where there is discrimination, there is going to be corrective action ordered and should be in most cases disciplinary action against the offending official.

Don't forget the courts are here. They will be reviewing actions on complaints. They will be reviewing the work we're doing on the complaints. But I don't think we need the courts to make us do the job that Congress and the President have told us to do. There is absolutely no need for people to have to go into court to get their rights in the Federal employment system.

The Plan you make up is going to be made public. An organization will bring your deficiencies to light. They will see your accomplishment report. You're going to have to tell us–here's my plan and here's what I did about it. It will all be made public. That will have a very salutary effect, I think, on organizations that haven't moved ahead vigorously and affirmatively.

The change in regulations permits third party complaints. Any organization, the NAACP, Spanish Speaking organizations like LULAC, can file a complaint against a whole organization a unit, a section, the whole Department of the Interior. We are handling one right now against a whole agency. It provides for setting up a file, making an investigation by that agency, and answering the allegations. What I am saying is that we've got a lot of partners in our job of evaluating what you're doing. Once you open it up to the courts, once you open it up to the public, you've got everybody looking at you, and things are going to be different. There is no more hiding.

Let me conclude by saying that I hope today we have put out a signal. I think you heard Len Garment say that, in his judgement, the merit system and the Civil Rights Act are in complete harmony. We have always said this. We say that the personnel system has got to reflect equal employment opportunity. We are concerned about changes in the personnel system, and we've got a lot underway to make sure there are no artificial barriers.

Now, that does not mean that we are going to set quotas. It doesn't mean that we are going to set preference points or anything like that. I, personally, think they are wrong and that they lead us down the wrong road. But, affirmative action is not a code word for preference. It's a real meaningful thing. Agencies that have taken equal employment opportunity seriously have made progress. It can be done. You've got the kind of leadership in the Department of the Interior that can show you the way to go, and we are going to be here to help you all the way.

Mr. Samuel M. Hoston
Department of Health, Education & Welfare

I would like to say to those of you who were impressed with the idea that I'm a critic of the Commission, I am not. I have a healthy appreciation for the Commission. I think we do look for guidance and directions from the Commission. I think, with the new law, perhaps the Commission will be able to provide that.

Perhaps Irving put his finger on the touchstone when he talked about commitment and contributions. I am reminded of the chicken and the pig who were in great debate over a huge display of ham and eggs. The chicken, in spite of pride, said to the pig "note that display of ham and eggs–that beautiful crested white

with the yellow settling in the middle. That, sir, is my contribution." And the pig reminded him that "yours was **but** a contribution. That ham, that shriveled, darkened piece of ham represents to me a **total commitment**." So I'm talking then perhaps from the manager's standpoint, about both commitment and about contributions.

In HEW, we're rather large you know, 110,000 people, we have some 28 percent minority, 63 percent women, but that is not where the tale lies. I think that the critical piece lies in where these people are within the agency.

In our affirmative action plan, and even before the affirmative action plan, I think in the message that the Chairman sent to the White House, was that the manager is key in this program. And if the manager doesn't operate, the program won't go. There is nothing that EEO folk can do, Irving or myself or the rest of us can do, without the manager. We don't hire that many people in our limited personal employment of staff. So I categorize managers in three or four different ways: those who want to do and those who are a little hesitant to do because of what they feel their impact or the impact of the EEO program will have on their program mandates to get the widgets out, to provide the services.

Each one is looking for the best qualified. With our managers, we try to get beyond that. We try to say, to be very candid with each other, what do we mean by best qualified? Because, inherent in that are certain attitudes with regard to the role of men and women.

Now as a premise, usually I try to get some understanding of whom I am dealing with. You know more about the speaker because you have some general background about the speaker. But the speaker seldom knows whom he is dealing with except what he is generally told-that you are managers or personnelists. So let me just pose one question with you and get some response so I will know whom I'm dealing with. Now for those of you who believe the merit system works 75 percent or most of the time, please raise your hand. (The vast majority did not believe the merit system worked.) Now, I posed that question to a bunch of personnelists out at the Federal Executive Institute and they had about the same response you had. Now, if you as managers have this kind of negative view on the application of the merit system, then minorities have an even more negative view. Not only do they have some concern about whether it works, but certainly even if it does begin to work, they-because of their color, race, religion, sex, or national origin-began to become adversely affected in another way. They have a healthy appreciation or non-appreciation for the very same thing that you know about the ineffectiveness of the merit system.

So, with our managers, we get beyond discrimination in reverse, which implies that the vehicle has come to a screeching halt and we are now going in reverse. We get beyond the arguments about how well-qualified a person is and the best qualified, because we talk about the management prerogatives. Even within that broad category, or limits of categories, if you will, of who is best qualified, we still get down to the choice among them and we have an imperfect tool determining qualifications, do we not? We look at the educational background, we look at A's and B's and C's; we look at degrees; we look at work experience; and we know how those things are written, do we not? If you want to get rid of a guy, you say, "Oh, he's a firebell." "The gal is really hot, she can really do the job." If you want to burn the person, you say he's a hot shot–once you tell him what to do, he can really do it. He needs a little guidance, lacks in initiative, and imagination. So you do these kinds of things in the process of trying to choose.

I think that most managers are basically honest. Plato has spoken about the metaphysical presupposition of the nature of human nature–that man was basically no good, short, brutish and non-benevolent. We don't take that view. We assume that managers are there to do a specific kind of job.

It's perhaps the view of EEO that gives us the most trouble. We view it as a kind of social program. I recall in one agency, the Bureau of Public Roads, we talked about the impact that the building of roads has on people, and the response was "We don't get involved in those social activities, we build roads. We're talking about mortar, water and brick, and asphalt." And yet, when you look at a given community you find that roads magically run through certain communities, they magically run through in certain ways that have political impact such as gerrymandering or breaking up communities or political leadership. And these are man made; man makes these kinds of decisions. And they may be impacted by certain political or other kinds of considerations. They are not so purified and they don't operate in a vacuum. So what we do with managers, we talk with them in terms of these realities.

I may be a strange person to bring to you from HEW our managers' problems. I think to the contrary that I'm an excellent choice, because we deal daily in how we are going to carry out the program. We read the Executive Orders, the new law, and we say these things are good, but the issue is then how do we carry them out. There are so many job apples in the barrel. And we meet with the Black group that says we want 30 percent of all new

jobs; and the women want 30 percent, Chicanos, Indians and American natives each wants 30 percent. We end up talking about 120 percent. Well that's more than what the barrel would yield.

Now we begin getting an increase of complaints of discrimination in reverse. Many argue that the affirmative action plan is a vehicle to bring about preferential treatment for minorities, and in this tight crunch, tight job crunch we're in, this becomes a bread and butter kind of issue. We try to get our managers off that bag about preferential treatment and it's taboo, contrary to the merit system. We have the Indian Preference Act, the Veterans Preference Act, we have Commission Corps Officers who are separately hired and separate pay plans. We have a number of different kinds of Acts.

In our affirmative action plan, some time back, we were taken on by a union in the use of the Indian Preference Act. We dealt with BIA on this. We had used the Indian Preference Act beyond initial entry into a job, but as a means of promotion or moving up the ladder. And the union said to us on behalf of their constituents that we were violating the merit system, that this was contrary to law, and that it was outdated if it was consistent with law. It was archaic and that it gave a preference to a group of people that they felt should have been considered along in the broad merit system. Well, we sought higher advice on that, we referred it to the Civil Service Commission and said to Irving, "this has broad Government policy in that; and for that reason HEW should not make a unilateral kind of decision." Then a task force was formed and the response we got was that the Indian Preference Act is valid and our use of the Preference Act was valid.

So we have a number of opportunities and situations where we have limited applications and deviations from other kinds of systems, because there are a variety of systems that we have that apply to the welfare of employees and how they get into the job. As of premise then, aside from the issue of whether or not you believe the merit system works, I think we should consider for this discussion those basic things that I would like to take for granted. Arthur Jenson has written a book with regard to several articles that appeared in the Harvard Review that talked about the genetic inferiority of minorities. Now this is the old issue, is it not, we Blacks still find an extra leg, or foot, or bone in the heel, or tail, to allegedly account for our feats; but this new idea is a more sophisticated approach. The genetic inferiority idea implies that if we give all these welfare and educational goodies and all these kinds of programs to these inherently inferior people, we will never make a mental giant out of the minority and such programs would have been wasted.

Now if we believe that as a premise, then we can hang our hats up and go home. We need not worry about equal employment opportunity. If we believe that the conditions and the plight of people have resulted in large measure from the environmental, from the societal kind of impact, then we can begin to talk about equal employment opportunity, because it has a basic assumption to it that all men are basically equal, and that they are entitled to the opportunity to be given a chance at jobs.

I look, in every agency, and I have been in about four, at the number of adverse actions that have occurred over two or three years. And then I get someone to try to identify who these people are, not in terms of names, but in terms of their race and their sex. And I found that in the three agencies that I have worked for, the majority of adverse actions were against non-minorities. So it occurred to me that there were other people dumb or as dumb as minorities are assumed to be. So if we have that many people, then, that have been fired or removed or suspended, it meant that the system by which we had to judge their success factor was somewhat short. Either they faked us out, or they fooled us or they were not as good as we thought they were, or indeed they tried and didn't make it. So, there is no inherent inferiority within the concept of EEO as I deal with it.

We have seen some changes I think. We look not only to the new law and to the Executive Order, but we look at the precedent, and this is what gives our managers problems. Because, on one hand, they say that we are limited to a number of jobs, we have a clear mandate in the Congress to provide services. We are talking on one hand about the million Federal employees as compared to a much larger number of people who want the benefit of Federal services, and they want those services now, and they want those services done well.

So the manager argues, "I need someone who can do the job, and I don't have that much comfiture in terms of opportunities to hire people in my agency merely to meet this EEO mandate that you talk about." We find that they (social aims and job needs) are not essentially exclusive; we think they are inclusive. The relationship between manpower needs of people within an agency and the delivery of services are one and the same. We are talking about the same people in most instances. If we buy the premise that people can perform when given the opportunity, and if they fail, the manager should have some means by which to remove people. The difficulty that we have, I think, is the lack of courage or the lack of procedure and the application of procedure in terms of how to remove people if they are indeed insufficient.

The manager should not be intimidated by this, I think. Ours are not in most instances. So they say that if they fire someone, the person will say that they are going to file a complaint with me and then they got a problem. That is not really the case in all instances. I think that if the employee is not doing well, if the employee is a bum, he deserves to be told that he is a bum and where the employee can improve.

When I met Ed, he was in the in-house program for the Old President's Committee and I dealt with the out-house program. I was with the Contract Compliance, the private sector. And it was good dealing with them, **"the fat cats"**—TWA, Boeing—and you are sort of detached from them you know, and you issue edicts and you tell them what to do and you don't have to be there day to day in terms of how to carry it out. In-house is a little bit different. You ride together. I meet with the General Counsel on Monday to seek his assistance and guidance and collaboration on an issue. On Tuesday I am saying, "I'm here to see you about a problem that you have in your shop." So the in-house program is a little more different and intimate.

We're dealing in perhaps an area of confrontation politics. Our managers are concerned about this, that we're getting kids off-campus who are not going to take **Hill 101** because someone said it. They are asking questions why, and surprisingly the number of managers who cannot explain **why** something needs to be done. It's like Gunga Din, "Yours is to do or die not to reason why." But not so; I think if the manager cannot explain what he wants done and how he wants it done, he cannot reasonably evaluate the employees in terms of their performance.

McCormic Tea Company, I think in Baltimore, has an excellent approach. They will not promote a manager unless he has groomed someone to take his place. Quite an interesting approach they have, that you must have groomed someone to take your place or you become indispensable in the job you're in and cannot be promoted. Now I am not talking about preferential kinds of grooming, selecting an employee and giving him an edge. But I think that the need to communicate more, the need to ensure that employees are playing more vital roles in your operations, benefit you as well as the employees.

We have an upward mobility program in HEW. We have some 5,000 employees who attend college classes on-the-clock and we pay for it entirely and they attend that program while they are working for the agency. We need more of those kinds of programs, I think. Traditionally, we talked about training in terms of whether it was job related. I send people off from my staff to Berkley. They deal in all kinds of esoteric programs. If you want to send the secretary off, there is the question that it must be job-related. There is a need obviously to train people to do better in the jobs they are required to do, but not to limit their opportunities in getting some broad exposure in opportunities to move forward.

So these are the kinds of things that we and our managers talk about in HEW. As I mentioned to you, we look for precedence and for guidance from the Commission, not only in terms of the law, FPM letters, and manuals, we also look at the case law that comes out of court, and also emanates from Board of Appeals and Review. My managers have had some difficult times trying to reconcile some of the issues that have developed. For example, we have the affirmative action plan and we say in the development of that plan that we should look at our workforce, identify our problem, and specify the means by which we are going to address the problem. We have had instances where the managers have looked at their problems, found that there has been no employment of minorities or women or what have you, and they decided that in order to correct this, they need to take some positive steps to get them on board. We have been perplexed by some decisions that indicate that the manager has used race as a factor; therefore, he is in violation of the merit system. We have a problem trying to reconcile why our managers do some of these things. So we deal with these items.

We have looked at some cases that talked about or allow for using patterns as a basis. I think it was Sir Henry Maine, the English jurist, who said that the movement of law is from status to contract. We are talking here about the concern for the individual as compared to the impact of that individual on the group and the status of that group. We are having more and more complaints where employees are saying that as a class, we have been done in. Ergo there was slavery, ergo I was done in. Where is the remedy?

The Executive Order is not a reparative piece as I view it. It is not designed for or does it carry the tools for that kind of compensation—that kind of compensatory treatment. But it does provide a means I think, as Irving indicated here, of providing some kind of remedy and we are thrust now at that stage of deciding how to effect that remedy. We talk about goals, timetables and at the same time, how language must be devoid of any reference to (race, sex, etc.) the very bases on which we made certain adjustments or changes. Now I think it would require keener, perhaps a finer tuning of some of the things that we do, and the bases in the case law in which we deal with. I think these kinds of conferences are good for that purpose.

We have IAG meetings where we get the EEO folks together and the personnel people together to try to

fathom out some of these apparent contradictions. I think we will inherently have those. I think this is what Len Garment talked about. It is not all that easy.

In our agency we are not a part of personnel, we are a part of administration for valid purposes, I think. Our view was that traditionally the problem was in the personnel office-in part. Traditionally, the personnelist is the agent of the manager, but we felt that while many of the things we talk about in terms of EEO are personnel management oriented, there are many other facets of EEO that go beyond the scope of personnel operations, and require broader management involvement. Therefore, HEW EEO responsibility was organized in the Office of the Assistant Secretary for Administration, outside of and not subordinate to the Personnel Office.

But to review, in the evaluation and the sharing of policy, in terms of how those programs impact on minorities and women cannot rest in personnel, though we work hand-in-hand.

Now this is not a pattern by which other agencies must necessarily follow. I think there are a variety of means of organization which agencies should use on their own.

In this whole matter of confrontation politics, we have in HEW a 16-Point Program, the Women's Action Program, the Federal Women's Program, and the Advisory Committee to the Secretary on the status of women. We have a Black desk, Indian desk, Asian desk, Spanish desk. We have all these organizations. My God, how do you organize? Well, we are now working on making a little better harmony out of these programs. I think there was a basic and a valid basis for setting them up at the time. But it does not mean that we must listen to each separate advisory group and then move exclusively for one group, because at that point, you see, you will have some conflict—not mentioning the 30 percent that women want and Blacks, etc. Well, at that point you begin to mathematically go over what is possible.

So, the EEO Office, though I am accused of being a Black advocate, I would say that our basic concern is to bring about and to assist the manager, and to work with the manager in developing some kind of harmony and some kind of balance to the variety of needs. They will vary according to geography and according to any number of circumstances. I think you will have to look hard at what these conditions are and then relate your programming, your plan, to addressing those issues. None of us are perfect and I don't think any agency has claimed to be perfect, not even the Commission, although I find it difficult at times to reconcile its claim of statistical progress. Aside from that, I think the point that Irving raised is that we have to begin to work together and at the same time to give equal employment opportunity some degree of status. While we kind of hid it, you know, in terms of our budget, you never could find EEO as a budgeted line item. While there was a valid risk if you identified that which you know is it, you can eliminate the confusion in the allocation and use of financial resources for EEO purposes.

I think we have moved to a point now where we are saying that we want to see the specific manpower resources that Irving asked for. Some of our managers say if we reveal those things, it may be cut later on in the budget squeeze as being low on the totem pole of priorities. Well, that's the kind of risk that we run, I guess, but I think that to emphasize the legitimacy of EEO as embodied in law demands that EEO be clearly identified and managed to achieve a worthwhile purpose.

One last item I guess I might cover is how we perceive of equal employment opportunity. I have complained that EEO is an old term which existed long before we had the Executive Orders. It was a basic premise by which most of your parents and foreparents came to this country seeking opportunities. I say most because all did not enter by the same portal. Some entered by slave vessels and a variety of other ways, except for the American native who was here when most arrived.

We are talking then about those basic precepts on which the country was built, and that all who reside therein are entitled to the benefits thereof. But we most feel, I think frankly, with Wendell Holmes' conclusion that law is not logic but experience. So, things that make logic all the time do not necessarily meet with the experience factor—that the logic of constitutional and civil rights is not by experience applied equally even now to all citizens.

Then, while we may show that in form our merit system is working, our experience suggests to us at times that the system, though it is perfect in form, is not perfect in operation. So, in terms of equal employment opportunity responsibility, we briefly look at the people who are involved—not just form—the people who are involved and how they operate within that context. It is in this way, I think, we deal with managers and the manager may be quite honest in his view that he is concerned with getting the best qualified. But we ask him to justify that, even within this context of prerogative.

I think if I had to define EEO, it is a rational intervention in personnel management practices. In this respect we do invade that management prerogative and try to get involved in the process when this kind of thing

happens. I think this is necessary if the EEO program is going to work, and I don't think–I hope that managers don't get uptight–when this kind of thing happens. As a result some managers frequently complain that EEO interferes in their managing their offices. Certainly it is an intervention, by definition, and it is one required by law and necessary when the manager's actions are contrary to law. We don't have the luxury to be discriminatory in government. It is a law that says you cannot be discriminatory in government. We belong to varied organizations and we have a variety of allegiances, and it is very tricky to say that when you enter the portal of the agency you divest yourself of these allegiances that often foster preconceived notions about race, color, etc., that is rather difficult dealing with the human being. I think that what we are about is trying to reconcile those various allegiances and making clear that in government we don't have the luxury to discriminate. It is not up to Ed or the EEO Officer to decide whether or not EEO requirements ought to be implemented. The implementation of EEO policy is the manager's responsibility. Ours is to assist the manager in developing and understanding that policy and in carrying out that policy.

There are many more things we can talk about but I will stop here. Irving took all the time, didn't he, Jerry. But I try to convince them that I am not negative on the Commission, therefore, they can allow me more time. Thank you.

Mr. Hinch talked about the role of the Civil Service Commission with respect to agency EEO affirmative action plans, the discrimination complaint system, and other activities under the Federal EEO Office. He spoke specifically of the impact of the Civil Rights Act of 1972 on these activities and on the Civil Service Commission's role as the regulatory and supervisory agency.

The Act provides that the Civil Service Commission no longer accept the big statistical picture of a Federal agency, but that the Commission take a look at regional pictures and at the local installation employment patterns. Accordingly, the Federal agency must have regional affirmative action plans subject to the approval of the Commission Regional Offices, as well as an overall agency plan. Mr. Hinch stated that the Commission headquarters offices and the Regional Offices will be taking a hard look at each plan to insure its full compliance with the new requirements of the Act as well as the specific program areas outlined in the Executive Order

Mr. Hinch reminded participants that new plans must include provisions for **training and education for upward mobility**, must contain **certification that EEO officials to whom responsibility for program is delegated are in fact qualified to carry out their roles**, and must document the **allocation of adequate resources to get the job done.**

The challenge new to management is to survey where all employees, including women and minorities, are in the employment picture, and to provide upward mobility programs geared to help them develop to their highest potential.

Mr. Hinch called attention to the new requirements with respect to the timeliness of complaint processing, and the provisions that complainants have access to the courts. Back pay provisions of the EEO Act should challenge the Federal manager where he or she is most vulnerable to assure that any apparent discriminatory situations are corrected promptly. Mr. Hinch stated that if the Civil Service Commission finds apparent discrimination in personnel management during an on-site review, corrective action will be ordered even though a complaint has not been filed.

Ms. Helene Markoff, in her remarks, developed an approach to effective program implementation for the participating managers of this conference by referring to the three "R's".

The first "R" she called **resources.** Federal Women's Program Coordinators in the Federal agencies need time on the clock to perform their program duties, Ms. Markoff indicated. Currently, there are only 27 full-time coordinators. She cautioned managers on assigning program responsibilities to "an individual male or female who is wearing 26 other hats." She urged that managers reach an agreement with part-time coordinators as to the number of hours per pay period that will be devoted to the Federal Women's Program, and that evaluation of their performance be in accord with the time agreed upon.

The second "R", Ms. Markoff called **relationship,** referring to the Federal Women's Program as a part of the overall EEO Program. She reminded the managers that the coordinator of the Federal Women's Program cannot contribute to the progress of women in the Department of the Interior unless she (or he) is cut in on the team. That means identification of problems in the development of action plans, assessment of the complaint activity, and overall program evaluation.

The third "R" she called **reality**, a factor that must be in the forefront in the establishment of numerical goals and timetables. She spoke of some of the major occupational disciplines identified with Interior–Engineering, Biology, Geology–and reminded conference participants that the utilization of women in Interior in these disciplines does not compare favorably with qualified women's availability in the workforce.

Women make up 5 to 10 percent of all Engineers, 15 percent of all Biologists, and 5 percent of all Geologists—but not so in Interior.

Mr. Esparza discussed the 16-Point Program for the Spanish-Surnamed, and criticized the Federal Government (including the Department of the Interior) for its failure to do an appropriate implementation job.

The elements of the 16-Point Program directed to the Civil Service Commission are repeated here for emphasis.

1. Appoint a full-time official in the Civil Service Commission who will provide advice and assistance on matters relating to Spanish-surnamed population to assure full application of the EEO program in all Federal agencies to this group.

2. Begin an intensified drive to recruit Spanish-surnamed persons, particularly for identified public contact positions, in areas of heavy Spanish-speaking population, including the Southwestern states and in Chicago, Detroit, and New York, and certain other major metropolitan areas.

3. Use specialized recruitment teams, to include Spanish-speaking persons, for college recruitment, particularly at colleges with heavy Spanish-speaking enrollments.

4. Begin work immediately with OEO, DHEW, HUD, Labor to find ways to enhance opportunities at all levels for Spanish-surnamed Americans in programs dealing with the Spanish-speaking population as well as in other programs and in key occupations.

5. Step up recruitment for Cooperative Education Program at colleges with significant numbers of Spanish-speaking students to permit entry from FSEE registers without necessity of written examination.

6. Emphasize to Federal agencies availability of selective placement on bilingual basis so Spanish-speaking persons may be reached for appointment to positions dealing with the Spanish-surnamed population.

7. Hold an EEO conference of Federal managers and equal opportunity officials in the Southwest designed to assure equal opportunity for Spanish-speaking persons in employment and upward mobility in Federal agencies.

8. Develop plans for Federal agencies under CSC area office leadership to work with high schools in Spanish speaking areas to make known job opportunities in the Federal Government and to counsel and to encourage students to stay in school.

9. Hire for summer employment in Federal agencies high school and college teachers from schools serving Spanish-speaking students to give them understanding of the Federal Government which they can relate to students.

10. Make special effort to inform Spanish-surnamed veterans of availability of non-competitive appointments for Vietnam Area Veterans including GS-5 level.

11. Require Federal agencies to review their EEO action plans and minority employment figures and make any necessary revisions to assure the full applicability of the plans to Spanish-surnamed population.

12. Review with agencies staffing of EEO program to make sure that there is understanding in the program of the special problems of the Spanish-speaking.

13. Provide additional training programs on EEO and personnel management for Federal managers in areas of Spanish-speaking population.

14. With the Department of Labor, explore the feasibility of establishing an Intergovernmental Training Facility for upward mobility and skills training for Federal, state and local careers in the Southwest, probably in San Antonio.

15. Collect necessary data and broaden analysis of minority statistics to bring out special information relating to employment and upward mobility of Spanish-surnamed persons in the Federal Government.

16. Require EEO reports from agencies to reflect special information on Spanish-surnamed persons and include in the CSC agenda for EEO evaluation questions directed at particular problems relating to employment and upward mobility of Spanish-surnamed persons.

Mr. Al Balmy
Manager, Human Resources Development
Xerox Corporation

Mr. Balmy was guest speaker at the dinner meeting and spoke to conference participants on the subject, **Developing Social Consciousness.** As he related the many affirmative measures taken by Xerox to increase and improve upon its utilization of women and minorities, there emerged what appeared to be a consensus among the corporate giants that they do have a social responsibility and that they are doing something about it. There is a remarkable indication that private industry employers are doing much more than the Federal department and agency employers, and that they view what they are doing as a necessary component of good business.

Al Balmy (Speaker)

Mr. William Berzak
Chairman, Board of Appeals and Review
U.S. Civil Service Commission

Mr. Berzak described the function of the Board of Appeals and Review on EEO complaint appeals. Several interesting cases were discussed to illustrate new trends in complaint decisions based on provisions of the EEO Act of 1972 and on recent court cases with private industry.

William Berzak

JOHN McKUNE, DIRECTOR
ORGANIZATION AND PERSONNEL MANAGEMENT

We are well aware of the development phase of our building a sound EEO program in the Federal Government. Our particular job responsibility today however, is what I shall refer to as Phase II, and it is going to require extra effort from all of us, otherwise we will not succeed. It is more difficult to obtain equal opportunity goals in the higher grade levels, in higher profile levels, than in grades GS-1 through GS-7. If we don't recognize this fact, we will never make it. Even when organizational recognition is present, it takes inordinate planning skills to achieve EEO goals. When we talk about planning skills, we are talking about the need for innovative, creative people. We are talking about people with guts. We are talking about people who aren't afraid to take a stand. If we don't have these people, we will never make it.

Five years from now, it we still are pre-occupied with statistical sampling of EEO achievements in the lower GS levels, we will not have achieved the goals set out for us. This is basically a negative type of EEO program thrust and we have to get beyond it in Phase II.

EEO has been given status by the Congress and by the President. This status alone has not achieved the desired results. To achieve success in what I call Phase II of equal employment opportunity, we need high level support, status, if you please, but of much greater importance, is the need for creative people and programs. We must have realistic programs in Phase II. We must all give that extra effort. You just don't make a competent placement at a GS-16, or 15, or 14, by **wishing** it so. It requires highly qualified people, specialized plans, and it takes individual effort because the prejudices that exist are much more subjective, much more difficult to identify and, to people without a great deal of strength and insight, impossible to overcome. So we have to bring all these factors together, people, plans and effort. It will take a great amount of planning and close cooperation between EEO people, personnel people, and bureau management. As long as we are anguishing over parochial problems, whether we belong to the EEO or personnel fraternity, we will never achieve success.

So I believe it's extremely important in Phase II that we look at ourselves - our programs and outline those goals that have got to be reached. Comfortable people cannot achieve difficult goals. As personnel officers, you have to ask questions such as: When is the last time I had a really meaningful confrontation with the EEO officer in my bureau? When is the last time I really talked to the bureau director and told him there are no blacks higher than the GS-7? How many of us have asked ourselves these questions? How many times have Ed Shelton and I looked at our functional areas in terms of job performance? How many times do we kid ourselves into thinking we are doing a job because we have **more** personnel people and we have **more** EEO people. In my opinion, more people will not achieve the second phase without **extra effort**. Extra effort means we have got to have "extra effort" people to do the job. Perhaps, this generation of personnel people, and EEO people, and the first generation of Women's Coordinators are not sufficient to the task facing us.

Let's look at ourselves and not be fooled by a mirror image. Many times we don't like what we see in the mirror. There is a tendency to cover image defects with makeup or to view ourselves without benefit of a bright light. These are things we cannot afford to do in equal opportunity, especially in Phase II.

What we are talking about is the necessity for a joint approach to increasing equal opportunity in the Department of the Interior. EEO people and personnel people often fool themselves into believing that compliance

systems, grievance systems, or a conference such as this can achieve equal opportunity for all employees. It cannot. The effort needed to achieve meaningful and lasting results is neither routine or repetitive. It will take **creative, courageous** and **persistent** effort on the part of personnel and EEO people to bring about equal opportunity for all Interior employees at every grade level in the Department.

This goal can only be accomplished by cooperative and concerted action on the part of all of you assembled here today, managers, supervisors, EEO and personnel staff.

Thank you.

Members of the staff of the Office of Organization and Personnel Management elaborated upon the use of the personnel system to achieve EEO objectives. They stressed that in the final analysis the success or failure of equal opportunity depends upon the commitment and action of each participant.

Panel, Office of Organization & Personnel Management. From left, Delores Ruffin, Larry Lane, Mr. McKune, Paul Lorentzen, Bill Spillers, Mr. Shelton.

Ms. Geneva Ruffin, spoke of the important, difficult and challenging task of supervising the work of others. Good supervision takes more knowledge, skill, common sense and foresight than almost any other kind of work. Ms. Ruffin stated that we expect a good bit from supervisors in the way of knowledge, in the way of skills, and in the way of experience. If we do not use the system to provide this then we are failing our supervisors, we are failing the employees whom they supervise and we are certainly not promoting and ensuring that equal employment opportunity takes place.

Billy Spillers stressed the flexibilities in providing education and training to insure maximum opportunity for employees to advance so as to perform at their highest potential. He emphasized that we must look beyond the present official duties of employees to the time when the employees may assume greater responsibility in more demanding positions. He stressed that we are authorized to approve individual employee programs of study which comprise a series of courses leading to a development goal.

Paul Lorentzen spoke of two other challenges which are revolutionizing the personnel system. First the CSC is initiating new procedures for appointment and promotion. They are requiring that knowledges, skills and abilities necessary for successful job performance must be analyzed and put on paper and then that the examining methods be related to the knowledge, skills and abilities needed for the job. The evaluation method must measure the applicant irrespective of race, color, religion, sex or national origin.

Secondly, last June the CSC established an automated file on all Federal employees. This Central Personnel Data File contains all personnel actions affecting Department employees. All personnel information about the Interior is within the CSC computer and the CSC will be using this information to monitor the EEO program in terms of statistical trends in training, hiring, promoting and in the educational achievements of employees. The same kinds of statistical data is available within the Department and it gives us a beautiful tool to use in getting a better understanding of performance in the EEO area.

Gordon Jennings spoke about personnel management evaluation and its relationship to equal employment opportunity. The evaluation gives us an opportunity to ask questions about outselves. It also gives us an opportunity to talk with managers at all levels about how they plan for, operate and evaluate their programs, including EEO. Evaluations are gradually evolving from those aimed at changing attitudes to those concerned with obtaining results.

Larry Lane concluded the panel by saying that 99 percent of all we want to do in the area of achieving EEO objectives can be acheived within our existing system provided what we want to do is soundly conceived. He submitted that the Federal merit employment system is a flexible and changing system. The problems we encounted in achieving EEO objectives have little to do with the mechanics of the employment system. It has to do with inertia. Managers must change their thoughts about the traditional staffing patterns. Personnel Officers must explore various staffing methods and minorities and women must broaden their preception of their occupational possibilities.

Bureaus gather in work sessions to discuss their employment posture with top officials.

Bureau of Mines

Bureau of Reclamation

Bureau of Indian Affairs

Bureau of Land Management

Bureau of Outdoor Recreation

Bureau of Sport Fisheries and Wildlife

National Park Service

U.S. Geological Survey

Office of The Secretary and Other Departmental Offices

Bonneville Power Administration – Southeast Power Administration – Southwest Power Administration

WORK GROUP SESSIONS

Equal Opportunity for All–Management's Challenge **NOW** was the theme that ran through all discussions during this Conference–particularly the workshops. It was pervasive. Participants appeared "ready" to accept the challenge and to look, think, and act beyond simple nondiscrimination and pro forma or passive equal employment opportunity programs. Discussions were stimulating, and individual participation was 100 percent under the guidance of the group leaders who were selected on the basis of their expertise and strong motivation.

There were ten workshops assembled to discuss 5 major topics: EVALUATING SUPERVISORY PERFORMANCE IN EEO; MONITORING AFFIRMATIVE ACTION PLAN IMPLEMENTATION, AND CONDUCTING ON-SITE EEO EVALUATIONS; DEVELOPING AND UPDATING AFFIRMATIVE ACTION PLANS–GOALS AND TIMETABLES; TRAINING AND EDUCATION PROGRAMS FOR UPWARD MOBILITY; and SPECIAL EMPHASIS PROGRAMS–Federal Women's Program, 16-Point Program from the Spanish Surnamed, and Employment of Indians in Bureaus Other than the Bureau of Indian Affairs.

The end product of each workshop was even stronger than had been anticipated. Specific recommendations for action at all levels throughout the Department were presented to the general Conference assembly, and a course of action charted under each topic to which every bureau and office could subscribe. Presented here is WHAT SHOULD BE DONE as recommended by the work groups.

Work Group I - EVALUATING SUPERVISORY PERFORMANCE IN EEO, led by Paul Lorentzen, raised four major questions and presented to the Conference assembly the following actions to be taken:

1. The Department will issue a standard model paragraph to be added to the position description of every employee with supervisory responsibility, stating that this employee has responsibility in EEO as outlined in the local Plan of Action. Each bureau will then adapt its own specific paragraph and insure that it is added to all supervisory position descriptions not later than September 30, 1973.
2. The Department will require that each manager of a discreet organization (Superintentent, Regional Director, Bureau Director, Heads of Laboratories and District Offices, etc) communicate periodically, at least three times a year, with his or her supervisors regarding their specific responsibilities, objectives, and goals, and how they are performing. This will be an added sentence to the position description for these supervisors who are managers.
3. The Department will require that each installation (towards the end of the Action Plan year) will evaluate its own performance under its Action Plan program commitments, document this self evaluation in writing and send this evaluation report up the line to the appropriate level. One part of this self evaluation must zero in on the performance of the supervisors in enough specificity so that higher level officials can tell from the report how well supervisors are performing their EEO responsibilities.
4. The Department will require that performance of (or potential for the performance of) EEO responsibility be a factor in appraising persons for supervisory positions. This requirement will be stated on the vacancy announcements for these positions.

Work Group II, led by Gordon Jennings, and Work Group III, by Barbara Payne and John Caracciolo, dealt with MONITORING AFFIRMATIVE ACTION PLAN IMPLEMENTATION AND CONDUCTING ON-SITE EEO EVALUATIONS.

Recommendations from these groups emanated from the basic premise that both the Departmental EEO and Personnel staffs have the responsibility to establish and implement an effective evaluation system. To assure maximum EEO coverage, it was concluded that the following systems must be used: (a) Personnel Management Evaluation, (b) Personnel Management Assistant Visits, and (3) Equal Employment Opportunity Evaluation Reviews.

RECOMMENDATIONS:

1. Both Departmental and Bureau EEO people must participate in the selection of sites for personnel management evaluations.
2. An EEO staff person must serve as a team member during the full time of the evaluation and must function across the board in all aspects of the personnel management evaluation.
3. There must be adequate follow-up on all evaluations. The method used must be based on individual determination. It may be via personal visit, written report, memorandum or, perhaps, a telephone call.
4. Managers must be encouraged to share with employees a summary of evaluation recommendations which identifies areas that will receive special emphasis.

Work Group Sessions

All agreed that the EEO staff person serving on personnel management evaluation teams must insure that areas of major deficiencies are included as program element substance in the Affirmative Action Plan.

Work Group IV, led by John Fulbright and Larry Lane, and Work Group V, led by Chet Baggs, dealt with DEVELOPING AND UPDATING AFFIRMATIVE ACTION PLANS ** GOALS AND TIMETABLES. It was the the consensus of both groups that the method of developing the affirmative active plan for the Department should be reversed. Wherein the Department, heretofore, has developed a Departmental Plan and imposed it on bureaus for their development of bureau plans, then on to the regions and finally to local installations for the development of additional plans therefrom, it was concluded that the level where the action actually takes place has no input and, therefore, no motivation or interest.

The recommendation from both groups are as follows:

EEO Plan Development

April 10	The Department will develop a skeletal EEO Plan which will be forwarded to Bureau EEO Officers on April 10. This plan will include the specific action items which the Department determines must receive emphasis (as well as those which must be included to obtain CSC approval).
April 13	Bureau EEO Officers will meet with the staff of the Office for Equal Opportunity to discuss the skeletal plan. At this time a determination will be made as to whether other action items need to be emphasized.
April 19	Continuation of above.
April 24	The Office for Equal Opportunity will submit to the Civil Service Commission the outline for the revised system of developing EEO Plans, together with the Departmental skeletal EEO Plan, developed jointly with Bureau EEO Officers. The goals will be stated for the Department as a whole, not be individual bureaus. The Office for Equal Opportunity will submit the EEO Plan guidelines to the Bureau headquarters.
May 1	Bureaus will add a transmittal memorandum and send the Departmental EEO Plan guidelines to the Regional Offices.
May 15	The Regional Offices will add a transmittal and forward the Departmental EEO Plan to the field installations for implementation.
June 25 (6 weeks)	The field installations will review all program areas of the Departmental plan and determine the action items which can be implemented. Each installation will set forth its EEO commitments in terms of what is the problem, what can be done to overcome it (in quantitative terms, if applicable), who's going to do it, and when it will be done. These commitments will be returned by June 25 to the Regional Office. The Regional staff (or Bureau staff) will assist the installation in assessing its EEO situation so that meaningful and realistic commitments are made.
August 7 (6 weeks)	The Regional offices will review the installation responses and evaluate the commitments. The Regional office will either approve the installation commitment and notify the installation to proceed or the Regional office will return the document to the field installation for necessary adjustments. The Regional office will consolidate the field commitments, add necessary input at the Regional level and send a Regional Plan to the Bureau headquarters.
September 10 (4 weeks)	The Bureau headquarters will review the Regional Plans. They will either approve the plan and notify the Regional to go forward to fulfill its commitments, or they will return the plan to the Regional office to make the required changes. When the Bureau approves a Regional Plan, it will advise the Regional office to submit the plan to the appropriate office of the Civil Service Commission. The Bureau headquarters will consolidate all Regional Plans and add the input necessary for the headquarters office. A complete Bureau Plan will be forwarded to the Office of Equal Opportunity. The Office for Equal Opportunity will review the Bureau Plan and will either approve it or return it to the Bureau to make appropriate changes.
September 19	All Regional Plans will be submitted to the appropriate office of the Civil Service Commission by September 19.

October 15 — The Office for Equal Opportunity will submit the Departmental EEO Plan to the Civil Service Commission.

January 15 — The Office for Equal Opportunity will submit to the Bureaus a skeletal EEO Plan for FY '75.

Work Group VI, led by Ted Krell and Shirley Kennedy, and Work Group VII, led by Bill Spillers and Geneva Ruffin, dealt with TRAINING AND EDUCATION PROGRAMS FOR UPWARD MOBILITY. Recommendations emanating from these work groups were as follows:

1. The Department must appoint a task force as soon as possible for the purpose of developing better policy guidance for the Upward Mobility Education and Training Program and for implementing the program. Such a task force should be sponsored jointly by the Office for Equal Opportunity and the Office of Organization and Personnel Management.
   A. There is a need to define the responsibility of Departmental Offices, the Bureaus, supervisors and participants for upward mobility training and education.
   B. There is a need to develop materials, such as films and slide presentations that can be used to explain and "sell" the upward mobility education and training program to line supervisors and managers. In many cases, communications with regard to this program have broken down and the supervisors and managers do not know what is expected of them. The necessary materials should be developed probably at the Departmental level and should include "how to do it" pieces and "success stories" found within the Department.
   C. The Office of Organization and Personnel Management should assume responsibility for training those persons who will in turn provide training to supervisors and managers. In other words, OOPM should be responsible for training the trainers.
   D. An upward mobility college should be planned not only in Washington, D.C., but also in other locations where there are large numbers of Bureau offices and employees. This would include such places as Denver, Albuquerque, and Portland.
2. Money must be made available if the education and training program is to succeed. The program should be included specifically in the budget, and money for it provided through the normal budget process. If this is not possible at the present time, the amount of money currently allocated to training should be reapportioned to provide adequate support for the Upward Mobility Education and Training Program. A large amount of money is currently being spent for training within the Department, but very little is being devoted to Upward Mobility Training.

Work Groups VIII, IX and X dealt with the special emphasis programs. Work Group VIII, led by Maxine Millard and Lorraine Kropitzer, addressed itself to the FEDERAL WOMEN'S PROGRAM. Recommendations emanating from this group were as follows:

1. Bureaus should relate the needs of the organization to any position that becomes vacant, disregarding the qualification factors such as series, grade, etc., and recruit a candidate with the general education background. This would enable the organization to build the individual to meet the specific organization requirements through special training designed to achieve upward mobility.
2. Funds should be put aside for upward mobility, and specific numbers of positions set aside and designated for this program.
3. Career counseling should be made available to employees, and once counseling has been accomplished, a follow through system implemented. This would require probably the use of professional counselors from outside the Department.

Work Group IX, led by Irene Moore and José Cisneros, dealt with the 16-POINT PROGRAM FOR THE SPANISH SURNAMED, and reported the following recommendations to the general assembly of Conference participants:

1. There should be a full-time 16-Point Program Coordinator at the Departmental level in the Office for Equal Opportunity.
2. The selection of Equal Employment Opportunity Officers in field installations should reflect the identity of the largest minority group at the local level.
3. Bureau headquarters EEO staffs should include Spanish-Surnamed persons.
4. There needs to be an additional thrust toward use of the Inter-Government Personnel Act in the interest of Spanish Surnamed.

Work Group X, led by Ray Gunter, dealt with THE EMPLOYMENT OF INDIANS OUTSIDE THE BUREAU OF INDIAN AFFAIRS. Recommendations emanating from this group were as follows:

1. The Department must measure periodically the progress on the special Indian employment programs that are administered by the Bureau of Indian Affairs.
2. The Department must take the leadership in publicizing the special Indian employment programs throughout the Department, utilizing the Bureau's program staff to explain the programs where appropriate.
3. The Bureau of Indian Affairs must be more aggressive in pushing Indian employment assistance programs throughout the Department.

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Conferees Report on Work Group Discussions

Robert Shields

Richard Whittaker

Henry Yee

William Thurston

Jose Cisneros

Ronald B. Shelton

Lorraine Kropitzer

Morgan Pace

Frank Catroppa

Paul Olbert

SIGNIFICANT EEO COURT CASE DECISIONS – EFFECT ON PRIVATE EMPLOYMENT

by Mr. William Brown, Chairman, Equal Employment Opportunity Commission

Mr. Brown:

It is a real pleasure for me to be here today and I hope that we can talk about some problems that both you and we at the Commission are quite concerned about. I should say initially that if any of you feel threatened by my presence, we don't have jurisdiction over the Federal Government. Many of the people at the CSC do indeed have jurisdiction over the Federal Government and over the problem of hiring and upgrading of women and minorities throughout the government structure. I think that perhaps Irving Kator and the people from CSC have indicated to you the problems, at least from the standpoint of CSC in viewing these statistics and in trying to get people the opportunity to be hired and to be upgraded without regard to their race, their sex, or their national origin. I think that for you at least we pretty much feel that the standards which should be used in the Federal Government are basically different from the standards that we are presently using for private employees. As you know, the Commission had been laboring for quite a number of years under the deficiency of no enforcement powers. That went on from 1964 to last year. Then in March 1972, a tremendous change was brought about by the Amendments that were attached to the Civil Rights Act of 1964. And under those amendments, first we now have authority for the first time to go into a Federal District Court in those cases where we feel the employer is not doing the things that should have been done. We have the authority to issue subpoenas which we did not have before. We have the authority to intervene in court cases which are already pending. I think something which does in fact concern me even tho we do not have jurisdiction over your agency is the fact that individual charging parties both in the private sector and in the Federal Government (perhaps we ought to underline that–*and in the Federal Government*) that now have for the first time the right to go into court if they feel they have not been treated fairly by their agencies or that they have not been treated fairly in terms of their appeals, or indeed, merely by the passage of 180 days from the time a complaint is filed. And as I look at the statistics for the Department of the Interior, I have to be honest and say to you that if you were a private employer we could make a prima facie case from your own statistics in a matter of two minutes. I say that very very advisedly, and I say to you that what you have to do is to look at the statistics. I think everyone has copies of the information provided me in these charts and graphs. The cases upheld that the mere absence of minorities and women from certain job classifications in those areas where you indeed do have women and minorities available in the work force is sufficient to establish that prima facie case. And it then becomes the burden of the employer, in the private sector, to show why these deficiencies exist. When I look at your statistics, as I hope you have looked at these statistics, I am somewhat at a loss to understand why the statistics are as poor as they are. This is an agency that has been in existence since 1849. From that point up to this point, your record is pretty abyssmal. Lets just talk about some very very specific areas, and I apologize if they have been pointed out to you before. There is no woman in the Department of the Interior, according to the statistics that I have which are current as of November 1972, who holds a position higher than GS-15. In spite of the fact that you have some 200 supergrades in your agency, there is not a single woman who has a super-grade position. Now someone is going to say "we can't find them". Someone is going to say they won't accept these promotional opportunities because they take them out of the cities in which they are located. These are the same excuses we have heard in private industry. We at EEOC, because you have a right to know what our record looks like, have been able to find them. We don't have the luxury of having 200 super-

grade positions. We have about 28 super grade positions but five of the 28 are indeed women. When I start going down the line in terms of women at the GS-15 level, the 14 level, the 13 level, the 12 level, I find it very very difficult to understand why you can't find them even there. At the GS-15 level where, you have over a thousand people, you have 21 women. At the GS-14 level where you have over 2,000, you have only 37 women. The record gets worse as you go along. And I think that what we ought to do (1) is to talk about what is discrimination at least what has been interpreted by the court as being discriminatory. And (2), what are we going to do to improve the picture that we see.

The courts have held, and I think that probably the most significant case is the Griggs decision, that discrimination indeed is not a deliberate act - does not necessarily mean that someone has gone out and said to an employer, supervisor, division chief, branch chief, "we are going to discriminate against women and minorities." The Griggs decision says that no matter what type of employee selection devices are being used, if the effects of what you are doing is discriminatory, that is just as much a violation of Title VII as the person who posts a sign on the door saying "no blacks wanted." And I think that so many of us do not realize the effects of what we are doing which can be discriminatory--particularly in the area where we are talking about things which are applied across the board--we have gone from the old idea of what we called disparate treatment and of treating people differently merely because they were Black, Chicano, or merely because they happened to be Catholic. To the point, I am saying that is the effect of what you're doing disparate effect, treating people much the same on the surface and yet screening them out just as significantly as tho you had put a sign on the door. Let me give you just one or two examples of what we are talking about.

Suppose we have procedure, and we give this a number of times in terms of our police and fire departments. You have a procedure say for the fire department of particular cities or the police department. They have a requirement that everyone coming into the police department must be at least 5' 10" tall. Now, at first blush, this may not seem to be discriminatory. But when we realize that the overwhelming majority of women are not 5' 10", it does, in fact, impact upon women in a disparate way as opposed to the males. It does have a disparate impact upon Oriental Americans and Chicanos, and even tho what you are trying to do originally was not deemed to be discriminatory it would be a violation under Title VII. The test then becomes is the requirement really related to the job that has to be done. Why is it that someone 5' 6" could not perform the duties of a fireman or a policeman? We know something about these height and weight requirements, and indeed we have filed some suits. In fact we have taken very, very seriously the new jurisdiction that has been given to us in terms of filing suits. I should indicate to you that even tho the Act was amended just last year in March and we had a number of things to do, we have already filed 28 suits, authorized the filing of 45 additional suits, and this coming Monday before the Commission meeting, there will be at least 15 additional cases being presented to the Commission for its authorization to file suits in those cases.

I would also suggest that the number of cases that are being filed by individuals and individual attorneys has indeed esculated. And one of the reasons for it is the back pay awards which are being given, and also the very substantial awards which are being given to attorneys.

But in these particular cases, that we are talking about, we have filed against Transcontinental Trailways for example, a requirement that all its drivers had to be 6 feet tall. It was down in the Southwest where there is a heavy concentration of Mexican Americans who could not meet the height requirments, you obviously had a number of women who could not meet the height requirements.

It is interesting the defenses which were raised by the company. The first one is a kind of throw-away. They indicated that they wanted people uniform in height because they would look better in their uniforms. I don't know whether they seriously believed that or not. The second thing they said, and I think they probably did in fact believe this altho they probably did not think it completely, was that it takes a person of this height to be able to control the bus, that is the larger buses, which was a safety factor, and people less than 6 feet could not handle the bus. That too is surprising, because it was during the second world war, there were many, many drivers who were women driving these same kinds of buses. And I suggested to them time and time again that in Japan and in Mexico, there are an awful lot of Japanese and Mexicans driving the same kinds of buses, some of them 5'3" and 5'4" tall. Those of you who have been to Japan or to Mexico City know that these areas have some of the most massive traffic jams in the world. If they can handle those buses in Japan or Mexico City, I fail to understand why they can't handle them in the United States, especially in the Southwest where the wide open spaces prevail.

I was on a trip very recently, and in the airport there was a 747 Japanese Airliner, and the Captain was about 5'4" tall. I thought to myself how many people would be willing to ride with a woman who happened to be not 5'4" but 5'7" or 5'8". What is it that is so unique about

a male that happens to be 5'4" and his ability to control the massive airplane, most of which is done by push button anyhow, and a woman's ability to do the same kind of job? We just tend to screen them out across the board, and we accept these differences so many times because of our culture. It is time that we start looking at people as individuals. That's what we are talking about at EEOC. Indeed, that is what the courts are requiring.

I would suggest to you that that is what should be done not only at the Department of the Interior but throughout the Federal Government.

It seems to me that the Federal Government has a unique responsibility and that responsibility is to be leaders in the field of equal employment opportunity. We ought to be far, far ahead of the companies that we police, and yet when I look at the statistics which come up to the Civil Service Commission every six months I have to be honest to say that for the most part the records which we see in the Federal Government are not as good as most of the records we see in private industry. And yet, all of us compliance people from the Department of the Interior, the Office of Federal Contract Compliance, our agency, and the Department of Justice are going around the country filing and processing charges against companies telling them that they have to change the discriminatory practices of those companies. But at the same time our own records are so very poor, and don't think that when you get around the country you are not reminded about the fact that the Government's record itself is very poor.

There were some additional changes in the law back in 1972 that you should be aware of. We now have for the first time the authority to file suit not only against the private sector but also against universities. This is one of the extended areas of coverage under our act, we now have jurisdiction over State and local governments and this of course is going to become increasingly important as the area of revenue sharing starts to develop. We have jurisdiction over any employer as of the 24th of this month that has 15 or more employees as opposed to the 25 employees that are presently in our act. What we have tried to do is to meet our responsibilities under the expanded jurisdiction and also under the expanded enforcement powers. We have in fact established five litigating centers-I guess I don't have to say any more here in the Federal Government what our agency is I assume that everyone knows what EEOC is. Perhaps I should just mention one thing, we are not being phased out because we are not OEO. So many people have written to me and have called me offering their condolences that EEOC is going out of business, and I have to tell them each time that we are not going out of business and indeed we are increasing. We are one of the few agencies in the government which has continually increased both in terms of budget and in terms of the numbers of people. As a matter of fact in the current budget for FY '74, the President has seen fit to give us a 47 percent increase in our budget. I think that says something. I think it indicates that the administration indeed is behind the work of the EEOC. I think it says something even more important than that, and that is that the administration indeed is behind this whole idea of giving equal opportunity to get the better job. We have to get away from the statistics that we see which always relegate women and minorities to the lowest paying, lowest skilled jobs. That is a pattern in industry and that is a pattern in Federal Government, and the sooner that we get about the job of fulfilling that obligation the quicker it will be that EEOC in fact will be no longer needed. Indeed I would hope that the time would come shortly that our Commission and the Fair Employment Practices Commission and all the other civil rights agencies would all become kind of needless appendages because people were starting to treat each other as human beings.

I think that in terms of where we are going and how do we get there, I think that it is very important that those of you who have a responsibility for hiring fulfill that responsibility in a meaningful way and in a responsible way. It takes a little bit more than just saying no minorities applied for this position or no women applied for this position. So many times the Federal Government, particularly people who have been in the Federal Government for a while, view the Federal Government as pre-intrusted, and we don't think we should do something which is not going to pay off in the long run—that is apply for a job when you know darn well you are going to be turned down for it. I know that the Department of the Interior does in fact have a number of scientific people, and to some extent that may be some justification; but it also has a number of other positions which are not scientific-positions, for example, in areas of biology there are an awful lot of women who have finished college majoring in biology and I would expect that we should see a number of these women indeed in the Department of the Interior. There are many women in private industry who have the same basic kinds of skills that are being deprived by your Department, who we have given now for the first time some new chances for some of the better paying high skilled jobs.

I would hope that those of you who have the responsibility for hiring really start doing something about changing the complexion and changing the sex composition of the various departments.

What are we really talking about when we talk about affirmative action, because that is what this thing is all about. It seems to me that affirmative action means just what it says—that you do something really affirmatively, that you start looking at the people you already have on board and try to make some determination as to whether or not some of these people could be in fact upgraded. Let's not get in this bag of talking about people not being qualified and having to do a lot of training. Because I think in your agency perhaps like most agencies including our own there are an awful lot of people who indeed train their supervisors, and yet when it comes time for them to be promoted themselves someone says well you are not quite ready yet. We have heard this in private industry and unfortunately even to a larger extent in the Federal Government. What I have done as far as our Commission is concerned, which I might suggest to you that you do, is try to identify those individuals who in fact can be promoted now. Particularly, those who are among the minority group and the women in your Department. Encourage them to bid on the job when the job is posted and then once they do in fact get that promotion give them the same kind of support that you would give to the male. Because so many times in private industry, when you look at a woman being promoted to a managerial position, what so many people are looking for is not only a top flight manager but also a secretary. So she is used not only to do the managerial work but she is also expected to be her own secretary. Maybe because they are trying to get the benefit of having two people for the price of one. I think that is unfair and we have to recognize that it is unfair and we have to recognize the fact that when women in fact are being promoted they have to get the same kinds of support that a man would get if he were in the position.

I would hope that we can be of some assistance to you. We have two portions of our Commission. The one part that most people know about is the compliance side. Of course the other part that very few people know about particularly in private sector is the technical assistance side. That is where we have people who will go out and try to help the businesses get into compliance on a voluntary basis. These are people who have been dealing with the problems of discrimination on a day to day basis for quite a number of years. I am not suggesting that we know all the answers because obviously we don't. We have had an awful lot of experience both in terms of hiring people, in terms of recruiting people, in terms of getting people promotions, in terms of reviewing affirmative action programs, in terms of doing all those things that are necessary which bring about equality of employment. And for those of you who need help I suggest that you contact our technical assistance people. Ed Shelton knows this because we made the offer to him and he is taking advantage of it. This also extends to all of you who have the responsibility to bring about equal employment opportunity. I think the most important thing is that I am absolutely convinced that the head of this agency along with the top level people are really sincerely interested in getting something done, of changing the kind of profile that I see when I look at your statistics. All of their hopes and all their aspirations are not going to mean very much until those of you who have the responsibility for hiring and for promoting can do your own jobs in terms of giving people an opportunity.

I guess the most important thing that the Commission has done perhaps within the last seven years of our operation has been the AT&T case. I don't get the same sort of response from the Federal system. When you talk about AT&T in the private sector, people get the shakes when they start thinking in terms of the amount of back pay which was awarded by way of agreement admittedly but also put into a consent decree. Because in the first year of operation of that agreement, that company is paying $38 million to minorities and to women who have been shut out. Even more important than that, over the next four or five years of the agreement they will be paying out anywhere from $25 million to $35 million additional to those people who should have been promoted or should have been given a higher salary but for discriminatory practices. But I think the most important thing of all is the fact that we have changed the entire system of transfers and promotions within the AT&T Company. This has caused an awful lot of nervousness among employers as you might imagine, because most employers don't enjoy the benefit of having a $2-1/2 billion profit as AT&T did last year. For an employer that has only a $50 million profit or indeed a $10 million or a $5 million dollar profit this kind of back pay award may very well make the difference between being in the red and being in the black. I think that the fall out effect of the AT&T case is going to be substantial because what we hope to do with it is to set pretty much a standard for future negotiations in the private sector. I would hope that AT&T also would serve pretty much as a beacon as far as employment in the Federal Government is concerned. Because the more suits that we file in the courts the more settlements that we achieve either through conciliation or through court decisions, the more pressure there is going to be on the Federal Government to get its own house in order. When I talk about back pay awards let us not forget that the individual employee in the Federal system now does in fact have the right to get a draft into court. And also has the right to ask for back pay going back to two years

prior to the time the action has been filed. This can make a substantial dent in some of the budgets of some agencies around government, especially when we realize the fact that we are talking about classes of people. It is not just a single individual who has been discriminated against in most cases. It is my personal opinion that in most cases discrimination is not a single act. It is not something that just happens like a bolt of lightning out of the blue that happens to touch upon one individual. In most cases, Joe Jones was discriminated against first because he was black and not because he was Joe Jones. If that is true then it means that all potential Joe Jones, and Mary Does as well, have the right to come in and expect the same kind of relief which has been given in this particular case. I think the very simple solution to all of it in terms of equal employment opportunity we all must do our job, and I would have to be honest and say that we at our Commission are far from satisfied with what we have done. I know that our record is better than any record of any agency in government, and that's not saying very much because being a watch dog agency for this area we should be, and we have a long, long way to go. But if we have a long, long way to go just think how much longer you have to go. I would suggest that you have a long way to go to get to the point where many of the very private employers that you have jurisdiction over through your compliance sections presently are. We in the Federal Government must be leaders. We must be leaders not only by what we say but by the record we establish, and when we establish that kind of record I think we will find that all of private industry including the unions will take another look at their own structures, and we will expect that the picture for equal employment opportunity throughout this country is going to change dramatically. One final thing I guess I should say to you that you have done an excellent job in recruiting Indians. You have some ten thousand four hundred Indians in the Department but one discouraging thing is that of that ten thousand four hundred, ten thousand and forty are in the Bureau of Indian Affairs. Now if you were to recruit ten thousand Indians in the Department or in the Bureau of Indian Affairs, why is it that so few of them are in the rest of the agency. You are obviously able to find people who are qualified to do the jobs as far as BIA is concerned. If you put forth the same type of effort to recruit them in some of the other areas of the Department I think that the results will be just as encouraging. Thank you very much.

NEW ERA OF ENFORCEMENT

Special emphasis was given at the conference to the new procedures for complaints of discrimination. The EEO Act of 1972 and Civil Service Commission regulatory changes implementing the Act strengthen the system of discrimination complaint processing. Complainants now have access to the courts and may file a civil suit if final action on their complaints is not taken by the Department within 180 days of filing. In addition, when there is a finding of discrimination, remedial action must be taken, with or without back pay, and a determination made as to whether disciplinary action is warranted.

Within the Department during this fiscal year, discrimination has been found in six complaint cases. Five of the complainants were women employed in five different bureaus of the Department alleging discrimination in promotion. The Civil Service Commission's Board of Appeals and Review ordered corrective action in two cases, and a CSC Complaints Examiner recommended corrective action in another case. In a fourth situation, the Department of the Interior disagreed with the recommendations of the CSC Complaints Examiner and ordered corrective action. In the fifth case, the bureau, itself resolved the case informally, which included retroactive promotion, based on information in the investigator's report.

In some of the complaints there was no specific act of discrimination, but rather the sum total of all the factors indicated that a general pattern of discrimination existed. The findings were that institutional discrimination on the basis of sex had been exercised.

Albert B. Brown, OFFICE FOR EQUAL OPPORTUNITY, Department of the Interior, presented the new complaint procedures which appear in Appendix II.

Albert B. Brown

Appendix I

U.S. DEPARTMENT OF THE INTERIOR

FULL TIME EMPLOYMENT 10 YEAR SUMMARY AS OF NOVEMBER 1963 THRU 1972

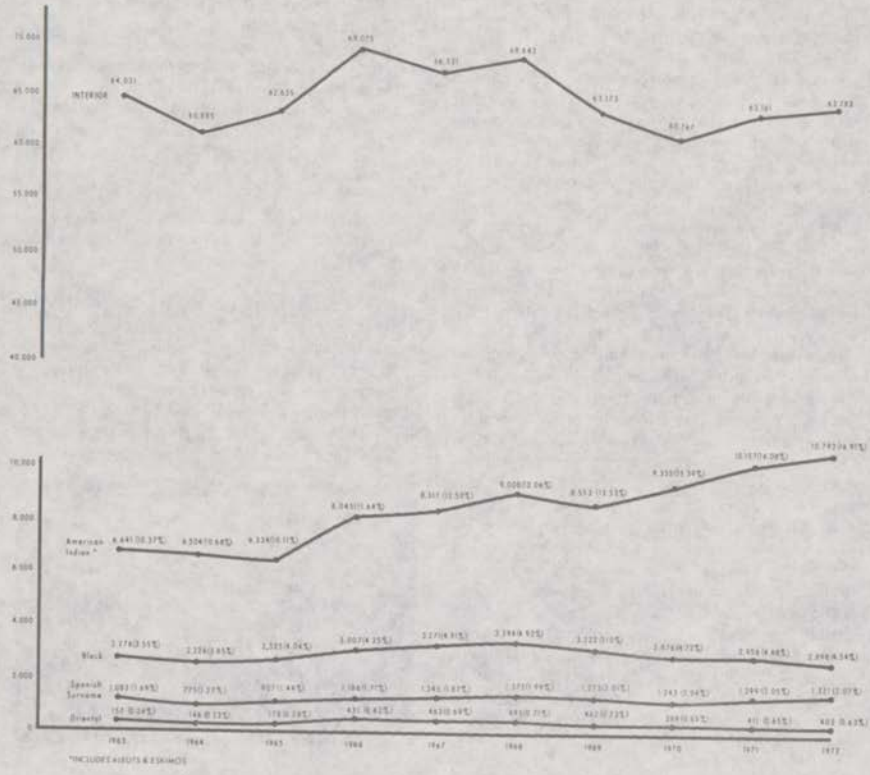


Figure 1

U.S. DEPARTMENT OF THE INTERIOR

GRADE DISTRIBUTION BY SEX OF FULL-TIME EMPLOYEES OCT. 30, 1971

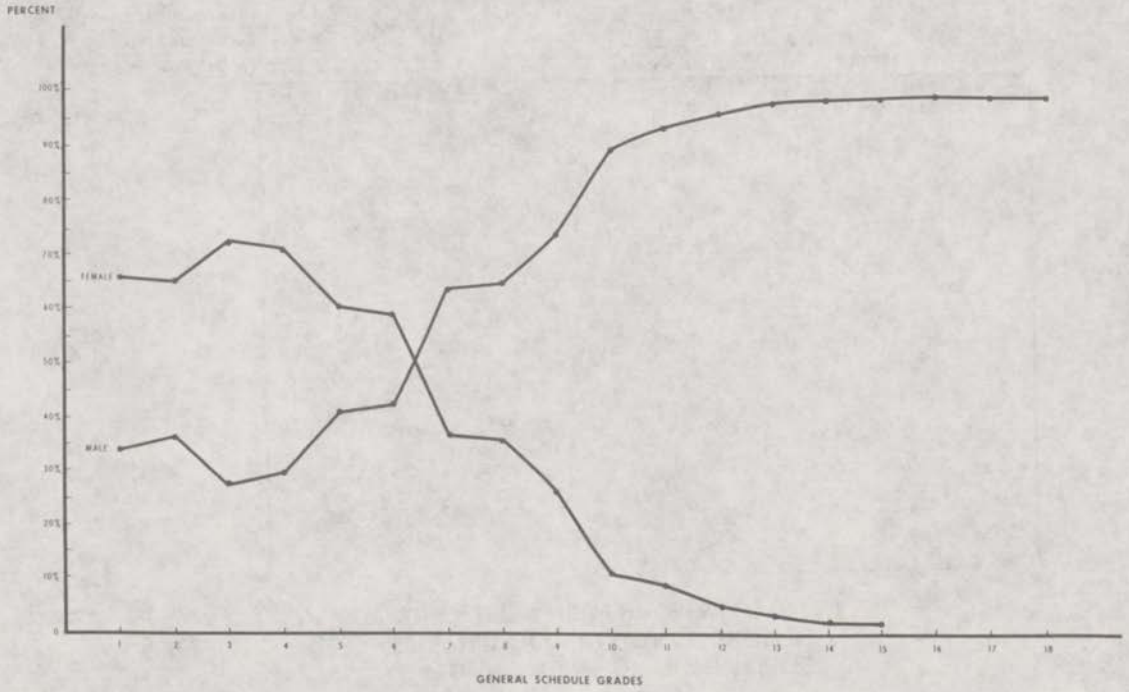
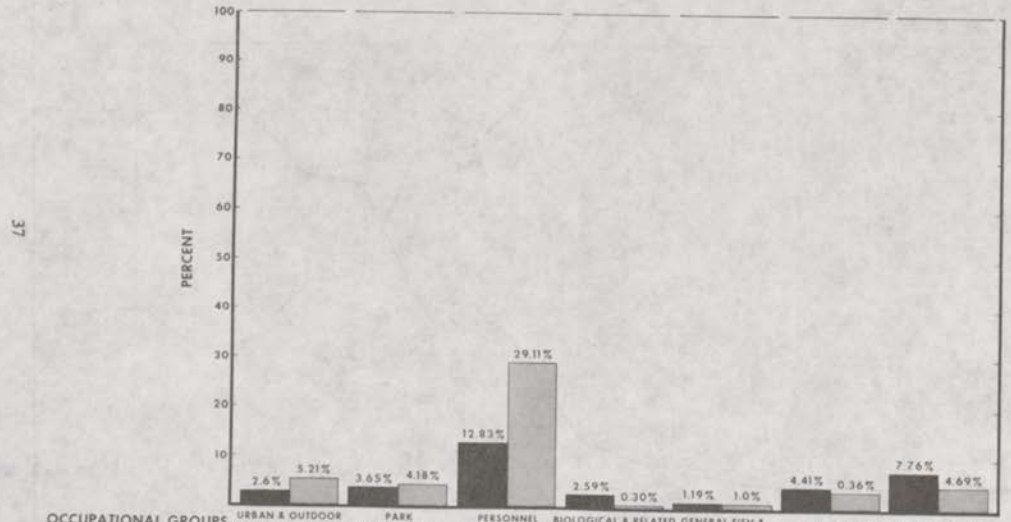


Figure 2

U. S. DEPARTMENT OF THE INTERIOR
SELECTED OCCUPATIONAL GROUPS
BY MINORITY, AND FEMALE EMPLOYMENT



OCCUPATIONAL GROUPS	URBAN & OUTDOOR RECREATION PLANNING	PARK MANAGEMENT	PERSONNEL ADMINISTRATION	BIOLOGICAL & RELATED PLANT SCIENCES	GENERAL FISH & WILDLIFE SCIENCES	ENGINEERING	PHYSICAL SCIENCES
TOTAL EMPLOYMENT	307	1,339	553	1,963	1,587	5,259	3,580
MINORITY EMPLOYMENT	8	49	71	51	19	232	278
FEMALE EMPLOYMENT	16	56	161	6	16	19	168

OCT. 31, 1972

Figure 3

INF/VSS

U. S. DEPARTMENT OF THE INTERIOR
GENERAL SCHEDULE EMPLOYMENT
BY SEX AND GRADES

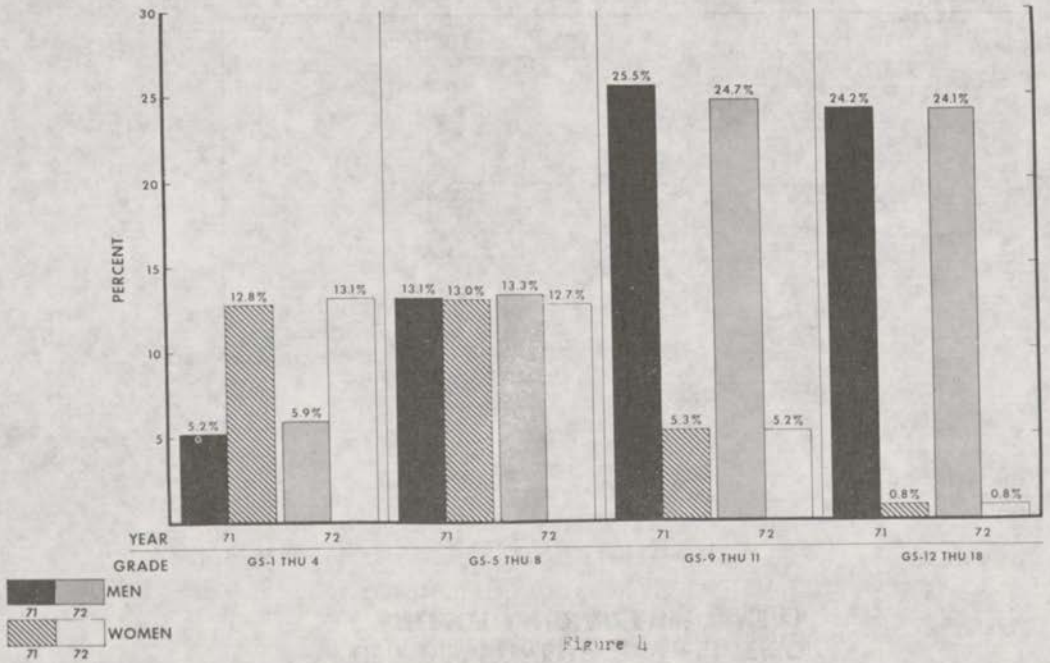


Figure 4

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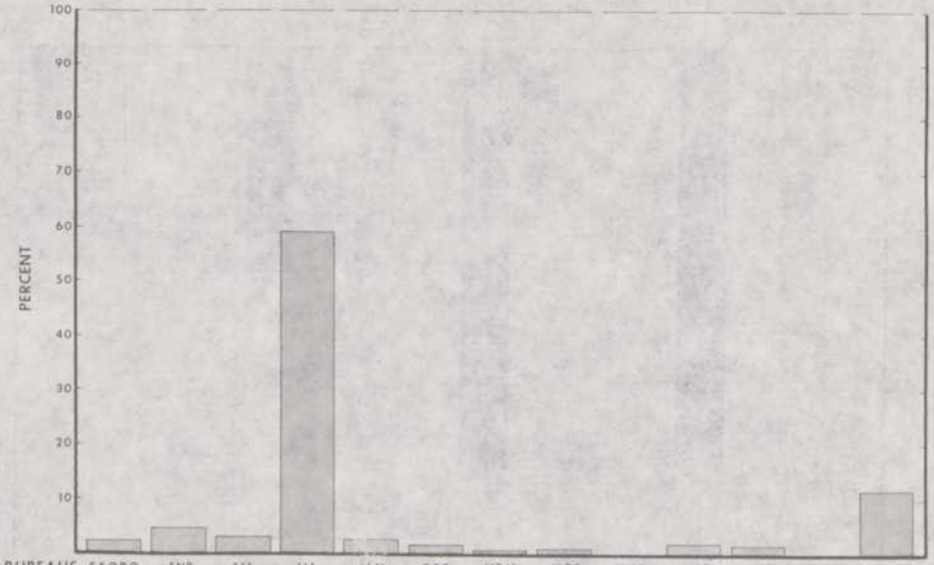
U. S. DEPARTMENT OF THE INTERIOR
AMERICAN INDIAN EMPLOYMENT



BUREAUS	S&ODO	FNP	FSF	LIA	LEM	POR	MBM	MGS	WAP	WBR	WBP	WSE	WSW
TOTAL EMPLOYMENT	1,886	9,115	4,253	16,894	4,485	494	5,898	8,210	35	9,026	3,262	37	178
AMERICAN INDIAN EMPLOYMENT	16	169	42	10,040	54	3	17	40	0	71	19	0	21

NOV. 30, 1972

INF/VSS

Figure 5

U.S. DEPARTMENT OF INTERIOR

TEMPORARY SUMMER EMPLOYMENT

(MAY, JUNE, JULY, & AUGUST 1972)

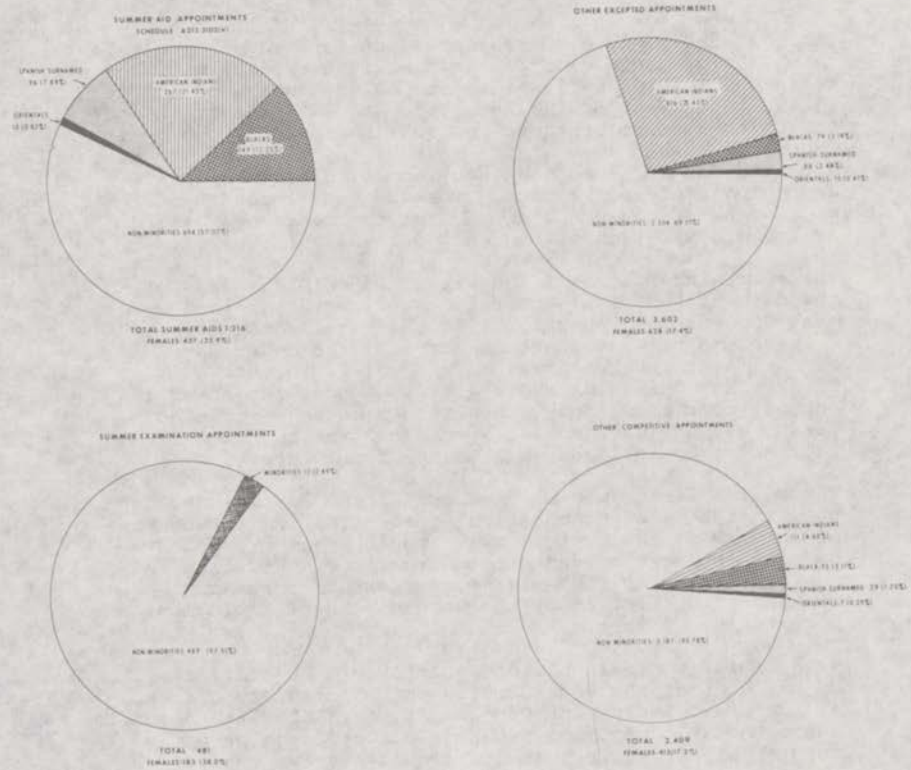


Figure 6

Appendix II

THE DISCRIMINATION COMPLAINT SYSTEM

If a Federal employee or an applicant for Federal employment thinks he has been discriminated against because of race, color, religion, sex, or national origin by any bureau or office in the Department of the Interior, he must present the matter for informal resolution to an Equal Employment Opportunity Counselor within 30 calendar days of the date the incident occurred or, if a personnel action, within 30 calendar days of its effective date. The name and location of the EEO Counselor can be obtained from the personnel office or from information posted on local bulletin boards.

The complaint must be filed within 15 calendar days of the date of the final interview with the Equal Employment Opportunity Counselor. If the matter has not been resolved to his satisfaction within 21 calendar days of the first interview with the Equal Employment Opportunity Counselor and the final counseling interview has not been completed within that time the aggrieved person has a right to file a complaint at any time thereafter up to 15 days after the final interview.

These time limits may be extended if the complainant can show that he was not notified of the time limits and was not otherwise aware of them, or that he was prevented by circumstances beyond his control from submitting the matter within the time limits, or for other reasons considered sufficient by the Bureau's Equal Employment Opportunity Officer.

If help is needed in the preparation of the complaint, he may contact the Equal Employment Opportunity Officer or the Equal Employment Opportunity Counselor at the office where the alleged discrimination occurred, or he may secure help from a representative of his own choice.

The written complaint should be filed by the complainant or his designated representative with the Equal Employment Opportunity Officer in the bureau where the alleged discrimination occurred, the head of the field installation, the Department's Director of Equal Opportunity, Federal Women's Program Coordinator, or other such officials as may be designated for that purpose.

The aggrieved may have a representative of his own choosing at all stages of the processing of his complaint.

He will have an opportunity to talk with an investigator and give him all the facts which he believes show discrimination. The investigator will not be under the jurisdiction of the head of that part of the bureau in which the alleged discrimination took place.

After the investigation of the complaint has been completed, the complainant will be given a copy of the investigation file and an attempt will be made by the Bureau's EEO Officer to adjust the matter informally.

If the complaint is not adjusted satisfactorily, the complainant will be given an opportunity to request a hearing, which will be conducted by an independent Complaints Examiner certified by the Civil Service Commission. The hearing will be held at a convenient time and place. At the hearing, the complainant may present witnesses and other evidence in his behalf. The bureau will select a representative, whose duties will be to help the Complaints Examiner determine whether there is a basis for the complaint. The representative does not "defend" the bureau or its officials but rather aids in the process of obtaining the truth by bringing forth any information, whether helpful to the bureau's position or not, which will assist the Complaints Examiner in fairly deciding the issues.

The final decision (in writing) will be made by the Director, Office for Equal Opportunity, Office of the Secretary, Department of the Interior. If a hearing was held on the complaint, the Director, Office for Equal Opportunity, will review the decision recommended by the Complaints Examiner before making a final decision, and he will furnish the complainant with a transcript of the hearing, a copy of the findings, analysis, and recommended decision of the Complaints Examiner, and the Department's decision letter.

If the complainant is not satisfied with the final Departmental decision, he has the right to appeal that decision within 15 calendar days after receipt to the Board of Appeals and Review of the U.S. Civil Service Commission, Washington, D.C. 20415 or he may file a civil action in an appropriate

Federal District Court within 30 days of receipt of the agency's decision. If he elects to file an appeal with the Commission, he may still file a civil action in a Federal District Court within 30 days of the Commission's decision if he is dissatisfied with the decision.

He also may file a civil action in an appropriate Federal District Court if he has not received a final Departmental decision within 180 days of filing the complaint with the Department or if he has not received a final Commission decision within 180 days of filing an appeal with the Commission's Board of Appeals and Review.

Appendix III

AFFIRMATIVE ACTION DEVELOPMENT SCHEMATIC

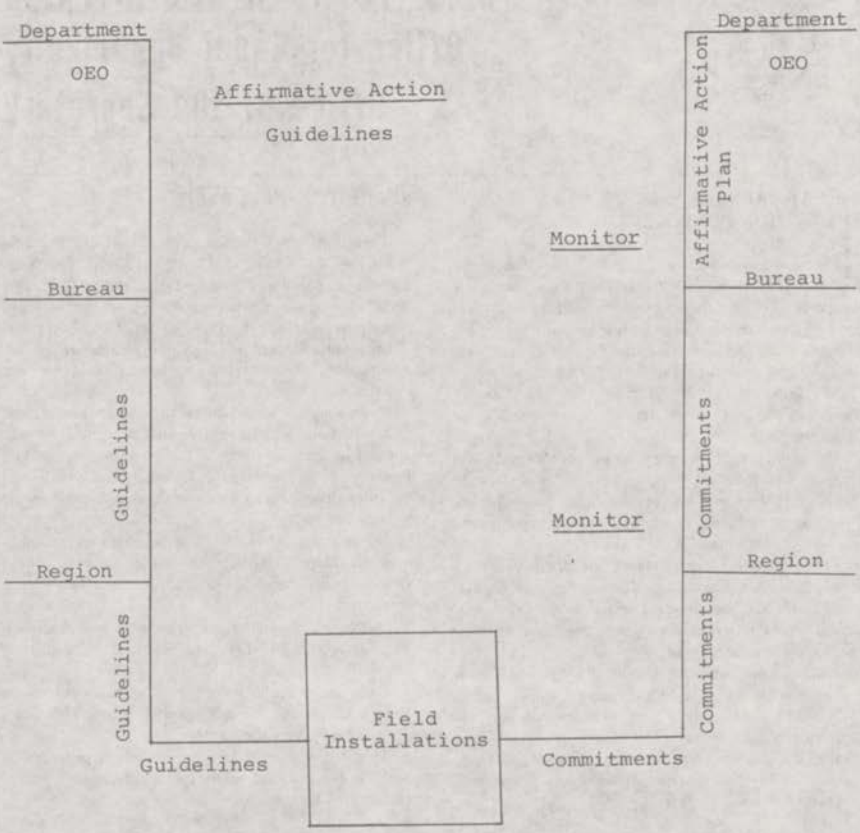


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EXHIBIT 3

DEPARTMENT OF THE INTERIOR
Office for Equal Opportunity
Office of the Secretary

EEO AWARENESS WEEK IN THE NATIONAL PARK SERVICE

EEO Awareness Week was a service-wide effort of the NATIONAL PARK SERVICE to promote equal opportunity and to inform employees, supervisors and managers of their role in implementing an affirmative EEO program. Participants throughout the Department were welcomed by Bob Nunn, Bureau EEO Officer.

Mr. Higinio Costales, Director of the Spanish-Speaking Program, Civil Service Commission spoke about the Sixteen-Point Program.

He emphasized the purpose of the Sixteen-Point Program and discussed the special projects under way to publish and distribute information to assist the Spanish-Speaking Americans in obtaining employment and knowledge regarding the Civil Service system.

Other speakers included managers of the NATIONAL PARK SERVICE, Departmental Office for Equal Opportunity officials, and the Civil Service Commission, who talked about different portions of the Equal Employment Opportunity program.

EEO Accomplishment Awards (Plaques and Certificates) were presented to NPS employees who have made outstanding contributions to ensure that all have full opportunity. Recipients were Jeane Randall, Chief, Branch of Personnel Operations; J. Leonard Norwood, Associate Director, Administration and Russell E. Dickenson, Deputy Director.

Higinio Coastales, Director Civil Service Commission Spanish-Speaking Programs.

RECRUITING EFFORTS

The BUREAU OF MINES and the MINING ENFORCEMENT SAFETY ADMINISTRATION is conducting a nationwide minority recruiting campaign designed to attract predominantly Spanish-Speaking and other minorities into positions of Metal and Non-metal Federal Mine Inspectors. Recruiting teams are visiting communities where there is a concentration of minority population.

News Releases are advanced to local newspapers and radio stations with a significant minority audience announcing the location of the recruiting station and hours it will be manned. Contact also is made with local minority organizations soliciting their assistance in the recruitment effort.

Advertisements are placed in the want ad section in area newspapers stating the starting salary, a brief statement of qualifications and date and location of interviews.

Interested candidates are given personnel Qualifications Statement (SF-171) and assistance in completing the form.

Each recruiting team consists of an official from the Bureau Office for Equal Opportunity and a technical representative from the local area.

The campaign will continue unitl those geographical areas with significant minority candidates with mining background are covered.

Dr. Bennetta B. Washington, Special Assistant to the Assistant Secretary for Manpower, Labor Department, receiving a standing ovation in response to her speech about the Federal Women's Program. Sharing the stage with Dr. Washington is Wilma Victor, Federal Women's Program Coordinator for the Department.

1974 FEDERAL WOMAN'S AWARD NOMINEES

Each year Federal agencies are asked to nominate outstanding women candidates for the Federal Woman's Award, the only award in the Federal Government exclusively for women. This year, six Interior women in five bureaus were nominated for the award. Although none was selected as an award winner, the six Interior finalists deserve recognition for their professional competence within the Department.

The Interior women finalists were: Ethel McAuley, for her contribution to the National Trails Program within the BUREAU OF OUTDOOR RECREATION: Jean C. Henderer for service as Division Chief of Federal, State and Private Liaison in the NATIONAL PARK SERVICE; Dr. Sandra H.B. Clark for her excellence as a Geologist for the U.S. GEOLOGICAL SURVEY: Gladys Irene Moore for outstanding accomplishments as Personnel Officer for the BUREAU OF SPORT FISHERIES AND WILDLIFE; Penelope H. Batcheler for her achievement as a Research and Restoration Architect for the NATIONAL PARK SERVICE; and Iola M. Clark for her expertise as a Land Law Examiner for the BUREAU OF LAND MANAGEMENT in Denver, Colorado.

Ethel M. McAuley is presented a certificate by BOR Director James Watt (left) and Deputy Director Stan Hulett, honoring her Federal Women's Award nomination for outstanding contributions to the National Trails Program.

OEO VISITS BUREAU OF MINES AT PITTSBURGH

Ruth Graham, Assistant Director of EQUAL EMPLOYMENT OPPORTUNITY, recently joined George Johnson, Equal Employment Opportunity Officer for the BUREAU OF MINES, in a tour of the Bureau's Eastern Administrative Office in Pittsburgh.

Mr. A.L. Julian, Chief of the Pittsburgh Office invited Ms. Graham to accompany Mr. Johnson to discuss job opportunities with the Chiefs of all major divisions of the BUREAU OF MINES facilities in the Pittsburgh area.

During their visit, they spent several hours with Dr. Robert W. Van Dolah, Research Director of the Pittsburgh Mining & Safety Research Center, and Dr. Irving Wender, Research Director of the Pittsburgh Energy Research Center, in a discussion of career opportunities in the sciences.

Of added interest was the fact that Dr. Wender was at that time hosting a delegation of scientists from Poland who were there to learn about his coal conversion to gas and oil research projects. This was one of many foreign delegations that visit the Center continually.

Also, Dr. Van Dolah, who heads the methane control projects, was conducting interviews with reporters from all over the nation relative to the news story on his multipurpose bore hole for degasification of virgin coal that had appeared in the local newspapers.

Left to right: Nicholas M. Melucci, Jesse Jackson, Jr., Robert W. Van Dolah, Ruth A. Graham and George H. Johnson.

EQUAL OPPORTUNITY FOR YOUNG MOTHER IN THE BUREAU OF SPORT FISHERIES AND WILDLIFE

Recently a young female employee of the BUREAU OF SPORT FISHERIES AND WILDLIFE encountered a problem of not having a babysitter. This particular young lady had been identified for, and placed in an Upward Mobility Training Program. She was receiving training through the Department of the Interior's Skills Center and the Department of Agriculture Graduate School. She came into the Equal Opportunity and Training Office and stated that it appeared that she would have to terminate her training and employment because of the lack of child care resources for her baby. She asked if the office could possibly help her in any way. She stated that her present income at the GS-2 level would not allow her to pay transportation costs as well as the rising cost of child care service.

The Child Care Division of the Department of Human Resources of the District Government, readily came to the rescue of the young lady by providing daily transportation to and from a day care center as well as a subsidy for child care expenditure.

This young lady has since received a promotion and been placed in a training position with greater responsibility and is doing well.

NORTHWEST REGIONAL EEO CONFERENCE

The second Regional EEO Conference was held in Portland, Oregon on April 2-4, 1974. Over 250 managers, personnel and EEO officials from the western part of the United States, including Alaska, met to get a better understanding of their role in implementing the EEO program.

Edward E. Shelton, Director, Office for Equal Opportunity, was general chairman of the three-day conference. Roy Sampsel, Special Assistant to the Secretary for the Pacific Northwest, delivered the opening speech giving the conference purpose and objectives.

The Civil Service Commission and Office of Organization and Personnel Management provided expertise in panel discussions.

Mr. William Brown, former Chairman of Equal Employment Opportunity Commission, spoke about New Trends in EEO and Significant EEO Court Decisions.

The Sixteen-Point Program, the Federal Women's Program, discrimination complaint procedures and all other aspects of the EEO program were discussed in workshop groups and Bureau meetings.

Mr. Reginald Kaiser, Equal Employment Opportunity Officer for Bonneville Power Administration, leads Bureau discussion

A portion of the more than 250 conferees at the second Regional EEO Conference held in Portland, Oregon April 2-4.

Roy Sampsel, Special Assistant to the Secretary, delivers message of Objectives of Northwest Regional EEO Conference.

DR. LUCILLE F. STICKEL HONORED

The Aldo Leopold Memorial Award, the highest honor the wildlife profession can bestow, has been presented to Dr. Lucille F. Stickel, Director of the Interior Department's Fish and Wildlife Service Patuxent Wildlife Research Center.

The award was presented by the Wildlife Society, at the 39th annual banquet of the North American Wildlife and Natural Resources Conference meeting in Denver, April 2.

The award, named after the pioneer wildlife scientist, Aldo Leopold, is given for "outstanding service and distinguished contributions in the field of wildlife research and in furthering the cause of sound conservation."

Dr. Stickel, the first woman to receive the award, has a long and distinguished career in research and research administration. She pioneered research to evaluate the effects of pesticides on wildlife species and has been directing the Fish and Wildlife Service's pesticides research since 1965. She has worked at the Patuxent Research Center, Laurel, Maryland, since 1956 as a research biologist, and in 1973 was named Director of the Center. The Center's staff of over 100 focuses on environmental pollution, the conservation of endangered species, and prevention of crop damage by birds.

Secretary of the Interior Rogers C.B. Morton said, "I am proud that a distinguished professional like Lucille Stickel was chosen for this award. She is among the highest ranking career women in the Federal Government and has long been recognized within Government as a dedicated professional. I am pleased to see our feeling about Dr. Stickel confirmed by other professionals such as those distinguished members of the North American Wildlife and Natural Resources Conference."

Three NPS men in new jobs

Ira J. Hutchison

John A. Townsley

Abner M. Bradley

Three NATIONAL PARK SERVICE employees have been named to top-level positions with the National Capital Parks.

John A. Townsley, has been named deputy director; Abner M. Bradley, was appointed associate director for park systems management; and Ira J. Hutchison is the new superintendent of National Capital Parks-East.

Townsley, former associate director of operations, will share in the over-all management responsibility of National Capital Parks, which includes 47,000 acres of Federal parklands in metropolitan Washington and such sites as the Washington Monument, the White House, Lincoln and Jefferson Memorials, Wolf Trap Farm Park for the Performing Arts, the Mall, the George Washington and Baltimore-Washington Parkways and other National Park Service sites and lands in the District of Columbia, nearby Maryland and northern Virginia.

Bradley replaces Townsley in the park systems management post. He comes to that position from superintendent of National Capital Parks-East.

Succeeding Bradley as superintendent of National Capital Parks-East is Hutchison, who comes there from chief of community programs for the metropolitan area of National Capital Parks, including the "Summer in the Parks" program.

A fourth employee of NPS who has been named to a top level position is Robert Stanton, the first minority Deputy Regional Director of the Southeast Regional Office. He was promoted to the position in February 1974.

From August 1971 until February 1974, Mr. Stanton served as Superintendent, Virgin Islands, and during his NPS career has held many positions since beginning as a Seasonal Park Ranger nearly eight years ago in Grand Teton.

TOURISM MANAGEMENT AT NORTHEASTERN STATE COLLEGE, TAHLEQUAH, OKLAHOMA

In 1971 the Northwestern State College, the Cherokee Indian Tribe and the State of Oklahoma initiated an educational program in tourism management and recreational development which leads to a Bachelor of Science degree.

Indian tribal representatives expressed a need for individuals trained in the field of tourism and recreational development and were especially interested in having their own young people trained as managers and resource developers.

A planning group consisting of Wilma Victor, Special Assistant to the Secretary, Ben Reifel, consultant for NATIONAL PARK SERVICE, James Watt, Director of the BUREAU OF OUTDOOR RECREATION and college officials went to work to provide resource instructors, contacts for internship and funding.

This summer, after two years of operation the college is requesting summer jobs.

Interest in this program has been very high and young men and women of all races have enrolled. Although most are finishing their sophomore year this spring, two are graduating, since they had completed business management courses before enrolling in the Tourism Course.

In April Ms. Victor interviewed students from the tourism class for summer jobs in the regional offices of the Bureau of Outdoor Recreation; some of these jobs have already been filled with these students. In addition, the Bureau Personnel Officer and the EEO Officers are awaiting formal certification of the graduates for consideration for full-time employment. Other tourism management summer internships are being offered in all areas of tourism and recreation in Oklahoma and nearby States. Other State and Federal agencies are seeking out these students for intern training preparatory to full-time employment.

DEPARTMENT OF THE INTERIOR
Office for Equal Opportunity
Office of the Secretary

Vol. 2 No. 7 March 1974

YCC CORPSMEN RECEIVE FELLOWSHIP GRANT

Two Las Cruces, New Mexico students have received fellowship grants with the University of Michigan School of Natural Resources as the result of programs sponsored by the BUREAU OF LAND MANAGEMENT and the University.

Miss Sandra Madrid and Miss Ginger Parker, both minorities, will enroll at the school for the fall semester 1974. Full scholarship and other financial aid will be available to them.

William K. Barker, District Manager for BLM in Las Cruces in making the announcement said the Youth Conservation Corps Yucca Camp, sponsored by BLM, had been asked by the University of Michigan Office of Minority Affairs to submit names of minority group corpsmen who were interested in pursuing higher education in the field of natural resources. The school offers opportunities in forestry, outdoor recreation, fisheries, biology, wildlife management, and environmental education.

The University is soliciting enrollment of minority students throughout all YCC camps and sponsoring agencies. Miss Madrid and Miss Parker will be the first YCC participants to enroll out of the program sponsored by BLM.

Miss Madrid is a senior at New Mexico State University and will be seeking a master's degree in outdoor recreation. She was employed as a group leader at Camp Yucca in 1973. Miss Parker, a 1973 Yucca Camp corpswoman, will graduate from Mayfield High School in Las Cruces at the end of this school year. She will enroll as a freshman seeking a bachelor of science degree.

The Youth Conservation Corps Camp Yucca program provides summer employment for 20 youths on national resources lands administered by BLM. In addition to work for wages, the 56-day summer program provides environmental education and recreation, including camping.

Miss Sandra Madrid

Miss Ginger Parker

NATIONAL PARK SERVICE PROVIDES ENVIRONMENTAL EDUCATION TRAINING

NATIONAL PARK SERVICE Northeast Region selected one woman and one minority to participate in the graduate program in Environmental Education Administration at George William College. The objective of this program is to provide training to a select group of Park

Service employees in environmental education and interpretation. This training should enable the participants to assume leadership roles in fostering public awareness of environmental quality, of man's impact on the environment, and of human responsibility for harmonizing that impact in the interest of both human enjoyment and environmental integrity. The program consists of three full academic quarters. Successful completion of the program earns a Master of Science Degree in Environmental Education Administration in June 1974.

BUREAU OF SPORT FISHERIES AND WILDLIFE CONTINUES COOPERATIVE WORK STUDY PROGRAM

The BUREAU OF SPORT FISHERIES AND WILDLIFE has embarked on an ambitious cooperative work-study program designed to facilitate the entry of female and minority group students into major Bureau occupations following college graduation. To date the Bureau has negotiated thirteen cooperative work-study agreements with the following twelve colleges and universities: Michigan State University; American University–Washington, D.C.; Mississippi Valley State College; Tennessee Technological University; Bowie State College–Maryland; Northeastern University–Massachusetts; Virginia Polytechnic Institute; New Mexico State University; Oklahoma State University; Stevens College–Missouri; University of Colorado; and Alpena Community College, Michigan.

At the present time there are 26 students participating in the program,–seven women of which one is a minority, and eight minority males. These student trainees work in occupational areas ranging from fishery and wildlife biology, to law enforcement.

The following are examples of some of the more successful cooperative agreements in offering practical work experience to females and minorities:

Under an agreement with American University, the National Aquarium is presently employing three marine biology students, of which one is a black female and one a black male. These students receive on-the-job training while conducting their own individual research projects. They also work with Bureau aquarists in collecting specimens, and maintaining and breeding a variety of marine and freshwater invertebrates.

The Bureau's Albuquerque Region placed an American Indian student and a Spanish surnamed student at the Bitter Lake National Wildlife Refuge under a work-study agreement with New Mexico State University. That region also negotiated an agreement with Stevens College which is providing training for three female students at the Columbia Fish Pesticide Research Lab at Columbia, Missouri.

FIRST REGIONAL EEO CONFERENCE HELD IN ATLANTA, GEORGIA NOVEMBER 14-15, 1973

Approximately 125 field and region headquarters managers, EEO Officers, Federal Women's Program Coordinators from the Southeastern United States met at Atlanta, Georgia to discuss the EEO program in the Department of the Interior. The theme of the Conference was "Equal Opportunity for All–Managements Challenge NOW."

The best resource people available in the Federal government and in private industry were speakers and workshop leaders. Ms. June Whelan, Secretary's Field Representative, gave the opening remarks - purpose and objectives, and Dr. Janet W. Brown, Director, Office of Opportunities in Sciences, American Association for the Advancement of Science, gave the keynote address. The guest dinner speaker was the Honorable Maynard Jackson, Mayor of Atlanta.

Other regional conferences will be held during 1974 at Portland, Oregon, and Denver, Colorado.

CREATIVE CAREER DEVELOPMENT PROGRAM SPONSORED BY BUREAU OF LAND MANAGEMENT

An experiment considered highly successful by the BUREAU OF LAND MANAGEMENT Training Officer and the Federal Women's Program Coordinator was conducted in November in Boise, Idaho. The program, a three-day creative career development experiment for women was conducted by a career development consultant, Alexander Methven, of Washington, D.C. The program was conducted for 26 women from the Bureau of Land Management in grades GS-4 through GS-13 who came from Alaska, Idaho, Utah and Washington, D.C.

The object of the experiment was to assess the value of a no men-only controlled atmosphere career development training exercise. Adele Goss, Bureau FWPC and E. K. James, Bureau Training Officer have now reviewed the supervisory evaluations on the 26 employees and declared the experiment a success. Mrs. Goss states the seminar under Methven's instruction is now included in the Bureau's training catalog and is offered for FY '75 as an ungraded session for women in BLM.

Ruth Graham, Assistant Director for the Departmental EEO program observed the three-day "live-in". Her comments, according to Mrs. Goss, were most favorable. Mrs. Goss also emphasized the value of Miss Graham's presence as a boost to the morale of the women employees who attended. Our women were gratified by the interest the Department is showing in the Federal Women' Program.

RECLAMATION NAMES BLACK DIVISION CHIEF IN MID-PACIFIC REGION

Lawrence F. Hancock has been appointed Chief, Division of Data Processing, Mid-Pacific Region, with headquarters in Sacramento, California. This placement has resulted in the first black division chief in the region.

Lawrence's career includes 11 years with the BUREAU OF RECLAMATION. For the last 4 years he has been directing the development of mathematical models, using operations research theory, for the Central Valley Project Operations Office. During this time, he co-authored several professional papers on water resources optimum operations techniques. Before being assigned to Central Valley Operations Office, he had spent 5 years in the Engineering Applications Branch of Data Processing and 4 years in the Division of Water and Land Operations.

Mr. Hancock received a B.S. Degree in Civil Engineering from Howard University, Washington, D.C. in 1962. He was a participant in the Tenth Bureau Manager Development Program.

MRS. MAYO IS ALASKA DIRECTOR

Patricia T. Mayo, Acting Alaska Regional Manager of the OFFICE OF EQUAL OPPORTUNITY has been named by Interior Secretary Rogers C. B. Morton to assume the post permanently. Mrs. Mayo is the only woman Regional Director in the Department.

A Federal employee for 22 years and since 1969 the contract compliance officer, Mrs. Mayo will implement day-to-day policies and programs involving equal employment opportunity in the Interior Department's activities in the 49th State.

"Her career in private industry and the Federal Government, as well as her broad knowledge of minority related matters in Alaska, have ably qualified her for this position," Secretary Morton said of Mrs. Mayo.

He noted that her assignment requires close coordination with Federal, State and municipal government officials, including the governor, union officials and representatives of minority and women's organizations.

Mrs. Mayo's Career includes 15 years in administrative positions in private industry before she joined the Federal Government in 1951. She has held a number of posts in the Anchorage Federal Executive Association, including secretary of the Equal Employment Opportunity Committee and first chairman of the subcommittee on status of women.

In 1968, she won the Association's Outstanding Woman Federal Employee of the Year award. Her civic service includes being Commissioner of the Anchorage Human Relations Commission and Federal advisor to the Alaska Plan Policy Board.

PERFORMANCE AWARD TO FEDERAL EMPLOYEE

Elaine T. Todd, Equal Opportunity Technician, of the EQUAL OPPORTUNITY ALASKA REGION OFFICE, was presented a quality salary increase at a Staff meeting held December 27, 1973. She was cited for the outstanding performance covering the period of service from April 15, 1972 through March 31, 1973. Ms. Todd, a truly self-motivated person, places the mission, policy and procedures of the Agency above all else. Her unceasing, cheerful efforts exemplified in the performance of the extremely heavy workload is truly an attribute to be emulated by all.

She has been in the employ of the Federal Government for 11 years.

RECLAMATION EMPLOYEE RECEIVES EEO ACHIEVEMENT AWARD

The BUREAU OF RECLAMATION Engineering and Research Center, Denver, Colorado presented Alonzo Rue a $250 Special Achievement Award for outstanding service in the EEO Program. Through his many activities, Alonzo has earned a reputation with employees, managers, and personnelists for fairness and thoroughness in resolving complaints as a EEO Counselor. He is dedicated to involving and informing all center employees of the EEO program, and assuring that the program is responsive to the needs of the employees, the community and also those of management.

With all of Mr. Rue's counselor related activities he has displayed an overall concern for both the EEO program and the E & R Center organization. This dedication has resulted in an exceptional contribution to the center which fully merits being formally recognized through an award. This EEO award is the first of its kind given in Reclamation outside the Washington, D.C. Office.

MANAGEMENT BY OBJECTIVES FOR CAREER GOAL

The BUREAU OF OUTDOOR RECREATION Federal Women's Program Coordinator, Elizabeth Gillette, has introduced a new concept in career planning as outlined in the following memorandum to all BOR women:

The Bureau of Outdoor Recreation has a very effective method for getting where we want to go—the Management by Objective system. For over a year, the Bureau has increased work efficiency through MBO because we have set goals, outlined tasks to achieve the goals, and set deadlines for completion of the tasks.

If the MBO system has worked so well for the Bureau, it follows that the MBO system can work well for us as individuals. We can use MBO to set personal career goals (What kind of work do I want to do one year from now? In three years? Ten years?); outline tasks to help attain the goal (Do I need more education, job experience, or training?); and set deadlines for completion of each task. Once we decide upon our goal, put it in writing, and determine what we must do to attain the goal, we have a better chance of getting there.

Too often, women (and many men) work on a day-to-day, job-to-job basis, moving into new positions of slightly more responsibility and salary when such opportunities arise. Some people prefer this type of career advancement. But many become frustrated when the lack of career direction results in positions of relatively low responsibility, salary, and professional expertise.

As we approach a new year, let's equip ourselves with long-range career plans. The career goal mapping can benefit us as employees and help our supervisors. Once supervisors know what we want out of our work at BOR, they will better be able to counsel and direct us to the right sources. The Personnel Office, too, will be better able to serve us if they know our goals.

FEMALE IN THE WOODS

Another stereotype bites the dust when Karen Reeves takes to the woods in her job as forestry technician. Formerly a citadel of male dominance, forestry is attracting more and more women like Karen who aren't letting old images get in the way of personal interest and aptitude.

Karen, a transplant from Pittsburg, Pennsylvania, spends her summers in the Missoula District of the Bureau of Land Management working on various aspects of timber sale preparation, tree planting survival surveys, and doing other general forestry related work. She attends the University of Montana School of Forestry where she is in her third year, and she hopes to work as a professional forester after she completes college. Obviously evident from her photograph, she greatly enhances the aesthetics of the forest environment.

FEMALES SELECTED FOR TRAINING IN LAND LAW EXAMINER SERIES

BUREAU OF LAND MANAGEMENT by utilizing an upward mobility announcement selected three women for training in the Land Law Examiners Series. Two of

these women were personnel clerks and the other a secretary. The participants attended a five week land law seminar in Phoenix, Arizona, which was conducted by the Bureau. Upon completion of the course work, these women will be assigned to the Alaska area, to aid with the Native claims workload.

RECLAMATION NAMES EQUAL OPPORTUNITY OFFICER

Hardi Jones, who has been Equal Opportunity Officer for the U.S. Naval Oceanographic Office in Suitland, Maryland, since July 1971, entered on duty in the BUREAU OF RECLAMATION'S Washington, D.C., office on January 21.

Mr. Jones began Government service in 1962 as an oceanographer with the National Oceanographic Data Center in Washington, D.C. In 1963, he transferred to a similar position with the Bureau of Commercial Fisheries in the Department of the Interior. In 1965, he was promoted and transferred to the U.S. Naval Oceanographic Office.

He obtained his BS degree in mathematics from St. Paul's College in 1962 and did graduate work in mathematics at the University of Maryland and Georgetown University.

PORTLAND FEDERAL WOMEN'S WEEK – NOVEMBER 12-16, 1973

Portland Federal Women's Week, sponsored under the auspices of the Portland Federal Executive Board, was for the purpose of examining the historical and cultural background of problems which working women face today; reviewing a career program as it applies to women; sharing with women and management the awareness of the changing role of women in Federal service and educating them to recognize their own abilities, opportunities and responsibilities; and motivating both women and management to support the changing role of women in Federal service through a change in attitude and a deeper commitment to upward mobility and self-development.

Bonneville's Administrator, Mr. Donald Paul Hodel, "kicking off" Portland Federal Women's Week, in BPA's auditorium. Looking on are Mary Weinberger, Bonneville's Federal Woman's Program Coordinator; Reginald M. Kaiser, BPA's Equal Opportunity Officer, Margaret Lamble, Chairwoman, BPA's Women Advisory Group.

Bonneville's Administrator Mr. Donald Paul Hodel advised that Bonneville is committed to the overall EEO program (of which the Women's Program is an integral part) and that it receives the continued support of top management.

He recalled that the Federal government pioneered equal opportunity for women, in that the Civil Service Act of 1883 established the merit system under which women could compete in civil service examination on the same basis as men.

He stated there is progress being made as far as women's advancing to positions of responsibility. With the new focus on contributions of women in the labor force, Uncle Sam has assumed the role of the forerunner. Today, more than ever, there are special programs and opportunities which can help women to advance their career interest.

He feels there is no apparent reason why men and women working together to set any style cannot develop professions in which both men and women, bringing some of the same and different abilities of each, will do very well. What the specially gifted of either sex can accomplish as innovators, others of both sexes can learn.

As part of the wrap-up of Portland Federal Women's Week, Bonneville's Administrator presented four EEO Awards to the women who had chaired the Women's Advisory Group since its inception.

The Women's Advisory Group (WAG) was established in 1969 to provide advice on the special concerns of women and to insure that affirmative action plans for the EEO program are designed to eliminate barriers to the full employment of women at all levels and in all occupations.

Women receiving the EEO Award are Pearl V. English, Kathleen H. Caselton, Valora M. Thiessen, and Earline Joseph.

DEPARTMENT OF THE INTERIOR
Office for Equal Opportunity
Office of the Secretary

Vol. 2 No. 6 December 1973

SECRETARY MORTON SPEAKS AT FEDERAL WOMEN'S PROGRAM ASSEMBLY

On September 20, all employees in the Washington area were invited to the first of a series of meetings sponsored by the Department's Federal Women's Program Coordinators and the OFFICE FOR EQUAL OPPORTUNITY. Prior to the talk by the guest speaker Dr. Estelle Ramey, Professor of Physiology and Biophysics, Georgetown University Medical School, Secretary Morton presented the following message:

I am delighted to welcome each of you to the first general assembly sponsored by the Department of the Interior's Federal Women's Program Coordinators and the Office of Equal Employment Opportunity. We are especially priviledged to have Dr. Estelle Ramey of Georgetown University with us today.

Dr. Ramey, as you know, had a distinguished career as a scientist, educator, and advocate of women's rights. In addition she shares the distinction recently accorded the National Football League's most valuable player, Larry Brown, as a "1972 Washingtonian of the Year."

Each of us is here today for one reason: our concern for equal opportunity.

Unfortunately, however, too many of us in government, and in the private sector lose sight of the critical fact that our national quest for "equal opportunity" is based not on minority rights–but on human rights.

Our legacy of human rights is sketched in the continuing challenge to match the aspirations of our people with the aspirations of our laws. This quest has captured the spirit and energies of our people for almost two centuries. Fortunately–at least from the standpoint of law–human rights' questions will have been resolved at last. For when the Equal Rights Amendment to the

Mrs. Wilma Victor, Department Federal Women's Program Coordinator, Secretary Rogers C. B. Morton and Dr. Estelle Ramey

Constitution is ratified–as we all hope it will be within the next year or so–the last remaining obstacles to "equal opportunity" for *all* Americans, will have been put aside at last.

There is a limit, however, to the amount of change any government can legislate. Without the personal commitment and involvement of every American, the horizons of "equal opportunity" will be confined to the locus of our law libraries, our tribunals, and our courts. This applies to the Nation–and to this Department.

America's women have asked only that they have the freedom to make their own choices, and to match their personal abilities and ambitions with achievements. Making that a reality, however, involves far more than another law.

As President Nixon said in his March 1973 Human Resources Message: "Now that equal opportunity is clearly written into the statute books, the next and in many ways more difficult step involves moving from abstract equal rights to concrete economic opportunities."

That is why we are here today, and that is what each of us must work towards.

Members of the Secretariat and other key management personnel at the bureau level are familiar with the goals and major thrusts of the Federal Women's Program. I unequivocally support those goals.

Today I would like to again call on everyone within the Department of the Interior to re-examine their own attitudes and values regarding the role women can and *must* play in managing our natural resources, as well as our efforts to serve the vital needs of our first Americans.

It is time to put aside the elusive prejudices, and absurd misconceptions that affront opportunities for women and our national intelligence. The fact remains, discrimination against women or any individual is not only illegal and against any moral principle–it results in underutilizing our nation's most vital resource–our people.

We have made great progress in the last few years. Let's commit ourselves again today to extending that progress into a new era, where equal opportunity is a matter not only of law–but of reality.

Thank you.

UPWARD MOBILITY

Career Advancement for Paraprofessionals through Training and Educational Development (CAPTED)

The NATIONAL PARK SERVICE has three employees participating in program CAPTED at American University, in Washington, D.C. Until recently Jackie Baum, Cynthia Brown and Ruby Scott held clerical positions with limited potential for advancement in the Washington Office of the National Park Service. All three individuals now are enrolled in a new upward mobility program which, if successfully completed, will result in a college degree and professional status for each.

This recently initiated concept in Upward Mobility Programs is called CAPTED (Career Advancement for Paraprofessionals through Training and Educational Development). This program, operated in conjunction with American University, and funded through the NPS Office of Equal Employment Opportunity, provides non-professional National Park Service employees, GS-2 through GS-5, the opportunity for combined on-the-job training and academic coursework which can lead to a professional position as well as the opportunity to obtain a college degree in three calendar years.

For the initial segment of the CAPTED program, the Service received 29 applications, three selectees were chosen by an evaluation board. Each CAPTED selectee will spend 20 hours a week in class (or classroom related activities), and 20 hours per week in paraprofessional assignments specifically designed to give on-the-job training.

Further, CAPTED selectees will receive a one-grade promotion through gradual assumption of duties for each year sucessfully completed in the program. Upon finishing the program, the CAPTED selectees will be promoted to the next higher professional grade.

Mr. Edward E. Shelton, Director, Office for Equal Opportunity has promoted Ms. Patricia Mayo to the position of Regional Manager for the Alaska Region. Ms. Mayo is the only woman Regional Director in the Department.

Ms. Patricia Mayo

BONNEVILLE POWER ADMINISTRATION EEO OFFICER HEADS MINORITY BUSINESS ENTERPRISE PROGRAM: INCLUDING EEO GROUP AWARD

BONNEVILLE POWER ADMINISTRATION'S Minority Business Enterprise Program has been expanding gradually. In fiscal year 1971, one contract for $20,500 was let; in fiscal year 1972, three contracts for $452,000 were awarded to minority firms; and in fiscal year 1973 Bonneville let nine contracts for $657,800 to four minority firms.

The contracts were for construction projects, janitorial service, guard service, technical design service and transmission line right-of-way maintenance. Over the past three fiscal years, BPA has gone from zero to over $1,130,300. Besides the obvious dollar benefits derived from such work, minority-owned businesses have had the opportunity to develop management and business skills on a level that was unattainable to them in previous years.

In developing the Minority Business Enterprise Program for Bonneville Power, BPA's Equal Employment Opportunity Officer assumed the responsibility. Although he received the cooperation of many employees, four employees recognized the need for such a program and gave their whole-hearted support–taking care to make certain that Bonneville Power's interests were protected and that the Administration received dollar value for dollar spent. The result was that all of the contracts were completed on a timely and high quality basis. In recognition, a monetary EEO group award of $1,000 was given to the four employees.

Mr. Andrew Lawson

NEWLY APPOINTED EEO SPECIALISTS

Mr. Andrew Lawson has joined the EEO staff of the BONNEVILLE POWER ADMINISTRATION to coordinate Bonneville's American Indian and Spanish-Speaking programs. Mr. Lawson, an enrolled member of the Tsimpshian Tribe, Metlakatla, Alaska, is a graduate of Portland State College and the Pennsylvania State University. Mr. Lawson served with the education program of the Bureau of Indian Affairs before joining BPA.

Ms. Virginia Gilbertson

The BUREAU OF MINES has filled two EEO positions. Virginia Gilbertson joined the staff as the Bureau's Federal Women's Program Coordinator. She came to the bureau from the D.C. Government and the Department's Office for Equal Opportunity where she served as Contract Compliance Officer. A native of Denver, Colorado, Ms. Gilbertson is a first generation American. Because of her Bulgarian ancestry she has been able to make a meaningful contribution to the Hospitality and Information Service, which extends hospitality to diplomats and their families, and to the International Visitors Service Council which is preparing to assist foreign visitors expected during our American Revolution Bicentenial Celebration.

Ralph Hay has been selected as the Deputy EEO Officer for the Bureau of Mines and the Mining Enforcement and Safety Administration organizations West of the Mississippi. Mr. Hay has been serving as Chief, Employee Relations and Services Section of the Branch of Personnel in the Western Administrative Office. In addition he has served as EEO Coordinator.

Mr. Ralph Hay

Mr. Hay has been recognized by both the Bureau and the CSC for his outstanding contributions to personnel management. He was elected to membership in Phi Beta Kappa when he received his B.S. degree from the University of Utah.

MAY THE BEST MAN WIN
By Barbara Payne

Barbara Payne, Equal Opportunity and Training Officer, has been busy getting to know the employees, supervisors and Managers of the BUREAU OF SPORT FISHERIES AND WILDLIFE since she joined the staff of that Bureau a year ago. Ms. Payne has made informal field visits, has participated in on-site personnel management evaluations of bureau installations, and has spoken before groups of bureau top management officials. The following is one of the speeches she has made to supervisors and managers to provide greater insight into equal opportunity.

We've all heard the referee tell title bout contenders to go to their corners and at the sound of the bell come out fighting. But the most exciting thing the referee says before starting the bout is, "May the best man win!" What spectators see next is a contest between two people of similar physical prowess and like ability. When the fight is over the man who has performed the best does in fact win.

But here in the Federal Government does the best man win? Many of you would say, "Yes indeed, the best man does win! Why we have the merit system to assure that we get the best qualified man." This is true to a degree, in many instances, the best man does win–He wins by getting the promotions, the opportunities for training, and the meaningful assignments. In fact, the winner generally is a man and usually one who is not a member of a minority group.

In response to this statement some of you would probably say, "In order to work within the merit system, it is impossible to hire, promote, and train minorities and females." If you are one of those who feel this way, I would like to challenge you by saying that equal opportunity for all can be achieved within the System and there is concrete evidence to substantiate this statement.

Then there are those who view equal opportunity as Discrimination In Reverse and we all know that discrimination in any form rubs against the very moral fibers of our society. In response to those who feel this way, I wish to present a little, over-simplified, philosophy behind the EEO program.

Let's go back to the boxing match, which I described earlier. However, this time we'll assume that the contender is blindfolded, handcuffed, and attached to a belt buckled to his waist is a chain connected to 50-lb weight which is dragging on the floor. While on the other hand, the defending champion has no restraints. I'm sure each of you would agree that it is virtually impossible for the boxer with the restraints to win.

However, I submit that these are exactly the kinds of insurmountable obstacles women and minority group members have been up against in their quest for equal opportunity. Let me clarify this further by citing examples of restraints affecting minorities and females. For instance, the blindfold represents lack of educational opportunities, the handcuffs represent qualification standards which are not job-related, and the 50-lb weight represents employment ghettoes to which classes of employees are relegated to perform the less meaningful work at the lowest grade levels.

Many people believe that these barriers were removed by laws and rulings such as the Supreme Court Decision of 1954, The Civil Rights Act of 1964, the Voting Rights Act of 1965, etc., so why are special considerations needed now.

The answer is that these laws did, indeed, remove the restraints, but we must take into consideration the fact that the title bout was in the tenth round when the restraints were removed and resuming the contest at that point would not provide the contender with a fair chance because the champion has gained so much during the first nine rounds that the contender has no hope of ever catching up. Therefore, even if we resume the bout, the best man may not necessarily win.

Here is where Public Law 92-261, more commonly known as the Equal Opportunity Act of 1972, comes into the picture and what it does is to require every Federal agency to initiate programs, such as Upward Mobility and Cooperative Education, which will give minority group members and females an opportunity to catch up.

To assure that these programs are fully operative in every Federal agency, the Civil Service Commission is vested with enforcement authority under the EEO Act. What this means to each of us in the U.S. Department of the Interior is that not only are we required to take affirmative action to insure equal opportunity, but the Civil Service Commission will be checking on the quality of our plans of action and requiring remedial steps when they determine it is necessary.

If in fact we are not able to reach the goals set forth in Departmental, Bureau and Regional Affirmative Action Plans, we must be able to show that we have made a Good Faith Effort. In other words, we must have concrete evidence which shows that it is impossible to hire, promote, and train females and minorities.

At the Departmental EEO Conference earlier this year, top managers working for Interior throughout the country were shocked to hear the Director of The Equal Employment Opportunity Commission say in his opening remarks, that if the Department of the Interior was a private employer, in a matter of two minutes, EEOC could establish a prima facie case against us based on our own statistics. Needless to say, most conferees were quite relieved to learn that EEOC has no jurisdiction over the Federal Government.

Even though, The Civil Service Commission does not have the authority to take a Federal agency to court, like EEOC; however, they can require a Federal agency to promote or award back pay to an employee or group of employees based on information obtained from promotion records, training records, etc., which reveal patterns of discrimination.

In other words now an employee does not have to file a complaint of discrimination. If on a routine review of your records the Civil Service Commission determines that women and/or minority group employees are traditionally excluded from certain occupations and grade levels, the Commission can rule that the Department of the Interior discriminates on a *de facto* basis.

In passing the EEO Act of 1972, there was considerable controversy in Congress in deciding whether to vest enforcement authority with the Equal Employment Opportunity Commission (EEOC) or the Civil Service Commission (CSC). The CSC wanted this power and pleaded its case. Congress agreed to give enforcement authority to CSC on the condition that this authority be used on Federal agencies. I have been assured by the CSC, that they plan to invoke all of their enforcement authority if necessary to prove to Congress that they can get the Federal government into good shape.

So you see, equal opportunity is serious business. We've moved from a generation of passive tolerance to one of active involvement and I urge each of you to earnestly engage in activities which will help to improve the record for you alone hold the key to our success.

In closing, I must acknowledge the innovative approaches and positive efforts expended by hundreds of departmental managers throughout the country.

I'm sure you know, however, that there is much more to be done. More programs must be implemented that will indeed evidence management's commitment and good faith efforts, but more importantly they will help you in accomplishing your mission by insuring that the "Best man (or Woman) Does Win."

INTERIOR TOASTMASTERS CLUB–

Equal Opportunity for Women

"Toastmasters–for Men on the Move," the slogan of Toastmasters International now must be changed to: "Toastmasters–for Men and Women on the Move."

The Department of the Interior's chapter of Toastmasters International meeting in Washington D.C. has its first woman president, administrative vice president, and sergeant-at-arms. Kathy Wood Loveless, president; Barbara Payne, administrative vice president; and Jean Keating, sergeant-at-arms comprise possibly the highest number of women officers in any one Toastmasters club in the world.

Toastmasters began as a "male only" club with the purpose of developing members' speaking and leadership abilities. With clubs in nearly every city in the United States and many in foreign countries, Toastmasters has developed men's communication skills since the 1920's.

But in 1971 several Interior Toastmasters felt it was time to open its doors to women. Supported by the fact that the Federal Government would not allow discriminatory practices on its facilities, the club petitioned Toastmasters World Headquarters. Exception was granted to the club even though the 1971 International

Kathy Loveless, President
Interior Toastmasters Club

Convention had voted by more than 5 to 1 not to allow women members.

Only two years later, last August, the International Convention passed a resolution by 7 to 1 permitting clubs to admit women without petitioning World Headquarters.

The greatest tribute to the Interior club is not only that it no longer discriminates against women, but that it has members of nearly every minority race and many religious sects. All individuals work together toward a single goal—self development through public speaking.

PRE-COLLEGE EDUCATION OF MINORITIES IN EARTH SCIENCE PROGRAM

Geological Survey personnel are in direct contact with students and teachers of the Washington Metropolitan area in an effort to increase awareness among urban minority groups and inform them of the opportunities in the geo-sciences. Volunteers from Survey with the help of a full-time earth science education specialist are working on a variety of projects during the course of the school year. The planning and coordination of the projects is carried out through the group called the Pre-College Education Committee.

The committee works with and assists local school systems in teaching the fundamentals of earth science by using the real world as a laboratory and thereby showing the student how the geo-sciences affect his daily life. The general approach is summed up in the following goals:

1. Work through the science supervisors with elementary, junior and senior high schools, concentrating on those schools with minority enrollments.
2. Develop local field guides and organize teacher-training seminars in their use.
3. Develop and implement teaching units for students to apply textbook earth science principles to the outdoors.
4. Offer demonstrations of geology that can be seen in local school yards.
5. Cooperate with teacher-training and methods courses in local colleges and environmental education centers.
6. Coordinate with other federal and local government agencies in fostering and setting up exhibits dealing with local geologic history. (One facet of this is an attempt to set aside select geologic outcrops to be used as teaching aids.)
7. Stimulate the teaching of applied earth science to prepare for advanced training of students stilulated in the pre-college programs.
8. Point out to students who are not necessarily college oriented that there are many opportunities in the earth science field as technicians, para-professionals, etc.
9. Have students work directly with scientists on specific local geo-science problems.
10. Assist and provide support to teachers involved in elementary and secondary earth science programs.

Special Awards for Summer Aids

The BONNEVILLE POWER ADMINISTRATION each year grants awards of $25 to outstanding summer aids. Supervisors are asked to identify deserving candidates after carefully considering these employees in terms of punctuality, ability to work with others, ability to follow instructions, productivity, and other appropriate factors. Nominations are screened and approved by the Incentive Awards Committee.

Bonneville awarded special achievement awards to 49 summer aids this year, 32 of whom were women.

Management Talent Identified

A BUREAU OF LAND MANAGEMENT minority female who served as a secretary for 12 years was identified as having managerial potential. She was selected for and has successfully completed the Departmental Manager's Development Program. Following completion of the program, she was promoted and reassigned to a professional position in the field. She now is serving in a staff position to a supervisor for whom she worked years earlier as a secretary.

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ADELANTE

FORWARD

CON HABLA ESPANOS EN EL DEPARTAMENTO DE RECURSOS NATURALES

WITH SPANISH-SPEAKING AMERICANS IN THE DEPARTMENT OF NATURAL RESOURCES -- THE DEPARTMENT OF THE INTERIOR

IN RESPONSE TO THE PRESIDENT'S SIXTEEN-POINT PROGRAM FOR EMPLOYMENT OF SPANISH-SURNAMED AMERICANS IN THE FEDERAL SERVICE ANNOUNCED ON NOVEMBER 5, 1970, THE DEPARTMENT OF THE INTERIOR CONVENED ITS TOP MANAGERS FROM SELECTED STATES IN THE SOUTHWEST IN A CONFERENCE TO DISCUSS PROGRAM IMPLEMENTATION.

AS A RESULT OF THE CONFERENCE HELD IN DENVER, COLORADO, DURING FEBRUARY 1971, THERE HAS BEEN A STEADY INCREASE IN THE EMPLOYMENT OF THE SPANISH-SURNAMED THROUGHOUT THE DEPARTMENT. IN ADDITION, THE ASSIGNMENT OF SPANISH-SURNAMED TO SIGNIFICANT MANAGEMENT AND DECISION-MAKING POSITIONS HAS BEEN ON THE INCREASE.

THE PAGES THAT FOLLOW PORTRAY A SELECTED FEW OF THESE POSITION INCUMBENTS IN A VARIETY OF IMPORTANT FUNCTIONS.

EMPLEADO DEL SERVICIO DE PARQUES NATIONALES COMPLETA 37 AÑOS

Luis A. Gastellum, Chief Office for Operations Evaluations, National Park Service, Southwest Regional Office, Santa Fe, New Mexico.

On June 12, 1973, Luis Gastellum will culminate a brilliant 37 year career with the National Park Service. Over the years he has filled various positions at Kings Canyon, Grand Canyon, and Yellowstone National Parks. He served twice in the Washington Office, once as the Director of the Job Corps. He has had two assignments in the Southwest Regional Office. Not only did his varied assignments keep him hopping across the continental United States but they took him to foreign lands, including Lima, Peru, where he participated in cooperation with the Department of Commerce as a Public Relations man for the National Park Service promoting VISIT USA, and to Caracas, Venezuela, in cooperation with the Department of Tourism, United States Agency for International Development. Being designated as official U.S. Government observer with the Chilean expedition to Antarctica for the 1961-62 period was a highlight in Luis' career.

HABLA ESPANOS EN OFICINAS PRINCIPALES QUE OCUPAN POSICIÓNES IMPORTANTES

Manual Lopez, Jr. is in charge of the OFFICE OF SALINE WATER, Western U.S. Water Plan Office in Denver, Colorado. Mr. Lopez represents the Director of the Office of Saline Water on the Western U.S. Water Plan Study Management Team. The team is developing a general plan designed to meet the water requirements of the eleven western states. Mr. Lopez is a graduate of the University of Colorado with B.S. and M.S. degrees in engineering. He has been awarded the Department of the Interior's Meritorious Service Award for his important contributions in the field of structural engineering and water desalination.

Ben Tafoya, an Industrial Specialist with the OFFICE OF OIL AND GAS, Washington, D.C., also has been recognized by the Department for his outstanding services. In December 1972, he received a Quality Increase. Mr. Tafoya, who received his law degree from George Washington University, develops policies and procedures affecting emergency preparedness and oil import activities. He is responsible for the organization and operation of Industry advisory committees and task-force groups.

Ernest R. Rodriguez serves as Senior Staff Engineer in the BUREAU OF MINES, Division of Mining Research–Health and Safety, Washington, D.C. Since the start of his career as a mining engineer with the Bureau over twenty year ago, Mr. Rodriguez has served in health and safety activities at Bureau installations in Phoenix, Denver, and Spokane in addition to Washington, D.C. In 1970, Mr. Rodriguez received a Special Achievement Award for developing a health and safety research program to meet the provisions of the new Coal Mine Health and Safety legislation. Mr. Rodriguez received his mining engineer degree from the University of Nevada.

Eugene F. Suarez is Chief, Judicial Prevention and Enforcement Services, BUREAU OF INDIAN AFFAIRS, Washington, D.C. He is a graduate of the University of Arizona with a B.S. degree in political science and police administration. Prior to joining the Bureau of Indian Affairs, Mr. Suarez was a Public Safety Officer in the Agency for International Development and an Instructor in the Pan-American Police Academy. In his present position, Mr. Suarez serves as the Bureau's Law Enforcement Officer. He provides technical assistance to over 600 tribal and bureau law enforcement personnel on 87 reservations. Mr. Suarez has served as a consultant to the White House Conference on Children and Youth; the President's Commission on Drug Abuse; the President's Task Force on Crime; and, the President's Commission on Pornography.

HABLA ESPANOS EN PUESTOS DE RESPONSABILIDAD

BERNARDO F. GROSSLING, PH.D, RESEARCH GEOPHYSICIST, GEOLOGICAL SURVEY, WASHINGTON, D.C.

Dr. Grossling serves as an expert consultant to the Director on Geologic, Geophysics, computer, and engineering matters and is doing research on the unorthodox application of the human vision system to the interpretation of data in Earth Sciences, utilizing color vision, stereopsis and optical illusion.

Dr. Grossling is a naturalized U.S. citizen born in Chile, South America. He has degrees in Civil and Electrical Engineering from the University of Chile; M.S. degree in Geological Sciences from the California Institute of Technology; D.I.C. in Mathematics from the Imperial College of Science and Technology; a Ph.D. in

Geophysics from London University; and, a certificate in the economics of national security from the Industrial College of the Armed Forces (Washington, D.C.).

Before joining Geological Survey in 1964, he worked for the Inter-American Development Bank as Acting Chief of the Engineering Division, and as Technical Advisor with the California Research Corporation, a subsidiary of Standard Oil Company of California. He participated in the establishment of Chile's petroleum industry, first as Chief Geophyscist and later as Explorations Advisor of the Empresa Nacional del Petroleo.

Dr. Grossling was elected Fellow of the Royal Astronomical Society and is a member of Sigma Xi, SEG, American Economic Association, Geological Society of Washington, and Fellow of GSA and of the Washington Academy of Sciences.

Dr. Grossling has published about 50 papers on engineering, economics, geology and geophysics.

HORIZONTES NUEVOS PARA HABLA ESPANOS

The Department of the Interior Equal Employment Opportunity Plan for Fiscal Year 1974 requires the appointment of coordinators for the Sixteen-point Program in major field installations located where there are significant Spanish-speaking populations. In addition public contact bi-lingual positions are being identified in these locations where knowledge of the Spanish language is required. Some positions which have this requirement currently filled by Spanish-surnamed employees are Park

Ranger, National Park Service; Refuge Manager, Bureau of Sport Fisheries and Wildlife; Natural Resource Specialist, Bureau of Land Management; EEO Specialist, Office of the Secretary; and, Personnel Management Specialist, Bonneville Power Administration.

* * *

Manuel Gomez, Research Chemical Engineer, BUREAU OF MINES, Office of the Director of Mining Research, Mines Systems Engineering Group, Denver, Colorado.

Mr. Gomez conducts research to determine the efficiency of mining, deposit evaluation, and mineral resource sampling with particular emphasis on coal deposits; develops methodology and programs for an electronics digital computer to simulate deposits and deposit characteristics for analytical study in relation to increased productivity, increased underground coal mine health and safety, and the preservation of the external environment.

Frank E. Rivera, Computer Specialist, Bonneville Power Administration, Division of Administration Management, Portland, Oregon. Mr. Rivera serves on the Computer Application Board where he coordinates, directs, and develops the bureau-wide Bonneville Power Administration Computer Application Plan. He has an LLB Degree from LaSalle University and has held positions with the U.S. Air Force and the U.S. Postal Service before accepting his present position.

HABLA ESPANAS Y HABLA ESPANOS EN OTRAS OCUPACIONES IMPORTANTES

Dorothy Corona, Budget Analyst, BUREAU OF LAND MANAGEMENT, Denver Service Center, Denver, Colorado. She started her career in the Department of the Interior, with the Bureau of Reclamation and has worked her way through the clerical-technical area into the professional field. As a Budget Analyst she helps prepare a variety of special budgetary and financial reports for all levels of management, and she plays a major role in exercising control of the operating budget.

Timothy Tafoya, Accountant, BUREAU OF LAND MANAGEMENT Denver Service Center, Denver Colorado. In the Division of Program and Financial Management Mr. Tafoya performs a variety of professional duties which include reconciling control accounts, processing disbursement documents, research and review regarding operating procedures, and providing supervision and guidance to lower graded staff members. Mr. Tafoya was an Assistant Housing Project Manager in the Sioux Army Depot in Nebraska before joining BLM.

Ciro Guerra, Irrigation System Manager, BUREAU OF RECLAMATION, Middle Rio Grande Project, Irrigation Division, Albuquerque, New Mexico.

Mr. Guerra serves as Chief of the Irrigation Division. His assignments with the bureau which have prepared him for this responsible position include Civil Engineering Technician, Supervisory (Hydraulic) Engineering Aid, and Irrigation Manager.

As supervisor, he takes interest in encouraging employees under his supervision in self development.

Lawrence A. Rivera, Coal Mine Inspector, BUREAU OF MINES, Coal Mine Health and Safety, District 9, Denver, Colorado.

Mr. Rivera makes regular, special and spot-check inspections of coal mines to obtain information on health and safety conditions. Also, he conducts investigations of surface and underground disasters and fatal accidents and determines the causes. He obtains information about these accidents and conditions for study by field and headquarters personnel for the purpose of preventing similar disasters and accidents. He was hired as a result of the Bureau of Mines intensive recruitment effort to recruit Spanish-surnamed citizens for implementation of the Coal Mine and Safety Act of 1969.

Coal Mine Inspectors attend the Bureau of Mines Academy and are then assigned to various offices throughout the country.

Norma C. Martinez, is employed as Secretary to the Director of the Denver Service Center, BUREAU OF LAND MANAGEMENT, Denver, Colorado. She has received numerous awards in recognition for excellent performance. Before joining BLM she worked for the Veterans Administration, Federal Housing Administration, and the Department's Office of the Solicitor.

Richard M. Barbar, Outdoor Recreation Planner, with the BUREAU OF LAND MANAGEMENT, Nevada State Office, Reno, Nevada. Barbar, a native of Oxnard, California is currently attending a professional development program at the University of Wisconsin, leading to a Masters Degree in Regional Planning.

Mr. Barbar served as a Park Ranger with the National Park Service before his transfer to the Bureau of Land Management. He is proud of his Spanish heritage. His grandfather, Don Juan Sanchez, was an heir to the Rancho Santa Clara del Norte Land Grant, what is today much of Ventura County in Southern California.

Joseph E. Bargas, Training Specialist, BUREAU OF MINES Office of the Assistant Director–Education and Training, Health and Safety, Washington, D.C.

Mr. Bargas is a Staff Assistant and coordinates all pre-planning relating to the construction of the Health and Safety Academy to be located in Beckley, West Virginia. He serves as EEO Officer for the Office of Education and Training and as Military Liaison Officer, keeping abreast with the latest educational modes used by the military and translating their use to the Bureau of Mines.

EXHIBIT 4

UNITED STATES
DEPARTMENT OF THE INTERIOR

DEPARTMENTAL MANUAL

TRANSMITTAL SHEET

Release Number: FPM-161

Date: [illegible] 1973

Part: 370 DM 713
DM Addition to FPM

Subject:
Equal Employment Opportunity

EXPLANATION OF MATERIAL TRANSMITTED:

This release revises Departmental guidelines contained in 370 DM 713, Equal Employment Opportunity dated June 26, 1969. Only minor changes have been made in the authority, responsibility, and reporting subchapters. The major revisions occur in the subchapters dealing with the system of discrimination complaint processing. The revision of the manual was necessitated by the enactment of the EEO Act of 1972 (P.L. 92-261) and the issuance of CSC implementing regulations. Continuing requirements issued by the Office for Equal Opportunity during 1972 in the form of EEO Memorandums, also have been incorporated into this release.

Richard R. Hite

Deputy Assistant Secretary of the Interior

FILING INSTRUCTIONS:

Remove:

370 DM 713, Table of Contents
(1 sheet)
370 DM 713, 1 through 10
(15 sheets)
Appendices 1 through 3
(5 sheets)

Replaces 6/14/71 (Release No. 140)

Insert:

370 DM 713 (Table of Contents)
(2 sheets)
370 DM 713 (1-10)
(18 sheets)
Appendix I
(4 sheets)
Appendix II
(1 sheet)
Appendix III
(1 sheet)
Appendix IV
(3 sheets)
Appendix V
(1 sheet)
Appendix VI
(1 sheet)

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Personnel Part 370 DM Addition to FPM

Chapter 713 Equal Employment Opportunity 370 DM 713, 1.1

Subchapter 1. Authority.

.1 Basis for Equal Employment Opportunity Policy. Executive Order 11478 of August 8, 1969, and the Equal Employment Opportunity Act of 1972 (P.L. 92-261) which incorporates and strengthens the Executive Order, direct that the U.S. Civil Service Commission shall provide leadership and guidance to departments and agencies in the conduct of equal employment opportunity programs for the civilian employees of and applicants for employment within the executive departments and agencies.

.2 Departmental Policy and Regulatory Responsibilities. Every action will be taken within the Department to comply with the Executive Order and the requirements of the legislation. The U.S. Civil Service Commission has issued general regulations which appear in Title 5, Chapter 1, Part 713 of the Code of Federal Regulations dated October 21, 1972. This chapter of the Manual is issued pursuant to Executive Order 11478, the Equal Employment Opportunity Act of 1972, and the U.S. Civil Service Commission regulations.

.3 Scope. Executive Order 11478 and P.L. 92-261 prohibit discrimination and ensure equal opportunity for all persons without regard to race, color, religion, sex or national origin, employed in or seeking employment with the Federal Government. Nothing contained in this chapter of the Manual shall be construed as abrogating in any manner the preference of American Indians for positions related to the administration and conduct of Indian affairs which has been granted by statutes of the United States.

.4 Policy Application. Assigned responsibilities and details of procedure by which the handling of complaints of discrimination is controlled are covered in this release. However, there is a general responsibility which attaches to personnel officers, supervisors, and other management officials at all levels throughout the Department. Their responsibility is full participation in the Department's equal opportunity program and vigorous affirmative action. Supervisors should seek to understand the equal employment opportunity policy and make certain that this understanding is shared by their subordinates.

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This responsibility extends to organized employee groups (recognized unions) to cooperate and to assist in making the Department Equal Employment Opportunity Program work.

Subchapter 2. Secretarial Responsibility.

.1 Secretarial Responsibility. The Secretary exercises personal leadership in establishing, maintaining, and carrying out a continuing affirmative program designed to promote equal employment opportunity, and in ensuring that the policy of equal opportunity applies to and is an integral part of every aspect of Departmental personnel policy and practice. The Secretary of the Interior has designated the Director, Office for Equal Opportunity to serve as the Director of Equal Employment Opportunity for the Department.

.2 Director of Equal Employment Opportunity--Responsibilities. As Director of Equal Employment Opportunity, the Director, Office for Equal Opportunity shall:

A. Establish policies for the development, supervision, administration, and coordination of effective equal employment opportunity programs of the Department and its bureaus and offices.

B. Develop and administer procedures designed to implement and obtain compliance with the equal employment opportunity policies of the Department.

C. Develop the systems and programs relative to equal employment opportunity for the Department and its bureaus and offices.

D. Coordinate proposed policies and programs with the Office of Organization and Personnel Management and the Civil Service Commission.

E. Advise the Secretary through the Under Secretary with respect to the preparation of plans, procedures, regulations, reports, and other matters pertaining to the Department's equal employment opportunity program.

F. Evaluate annually, in cooperation with the Office of Organization and Personnel Management, the sufficiency of the Department's equal employment opportunity program and report the findings thereon to the Secretary along with recommendations for any improvement or correction, including recommendations for remedial or disciplinary action with respect to managerial or supervisory employees who have failed in their responsibilities under the equal employment opportunity program. The evaluation also shall include recognition of equal employment opportunity achievements by managerial and/or supervisory employees.

G. Make changes in programs and procedures designed to eliminate discriminatory practices and improve the Department's equal employment opportunity program.

H. Provide for a system of counseling by designated equal employment opportunity counselors throughout the Department of aggrieved employees or applicants for employment who believe that they have been discriminated against because of race, color, religion, sex, or national origin with a view to resolving their grievances on an informal basis.

I. Provide for the receipt and investigation of individual complaints of discrimination on grounds of race, color, religion, sex, or national origin.

J. Provide for the receipt, investigation, and disposition of general allegations by organizations or other third parties of discrimination on grounds of race, color, religion, sex, or national origin which are unrelated to an individual complaint of discrimination with notification of decision to the party submitting the allegation.

K. Make the Departmental decision for the Secretary on complaints of discrimination and order such corrective measures as he may consider necessary, including the recommendation for any disciplinary action that is warranted by the circumstances when an employee has been found to have engaged in a discriminatory practice.

L. Designate a Federal Women's Program Coordinator for the Department with responsibility for advising the Director of Equal Employment Opportunity on matters affecting the employment and advancement of women.

M. Bring this Manual Release to the attention of all officers and employees of the Department, and to recognized labor organizations and enlist their cooperation. In collaboration with bureau heads, refer copies of this Manual Release, through bureau facilities, to all local recognized labor organizations under Executive Order 11491, and have copies posted on all bulletin boards including those which are used to announce Federal examinations and job opportunities; and assure that information concerning the Department's equal employment opportunity policy and procedures shall be published at least annually in any employee bulletins or newsletters that are issued.

N. Assure that principal and operating officials responsible for carrying out the equal employment opportunity program meet established qualification requirements.

O. Develop and submit annually by May 1 for the review and approval of the Civil Service Commission a written national equal employment opportunity plan of action following the format prescribed by the Commission which includes:

(1) Provision for the establishment of training and education programs designed to provide maximum opportunity for employees to advance so as to perform at their highest potential;

(2) Description of the qualifications, in terms of training and experience relating to equal employment opportunity of the principal and operating officials concerned with administration of the agency's equal employment opportunity program; and

(3) Description of the allocation of personnel and resources proposed by the agency to carry out its equal employment opportunity program.

P. Provide that Regional EEO plans are developed for submission to appropriate Civil Service Commission regional offices.

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Subchapter 3. Bureau Responsibility.

.1 General. Each bureau head shall establish, maintain, and carry out a continuing affirmative program designed to promote equal employment opportunity throughout the bureau and to assure the full integration of equal employment opportunity considerations with day-to-day personnel management activities of every manager and supervisor in the bureau. In achieving the most effective equal employment opportunity program implementation possible, each bureau head shall:

A. Designate for the bureau, with the advice and consent of the Director of Equal Employment Opportunity, a full-time Equal Employment Opportunity Officer who reports directly to the Bureau head and who has full delegated authority for equal employment opportunity described in this manual release in all organizational units and locations of the bureau. Also, designate a full-time Federal Women's Program Coordinator to serve on the staff of the Equal Employment Opportunity Officer.

(1) For each major field administrative or regional office designate a full-time Equal Employment Opportunity Officer who reports to and assists the Bureau Equal Employment Opportunity Officer in implementing the bureau program. A Federal Women's Program Coordinator should be designated at each major field administrative or regional office to assist the Equal Employment Opportunity Officer in carrying out the duties of assuring equal employment opportunity for women.

(2) Designate a coordinator for the Spanish Speaking Program at major installations located in Arizona, California, Colorado, New Mexico and Texas. Coordinators should be designated in other offices as needed to assure implementation of the Sixteen-Point Program to assist Spanish-Surnamed.

(3) Such employees shall be fully competent to discharge the responsibilities and perform the duties herein outlined. Exceptions to the full implementation of this requirement must be approved by the Director of Equal Employment Opportunity.

B. Develop and maintain an equal employment opportunity plan of action in accordance with guidelines established by the Departmental Equal Employment Opportunity Plan. In addition, provide that regional plans of action shall be developed for each major field facility based on the commitments of local installation managers to assure effective action at all levels (see FPM Bulletin 713-25, and the Departmental Equal Employment Opportunity Plan).

(1) All plans of action shall be reviewed and revised at least annually so as to remain relevant at all times to the existing employment situation with respect to women and minority groups.

(2) Numerical goals and timetables should be used to attain and maintain a balanced workforce which insures the utilization of women and minorities in all occupations, grade levels and organizational segments of the bureau.

C. Inform employees and recognized employee organizations of the positive equal employment opportunity policy and program and enlist their cooperation.

D. Review and control managerial and supervisory performance in such a manner as to ensure a positive application and vigorous enforcement of the policy of equal opportunity; and provide for recognition of employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity.

E. Provide for careful consideration and a just and expeditious disposition of complaints involving issues of discrimination on grounds of race, color, religion, sex, or national origin.

F. Designate such Equal Employment Opportunity Counselors as are necessary throughout the bureau who shall receive the basic training in counseling techniques and the aims of the counseling program, and whose responsibilities and duties shall be to handle pre-complaint procedures.

(1) Selection of employees as equal employment opportunity counselors should be based upon their sincere interest in serving, their ability to deal impartially and objectively with all parties, and their availability to serve when needed apart from their normal work schedules. Employees who cannot be made readily available should not be assigned equal employment opportunity counseling responsibilities.

(2) While selection and appointment of equal employment opportunity counselors is a management responsibility, employee and recognized union input should be considered to assure selection of counselors with whom the workforce will be able to identify and in whom rank and file employees have confidence. Since supervisors and personnel office employees are frequently involved in personnel actions which give rise to complaints of discrimination, their selection as equal employment opportunity counselors should be avoided.

(3) Insofar as is practicable, efforts should be made to assure that equal employment opportunity counselors are broadly representative of the workforce in terms of occupation, grade levels, sex, race, and ethnic background.

(4) Role and responsibilities of equal employment opportunity counselors. The counselor plays a vital role in the equal employment opportunity program, serving as an extension of management and the Equal Employment Opportunity Officer of the organization. The counselor's primary job is to establish an open and sympathetic channel through which employees or applicants for employment may raise questions, discuss complaints, get answers, and seek solutions to equal employment opportunity problems. The counselor does this by:

(a) Discussing the employee's problem with the employee, and with the employee's supervisors or associates, as necessary; and when the aggrieved person is an applicant for employment, discussing the problems with those management officials concerned;

(b) Counseling the aggrieved person concerning the issues of the matter;

(c) Finding reasonable and timely solutions when it is possible to do so;

(d) Keeping a record of his counseling activities so as to brief periodically the Bureau or local Equal Employment Opportunity Officer on those activities.

(5) The counselor's role and responsibility must be communicated to every officer and employee within his area of responsibility; and it must be made clear that every cooperation should be given to him by supervisors and employees in efforts made to resolve problems on an informal basis.

(6) The number of equal employment opportunity counselors assigned will vary according to the counseling and complaints workload, the racial, ethnic, religious, and sex makeup of the workforce, and the equal employment opportunity related problems and issues which have been raised generally. It is suggested that at least one equal employment opportunity counselor be designated in every facility or organizational subdivision with 50 or more employees, with an overall ratio of one counselor for every 500 employees in large facilities or organizational subdivision.

(7) Employees should be encouraged to consult the counselor for the unit in which they work, but should be afforded a choice of counselors in the event contact with their own unit counselor would be embarrassing or otherwise objectionable.

(8) Suitable facilities must be made available to equal employment opportunity counselors so that interviews can be conducted in private. The facilities should be located in the areas away from executive or management offices which may tend to intimidate employees or otherwise discourage their visits.

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G. Designate a minimun of four (4) investigators for those bureaus employing 1,000 or more and two (2) investigators for bureaus employing less than 1,000. Investigators shall be fully trained in the equal employment opportunity investigative process.

H. Ensure that a copy of this Manual Release, the Department Affirmative Action Plan, and bureau implementing instructions are readily available to employees; permanently post this material on all employee and other bulletin boards which are used to announce Federal examinations and job opportunities. Publicize to all employees:

(1) The name and address of the Director of Equal Employment Opportunity and the name and address of the Federal Women's Program Coordinator;

(2) The name and address of the Bureau Equal Employment Opportunity Officer and the name and address of the Bureau Federal Women's Program Coordinator;

(3) Where appropriate, the name and address of the Equal Employment Opportunity Officer and the Federal Women's Program Coordinator in the major field facilities; and

(4) The name and address of the Equal Employment Opportunity Counselor and the organizational unit he serves; his availability to counsel an employee or applicant for employment who believes that he has been discriminated against because of race, color, religion, sex, or national origin; and the requirement that an employee or applicant for employment must consult the counselor about his allegation of discrimination because of race, color, religion, sex, or national origin before a complaint may be filed.

(5) The time requirements for contacting an Equal Employment Opportunity Counselor.

I. Make reasonable accommodations to the religious needs of applicants and employees, including the needs of those who observe the Sabbath on other than Sunday, when those accommodations can be made (by substitution of another qualified employee, by a grant of leave, a change of a tour of duty, or other means) without undue hardship on the business of the bureau. If the bureau cannot accommodate an

employee or applicant, it has a duty in a complaint to demonstrate its inability to do so.

J. Develop an Equal Employment Opportunity evaluation program which features informal on-site visits to field facilities.

K. Provide for prompt statistical and narrative reports in accordance with 370 DM 713.10.

Subchapter 4. Processing Complaints of Discrimination.

.1 Grounds for Complaints. The grounds for admissible complaints under these regulations are limited to alleged discrimination based on race, color, religion, sex, or national origin, which actions adversely affect the complaining employee or applicant or the employees(s) or applicants(s) on whose behalf the complaint is filed.

.2 Complaint Eligibility (Ref. FPM Sec. 713.212).

A. Any aggrieved employee or applicant for employment with the Department who believes that he has been discriminated against because of race, color, religion, sex, or national origin is eligible to consult with a designated Equal Employment Opportunity Counselor. The aggrieved person must have been counseled by an Equal Employment Opportunity Counselor (paragraph .3 of this subchapter) prior to filing a formal complaint. A complaint may also be filed by an organization for the aggrieved person with his consent.

B. This subchapter does not apply to the consideration by the Department of a general allegation of discrimination by an organization or other third party which is unrelated to an individual complaint of discrimination subject to this subchapter. (Subchapter 6 applies to general allegations by organizations or other third parties.)

.3 Precomplaint Processing (Ref. FPM Sec. 713.213).

A. An aggrieved person who believes that he has been discriminated against because of race, color, religion, sex,

or national origin must consult with an Equal Employment Opportunity Counselor when he wishes to resolve the matter. The complainant has the right to be accompanied by a representative of his own choosing as outlined in Subchapter 4 paragraph .4(b). The bureau shall require the Equal Employment Opportunity Counselor: to consult with the aggrieved person within two working days of the receipt of the complaint; to make whatever inquiry he believes necessary into the matter; to seek a solution of the matter on an informal basis; and to counsel the aggrieved person concerning the issues in the matter. When advised by the Equal Employment Opportunity Officer or the complainant that a complaint of discrimination has been filed, the Equal Employment Opportunity Counselor shall submit a written report to the Bureau Equal Employment Opportunity Officer, with a copy to the aggrieved person, summarizing his actions and advice both to management and the aggrieved person concerning the issues in the matter. The Equal Employment Opportunity Counselor shall, insofar as is practicable, conduct his final interview with the aggrieved person not later than 21 calendar days after the date on which the matter was called to his attention by the aggrieved person. If the final interview is not concluded within 21 calendar days and the matter has not previously been resolved to the satisfaction of the aggrieved person, the aggrieved person shall be informed in writing at that time of his right to file a complaint of discrimination. The notice shall inform the complainant of his right to file a complaint at any time after receipt of the notice up to 15 calendar days after the final interview, and the appropriate official with whom to file a complaint. (See paragraph .4A(2) of this Subchapter). The counselor shall not attempt in any way to restrain the aggrieved person from filing a formal complaint, but should assist the aggrieved person in preparing his complaint for submission. The Equal Employment Opportunity Counselor shall not reveal the identity of an aggrieved person who has come to him for consultation, except when authorized to do so by the aggrieved person, or until the complainant has filed a formal complaint.

B. The bureau shall assure that full cooperation is provided by all employees to the Equal Employment Opportunity Counselor in the performance of his duties under this Subchapter.

C. The Equal Employment Opportunity Counselor shall be free from restraint, interference, coercion, discrimination, or reprisal in connection with the performance of his duties under this Subchapter.

.4 Filing and Presentation of Complaint(Ref. FPM Sec. 713.214).

A. Time Limits.

(1) A complaint must be submitted in writing by the complainant or his representative and be signed by the complainant. The complaint may be delivered in person or submitted by mail. The Department or a bureau may accept the complaint for processing in accordance with this subpart only if:

(a) The complainant brought to the attention of the Equal Employment Opportunity Counselor the matter causing him to believe he had been discriminated against within 30 calendar days of the date of that matter, or, if a personnel action, within 30 calendar days of its effective date; and

(b) The complainant or his representative submitted his written complaint to an appropriate official within 15 calendar days of the date of his final interview with the Equal Employment Opportunity Counselor.

(2) The appropriate officials to receive complaints are the Department's Director of Equal Employment Opportunity, Department's Federal Women's Program Coordinator, the Bureau Equal Employment Opportunity Officer, and/or the Federal Women's Program Coordinator, the Equal Employment Opportunity Officer and the Federal Women's Program Coordinator in the Bureau's regional offices. Any official receiving a complaint under this subchapter shall forward it promptly to the Bureau Equal Employment Opportunity Officer.

The Bureau Equal Employment Opportunity Officer, having accepted the complaint, shall transmit the complaint to the Director of Equal Employment Opportunity within five calendar days of its receipt. The Bureau Equal Employment Opportunity Officer shall acknowledge its receipt in accordance with subparagraph (3) of this paragraph.

(3) A complaint shall be deemed filed on the date it is received, if delivered in person to an appropriate official, or on the date postmarked if addressed to an appropriate official designated to receive complaints. The bureau shall acknowledge in writing to the complainant or his representative receipt of the complaint and shall advise the complainant of all his administrative rights and of his right to file a civil action as set forth in Subchapter 9 including the time limits imposed on the exercise of these rights.

(4) The Department shall extend the time limits in this section:

(a) When the complainant shows that he was not notified of the time limits and was not otherwise aware of them, or that he was prevented by circumstances beyond his control from submitting the matter within the time limits; or

(b) For any other reason considered sufficient by the Department.

B. Presentation of Complaint. At any stage in the presentation of a complaint, including the counseling stage under Subchapter 4, paragraph .3, the complainant shall have the right to be accompanied, represented, and advised by a representative of his own choosing. To be properly recognized, the designation of a representative must be submitted in writing to the Bureau Equal Employment Opportunity Officer. If the complainant is an employee of the Department he shall have a reasonable amount of official time to present his complaint if he is otherwise in an active duty status. If the complainant is an employee of the Department and he designates another employee of the Department as his representative, the representative shall have a reasonable amount of official time, if he is otherwise in an active duty status, to present the complaint.

Care shall be exercised to insure no intervention of an employee's right to seek counsel from a representative of his own choosing, which could include a union representative.

C. Form and Substance of Complaints. The complaint must meet the following requirements:

(1) Complaint must be in writing and signed by the complainant and submitted by the complainant or his representative (CSC Form 894 is acceptable). The complaint may be delivered in person or submitted by mail to officials designated in .4A(2) of this Subchapter.

(2) If the complainant is an employee, the complaint must identify the employee by name, job title, grade, organizational unit, bureau or office, and geographic location.

(3) A complaint by an applicant must state his full name and address, the grade, job title, organizational unit, bureau or office, and location of the position for which he applied.

(4) Complaint must state whether the alleged discrimination was based on race, color, religion, sex, or national origin, or any combination of these factors, and identify the factors specified.

(5) The complaint must be specific and must identify the date of the discriminatory act about which the complaint is made, the action itself, the name and title of the official responsible for the action if known, and all factual information which the complainant may have to support the allegation of discrimination.

(6) The complaint must also state the name and organization of the Equal Employment Opportunity Counselor consulted.

(7) A complaint should be so stated as to make clear the remedial action sought or required for a satisfactory resolution of the complaint.

.5 Rejection or Cancellation of Complaint (Ref. FPM Sec. 713.215).

A. The Bureau Equal Employment Opportunity Officer may reject a complaint which was not timely filed and shall reject those allegations in a complaint which are not within the purview of paragraph .2 of this Subchapter or which set forth identical matters as contained in a previous complaint filed by the same complainant which is pending in the Department or has been decided by the Department. He may cancel a complaint because of failure of the complainant to prosecute the complaint, or if sufficient information is available he may adjudicate the complaint. He shall transmit the decision to reject or cancel by letter to the complainant and his representative. In such cases, a copy of the complaint and notice of rejection shall be forwarded to the Department Director of Equal Employment Opportunity. The decision letter shall inform the complainant of his right to appeal the decision of the bureau to the Director of Equal Employment Opportunity within seven (7) calendar days of receipt of the notice of cancellation or rejection.

B. The decision of the Director of Equal Employment Opportunity to reject or cancel a complaint must inform the complainant of his right to appeal that decision to the Civil Service Commission, Board of Appeals and Review within fifteen (15) calendar days after receipt of that notice, or to file a civil action as described in Subchapter 9 of this chapter.

.6 Investigation (Ref. FPM Sec. 713.216). When a complaint of discrimination has been filed in accordance with these regulations, the requirements outlined in this subchapter shall be completed within fifty (50) calendar days unless waived by the Department Director of Equal Employment Opportunity.

A. When a complaint of discrimination has been accepted, the Bureau Equal Employment Opportunity Officer shall:

(1) Acknowledge receipt of the complaint promptly and in writing; and

(2) Forward the complaint to the Department Director of Equal Employment Opportunity within five (5) calendar days of its receipt, with a transmittal requesting that an investigator be assigned.

B. The Department Director of Equal Employment Opportunity shall maintain a roster of investigators who have been fully trained in the equal employment opportunity investigative process. Upon a request from the Bureau Equal Employment Opportunity Officer, the Department Director of Equal Employment Opportunity shall:

(1) Select from the roster of investigators a person to conduct the investigation who shall occupy a position in a bureau other than that in which the complaint arose and promptly forward his name and location to the Bureau Equal Employment Opportunity Officer.

(2) Authorize the investigator to administer oaths and affirmations and provide the investigator with a written authorization:

(a) To investigate all aspects of the complaint;

(b) To require all employees of the organization involved to cooperate with him in the conduct of the investigation; and

(c) To require employees of the organization having any knowledge of the matter complained of to furnish testimony under oath or affirmation without pledge of confidence.

C. The investigator is responsible for gathering factual information in according with the following instructions:

(1) Conduct a thorough review of the circumstances under which the alleged discrimination occurred. Consider the treatment of members of the complainant's group identified by his complaint as compared with the treatment of other employees in the organizational segment in which the alleged discrimination occurred.

(2) Review any policies and practices related to the work situation which may constitute, or appear to constitute, discrimination even though they have not been expressly cited by the complainant.

(3) Record in statistical form information as to the membership or nonmembership of persons in the complainant's group needed for an appraisal of the situation. Specific information on a person's membership or nonmembership in the complainant's group needed to facilitate an adjustment of the complaint or to make an informal decision of the complainant shall, if available, be recorded by name. If necessary, obtain such information by asking each person concerned to provide the information voluntarily. The investigator shall not require or coerce an employee to provide this information.

(4) Include interviews with the complainant, witnesses, and alleged discriminating officials, whose statements should be under oath or affirmation without pledge of confidence.

(5) Develop information regarding each of the complainant's allegations in sufficient detail to permit an objective evaluation of all the relevant issues.

D. The investigator shall prepare in quadruplicate a report of factual findings (using the format as outlined in Appendix I of this Manual Chapter) and present all copies to the Bureau Equal Employment Opportunity Officer or his designee.

E. The investigator shall remain on-site until all aspects of the investigation are completed, including completion and distribution of the report of investigation.

F. The bureau in which the complaint arose shall pay all travel and per diem expenses for the investigator, and provide the investigator with all necessary administrative and clerical support at the site of the investigation.

.7 Adjustment of Complaint and Offer of Hearing (Ref. FPM Sec. 713.217).

A. The Bureau shall provide an opportunity for adjustment of the complaint on an informal basis after the complainant has reviewed the investigative file. For this

purpose, the Bureau Equal Employment Opportunity Officer or his designee shall furnish the complainant a copy of the investigative file promptly after receiving it from the investigator, and shall allow the complainant and/or his representative three (3) consecutive calendar days to review the file after its receipt. At the end of this time the Bureau Equal Employment Opportunity Officer or his designee shall consult, as necessary, with both the complainant and management and shall seek to resolve the complaint informally. If an adjustment of the complaint is arrived at, the terms of the adjustment shall be reduced to writing and made part of the complaint file, with a copy of the terms of the adjustment provided the complainant. If the bureau does not carry out, or rescinds, any action specified by the terms of the adjustment for any reason not attributable to acts or conduct of the complainant, the Director of Equal Employment Opportunity shall, upon the complainant's written request, reinstate the complaint for further processing from the point processing activity ceased under the terms of the adjustment.

B. If any adjustment of the complaint is not arrived at within fifty (50) calendar days after receipt of the complaint, the Bureau Equal Employment Opportunity Officer shall:

(1) Notify the complainant in writing of the final results of the investigation and the consultations held to resolve the case informally, setting forth the issues that are resolved to the complainant's satisfaction, those that are not resolved, and the proposed disposition of the complaint. In that notice the complainant shall be advised of his right to a hearing if such request is made to the Department Director of Equal Employment Opportunity within fifteen (15) calendar days from receipt of the notice and of his right to a subsequent decision by the Department Director of Equal Employment Opportunity with or without a hearing.

(2) Prepare and transmit to the Department Director of Equal Employment Opportunity the official case docket file and a duplicate, in accordance with paragraph .12 of this Subchapter.

C. The Department Director of Equal Employment Opportunity shall:

(1) Review the docket file:

(2) Remand to the bureau cases that are incomplete, inadequate, or procedurally incorrect; and

(2) When appropriate, direct that corrective action be taken by bureau officials.

D. If the complainant expresses in writing his request for a hearing, the Department Director of Equal Employment Opportunity shall arrange for the hearing in accordance with paragraph .8 of this Subchapter.

E. If the complainant fails to notify the Department Director of Equal Employment Opportunity of his wishes within the fifteen (15) days period prescribed in B(1) above, the decision of the agency shall be made by the Department Director of Equal Employment Opportunity and furnished the complainant and his representative in accordance with paragraph .11 of this Subchapter.

F. The final decision of the Department Director of Equal Employment Opportunity shall resolve the issue of discrimination raised by the complainant and shall include any remedial action determined to be necessary or desirable to effectuate the resolution of the complaint and shall inform the complainant of his right to appeal to the Commission and the time limit applicable thereto and of his right to a civil action as described in Subchapter 9 paragraph 1.

G. The decision of the Director of Equal Employment Opportunity shall be rendered within thirty (30) calendar days of the bureau's disposition of the complaint when the complainant has not requested a hearing.

.8 Hearing (Ref. FPM Sec. 713.218). The hearing shall be held by a complaints examiner who must be an employee of a Federal agency other than the Department of the Interior.

A. In the event a hearing is requested by the complainant, the Department Director of Equal Employment Opportunity shall request the Civil Service Commission to supply the name of a complaints examiner who has been certified by the Commission as qualified to conduct a hearing under these regulations.

B. Arrangements for hearing. The Director of Equal Employment Opportunity shall transmit the complaint file containing all the documents described in paragraph .12 of this Subchapter which have been acquired up to that point in the processing of the complaint, including the original copy of the investigative file, to the complaints examiner who shall review the complaint file to determine whether further investigation is needed before scheduling the hearing. When the complaints examiner determines that further investigation is needed, he shall remand the complaint to the Director of Equal Employment Opportunity for further investigation or arrange for the appearance of witnesses necessary to supply the needed information at the hearing. The requirements of paragraph .6 of this Subchapter apply to any further investigation by the Department on the complaint. The complaints examiner shall schedule the hearing for a convenient time and place.

C. Conduct of hearing.

(1) Attendance at the hearing is limited to persons determined by the complaints examiner to have a direct connection with the complaint.

(2) The complaints examiner shall conduct the hearing so as to bring out pertinent facts, including the production of pertinent documents. Rules of evidence shall not be applied strictly, but the complaints examiner shall exclude irrevelant or unduly repetitious evidence. Information having a bearing on the complaint or employment policy or practices relevant to the complaint shall be received in evidence. The complainant, his representative, and the representatives of the agency at the hearing shall be given the opportunity to cross-examine witnesses who appear and testify. Testimony shall be under oath or affirmation.

D. Powers of Complaints Examiner. In addition to the other powers vested in the complaints examiner by the Department in accordance with this subpart, the Department shall authorize the complaints examiner to:

(1) Administer oaths or affirmations;

(2) Regulate the course of the hearing;

(3) Rule on offers of proof;

(4) Limit the number of witnesses whose testimony would be unduly repetitious; and

(5) Exclude any person from the hearing for contumacious conduct or misbehavior that obstructs the hearing.

E. Witnesses at hearing. The complaints examiner shall request any bureau to make available as a witness at the hearing an employee requested by the complainant when he determines that the testimony of the employee is necessary. He may also request the appearance of an employee of any Federal agency whose testimony he determines is necessary to furnish information pertinent to the complaint under consideration. The complaints examiner shall give the complainant his reasons for the denial of a request for the appearance of employees as witnesses and shall insert those reasons in the record of the hearing.

A Bureau to whom a request is made shall make its employees available as witnesses at a hearing on a complaint when requested to do so by the complaints examiner and it is not administratively impracticable to comply with the request. When it is administratively impracticable to comply with the request for a witness, the bureau to whom the request is made shall provide an explanation to the complaints examiner. If the explanation is inadequate, the complaints examiner shall so advise the bureau and request it to make the employees available as a witness at the hearing. If the explanation is adequate, the complaints examiner shall insert it in the record of the hearing, provide a copy to the complainant, and make arrangements to secure testimony from the employee through a written interrogatory. An employee of a bureau shall be in a duty status during the time he is a witness.

F. Record of hearing. The hearing shall be recorded and transcribed verbatim. All documents submitted to, and accepted by, the complaints examiner at the hearing shall be made part of the record of the hearing. If the bureau submits a document that is accepted, it shall furnish a copy of the document to the complainant. If the complainant submits a document that is accepted, he shall make the document available to the bureau representative for reproduction.

G. Findings, analysis and recommendations. The complaints examiner shall transmit to the Director of Equal Employment Opportunity:

(1) The complaint file (including the transcript of the hearing);

(2) The findings and analysis of the complaints examiner with regard to the matter which gave rise to the complaint and general environment out of which the complaint arose; and

(3) The recommended decision of the complaints examiner on the merits of the complaint; including recommended remedial action, where appropriate, with regard to the matter which gave rise to the complaint and the general environment out of which the complaint arose. The complaints examiner shall notify the complainant of the date on which this was done. In addition, the complaints examiner shall transmit, by separate letter to the Director of Equal Employment Opportunity, whatever findings and recommendations he considers appropriate with respect to conditions in the bureau which do not bear directly on the matter which gave rise to the complaint or which bear on the general environment out of which the complaint arose.

.9 Relationship to other agency appellate procedures (Ref. FPM Sec. 713.219 and FPM Sec. 771. 216).

A. An allegation of discrimination made in connection with an adverse action appeal under subpart B of Part 771 of the FPM, shall be processed under the regulations in subpart B of Part 771 of the FPM, with the decision being rendered by the agency official who is authorized to make the appellate decision.

B. An allegation of discrimination made in connection with a grievance under subpart C of Part 771 of the FPM shall be processed under this subchapter. The decision in such a complaint will be rendered by the Director of Equal Employment Opportunity.

.10 Avoidance of Delay (Ref. FPM Sec. 713.220).

A. Complaints must have completed all administrative processing, including time spent by the complaints examiner in the conduct of a hearing, within 180 calendar days of filing. To this end, both the complainant and the bureau shall proceed with the complaint without undue delay so that the bureau's proposed disposition (decision) has been rendered, except in unusual circumstances, within sixty (60) calendar days after receipt of the complaint.

B. The Director of Equal Employment Opportunity may cancel a complaint if the complainant fails to prosecute the complaint without undue delay. However, instead of canceling for failure to prosecute, the complaint may be adjudicated if sufficient information for that purpose is available.

C. The Director of Equal Employment Opportunity shall furnish the Commission monthly reports on all complaints pending within the Department in a form specified by the Commission. If the Director of Equal Employment Opportunity has not issued a final decision, and has not requested the Commission to supply a complaints examiner within 75 calendar days from the date a complaint was filed, the Commission may require the Director of Equal Employment Opportunity to take special measures to insure prompt processing of the complaint or may assume responsibility for processing the complaint, including supplying an investigator to conduct any necessary investigation on behalf of the Department. When the Commission supplies an investigator, the bureau in which the complaint arose shall reimburse the Commission for all expenses incurred in connection with the investigation and the Bureau Equal Employment Opportunity Officer shall notify the complainant in writing of the proposed disposition of the complaint no later than 15 calendar days after receipt of the investigative report.

D. When the complaints examiner has submitted a recommended decision finding discrimination and the Director of Equal Employment Opportunity has not issued a final decision within 180 calendar days after the date the complaint was filed, the complaints examiner's recommended decision shall become a final decision binding on the Department 30 calendar days after its submission to the Director of Equal Employment Opportunity. In such event, the Director of Equal Employment Opportunity shall notify the complainant of the decision, furnish him a copy of the findings, analysis, and recommended decision of the complaints examiner under this subchapter, paragraph .8G, and a copy of the hearing record. He also shall notify the complainant in writing of his right to appeal to the Commission, the time limits applicable thereto, and of his right to file a civil action as described in Subchapter 9, paragraph 1.

.11 Decision by the Director of Equal Employment Opportunity (Ref. FPM Sec. 713.221).

A. The decision of the Department on a complaint of discrimination shall be based on information in the complaint file.

B. Departmental Decision.

(1) The decision of the Department shall be transmitted by letter to the complainant and his representative. When there has been no hearing, the decision shall contain the specific reasons in detail for the Department's action, including any remedial action taken.

(2) When there has been a hearing on the complaint, the decision letter shall transmit a copy of the findings, analysis, and recommended decision of the complaints examiner under this subchapter paragraph .8G and a copy of the hearing record. The decision of the Department shall adopt, reject, or modify the decision recommended by the complaints examiner. If the decision is to reject or modify the recommended decision, the decision letter shall set forth the specific reasons in detail for rejection or modification.

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(3) When the complainant fails to notify the Department Director of Equal Employment Opportunity of his wishes regarding the proposed disposition issued by the Bureau Equal Employment Opportunity Officer within the required time frame, the Director of Equal Employment Opportunity may adopt the proposed disposition as the decision of the Department.

C. The decision of the Director of Equal Employment Opportunity shall require any remedial action authorized by law determined to be necessary or desirable to resolve the issues of discrimination and to promote the policy of equal opportunity, whether or not there is a finding of discrimination. When discrimination is found, the Director of Equal Employment Opportunity shall require remedial action to be taken in accordance with Subchapter 8; shall review the matter giving rise to the complaint to determine whether disciplinary action against alleged discriminatory officials is appropriate; and shall record the basis for his decision to take, or not to take, disciplinary action but this decision shall not be included in the complaint file.

D. The decision letter shall inform the complainant of his right to appeal the decision of the Department to the Commission, of his right to file a civil action in accordance with Subchapter 9, paragraph .1, and of the time limits applicable thereto.

.12 Complaint File (Ref. FPM Sec. 713.222). The Office for Equal Opportunity shall establish a complaint file. Except as provided in this subchapter, paragraph .11C, this file shall contain all documents pertinent to the complainant. The complaint file shall include copies of:

A. The notice of the Equal Employment Opportunity Counselor to the aggrieved person under this subchapter, paragraph .3A.

B. The written report of the Equal Employment Opportunity Counselor under this subchapter, paragraph .3 to the Equal Employment Opportunity Officer on whatever precomplaint counseling efforts were made with regard to the complainant's case;

C. The complaint;

D. The investigative file;

E. If the complaint is withdrawn by the complainant, a written statement of the complainant or his representative to that effect;

F. If adjustment of the complaint is arrived at under this subchapter, paragraph .7, the written record of the terms of the adjustment;

G. If no adjustment of the complaint is arrived at under paragraph .7 of this subchapter, a copy of the letter notifying the complainant of the proposed disposition of the complaint and of his right to a hearing;

H. If decision is made under this subchapter, paragraph .7E, a copy of the letter to the complainant transmitting that decision;

I. If a hearing was held, the record of the hearing, together with the complaints examiner's findings, analysis, and recommended decision on the merits of the complaint; and

J. The decision of the Director of Equal Employment Opportunity.

The complaint file shall not contain any medical information that does not comply with the requirements of section 294.401 of the FPM.

Subchapter 5. Appeal to the Commission.

.1 Entitlement (Ref. FPM Sec. 713.231).

A. Except as provided by paragraph .1B of this subchapter, a complainant may appeal to the Commission the decision of the Director of Equal Employment Opportunity:

(1) To reject his complaint, or a portion thereof, for reasons covered by Subchapter 4, paragraph .5; or

(2) To cancel his complaint because of the complainant's failure to prosecute his complaint; or

(3) On the merits of the complaint, under Subchapter 4, paragraph .11, but the decision does not resolve the complaint to the complainant's satisfaction.

B. A complainant may not appeal to the Commission when the issue of discrimination giving rise to the complaint is being considered, or has been considered, in connection with any other appeal by the complainant to the Commission.

.2 Where to Appeal (Ref. FPM Sec. 713.232). The complainant shall file his appeal in writing, either personally or by mail, with the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415.

.3 Time Limit (Ref. FPM Sec. 713.233).

A. Except as provided in paragraph .3B of this subchapter, a complainant may file an appeal at any time after receipt of the Director of Equal Employment Opportunity's notice of final decision on his complaint but not later than 15 (fifteen) calendar days after receipt of that notice.

B. The time limit in paragraph A of this section may be extended in the discretion of the Board of Appeals and Review, upon a showing by the complainant that he was not notified of the prescribed time limit and was not otherwise aware of it or that circumstances beyond his control prevented him from filing an appeal within the prescribed time limit.

.4 Appellate Procedures (Ref. FPM Sec. 713.234). The Board of Appeals and Review shall review the complaint file and all relevant written representations made to the board. The board may remand a complaint to the Department for further investigation or a rehearing if it considers that action necessary or have additional investigation conducted by Commission personnel. This part applies to any further

investigation or rehearing resulting from a remand from the board. There is no right to a hearing before the board. The board shall issue a written decision setting forth its reasons for the decision and shall send copies thereof to the complainant, his designated representative, and the Department. When corrective action is ordered, the bureau in which the complaint arose shall report promptly to the board that the corrective action has been taken. The decision of the board is final, but shall contain a notice of the right to file a civil action in accordance with 713.282 of the FPM.

.5 Relationship to other Appeals (Ref. FPM Sec. 713.236). When the basis of the complaint of discrimination because of race, color, religion, sex, or national origin, involves an action which is otherwise appealable to the Commission and the complainant having been informed by the bureau or the Department of his right to proceed under this subpart to proceed by appeal to the Commission, the case including the issue of discrimination, will be processed under the regulations appropriate to that appeal when the complainant makes a timely appeal to the Commission in accordance with those regulations.

Subchapter 6. Third-Party Allegations.

.1 Third-Party Allegations of Discrimination (Ref. FPM Sec. 713.251).

A. Coverage. This subchapter applies to general allegations by organizations or other third parties of discrimination in personnel matters within the Department which are unrelated to an individual complaint of discrimination subject to Subchapter 4, paragraphs 2 through 12.

B. Agency Procedure. The organization or other third party shall state the allegation with sufficient specificity so that the Director of Equal Employment Opportunity may designate a person to investigate the allegation. The Department may require additional specificity as necessary to proceed with its investigation. The Office for Equal Opportunity shall establish a file on each general allegation,

and this file shall contain copies of all material used in making the decision on the allegation. The Director of Equal Employment Opportunity shall furnish a copy of this file to the party submitting the allegation, the bureau against which the allegation is filed; and shall make it available to the Commission for review on request. The Director of Equal Employment Opportunity shall notify the party submitting the allegation of his decision, including any corrective action taken on the general allegations, and shall furnish to the Commission on request a copy of his decision.

C. Commission Procedures. If the third party disagrees with the Departmental decision, it may, within 30 calendar days after receipt of the decision, request the Commission to review it. The request shall be in writing and shall set forth with particularity the basis for the request. When the Commission receives such a request, it shall make, or require the Department to make, any additional investigations the Commission deems necessary. The Commission shall issue a decision on the allegation ordering such corrective action, with or without back pay, as it deems appropriate.

Subchapter 7. Freedom from Reprisal or Interference.

.1 Freedom from Reprisal (Ref. FPM Sec. 713.261).

A. Complainants, their representatives, and witnesses shall be free from restraint, interference, coercion, discrimination, or reprisal at any stage in the presentation and processing of a complaint, including the counseling stage under Subchapter 4, paragraph .2 or any time thereafter.

.2 Review of Allegations of Reprisal (Ref. FPM Sec. 713.262).

A. Choice of Review Procedures. A complainant, his representative, or a witness who alleges restraint, interference, coercion, discrimination, or reprisal in connection with the presentation of a complaint under this subchapter may, if an employee or applicant, have the allegation

reviewed as an individual complaint of discrimination subject to Subchapter 4, paragraph .1 through .12 or as a charge subject to this subchapter, paragraph .2B.

B. Procedure for Review of Charges.

(1) An employee or applicant may file a charge of restraint, interference, coercion, discrimination, or reprisal, in connection with the presentation of a complaint with an appropriate Departmental official as defined in Subchapter 4, paragraph .4A(2) within 15 calendar days of the date of the alleged occurrence. The charge shall be in writing and shall contain all pertinent facts. Except as provided in subparagraph (2) of this paragraph. The Director of Equal Employment Opportunity shall undertake an appropriate inquiry into such a charge and shall forward to the Commission within 15 calendar days of the date of its receipt a copy of the charge and report of action taken. The Director of Equal Employment Opportunity shall also provide the charging party with a copy of the report of action taken. When the Department has not completed an appropriate inquiry 15 calendar days after receipt of such a charge, the charging party may submit a written statement with all pertinent facts to the Commission, and the Commission shall require the Department to take whatever action is appropriate.

(2) When a complainant, after completion of the investigation of his complaint,under Subchapter 4, paragraph .6, requests a hearing and in connection with the complaint alleges restraint, interference, coercion, discrimination, or reprisal, the complaints examiner assigned to hold the hearing shall consider the allegation as an issue in the complaint at hand or refer the matter to the Director of Equal Employment Opportunity for further processing under the procedure chosen by the complainant pursuant to paragraph .2A of this subchapter.

Subchapter 8. Remedial Actions.

.1 Remedial Action (Ref. FPM Sec. 713.271).

A. Remedial Action Involving an Applicant.

(1) When there is a finding that an applicant for employment has been discriminated against and except for that

discrimination would have been hired, the bureau against whom the complaint was filed shall offer the applicant employment of the type and grade denied him. The offer shall be made in writing. The individual shall have 15 calendar days from receipt of the offer within which to accept or decline the offer. Failure to notify the appropriate official of his decision within the 15-day period will be considered a declination of the offer, unless the individual can show that circumstances beyond his control prevented him from responding within the time limit. If the offer is accepted, appointment shall be retroactive to the date the applicant would have been hired, subject to the limitation in paragraph .1A(4) of this subchapter. Backpay, computed in the same manner prescribed by 550.804 of the FPM, shall be awarded from the beginning of the retroactive period, subject to the same limitation, until the date the individual actually enters on duty. The individual shall be deemed to have performed service for the bureau during the period of retroactivity for all purposes except for meeting service requirements for completion of a probationary or trial period that is required. If the offer is declined, the bureau shall award the individual a sum equal to the backpay he would have received, computed in the same manner prescribed by 550.804 of the FPM, from the date he would have been appointed until the date the offer was made, subject to the limitation of paragraph .1A(4) of this subchapter. The bureau shall inform the applicant, in the offer of employment, of his right to this award in the event he declines the offer.

(2) When there is a finding that discrimination existed at the time the applicant was considered for employment but not a finding that the individual is the one who would have been hired except for discrimination, the bureau shall consider the individual for any existing vacancy of the type and grade for which he had been considered initially and for which he is qualified before consideration is given to other candidates. If the individual is not selected, the bureau shall record the reasons for nonselection. If no vacancy exists, the bureau shall give him this priority consideration for the next vacancy for which he is qualified. This priority shall take precedence over priorities provided under the regulations in the FPM.

(3) Part 713, Section 713.271 of the FPM shall be cited as the authority under which the above described appointments or awards of backpay shall be made.

(4) A period of retroactivity or a period for which backpay is awarded under this paragraph may not extend from a date earlier than two years prior to the date on which the complaint was initially filed by the applicant. If a finding of discrimination was not based on a complaint, the period of retroactivity or period for which backpay is awarded under this paragraph may not extend earlier than two years prior to the date the finding of discrimination was recorded.

B. Remedial Action Involving an Employee. When there is a finding that an employee of the Department was discriminated against and as a result of that discrimination was denied an employment benefit, or an administrative decision adverse to him was made, the bureau in which the complaint arose shall take remedial action which shall include one or more of the following, but need not be limited to these actions:

(1) Retroactive promotion, with backpay computed in the same manner prescribed by 550.804 of the FPM when the record clearly shows that but for the discrimination the employee whould have been promoted or would have been employed at a higher grade, except that the backpay liability may not accrue from a date earlier than two years prior to the date the discrimination complaint was filed, but, in any event, not to exceed the date he would have been promoted. If a finding of discrimination was not based on a complaint, the backpay liability may not accrue from a date earlier than two years prior to the date the finding of discrimination was recorded, but, in any event, not to exceed the date he would have been promoted.

(2) Consideration for promotion to a position for which he is qualified before consideration is given to other candidates when the record shows that discrimination existed at the time selection for promotion was made but it is not clear that except for the discrimination the employee would have been promoted. If the individual is not selected, the bureau shall record the reasons for nonselection. This priority consideration shall take precedence over priorities under other regulations in the FPM.

(3) Cancellation of an unwarranted personnel action and restoration of the employee.

(4) Expunction from the bureau's records of any reference to or any record of an unwarranted disciplinary action that is not a personnel action.

(5) Full opportunity to participate in the employee benefit denied him (e.g., training, preferential work assignments, overtime scheduling).

Subchapter 9. Right to File a Civil Action.

.1 Statutory Right (Ref. FPM Sec. 713.281). An employee or applicant is authorized by section 717 (c) of the Civil Rights Act, as amended, 84 Stat. 112, to file a civil action in an appropriate U.S. District Court within:

A. Thirty (30) calendar days of his receipt of notice of final action taken by the Director of Equal Employment Opportunity on a complaint;

B. One hundred-eighty (180) calendar days from the date of filing a complaint with his bureau if there has been no decision;

C. Thirty (30) calendar days of his receipt of notice of final action taken by the Commission on his complaint; or

D. One hundred-eighty (180) calendar days from the date of filing an appeal with the Commission if there has been no Commission decision.

.2 Notice of Right (Ref. FPM Sec. 713.282). The Director of Equal Employment Opportunity shall notify an employee or applicant of his right to file a civil action, and of the 30-day time limit for filing, in any final action on a complaint under Subchapter 4, paragraphs .5, .7, or 11. The Commission shall notify an employee or applicant of his right to file a civil action, and of the 30-day time limit for filing, in any decision under Subchapter 5, paragraph .4.

.3 Effect on Administrative Processing (Ref. FPM Sec. 713.283). The filing of a civil action by an employee or applicant does not terminate Departmental processing of a complaint or Commission processing of an appeal under this subchapter.

Subchapter 10. Reporting Requirements (Ref. FPM Sec. 713.241).

.1 Department. The Department shall report to the Commission:

A. The accomplishments of the action items included in its current Equal Employment Opportunity plan when it submits the proposed annual nationwide plan to the Commission for approval.

B. Information concerning precomplaint counseling and the status and disposition of complaints at such times and in such manner as prescribed by the Commission.

.2 Bureau.

A. The following sets forth the bureau equal employment opportunity reporting requirements and establishes reporting procedures. All reports are to be signed by the Bureau Equal Employment Opportunity Officer. Bureaus should ensure that the statistical data are available to both headquarters and field activities. In the event of Civil Service revisions to these reporting requirements, bureaus will be so instructed through the issuance of a Departmental Equal Employment Opportunity Memorandum. Bureaus shall:

(1) Provide for quarterly narrative reports to the Department Director of Equal Employment Opportunity with a copy to the Office of Organization and Personnel Management, regarding significant progress made under the bureau affirmative action programs; problems encountered in program implementation; and projects undertaken to enlarge job opportunities for women and minority group members. The report also should indicate efforts being made to attract and employ Indians including any use being made of

the excepted appointing authority applicable to Indian employment. Further, a separate page should be enclosed showing the number of women in each grade level GS-13 through GS-18 as of the end of the quarter (March 31, June 30, September 30, and December 31). Reports are due in the office of the Director of Equal Employment Opportunity on the twentieth (20th) day of the month following the end of each quarter.

(2) Provide monthly reports to the Department Director of Equal Employment Opportunity, with a copy to the Office of Organization and Personnel Management, regarding the counseling activity of the Equal Employment Opportunity Counselors. Bureau reports are due in the office of the Director of Equal Employment Opportunity on the tenth (10th) day of each month, and cover the preceding month. The format for this report is in Appendix II to this subchapter.

(3) Provide on a quarterly basis an estimated cost of the administrative processing of all complaints of discrimination from the counseling stage through the issuance of the bureau's proposed disposition and hearing, should the case be referred to a complaints examiner. This report must be submitted on all complaints that have been closed by the Department within a given quarter. This report is due within 20 calendar days of the close of each calendar quarter. See Appendix III for this report format.

(4) Provide for quarterly accession and promotion reports to the Director of Equal Employment Opportunity with a copy to the Office of Organization and Personnel Management. The reports are due not later than the twentieth (20th) of the month following the end of the fiscal quarter. Formats for these reports are in Appendix IV to this subchapter. Any narrative comments with respect to these reports may be included in the quarterly narrative reports required by paragraph A. of this subchapter.

(a) The quarterly promotion report is a count of the number of promotions <u>into</u> each grade; and the definition of "promotion" for this purpose is any action (irrespective of action code) which changes an employee's position and advances the employee to a higher grade and/or which increases the employee's salary.

(5) Provide for annual reports on training instances to be submitted to the Director of Equal Employment Opportunity with a copy to the Office of Organization and Personnel Management. The report should cover the fiscal year and is due not later than August 20. See Appendix V for this report format.

(a) "Training instances" are those documented by Form DI-510 or DI-510A.

(b) "Training categories" are those areas of training identified on Form DI-510 or DI-510A.

(6) Provide for annual reports on awards which will be submitted to the Director of Equal Employment Opportunity with a copy to the Office of Organization and Personnel Management. The report should cover the fiscal year and is due not later than August 20. See Appendix VI for this report format.

(a) Total quality increases and special achievements cash awards figures must equal the total figures reported in the Annual Department Quality Increases granted report and the Annual Civil Service Commission Incentive Awards Program report.

(b) Since employees are being recognized for their outstanding achievements in extending equal employment opportunity, an addendum should be made to the awards report showing how many awards fell in this category. A second copy of the awards report form should be used, filling in only column (1) with the figures for awards granted for Equal Employment Opportunity achievements.

It is emphasized that in the bureauwide accession, promotion, training instance, and awards reports mentioned above, Alaska is included in the totals while Aleuts and Eskimos are not counted in any one of the four minority groups; a separate format is to be used by bureaus with employees in Alaska.

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Appendix I
page 1

INVESTIGATIVE FILE

COMPLAINT OF DISCRIMINATION IN THE FEDERAL GOVERNMENT

IN THE MATTER OF

_____, Complainant
(Name)

_____
(Position)

_____
(Organization)

_____
(Place)

(Date)

UNITED STATES DEPARTMENT OF THE INTERIOR

Investigation Conducted By:

_____
(Your Name)

1/4/73 (Release No. FPM 161)
Replaces 6/14/71 (Release No. 140)

GUIDELINE FOR

TABLE OF CONTENTS

		Page
I.	BASIS FOR INQUIRY	x
II.	BACKGROUND	x
III.	ORGANIZATIONAL POSITION OF COMPLAINT	x
IV.	SUMMARY OF ALLEGATIONS OF DISCRIMINATION & FINDINGS OF FACT	x
V.	SURVEY OF THE GENERAL ENVIRONMENT	x

AFFIDAVITS

	No.
Interview of Complainant, (Name)	1
Interview(s) of Alleged Discriminating Official(s): (Name(s) and Position(s))	2
Interviews of Witnesses:	
A. For the Complainant (Names and Positions)	3
B. For the respondent (Names and Positions)	

EXHIBITS

Note: Should be compiled under seperate cover marked exhibits with table of contents inside front cover. List the documentary evidence attached to the report. If the number of exhibits is not too great, list each document individually and identify it with a Tab letter. If the number of exhibits is too extensive for this approach, they could be grouped as follows:

TABLE OF CONTENTS
(Continued)

	Tab
Documents relating to Mr.(s).(Name) complaint. (Include in this group the transmittal letters requesting the investigation.) Label them in sequence A-1, A-2, A-3, etc.	A
Organizational Chart of (Organization)	B
Documents from Mr(s). (Name) Official Personnel File	C
Charts relating to Studies of the General Environment.	D

INVESTIGATIVE FILE

COMPLAINT OF DISCRIMINATION IN THE FEDERAL GOVERNMENT
IN THE MATTER OF

(Name)
....., Complainant
(Position).....,
(Organization).....,
(Place).....

I. BASIS FOR INQUIRY

(This section contains a description of the process whereby the formal complaint arrived at the investigative stage. It also would contain a brief statement of the basis of the complaint. Appearing below is a sample version of this section.)

By memorandum of (date), from Mr. (Name), Director of Equal Employment, (Agency), to the Director of (Bureau), a request was made for an investigation of a complaint of alleged discrimination (Exhibit A-1). Enclosed therewith was a memorandum dated (date), from (Name), Equal Employment Opportunity Officer (Organization) (Place), (Exhibit A-2), to the Director, Office for Equal Opportunity, enclosing a formal complaint of discrimination filed by a (Organization) employee, Mr(s). (Name), (Exhibit A-3). Also enclosed with Mr(s). (Name of EEO Officer) memorandum was a report dated (Date), from Mr.(s). (Name), Equal Employment Opportunity Counselor (Exhibit A-4). Mr(s). (Name of Complainant) feels that (s)he was discriminated against because of (his/her) _____. His complaint is against (Names and Positions). He feels that he was discriminated against in that (specify in broad terms the alleged discriminatory action(s).

II. BACKGROUND

(This section contains general background information about complainant from the official personnel file. A suggested format is shown below.)

The following information relating to (Name of Complainant) was taken from (his/her) official personnel file at (organization). (He/She) was born on (date) at (place). (He/She) graduated from (schools) in (dates) with (degrees). (If appropriate, a brief summary of non-Federal employment history may be included

here.) Documents in (his/her) official personnel file show the following (agency name) employment history:

Effective Date	Action/Position
	(Show the personnel action, position, grade, and salary)

III. ORGANIZATIONAL POSITION OF COMPLAINANT

(This section describes the organizational setting in which the complainant is, or was, employed. A sample is shown below.)

(Complainant's Name) has worked for (Name and Title of supervisor) since (he/she) transferred to the (Section) on (Date). (Name of Section) is in the (Name of Branch), the Chief of which is (Name), against whom no allegations have been lodged by the complainant. The (Branch) comes under the (Division). Mr(s). (Name), alleged discriminating official, is Chief of that division. The (Division) had a total personnel complement of (number) as of (date). A (roster/organizational chart, etc.) of the (Division) is attached as Exhibit __.

The complainant was one of (number) (race, color, religion, sex, national origin) employees in the (Section) consisting of (number) employees, and was one of (number) (race, color, religion, etc.) employees in the (Branch) containing (number) employees.

IV. SUMMARY OF THE ALLEGATIONS OF DISCRIMINATION AND THE FINDING OF FACT

The first part of this section should be a detailed summary of the complainant's allegations of discrimination as set forth in his complaint and any other documents which were attached thereto.

Thereafter, set forth in broad summary fashion the issues of discrimination raised by the complainant in his affidavit. These issues should be broken out from each other and set out in separate paragraphs: A. B. C. D. etc.

Following this, take these issues one by one and discuss them fully in the following manner:

1. Use a caption. Example: Supervisor's derogatory statements about members of (minority group).

2. Set forth in complete detail all that the complainant offered, either in his statement or supporting documents, concerning the issue.

3. Set forth in complete detail in whatever order best develops the picture the information obtained from all other sources pertaining to the issue. This would include the alleged discriminating official(s), agency records, and other witnesses' statements. Information obtained from these sources concerning the issue should be presented fully.

V. SURVEY OF THE GENERAL ENVIRONMENT

This section is used to report the results of studies and tabulations made to reflect the treatment of the group alleged to have been discriminated against as compared with the treatment of other persons by the alleged discriminating official or organization. The direction, focus, and extent of these surveys depends on the particular case and the issues involved. In a case involving race or sex, for example, studies could be obtained showing the distribution of employees by minority status or sex by grades throughout the organization involved in the complaint. Two distribution studies, one as of a date immediately before a RIF and one immediately after completion of the RIF can reveal a lot about the treatment of one particular group as compared to the treatment received by the entire organization, if RIF action was at issue in the case.

This action should contain a listing -- an organization chart could facilitate this -- of the titles and grades of each category of positions in the organization involved in the complaint. For each title and grade, show both the total number of employees assigned and among them the number of employees who belong to the group alleged to have been discriminated against. This may cover more organizations than the one involved in the complaint if the issues involved in the case point toward the need to compare the organization with other organizations.

Automated records containing information about race, sex, and national origin may be maintained and, if used, with the authorization of the Equal Employment Opportunity Officer, would facilitate the conduct of the types of studies mentioned above.

This section would also contain extracts of those portions of witnesses' statements which concern the treatment of members of the group alleged to have been discriminated against. In a racial case, for example, when interviewing witnesses who are members of the group alleged to have been discriminated against, it is necessary to ask the witness

whether they have any objection to being identified as members of this group. These witnesses will usually have no objection to being so identified. Be sure to place this statement in their affidavit. If a witness objects to being so identified, his statement is still useable but his wishes should be followed.

MONTHLY REPORT ON PRECOMPLAINT COUNSELING

(to be submitted within 10 calendar days of close of calendar month)

BUREAU _____ Period Covered _____

TO: Assistant Director of Equal Employment Opportunity
Office for Equal Opportunity
Room 1345
U.S. Department of the Interior

Kind of matter giving rise to the request for counseling:

(1) Initial appointment ----------
(2) Promotion ----------
(3) Reassignment ----------
(4) Separation ----------
(5) Suspension ----------
(6) Reprimand ----------
(7) Duty hours ----------
(8) Job training ----------
(9) Detail ----------
(10) Other ----------

(11) TOTAL NUMBER OF PERSONS COUNSELED DURING THE MONTH:

Number of persons alleging discrimination on the basis of:

Race or Color	Religion	Sex-female	Sex-male	Nat'l Origin	Total

CSC Form 1116-A (Revised)
December 1972

1/4/73 (Release No. FPM 161)
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Attachment 1 to FPM Ltr. 713-19

(12) Number of instances of corrective action, including agency improved personnel practices, taken during the month as a result of counseling. Identify such instances with the basis of the alleged discrimination issue, i.e., race or color, religion, sex or national origin.

Kind of corrective action taken:

(a) Agency improved personnel practices -----
(b) Promotion received -----
(c) Training opportunity received -----
(d) Reappointment/Reinstatement -----
(e) Requested reassignment received -----
(f) Adverse action reduced or rescinded------
(g) Other disciplinary action reduced or rescinded----------
(h) Priority consideration for next promotion
(i) Other (specify below) -----

Alleging discrimination on the basis of:

Race/Color	Religion	Sex-Female	Sex-Male	National origin	Total

Report prepared by _____
Title _____
Telephone number _____
Date _____

Supplement 1 to FPM Ltr. 713-10 (2)

370 DM Addition to FPM
Appendix III

Date_____ Bureau_____

ESTIMATED COST FOR PROCESSING DISCRIMINATION COMPLAINT

Complainant_____Date Filed_____ Date Closed_____

I. EEO Counselor (Pre-complaint)

Total Man Hours_____ Estimated Cost*_____

II. Complaint Processing

(a) Investigation

Total Man Hours[f]_____ Estimated Cost_____

(b) Hearing (include reimbursement to CSC or other agency)

Total Man Hours[+]_____ Estimated Cost_____

(c) Adjudication

Total Man Hours_____Estimated Cost_____

* If travel or other expense is included, so specify.

f To include witnesses.

\+ To include travel and man hours of witnesses.

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Replaces 6/14/71 (Release No. 140)

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Appendix IV
page 1

U. S. DEPARTMENT OF THE INTERIOR

REPORT OF ACCESSIONS BY WOMEN AND MINORITY GROUPS

ANIZATIONAL UNITS: _____

ARTER ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

PAY CATEGORY	TOTAL ACCESSIONS (1)		NEGRO (2)		SPANISH SURNAMED (3)		AMERICAN INDIAN (4)		ORIENTAL (5)	
	M	F	M	F	M	F	M	F	M	F
TAL, ALL PAY PLANS										
TAL, SUBJECT TO CLASS. CT OR SIMILAR										
GS- 1										
2										
3										
.....										
.....										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
TAL, WAGE SYSTEMS AND THER PAY PLANS										
Up Thru $5,499										
$5,500 Thru $6,999.....										
$7,000 Thru $7,999.....										
$8,000 Thru $8,999.....										
$9,000 Thru $9,999.....										
$10,000 Thru $13,999....										
$14,000 Thru $17,999....										
$18,000 And Over.....										
TAL, PARK POLICE										

Bureau EEO Officer

1/4/73 (Release No. FPM 161)
Replaces 6/14/71 (Release No. 140)

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Appendix IV
page 2

U. S. DEPARTMENT OF THE INTERIOR

REPORT OF ACCESSIONS BY ALASKA NATIVE MINORITY GROUPS

ORGANIZATIONAL UNITS: _____

QUARTER ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

PAY CATEGORY	TOTAL ACCESSIONS ALASKA (1)		ALEUTS (2)		ESKIMOS (3)		AMERICAN INDIANS (4)	
	M	F	M	F	M	F	M	F
TOTAL, ALL PAY PLANS ...								
TOTAL, SUBJECT TO CLASS. ACT OR SIMILAR								
GS- 1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS								
Up Thru $5,499								
$5,500 Thru $6,999 ..								
$7,000 Thru $7,999 ..								
$8,000 Thru $8,999 ..								
$9,000 Thru $9,999 ..								
$10,000 Thru $13,999 .								
$14,000 Thru $17,999 .								
$18,000 And Over								
TOTAL, PARK POLICE								

_____

Bureau EEO Officer

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U. S. DEPARTMENT OF THE INTERIOR

REPORT OF PROMOTIONS BY WOMEN AND MINORITY GROUPS

ANIZATIONAL UNITS: _____

RTER ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

PAY CATEGORY		TOTAL PROMOTIONS (1)		NEGRO (2)		SPANISH SURNAMED (3)		AMERICAN INDIAN (4)		ORIENTAL (5)	
		M	F	M	F	M	F	M	F	M	F
AL, ALL PAY PLANS.	NS..										
	S ..										
	MG..										
AL, SUBJECT TO ASS. ACT OR SIMILAR ..	NS..										
	S ..										
	MG..										
GS- 1	NS..										
	S ..										
	MG..										
GS- 2	NS..										
	S ..										
	MG..										
3	NS..										
	S ..										
	MG..										
GS- 4	NS..										
	S ..										
	MG..										
GS- 5	NS..										
	S ..										
	MG..										
GS- 6	NS..										
	S ..										
	MG..										
GS- 7	NS..										
	S ..										
	MG..										
GS- 8	NS..										
	S ..										
	MG..										
GS- 9	NS..										
	S ..										
	MG..										
GS-10	NS..										
	S ..										
	MG..										
GS-11	NS..										
	S ..										
	MG..										
1	NS..										
	S ..										
	MG..										

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Replaces 6/14/71 (Release No. 140)

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PAY CATEGORY		TOTAL PROMOTIONS (1)		NEGRO (2)		SPANISH SURNAMED (3)		AMERICAN INDIAN (4)		ORIENTAL (5)	
		M	F	M	F	M	F	M	F	M	F
GS-13	NS..										
	S ..										
	MG..										
GS-14	NS..										
	S ..										
	MG..										
GS-15	NS..										
	S ..										
	MG..										
GS-16	NS..										
	S ..										
	MG..										
GS-17	NS..										
	S ..										
	MG..										
GS-18	NS..										
	S ..										
	MG..										
OTAL, WAGE SYSTEMS AND OTHER PAY PLANS	NS..										
	S ..										
	MG..										
TAL, PARK POLICE	NS..										
	S ..										
	MG..										

S Means Non-Supervisory
Means Supervisory
G Means Managerial

Bureau EEO Officer

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U. S. DEPARTMENT OF THE INTERIOR

REPORT OF PROMOTIONS BY ALASKA NATIVE MINORITY GROUPS

ORGANIZATIONAL UNITS: _____

QUARTER ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

PAY CATEGORY		TOTAL PROMOTIONS ALASKA (1)		ALEUTS (2)		ESKIMOS (3)		AMERICAN INDIAN (4)	
		M	F	M	F	M	F	M	F
TOTAL, ALL PAY PLANS	NS...								
	S ...								
	MG...								
TOTAL, SUBJECT TO CLASS. ACT OR SIMILAR	NS...								
	S ...								
	MG...								
GS-1	NS...								
	S ...								
	MG...								
GS-2	NS...								
	S ...								
	MG...								
GS-3	NS...								
	S ...								
	MG...								
GS-4	NS...								
	S ...								
	MG...								
GS-5	NS...								
	S ...								
	MG...								
GS-6	NS...								
	S ...								
	MG...								
GS-7	NS...								
	S ...								
	MG...								
GS-8	NS...								
	S ...								
	MG...								
GS-9	NS...								
	S ...								
	MG...								
GS-10	NS...								
	S ...								
	MG...								
GS-11	NS...								
	S ...								
	MG...								

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Replaces 6/14/71 (Re-)

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Appendix IV

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		TOTAL PROMOTIONS ALASKA (1)		ALEUTS (2)		ESKIMOS (3)		AMERICAN INDIAN (4)	
		M	F	M	F	M	F	M	F
GS-12	NS...								
	S ...								
	MG...								
GS-13	NS...								
	S ...								
	MG...								
GS-14	NS...								
	S ...								
	MG...								
GS-15	NS...								
	S ...								
	MG...								
GS-16	NS...								
	S ...								
	MG...								
GS-17	NS...								
	S ...								
	MG...								
GS-18	NS...								
	S ...								
	MG...								
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS	NS:::								
	S :::								
	MG:::								
TOTAL, PARK POLICE	NS:::								
	S :::								
	MG:::								

S Means Non-Supervisory
Means Supervisory
G Means Managerial

Bureau EEO Officer

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Appendix V
page 1

U. S. DEPARTMENT OF THE INTERIOR

REPORT OF TRAINING INSTANCES BY WOMEN AND MINORITY GROUPS

ORGANIZATIONAL UNITS: _____

FISCAL YEAR ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

* TRAINING CATEGORY: _____
(Identify Category)

PAY CATEGORY	TOTAL TRAINING INSTANCES (1)		NEGRO (2)		SPANISH SURNAMED (3)		AMERICAN INDIAN (4)		ORIENTAL (5)	
	M	F	M	F	M	F	M	F	M	F
TOTAL, ALL PAY PLANS ...										
TOTAL, SUBJECT TO CLASS. ACT OF SIMILAR										
GS- 1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS										
Up Thru $5,499										
$5,500 Thru $6,999 ..										
$7,000 Thru $7,999 ..										
$8,000 Thru $8,999 ..										
$9,000 Thru $9,999 ..										
$10,000 Thru $13,999 .										
$14,000 Thru $17,999 .										
$18,000 And Over										
TOTAL, PARK POLICE										

Use separate Report Form for each Training Category.

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_____
Bureau EEO Officer

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U. S. DEPARTMENT OF THE INTERIOR

REPORT OF TRAINING INSTANCES BY ALASKA NATIVE MINORITY GROUPS

[illegible] LATIONAL UNITS: _____

[illegible]SCAL YEAR ENDING: _____

CHECK ONE:

Full-Time Permanent ☐

All Other ☐

* TRAINING CATEGORY: _____
(Identify Category)

PAY CATEGORY	TOTAL TRAINING INSTANCES (1)		ALEUT (2)		ESKIMO (3)		AMERICAN INDIAN (4)	
	M	F	M	F	M	F	M	F
TOTAL, ALL PAY PLANS								
TOTAL, SUBJECT TO CLASS. ACT OR SIMILAR								
GS- 1								
2								
3								
4								
5								
6								
7								
8								
9								
0								
11								
12								
13								
14								
15								
16								
17								
18								
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS								
p Thru $5,499								
,500 Thru $6,999								
$7,000 Thru $7,999								
$8,000 Thru $8,999								
$9,000 Thru $9,999								
10,000 Thru $13,999								
$14,000 Thru $17,999								
$18,000 And Over								
TOTAL, PARK POLICE								

Bureau EEO Officer

U. S. ENT OF THE INTERIOR

REPORT OF AWARDS BY WOMEN AND MINORITY GROUPS

ORGANIZATIONAL UNITS: _____ FISCAL YEAR ENDING: _____

PAY CATEGORY	TOTAL AWARDS (1)			WOMEN (2)			NEGRO (3)			SPANISH SURNAMED (4)			AMERICAN INDIAN (5)			ORIENTA (6)	
	QI	SA	H	QI	SA	H	QI	SA	H	QI	SA	H	QI	SA	H	QI	SA
TOTAL, ALL PAY PLANS																	
TOTAL, SUBJECT TO CLASS ACT OR SIMILAR																	
GS- 1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	
16																	
17																	
18																	
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS																	
Up thru $5,499																	
$5,500 thru $6,999 ...																	
$7,000 thru $7,999 ...																	
$8,000 thru $8,999 ...																	
$9,000 thru $9,999 ...																	
$10,000 thru $13,999 ..																	
$14,000 thru $17,999 ..																	
$18,000 and Over																	
TOTAL, PARK POLICE																	

1/4/73 (Release No. FPM 161)
Replaces 6/14/71 (Release No. 140)

U.S. DEPARTMENT OF THE INTERIOR
REPORT OF AWARDS BY ALASKA NATIVE MINORITY GROUPS

ORGANIZATIONAL UNITS: _____ FISCAL YEAR ENDING: _____

PAY CATEGORY	TOTAL AWARDS ALASKA (1)			ALEUTS (2)			ESKIMOS (3)			AMERICAN INDIAN (4)		
	QI	SA	H	QI	SA	H	QI	SA	H	QI	SA	H
TOTAL, ALL PAY PLANS												
TOTAL, SUBJECT TO CLASS. ACT OR SIMILAR												
GS- 1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
TOTAL, WAGE SYSTEMS AND OTHER PAY PLANS												
Up thru $5,499												
$5,500 thru $6,999 ..												
$7,000 thru $7,999 ..												
$8,000 thru $8,999 ..												
$9,000 thru $9,999 ..												
$10,000 thru $13,999 .												
$14,000 thru $17,999 .												
$18,000 and Over ...												
TOTAL, PAY POLICE												

DEPARTMENT OF THE INTERIOR

NATIONAL EQUAL EMPLOYMENT OPPORTUNITY GUIDELINES

FISCAL YEAR 1975

APPROVED: _____
Director, Office for Equal Opportunity

APPROVED: _____
Secretary of the Interior

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Introduction

The Department of the Interior Equal Employment Opportunity Plan for FY '75 is in response to the call for action contained in:

1. Public Law 92-261, Equal Employment Opportunity Act of 1972, March 24, 1972.

2. Executive Order 11478, EEO in the Federal Government, August 8, 1969.

3. Chapter 713 of the Federal Personnel Manual, FPM Supplement 990-1, and Department implementing instructions contained in 370 DM 713.

4. FPM Letter 713-18, Equal Employment Opportunity -- Implementing the Spanish-Speaking Program, January 23, 1973.

5. Secretary Morton's memorandum of July 13, 1971, calling upon bureaus to attract and employ American Indian and Alaskan Native people in careers with the Department of the Interior.

6. President Nixon's memorandum of April 21, 1971, calling upon all departments to "clearly demonstrate our recognition of the equality of women by making greater use of their skills in high level positions."

7. Civil Service Commission Chairman Hampton's memorandum of May 11, 1971, which endorses the establishment and use of goals and timetables as a useful management concept which should be used where they will contribute to the resolution of EEO problems.

Part 370 DM 713 of the Departmental Manual establishes the basic framework for a positive program to ensure equal employment opportunity without regard to race, color, religion, sex or national origin in the Department of the Interior. Further it spells out the roles and interrelationships of designated EEO program officials. A brief summary of staffing requirements is given later in this section.

Purpose

The EEO program's overall purpose is to establish a continuing management operation which will assure equality of opportunity in all employment matters with special emphasis on the utilization of women and members of minority groups. The minority group designations established by the Civil Service Commission are: Negro, Spanish-Surnamed, American Indian and Oriental. For use in Alaska, the categories Aleut and Eskimo are used also.

The Equal Employment Opportunity Affirmative Action Plan is a blueprint for action at all organizational levels throughout the Department. Nothing contained in this EEO plan shall be construed as abrogating in any manner the preference of American Indians for positions related to the administration and conduct of Indian Affairs which has been granted by statutes of the United States.

Responsibility

The Bureau head is responsible for establishing and maintaining a continuing affirmative program to promote EEO throughout the Bureau. He is responsible for providing the personal leadership, active support and vigorous enforcement of the objectives of the EEO Plan. He communicates clearly his expectations to top managers, including the Bureau EEO Officer, and personally evaluates their performance.

The policy of equal opportunity applies to, and must be an integral part of, every aspect of personnel policy and practice in the employment, development, advancement, and treatment of employees. Responsibility for program effectiveness is shared by every manager and supervisor.

The EEO Officer has primary responsibility for initiating and carrying out a positive EEO program. To fulfill this responsibility he must make effective use of his staff -- Federal Women's Program Coordinator, Spanish Speaking Program Coordinator and other EEO Specialists. The EEO staff complements the EEO Officer in achieving the realization of the EEO objectives.

Organization

This document is the basic framework upon which the Department of the Interior Equal Employment Opportunity Plan for FY '75 is to be based. The approach to EEO plan development expressed in it gives supervisors and managers at all levels throughout the Department a genuine opportunity to specify in concrete terms realistic EEO objectives and goals which can be fulfilled locally.

The plan is written to cover the needs of all levels of management - from an organization with several hundred employees to an installation of 10 or less employees. Each manager is expected to review the total plan to determine which of the action items should be an ongoing commitment of his organization and to determine how those items identified can best be implemented. Each commitment should be documented with specific goals, responsibility, and target dates specified. For example, in making contacts with minority group and women's organizations, specify the name of the organization to be contacted, the dates of the visits, the staff member responsible for making the visit and any other pertinent information.

The final Department Plan will be a compilation of the "mini" plans developed at the local and regional levels.

Goals

Managers must establish their commitments and employment goals on a realistic basis, taking into account available opportunities within their organizations, estimated turnover, anticipated hiring, and occupational needs, and relating these factors to the potential supply of women and minority group persons from the workforce and in the recruiting area who are qualified or who can reasonably be expected to qualify after appropriate training and development.

Special Emphasis Programs

In developing Bureau, Regional and local commitments, special emphasis should be given to meeting goals of the Federal Women's Program, the Sixteen Point Program

for the Spanish Speaking and the recruitment and hiring of American Indians outside the Bureau of Indian Affairs. If a Regional or Bureau plan encompasses a geographical area where there is a significant representation in the population of either Spanish Surnamed Americans or American Indians, it would be most appropriate to have action items in that plan which address themselves specifically to meeting the needs of these locally prevalent minority groups.

Consultation

In developing EEO objectives and goals, local managers must consult with minority groups, community leaders, labor organizations, employees, women's groups and other interested parties, and consider their input in setting commitments.

Continuing Action -- Fiscal Year 1976

This plan will be reviewed and revised for FY '76. Nonetheless, there are many program areas that require long-range consideration on a Departmentwide basis and will be included in the EEO Plan for FY '76. In developing implementing commitments, think in terms of at least two-year programs against which short range goals and target dates may be set so that programs may be evaluated on a continuous basis and program emphasis changed, where necessary, as a result of evaluation.

Staffing Requirements

To achieve the most effective equal employment opportunity program implementation possible, Chapter 370 DM 713 of the Departmental Manual contains the following bureau staffing requirements:

1. Designate for the bureau a full-time EEO Officer who reports directly to the bureau head.

2. Designate a full-time Federal Women's Program Coordinator to serve on the staff of the EEO Officer.

3. Designate a full-time EEO Officer for each major field administrative or regional office.

4. Designate a Federal Women's Program Coordinator for each major field administrative or regional office.

5. Designate a Coordinator for the Spanish Speaking Program at major installations located in Arizona, California, Colorado, New Mexico and Texas. Coordinators should be designated in other offices as needed to assure implementation of the Sixteen-Point Program to assist Spanish-Surnamed. (i.e. areas of high concentrations of Spanish-Surnamed people such as Miami, New York, Chicago, Philadelphia.)

6. Provide EEO Counselors as are necessary throughout the bureau who are reasonably accessible to employees.

7. Designate a minimum of four (4) investigators for those bureaus employing 1,000 or more and two (2) investigators for bureaus employing less than 1,000.

Program Element 1. Organization and Resources to Administer the EEO Program in a positive and effective manner.

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Present EEO resources need to be evaluated to insure EEO program is administered in a positive and effective manner.	1.	Review and evaluate staff and budget resources to determine necessary changes and/or additions to accomplish basic EEO program. Assure that the staffing requirements of 370 DM 713 are met as to EEO Officers, Federal Women's Program Coordinators, Sixteen-Point Program Coordinators for the Spanish Surnamed Counselors, and Investigators.	OEO Bureau Head EEO Officer	December 31	
Bureau issuances implementing 370 DM 713 need to be kept current.	1.	Review and update if necessary the Bureau issuance implementing the Departmental Manual chapter which assigns specific responsibility and authority for program management. This issuance should spell out the roles and interrelationships of the EEO Officers, FWP Coordinators; SSP Coordinators; Counselors; Investigators; managers, supervisors, and employees.	EEO Officers		
		Submit certification of currency or a copy of revised Bureau issuance to the Office for Equal Opportunity.		October 1	
There is a need to reinforce manager's role in administering the EEO program.	1.	Hold third Regional Conference for Natural Resource Regions VI-VII in Denver.	OEO	September 30	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Result
	2.	Prepare proposal for rotational annual National EEO Conference.	OEO	January 15	
Many EEO staff personnel need additional training in personnel administration and EEO.	1.	Arrange for training and orientation in personnel administration for bureau headquarters staff engaged in EEO activities.	APM OEO	July 15	
	2.	Enroll all recently appointed EEO staff officials in basic personnel training.	EEO Officers	October 30	
	3.	Organize and conduct session for bureau EEO staff on the new complaint procedures.	OEO	September 30	
	4.	Ensure that all Federal Women's Program Coordinators and 16-Point Program Coordinators be given training in administering their respective special emphasis programs.	EEO Officers FWP Coordinators S-S Coordinators	December 31	
Present capabilities of EEO Counselors need to be strengthened.	1.	Organize and conduct a "train the trainer" session on the responsibilities and function of the EEO Counselors.	OEO	November 30	
	2.	Implement EEO Counselor training throughout bureau.	EEO Officers	March 31	
	3.	Provide for periodic review of the adequacy and competency of counselors.	EEO Officers	Continuing	
Some employees need further exposure and understanding of the EEO program, including the discrimination complaint system.	1.	Insure that all employees are aware of the complaint procedures contained in 370 DM 713.	EEO Officers	June 30	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Significant delays in processing complaints of discrimination are occurring.	1.	Review the handling of complaints to insure that they are processed in a timely, competent and objective manner in accordance with Department and CSC regulations.	OEO EEO Officers	10th of each month	
There is a need for better coordination of the EEO program into total program planning.	1.	Begin assessment and planning cycles for the development of the EEO plan for 1976.	OEO EEO Officers Managers	December 31	

Program Element 2. Recruitment activities designed to reach and attract job candidates from all sources. NOTE: In conjunction with the objective of full utilization of present skills of employees (Upward Mobility) and increasing minority and women participation in the middle and upper grades, full consideration will be given to minorities and women currently on the workforce in achieving EEO recruitment goals.

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
The recruitment of minorities has yet to meet the Department's long-range goal of 12 percent minority employment (not counting American Indians in the Bureau of Indian Affairs) by 1977.	1. Increase minority employment in line with the Departmental goal. Goal:	Managers EEO Officers	June 30	
Minorities in top and mid-level positions need to be increased.	1. Increase the employment of minorities in grades GS-11 and above. Goals by grade level: GS-11 GS-14 GS-12 GS-15 GS-13 GS-16 and above	Managers EEO Officers	June 30	
Women in top and mid-level positions need to be increased.	1. Increase the employment of women in grades GS-11 and above. Goals by grade level: GS-11 GS-14 GS-12 GS-15 GS-13 GS-16 and above	Managers EEO Officers	June 30	
The employment and utilization of American Indians needs strengthening.	1. Increase the employment of Indians in bureaus other than BIA. Goals:	Managers EEO Officers	June 30	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
Minorities and women are underrepresented in certain occupations utilized by the Department.	1. Review occupations designated for concentrated EEO action. Revise list as necessary and establish new goals. Increase employment of minorities and women in those occupations. Occupations: Minorities: Women:	Managers EEO Officers	Increase by June 30, 1975. Establish goals for following fiscal year by February 1975.	
Positions designated for EEO emphasis need to be given special attention in the way they are announced, the way candidates are sought and the way evaluation and selection are made.	1. The following shall be done when the Request for Personnel Action, SF-52, is executed on occupations identified for EEO emphasis: a. Assure that minorities and women, as potential candidates, are aware that recruitment is taking place. b. Assure that recruiters are aggressively seeking out minority and women candidates as well as others. c. Assure that management and selecting officials are aware of the organization's EEO goals, and that women and minority group candidates receive fair and equal treatment in the selection process. d. Assure that the evaluation of applicants takes into consideration only those factors which are determined to be job related.	EEO Officers Personnel Officers Managers	At time of Action.	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	e. Assure that selection is based on job related factors only.			
	f. Report quarterly the number of vacancies filled, the number of women and minorities considered, and the number appointed for purposes of monitoring any employment patterns that may indicate denial of opportunities to qualified women and minorities (quarterly narrative reports 370 DM 713).			
	g. Circulate all vacancy announcements to minority and women's organizations.			
Recruitment of minorities and women from selected colleges and universities needs to be carried out on an on-going basis at both the local and national level.	1. Maintain on-going contacts with local colleges and universities to inform students including minorities and women as well as staff of opportunities in the Department.	Managers EEO Officers Personnel Officers OEO	Continuing	
	2. Develop a cooperative program among bureaus to maintain on-going contact with selected colleges and universities to ensure that lines of communications between the Department and placement offices of those colleges and universities are open at all times, and to identify minority and women potential job candidates. Provide information to students on how to qualify for Department employment.	EEO Officers OEO	June 30	
	3. Participate at Regional Conferences of College Placement personnel.	EEO Officers FWP Coordinators S-S Coordinators	Continuing	
	4. Participate in selected professional society meetings where job opportunities are explored.	Managers	Continuing	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
Participation of minority and women students in cooperative, work-study and other school programs needs to be expanded and all potential employees and interested students need to be identified.	1. Review existing programs to include more minorities and women students. Broaden participation in all programs to include colleges and universities with significant numbers of minorities and women. Goals No. of agreements: No. of participants: Total: Minority: Women:	EEO Officers Personnel Officers Managers	June 30	
	2. Study the feasibility of developing a cooperative program for the Department.	OEO EEO Officers Personnel Officers	March 31	
More effective use needs to be made of the IPA.	1. Expand contacts with state and local governments and institutions of higher education to assure broader use of the Intergovernmental Personnel Act through assignments of women and minority candidates at middle and upper grade levels to programs in the Department and assignment of Department employees to state and local governments and institutions of higher education. Goals: Placement within Department: Minorities: Women: Placement outside Department:	EEO Officers Personnel Officers Managers	June 30	

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Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
Summer employment opportunities for minority and women students and faculty members who come in contact with significant numbers of minorities and women need to be increased.	1. Insure that any college recruitment program for summer employment reaches undergraduate minority group and women students in order to influence their pursuit of courses that qualify them for permanent appointments with the Department following graduation.	EEO Officers Personnel Officers Managers FWP Coordinators S-S Coordinators	June 30	
	2. Establish numerical goal for employment of women and minorities. Total: Minorities: Women:	EEO Officers Personnel Officers Managers FWP Coordinators S-S Coordinators	Increase by June 30, 1975. Establish goals for following FY (1976) February 1975.	
	3. Establish numerical goal for summer employment of faculty members of colleges and universities with significant numbers of women and minority group students and women's colleges so as to acquaint them with Department programs and staffing needs. Goals:	EEO Officers Personnel Officers Managers FWP Coordinators S-S Coordinators	Increase by June 30, 1975. Establish goals for following FY (1976) February 1975.	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Positive contacts with minority and women groups or organizations as sources for candidates for technical, professional and management level positions need to be maintained at all levels.	1.	Identify and make on-going contacts with local and national organizations or groups that can be sources of candidates, e.g., The Urban League, NAACP, LULAC (League of United Latin American Citizens), Operation SER, G.I. Forum, Bureau of Indian Affairs, National Congress of American Indians, Business and Professional Women's Club, Society of Women Engineers, FEW, etc.	EEO Officers Personnel Officers Managers FWP Coordinators S-S Coordinators	May 31	
A ready source of qualified minority and women candidates for professional, technical and management positions is needed.	1.	The names and qualifications of women and minority applicants who are assisted through the EEO office community relations outreach effort will be maintained for referral when vacancies are announced. Merit system principles will apply.	EEO Officers FWP Coordinators S-S Coordinators	Continuing	
Qualified minorities and women sometimes cannot work full-time.	1.	Review work organization and staffing needs to determine opportunities for part-time employment. Assure that part-time needs are made known to employees and applicants.	Personnel Officers EEO Officers Managers		Report to OEO April 20 as part of the 3rd quarterly report.
A more complete survey should be made to determine the need for positions requiring bilingual ability or special cultural or ethnic knowledge.	1.	Identify and recruit for positions that require a knowledge of another language; e.g., public contact positions in areas where there are large Spanish speaking or American Indian populations.	Managers Personnel Officers EEO Officers S-S Coordinators		

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Current employment brochures and information pamphlets are not directed toward minorities and women.	1.	Review and revise existing employment brochures and career pamphlets to include action pictures, including women and minority group employees in significant job situations. Develop special recruitment literature aimed at women and minority groups, including Spanish language recruitment literature where appropriate.	Managers Personnel Officers EEO Officers OEO APM	March 31	
Department Managers, EEO and personnel staff need more knowledge of and involvement with local universities and community groups. The community contact-recruitment program that began in 1973 and projected for FY '74 was not fully implemented due to lack of staff.	1.	Renew the community contact-recruitment program by geographic area concentrating initially on the Southwestern part of the United States where there is a large Spanish-Surnamed population and Indian population. The contact-recruitment program involves the selection of a nucleus of bureau installations in a particular region, on-site visitation of the education and training resources, contacts with local universities with heads of various departments in the disciplines of interest to Interior, and contacts with local organizations concerned with improved employment opportunities for women and minorities. Goals: Four visits	OEO S-S Coordinators	September December February April	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	a. Expand this program to Southeastern part of the United States.	OEO		
	Goals: One visit to Atlanta		December	

Program Element 3. Full Utilization of the Present Skills of Employees

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Minorities and women continue to be concentrated in lower-level positions, many of which are dead-end positions or are positions in which the capabilities of the employees are underutilized.	1.	Maintain a system to identify employees who are underutilized or in dead-end positions. Set up a schedule to identify employees within an occupational area, organizational unit, grade group, etc. during the first half of FY '74 and each six-months thereafter. Report the system utilized and number of employees identified in quarterly reports.	Managers Personnel Officers EEO Officers	October January April July	
	2.	When identified, provide counseling to all employees serving in dead-end positions or in positions where their skills are not utilized and develop individual career plans taking into consideration available training and other job opportunities for improved utilization of their abilities. Keep records on such counseling, training and job changes and report the results in quarterly narrative reports.	Managers Personnel Officers EEO Officers	October January April July	
	3.	Review all positions as they become vacant for job restructuring to create additional employment opportunities at the lower grade levels, at the same time creating more opportunities for career growth at the higher levels.	Managers Personnel Officers EEO Officers	Continuing	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	4. Make full use of job-engineering techniques, separating from the highly skilled positions those duties that require lesser skills in the technician, helper and aid categories, and thereby create new job opportunities for the disadvantaged.	Managers EEO Officers Personnel Officers	Continuing	
	5. Be aware through skills banks or similar devices of the skills available within the workforce so that underutilized employees may be matched with available job opportunities. Update skills inventory at least annually.	EEO Officers	January 31	

Program Element 4. Opportunities for employees to enhance their skills, perform at their highest potential, and advance in accordance with their abilities in light of available opportunities.

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
There is a need to strengthen education and training efforts to assist low grade employees realize their highest potential.	1.	Implement the Upward Mobility Program issued by the Department by bringing present programs into compliance with the Department program and by establishing new ones where necessary, and report on progress quarterly. Such a program should include a method for identifying employees; development of career plans; career counseling and guidance; education and training, making maximum use of local education programs and resources and on-and-off-the clock development opportunities; and, proper utilization and placement. The program will identify the number of target positions, projected cost, number of employees to be trained, and the method of selection.	Managers Personnel Officers EEO Officers	July 1, 1974 October January April July	
		a. Consider the elements of the Upward Mobility Program outlined above and be prepared to input local commitments and follow through upon receipt of Departmental Upward Mobility Program.	Managers EEO Officers Personnel Officers		

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	2. Make maximum use of the Training Agreement to Enhance our Upward Mobility Programs (PM Letter 73-8, March 16, 1973). Through use of this agreement, employees GS-2 through GS-9 with demonstrated potential may be competitively selected and trained for new careers in thirty-four clerical, administrative, and technician occupations. Total: Minorities: Women:	Managers Personnel Officers EEO Officers		
	3. Utilize the Departmental Skills Training Center and similar local training programs to provide employee development opportunities to improve English ability, reading comprehension and secretarial and typing skills. Total: Minorities: Women:	Managers Personnel Officers EEO Officers	Continuing	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Insufficient opportunities have been provided women and minorities to participate in mid-level and executive development opportunities.	1.	Make maximum use of the Career Development Agreement (370 DM 412 and PM Bulletin 73-44, March 6, 1973). This agreement provides a system whereby professional, scientific, and technical personnel, grade GS-7 and above, with management potential may be reassigned to administrative or management positions and administrative personnel may be reassigned to other administrative or management fields. Total: Minorities: Women:	Managers EEO Officers Personnel Officers	June 30	
	2.	Utilize the Departmental Manager Development Program (GS-7 through GS-13). This program is a full-time training program which provides rotational training assignments at the bureau, departmental and other agency levels, to gain a better understanding of the Department and the Executive Branch as a whole. Total: Minorities: Women:	Managers EEO Officers Personnel Officers	June 30	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
	3.	Insure that women and minorities are among the participants in executive training assignments conducted by the Department and by outside training and development resources coordinated by the Natural Resources Executive Institute. Total: Minorities: Women:	Managers EEO Officers Personnel Officers	June 30	
	4.	Insure that women and minorities are included in Bureau executive development programs. Total: Minorities: Women:	Managers EEO Officers Personnel Officers	June 30	
	5.	The Departmental EEO Plans for FY '73 and FY '74 required each Bureau to identify and develop career plans for at least two women and one employee from each minority group who has demonstrated middle and top management potential, and to establish a system of auditing progress on a regular and continual basis. During FY '75, assure that those identified receive training and job opportunities needed for advancement.	Managers EEO Officers Personnel Officers	June 30	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	6. Identify at least two women employees and one employee from each minority group represented in the bureau who show middle and top management potential. Set career goals with each individual identified which will include a comprehensive long-range plan for training and upgrading. Establish an inventory record for each individual and a system of auditing progress on a regular and continual basis. (Recognition is given to the limitations of smaller bureaus in fully implementing this item.)	Managers EEO Officers Personnel Officers	June 30	
	Total: Minorities: Women:			

Program Element 5. Training, advice, incentives and performance evaluation to assure program understanding and support by supervisors and managers.

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Equal employment opportunity coverage in formal supervisory and managerial training courses needs to be strengthened and updated.	1.	Develop training material to include specific requirements of the Dept. EEO program. Give adequate coverage to special emphasis programs and the Upward Mobility Program.	OEO	September 1	
	2.	Conduct a series of awareness seminars with workshops for supervisors and managers which will provide them with a sensitive understanding of the EEO program goals and objectives and their EEO responsibilities.	EEO Officers	June 30	
Efforts to ensure that EEO plan commitments are accomplished on a timely basis need to be strengthened.	1.	Each manager will communicate periodically (at least three times a year) with his supervisors regarding their specific EEO responsibilities, objectives and goals and how well they are doing to achieve results.	Managers	October 15 January 15 April 15	
	2.	Identify time on staff meetings agenda to discuss responsibilities, objectives and goals of EEO program.	Managers Supervisors	Continuing	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
	3.	Continue quarterly meetings with Bureau EEO Officers to review program results, problems, and methods of improving EEO activity. Provide reports to the Bureau head and meet with him at least annually.	OEO	October January April July	
	4.	Initiate a similar program to the bureau level to review with Regions program results, problems and methods of improving EEO activity. Provide reports to Regional Directors.	EEO Officers	October January April July	
The performance evaluation of officials assigned EEO responsibility needs to be strengthened.	1.	Evaluate the capabilities, sensitivity, and awareness as well as the results achieved of officials assigned EEO responsibility. Where appropriate, recognize EEO achievements, or recommend education for, disciplinary action against, or replacement of officials who have not met their responsibilities under the EEO program.	OEO EEO Officers Managers	December 31	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	3. Continue to require that performance of (or potential for) performing EEO responsibilities to be a factor in appraising employees for supervisory positions.	EEO Officers Personnel Officers	Continuing	
Award programs are not sufficiently utilized to further the EEO program.	1. Develop and publicize criteria for award program to recognize exemplary achievement in furthering equal employment opportunity . Strengthen award program and publicize information on awards in the area of EEO.	EEO Officers	September 30	
	2. Publicize officials who demonstrate outstanding achievements in administering the EEO program.	EEO Officers	September 30	

Program Element 6. Participation in community efforts to improve conditions which affect employability in the Federal Government.

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
Students as potential employees are handicapped because they lack sufficient information about career opportunities and qualifying requirements for Department positions.	1.	Offer assistance to colleges, technical schools, and high schools to improve the quality of education. Meet with school officials and evaluate curriculum to assure courses are offered which relate to the requirements of Interior or Department positions.	Managers EEO Officers	Continuing	
Public contacts to explain Department programs and manpower needs should be intensified.	1.	Develop or expand a program of local involvement with high school and college counselors and placement officers to publicize mission of the Department and job requirements so that students may be motivated to prepare for employment.	Managers EEO Officers FWP Coordinators S-S Coordinators	Continuing	
	2.	Participate in Career Day activities. Provide staff to speak to students, show films of Bureaus missions and/or display or distribute literature.	Managers EEO Officers FWP Coordinators S-S Coordinators	Continuing	
	3.	Utilize appropriate news media to advertise job opportunities, EEO programs and achievements.	Managers EEO Officers FWP Coordinators S-S Coordinators	Continuing	
A more active involvement is needed in supporting community equal housing efforts.	1.	Continue a good working relationship with local officials to actively support community equal housing.	Managers EEO Officers FWP Coordinators S-S Coordinators	Continuing	

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
	2.	Assist employees who find inability to obtain suitable housing a barrier to acceptance of employment for which they are qualified.	Managers EEO Officers	Continuing	
Transportation between worksites and residential areas needs to be improved.	1.	Cooperate with local authorities to improve transportation between worksites and residential areas of minorities and women.	Managers EEO Officers		
Child-care facilities need to be explored and the availability publicized to employees.	1.	Develop or update lists of child care facilities where appropriate at the local level making such lists available to employees. Local welfare or health departments (organization responsible for issuing center licenses) should be contacted. Cooperate with community groups in the establishment of child care centers needed by employees or applicants.	Managers EEO Officers FWP Coordinators	Continuing	

Program Element 7. System for Internal Program Evaluation and Periodic Progress Reports.

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
Present methods of internal evaluation of status of equal opportunity program are inadequate to properly and effectively gauge progress of the program at all levels of the organization. Further emphasis and action are necessary in the following areas: A. Additional EEO coverage is necessary in formal and informal evaluation visits.	1. Participate in the selection of sites for visitations when personnel management evaluations are planned and insure that EEO is given thorough coverage in such evaluations.	OEO EEO Officers	March 30 Continuing	
	2. Participate as a full team member in the bureau, Office of Org. and Personnel Mgmt. and CSC on-site evaluations of headquarters, regional offices and major field installations.	OEO EEO Officers FWP Coordinators S-S Coordinators	Continuing	
	3. Establish and submit to OEO a schedule of informal on-site visitations of each field facility. Assure that EEO responsibilities are covered during these visits, and that follow-up is conducted by personal visit, written report, memorandum, or telephone call.	EEO Officers Personnel Officers	July 1	

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Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
B. Minority employment data is often inaccurate due to shortcomings in reporting procedures.	1.	Request that proper forms are submitted by managers and supervisors to assure eligible minority identification is completed for each accession and submitted promptly.	EEO Officers Managers Supervisors	December 31	
Managerial and supervisory involvement in self-evaluation of progress made in achieving EEO goals needs strengthening.	1.	Managers and supervisors will evaluate their performance against their organization's EEO commitments, document this self-evaluation and forward it through channels to the EEO Officer. Necessary revisions of goals and timetables are to be made at this time.	Managers Supervisors	Semi-annually December 31 June 30	
	2.	EEO Officers will evaluate these reports as well as available statistical data to determine progress made in achieving goals.	EEO Officers FWP Coordinators S-S Coordinators	Quarterly	
	3.	Semi-annually, progress reports will be made to top management at headquarters and in regional offices.	EEO Officers FWP Coordinators S-S Coordinators	December 31 June 30	
	4.	Hold, semi-annually, discussions with managers on their progress. Determine why goals were not met and if remedial action is necessary.	EEO Officers	December 31 June 30	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
Available statistical reports are not sufficiently utilized at all organizational levels to evaluate EEO program progress and assess EEO posture.	1. Assure available statistical data on composition of workforce, accessions, etc. are distributed to the level of the organization where it will be most effective in self-evaluation process.	EEO Officers Personnel Officers Managers	October January April July	
	2. Utilize all reports, both statistical and narrative and self-evaluation reports and discussions to: a. Measure progress in the employment and utilization of women and minorities; b. Determine patterns of non-selection of women and minorities, determine the causes and take positive steps toward effecting changes; c. Identify and analyze problem areas as they arise and initiate projects or program changes with realistic goals; and d. Revise EEO commitments.	EEO Officers Managers Supervisors Personnel Officers	October January April July	

Appendix - Programs and Activities for Participation in Employment and Training Programs for the Economically or Educationally Disadvantaged and the Worker-Trainee Opportunities Program.

Problem		Action	Responsibility	Target Date	Accomplishment Date and Results
There is a need to continue to provide special programs of employment and training for the economically or educationally disadvantaged.	1.	Participate to the fullest extent possible in local economic opportunity programs and inform officials directing these programs of the employment opportunities available to graduate enrollees. (Bureau's EEOP's will include a copy of their worker-trainee opportunities plan prepared in accordance with requirements contained in CSC Bulletin 713-31 dated April 27, 1973.)	Managers EEO Officer Personnel Officer	May 1	
	2.	Make full use of the VRA hiring authority as a special program emphasis.		Continuing	

Problem	Action	Responsibility	Target Date	Accomplishment Date and Results
	3. Reassess the utilization of summer aids and assure that their placement is compatible with their academic interest, job attitudes, and vocational aspirations. Provide that their orientation includes the relevance of assigned duties to the overall mission of the organization and communicates the opportunities available for permanent employment.		Continuing	
Many supervisors are not as sensitive as they should be with regard to the needs of economically or educationally disadvantaged.	1. Give supervisors of disadvantaged employees special training that will provide more sensitivity which will enable them to provide such employees worthwhile job experience.	EEO Officer Personnel Officer	March 30	

EEO REGIONAL PLANS*

Bureau	CSC Regions
Bureau of Outdoor Recreation	
Region 1, Northwest, Seattle, Washington	Seattle
Region 2, Southwest, San Francisco, California	San Francisco
Region 5, Southeast, Atlanta, Georgia	Atlanta
Region 7, South Central, Albuquerque, New Mexico	Dallas
Bureau of Sport Fisheries and Wildlife	
Region 1, Portland, Oregon	Seattle
Region 2, Albuquerque, New Mexico	Dallas
Region 3, Twin Cities, Minnesota	Chicago
Region 4, Atlanta, Georgia	Atlanta
Region 5, Boston, Massachusetts	Boston
Region 6, Denver, Colorado	Denver
National Park Service	
Pacific Northwest Region, Seattle, Washington	Seattle
Western Region, San Francisco, California	San Francisco
Southwest Region, Santa Fe, New Mexico	Dallas
Rocky Mountain Region, Denver, Colorado	Denver
Midwest Region, Omaha, Nebraska	St. Louis
Southeast Region, Atlanta, Georgia	Atlanta
Mid Atlantic Region, Philadelphia, Pennsylvania	Philadelphia
North Atlantic Region, Boston, Massachusetts	Boston

*Regional plans need only be submitted to the CSC regional office where bureau regional headquarters is located. The CSC will assume responsibility for coordination among its regions, where it is necessary to evaluate and follow-up on actions proposed in the regional plans. Basic requirements for EEO Plans are contained in FPM Letter 713-22, dated October 4, 1973.

Bureau	CSC Regions
Bureau of Indian Affairs	
Aberdeen Area Office, Aberdeen, South Dakota	Denver
Albuquerque Area Office, Albuquerque, New Mexico	Dallas
Anadarko Area Office, Anadarko, Oklahoma	Dallas
Billings Area Office, Billings, Montana	Denver
Juneau Area Office, Juneau, Alaska	Seattle
Muskogee Area Office, Muskogee, Oklahoma	Dallas
Navajo Area Office, Window Rock, Arizona	Dallas
Phoenix Area Office, Phoenix, Arizona	San Francisco
Portland Area Office, Portland, Oregon	Seattle
Sacramento Area Office, Sacramento, California	San Francisco
Field Administrative Service, Albuquerque, N.M.	Dallas
Headquarters Office, Washington, D.C.	Atlanta
Bureau of Land Management	
Denver Service Center, Denver, Colorado	Denver
Bureau of Mines	
Eastern Administrative Area, Pittsburgh, Pa.	Philadelphia
Western Administrative Area, Denver, Colorado	Denver
Geological Survey	
Eastern Region, Arlington, Virginia	Headquarters, Washington, D.C.
Central Region, Denver, Colorado	Denver
Pacific Region, San Francisco	San Francisco
Mining Enforcement and Safety Administration	

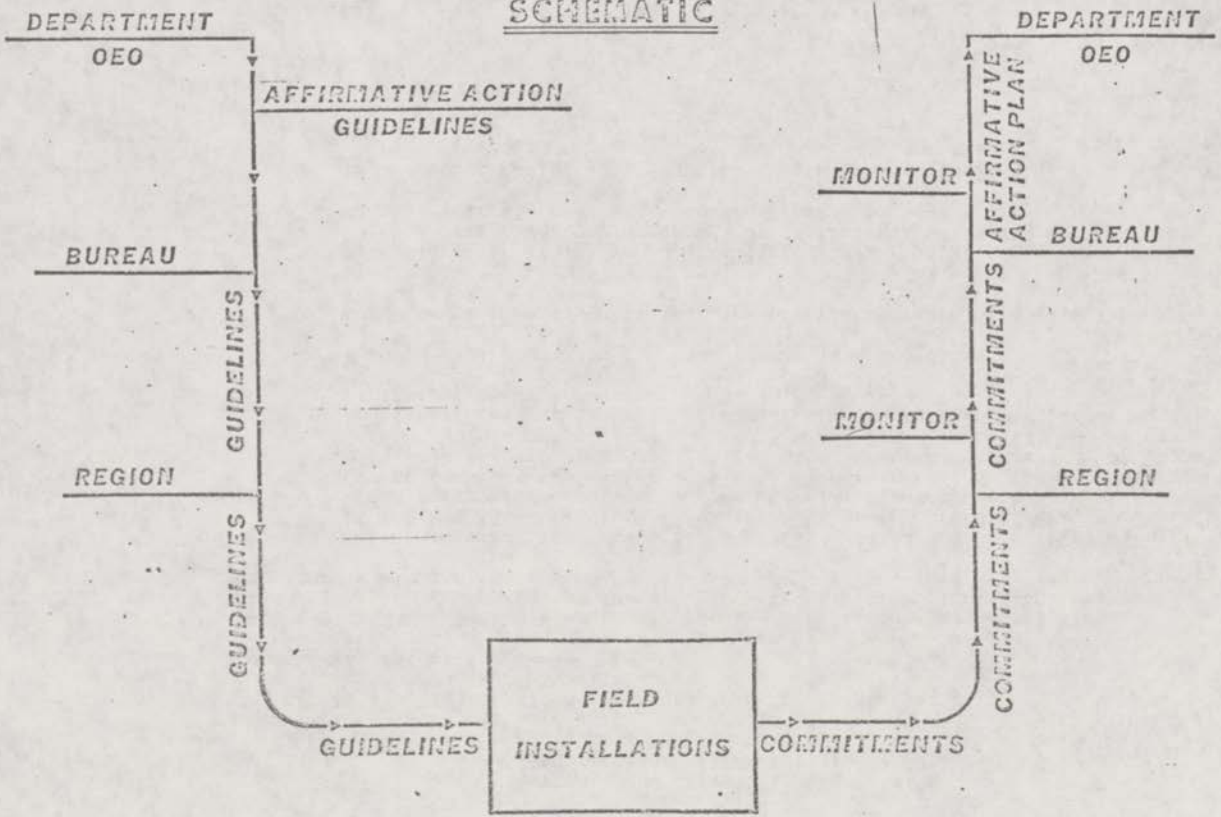
Bureau	CSC Regions
Bureau of Reclamation	
Region 1, Pacific Northwest, Boise, Idaho	Seattle
Region 2, Mid-Pacific, Sacramento, California	San Francisco
Region 3, Lower Colorado, Boulder City, Nevada	San Francisco
Region 4, Upper Colorado, Salt Lake City, Utah	Denver
Region 5, Southwest, Amarillo, Texas	Dallas
Region 6, Upper Missouri, Billings, Montana	Denver
Region 7, Lower Missouri, Denver, Colorado	Denver
Engineering and Research Center, Denver, Colorado	Denver
Bonneville Power Administration, Portland, Oregon	Seattle
Southwestern Power Administration, Tulsa, Oklahoma	Dallas
Alaska Power Administration, Juneau, Alaska	Seattle

EEO Plan Development

Target Dates	Action
January 9-31	Committee of Bureau EEO staff representatives and Office for Equal Opportunity review and revise EEO plan for FY '75.
February 13	Revised plan to Bureau EEO staff for review and comments.
March 11	The Office for Equal Opportunity will submit the EEO plan guidelines to Bureau headquarters.
March 12-18 (1 week)	Bureaus will add to transmittal memorandum and send the Departmental EEO plan guidelines to the Regional Offices.
March 19 - April 2 (2 weeks)	The Regional Offices will add a transmittal and forward the Departmental EEO plan to the field installations for implementation.
April 2 - May 7 (5 weeks)	The field installations will review all program areas of the Departmental plan and determine the action items which can be implemented. Each installation will set forth its EEO commitments in terms of what is the problem, what can be done to overcome it (in quantitative terms, if applicable), whose going to do it, and when it will be done. These commitments will be returned by April 26 to the Regional Office. The Regional staff (or Bureau staff) will assist the installation in assessing its EEO situation so that meaningful and realistic commitments are made.
May 8 - June 12 (5 weeks)	The Regional offices will review the installation responses and evaluate the commitments. The Regional office will either approve the installation commitment and notify the installation to proceed or the Regional office will return the document to the field installation for necessary adjustments.

	The Regional office will consolidate the field commitments, add necessary input at the Regional level and send a Regional plan to the Bureau headquarters by June 10.
June 12 - July 16 (5 weeks)	The Bureau headquarters will review the Regional plans. They will either approve the plan and notify the Region to go forward to fulfill its commitments, or they will return the plan to the Regional office to make the required changes. When the Bureau approves a Regional plan, it will advise the Regional office to submit the plan to the appropriate office of the Civil Service Commission. The Bureau headquarters will consolidate all Regional plans and add the input necessary for the headquarters office. A complete Bureau plan will be forwarded to the Office for Equal Opportunity by July 16.
July 17 - July 31 (2 weeks)	The Office for Equal Opportunity will review the Bureau plan and will either approve it or return it to the Bureau to make appropriate changes.
August 1 - August 15	All Regional plans will be submitted to the appropriate office of the Civil Service Commission.
August 15	The Office for Equal Opportunity will submit the Departmental EEO Plan to the Civil Service Commission.
January 15	The Office for Equal Opportunity will submit to the Bureaus a skeletal EEO Plan for FY '76.

AFFIRMATIVE ACTION DEVELOPMENT SCHEMATIC



Regional and Bureau Plan Submission
Requirements of FPM Letter 713-22

The EEO Action Plan should be arranged into four major parts.

Part A - Introduction

Each Regional and Bureau plan should provide a brief summary description of its organization for carrying out the EEO program activities, including, but not necessarily limited to:

1. Brief statement to explain the functions, roles and interrelationships of important EEO program officials, such as the EEO Officers, Federal Women's Program Coordinators, the 16-Point Program Coordinators, EEO Counselors, Discrimination Complaint Investigators, and other EEO Program Officials and employees and indicate the extent of expected involvement in the EEO program of line and staff managers and supervisors, unions and other employee groups, and employees. Bureau manual release would be appropriate.

2. Resources allocated to the EEO program (see Enclosure 1).

3. Certification as to qualifications of principal EEO officials (see Enclosure 2).

4. Provisions for training and orientation in personnel administration and in equal employment opportunity for staffs engaged in EEO work. Program Element 1 should meet this requirement.

5. Individual training and education program plans (see Enclosure 3).

Part B - Report of Accomplishments

This section of the plan should provide a report on the accomplishments of the action items in the last annual plan. The report should speak specifically to action items explaining: (a) whether actions in the last plan were accomplished and if not, why not and (b) the results of these actions and whether they achieved the intended effect. In addition, for training and education programs supporting Upward Mobility for lower level employees, regional and bureau plans must report, as part of the annual accomplishment progress in reaching program objectives, the number of target positions actually filled, and the number of persons trained.

Part C - Report of Assessment of the EEO Situation Preparatory to Developing the Annual EEO Plan of Action

This section of the plan should provide a brief summary of the results of the assessment made by the region or bureau of its EEO problems which require priority attention and solution, and the goals and objectives which management wants to achieve in the coming year to overcome identified obstacles to equal employment opportunity. The results of the assessment should lead to the development of specific action items by which the region or bureau believes it can meet its goals and objectives. These then can be assigned to an appropriate office or official, to be accomplished by a realistic target date.

The assessment must be comprehensive enough to arrive at a clear analysis of the EEO situation in the agency and identification of real EEO problems or situations needing corrective action. Such an analysis may need to be developed for many organizational levels and for various categories of jobs, but should include:

1. Composition of the regions and subordinate organizations' workforce by racial, ethnic and sex groupings at the various levels and in appropriate organizational segments;

2. Composition (by racial, ethnic and sex groupings and grade levels) of major job groupings such as professional or technical, clerical and office, executive and managerial, custodial and service;

3. Availability of persons, including minorities and women, having the requisite skills and training in the agency's workforce and in the labor market which the agency uses as its recruiting source;

4. Turnover rates in each of the skills utilized;

5. The number and kinds of jobs expected to be filled in the coming year;

6. Consideration of the sources and the kinds of complaints of discrimination.

Part D - Report of Specific Actions for the Coming Year

This section of the plan, REPORT OF SPECIFIC ACTIONS FOR THE COMING YEAR, will contain only those actions which the agency is planning to take during the twelve months of the plan year, to solve the problems identified by its assessment of the current EEO status in the organization. This section should be organized under the eight headings listed in the skeletal plan.

Enclosure 1

ALLOCATION OF PERSONNEL AND RESOURCES FOR EEO

The following sample report of allocation of personnel and resources illustrates the type of information and method of presentation required of agencies as inclusions in or attachments to their EEO plans of action. This data covers items appearing in Action Area 1 of the plan. National plans should include all personnel and items listed under Parts A, B, and C. Regional plans should omit A-1, B-1, and C-1.

A. Total Number of All Employees: _____
   1. (Includes Headquarters offices and Bureaus and similar subordinate components.)

   2. Total Number of All Field Employees: _____

B. Total Number of EEO Program Personnel:

   1. HEADQUARTERS: _____

	Full-time	Part-time
Director of Equal Employment Opportunity	_____	_____
Equal Employment Opportunity Officer(s)	_____	_____
Federal Women's Program Coordinator(s)	_____	_____
Sixteen-Point Program Coordinator(s)	_____	_____
Other EEO Office or Staff Officials	_____	_____
EEO Counselors	_____	_____
Discrimination Complaint Investigators	_____	_____
Others	_____	_____

   2. FIELD: _____

Equal Employment Opportunity Officer(s)	_____	_____
Federal Women's Program Coordinator(s)	_____	_____
Sixteen-Point Program Coordinator(s)	_____	_____
Other EEO Office or Staff Officials	_____	_____
EEO Counselors	_____	_____
Discrimination Complaint Investigators	_____	_____
Others	_____	_____

C. Personnel and Fiscal Resources

1. HEADQUARTERS

	Man-Years	Dollars*
EEO Counseling	_____	_____
Complaint Processing	_____	_____
EEO Program Administration	_____	_____
EEO Subject-Matter Training	_____	_____
Upward Mobility Training and Education	_____	_____**

Remarks: _____

_____

_____

2. FIELD

	Man-Years	Dollars*
EEO Counseling	_____	_____
Complaint Processing	_____	_____
EEO Program Administration	_____	_____
EEO Subject-Matter Training	_____	_____
Upward Mobility Training and Education	_____	_____**

Remarks: _____

_____

_____

* (Include the dollar cost for salaries and benefits and other expenses such as travel, transcripts, all reimbursement fees for EEO Investigators and EEO Complaint Examiners, etc.)

** Include all costs involved in formal and on-the-job training relative to Upward Mobility program efforts.

NAME AND ADDRESS OF AGENCY _____

_____

_____

SIGNATURE OF SUBMITTING OFFICIAL: _____

DATE: _____

Enclosure 2

REPORT OF QUALIFICATIONS OF PRINCIPAL EEO OFFICIALS

This form should accompany both national and regional EEO plan submissions. In the case of the national plan, the certification should cover all EEO officials agencywide. Regional certificates should cover only EEO officials in the activities or installations covered by the regional plan. This form should be attached to the appropriate plan upon submission to the Civil Service Commission.

(NOTE: Information is required on full-time and part-time personnel.)

I certify that the qualifications of all staff officials concerned with administration of the EEO Program including the following:

Director of Equal Employment Opportunity

EEO Officers

Federal Women's Program Coordinator(s)

Sixteen-Point Program Coordinator(s)

Other EEO Staff Officials

have been reviewed by competent authority and the incumbents of these positions meet the standards outlined in Qualifications Standards Handbook X-118 under "Equal Opportunity Specialist GS-160" or "Qualifications Guide for Collateral Assignments Involving Equal Employment Opportunity Duties". Evidence that the review has been made and its findings are on file and available for review by Civil Service Commission officials.

SIGNATURE OF DIRECTOR OF EEO OR OTHER OFFICIALS: _____ Date: _____

AGENCY OR INSTALLATION NAME: _____

_____

ADDRESS: _____

_____

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Enclosure 3

C. Format

1. Individual training and education program plans. Agencies should follow the format below in submitting information on each individual training and education program to support upward mobility for lower level employees. These upward mobility training and education plans must be submitted as part of the overall EEO plans at the appropriate national or regional levels.

Individual Training and Education Program

a. Identification and Objectives of Program

- Name of Program
- Provide a brief summary of the objectives of the program
- Location (geographic and organization)
- Number of participants to be selected into programs during the planning year
- Target series and grade levels for participants
- Number of identified target positions

b. Program Administration -- Provide a concise description of each program element listed below.

(1) Lead administrative unit and title, address and telephone number of lead administrative official.

(2) Selection or intake methods (devices and criteria used to determine those best qualified for the program).

(3) Length and nature of training and education, including sources of training.

2. National plans must contain guidance to field installations on the development and implementation of local Upward Mobility programs. Agencies should provide instructions to local activities which require that they develop and implement programs in addition to those developed nationally. This guidance should provide for periodic reporting to and monitoring by the headquarters level. Specific action items should be included in the EEO action plan which cover the headquarters monitoring activities.

EXHIBIT 6

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 16 1973

Memorandum

To: Heads of Bureaus and Offices

From: Director, Office for Equal Opportunity

Subject: Implementing the President's Sixteen-Point Program

The purpose of this memorandum is to spell out the Department's position to implement the President's Sixteen-Point Program for Spanish-Speaking American Citizens as an integral part of the EEO program.

In response to the Civil Service Commission FPM Letter 713-18 dated January 23, 1973, Ms. Ruth A. Graham, Assistant Director for Equal Employment Opportunity, has been designated as the Department of the Interior Sixteen-Point Program Coordinator.

Bureaus and offices should determine the need to designate coordinators at headquarters and field locations. The proposed Departmental Affirmative Action Plan for FY '74 provides for such designees in specific geographic locations.

The duties and responsibilities of the coordinator cannot be separated from the overall EEO program. The role of the coordinator is to advise management and the EEO Officer on the special employment concerns of Spanish-Speaking citizens; to recommend and specify steps as necessary to assure that this program is incorporated into the action items of all Affirmative Action Plans; and to assure that goals for the Spanish-Surnamed are included in Affirmative Action Plans where necessary.

Training for the Sixteen-Point Program Coordinators is available at the Civil Service Commission at headquarters and the regional offices. Bureaus are encouraged to provide the designated coordinators the benefits of this training which will offer how-to-do-it suggestions for integrating this special emphasis program into the total EEO program. The training course will be held in Washington, D.C., on May 23-25, 1973. A copy of the announcement is enclosed.

Edward E. Shelton

Enclosures

U. S. Civil Service Commission
EEO Training Institute

announcing

"EEO: THE SIXTEEN-POINT PROGRAM FOR SPANISH-SPEAKING AMERICANS"

MAY 23 - 25, 1973

FOR SIXTEEN-POINT PROGRAM COORDINATORS, DIRECTORS OF EEO, EEO OFFICERS, AND PERSONS INVOLVED IN IMPLEMENTING THE SIXTEEN-POINT PROGRAM FOR SPANISH-SPEAKING AMERICANS

BACKGROUND

Many persons responsible for implementing the Sixteen-Point Program for Spanish-Speaking Americans have expressed a need for a training program which provides how-to-do-it suggestions for integrating this special emphasis program into the total EEO program. This three-day course is designed to meet this specific need.

At the end of the course, participants will be able to:

* identify the goals and define the minority group of this special emphasis program
* describe ways of integrating the Sixteen-Point Program into the total EEO program
* explain the role of the Sixteen-Point Program Coordinator
* state specific action items for the Spanish-Speaking Americans which can be included in the agency's affirmative action plans
* identify the problem areas in planning and implementing the Sixteen-Point Program
* discuss effective strategies in implementing the Sixteen-Point Program
* identify available resources at the CSC and other agencies which can assist them in implementing a Sixteen-Point Program

WHO MAY ATTEND

Participation is open to Federal, State and Local government employees who have responsibilities in planning and implementing the Sixteen-Point Program for Spanish-Speaking Americans. This includes the Sixteen-Point Program Coordinator, Director of EEO, EEO Officer, Federal Women's Program Coordinator, and persons who have been designated Sixteen-Point Program responsibilities. Because this program, in addition to the objectives listed above, aims to foster cooperation between the Sixteen-Point Program Coordinator and other persons working in the EEO program, we urge the agencies to nominate a working team, i.e., the Sixteen-Point Program Coordinator or whoever holds the responsibility for the program and the person involved with the Sixteen-Point Program Coordinator in implementing the program. Priority consideration will be given to this team, although individual nominations will not be excluded.

NOMINATION

Send completed Optional Form 37 to:

Director, EEO Training Institute
Personnel Management Training Center
Bureau of Training
U.S. Civil Service Commission
Washington, D. C. 20415

For additional information write the above address or phone:

AC 202 632-9772 or Code 101, Extension 29772

COST

Cost of the course is $105 per participant.

CANCELLATION DEADLINE

Agencies will be billed for all accepted nominees unless cancellations are received by the cancellation deadline. Substitutions may be made up to the beginning of the course.

CALENDAR

Location:	The location of the training room will be given in the acceptance letter.
Nomination Deadline:	May 2, 1973
Cancellation Deadline:	May 16, 1973
Course Date:	May 23 - 25, 1973

PUBLISHED IN ADVANCE OF INCORPORATION
IN FPM CHAPTER 713
RETAIN UNTIL SUPERSEDED.

FPM LTR. NO. 713-18

UNITED STATES CIVIL SERVICE COMMISSION

FEDERAL PERSONNEL MANUAL SYSTEM

LETTER

Washington, D.C. 20415

FPM LETTER NO. 713-18

January 23, 1973

SUBJECT: Equal Employment Opportunity - Implementing the Spanish-Speaking Program

Heads of Departments and Independent Establishments:

1. On November 5, 1970, President Nixon committed the Federal Government as a responsible employer to a Sixteen-Point Program to assure equal opportunities in Federal employment for Spanish-surnamed Americans. Attachment 1 to this Letter is a copy of the original White House press release announcing the program. This effort is a part of the Federal Government's equal employment opportunity program.

To evaluate the effectiveness of agency efforts in implementing the program, the Civil Service Commission undertook a special study to assess overall progress at agency headquarters level and at the installation level. Findings of the study are based on narrative reports and on a series of on-site evaluation reviews conducted by the Commission at 77 Federal field installations throughout the nation.

2. Purpose

The purpose of this letter is to let you know the findings of the study and to inform you of the specific actions that should be taken in implementing the Sixteen-Point Program to overcome the program deficiencies identified. The agency action steps listed below should be reviewed and considered in the light of each agency's Sixteen-Point Program accomplishments and each should be properly reflected in the agency's affirmative Equal Employment Opportunity Plan of Action.

3. General Summary

The review of agency efforts showed many positive actions and that solid accomplishments had been achieved, but that overall efforts need to be further strengthened in order to achieve the nationwide program objectives. Demonstrated commitment to the program in all agencies is essential and strong leadership from the headquarters level needs to be reflected by specific guidance issued to subordinate units. This will result in increased

INQUIRIES: Director, Spanish-Speaking Program, Code 101-26800 or 63-26800

CSC CODE 713, Equal Employment Opportunity

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efforts in field installations. These findings emphasize that we must view this effort with the same sense of urgency that prevailed at the inception of the program. Within this context, we must assign high priority to the President's Sixteen-Point Program and communicate this sense of urgency to field managers in a timely and specific manner. Field managers must recognize that their personal involvement in assuring equal opportunities for the Spanish-surnamed is essential for effective implementation of the program.

4. Appointment of Spanish-Speaking Program Coordinators

To assure that the Sixteen-Point Program is fully implemented as an integral part of the agency's overall Federal Equal Employment Opportunity Program, each agency should appoint a Coordinator for the Sixteen-Point Program on the staff of the Director of Equal Employment Opportunity. The Coordinator may serve in this capacity on either a full-time or part-time basis, depending on the size and needs of the agency. Normally, we would expect departments and large independent agencies to establish a full-time position for this purpose. Smaller agencies may designate Coordinators on a part-time basis and these part-time Coordinators should also be responsible to the Director of Equal Employment Opportunity insofar as their Sixteen-Point Program activities are concerned. Agencies should also determine needs for program coordination at field offices or installations located in or near Spanish-speaking population centers, and designate full-time or part-time Sixteen-Point Program Coordinators to work with Equal Employment Opportunity Officers. Attachment 2 to this Letter describes the role of the Sixteen-Point Program Coordinator.

The Coordinator should serve as the principal staff advisor and focal point for program direction. He should advise the Director of Equal Employment Opportunity or the Equal Employment Opportunity Officer on the special concerns of the Spanish-speaking and ensure that specific actions are taken to provide equal opportunity for the Spanish-speaking in connection with programs of recruitment, training, promotion, upward mobility, etc.

5. Agency Action Steps

Immediate steps should be taken by headquarters offices to follow up on local implementation of the Spanish-Speaking Program and to identify problems and direct necessary action. Our studies suggest that particular attention should be focused in those geographical areas where sizable concentration of Spanish-surnamed Americans would appear to represent a relatively untapped recruitment source for the kinds of skills and abilities needed in Federal installations. This should be given specific consideration as agencies develop recruitment plans in the future. At the same time, implementation of the program should be intensified on a nationwide basis.

To avoid communication breakdowns which have apparently occurred at intermediate or regional levels, agencies must assure themselves that regional and intermediate level officials are aware of their responsibilities for providing guidance on the Spanish-Speaking Program and for evaluating progress at the field installations.

6. Agencies should continue to review traditional staffing and recruitment practices to identify and correct those which may act as artificial barriers in providing equitable opportunities to all persons, including Spanish-surnamed applicants. As part of its overall EEO responsibility, each agency should make a critical review of agency employment practices with particular attention given to assuring that (1) positions that can be reengineered to trainee levels are not being filled at the journeyman level; (2) work experience is given adequate consideration in job qualification requirements and that formal education is not being overemphasized; (3) persons with knowledge of the Spanish language are being recruited to fill positions requiring such knowledge; and (4) recruitment and referral practices are designed to tap Spanish-surnamed resources at local levels where significant numbers of Spanish-speaking citizens are concentrated.

7. The flexibilities of special entry programs such as the Veterans Readjustment Appointment Authority should be reemphasized to assure that they are fully understood and used in opening avenues to Federal employment. In many instances, the failure to establish entry level positions has precluded effective use of Veterans Readjustment Appointments. In other instances, failure to contact all veteran sources and inform them of the VRA authority has resulted in limited progress in this area. Agencies should take whatever special steps are necessary to assure that the returning Spanish-speaking as well as other veterans are informed of employment opportunities available under this authority.

8. Agencies should make sure that their use of the Cooperative Education Program includes consideration of college students from all groups. Agreements with universities that have significant Spanish-speaking student enrollments as well as other universities should be considered.

9. Agency equal employment opportunity action plans at all levels should include action items that reflect full applicability of the action plans to the Sixteen Point Program. Numerical goals and timetables are recommended where they will contribute to the resolutions of equal employment opportunity problems. CSC Bulletin 713-25 on the new requirements for action plans under the EEO Act of 1972 cites examples of the kinds of items applicable to the Spanish-speaking.

10. Agency recruitment practices should be reviewed to assure that recruitment teams, as appropriate, include members who are Spanish-speaking and have knowledge of the Spanish-surnamed recruiting sources. Agency

headquarters offices should instruct their field installations on the proper use of selective factors in requesting certification of eligibles for positions involving contact with Spanish-speaking citizens. Proper documentation of need was identified in our special study as an area requiring further improvement.

11. To avoid misunderstanding, agencies should review their supervisory and management training programs to assure that the Sixteen-Point Program is not viewed as a separate equal employment opportunity program, but as a special emphasis effort within the context of a total EEO program to assure all citizens equality of opportunity without regard to race, color, religion, sex, or national origin.

12. So that we may share current information on the program with your agency, please send us the name and mailing address of the person(s) you designate as the Coordinator for the program at the headquarters level. Please send this information to Mr. Higinio Costales, Director, Office of Spanish-Speaking Program, Civil Service Commission, Room 7H10, 1900 E Street, NW., Washington, D.C. 20415.

Bernard Rosen

Bernard Rosen
Executive Director

2 Attachments

Attachment 1 FPM Ltr. No. 713-18

FOR IMMEDIATE RELEASE NOVEMBER 5, 1970

Office of the White House Press Secretary

THE WHITE HOUSE

The President today announced the initiation by the Civil Service Commission of a sixteen-point program to assist Spanish-speaking American citizens who are interested in joining Federal civilian service.

This program is a follow-up to the statement the President made in his July 30 press conference in Los Angeles welcoming interested and qualified Spanish-speaking persons who have an interest in Federal employment.

The sixteen steps which Civil Service Commission Chairman Robert E. Hampton will begin immediately to undertake are as follows:

1. Appoint a full-time official in the Civil Service Commission who will provide advice and assistance on matters relating to Spanish-surnamed population to assure full application of the EEO program in all Federal agencies to this group.

2. Begin an intensified drive to recruit Spanish-surnamed persons, particularly for identified public contact positions, in areas of heavy Spanish-speaking population, including the Southwestern states and in Chicago, Detroit, and New York, and certain other major metropolitan areas.

3. Use specialized recruitment teams, to include Spanish-speaking persons, for college recruitment, particularly at colleges with heavy Spanish-speaking enrollments.

4. Begin work immediately with OEO, DHEW, HUD, Labor to find ways to enhance opportunities at all levels for Spanish-surnamed Americans in programs dealing with the Spanish-speaking population as well as in other programs and in key occupations.

5. Step up recruitment for Cooperative Education Program at colleges with significant numbers of Spanish-speaking students to permit entry from FSEE registers without necessity of written examination.

6. Emphasize to Federal agencies availability of selective placement on bilingual basis so Spanish-speaking persons may be reached for appointment to positions dealing with the Spanish-surnamed population.

7. Hold an EEO conference of Federal managers and equal opportunity officials in the Southwest designed to assure equal opportunity for Spanish-speaking persons in employment and upward mobility in Federal agencies.

8. Develop plans for Federal agencies under CSC area office leadership to work with high schools in Spanish-speaking areas to make known job opportunities in the Federal Government and to counsel and to encourage students to stay in school.

9. Hire for summer employment in Federal agencies high school and college teachers from schools serving Spanish-speaking students to give them understanding of the Federal Government which they can relate to students.

10. Make special effort to inform Spanish-surnamed veterans of availability of non-competitive appointments for Vietnam Area Veterans including GS-5 level.

11. Require Federal agencies to review their EEO action plans and minority employment figures and make any necessary revisions to assure the full applicability of the plans to Spanish-surnamed population.

12. Review with agencies staffing of EEO program to make sure that there is understanding in the program of the special problems of the Spanish-speaking.

13. Provide additional training programs on EEO and personnel management for Federal managers in areas of Spanish-speaking population.

14. With the Department of Labor, explore the feasibility of establishing an Intergovernmental Training Facility for upward mobility and skills training for Federal, state and local careers in the Southwest, probably in San Antonio.

15. Collect necessary data and broaden analysis of minority statistics to bring out special information relating to employment and upward mobility of Spanish-surnamed persons in the Federal Government.

16. Require EEO reports from agencies to reflect special information on Spanish-surnamed persons and include in the CSC agenda for EEO evaluation questions directed at particular problems relating to employment and upward mobility of Spanish-surnamed persons.

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The Role of the Sixteen Point Program Coordinator
(Coordinator for Spanish-Speaking Program)

There is only one Equal Employment Opportunity Program applicable to all citizens. Within this program, necessary steps must be taken to assure that Spanish-surnamed Americans have a full and fair opportunity to compete with their fellow Americans for employment and advancement in the Federal service.

The primary role of the Coordinator should be to serve as the focal point within the agency for implementation of the Sixteen Point Program. In this role, the Sixteen Point Program Coordinator should advise agency management and the Director of Equal Employment Opportunity on the special employment concerns of the Spanish-speaking citizens and on the necessary actions required to effectively accomplish the goals of the Sixteen Point Program. To assure continuity and coordination of the total equal employment opportunity effort, the Sixteen Point Program Coordinator should be responsible to the Director of Equal Employment Opportunity at the agency headquarters level, or the Equal Employment Opportunity Officer at subordinate agency levels, in so far as the Sixteen Point Program activities are concerned.

Specific activities which will permit the Coordinator to meet his or her responsibilities are the following:

(1) Provide effective leadership and guidance to agency managers and supervisors on their responsibilities in implementing the Sixteen Point Program. Equal Employment Opportunity is the responsibility of the manager and it is he who is ultimately responsible for the success or failure of the program. The personal involvement of the head of the organization most assuredly is needed, but program responsibility is shared by every line manager and supervisor in the organization.

(2) Serve as the agency's resource person and principal staff advisor on the unique concerns of the Spanish-speaking. The Coordinator must actively participate in the development and implementation of the agency's national, regional, and local Equal Employment Opportunity plans so that specific action items directed at implementing the Sixteen Point Program are included in the plans.

(3) Assure that effective relationships are established and maintained with Spanish-speaking organizations and groups, including those representing Spanish-speaking women, in order to obtain their cooperation and advice on the agency's efforts to reach all Spanish-speaking manpower sources.

(4) Participate as a representative of the agency at meetings and conferences held by civic groups and Spanish-speaking organizations, such as LULAC, American GI Forum, SER, ASPIRA, etc., which are interested in improving the employability of the Spanish-speaking American. Maintain close liaison with Sixteen Point Coordinators from other Federal agencies through associations of Federal managers such as Federal Executive Boards, Federal Executive Associations, and Federal Personnel Councils.

(5) Assist in assessing the agency's Spanish surnamed employment situation so that employment patterns might be identified and participate in solving the problems identified through the development of employment goals and timetables where they will be useful in encouraging affirmative action. At the headquarters or regional levels assure that effective specific guidance and direction to field installations is developed and disseminated in a timely manner and that effective mechanisms for followup on implementation are instituted.

(6) Participate in special studies of agency employment practices to ascertain whether there are systemic barriers which have the effect of limiting opportunities for Spanish-speaking citizens. Such special studies should include internal evaluations and planned assistance visits to subordinate components of the agency, and Coordinators should be members of teams involved in these activities.

(7) Review agency training courses to assure that they include information on the Sixteen Point Program and participate in the development and implementation of upward mobility training and education programs required by E.O. 11478 and the EEO Act of 1972.

The person designated as the Sixteen Point Coordinator must be able to deal effectively in the organization and in the EEO program function including advice and counsel to management on proper and effective efforts to implement the Sixteen Point Program. Persons designated as Coordinators should be able to deal effectively with Spanish-speaking organizations.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

May 13, 1974

EQUAL EMPLOYMENT OPPORTUNITY MEMORANDUM NO. 74-15

SUBJECT: National IMAGE Convention

TO: Equal Employment Opportunity Officers
Spanish-Speaking Program Coordinators

The National IMAGE Convention will be held on May 30 - June 2 in Las Vegas. A copy of the tentative agenda is enclosed.

The Office for Equal Opportunity will participate in the Convention and we urge your participation also. Please contact your field installations as soon as possible so that those employees who are able to attend may begin to make plans.

We regret the delay in getting this information to you.

Ruth A. Graham

Enclosure

Save Energy and You Serve America!

A Spanish Speaking Organization Concerned With Government Employment
National Office: 112 N. Central, Phoenix, Arizona 85003 602 261-[illegible]02

March 30, 1974

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[illegible]Valenzuela
Central Ave.
x, Arizona 85004
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resident
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Mississippi Ave.
, Colorado 80222
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Wilshire Blvd. #501
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, State Personnel Comm.
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Chavez
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Media S/W
erque, New Mexico 87101
15-2710
Representatives
Salazar
Kansas Health Dept.
shaw Street
City, Missouri 64106
11-5058
ew Larreta
le Model Cities
e #5
w City, Utah 84101
12-8416
Heredia
ociates
Room to Comms. Service
31st Terrace
City, Missouri 64131
14-3663
Luis Alejos
, Comm. Dev. Dept.
, Commerce Street
ston, Texas 78207
18-1606
resentatives
Apuello
, Public Service Careers
Fayette
, Colorado 80218
5-6636
Fernandez
, County Mental Health
ners
, Utah 84401
8-8366

Dear Colleague:

The 1974 National IMAGE Convention will be held on May 30-June 2, 1974 at the Flamingo Hilton Hotel in Las Vegas, Nevada. For the Convention, we have scheduled instructive, participative and informative sessions in furtherance of IMAGE objectives. These workshops are intended to provide participants with the most current data available with respect to: public employment and Spanish Speaking Americans; recent court decisions; significant Civil Service Commission regulations; government employment opportunities; effective affirmative action plans; progress of Chicanos, Puerto Ricans, and other Latinos in educational institution employment; and, status of the Federal Sixteen Point Plan on Employment Opportunities for the Spanish Speaking.

Knowledgeable and experienced individuals from throughout the nation will be present to contribute to this important meeting. Government representatives, elected officials, educational officials, and other interested persons are expected to attend.

Reports will be presented on IMAGE national and local efforts to improve employment opportunities for the Spanish Speaking.

This national gathering offers an opportunity to interested and concerned government agency representatives - federal, state, county and local - to meet and develop contacts with Spanish Speaking individuals, to gain access to qualified skills banks, and present their agency's progress in EEO activities.

You are cordially invited to attend and participate in this Annual Convention. We feel that you can play a major role in the success of this Convention and the continuing efforts of IMAGE to achieve its goals.

Unless the Spanish Speaking are substantially included in government jobs this nation cannot be satisfied until it has provided true equal employment opportunities for all Americans.

Atentamente,

Ed Valenzuela

Ed Valenzuela
National President
IMAGE

THURSDAY, MAY 30, 1974

5:30 - 8:00 p.m. Meeting for all Chapter Chairmen

8:00 - 10:00 p.m. Registration -

9:00 - 11:00 p.m. No Host Cocktail Party -

FRIDAY, MAY 31, 1974

8:00 a.m. Registration -

9:00 a.m. Convention Convenes -

Opening Remarks - Jerome Carrillo, President, Nevada IMAGE of La Raza, Inc.

Pledge of Allegiance - Fred Flores, Chairman, American G.I. Forum

Invocation - Father Cavglia

Presentation of National IMAGE President Edward Valenzuela by Jerome Carrillo

Welcome and Introduction of Guests - National IMAGE President Edward Valenzuela

Welcome - Honorable Mike O'Callaghan, Governor of Nevada

Honorable David Towell, Congressman of Nevada

Honorable Harry Reid, Lieutenant Governor of Nevada

Honorable Oran Gragson, Mayor of Las Vegas

Honorable Cruz M. Olague, Mayor of Henderson

Joe Benites, National President, LULAC

Antonio Gallegos, National President, American G.I. Forum

Ricardo Zazueta, National Director, SER

Fernando Romero, Chairman, Nevada Spanish Speaking Coalition

Leo Miranda, Representing Peter J. Brennan, Secretary of Labor

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11:00 a.m.	Introduction of Keynote Speaker, Carman R. Maymi, Director of the Women's Bureau, U.S. Dept. of Labor
12:00 noon	Luncheon - Chris Carlos, National 2nd Vice President of IMAGE, Master of Ceremonies
	Blessing -
	Introduction by Arthur Sandoval, Jr., Director of Personnel Management, U.S. E.P.A., National Environmental Research Centers, Las Vegas-Corvallis, of Guest Speaker
	The Honorable Roberto A. Mondragon, Lieutenant Governor of New Mexico
1:30 - 5:00 p.m.	Convention Workshops
	No. 1 - 16 Point Program for Spanish Speaking Arthur Sandoval, Jr., Moderator
	No. 2 - State and local government - including those who work in State and local educational institutions. Al Ramirez, Chairman, Nevada Manpower Planning Council, Moderator

SATURDAY, JUNE 1, 1974

8:00 a.m.	Registration
9:00 a.m.	Convention Convenes
9:15 a.m.	Introduction by Frank Quinn, Regional Director EEOC, of Guest Speaker, John Powel, Chairman, EEOC.
10:15 a.m.	Introduction by Lucian Turrietta, Board Member, Nevada IMAGE of La Raza, Inc., of Guest Speaker Alex Armandarez, Director, Office of Minority Business Enterprise.
11:15 a.m.	Business Meeting
	Committee Report on National Skills Bank
12:00 noon	Luncheon - Josie Gurule, National 1st Vice President of IMAGE, Master of Ceremonies
	Blessing - Father Ben Franzall
	Introduction by Ann Mueller, Secretary, Nevada IMAGE of La Raza, Inc., of Robert Hamption, Chairman, Civil Service Commission.

Mexican Dancers - To be coordinated by Maria Smith and Margo Torea

1:30 - 4:00 p.m. Business Meeting

Chapter Reports

Project Compliance

Constitutional Revision

PROGRESO CONTINIO CON IMAGE -

VAYAN CON DIOS

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20210

May 18, 1973

EQUAL EMPLOYMENT OPPORTUNITY MEMORANDUM NO. 73-14

SUBJECT: League of United Latin American Citizens Convention, June 21-24, 1973

TO: Heads of Bureaus and Offices

The League of United Latin American Citizens has invited the Department of the Interior to participate in their annual convention on June 21-24, 1973, at the Civic Convention Center in Albuquerque, New Mexico.

Last year the Department was represented by Mr. Medardo Sanchez of my staff, while bureaus and offices were asked to provide literature for handouts. This effort was very successful and appreciated by the membership of LULAC.

This year the Department has made arrangements to rent exhibit space of 10' x '40 dimensions on the first floor of the Albuquerque convention center. We invite interested bureaus to utilize this space with bureau exhibits, and we encourage participation of bureau employees at this convention.

Bureaus who wish to display an exhibit should notify this office by May 25, 1973, to enable us to make final arrangements for coordination of this effort. The bureaus are encouraged to assure that Spanish-surnamed employees are included among those designated to man the exhibits and to assist with the distribution of literature. Your cooperation is appreciated.

Enclosed is a copy of the agenda and pre-registration form for duplication and distribution to those employees who will be representing the bureau as convention participants.

for Edward E. Shelton

Enclosures

TENTATIVE AGENDA

LEAGUE OF UNITED LATIN AMERICAN CITIZENS

44th NATIONAL CONVENTION
401 Second N.W.
Albuquerque, New Mexico

JUNE 21 - 24, 1973

Thursday - JUNE 21st:

9:30 AM	Registration at Convention Center through 5:00 PM
10:00 AM	Press Conference - National President and others
10:30 PM	National and State Officers to name committees
12:00 PM	Revenue Sharing Seminar Luncheon
[illegible]:00 PM	Free Time
7:30 PM	Fiesta Mexicana I

Friday - JUNE 23rd:

8:00 AM - Registration at Convention Center

9:00 AM - Opening Ceremonies
New Mexico State Director turns Gavel to Honorable Pete V. Villa

National President
Honorable Pete V. Villa, National President Presiding

Presentation of Colors

Official Prayer	E.V. Morones, National Chaplain
Pledge of Allegiance	Roy Madrid, National Sgt. of Arms
Welcome Address	Honorable Louis Saavedra, Chairman, City Commission Albuquerque, New Mexico
Response	Honorable Past National President
Roll Call	
National Officers	Elvia Chavez, National Secretary
Minutes of 1972 National Convention, Beaumont, Texas	
Credentials Committee Interim Report	
Recess for Luncheon	

12:00 PM Recognition Luncheon

Master of Ceremonies - Local
Keynote Speaker - Kennedy and Cesar Chavez

2:30 PM Seminars:

Equal Employment Opportunity	- Gene Costales	Room _____
Housing	- Roberto Ornelas	Room _____
LEDA	- Joe Ramirez or Ed Lucero	Room _____
Womens Affairs	- Julia Zozaya	Room _____

4:00 PM Seminars

Education	- David Florence	Room _____
Youth	- Ed Morones, National Vice-President	Room _____
S.E.R.	- Ricardo Zazueta, Executive Director and Dan Galvan, National Chairman	Room _____

6:00 PM Seminars Adjourn
7:00 PM Final Registration for Delegates
7:30 PM Dinner Dates will continue
Fiesta Mexicana II

[illegible]

[illegible] AM Business Sessions Resolutions

Report of National Officers and Jr. LULAC

Credentials
Rules
Auditing

10:00 AM Resolutions and Amendments - Manuel Lopez, LULAC NATIONAL PARTIALE TARIAT

- [illegible] on Resolutions and Amendments

12:00 PM Awards Luncheon
Master of Ceremonies - Honorable Roberto Ornelas, Past National LULAC President

Keynote Speaker -

Presentation of District and State Awards

2:30 PM - Business Session Resolutions
Report on Seminars

[illegible] PM Ratification of 1974 Convention Sites (El Paso, Texas)

3:45 PM Nomination of 1976 and 1977 Convention Sites

5:00 PM Recess

6:30 PM Presidential Banquet

Master of Ceremonies

Keynote Speaker

Presentation of Woman, Man, State Director, Council of the Year Award

[illegible] PM Presidential Ball in Honor of all Past National Presidents.

Sunday - JUNE 24

8:00 AM Interdenominational Service at Convention Center

9:30 AM Business Session Reconvenes

- Selection of 1977 - 1978 National Convention Sites

Election of National Officers

National Vice-President of Youth

National Vice-President of FarWest

National Vice-President of MidWest
National Vice-President of Southwest
National President

Installation of National Officers and State Director

11:30 AM Adjournment of 44th National Convention

12:00 PM National Supreme Council Meeting

Note: Special and Business Sessions

All sessions will start at the times indicated. In order that sessions can close on time, you are requested to be in your seat in the meeting hall promptly at designated times.

PRE-REGISTRATION FORM

LULAC NATIONAL CONVENTION
401 Second, N.W.
Albuquerque, New Mexico
June 21-24, 1973

Mail to:
Jean Seras, Chairman
Registration Committee
821 Mountain Road, N.W.
Albuquerque, New Mexico

Must be received on or before
June 7, 1973

NAME: _____
(Last) (First)

ADDRESS: _____
(City) (State)

LULAC Council _____

OFFICIAL TITLE _____

(Check one)

_____ $20.00 - Registration June 21-24, 1973 (Includes - Banquet, Dance and 2 luncheons)

_____ $ .00 - (LULAC members) Friday June 22, 1973 Mexican Fiesta

_____ $ .00 - (Non-LULAC members) Friday June 22, 1973 - Mexican Fiesta

For those who prefer to register in person, registration will take place at the Albuquerque Convention Center as follows:

June 21, Thursday - 8:00 A.M. - 5:00 P.M.
June 22, Friday - 8:00 A.M. - 7:00 P.M.

Tickets for banquet and dance will be available for purchase up to Saturday, June 23rd at the Convention Center.

For control information to our convention committee please state how many people will be arriving with you. _____

Please make checks payable to: 1973 LULAC National Convention
No personal checks accepted, only Council checks, cash, or money orders.

EXHIBIT 7

REPORT OF THE FIRST NATIONAL CONFERENCE ON MINORITY PARTICIPATION IN EARTH SCIENCE AND MINERAL ENGINEERING

Sponsored by the Department of the Interior

and

the Colorado School of Mines

June 7 to 9, 1972

Cecil H. and Ida Green Graduate and Professional Center

Golden, Colorado

REPORT OF THE FIRST NATIONAL CONFERENCE ON MINORITY PARTICIPATION IN EARTH SCIENCE AND MINERAL ENGINEERING

Sponsored by the Department of the Interior

and

the Colorado School of Mines

June 7 to 9, 1972

Cecil H. and Ida Green Graduate and Professional Center

Golden, Colorado

The views expressed and the accuracy of the information presented in this report are the responsibility of individual conference participants. Publication of this report does not imply endorsement of opinions, conclusions, or recommendations by the Department of the Interior or the Colorado School of Mines.

CONFERENCE ON MINORITY PARTICIPATION
IN EARTH SCIENCE AND MINERAL ENGINEERING

We are pleased to join in sponsoring the Conference on Minority Participation in Earth Science and Mineral Engineering to be held on June 7 to 9, 1972 in Golden, Colorado. The sessions will be held in the new Cecil H. and Ida Green Graduate and Professional Center of the Colorado School of Mines. The immediate goal is to launch a program for increasing the participation of minorities in the earth sciences and mineral engineering. The long-range goal of greater minority participation in all fields of science and engineering is important, of course, but we believe it wise to concentrate on a clearly defined area as a first step.

In the last decade many barriers have fallen which impeded participation by minorities in professional careers but, despite this general progress, there are few minority members in earth science and mineral engineering. The Nation needs trained manpower in these fields and minority youth needs career opportunities. The objective of the Conference is to devise ways whereby young people in minority groups may become aware of career potentialities and obtain the training necessary to qualify for positions in earth science and mineral engineering.

For this new departure we need help from leaders in the communities concerned; from the industrial, academic and governmental employers whose needs we are also trying to serve; and from the professional organizations which will carry out much of the program and strongly influence the training and recruitment processes.

We regard the conference on minority participation as an immensely important venture and we expect this conference, and the program to follow from it, to have national impact in opening up careers in earth science and mineral engineering to all citizens. It is our earnest hope that these efforts will lead to increasing participation by minorities in all scholarly and professional fields.

Henry J. Michaelson
President
Colorado School of Mines

Rogers C.B. Morton
Secretary of the Interior

Committee on Minority Participation
in Earth Science and Mineral Engineering,
U. S. Department of the Interior

Frank Angel, New Mexico Highlands University
Charles Baskerville, City College of the City University of New York
Lee Cook, National Congress of American Indians
Jimm DeShields, University of Massachusetts, Amherst
Mack Gipson, Jr., Virginia State College
Frank Press, Massachusetts Institute of Technology
Allan E. Snyder, Kennecott Copper Corporation
Bernard Valdez, Denver Welfare Department
Randolph W. Bromery, University of Massachusetts, Amherst, Chairman

Conference Planning Committee

Arnold L. Brokaw, U. S. Geological Survey
Edward G. Fisher, Colorado School of Mines
S. D. Foreman, Colorado School of Mines
Manuel Gomez, U. S. Bureau of Mines
Charles E. Johnson, U. S. Bureau of Reclamation
Louise Hobbs, U. S. Geological Survey, Secretary
L. C. Pakiser, U. S. Geological Survey, Chairman

Editors

Robert Gillette
Elizabeth Gillette

Conferees to the
Conference Planning Committee

Teodoro Barros, Latin American Research and Service Agency (LARASA)
Waldemere Bejnar, New Mexico Highlands University
Dorothy Curtis, Biological Sciences Curriculum Study
Hollis Dole, U. S. Department of the Interior
George Dwyer, U. S. Civil Service Commission
Robert Flores, U. S. Geological Survey
Edwin Grant, U. S. Geological Survey
Oscar Graves, U. S. Geological Survey
James Hanson, U. S. Geological Survey
Anselmo Jaramillo, LARASA
Richard Joko, Earth Science Educational Program
William Jones, National Oceanic and Atmospheric Administration
Vincent E. McKelvey, U. S. Geological Survey
Herbert Mills, U. S. Geological Survey
Edwin Montgomery, U. S. Bureau of Reclamation
Mike Moore, Great Western United Foundation
John Murphy, U. S. Geological Survey
Sebastian Owens, Urban League
William Page, Earth Science Educational Program
W. A. Radlinski, U. S. Geological Survey
Thomas Rodriguez, U. S. Geological Survey
William Romey, Earth Science Educational Program
Craig Roser, U. S. Geological Survey
E. E. Shelton, U. S. Department of the Interior
Shirley Stokes, U. S. Bureau of Reclamation
Charles Tafoya, LARASA
Newell Terry, U. S. Department of the Interior
William Thurston, U. S. Geological Survey
Edward Trujillo, U. S. Civil Service Commission
Alvin Van Valkenburg, U. S. Bureau of Mines
Ola Watford, National Oceanic and Atmospheric Administration
Caroline Watkins, U. S. Geological Survey
J. D. Wiggins, U. S. Geological Survey

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FOREWORD

On June 7 to 9, 1972, about 300 representatives of more than 100 national and local professional societies, civil rights and community organizations, educational institutions, governmental agencies, and industrial organizations met in the Cecil H. and Ida Green Graduate and Professional Center of the Colorado School of Mines, Golden, Colorado, in the National Conference on Minority Participation in Earth Science and Mineral Engineering. The Conference, the first of its kind, was sponsored by the Colorado School of Mines and the United States Department of the Interior. The proceedings of the Conference are contained in the following pages.

We in Interior regard the Conference as an important step in our commitment to provide increased opportunity for members of minority groups and women to enter the ranks of earth scientists and mineral engineers within the Department and in the professions at large. As a result of the Conference, we have established a Committee on Minority Participation in Earth Science and Mineral Engineering within the Department of the Interior. The Committee, headed by Dr. Randolph W. Bromery, Chancellor of the University of Massachusetts at Amherst, is already functioning in its role of advising the Department on how best to achieve the goals of the Conference.

In addition, the Conference Planning Committee has been reconstituted as an Interagency Staff Group to prepare recommendations for the Committee on Minority Participation and the bureaus of the Department. The report of the Staff Group was completed in March 1973 and is now being reviewed by the Committee and the Department.

Efforts of the Department of the Interior to increase minority participation in earth science and mineral engineering have been intensified since the Conference, and we expect these efforts to begin to show concrete results in the near future. It is noteworthy that the American Geological Institute and several of its member societies have recently established an Office of Minority Participation in the Geological Sciences to work with minority groups, educational institutions, and employers of earth scientists to expand opportunities for members of minority groups to pursue careers in geology, geophysics, and other earth sciences. We have also learned that many educational institutions and industrial organizations have intensified their efforts to increase minority participation in earth science and mineral engineering through establishment of scholarship funds, vigorous recruitment of minorities, upward mobility programs, and related activities.

I am confident that these actions will lead to significant progress toward the Conference goals by the end of this decade and complete elimination of discrimination against members of minority groups in the earth-science and mineral-engineering professions by the end of this century. The Department of the Interior wholeheartedly applauds and supports these important efforts.

Edward E. Hall

Director, Office for Equal Opportunity

Plenary Session

Wednesday Evening, June 7

Guy T. McBride, Jr.

President, the Colorado School of Mines

When we begin an enterprise of this kind, it is extraordinarily difficult to know where the thoughts will come from and in what direction they will lead. Do not be diffident about saying what you think. We are sailing on uncharted waters, so each of you is entitled to "look for the birds from the west" in this situation.

I am speaking to you as something of an oiler and wiper for a manufacturing process that is intended to convert uncertain, and sometimes refractory, raw, teenage material into earth scientists and mineral engineers. On the average, this manufacturing process takes a little over four years, a length of time which makes precise market predictions extremely difficult. Happily, however, it is possible to say that the demand for mineral scientists and engineers--perhaps in contrast to other areas of science and engineering--will be there in four years, in six years, or even eight years or more in the future.

We are quite sure of this for reasons outlined recently by Secretary of the Interior Rogers C. B. Morton in his agency's "First Annual Report of the Secretary of the Interior," as required by the Mining and Minerals Policy Act of 1970.

Dr. McBride's introduction was preceded by welcoming remarks from David Crawford, the Mayor of Golden, Colorado, and Thomas W. Ten Eyck, the Executive Director of the Colorado Department of Natural Resources.--Ed.

This report, dated March 30, 1972, states in part that: "The United States' primary demand for minerals in the year 2000...is projected to rise to $117 billion measured in 1970 dollars." That is the demand, and I would point out that the year 2000 is the time when the careers of students now enrolled in colleges and universities will reach their peak of productivity.

At the same time as the demand for minerals continues to rise, as it has for the past 20 years, the U. S. production of primary minerals in the year 2000 will reach $53 billion--leaving a deficit of real, useable, consumable minerals of $64 billion. The Interior Department report continues:

"It is mandatory therefore, as a matter of urgency, that policies be established and programs formulated and undertaken to create the social and economic environment necessary to further optimum development of mineral resources, and within prudent environmental constraints, to meet projected future minerals and energy requirements."

The report goes on to say that these objectives can be met by "improving the technology of minerals production and usage," but that this will require "increased attention by skilled scientists and engineers, supported by technical personnel. Regrettably, fundamental research and education in most fields of mineral science and technology are not only lagging behind the need, but the gap is widening. Federal and state governments and industry must cooperate with educational institutions and scientific research centers to reverse these trends."

Thus, Secretary Morton indicates that the promise of career opportunities in mineral science and engineering is made certain by converging, mutually reinforcing demands for more minerals and better technology at acceptable environmental costs.

Recognizing the need to recruit young people into the fields of mineral science and mineral engineering, one of our major mining companies, in cooperation with the Colorado School of Mines, has prepared a recruiting film entitled "The Earth People." The film is to be converted into a color filmstrip, with accompanying sound, for use by high schools. We would like to present it now for your comment. As you watch it, please remember that it is a recruiting film, and that it has not been prettied up for the benefit of this conference. We could have put in more members of minority groups than the film shows, and perhaps it will be your judgment that as a recruiting device it might well need that kind of alteration. Since it is our hope to distribute this film across the country, by the thousands of copies if they can be intelligently used, I urge you to review it and discuss it later during the conference.

Randolph W. Bromery

Chancellor, the University of Massachusetts at Amherst

To start this conference, we must first focus on what we are going to do here. If, after three days, we leave without at least the beginnings of some commitments and the beginnings of some programs to accelerate the entry of minority groups into the earth sciences and mineral engineering, then this conference will have gone the way of many other conferences that I have attended in the past 25 years.

It is difficult to know what to say as a beginning, but I would like to try a couple of things. First, to be very practical, I want to try to describe the dimensions of the problems of minority participation in the earth sciences. Second, I believe it is necessary at this point to set a philosophical tone. I am hoping that, as we move through these next couple of days, if we lose sight of the magnitude of the problems we face we at least will have the lifeline of a philosophy.

First, we must recognize that establishing scholarships and other types of programs to interest minority youths in entering the earth-sciences profession will be quite a job in itself. Relevancy is a problem. Simply going into the inner city and talking to young people, trying to tell them about geophysics, is going to be difficult. They are concerned about the relevance of what they do in life, and we are going to have to explore all

of our responsibilities in this respect. Moreover, we are talking about going into minority communities and searching out talent. And if we're not careful, we run the risk of draining off talent that is so sorely needed in other capacities in these minority communities. At the same time we must take care that in appealing to these young people the economic rewards we can offer them are honestly described and do not mislead them. In short, what I am saying is that in searching for talent we must not only develop programs in which to utilize it, but we must also assist minority communities in searching out still more talent. There is a tremendous amount of human potential in our minority communities, but it has yet to be tapped. It is our responsibility to begin.

There are other problems we face. Perhaps a couple of personal experiences and a few bits of irony will illustrate them.

One that I recall vividly occurred as recently as a couple of years ago, in connection with a federal project in Alaska. We had a Convair aircraft equipped for low-level magnetic surveys, and we were supposed to fly some survey lines from Fairbanks across the Yukon flats, the Brooks Range, the Arctic slope to the Arctic Ocean. In order for the U. S. Geological Survey to carry out this project, I was to request logistical support for our aircraft from the U. S. Air Force Pentagon Headquarters in Washington. It was at this point that I began to confront once again some of the difficult situations that minority youths will also encounter when we bring them into the alien and sometimes hostile environments of geology and geophysics.

Normally when you walk into a Pentagon office and try to get someone to pay attention to you, and you're a black civilian, you're in trouble. I spent a lot of time there trying to convince people that I was a project geophysicist and a professional representative of the Federal Government. In the end, I wised up. I learned that one of the first things one has to do is adjust to the situation. The answer was by way of a series of introductory letters that finally opened some doors. Rather than going into an office in the Pentagon unannounced, I learned to write a letter first, sign it "Geophysicist, U. S. Geological Survey," and then have a secretary call for an appointment. It's a lot like making hotel reservations in this country when you're black.

Having gone through all this, we flew to Anchorage, Alaska, where we received the VIP treatment from the Air Force. Then we flew to an Air Force Base near Fairbanks. While landing we could see a line of cars accompanied by a group of military brass waiting on the parking apron. As we landed and talked on the radio with the ground controllers, we were told to pull up in front of the line of waiting dignitaries.

"We want Dr. Bromery to get off first," ground control informed us. I had to look like a typical scientist, so I quickly took off my fatigues, put on the only suit I had brought with me, and grabbed a big briefcase full of aeronautical navigation charts. I stepped to the door as the plane rolled to a stop in front of the waiting cars and brass. The door was opened, and I started down the set

of stairs. I was about three steps down when a sargeant suddenly rushes up to me on the stairs and says "No, no, no, get back up. Dr. Bromery is supposed to come out first."

So you see that we're not only going to have to find minority people for the earth sciences, but we're going to have to change the environment they'll be working in as well--so that not everyone has to be a pioneer.

Let me now talk briefly about statistics. How many earth scientists are there, and how many, to the best of our knowledge, are minorities? By this I mean black, Spanish-surnamed, and American Indians. According to current records, there are at least 30,000 earth scientists in the United States. If we were to say that minority peoples should at least be represented in proportion to their distribution in the general population, then there should be some 5,000 earth scientists from minority groups, since we comprise between 17 and 18 percent of the nation's population.

In our recent efforts to find out how many blacks, Spanish-surnamed, and American Indians are professional earth scientists, we ran into some trouble. Heretofore, it was not only fashionable to identify minority employees by race, it was required by law. Of course, that was for a different reason. Today no one is supposed to admit that they even recognize someone as a minority, although I am sure that master sargeant did when he ran up the steps.

If I were to estimate how many black earth scientists I have known in the past 25 years, I would have to say four or five, including myself. In the earth sciences today there is a tremendous pressure to have a graduate degree, preferably a doctorate. And yet I have searched through the black population to the best of my ability and I have found only four with Ph.D.'s in the earth sciences; we have three-fourths of them right here in this room.

The Geological Society of America recently made a survey of the colleges and universities with earth-science departments to determine how many black Americans, Spanish-surnamed, and American Indians are currently enrolled. We think we obtained a fairly accurate number. We were able to identify about 120 black undergraduates and graduates majoring in geology. In graduate schools we found that there are nine master's degree students and five candidates for the Ph.D. Of the Spanish-surnamed, we found a total of 150 students, five of whom were working on a master's degree, and one was a doctoral candidate. By these figures, if population equity is our goal, we're running about 4,750 short.

To change this, of course, we will have to start with the grade-school level, and in the secondary schools. I should note that even at the University of Massachusetts, where our clientele is middle-class, surburban, and white, we get very few students

who want to major in geology--and yet we sell geology at the University of Massachusetts with all the zeal of a political campaign. Thus, while I think we need a campaign to interest young people in the minority communities, we can't expect it to happen at the high school-university interface. By then it's too late.

In sum, we have three practical lessons to keep in mind. We are going to have to go back to the elementary schools to interest minority youths in the earth sciences; we have a responsibility not to drain off talent needed by minority communities; and we have the job, especially those of us in government and industry, to try to change the hostile working environment. As for myself, if I had it to do over again--I'm not sure what I'd do. I am reminded of a former student of mine, he is black and his name is Vince, whom I sent out to a small town in the far northwest U. S. to conduct a geological mapping program for his thesis not long ago. Some of the people in this town harrassed Vince--he was the only black in town--and they terrified his wife. They literally ran Vince out of town, and convinced me that we have an overwhelmingly high mountain ahead of us in changing the environment out in the working world.

A Philosophical Context

This conference represents only a first step in a long and difficult journey. As we begin, I want to focus our collective attention on our neglected, deprived, oppressed people in our respective minority communities--because that is precisely what they are. They are also my brothers.

All of these young people undergo a special intensity of passion in growing up in the minority communities, although life to them at a very young age, still appears as it does to all other young people in this country--simple and not very momentous. But in the minority communities the complexities of life, its problems and contradiction, its special ambiguities and dangers, have a way of intruding upon this youthful innocence and nostalgic reverie, crowding them out of mind and out of memory.

For a minority person in a white world, this confrontation with reality and the loss of innocence comes very early, and not without pain and bewilderment. Often it produces a deep sense of personal isolation, a feeling of alienation so pervasive that it can lead to a denial of one's own self. I'm certain you will understand when I say to you that I know something about this kind of isolation.

Now, I am prefacing the philosophical part of my talk with this rather solemn note because the themes of alienation and isolation, though not new to us, are, I believe, at once symptomatic of, and contributory to, the deeper crises that afflict us. Frantz Fanon, the author of "Black Skin, White Masks," has remarked that intellectual alienation is the creation of middle-class society (although I would say it was the product). What did he mean by a middle-class society? He meant simply any society that solidifies itself in predetermined forms that forbid all evolution, all gain, all progress

and discovery. What we are trying to do here today runs across the grain of that rigid structure. We are trying to make progress and discover talent and we are confronted, in Fanon's phrase, with a "closed society in which life has no taste, in which the air is tainted, and in which the ideals and men are corrupt."

How does one maintain a faith in the efficacy of reason when one comes to understand that appeals to reason, or to respect for human dignity, have done little to alter the terrifying realities of racial and national hatreds and of a grinding poverty that afflicts so many in this most affluent of all nations? In our quest here, at this conference, for answers to such questions, it is critically important for us to remember that we speak from the vantage point of the relatively comfortable. Like it or not, in relation to the suffering and disenfranchised people of this country, we are a privileged community. And I mean more than simply material privilege; I mean the more important privilege of choice.

The lessons of the minority struggle for survival and liberation in this country have been, and continue to be, a revealing and shattering experience for many of the "privileged" who have begun to feel and understand it. With this growing awareness has come the frightening realization that not all men and women in America are really free; that human bondage is as much a state of mind as a condition of the body. With this knowledge we can

understand why it is that with every material, legal, and moral victory grasped by this country's minority peoples, their insistence for equality grows even more truculent and urgent. It is not simply equality of opportunity or of possession that is demanded,but it is also a hunger for equal belonging, a claim for equal space which we collectively occupy for psychic as well as physical room in which to breathe and grow.

Peter Marin put it this way in a recent issue of Saturday Review:

"What matters after all, especially in times such as ours, is never how saved or whole one is, but the extent to which one restores to others, through presence and passion, a sense of possibility and independence."

That is what we seek. A sense of possibility and independence. We in the minority communities understand this need. The challenge to the earth-science professions is to help us in gaining it.

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Discussion

George Brown

Colorado State Senator representing District 6 in Denver, and Executive Director of the Metro Urban Coalition in Denver

I want to start by commending the program planners for this conference. I think the time has long since come for persons in professional fields such as this to address themselves directly to minority participation in the earth sciences and mineral engineering. I suppose that one reason this has come about is that Lou Pakiser (Chairman of the conference organizing committee) is an alumni of Denver's Manual High School. For those of you who are not from Denver, this is the one high school that has been in the area where most of the black folks and the poor folks have lived from the time we first came into this city.

In holding this conference, I hope you're not too late. For millions of blacks, Chicanos, Indians, and Puerto Ricans, who, for all practical purposes, are already dead to opportunities for new careers, you are too late. These people have been killed in our educational system. They have been killed by not having opportunity--just because of the color of their skin or the way they spell their last names.

Mr. Carpio (Professor of behavioral science at Metropolitan State College in Denver) and I have a dilemma today, in that we were asked to discuss with you Denver's inner city and its hopes, its problems, and its people. But the problems in my city are the

same as the problems in any city. All of the ingredients of oppression and poverty are here in this city. The only difference is that some cities have more and some have less. I don't think it serves any useful purpose for me or anyone else to keep trying to define the problems, to find new words that tell us all what we already know about this country.

I suppose our greatest hope is for change--progressive change. Though as we look for change I think we recognize with dread that the problems of 1972 will not be solved by 1975. We remember the optimism that swept the country during the 1960's. Remember 1968? That was the year that the Kerner Commission report (on the causes of civil disorders) came out. This report said that there were three basic causes of the problems in our cities. The first was racial discrimination in employment, education, and housing. The second cause was the migration of poor blacks and poor Chicanos to the inner-cities and the concurrent movement of the white middle class to the suburbs. The third cause was the segregation and the poverty of the urban ghettos or barrios, which served to destroy opportunity and hope, to reinforce failure, and to submerge us all in crime, narcotics addiction, permanent welfare status and--perhaps saddest of all--in bitterness and resentment against society in general and white society in particular.

The Kerner report said America consisted ot two societies. (I disagree. Obviously, there was a Chicano society in 1968, as well as Indian, Puerto Rican, black, and white societies.) It is now four years later. We must be able to point to some dramatic improvements for persons in the inner cities. And yet it doesn't take a great deal of intelligence to conclude that schools are more tedious and turbulent than ever before, that rates of crime and unemployment and disease and drug addiction are higher than in 1968.

Welfare rolls, too, are larger. And, with few exceptions, relations between minority communities and the police are no less hostile. In short, the expressions of sympathy and concern that the Kerner report elicited from so many of those who, publicly and privately, govern America, apparently did not signify that they were willing to take the drastic action necessary to make American cities livable again.

But if the material conditions of the ghettos, the barrios, and the white working-class neighborhoods of the inner cities are still cause for discouragement, the state of mind on the streets is cause for some hope. While for you it might be the source of some fear, I find hope in the fact that people are angry--perhaps even angrier now than they were four years ago. The difference is that their anger no longer seems to be the helpless kind that finds expression only by smashing and burning. We hear in the

streets today only a little talk about violent destruction. Instead, the talk today is about a loss of faith in our system. For many, and this is disturbing, the new attitude is one of apathy or despair. And yet, at the same time, the new disenchantment has inspired a tough new kind of pride, self-confidence, and a sense of self-determination.

Minority folks want to be where it's happening, and they believe they know where that is and where they want to be. They demand to be a part of the decisions that affect their lives. They no longer believe that all decisions--in education, for example--must be made only by professionals in the academic world. They no longer believe the professional can do no wrong. Rather, they have great distrust in the establishment and all who work within it. Believe me, they question us all.

Now what do we folks want of you folks? I wanted to ask this question first, before someone else asked it, because if someone else asks it I get angry about it. I think it's a question that is horrible in the asking. What do you folks want? The answers are simple. Minority communities want the same things that majority communities want. We want you to assume the sameness of our humanity. We want secure and decent homes, the ability to feed and clothe the people who depend on us, protection in our old age. We don't want to be robbed or beaten in the streets any more than anyone else. We want the opportunity to develop, each and every one of us, to our fullest extent. These are not extreme requests. And frankly I can't understand why everyone else doesn't understand them. But obviously there are people today who do not.

Some Basic Assumptions

What do we want? We want change. And to describe the kind of constructive change I have in mind, I want to list a few basic assumptions that express my beliefs about the society in which I live. Perhaps these are my personal prejudices and biases, but here they are.

(1) I believe the human crises in our inner cities can be traced to a problem described by two words: human apathy.

(2) I believe that racism is at the root of our human crises, and that is a plain fact. Most people of the majority community basically believe that "people of color" be they black, brown, Puerto Rican, Oriental, Indian, or whatever, are inherently inferior to white people. I also believe that, if most people would recognize within themselves the truth in that assertion, we could then honestly start trying to seek solutions and do some real problem-solving.

(3) I am convinced that white racism will be increasingly met by black or brown racism, and by others colors of racism, as long as we as a nation retain our polarity.

(4) I believe that no answer for the human needs of urban areas of any long standing will come exclusively from either the core city or from the suburbs. Rather, the solutions must come, as the problems have, from a bewildering array of sources on both sides.

(5) I personally do not expect any real solutions in my lifetime, and I do not expect to expire today or tomorrow. I do not expect that the people who control things today will be willing to make the necessary commitments and sacrifices for the people who don't control things. I would quickly add that I'm willing to be proved wrong on this assumption, but I doubt that I will be.

(6) My final assumption is that we, as a nation, do have the capacity to develop and adopt solutions to the human crisis. We, as a people, can do anything that we want to. The difficulty is that we simply have not yet reached the point as a nation where we want to solve the human problems we face today.

If we are really going to do anything meaningful about our social problems, the earth sciences comprise only one area in which change will have to occur. Changes must take place in all our institutions and in all of us. We are going to have to recognize for what they are some of the horrible things we have done in the past. Perhaps that calls for "maladjustment" in our society. I never intended, for example, to adjust myself to the viciousness of a lynch mob. But as a young man I was forced to join a lynch mob and watch a man hang. I sure as hell never intend to adjust to a nation that talks about a society of equality for all as the dream of tomorrow, rather than as the reality of today. We sleep with dreams, but we live with reality.

Salvadore Carpio

Professor of Behavorial Science, Metropolitan State College, Denver

I would like to elaborate briefly on some of Senator Brown's comments, and also to make a point about the film we saw earlier. I am sure that as you looked at the faces in the film you noticed that there was not a black face, not a Chicano face, not an Indian face to be seen. In that respect the film says as much for itself as anyone can say about it.

As Senator Brown noted, Denver is much like any other large urban area (and indeed there is little in the urban environment, such as the pleasant streams and interesting rocks that we saw in the film, to encourage a minority child to begin looking toward the sciences or engineering.) The problems of the inner city are great, but they are shared by all. The problems of drugs, crime, pollution that the majority society is just beginning to address itself to first emerged in the barrios and ghettos of our large cities. As you take your trip this afternoon through some of the inner areas of Denver, I hope you will keep this in mind. And this as well: That you will be seeing the people who constitute the fastest growing ethnic or racial groups in the United States today.

What are our hopes? Education is one. It is our future. The film this morning alluded to the necessity of education and to the importance of the science curriculum in colleges. It is worth noting that only recently, since about 1960, has the education of blacks and Chicanos in urban areas become a significant focus of attention. And

for the most part that attention has been misguided. We taste the fruits of a lack of direction every day as we pick up the paper. I am sure you are all familiar with the continued confrontations, the walkouts, and all the other difficulties of the schools.

For blacks, Chicanos, and Indians our problem historically has not been one of getting into college so much as it has been a problem of getting out of high school. The challenge to you, then, is a great one. Obviously it is going to be very difficult to recruit minority students into college curricula when dropout rates from high schools are so high. If you are really sincere in your aims, then your commitment to bringing minorities into the earth sciences not only will have to reach the high school graduate, but will have to reach down to the junior high level.

It is going to have to be a commitment to broaden the experience of young Chicanos, blacks,or Indians everywhere. This may prove to be a painful commitment, and it certainly will be expensive. But as Senator Brown suggested, we can no longer afford to measure human lives in terms of money.

This conference is very important. But the mere fact that you are here will not be the measure of its significance. What will make this conference really important will be what you do afterward. This conference should not become just a good statistic or a good item to mention in your Equal Employment Opportunity reports, as is often the case. The real question now, as Senator Brown indicated, is "What are you going to do?"

Prof. James Skehan, S. J.,

Director, Boston College Environmental Center and President of the National Association of Geology Teachers

The success of minority recruitment into the earth-science and mineral-engineering professions over the next 20 years will depend to a large degree on a national commitment to upgrading the quality of science teaching, and in particular the quality of earth-science teaching, in secondary and, especially, elementary schools. In addition, success also depends upon whether minority groups perceive the geosciences as relevant to the more pressing needs of society.

Until now, virtually no one has tried to promote careers in the geosciences primarily on the basis of their role in solving the problems of society. To those who understood geology, this role always seemed self-evident. Fuels, water resources, and minerals, after all, are the very fabric of society. Nevertheless, some geologists may be surprised to learn that many people, among them leaders in our state, local, and Federal Government, do not understand the close relationship between the future discovery of natural resources and support of the geosciences. For the most part, geoscientists have never taken the time from their work to increase public awareness and understanding of the importance of the earth sciences. But it is becoming painfully clear that this is now part of our duty as scientists and as informed citizens.

I contend that earth scientists have much to contribute to solving the major problems of our day. Correspondingly, society as a whole has a stake in the quality of science teaching at the elementary school level. What is more, I contend that we geoscientists have an important stake in ensuring that the earth-science component of elementary education is upgraded, and that the image of, and relevance of, earth sciences be enhanced from a child's earliest days in school.

Currently there is a vanishingly small amount of such instruction in elementary school classrooms and laboratories, although this paucity is usually not premeditated. Traditionally, the geosciences have had a low profile in college degree programs for prospective elementary school teachers and, at least prior to the first manned landings on the moon, few teachers selected courses in earth science. Thus it should not be surprising that geologists are still widely portrayed by teachers as stereotyped eccentrics who enjoy pounding rocks with little hammers and lead burros through the hills in search of gold.

High-quality instruction in earth sciences is not entirely absent from elementary schools, of course. State geological surveys and the U. S. Geological Survey make important contributions through a variety of publications and by their support of museums. But the educational value of these excellent efforts is diminished in the sense that they usually provide only a one-shot introduction to the earth sciences and cannot provide the kind of follow-up support that is needed.

To correct this deficiency, we badly need support for programs of earth-science instruction for elementary science supervisors--perhaps from the National Science Foundation (NSF) or other federal agencies. A commitment from government is required to help in developing suitable instructional materials for children and in upgrading teacher-preparation programs. And at the same time, a commitment is required from the entire geoscience profession. Such a dual dedication would go far toward opening important job opportunities for minorities. Imaginative and relevant education are basic ingredients for minority participation in the earth-science and mineral-engineering professions.

There are precedents for such an effort. Geoscience programs at the college level have improved dramatically over the past 15 years as a result of assistance by the NSF. Moreover, earth-science programs in the secondary schools in many parts of the country have benefited considerably from such NSF-funded ventures as teacher-training institutes, the Earth Science Curriculum Project, the Earth Science Teacher Preparation Project, and the Environmental Studies Project. It is true, however, that with the exception of the latter two programs these efforts have not had an impressive effect on ghetto education, and their impact so far on minority recruitment for the earth sciences has been less than spectacular.

Along with support for improved elementary education, there is an urgent need for programs keyed to those who are unable to attend college full time, or who cannot attend at all. Government, industry,

educational institutions and professional geoscience groups must collaborate to develop new and imaginative approaches to programs for training technicians in natural resources or junior engineers. Such opportunities could be especially beneficial for underprivileged groups. As an example, a number of colleges and universities now offer courses in film making. Film institutes like the National Educational Television Training Workshop in New York are flourishing in a number of black communities. The NET students are mainly men and women who could not afford tuition at New York film schools. (As an aside, there are many still undeveloped opportunities for relating cinematography to the geosciences, as in the production of documentaries on subjects ranging from mineral resources to oceanography.)

Indeed, oceanography provides a good example of a field requiring the highest academic training for its scientists, but which also provides appealing opportunities for employment for persons with lesser training. The range of careers is as broad as the subject itself--from marine laboratory technicians with junior college degrees to deckhands on board oceanographic vessels who may have no college training at all.

The necessity for avenues of lower-level entry into the sciences is dramatically underscored by the available statistics on minority enrollment in advanced-degree programs. A study published by the Ford Foundation in 1969, entitled A Survey of Black American Doctorates, supports the widely held assumption that fewer than one percent of

America's earned doctoral degrees are held by Afro-Americans. Nor is the situation likely to improve in the near future. Another study in 1968 indicated that fewer than one percent of the men and women then enrolled in Ph.D. programs in the United States were black.

As for other minority groups, statistics are hard to come by, but there is no indication that their situation is any better. Not to be disregarded in this accounting is the status of American women in the sciences. During the period 1960-69, U. S. colleges and universities conferred a total of 154,111 Ph.D.'s, of which 17,929, or 11.6 percent, went to women. In the biological sciences women earned 14 percent of the Ph.D.'s, whereas in geology women earned 2.5 percent of the 2,143 doctoral degrees awarded. In geophysics, 3 of the 203 doctorates which were awarded, or 1.5 percent, went to women.

In summary then, the future visibility of the earth sciences--and the importance which both teachers and students attach to these professions--will depend to a large degree on the vigor and dedication of earth scientists in making themselves and their profession known in the coming years. As a start toward remedying the problems of minority participation in the geosciences let me encourage every professional geologist to do something that many are already doing--spending time equal to 10 percent of a normal working week in behalf of science-education activities, especially in association with secondary and elementary minority schools. Your activities may

begin with, and depend on, personal opportunities or contacts in the schools, but in many places local sections of the National Association of Geology Teachers may be able to play a coordinating role in developing field trips, laboratory instruction, lectures, or workshops. I would urge this commitment in the strongest possible terms.

Inner-city Field Trip

Agenda-planning sessions

Wednesday afternoon, June 7

Editor's note

At the end of Wednesday morning's formal session at the Colorado School of Mines, conference participants were given the choice of traveling by chartered bus on a "field trip" to Denver's inner city to meet and talk with students from predominantly minority high schools, or of remaining behind on the campus at Golden for informal group discussions during and after lunch.

Between 80 and 100 conferees opted for the bus trip, which took them into the inner-city neighborhoods surrounding Denver's East, West, North, Manual, and Lincoln High Schools. Here the conferees met informally for 3 hours with approximately 90 students, ranging in age from 15 to 18 and representing--in varying proportions--the city's youthful black, Chicano, American Indian, and Oriental populations.

The value of this experience for conferees was difficult to gauge, in part because of its highly personal nature and in part because much depended on the ability of individuals--adult and student--to strike a useful rapport in the short time available. Some insight to the way the field trip went is provided by this report from Richard Joko and Thomas Rodriguez:

"The inner-city field trip was planned to provide an opportunity for representatives of industry, government agencies, and colleges and universities to interact with minority students on a highly personal level. The trip enabled these people to find out for themselves what the students think and feel, both about the earth-sciences and

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mineral-engineering fields, in particular, and about their lives and futures, in general. All too often students find themselves being spoken for by 'representatives' selected by adults. Our desire was to eliminate this 'middle man' and let the students represent themselves.

"The interaction began with a fried-chicken picnic in an inner-city park. After the picnic, some of the students and adults remained in the park to talk while others chose to take walks together and still others went on excursions through the East, West, and Manual high-school neighborhoods. To set the students at ease and to enable them to enjoy themselves, the students were asked to lead these activities. Students and adults mixed freely all during the afternoon. There was no evidence of student-adult segregation and both groups seemed to have had some very meaningful personal experiences with each other.

"At the same time (Richard Joko adds) the post-picnic neighborhood excursions were not as profitable as they could have been. For one thing, logistical problems developed. The buses ran late, and the drivers seemed unfamiliar with the route. Also, some students tended to lead tours of their high schools rather than foot excursions into their neighborhoods, a preference that lends a superficiality to interpersonal relations. Still, the kids were a pleasure to work with, and the students and adults who remained at City Park seemed to share some very meaningful experiences. Many of them dropped their facades and roles and got to know each other as real human beings."

The conference participants who remained on campus Wednesday afternoon gathered in eight groups of 10 to 15 persons each for two hours of conversation that had two main objectives: To help the members of this highly heterogeneous meeting take the difficult initial steps toward frank discussions with each other; and to elicit ideas--"hidden agenda items"--for wider discussion that might otherwise not have emerged in plenary sessions. In a sense, this was a "brainstorming" session with a social motivation.

Virtually all of the ideas expressed within these agenda groups are reflected in the recorded general discussions and in the reports of five Resolutions Committees of the conference, delivered at the conclusion of the conference on Friday morning.

Later Wednesday afternoon, the eight agenda groups convened as one in a campus lecture hall. The discussions that ensued, according to minutes by Jimm DeShields, of the University of Massachusetts at Amherst, raised the following noteworthy points:

Prisons--In seeking talented young men and women from minority groups for training in the earth sciences and engineering, the prison population should not be ignored. Geoscience instruction could be incorporated in rehabilitation programs. Nor should government or industrial employers discriminate against qualified trainees on the basis of a prison term honorably served.

An Affirmative-Action Program--Some minority conferees expressed irritation that industry and the professional geoscience societies had not evidenced a "real commitment" to minority advancement. Said one participant, "This group is going to have to put its money

where its mouth is, to develop an organization to do the type of things that private industry should be doing." Several participants active in geoscience societies responded that a program had been drawn up by the American Geological Institute and the Geological Society of America (a description of which appears later in this report) and that financial support was now being sought from private foundations, industry, and professional societies. The hope was expressed that the conference would provide important guidance in the implementation of this plan.

--Ed.

Plenary Session

Wednesday Morning, June 7

Rev. Jesse Jackson,

Director, Operation PUSH, Chicago

It seems to me that one of our fundamental problems in this conference is simply talking about minorities in the geosciences. In one philosophical sense, we are a minority only on the presumption that numbers are the sole basis for determining majority and minority. If you follow that premise, then you are philosophically in the school of thought that "might is right." I am opposed to that because I know that the strong can be wrong. Rosa Parks was a numerical minority, but she was an historical and moral majority. To that extent, I think, we have to broaden our appreciation of what is a minority and what is a majority.

In a hospital, for example, the patients represent the majority of the sickness and the problems. But the doctors, who represent the minority of the persons, represent the majority of the solutions. If we understand that all of us bring something to the banquet table, and should not hide behind our skin color for support, nor use it as a basis for condemnation, then we can begin to look horizontally across at each other rather than looking vertically up at, or down at, each other.

It is significant to me that conferences like this are often used as great diversions. For people spend a lot of time talking more and more about less and less than they, in fact, have the authority to do. For example, I heard someone say earlier today that persons here represent companies who in turn represent a

substantial portion of the Gross National Product--collectively perhaps, as much as $30 billion. But the question is not how much power do you represent to resolve the problems. The question is how much power do you represent that is available to solve the problems? I passed the state house today and I saw a lot of gold up around the "tombstone" over the capitol. I call it a tombstone because a lot of dead legislationcomes out of there most of the time. And a lot of gold exists there. Timed diversions can absorb some of the best minds, and play with them, and stimulate them, and yet do nothing. It is like exciting a eunuch. His excitement has nothing to do with his capacity to respond.

Some of us want to be simplistic in our analysis and escape the depth and breadth of the crisis, and say that we just have a racial crisis, we just have an urban crisis, or we just have a crisis in the sciences. So you run out here in this luxury, up under these mountains and under God's soft, great sunshine trying to solve a problem that is going to save a finger on the national body. But I suggest to you that there is a civilizational crisis--and, that you cannot escape any phase of it, because whatever affects one group directly, affects everybody else indirectly. You could have a cancer of the toe, but it affects every part of the body. And in one sense, the cancer in the geosciences is just an evidence of the cancers that run right across the spectrum of American education.

What did I mean when I said civilizational crisis? There is a black-white crisis now; there's a black-white-brown crisis. There is a labor-management crisis--strikes in some areas have taken longer and longer to solve, and there is more bitterness at the end of the strike. Seventeen million organized laborers are in a freeze, 60 million unorganized laborers are in a deep freeze, 10 million unemployable people are in a subarctic condition under the present economic arrangement. A school crisis: in Philadelphia, New York, Chicago, Los Angeles, the schools are full of dope, guns, and liquor. Where the prayer goes and the dope comes in, where the information goes out and the hope goes out, the best minds are drained off.

And so you who are here cannot afford to waste time. If you work for a great company, and you walk around with a badge on saying you represent it, you can say things here, and things will happen. If you work for it, you're talking about what you wish would happen, and you're not as close to the Board as I am.

Therefore, don't deceive yourselves. It would be as if I walked around saying that I represent the church because I am a preacher. I am a preacher that represents a conviction; I cannot speak for the church. It would be dishonest to pretend that I could.

This civilizational crisis is heightened by the locking out of available, talented people who have the ability, and the capacity, perhaps, to save the civilization. This civilization, by attempting to lock out major efforts toward the process of democracy in

Mississippi, has simply heightened the crisis. The attempts to lock out DuBois, to lock out Paul Robeson, to lock out Malcolm, to lock out Martin King, to lock out Angela Davis, the attempts to lock out Caesar Chavez--these just accentuate the civilizational crisis.

Now, I'm just a country preacher, but I hope this makes sense to you scientists. So far, black progress has not been in proportion with black preparation. That is the problem. We were ready to play baseball before 1947, we were ready to sit in front of a bus before 1956, ready to use the bathroom in downtown America before 1964, ready to vote before 1965. Black progress is not in proportion to black preparation. That's why the issue is deeper than education. There are blacks with talent who cannot express themselves because of racism.

Neither is black progress in proportion to white goodness, or to liberal appreciation and toleration of us. Because black progress has not been made as a result of white goodness, but has been made by black assertion. You show me the goodness of an Abraham Lincoln; I will show you the prodding of a Frederick Douglass. You show me the goodness of a Franklin D. Roosevelt; I will show you the prodding of a Mary McCloud and a Randolph. You show me the goodness of a John Kennedy; I will show you the prodding of a Martin Luther King. So, history says to us that black progress is not in proportion to black preparation, not in proportion to white goodness, but rather in proportion to our own organization.

That is why our assertion cannot be expressed in high style; it must be asserted in life style. That is why we can no longer prove our worth on the basis of over-developed motor skills--on how fast we can run, jump, or throw. We must now move to prove that our brains, our cognitive skills, are in proportion with our calves, our ankles, our biceps, and our triceps. We are total human beings. Whatever we have been in the stadium, we can be in the laboratory, if we have the opportunity and if the emphasis is there. If our schools are first class, our brains will provide just as many thrills. We don't need conferences or studying.

With opportunity we can rise to the top. That's why I can't go along with our being a minority, minority in what? In genes, in chromosomes, in hair, in thought?

A problem at another level is that we are without a plan for getting blacks into the geosciences. If there are 30,000 people in this field, and if we are to have the 3,000 blacks that we should have, the 1,500 Spanish-speaking people we should have, the 120 American Indians that we should have, there is no reason not to achieve that within 5 years.

We're talking about a plan with a money emphasis to train 600 to 800 black, brown, and Indian geoscientists a year for the next five years, so that we will catch up. Now that we are in an economic era, the notion is no longer do we deserve it, the questions now are profit-loss, asset-liability, short-term long-term. Is it more advantageous for us to be developed than

it is for us to stay undeveloped? Do not developed people cost less, and do not developed people contribute more? Is it good business to develop one's mind? A man with an undeveloped mind can pick up a brick and in it he will see destruction, and throw it. A man with a developed mind will pick up a brick and in it he will see construction, and lay it. The difference is not in the brick but in the developed mind. The developed mind will walk through a field and see oil, the undeveloped mind will see grease and water. That developed mind is the difference.

There are 25 to 30 million black-Americans counted. That would make us the second largest black nation on earth, second only to Nigeria, and more than Ethiopia. Who are we? Black America is a $42 billion a year gross national product, the 16th richest economy in the world, richer than any black nation in the world.

I am suggesting that in 1965 we went to Alabama with no black officials. Today we have 106; 2 in the state legislature, and we'll have two from there in Congress by 1974.

In Washington, in 1965, we had three black Congressmen. Today we have 13, and by November we will have 20. We went to Selma with 400 black officials. Today we have 2,100, plus a United States Senator.

I am suggesting that the revolution in America may take a strange form. It may not have to do with blood; it may be the development of minds, and increased citizen participation. Because it is clear to me that the hand that picked cotton in 1964 can pick presidents in 1972--and that is revolution.

As I close, I hope you have some appreciation of the need for the solid interrelating of black institutions and black brain-power with enlightened white people. Black people, joined in coalition with the white people who have that perspective, can save the nation. Without this coalition, the long night of violence will not let up.

General Discussion

Thursday morning, June 8

James Frazier

Director of Civil Rights, Department of Transportation

At one o'clock this morning a group of us were discussing various aspects of the Federal Equal Employment Opportunity Program. It was quite obvious to me that there was a great deal of misunderstanding, and a great deal of no understanding, concerning the subject. Just as we were about to break up last night, the one lady there said that she had never heard of the Federal Women's Program. This came as a surprise to me because I thought everybody had heard about the program. So I thought that I had better review the Federal Equal Employment Opportunity Program, although I can only speak to you from the time beginning in 1969, when I began working for the Federal Civil Service Commission as its Director of Equal Employment Opportunity.

However, let me say that I guess I carry a few prejudices against private industry. When I came out of undergraduate and graduate school, I couldn't get a job in the private sector, especially United States Steel, and so I went to the Federal Service. I've been with the Federal Government off and on ever since. I suppose that's the reason I feel that the Federal Government has been a leader in this area of civil rights and equal employment opportunity. It has been about the only salvation for many minorities. But I'm not here to tell you that it's been all that great, because in those days minorities worked

mostly in the Treasury and some parts of Defense and certainly in the Post Office--but in very low grades. That is what the civil rights program and equal employment opportunity program is all about, opening doors and new opportunities for minorities. Progress has been made.

At present, the Federal service employs about 2.5 million people. About 20 percent, or roughly one-half million, are minorities. The closest private employer in terms of size probably is American Telephone and Telegraph with about 2 million employees and a minority population, as far as I am able to determine, of about 10 percent. So, in this respect, I would say that we are somewhat of a leader in this area.

You heard Jesse Jackson last night, and you heard Senator Brown and others. They chastised and criticized. Some set their own priorities and their own goals in terms of what the major problem is today. In my opinion, I still think it's employment. Without having the opportunity for gainful employment, minorities will never be able to break the cycle of inferior education, poor housing, and poor health conditions. Certainly, we don't even talk about preventive medicine and health care unless you have that nasty old stuff, as Jesse said last night, called dollars. We have to have money, and that is why I harp back to the issue of employment, gainful employment.

I would like to give you a brief historic review of what has transpired in the Federal service since the late 1930's with respect to employment opportunities. At that time the NAACP, Mrs. Franklin Delano Roosevelt, and former Mayor LaGuardia of New York, threatened a mass march on Washington, D. C. to press for federal legislation or an executive order prohibiting discrimination in Federal employment. Shortly thereafter, in 1941, President Roosevelt signed Executive Order 8802, basically forbidding discrimination because of race, creed, color, religion, or national origin. It was a policy statement. Sex was not a part of that order.

Each succeeding President has done exactly the same thing, although it was not until about 1960 that President Kennedy issued an executive order moving the Federal service from a position of policy statements against discrimination to one of affirmative action. Mr. Nixon issued Executive Order 11478 on August 8, 1969, and we like to believe that it is the strongest one so far, in that it addressed itself to some of the weaknesses of the existing program.

The order [paraphrased] said, "Utilize the present skills of each employee to the fullest." Of course, there were too many people who were underemployed in the Federal service. It also said, "Provide employees with the opportunity to enhance their skills." Basically, the intent here was to give them training.

The order further said, "Provide training and advice to managers and supervisors to assure their understanding of the policy expressed in the order." There are serious problems in this area. The GS-13's, 14's, and 15's are the people who are the backbone of the government and too often they fail to carry out their responsibilities in equal employment opportunity.

The next item in the order was a "Working, cooperative effort with the local community to improve community relations and conditions which affect the employability of residents of that given area." Basically, this means that, for example, if there is a transportation problem for people in the inner city of Denver, then it's not beyond the bounds for a good manager to try to work in his community to do something about the particular problem.

The last item provides a system for evaluating the effectiveness with which this policy is being carried out.

Now to bring you up to date, President Nixon signed into law on March 24, 1972, the Equal Employment Opportunity Act. This, in my opinion, opens up a new era both of commitment and expectation for government in equal employment opportunity in that it places certain requirements on federal agencies which will strengthen the EEO program. More than that, the law includes coverage of state and local governments which had never been covered before, and for the first time in the history of the Equal Employment Opportunity Program, it received its

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authority from a statute rather than only an Executive Order. What's more, one new provision of the law accelerates complaint procedures. If a complaint is not settled within 180 days, a complainant can go to court to seek relief. Of course, that gives us the additional impetus to expedite our cases. Slowness in processing complaint cases has been one of the great weaknesses of the existing program. In some cases, we've had some people die before their cases were ever adjudicated.

The law also says that affirmative action must be meaningful. The law states further, that EEO action plans will be required to include: (1) training and education programs for upward mobility, and (2) establishment of qualification criteria of principal EEO officers.

If I have strayed away from what I began to talk about, I apologize. But I thought it necessary to give you a rundown of past and present attempts by the Federal Government to provide a method or means for hiring minority geoscientists.

Let me talk for a bit about Upward Mobility Programs, which I think really go to the heart of this conference. When I came to the Civil Service Commission, I concluded that our greatest problem was moving minorities up through the system and giving them the opportunity to level off somewhere but certainly not to be impeded by their skin color or national origin. Part of the problem is identifying those minorities who are qualified and quite capable of taking on additional responsibilities. Often times managers do not see potential in their employees.

Agencies are not required to develop an Upward Mobility Program. Most of them have a program of some sort, but it is not uniform. For an example, the Agency for International Development has taken 30 young people from GS grades 1 through 7 and said "If you can cut the mustard, we will send you to George Washington University." Twenty-nine of them (they had one drop-out) are now going to George Washington University full time at the government's expense.

The Department of Health, Education and Welfare has a tremendous program. They are dealing with four colleges in and around the Washington area, basically doing the same thing, that is, providing the opportunity for employees to acquire a college education. A number of employees there are working four hours a day and going to school four hours a day. It is not easy, but they are doing it. It is a way of moving people in and through the system, and I believe that we can do exactly the same thing in the earth sciences if we are really serious about moving minorities and women into this field. I am sure it will take a long while, but at least it will be a start. The avenue must be provided for those employees willing to travel that avenue which will lead to a better life.

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Leon Cook

President of the National Congress of American Indians

In Indian country our problems revolve around water, property, and natural resources. Unfortunately, most of the activities related to those areas of interest have, in the past, been administered, maintained, and operated by non-Indians, primarily whites.

Most of you may know that Indian country has been diminishing in size for some time. In 1900, for example, we had approximately 94 million acres of property. Today we have 44 million acres. We lose an average of 50,000 to 500,000 acres a year to non-Indian interest, and only because the Department of the Interior, the Army Corps of Engineers, private and corporate interests have all, for years, been encroaching on Indian resources, water, and property. As a result, we Indians urgently need our own people in the natural and physical sciences--we need hydrologists, geologists, land-use planners, real-estate managers, real-estate appraisers, biologists--anyone associated with land, water, and their natural resources.

President Nixon gave a message to Congress on July 8, 1970. He talked about Indian self-determination. But self-determination, in my mind, has nothing to do with getting a lot of Indians at the top of that Bureau (of Indian Affairs). But getting Indians running, operating, and administering our water and property resources at our reservations is important, because it is there that we are fighting for survival as a culture and a people. It is there that we maintain what it is we have left of our land, water, and resources--human, natural, and physical.

We need all kinds of human resources and especially Indian natural-resources specialists. We are trying to build that kind of human wealth at our reservations. We want to retain and maintain our reservations.

If you look through the past, at every river basin in this country--the Arkansas River in Oklahoma, the Rio Grande in New Mexico, the Colorado, San Luis Rey, Columbia, and Missouri River Basin--you see in every case expropriation of Indian lands and waters. The Federal agencies are competing for Indian resources on the one hand, and the corporate interests are competing on the other. And we end up the losers. We have lost forests, minerals, gas, oil, land, water. You name it, we have lost it across this country. So, in Indian country, we are interested in this kind of conference. Hopefully, your professions, your companies, and your agencies will help this country, help Indian country, and help the whole world to demonstrate that there is some sense of humanity in this country, some sense of morality, and some sense of justice for our Indian community.

We are interested in jobs, in income, in education, in welfare. We are interested in roads. We know the things that are available in urban communities. But what is unavailable in urban communities is an opportunity for us to survive as a people and as a culture. We are the only aboriginal culture in this country. What we have left in reservations is the last of our birthright in this country. In those reservations you find who

it is that I am. And I am not only an Indian, but a Chippewa. I am not only a Chippewa, but a Redlake Band Chippewa of the Redlake Chippewa reservation. That defines who I am, and among all other Indians the land defines who we are and how we relate to this country.

We used to go through these hassles when I was in the Bureau of Indian Affairs. Our budget examiner used to say, "Why are you so adamant about hanging onto your reservations?" I said, "Look, I don't know whether you are Irish or Scotch but whichever you are, Ireland and Scotland still exist. But what happens when those countries are no longer in existence? When they are terminated as you terminate our Indian people, then what do you become? Very literally an American, a nameless, faceless American. What do I become? What do my children become when I am terminated?"

So we do need help and we are asking for your assistance. We would like to survive as a people. We would like to retain and maintain our reservations. We would like to have more kids in college--we have 14,000 this year. Now if they were all training in natural resources fields we would take over the Bureau of Indian Affairs, but they are not studying natural resources.

J. R. Jackson, Jr.

Manager, Exploration Environmental Affairs, Exxon Company

It is a great pleasure to be here today to participate in this conference in my role as Chairman of the American Geological Institute Committee on Manpower. In the short time available, I would like to present the results of recent studies made on the supply and demand for earth-science professionals.

Two comprehensive studies have been made by the Committee on Manpower. One estimates the supply and demand for earth scientists at the end of 1968, and one at the end of 1969. Each is based on the current employment of earth scientists, and each projected the results five years into the future.

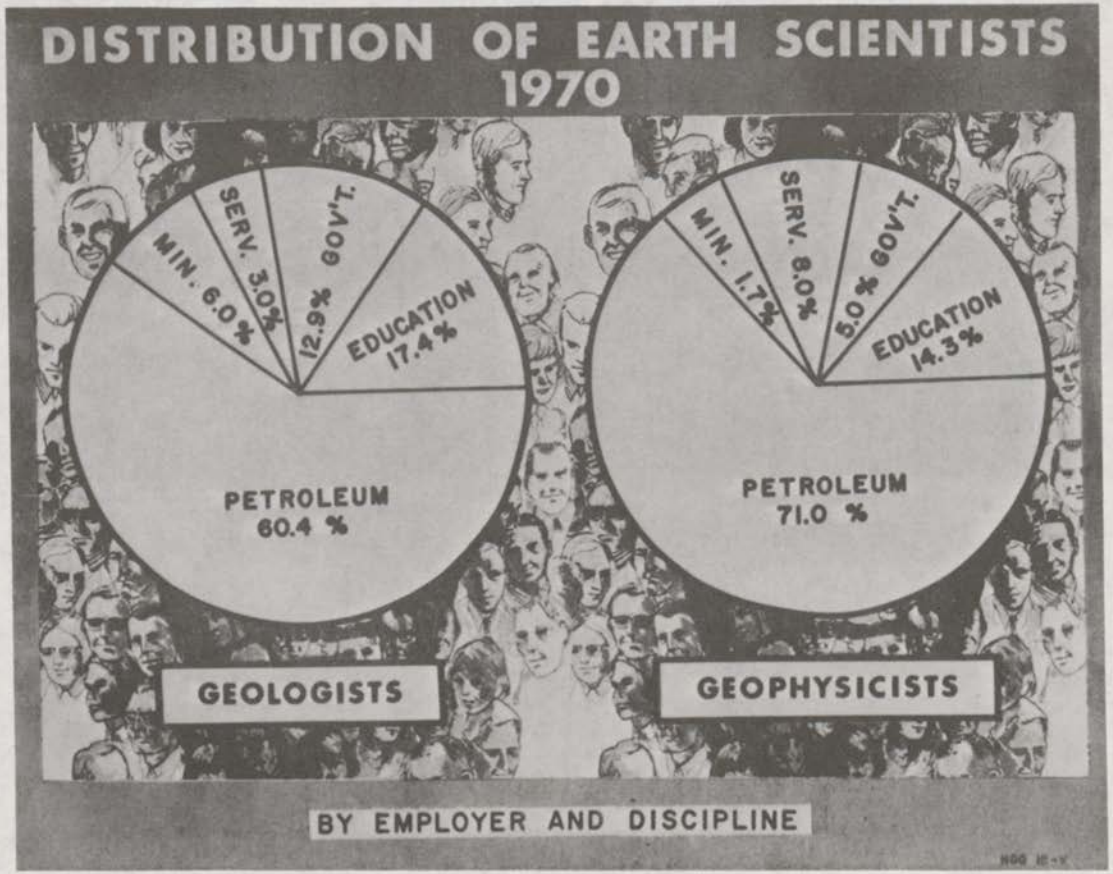
Results from these studies indicate that total employment of earth scientists will increase 3.4 percent from 1969 to 1975, or from a total estimated population of earth scientists of 36,500 in 1969 to about 37,800 at the end of 1975. The greatest percentage growth in this period is expected in the employment of geophysicists.

The study represents the results obtained from reports of employers of earth-science personnel and indicates their best judgment for new employment during the period 1970-75. Figures are based on responses to questionnaires sent to industrial organizations, governmental agencies, and educational institutions. Two hundred sixty-eight replies were received covering the entire spec-

trum of large and small employers of many different types. Results of these studies have been recorded in the AGI publication, Manpower Supply and Demand in Earth Science, available from the American Geological Institute in Washington, D. C.

Until recently, the total population of earth scientists in the United States was unknown. Only marginal information was available as to how these individuals were employed, by whom, and in what capacity. We knew very little about estimated future employment or emerging new trends and usage in employment of earth scientists. The objectives of the 1969 AGI study, funded in large measure by the National Science Foundation, were to improve these data; to indicate the employment outlook; to identify emerging trends and new usage for earth scientists; and to suggest means to dampen the cyclical character of employment in the earth sciences.

As you can see, the first slide illustrates the distribution of employed geologists and geophysicists who comprise the largest group of earth scientists. The petroleum industry employs some 60 percent of all geologists and 71 percent of geophysicists. The next largest employer category is that of education, with 17 percent of the geologists and 14 percent of the geophysicists. Government agencies employ 12 to 13 percent of the geologists and about 5 percent of the geophysicists, while service organizations employ about 8 percent of the geophysicists.

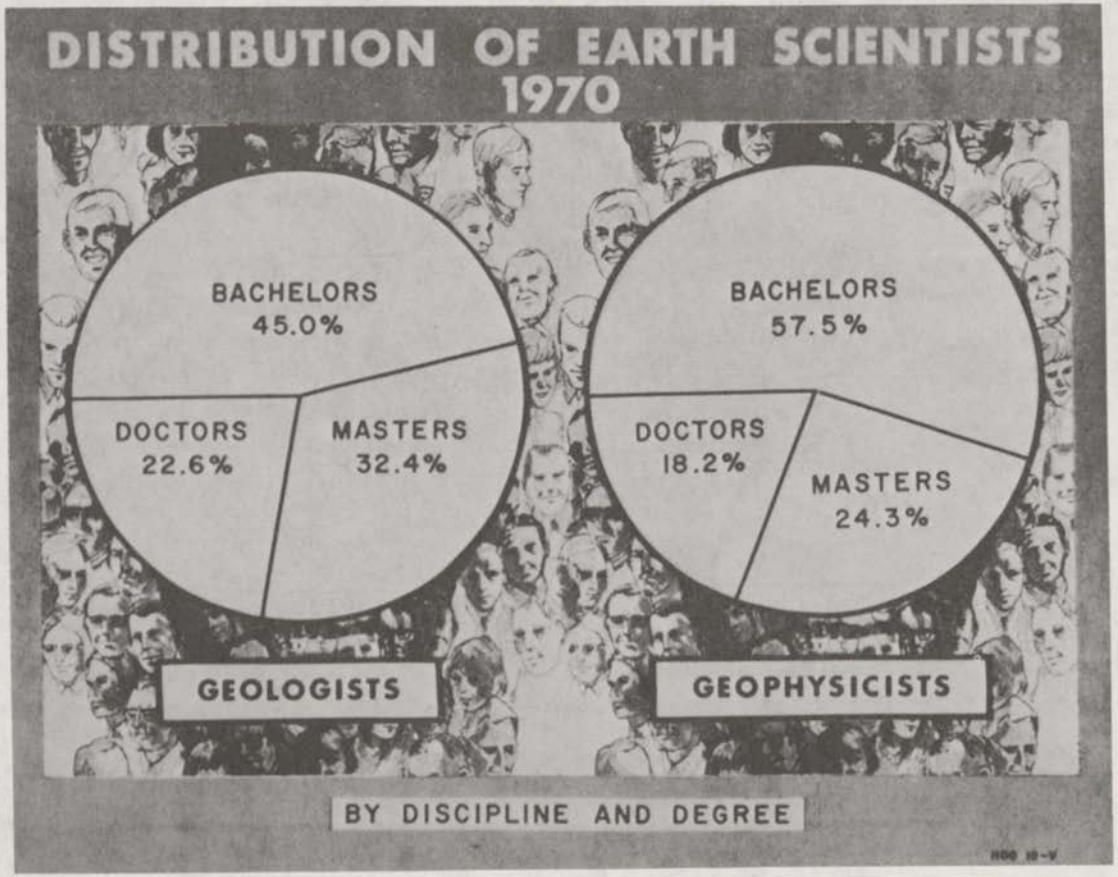

DISTRIBUTION OF EARTH SCIENTISTS
1970
MIN. 6.0%
SERV. 3.0%
12.9% GOV'T.
EDUCATION 17.4%
PETROLEUM 60.4 %
GEOLOGISTS
MIN. 1.7%
SERV. 8.0%
5.0 % GOV'T.
EDUCATION 14.3%
PETROLEUM 71.0 %
GEOPHYSICISTS
BY EMPLOYER AND DISCIPLINE

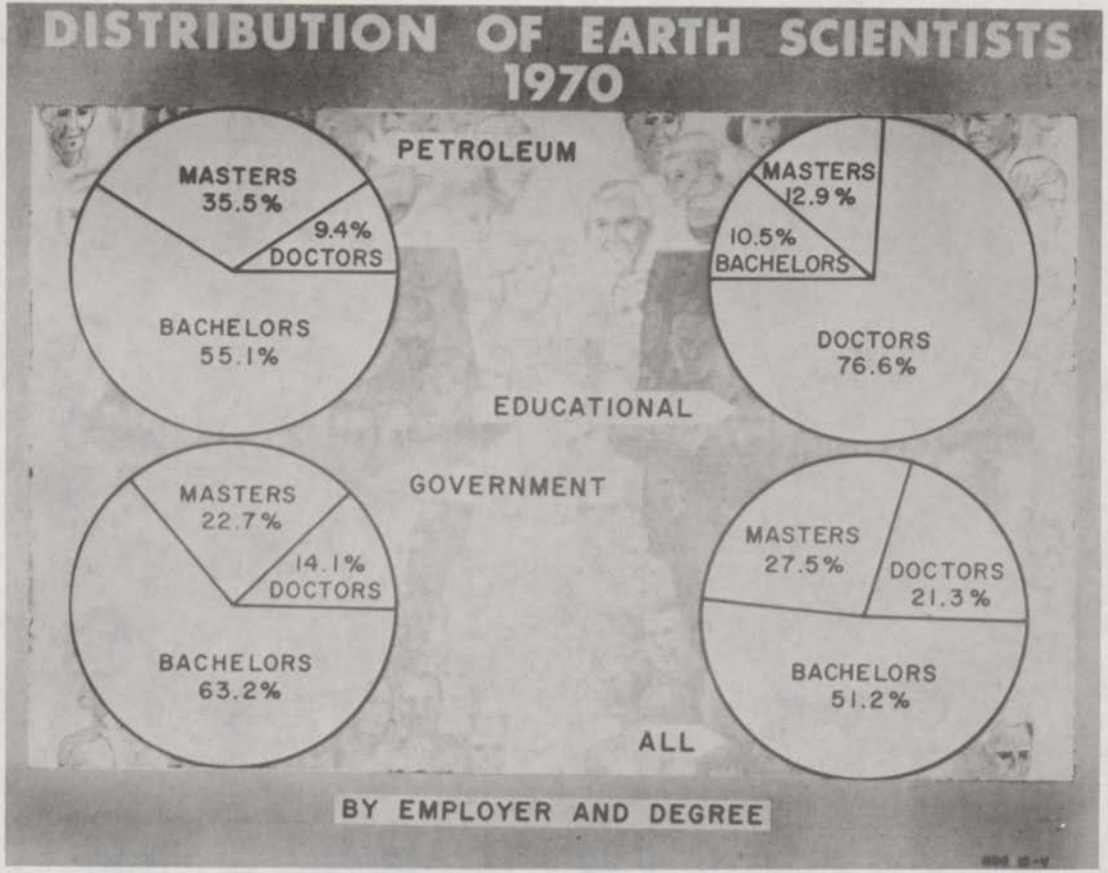
Looking at the distribution of employed geologists and geophysicists by discipline and degree, we find that bachelor's account for 45 percent, master's 32 percent and Ph.D.'s 23 percent of the geologists. With the geophysicists, bachelor's account for 58 percent, master's 24 percent and Ph.D.'s 18 percent. There is nothing very surprising in these figures and their distribution might have been anticipated.

Next is a distribution by employer and degree for four major categories. This shows that in the petroleum industry, holders of bachelor's degrees represent the largest percentage followed by master's and doctor's. In the educational field, as might be expected, holders of doctor's, master's, and bachelor's degrees are in that order. In government, there is somewhat of a surprise. Bachelor's are first, the master's are second, and the doctor's are third. For the total of all employers, the bachelor's comprise slightly over 51 percent, master's 28 percent and doctor's 21 percent of all earth scientists. This is how things stand today.

In the future, our studies would suggest a steady, but gradual, upgrading of the degree level.

Responses from questionnaires indicate that many factors can rapidly influence employment. Highly influential among these factors are government actions related to extractive industries, some of which may be legislative actions, administrative actions, or rules and regulations by state and local agencies. The economic vitality of the involved industries is a vital factor, and recent


DISTRIBUTION OF EARTH SCIENTISTS
1970
BACHELORS
45.0%
DOCTORS
22.6%
MASTERS
32.4%
GEOLOGISTS
BACHELORS
57.5%
DOCTORS
18.2%
MASTERS
24.3%
GEOPHYSICISTS
BY DISCIPLINE AND DEGREE


DISTRIBUTION OF EARTH SCIENTISTS
1970
PETROLEUM
MASTERS
35.5%
9.4%
DOCTORS
BACHELORS
55.1%
MASTERS
12.9%
10.5%
BACHELORS
DOCTORS
76.6%
EDUCATIONAL
GOVERNMENT
MASTERS
22.7%
14.1%
DOCTORS
BACHELORS
63.2%
MASTERS
27.5%
DOCTORS
21.3%
BACHELORS
51.2%
ALL
BY EMPLOYER AND DEGREE

environmental activities and pollution problems are having substantial effects--both positive and negative--in employment opportunities.

One key factor, as yet unquantified, is the demand for earth-science teachers, particularly in the secondary schools, but also in colleges and universities. In many respects, this is due to recent excitement generated as people learn of the importance of geology and earth science through news coverage of the Apollo moon voyages, the results of the JOIDES program and its deep sea drilling activities, and the new ideas concerning continental drift and sea-floor spreading.

This is all coupled with a new and greater "people involvement" and concern with all activities that impinge on the nation's social conscience. Primary, among all of these, is the awakening and deepening knowledge of the short supply and rapidly increasing demand for extractive industry products, such as minerals and fuels of all kinds, including oil and gas, uranium, coal, and oil shale.

Our studies also identified a number of problems in earth-science employment. Some of these are the long lead times required to obtain master's and doctoral degrees, which many employers now consider mandatory. Another significant problem is the feast-or-famine employment cycle in the earth sciences. This is almost entirely due to economic conditions as the industrial economy expands or contracts. This situation is

aggravated by tax and accounting procedures which place exploratory activities--the major reason for hiring earth scientists--in the accounting category of expenses. Expense activities usually suffer first when low economic activity occurs or is anticipated.

Domestic political problems of all types also affect earth-science employment by industry, because in many cases political activists have no constituency among employers of earth scientists. They therefore feel free to attack industries at will without harming their own political position.

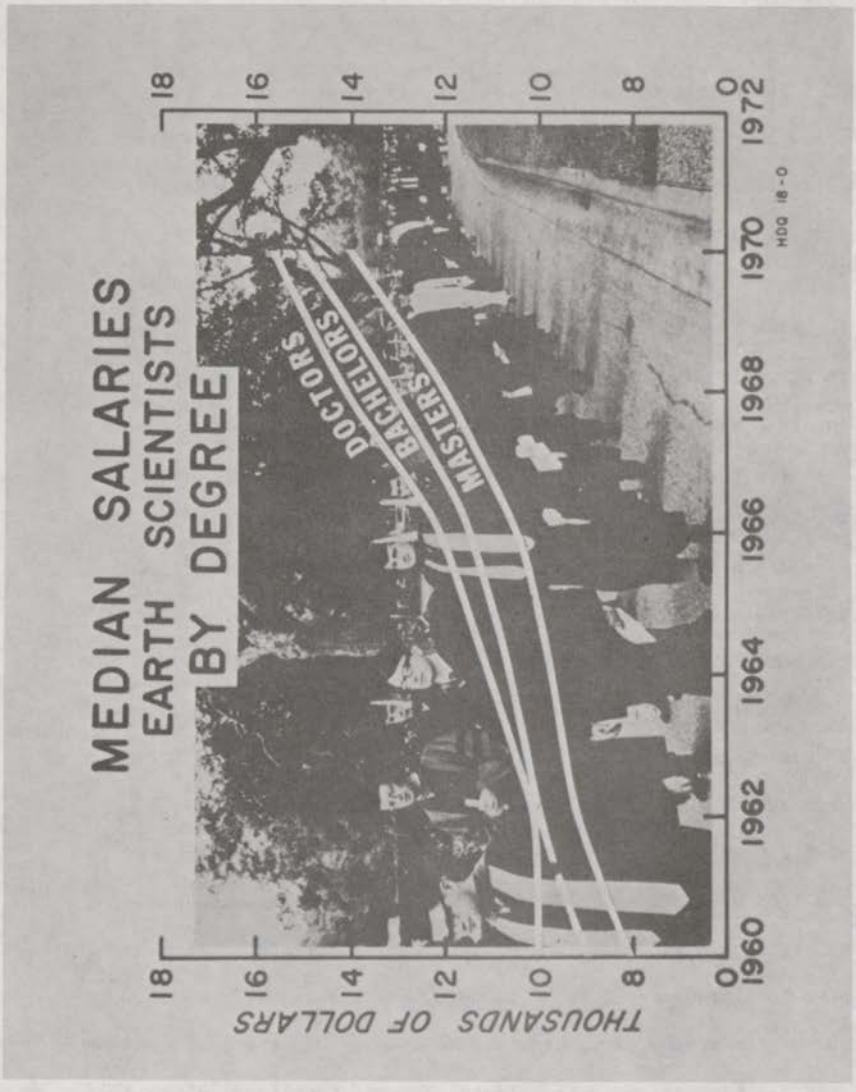
Finally, one of the most important problems is a divergence of views between educators and employers. Employers, as a rule, are constrained by the necessity of responding to the needs of shareholders, management, and regulatory governmental agencies. Educators, on the other hand, do not have these constraints and are possibly more inclined toward the theoretical, toward long-range research, or to a strictly scientific view.

The wealth of information obtained from the questionnaires points to trends in training in qualities of individuals most desired by employers, and in the ways employers respond to, and utilize, employees.

Generally, it was indicated that employers prefer to develop and advance employees internally. They see a growing importance of physics, math, computer modeling, and systems analysis. And they prefer individuals with broad educational training and with the ability to adapt to change--with an emphasis on environmental considerations.

The master's degree is the preferred level for general operations, a Ph.D. is preferred for research and development activities. Of course, the opportunities available to master-level graduates far exceed the opportunities for the Ph.D. Employers speak highly of broadly based graduates with an ability to think imaginatively and to write and speak clearly in order to properly present a point of view. Probably as a result of interest generated by the AGI publication "Investigating the Earth," there is an unquantified but substantial need indicated for earth scientists as teachers in secondary schools. The early exposure of youngsters in secondary schools to the principles of earth science bodes well for future interest and involvement of citizens in the geosciences.

Finally, let us take a look at salaries. We have two graphs of median salaries, although these are not based on the AGI surveys but on the National Science Foundation's National Register of Scientific and Technical Personnel which now, regrettably, has been discontinued. First, I would like to talk about median salary levels by degree. The first chart indicated that Ph.D.'s have the largest salaries. Bachelor's are next and surprisingly, the master's--the group greatest in demand--has the smallest median salary. However, we attribute this to the fact that bachelor's are a significantly older group with more experience, and we feel sure the master's salary will surpass the bachelor's in the near future.


MEDIAN SALARIES
EARTH SCIENTISTS
BY DEGREE
DOCTORS
MASTERS
BACHELORS
THOUSANDS OF DOLLARS
18
16
14
12
10
8
0
1960
1962
1964
1966
1968
1970
1972
HDQ 18-0

From the next chart we see median salaries paid by different employers. Possibly destroying some long-held beliefs, we find the Federal Government is now the leader in salaries, according to data from the National Register. Industry is second and academic salaries are third, while state and local salaries are fourth. We suspect that academic levels are probably equivalent to industry and the Federal Government; however, they appear anomalously low. Our interpretation is that in many instances, salaries have been reported for an academic rather than a calendar year. The inclusion of many high-school teachers and geographers who normally do not receive the college-level salaries may also tend to depress the median academic salary.

Let me summarize my remarks with these observations. These apply to everyone, not just to minorities, but they may be doubly important for minority candidates. The outlook for earth-science employment is not considered to be highly favorable for a number of reasons. From our studies, we anticipate replacement of attrition, in addition to some small growth, of approximately 3.4 percent per year through 1975. However, we see a substantial demand for secondary-school teachers which we have not been able to quantify. Of course, there are always employment openings for those who are highly qualified, for those who are interested and dedicated, and for those who are willing to avoid professional obsolescence.

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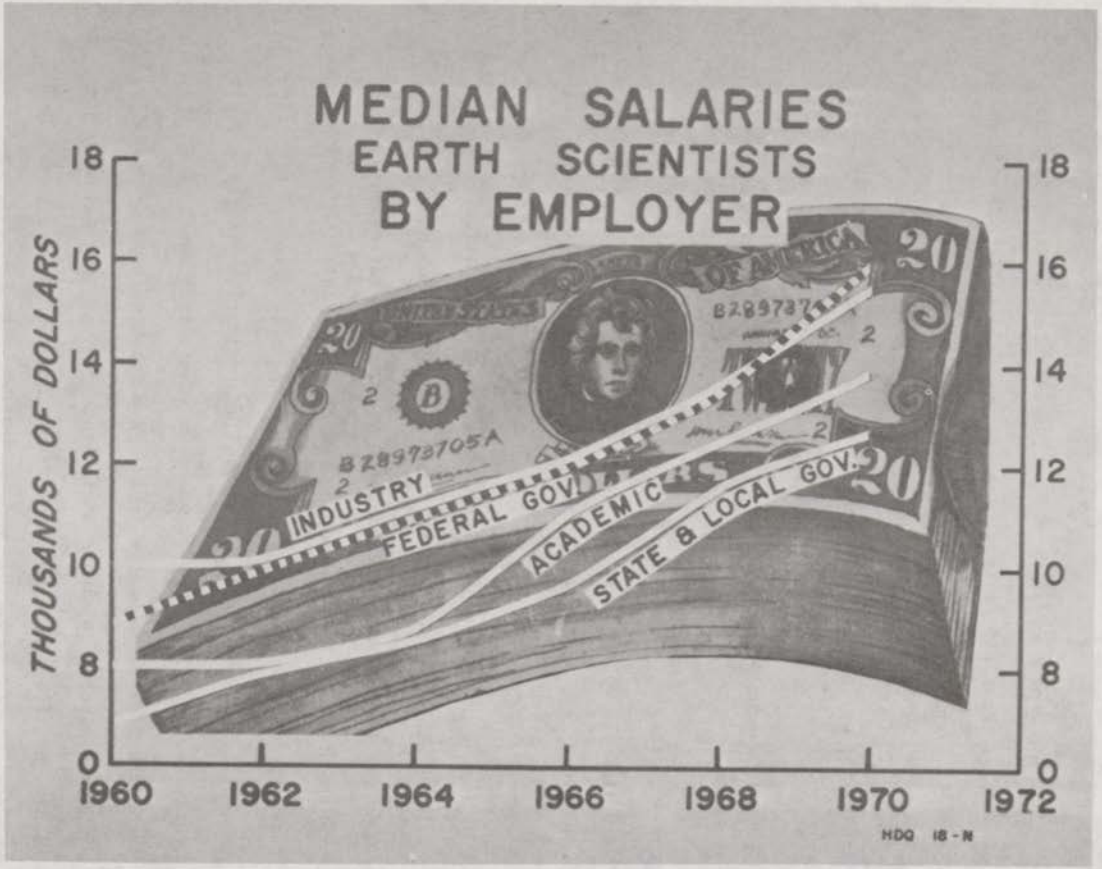
MEDIAN SALARIES
EARTH SCIENTISTS
BY EMPLOYER
THOUSANDS OF DOLLARS
18
16
14
12
10
8
0
1960
1962
1964
1966
1968
1970
1972
INDUSTRY
FEDERAL GOV.
ACADEMIC
STATE & LOCAL GOV.
HDQ 18-N

Generally, these opportunities will be offered to graduates of the better institutions. There is one overriding consideration from the viewpoint of employers, and that is quality. We are dedicated to the proposition that quality is required to achieve initial employment, success, and advancement. The competition in today's world is keen.

Above all, we believe in creating an awareness of earth science in secondary schools which, when broadly disseminated, will lead to those highly dedicated and qualified individuals that we seek.

Edward E. Shelton

Director, Office for Equal Opportunity, Department of the Interior

Thank you very much. I have been sitting like a sponge for a day and a half, absorbing all kinds of statistical data, some that gives me cause to wonder whether I am hearing correctly. I am happy that the first item on the list of Action-Planning Sessions tomorrow concerns the motivation of minority youths of pre-college age to study geology and related sciences after they leave high school. I need not repeat the dismal statistics on the lack of minority involvement in this field. Most of you know the situation better than I.

In one recent publication prepared by The Geological Society of America's ad hoc committee on minorities, I read the following: "Increased minority participation is a challenge that can only be met by the combined efforts of the geoscience profession, the mining and petroleum industries, federal and state agencies, colleges and universities."

When I read this statement, I had the feeling that something was missing. Then I realized that the missing ingredient was the role of the family in this process. The whole crux of the problem as I see it is one of educating disadvantaged young people to become earth scientists. Let me admonish you that educational opportunities by themselves offer little to those whose family and community place little or no premium on what can be tomorrow--because it is concerned solely with what is today.

Specifically, what I am saying is that the home environment will determine, in large measure, whether or not we will be able to motivate minority young people to set as their goal a career in the earth-science field. It is unlikely that these young people will come into personal contact with members of their ethnic group already in the geosciences. Who is there to emulate?

What is more, the black community, the Chicano community, and the Indian village have grown tired of bright promises that are never kept. One more promise of a bright career--if only they will do thus and so--is not likely to create a stampede toward a career in the earth-science field on the part of minority group members. Let me hasten to say that I am not saying these things to criticize the program, but rather to alert you to the depth and breadth of the work to be done after this conference.

Motivation is a key element to success in any minority input program. And it can be destroyed by what I call "self-fulfilling prophecies" of low expectations: that we can not expect too much from these people; that their brains are too small to absorb the kind of training, and sustain the study required for entry into the earth-science field; that only 15 percent of the Chicanos graduate from high school and only two percent of those go on to college, so why work so hard to involve them in the program. I call this the self-fulfilling prophecy syndrome. We do not expect too much and we do not put forth much effort to produce the end result, because we consider the effort a failure from the start.

When one involves himself in any uplift program, one must be certain that negative feelings do not give one away. Minority people have become expert in reading "Mr. Charlie's" body language, and rightfully so. They have had many years to perfect this art. Whereas I do not wholly subscribe to the theory that only Chicanos can relate to Chicanos and only blacks can relate to blacks, I do feel that it is going to take persons familiar with the customs, traditions, and codes of minority group life to make this program do what we intend.

To do this, one must know what moves people to affirmative action. Using this knowledge we must capture their emotions and create within them the desire and the drive to move in a completely foreign direction. This desire and drive might be akin to the adventuresome spirt that motivated the 19th century pioneers to relocate, to seek their fortunes in the unknown western portions of the United States.

In short, we have to kindle a spirit in the minds of minority group young people that will impel them as a group to consider a career in the earth-science field. This means that we will have to package our program in such a way that it appears to be an extension of the present life style as opposed to the abrupt departure that it is. For fear that some of you do not fully understand what I am talking about, let me give you an example from my personal experiences. I was reared in a community in which few blacks had the opportunity to go to college. In those days there were

distinct jobs for blacks and whites in my city, and you did not find many blacks performing the jobs reserved for whites, or vice-versa.

Since I had held several of the jobs reserved for blacks, it goes without saying that I had many friends in this category. But when I went to college a sort of coolness began to develop in my relations with these fellows. They began to treat me in a manner that made me feel that I was not as tight with the group as I had been.

It appears that groups have a way of excluding those who deviate from the norm; thus, in trying to motivate minority young people to flee the nest, we must recognize that we are, in essence, requesting that they be prepared to accept a change in peer group, and in relations with their old peer group.

Those of us who seek out these young people must be assured that the ones we do find have the strength and the stamina to withstand this cutting of the umbilical cord. This means that we must provide the services and resources necessary for a successful bridging of the gap. Because in this dog-eat-dog society, only the strong survive.

Linn Hoover

Executive Director of the American Geological Institute

I think this Conference on Minority Participation in the Earth Sciences and Mineral Engineering is evidence in itself that earth scientists are concerned about the low level of minority group representation in their profession. It wouldn't be honest to say that all earth scientists share this concern, but their support of and representation at this conference indicate that the goal of increased minority participation is shared by the leadership of key earth-science organizations.

The scope of the task at hand is perhaps revealed by the data from the 1972 American Geological Institute (AGI) student-enrollment survey. These data (which were tabulated only on Monday and are not yet complete) are the results of a questionnaire that was sent to about 470 degree-granting departments in the United States. A response from 400 of those departments showed that 171, or 43 percent, had a minority student enrollment. At the undergraduate level, these 171 schools reported 374 minority group persons as majoring in the geosciences. There are 123 in the master's programs and 41 at the Ph.D. level, for a total of 538 minority group members in earth-science education. I do not have the current year's total student enrollment, but for the preceding year, the total enrollment was about 25,000. So, if that number still holds for this year, it means that the percentage of minority group members enrolled in earth-science programs

is about 2.2 percent. You may also be interested in a few of the totals by minority group. Out of the 538, 153 are black Americans, 208 are Spanish surnamed, 159 are Oriental, and 18 are Indian.

Last year, minority group members received 69 degrees in earth science; 51 at the bachelor's level, 18 at the master's level, and none at the Ph.D. level. The total, in comparison to the overall degrees awarded last year, was 1.7 percent of the bachelor's degree, 1.9 percent at the master's degree, and no Ph.D.'s.

The 20-odd national earth-science societies constitute the best available mechanism for focusing the concern of earth scientists on the need to increase participation of minority group members in this field. Collectively, these societies represent about 80 to 90 percent of all U. S. earth scientists, and most of them have a stated interest in professional as opposed to strictly scientific affairs. Six of the 18 societies affiliated with the AGI already have expressed their support for an inter-society program that would help increase the number of earth scientists drawn from minority groups. In most cases, this declared support will be in the form of cash from society members or drawn from other resources of the society. We consider it to be seed money, which though small in comparison to the magnitude of the funding needed to complete the job or even to undertake the job, will serve as a demonstration of the professional commitment--and we hope as an inducement--for more substantial financial support from other sources.

The Institute itself has requested some initial funding from a private foundation and I learned, just yesterday, that its support is virtually assured. The program that this money might help us to begin to implement has been initially sketched out by a composite committee of the Geological Society of America, and AGI, including many of the people here: Bill Bromery, Mack Gipson, Lou Pakiser, and Clyde Wahrhaftig.

The program is focused at the moment primarily at the college level. It would include such things as career guidance; counseling for returning veterans; and the provision of scholarships for both undergraduate and graduate students. The scholarships for undergraduates would go primarily to the colleges with large minority enrollment, particularly black colleges, if those colleges have an undergraduate program in earth science. At the graduate level, perhaps out of necessity, scholarships would be directed toward primarily white institutions.

One of the programs that has been proposed, for example, is the retraining of black agricultural faculty members in land-grant schools where agricultural training is diminishing. The black faculty members formerly teaching agronomy are scientists in their own right, although not earth scientists. With a year or so of additional training and some field experience, they surely could be prepared to teach undergraduate courses in earth science in schools that now do not offer this subject at all.

The program could also provide summer employment or summer field camp experience for undergraduate students who are interested in majoring in one of the earth sciences. Of equal importance is job placement, job counseling, and a follow-up program to make sure that those students who successfully complete a course in earth science are placed in a position that makes full use of their abilities.

These are only a few of the possibilities that this inter-society program might include. Probably you can think of other equally worthwhile and effective programs. We really haven't touched on the problem that some of the other speakers have already mentioned--the real problem of pre-college motivation in education. This is a problem in the training of earth scientists from any part of society, not just minority groups.

For the past several years, the Institute, through its Environmental Studies Project in Boulder, has been attempting to work primarily with students in inner-city schools--to create in them an awareness of the environment in which they are living, and the recognition that, as students, they have something to contribute to classroom discussion, and the potential of their own worth as adult citizens. Probably much more needs to be done at this level to make any program of college training successful. The composite program, even as we are sketching it out, will cost a lot of money. Probably at least a million dollars a year if it is to be at all effective, and perhaps ten times that amount.

Massive support must be sought from industry, government, and private foundations. And, again, we hope that the seed money that comes from the profession persuades some of these funding sources of the intent and the sincerity of the commitment of the profession.

It is probably not realistic to say that any minority group can attain a parity level of employment within the five-year period that has been mentioned. This would require that, within that period, 3000 to 5000 minority group earth scientists would be ready to go to work. If only because the time required for professional training is a minimum of 4 years, a more realistic goal is to say that we should set our sights on encouraging 100 to 200 minority group members each year to complete their training as professional earth scientists. I think it would be unfortunate to set a goal so high that it couldn't be realized. As Jack Jackson of Humble Oil pointed out, a crash program might cause unhappy effects.

I think there is no question that in the earth-science fields jobs would be available for several hundred minority group graduates each year.

"Panel Discussion, Youth, the Professions, and the Future"

J. V. Martinez

Research Physicist at the Eastman Kodak Company, Rochester, New York

Before introducing the Panel on Youth, the Professions, and the Future, I would like to make a few introductory remarks to try to give some insight into minority problems which have not been dealt with thus far. As I am outside the earth sciences, this might prove profitable.

My involvement in minority affairs began some time ago. I hope you will pardon my vanity, but I do want to give you some idea of my exposure to this area. At present, I am a member of the American Physical Society's ad hoc committee for minority participation; an officer and director of Minority Participation for Physics, which incorporated in Washington; a consultant to the Ford Foundation; and a consultant to the Atomic Energy Commission in this area.

By now, I suppose, we have accepted the premise that minorities want to participate in the majority society. Thus, our analysis has to be according to the way we have learned in the majority society. It is a bit unfortunate, really, that we have to segregate in order to integrate, but I think this is the way that things are going. In other words, right now there is a lot of external pressure to try to bring about participation. And it is too bad this could not have been done independently before now.

Perhaps this is a minor concept of the larger idea of participating in the majority society. It is a state of mind that we are talking about--a sharing of the American dream, to quote Congresswoman Shirley Chisholm, who says that it would be nice for the majority society to live its Sundays seven days a week.

I think she puts things in a good perspective: The object is to share the American dream with those who have been deprived, but not without an acceptance of responsibility.

The message I got last night from Reverend Jackson was that it is too bad we cannot use the methods of operations research to deal with this problem. We have all the machinery. The only question, as I see it, is where will the money come from? To me, the minority problem is simply a question of money. If we have the money, we have the talent.

I'm not a preacher; I'm a scientist. So, I use numbers to express my views. Lately, I have been working on a directory of Spanish-surnamed and native American professionals in the sciences. I believe, and you might correct me on this, that Ph.D.'s in the majority society now number about 600,000 in the sciences, a figure that gives us about 2500 Ph.D.'s per million U. S. citizens. The black community, I believe, claims about 600 doctorates in a population of 20 million, or 30 Ph.D. scientists per million population. As for the "browns," there are about 60 doctorates among 10 million or fewer persons, which yields about 6 per million.

In short, what we need is something of a Sputnik in education for minorities.

But, how could large numbers of new minority scientists be absorbed by society? Reverend Jackson suggested a goal last night of 5000 minority earth-science personnel in a five-year period. But under present circumstances, they could not be absorbed. It might, however, be possible to invoke Mrs. Chisholm's concept of sharing: There is no reason why any industry could not go on a four-day week; in this way, they could share 20 percent of the work load, which is to say that we could introduce 20 percent more scientists. If there are 38,000 earth scientists at present, this arrangement would allow us to introduce 7600 new scientists.

As another suggestion, there is no reason why chairs could not be endowed in the colleges and universities of the Southeast and the Southwest, or wherever there is a large number of minorities. In this way, we could assist the transition of minority students into the profession.

But where would these students come from, even if we did have--right now--the machinery to prepare 5000 scientists in five years. Where do you find the raw material? We hear references to seed money, which I think is a valid concept. But you may find that the germination rate, or yield, of students may reflect some poorly cultivated seeds. Keep in mind that students of the minority community do not relate the same way as the students of the majority community. It is essential for us, as minority scientists, to participate in the decision-making and granting processes of any such program. We want to participate. We want to accept the responsibility.

Cheryl Anderson

Undergraduate student at the Colorado School of Mines

In bringing this panel together, the three students among us discussed a number of points, and two main ones are these:

In our experience, and in the experience of our fellow classmates, it would be important to find and attract people who do not ordinarily go into such fields as mineral engineering. Second, we decided that to solve the problem of minority participation will require a coalition of industrial and educational institutions to provide the necessary financial--and perhaps even more important, the social or sociological--encouragement to get these students into the geosciences and engineering.

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Earl Brooks, Jr.

Geoscience graduate student at the University of Washington

I would simply like to make the point that we are losing an awful lot of good young people. Somehow, we are leaving them out. As for myself, I was lucky enough to have been introduced to earth science when I was in college. I've managed to get summer jobs, but I have seen a lot of my friends who did not--even though we went to the same schools and they are just as qualified as I am.

What happened to these kids? What happens to all the kids who get lost along the line, who get crushed in the ghetto, who can't seem to get out, who don't know what rocks and trees are all about? I think business could profit from projecting itself into a world that is so much different from the one they know.

Finally, there are a lot of young people who could be trained as technical hands, as draftsmen, as mapmakers--not necessarily by college training. We are losing these people because we are not getting to them soon enough.

Toby Archuleta

Student at New Mexico Highlands University, Las Vegas, New Mexico

I would like to add to what Earl has said. In high school, the Chicanos, blacks, and Indians shy away from science courses--from the physics, and math, and chemistry they need in order to enter the geosciences in college. There is no reason why those Chicanos, for example, who do graduate from college in the sciences cannot then go back to high school students--the freshmen, even junior high school students--and stress that they take science-oriented courses. The younger kids can relate to these people. This way, you're reaching students at a time when they're most susceptible to being directed into a field like this.

They will see a Chicano in their class and ask him what he does for a living. He'll say he's a geologist, and from that point they will begin to ask how he got into his field. They can relate to him because he's a Chicano.

Question from the audience:

Don't you think that it is probably necessary to reach students even earlier?

Richard A. Scribner

Staff officer for Science and Society Programs of the American Association for the Advancement of Science

On the field trip yesterday, I had a chance to talk with several teachers, including a biology teacher. One of the points they commented on was that most of their students were lost to science before they ever got to junior high, and that it is in these earlier, formative years--probably grades kindergarten through sixth--where the motivation and the models are needed.

My association has a program called Science Process Approach for grades K through 6, and it is supposed to be fairly innovative. I am not here to promote it at all, but there have been some tests run recently, using this K through 6 "hands-on" approach to science with Chicano students in Texas and inner-city students in Philadelphia. It worked for the first three grades, and it didn't work for grades 4 through 6. It worked for kindergarten and grades 1 and 2, and, in some cases, grade 3. I don't know whether this is because the material itself was not prepared correctly for the students, or whether there was not sufficient motivation for the students as they got further along--or whether other educational aspects dampened the students' enthusiasm.

Question from the audience:

What do you mean by "it worked?"

Scribner: Okay, measured against how it works in other schools--middle class white schools--students kept right up and were enthusiastic about it in these early grades and were achieving every bit as well as the well endowed white students. But, the minority students in the inner city, possibly because their educational environment was not as good by the time they got to the last few grades of their primary education, fell behind in spite of an extra effort that was being put in.

We are going to be running this test to find out whether students who are now caught up early, in grades 2 and 3, are going to do better as they get up into the higher grades. And we will try to learn what some of the factors are that are influencing this outcome.

Question from the audience:

How could the college students themselves set up a program where they would be "motivators" for minority students in the lower grades?

Miss Anderson: Well, before answering that, I'd like to comment on why there are so few women in engineering and the geological sciences. We found out why there have been impediments to black, or Chicano, or Indian entry, but there are women in white, suburban high schools and there are women taking chemistry, physics, biology, and math in high school, and doing well in them. Their parents are wealthy enough, and they do go to college. But, they

don't get into the geosciences. Why? I think the reason is that, as we prepare for college, high-school counselors, teachers, or administrators begin to say, "O.K., what are your interests? What are you good at?" And, if a woman is good in math, physics, or chemistry, they say, "Great, we need more math or physics or chemistry teachers in junior-high school."

Well, not all women want to be teachers in junior-high school, if they even want to be teachers at all.

Or else, they'll say, "Well, we need more nurses. You want to be a lab technician? That's good, too, because we need more technicians. You want to be a doctor? Well, I don't know about that. It takes a hell of a long time, and a lot of money, and you'll probably get married and have babies, and never be a doctor. So, I don't think you should do that."

And then, if you say, "Well, I want to go to the Colorado School of Mines. I've applied to Mines, and what do you think of that?"

"Mines! Well, obviously you don't know what you are getting into." They then tell you of the social stigma, the discrimination, and that it is going to be too hard for you, it is too difficult academically for a girl.

It is a flat out, explicit, "Don't. You won't make it." Counselors told me that there are only 2 women attending the Colorado School of Mines, and that I would be such a minority that I would never be able to make it. In fact, there were 70 women

going to the Colorado School of Mines last year. It is hard, but if a woman wants to make it, she can, as much as a black man or a black woman, white man or any other person.

In high school, you're very impressionable and you depend on other people almost totally for making your decisions, getting input from counselors, teachers, and administrators. They give you the best of their experience and knowledge, but it has been my experience that this is inadequate.

Statement from the audience:

It occurs to me that there are perhaps two ways of remedying this problem. One is for various organizations of minority groups to make better contact with guidance counselors. Perhaps also required is a fairly massive program on the part of the geosciences, as well as minority groups.

A second avenue, perhaps, is that of encouraging minority group personnel into the guidance-counseling field, as well as into the mineral or geological sciences and the mining industry.

Reese Watkins, student at the City College of New York, representing the National Black Science Student Organization:

We have been going to various high schools, junior-high schools--and next semester we'll be going into the elementary schools--making presentations that we feel have been very rewarding to the students.

So far, most of our members have been pre-medical students, but the organization is now branching out, and we hope to include

geoscience. Dean Charles Baskerville (Dean of General Studies at City College) and another professor have discussed with us the possibilities of setting up physics demonstrations for the students, as well.

As one example of things we have done that have proved beneficial to high-school and junior high school students, we have a science film called Cold Blue that shows black, Indian, and Chicano doctors working with our people in the community. The film deals with the problems that we are having in getting students into these fields of science and medicine. After the film is shown to classes--it lasts 28 minutes--we have discussions about some of the things we deal with, like lead poisoning and nutrition. We have spoken with guidance counselors in the various schools, and they say it is a good program, and that it has helped their students. Our program is not funded, although we would like it to be. We are all full-time students.

Statement from the audience:

Having been in the classroom myself as a teacher for 10 years, I am concerned that all these responsibilities are being put back on the high-school counselor. It is a mammoth, if not impossible, task for a counselor to learn about all the jobs available in every conceivable area of endeavor. I want to hear about what industry is doing, or would like to do, to help out in this area. Some of the companies in this field could assume part of the responsibility by opening up summer field work or laboratory jobs.

Bubba Jackson, Colorado Urban League, Denver

I come from the inner city and I can speak for that area. The ideal program for earth sciences' input for the urban schools is not simply more curriculum content, although that is commendable if it is made palatable. But there is quite a concern now in the black community among educators and others about getting cognitive skills--maximally transferable principles--into children's heads to make them independent thinkers. The commitment to all the plans you have for earth-science content, more effective motivation, and bigger and better filmstrips is fine--if a coalition can be made with some of the blacks who are trying to emphasize independent cognitive skills. I think that taking the content of geology and other earth sciences, which is exciting in its own right, and combining or ordering it along cognitive-skill lines, would be the ideal state.

Allen D. Trujillo

Chino Mines Division, the Kennecott Copper Corporation

As a representative of Kennecott Copper in southwestern New Mexico, I didn't want this audience to be left with the impression that industry has done nothing. Along with the American Institute of Mining, Metallurgical, and Petroleum Engineers (AIME), we have been talking to counselors and working with students. Some of our engineers are giving classes to various students in the area. You'd be surprised at the number of people who have lived all their lives in mining communities and still don't know how copper is produced. To offset this, we have been slowly working to get more information to the junior-high schools and the high schools.

I have worked a little in this program, and I'm just so disappointed with the educational aspects of it. Counselors are still projecting to junior-high students the idea that the best they can do is go to college and become a teacher. I'm not sure why this is so, but perhaps it is because the counselor is usually a teacher, and this is what he understands best.

Harold Fothergill, the Union Oil Company

I've been listening for a day and a half, and I get the impression so far that industry has done nothing. I wonder if you all really believe that. I think somebody ought to stand up and say what industry does. (See subsequent statement by Fothergill. -- Ed.)

We do have summer jobs for minorities, and Earl Brooks is one of those whom we have hired. All the majors do the same thing. We do an awful lot for students. Whether they are girls or minorities, we are interested in getting good people. I emphasize "good" because white folks have the same problem. Some are good and some are not. We've never discriminated--I cross my fingers on this--in the old context of minorities, because you seldom see a minority student.

I'll bet if you listed all the money from various company foundations for minority work that you would be amazed at the millions involved in this. Yet, almost everybody speaking here has his hand out to industry asking, "What are you going to do for us?" Also, I really question whether going to the secondary schools should be industry's job. Perhaps this is highly desirable, but we can't go all the way.

I think that if every university took the instructor who teaches introductory physical or historical geology, and sent that man out to the high school or the junior-high schools, that this is where the selling job could be done.

General Discussion

Friday morning, June 9

Pete Mirelez

Director, Division of Migrant Labor and Programs for Spanish Speaking People, Office of Economic Opportunity

I want to start by complimenting all of you who have taken the time to set up this conference and to participate in it. You might be interested to know that at one time I thought of trying to get into the geosciences. For one thing, my father and my uncles had worked in the mines here in Colorado, and I worked on an oil rig to make enough money to get me through school. ..

But I did not think that I was really capable of entering such a profession. Now, of course, I feel that I believed that more because of my conditioning by the system than anything else. That conditioning told me that I would be more likely to make it as a truck driver than as a college student.

Conditioning that it could not be done was not all, either. My high school counselor said my tests showed that I would never make it through college--but that I sure as hell could drive my way through New York. Those were his actual words. And I think they speak eloquently to one of the problems that we, as minorities, and specifically that we, as Chicanos, would like this conference to consider: Our educational institutions, especially at the elementary and secondary levels, have not geared themselves to assisting minorities in developing the background they need--both psychological and academic--to enter the sciences and to persevere for the time it takes to achieve and succeed.

And, of course, most people in the earth sciences have either a master's degree or a doctorate. Most of us Chicanos find this a rather remote goal, for while we would certainly like to stay in school for the number of years that it takes to get a Ph.D. or a master's degree, we are faced with a more immediate problem--that of survival.

This leads me to two points. First, in regard to our educational system, I think we are going to have to attack the whole question of involving minorities in all areas that require a number of years of training, whether the field is medicine, law, or the earth sciences. Second, we are going to have to work more closely with parents, more closely with minority organizations active in our neighborhoods, and more closely with professional societies. We need a unified approach and we need catalysts. Universities could serve as catalysts, and, perhaps more important, so could industry.

Why are there so few Chicanos in law, medicine, or the geosciences? The schools are one answer. But these fields have also been foreign to us. We have not been able to identify with people in them and say to ourselves, "If he did it, so can I." I think this is one reason why so many of our young people are going into education and social work. They have peers there. Compadres y hermanos (close acquaintances).

What we really have to do is to develop a practice, or a mechanism, whereby some of you in industry and the universities can give of your time, your expertise and whatever you can afford,

to visit high-school clubs, to visit city groups, to talk to parents, and generally to spend some time in our communities. This is what can make the difference.

Now, a lot of you might say this is all very idealistic but that you cannot spare the time. Well, ladies and gentlemen, we have got to make the time. If engineers and geologists can work with--or get elected to--state legislatures, city councils, and boards of education, and thereby influence policies at all levels, they can hold formal workshops in minority high schools. They can work with counselors, they can talk to civic groups made up of minorities, and that may be the key to the change we need.

Problems in helping minorities can be subtle. I was flabbergasted recently when I heard that a school-laboratory manual for use in the United States by Spanish-speaking students had been translated into Spanish by a Colombiano. Now it's great that a Colombiano did it, but the problem is that the Spanish used in our barrios is not the same Spanish spoken by a Colombiano. And this could create problems in the way the manual was used. We have to be conscious of this sort of thing, for it can make the difference between turning young men and women on to the sciences or turning them off.

By the same token, those who provide assistance for minorities through summer jobs must take a young man or woman's culture into consideration. I just cannot overemphasize the subtle discrimination that exists in our educational institutions and elsewhere against

minorities. You almost have to be one to appreciate it. One simple rule: Don't set all kinds of cultural limitations. Don't make him cut his hair or shave his mustache. Capitalize on a person's culture, don't deny it.

One other thing that I would emphasize: While we think about recruiting minorities, we should think not only of bringing in students from the emerging middle and upper classes, but also of bringing in Chicanos from the barrios. We should be willing to look for the fellow with latent potential, even though he may not be in the upper 10 percent of his class.

Bubba Jackson

Colorado Urban League

The first thing we have to address ourselves to is communications. You can have all the scholarships in the world for minorities, but if you cannot communicate the earth sciences to them you cannot attract them, and all your effort is for naught.

One thing neglected in yesterday's discussion was the matter of basic survival. One individual talked about a program to teach elementary students something about earth sciences. He said that from the first grade through the third the kids did all right, but after that the kids blew it. Now it happens that beginning about the fourth to sixth grades in the ghettos, barrios, and reservations of this country, the students' basic concern becomes survival. You have to learn to survive to get to high school or to get your diploma. Many of us do not make it to high school because we are too busy dealing in survival. This is a fact that you have to consider. Ignore it, and you will not have meaningful minority participation in the earth sciences.

With this in mind, I want to propose a seven-year working plan for government and industry. The immediate goal of this conference should be the recruitment of more blacks, Chicanos, and Indians into all phases of earth-science operations where special education or vocational training is not required. I know that some of the jobs in this field do not require a college education, and these can serve as entry points to the earth sciences. Where vocational

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training is required, it can be administered by the industry but supported by the government--although it might be a much more meaningful experience for the industry, or a particular company, to do it all.

Vocational training is very, very important. We have young men coming out of today's prisons who need this help. We have young men coming back from Vietnam who need vocational training. They need it in order to participate in the mainstream of American society. To deny it to them is to say that they do not have the right to become functioning components of society. And I do not think that anyone here can say that we do not have this right.

Next, those persons who take part in a vocational-training program and who want to go on to become geoscientists should have the opportunity--right within the company--to upgrade themselves. There should be scholarships available to individuals to the college of their choice, to major in some phase of earth science or engineering. The company should foot the bill because this is meaningful minority participation.

Beyond this, the companies can begin to draw up a realistic recruitment program for minority students who are already in college. With the help of the government and the geological societies, industry can begin recruiting sophomores, juniors, and seniors. And you cannot stop here. These students should be offered summer employment and scholarships or partial grants. When minority students

get on these white campuses they have trouble getting financial aid. And this is one reason so many of us drop out before graduation.

Another thing industry could do would be to donate scientific equipment, or the money to buy equipment, for teaching earth science in minority high schools. Usually minority schools cannot afford this kind of equipment because the neighborhoods they serve cannot pay the high taxes necessary to buy it.

Now I agree that industry by itself does not have the ability to go into high schools and colleges and reach minority students. But there are organizations, like the Urban League, who do have the ability. Industry has only to call on them.

To do all this, you need effective communications. This is what American society lives by. You can use the mass media--films, radio announcements, whatever--developed by blacks, Chicanos, and Indians especially to interest these groups. Industry, of course, should pay the bill, for they will gain new manpower.

At the same time, though, industry cannot pay the whole bill. But it could foot 90 percent of it with the government paying the rest and providing additional jobs. Moreover, if a black college does not have an effective geological program, the geological societies can help come up with the necessary program and the government can provide the instructors. There is no excuse for a black college not having the kind of curriculum that you consider to be qualified. If the program is not qualified, it is because you have not contributed to it.

In the past, you have ignored a lot of things. You ignored crime in the ghettos and the barrios, and now you have a crime problem in your neighborhoods. You ignored drugs in the barrios and reservations and ghettos, and now your own kids are coming home as junkies. You can no longer ignore the fruits of racism; Americans can no longer afford this luxury. It is time to produce an effective plan of action. And you have got to pay the bill because we cannot afford it.

Dennis Banks

American Indian Movement

In 1976, the United States government will celebrate its 200th birthday, and it isn't even your country. A bicentennial commission has been established to prepare for this celebration, but it has no Indian members. That tells a lot about how people, yourselves included, think about this country.

Now I find myself among a group of people who seem to be paralleling the efforts and actions that have led to massive thefts of land from Indian people. Here we have a group of scientists, mostly non-Indians, preparing a future for American minorities. My question is whether the next 200 years will be like the past 200 years for American Indians.

You must know that there are people masquerading as Indians, pretending to speak for us. They are one-sixteenth Cherokee, or they had a Cherokee grandmother, or some such thing. And they are the ones who are selling us out. Because of them we have asked for a resolution here that earth scientists refrain from activities that exploit Indians and violate our treaty rights. While this may not mean much to non-Indians, it means a hell of a lot to us. We ask those of you here today, gathered in the name of science, to take a stand against the corporate, political, government,and personal interests that would further rob Indian people of Indian water, Indian land, and Indian rights.

It is hard for us to get at the Honeywell Corporation. It is hard to stop Kennecott, and it is hard to stop the Peabody Coal Company from taking our mineral wealth. But if you are as concerned about Indian people as you have been about making money, we will be happy to sit down with you and break bread at the table again.

You have talked about inadequate counseling and about America's inadequate educational system. But you must admit things are even worse for Indians, for everything in the curriculum is anti-Indian. Yet, if you make the necessary changes, we will buy our own buses and come to your schools. You will have no problems in recruiting Indians for these schools that provide technical education.

The Indian is tired of living an average of only 40 years. He wants to enjoy the same kinds of benefits that people all across this world enjoy. But there will no longer be cigar-shop Indians; we have earned our place in society, and we are sick and tired of the non-Indian society that controls us.

Randolph W. Bromery

I don't want to get personal again, but we always know best what we know personally. So for those of you who wonder whether one or two or three people can really make fundamental changes, I would like to relate an experience of mine that suggests that you really can make changes.

When I joined the geology department of the University of Massachusetts in 1967, I was the school's sixth black faculty member. At that time we also had 36 black-American students on the campus, one black woman in the kitchen, and no black people among non-academic professionals at the University.

One day, over a hamburger, the other black-faculty members and I talked about how we could change this situation--about how we could increase the number of minority students, and how we could change the campus environment to be more hospitable to the incoming black student, a point I emphasized in my earlier speech. More than simply bringing in minority students, we wanted more black faculty, more black persons in the kitchens, more blacks in middle-management positions.

Now, we could have asked the institution to do this for us, but we decided to do it ourselves. This proved not an easy task, because we needed some kind of a base from which to operate. And since the population of Massachusetts is only four-percent black, we did not constitute much of a political or economic threat. As a result, we had little success at first in persuading people to address themselves to "our" problem.

So we incorporated ourselves as a non-profit, tax-exempt organization. We went to a foundation and said, "We are a corporation, and we want some money to bring minority students into the University of Massachusetts." To make a long story short, the foundation gave us nearly a million dollars spread over a four-year period.

The next step was to design a program to accomplish our goals. Our goal was not to integrate the freshman class, it was to graduate educated black students with skills. The first thing we learned was that the university entrance requirements--in particular the Scholastic Aptitude Tests--were confined to a narrow window between 570 and 610 for math and verbal scores. We knew that the school received 28,000 applications for 3,500 openings for freshmen each year and further, we also found that the average SAT scores for blacks, Puerto Ricans, and American Indians was around 430. Therefore, the going was bound to be rough.

We designed a program for minority students that was in keeping with Bubba Jackson's suggestion earlier. It was a "survival" program, aimed in part at helping students withstand the cultural shock of coming into a large predominantly white university. As it was, we were losing 35 percent of our white freshmen simply because they were unable to make the transition from a home environment to one with nearly 10,000 students in residence halls and 10,000 commuter students.

One problem that we faced was a regulation at the university that if a student did not have a certain grade-point average at the end of his first semester in residence, he would lose his four-year scholarship. We successfully petitioned the school's Admissions and Records Committee to change this rule--for all students, not just minorities--to one in which a student's cumulative average at the end of the first full year of residence would be the determinant. As a result, the dropout rate among white freshmen went from 37 percent to 22 percent, which demonstrated that programs for minority students can also have significant spin-off benefits for the entire student population.

What were the results of our program? We are still incorporated and active, and through our corporation the university has obtained an extra 3.4 million dollars, from private, state, and federal sources, which makes our existence of at least some economic importance to the university. In four years, the number of minority students has gone from 36 to nearly 1000. We have nearly 50 black and other minority faculty and non-academic professionals. We don't have any more black persons in the kitchens, but we have a few in other areas of the physical plant. We had no black secretaries and now we have over 30.

Last June we graduated 50 black students--more black students in this one class than in a total of all of the graduating classes in the university's 103-year history. We have expanded the program

to the point where 650 minority students will enter this fall, of whom 125 are Spanish-speaking students. All of our admissions information and a number of our counselors and regular university courses are bilingual.

Thus, we are convinced that we have demonstrated that a few people who work together and seriously want to make changes, can succeed.

ACTION-PLANNING SESSIONS:

CONCLUSIONS AND RECOMMENDATIONS

A. Motivation and Education of Minorities

B. Employment Opportunities for Minorities

C. Minority Programs for Professional Societies

D. Professional Responsibilities and Standards

E. Implementation of Minority Participation Programs

Friday, June 9

(On Thursday afternoon, conference participants formed five separate and concurrent seminars in which they worked to synthesize the previous two days' discussions. During these sessions, conferees attempted to crystallize in brief statements what they felt were the major findings of the conference and the future courses of action most appropriate to pursue. The following reports of the action-planning sessions are based on oral summaries presented to the conference on Friday morning, on stenographer's notes, and on the written reports of seminar leaders. ---Ed.)

A. Motivation and Education of Minorities

Conclusions:

This seminar singled out two separate, distinct, yet equally urgent goals. The first goal, regarded as a short-range objective, was the identification and motivation of those adults who are already past high school age, and who would be capable of achieving professional status in geoscience or engineering fields if given on-the-job training or additional education.

In this category, two pools of talent could be tapped: men and women now employed by government and industry who may already be performing some professional tasks in their daily work, and returning veterans. As for the latter group, Stanley E. Edelstein, the Deputy Director of Education and Rehabilitation Service for the Veterans' Administration, told this seminar that the VA is interested in directing veterans toward earth science and engineering careers. He noted that 5 million veterans currently are eligible for education assistance from the VA, although only 1.3 million are presently taking advantage of these benefits.

The second major goal--a long-term objective--should be to stimulate an interest in the earth-science and engineering fields among young people from the early elementary grades through the college years.

Recommendations:

1. Lowering language barriers

Long before they begin attending school, children whose primary language is Spanish, or who live in the inner city, often learn to communicate in what is best described as "non-standard" English. Teachers should recognize that these versions of English are important elements of the children's culture and hence of their self images. Efforts to teach standard English should carefully avoid conveying negative or derogatory attitudes toward non-standard English; teachers, in fact, should learn the language their children bring to school. Perhaps most important, tests of intelligence or academic performance must use forms of expressions familiar to a child until he or she becomes adept in standard English.

2. Counselors

Numerous participants in the conference indicated that guidance counselors in junior-high schools and high schools have systematically directed minority students away from careers in mathematics, engineering, and the sciences. It is hoped that this practice is on its way to becoming a thing of the past. Counselors should actively encourage qualified minority students to prepare for careers in these fields.

3. Elementary earth science

It is recommended that earth science be incorporated in elementary school curricula. Minority college students preparing

for elementary school teaching should be encouraged to include science in general--and earth science in particular--among their courses, so that they may help convey to their students a curiosity toward the natural sciences.

4. Tutorial scholarships

A tutorial scholarship program of minority college students could fulfill several needs: Financial support for the college student; tutorial assistance by the student for younger minority people faltering in school; a need felt by many minority students to work in their communities.

5. Summer work-education programs

Programs should be developed and financed to place minority high-school students in a college environment during the summer, where they could receive intensive tutoring in science and math. Two ingredients are essential to the success of such a program: cooperation of the students' families and payment of a small stipend to make up for salaries the students might have earned in summer jobs. The physics department of the University of Colorado at Boulder has recently experimented with such a program, in cooperation with Denver high schools.

6. Professional activities

Professional geoscientists and engineers should be encouraged to take "company time," as well as their own, to work with minority students in educational and motivational programs. One approach may be to hire marginally motivated or prepared high school students as part-time assistants to professionals. In so doing, however, the professional should place first priority on awakening the interest of the student, rather than on simply pursuing his own work.

In addition, professional societies and industry should assist in developing traveling exhibits on earth science for high schools. They should also plan to cooperate with such organizations as the National Black Science Students' Organization. (Charles A. Baskerville, Dean of General Studies at the City College of the City University of New York can provide information about this group.)

7. Community colleges

Community colleges should be urged to facilitate admission of minority students by means of open admissions, free tuition, and free textbooks. Four-year institutions should be urged to offer scholarships and other forms of aid to the best minority graduates of 2-year schools.

B. Employment Opportunities for Minorities

Conclusions:

Some corporate representatives felt that optimism about future job markets should be tempered with caution, in view of employment projections discussed earlier by J. R. Jackson. Nevertheless, participants in this seminar generally agreed that employment opportunities for minorities would be more than adequate for many years to come.

Several minority students from Denver high schools took part in this session. They emphasized that they were less interested in a long-range commitment to attracting and helping minority students than they were in overcoming the immediate, practical difficulties of learning precisely what the earth sciences are, what job opportunities these fields offer, and how one goes about preparing for and finding jobs.

Representatives of government and industry, for their part, said they were actively seeking minority college graduates for earth-science jobs. Thus, one principal problem appears to be that of communication between potential employers and pre-college students.

Recommendations:

1. Linking students to jobs

An effective network of communications is urgently needed between government and industrial employers, on the one hand, and college and pre-college students on the other. Job opportunities in

the earth sciences and mineral engineering, and the means of securing those jobs, must be clearly and widely communicated to high-school students.

2. Financial aid

Once motivated toward geoscience and engineering careers, minority students should be able to rely upon substantial sources of financial support as they progress toward undergraduate and graduate degrees. Information about such assistance should be readily available to high-school students before their senior year, so as to facilitate planning for admission to college.

3. Summer jobs

Larger and more meaningful summer-job programs in government and industry should be opened to minority students. These programs would serve to introduce students to the attractions and the methods of the earth scientist and engineer. Students thus employed may serve as new "ambassadors" of the profession to their schools.

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C. Minority Programs for Professional Societies

Conclusions:

Conference speakers have repeatedly emphasized that a major impediment to success in recruiting minority students for the earth sciences was a lack of "communications." Thus, while many students need financial assistance, scholarships go begging; thus, industrial interviewers visit campuses in search of students to fill summer and permanent jobs, but some qualified students learn of these visits only after the recruiters have left; and students who could benefit from summer field and laboratory jobs find themselves in menial and meaningless summer jobs simply for want of reliable and comprehensive information about the opportunities available in their future profession.

The 20 participants in this action-planning seminar, representing a variety of scientific and engineering organizations, agreed that the professional geoscience and engineering societies could do much to improve communications with students through new and existing educational activities.

The national offices of these 20 or more societies, working through their numerous local chapters or divisions, could potentially reach into nearly every community in the nation to provide students with information about earth-science careers. Through their local units, the professional societies are uniquely and superbly equipped to stimulate the interest of junior-high school, high-school, and college students by such means as sponsoring lectures, field trips,

and exhibits that convey the excitement, the challenge, and the importance of our varied profession. Two programs worthy of special note in this regard are the Environmental Studies Project and the Earth Sciences Teacher Preparation Project, both sponsored by the American Geological Institute and the National Science Foundation.

At the same time, however, sporadic and isolated local efforts cannot solve our problems of minority participation. A central-national organization is needed to coordinate these efforts, so that active groups may learn from each other's experience. Moreover, the expense of a national program of significant scope--involving such forms of assistance as scholarships and aid to the geoscience departments of small colleges serving predominantly minority populations--demands a national organization with a full-time staff. The logical place for such an organization is within the American Geological Institute.

By the same token, the American Association for the Advancement of Science would be the proper organization to serve as an "information exchange" to link minority programs of the geoscience societies to the scientific community at large.

Recommendations:

1. Contributions to the AGI

This panel recommends that contributions be solicited from all member societies of the AGI, from all industrial and educational

contributors to AGI, from minority organizations and all other employers of geoscientists and engineers to support the AGI's proposed minority program for an initial period of two years.

2. Educating members of societies

Scientific societies should inform their members and affiliated organizations of the significance, the findings, and the goals of this conference through meetings, publications, student chapters, and education committees. Members should be encouraged to work in their minority communities to ensure the success of this program.

3. Elementary education

We recommend that conference participants seek broader support for such programs as the Environmental Studies Project and the Earth Sciences Teacher Preparation Project. These programs provide elementary school students with a valuable, early introduction to science and these programs are particularly useful in minority communities.

D. Professional Responsibilities and Standards

Conclusions:

Discussants agreed that, in the long term, a double standard of professional acceptance for the purpose of easing the entry of minorities into the earth sciences would be highly disadvantageous, both to the profession and to minorities. The profession must take pains not to generate a "second class" of ill-trained geoscientists and engineers.

At the same time, employers and institutions of higher education must seek innovative, non-traditional ways of furnishing minorities with the education and training they need. For those already employed, continuing education programs and financial support for persons enrolled in them, must be provided. For students, special stipends, variable-length programs of study, remedial-course work, tutoring, and work-study programs deserve emphasis. Colleges and universities should also consider increasing the number of "non-qualifying" minority high-school graduates they admit each year.

It was also felt that employers should strive for flexibility in their standards when considering promotions, in order to allow semi-professional employees (such as technicians) to advance on the basis of demonstrated potential--and not solely on the basis of degrees held.

Recommendations:

1. Advancement to leadership jobs

The geoscience profession should not only seek to open new job opportunities to minorities, but should also help minorities

to reach responsible leadership positions in government and industry, where crucial decisions affecting minority employment are made. In addition, employers should be prepared to deal with the difficulties that minority employees may experience in adapting to a new and potentially hostile working environment.

2. Examination of standards

Employers, as well as colleges and universities, should define the standards they use as criteria for hiring or admitting men and women, and eliminate or modify those standards which are likely to disqualify minority group members disproportionately.

3. Professional responsibilities

At the suggestion of Dennis Banks of the American Indian Movement, the group resolved that earth scientists should consider adopting a code of professional ethics to ensure that their talents shall be used in such a way as to safeguard human life and to conserve natural resources; and, further, to ensure that geoscientists not use their skills in a manner which may tend to violate the treaty rights of American Indians or the civil rights of any other minority group.

E. Implementation of Minority Participation Programs

Conclusions:

Given a reasonable rate of entry into the earth-science profession, we expect that job opportunities for minorities will be plentiful for the foreseeable future. Making minority high school students aware of these opportunities, however, would seem to be a major problem, and one that derives in large part from inadequate career counseling. It is possible that corporations could help overcome this deficiency by maintaining closer contacts with teachers and counselors in their respective communities.

Recommendations:

1. Industry ties to counselors

Teachers and counselors in high schools should be provided with the names of several geoscientists and engineers in their geographic area who would be available to talk to individual students, provide them with information on geoscience careers, and possibly contribute to high school science classes.

REPORTS OF INDEPENDENT CAUCUSES

Women's Caucus Report

Chicano Caucus Report

Industry Representatives' Statement

Friday, June 9

Carla Sydney Stone, student in mining geophysics, Henry Krumb School of Mines, Columbia University

The U. S. Government, and the minerals, mining and petroleum industries have discriminated against women by not hiring, promoting, or providing job opportunities commensurate with education and responsibility.

The highest priority must be given to establishing a registry to identify those women trained in the geosciences. This registry would serve as a clearinghouse to ensure that employers conduct a national search for qualified women.

We want all job categories open to all applicants, regardless of traditions and superstitions. Discriminatory state and Federal mineral employment laws must be struck from the books. Women must be encouraged to pursue careers in the geosciences. Scholarships must be awarded to young women wishing to participate in the industry. Once a woman has made the decision to enter the industry, she must be given the opportunity of on-the-job training in the mills, underground, and in the field.

Industry and government must provide insurance policies, including maternity benefits. Women must be free to take maternity leaves with no loss of seniority. Day-care centers should be provided for the children of these working geoscientists.

We want an education program to emphasize that women belong in the earth sciences, that they are now successful and that they can combine marriage, family, and a successful career.

Miguel Rios, physicist, California State Polytechnic University, Pomona

The Chicano caucus met at this conference for the purpose of formulating specific objectives to be adopted as a part of a comprehensive plan to increase the number of Chicanos in the geosciences. Although formulation of such goals was to be a primary responsibility of the conference, and although participating companies, agencies, and institutions have demonstrated concern about this problem, many of the Chicanos here doubt that these participants are truly committed. We feel, for example, that if the Department of the Interior had a real interest in solving the problems we face, the Secretary of the Interior, Rogers C. B. Morton, would be present here, today. If the Federal Government were truly determined to help solve our problems, the Federal agencies responsible for the progress of science in this country would be represented here by their directors or by people in their top echelons. The Director of the National Science Foundation, for example, is not present here today. Nor has the NSF shown any real interest in funding undergraduate programs in the sciences for minorities.

We know that of the approximately 30,000 geoscientists in this country, less than one percent is Chicano. The situation is just as bad in the other physical sciences. There are approximately 20,000 Ph.D. physicists in this country. Only about 10 of these are Chicanos, whereas 5 to 7 percent of the total population in this country is Chicano. The situation is essentially the same in chemistry and mathematics.

Similarly, we know that more than 50 percent of earth scientists are employed by private industry, primarily in the petroleum and mining industries. Yet, there are no executives present here today from the top echelons of management in these industries. We fear that most of the participants from private enterprise will simply write a report when they return to their respective companies.

With respect to institutions of higher education, we feel that they have yet to open their doors to the Spanish-speaking community. In particular, the Colorado School of Mines has obviously ostracized the Chicano from the educational process on that campus. Of the 2000 students on that campus, there are only seven who are Spanish surnamed. Of these seven, most are probably Latin Americans. The Colorado School of Mines employs no Chicano faculty members.

The Spanish-speaking community has received many promises in the past and very few have been kept. Because of these broken promises and because of our determination to obtain adequate representation in all areas of intellectual endeavor, the Chicano caucus met and formulated requests which we expect industry, government, and the Colorado School of Mines to meet.

Department of the Interior: The Department has one of the worst records for providing opportunity for the Spanish-surnamed community. The following requests should, therefore, be implemented:

The Secretary of the Interior should establish a yearly budget of $500,000 to open opportunities for the Spanish-surnamed.

A Spanish-surnamed person should be hired and given the authority to staff and implement the following resolutions: Sixteen hundred

additional Spanish-surnamed people should be hired by 1975 to make our representation in the Department of the Interior commensurate with our population; goals and timetables for each agency within the Department should be established; the Spanish-surnamed should be hired at all levels within the Department, including GS-18; funds should be channeled to the Southwest to prepare Spanish-surnamed youngsters for participation in all aspects of the Department's activities; work-study, cooperative education, and educational programs for the Spanish-surnamed should be initiated, and intensified where they exist.

The Department should establish training programs to upgrade the skills of the Spanish-surnamed presently employed by, or who will subsequently join, the Department; the Department should initiate action to employ the top 10 percent of the Chicano enrollment in every school; each agency should set up a task force chaired by agency heads to develop specific action plans for the Spanish-surnamed. Quarterly reports on progress should be submitted by the Department of the Interior to such Spanish-speaking organizations as IMAGE (Incorporated Mexican American Government Employees), LULAC (League of United Latin American Citizens), and G. I. Forum.

Petroleum and Mining Industries: These industries must make written commitments to initiate affirmative action for hiring the Spanish-surnamed; definite goals and timetables should be devised within the next 90 days and submitted to the conference sponsors and the Colorado School of Mines' Board of Trustees to be used as guidelines for formulating plans and programs to involve the minority communities.

Industry should initiate scholarship programs specifically for Chicanos majoring in the earth sciences. Information on the scholarships should be disseminated to schools enrolling large numbers of Chicanos and to all Chicano organizations. Industry should initiate summer programs not only to expose high-school students to the geosciences, but college students as well.

Industry should initiate cooperative-education programs with colleges and training programs for Chicanos already in industry to advance the Spanish-speaking to higher positions.

The Colorado School of Mines: The School should initiate a program to bring Chicanos into the field of earth sciences. This program should actively recruit both students and faculty. The program should be supplemented by tutoring, counseling, financial aid, adequate housing, and by other student services that will facilitate success for the Chicano student.

The Chicano caucus expects the Colorado School of Mines to devise a master plan outlining the specific activities, schedules, and financial resources that it will commit to the implementation of this plan, beginning in the fall of 1972. Also, courses should be instituted in the curriculum to deal with the contributions of minority people to the earth sciences, to the laws concerning the earth sciences, irrigation, and so on.

The Chicano caucus expects that the Colorado School of Mines will develop a summer program, in cooperation with the local school

districts, to identify Chicanos with potential for the earth sciences. The Chicano caucus feels that the minorities should be represented in the planning of these programs.

In conclusion, the Chicano community requires supportive service and financial assistance to move ahead in its attempts to reach population parity in the sciences.

It behooves the Federal agencies, the educational institutions, and industry to realize that we, indeed, have been overlooked. We sincerely hope that you will respond and will provide the assistance we need, so that we may take our rightful place in this society.

Harold L. Fothergill, Personnel Coordinator, the Union Oil Company

I was elected to present a statement here on the last day about what we representatives from industry are thinking. At the outset, I should note that we have not had too much input to this particular conference, although we would like to have done more.

One thing you can be sure of: we were here today, yesterday, and the day before because we are interested in these problems. We have been working on them and we are anxious to do more. We are very interested in all the suggestions and recommendations that may come out of this conference, and we plan to act on them to the best of our ability.

I hope you know that industry is committed to seeking out all qualifiable, talented, minority students in geoscience programs for both permanent jobs and summer jobs. We believe that we (industry) have succeeded in hiring every minority graduate in earth science this past year. In addition, this summer we think that we (industry) have probably hired all juniors or above among minority earth-science majors. There is no coordination among companies to ensure that this has been accomplished, but this is the feeling that we have.

Apparently, one of the big problems that we have is one of communication. This has been most obvious to me during these three days. We are all keenly aware of these problems but there has been no obvious attempt to coordinate what has been done by industry, by the schools, or by the minority groups.

To give you just a small example of some of the constructive programs that our particular companies represented here have been doing, I would like to read a list here that we put together for you. We have many scholarships for minority students in earth science. I would venture to say that there is at least one scholarship for every declared earth-science major who is a minority student in the United States.

This, I think, is a sizable accomplishment. We also can arrange for tuition refunds. All of these now apply to minority students.

In many of the companies, if an employee makes a contribution to a minority cause, the corporation makes an identical grant. We make grants to the earth-science departments and to many schools around the country.

We have grants for major construction programs on the campuses, scientific-equipment grants, and cooperative work-study programs. We have summer jobs by the hundred. We have teacher workshops. We have job fairs, where our people attempt to show the public what earth-science people do. We have occupational-awareness programs for junior high schools.

Again, let me reiterate that we are all here because we want to be, that we are eager to continue, to improve, and to add to the programs that we already have. We feel that at present what we have been doing has been somewhat fractionated, definitely uncordinated, and, in the main, unadvertised. Now, perhaps, with the recommendation that the American Geological Institute establish a two-year coordinating committee, we will be able to coordinate all of these actions and all of us will be able to see the size of it. And, we all hope that we will be able to do more in the future.

Appendices

The AGI Minority Program

Conference Participants

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Minorities in the Geosciences: The Role of the American Geological Institute

The American Geological Institute has been concerned about the number of minority group people in the geosciences since 1967, when its Earth Science Curriculum Project recognized the need to reach the disadvantaged youth in the inner-city area. Based on this concern, the Institute has sponsored Environmental Studies for Urban Youth, a project funded by the National Science Foundation.

In the fall of 1970, a group of geoscientists in the San Francisco Bay Area circulated petitions calling upon the Geological Society of America and the Society of Exploration Geophysicists to initiate vigorous programs to increase minority participation in the geosciences. These petitions, supported by colleagues across the country, were endorsed by those societies' Councils in November 1970, and committees were assigned to investigate the problems and formulate a program to cope with it. Supporting positions have since been adopted by the Seismological Society of America, National Association of Geology Teachers, Geochemical Society, Association of Engineering Geologists, Society of Economic Geologists, and Society of Economic Paleontologists and Mineralogists.

In September 1971, the Acting Director of the U. S. Geological Survey wrote to Survey employees calling on each of them to join in an energetic program to improve the Survey's record in professional employment for minorities. This program is now being vigorously prosecuted in all Survey offices.

In the spring of 1971, the AGI Education Committee discussed ways of increasing the number of minority geoscientists. Its members believe that students in predominantly minority group colleges are simply never exposed to the earth sciences. The committee proposed a program in which interested professors from related fields might undertake studies in earth science and introduce at least one course in the field upon return to their home campus. Institutions that have expressed interest in contributing to this program include the state universities of Oklahoma, Texas, Massachusetts, and Minnesota, St. Lawrence University, and Amherst College and Virginia State College.

The Program

The Geological Society of America and the American Geological Institute have agreed to establish a Minority Program Advisory Committee, under the aegis of AGI, to promote and coordinate a profession-wide effort to encourage increased participation in the geosciences by members of minority groups. This Committee is initially composed of one representative from each AGI member society that provides support to this effort. An Office of Minority Participation in the Geological Sciences, headed by a coordinator, has been established at AGI. This office is responsible, under the guidance of the Advisory Committee, for development and administration of program, fund solicitation for program support, and coordination with similar programs of other

organizations. The office will prepare proposals for support of specific programs and will accept and disburse funds received from AGI member societies, and federal, state, and private sources. Depending upon the amount of financial support, it may do such things as these:

a. Assist in career guidance for minority community and college groups.

b. Identify job opportunities in earth science for minority youth.

c. Consult with schools that have a large minority population and are planning earth-science programs.

d. Enlarge the expertise in earth sciences of faculty members in predominantly black colleges.

e. Provide scholarships for needy students in predominantly black colleges and colleges with large enrollments of Spanish-surnamed or American Indian youths (or both).

f. Provide financial aid to colleges with large minority populations so that minority students at these schools can study earth science at a 'paired' white college.

g. Offer undergraduate and graduate scholarships for minority members in predominantly white universities.

h. Support the pre-college participation of minority youth at summer geology field camps.

i. Seek endowment for chairs of geology and geophysics at minority colleges.

j. Provide career counseling in the geosciences for minority veterans.

The Goal

It would not be realistic, or even desirable, to attempt to achieve parity of racial makeup in our profession by a crash-recruitment program. A more realistic approach is to consider how many minority persons would have to enter the profession each year to maintain a parity pool of minority group geoscientists if that pool already existed. For example, assuming an average professional career-span of 30 years and a pool of 3,300 black geoscientists, at least 110 blacks would have to enter the profession every year. That means parity of the profession with the total population will not be achieved until 30 or 40 years after that rate of flow is achieved, or sometime well into the 21st century.

Recent Progress

In the weeks since the conference, the proposed AGI minority program has received encouraging support from several sources. As seed money to implement the program, the Charles E. Merrill Trust has made available $25,000 which is being used to support organizational activities and studies now underway at the Institute. In addition, the Minority Participation Program has received contributions totaling $1,500 from the Society of Economic Geologists and the Society of Economic Paleontologists and Mineralogists. Further contributions are now being made by members of the Geological Society of America and the National Association of Geology Teachers. Other

sources of funds to supplement the Merrill grant and society contributions are being sought; in this respect, discussions with the National Science Foundation, the National Institute of Education, and the Ford, Rockefeller, and Danforth Foundations have all been encouraging.

Dr. Mack Gipson, Jr., Professor of Geology at Virginia State College, Petersburg, has been employed by AGI on a part-time basis as Program Director. Dr. Gipson has agreed to serve in this capacity until a full-time director can be identified.

Meanwhile, the Institute's Education Office is exploring ways in which the program might best serve minorities. The Alabama Center for Higher Education (a consortium of eight predominantly black institutions of higher education) has expressed great interest in participating in some phase of the minority program. And the U. S. Geological Survey has been actively supporting the rejuvenation and reorganization of the geology degree program at Howard University. The Survey has given Dr. Thomas Gibson and Fred Wilson time to serve on the Howard faculty. The AGI Education Office has been working closely with students and staff at Howard, and the program appears to be off to a good start.

On October 19, the AGI sponsored a panel on "Geology as a Career for Blacks" at the annual convention of the National Black Science Students Organization in New York City. The panel consisted of Dr. Gipson, Charles A. Baskerville, Dean of General Studies at City College of New York; Fred Wilson of the U.S.G.S., now teaching

mineralogy at Howard; and Michael Lacy, a senior geology student at Virginia State. The panel--the first of its kind for an NBSSO convention--was well attended and seemed to elicit great interest from the students in the Institute's minority program.

Finally, Mrs. Bonnie Henderson, the AGI manpower specialist, has compiled new student enrollment figures that clearly indicate a great and continuing imbalance in the proportion of minority students in geoscience programs.

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AMERICAN GEOLOGICAL INSTITUTE

2201 M Street NW Washington, D.C. 20037 202-296-7950

DISTRIBUTION OF MINORITY STUDENTS IN GEOSCIENCE, 1972

		Black Americans	Spanish-Surnamed Americans	Oriental Americans	American Indians	Total
Undergraduate Majors	#	102	159	103	13	377
	% of total	(27.1)	(42.2)	(27.3)	(3.4)	(100.0)
In Master's Program	#	50	41	28	4	123
	% of total	(40.7)	(33.3)	(22.8)	(3.2)	(100.0)
In Doctoral Program	#	7	8	28	1	44
	% of total	(15.9)	(18.2)	(63.6)	(2.3)	(100.0)
Total in Minority Group	#	159	208	159	18	544
% of Total Minorities	#	29.2	38.2	29.2	3.3	100.0

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STUDENT ENROLLMENT BY SEX, 1971-72

UNDERGRADUATE MAJORS			GRADUATE STUDENTS		
Women	Men	Total	Women	Men	Total
2,711	15,596	18,307	673	5,639	6,312
15.1%	84.9%	100.0%	10.7%	89.3%	100.0%

MINORITY REPRESENTATION IN GEOSCIENCE ENROLLMENT, 1972

Type of Department	Total Enrolled	Minority Students	
		Number	Percent
Majors, all levels in degree-granting depts.	27,225	544	2.0
In 4-year schools, nonmajor depts.	8,956	429	4.8
In 2-year colleges	28,588	2,083	7.3

PARTICIPANTS

National Conference on Minority Participation
in Earth Science and Mineral Engineering

Alex Acosta
U. S. Geological Survey Computer Center
Flagstaff, Arizona 86001

Herbert E. Aikens
National Urban League, Inc.
425 - 13th Street, NW
Washington, D. C. 20004

Andrew G. Alpha
Mobil Oil Corporation
P. O. Box 5444
Denver, Colorado 80217

Barbara Anderson
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Cheryl Anderson
17491 W. 16th Avenue, Apt. 301
Golden, Colorado 80401

Toby E. Archuleta
New Mexico Highlands University
Las Vegas, New Mexico 87701

David Armestead
Commission on Community Relations
431 W. Colfax
Zook Building, Suite 500
Denver, Colorado 80204

J. W. Axton
Phillips Petroleum Company
104 Frank Phillips Building
Bartlesville, Oklahoma 74004

Robert Azios
Texas Mining and Smelting Division
of N. L. Industries, Inc.
P. O. Box 559
Laredo, Texas 78040

Lincoln Baca
Commission on Community Relations
431 W. Colfax
Zook Building, Suite 500
Denver, Colorado 80204

Dennis J. Banks
American Indian Movement
1337 E. Franklin
Minneapolis, Minnesota 55404

Joseph E. Bargas
U. S. Bureau of Mines
Washington, D. C. 20240

Teodoro V. Barros
Latin American Research and Service Agency
1375 Delaware Street
Denver, Colorado 80204

Charles A. Baskerville, Dean
School of General Studies
The City College of the City University
of New York
New York, N. Y. 10031

Kenneth W. Beaver
Society of Petroleum Engineers of AIME
AMOCO Production Company
Security Life Building
Denver, Colorado 80202

Donna Behrendt
Bounty Lane
Falmouth, Mass. 02540

Waldemere Bejnar
New Mexico Highlands University
Las Vegas, New Mexico 87701

Ann Bender
GSA Federal Supply Service
Building 41
Denver Federal Center
Denver, Colorado 80225

PARTICIPANTS - 121

Joseph W. Berg, Jr.
National Academy of Sciences
2101 Constitution Avenue, NW
Washington, D. C. 20418

E. Fred Birdsall
Continental Oil Company
Box 2197
Houston, Texas 77001

Harold Bloom
SME Education Committee
Colorado School of Mines
Golden, Colorado 80401

Anthony Bogguss
Climax Molybdenum Company
Mines Park
Golden, Colorado 80401

St. Clair Booker
Operation PUSH
P. O. Box 5432
Chicago, Ill. 60680

Sarah Booker
U. S. Geological Survey
Building 56
Denver Federal Center
Denver, Colorado 80225

Joseph Botbol
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

John A. Broadwell
Cities Service Oil Company
Box 300
Tulsa, Oklahoma 74102

Arnold Brokaw
U. S. Geological Survey
Building 25
Denver Federal Center
Denver

R. W. Bromery, Chancellor
University of Massachusetts
Amherst, Massachusetts 01002

Earl Brooks, Jr.
Dept. of Geological Sciences
University of Washington
Seattle, Washington 98105

Gerald Brophy
Department of Geology
Amherst College
Amherst, Massachusetts 01002

E. W. Brown
The Hanna Mining Company
100 Erieview Plaza
Cleveland, Ohio 44114

Senator George Brown
Metro Denver Urban Coalition
1711 Pennsylvania Street
Denver, Colorado 80203

Harry W. Brown
Pennzoil Company
900 Southwest Tower
Houston, Texas 77002

Nad R. Brown
Climax Molybdenum Company
Mines Park
Golden, Colorado 80401

M. D. Burdick
Soil Conservation Service
U. S. Department of Agriculture
P. O. Box 17107
Denver, Colorado 80217

Salvadore Carpio
Metropolitan State College
250 West 14th Avenue
Denver, Colorado 80204

Joe D. Casillas, Director
Office of Economic Opportunity
Federal Building - 1961 Stout Street
Denver, Colorado 80202

PARTICIPANTS - 122

George Chavez
Rotation Engineer
c/o Bureau of Reclamation
Box H 4377
Amarillo, Texas 79101

Randall T. Chew III
Garrett Research and Development Company
La Verne College
1950 Third Street
La Verne, California 91750

Sandra Clark
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

James E. Coats
Brazos Oil and Gas Division
Dow Chemical Company
P. O. Box 3387
Houston, Texas 77001

Howard J. Cohan
Bureau of Reclamation
Engineering and Research Center
Room 1 - Building 56
Denver Federal Center
Denver, Colorado 80225

Charles W. Cole
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

J. R. Coleman
East High School
1545 Detroit Street
Denver, Colorado 80207

Leon Cook, President
National Congress of American Indians
Office of Urban Affairs
Minneapolis Public Schools
5016 - 13th Avenue So.
Minneapolis, Minnesota 55417

John C. Cooney
Environmental Research Corporation
2769 S. Highland Drive
Las Vegas, Nevada 89109

William D. Copeland
Colorado School of Mines
Golden, Colorado 80401

Joe L. Copes
Commission on Geography and Afro-America
Dept. of Geography
The University of Michigan
Ann Arbor, Michigan 48104

Lorraine Cornelius
American Indian Movement
1346 Connecticut Avenue NW
Washington, D. C. 20036

Henry R. Cornwall
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

A. S. Cotera
Northern Arizona University
Flagstaff, Arizona 86001

David Crawford
Mayor of Golden
911 10th
Golden, Colorado 80401

Dorothy Curtis
Biological Sciences Curriculum Study
P. O. Box 930
Boulder, Colorado 80302

R. F. Dauffenbach
Kerr-McGee Corporation
P. O. Box 218
Grants, New Mexico 87020

Edward S. Davidson
Smithsonian Institution
Washington, D. C. 20560

Herb Davis
North High School
2960 North Speer Boulevard
Denver, Colorado 80211

PARTICIPANTS - 123

William A. Davis
Hilltop Community Church
Rt. 1 Box 751
Franktown, Colorado 80116

Jimm DeShields
University of Massachusetts
Amherst, Massachusetts 01002

Richard C. Dittman
U. S. Bureau of Reclamation
Room 740 - Building 67
Denver Federal Center
Denver, Colorado 80225

H. Roberta Dixon
U. S. Geological Survey
Building 53
Denver Federal Center
Denver, Colorado 80225

Bruce R. Doe
U. S. Geological Survey
Building 21
Denver Federal Center
Denver, Colorado 80225

S. M. Domenico
Amoco Production Company
Box 591
Tulsa, Oklahoma 74102

Spencer Donaldson
Collective Economics, Inc.
211 Reed Street
Philadelphia, Pennsylvania 19146

Tyrus B. Dover
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Eutimio Durand
Denver Public Schools
414 - 14th Street
Denver, Colorado 80202

George Dwyer
U. S. Civil Service Commission
Building 20
Denver Federal Center
Denver, Colorado 80225

Stanley Edelstein
Veterans' Administration
Denver Federal Center
Denver, Colorado 80225

J. A. Ellingson
Fort Lewis College
Durango, Colorado 81301

John F. Emerson
Union Carbide
P. O. Box 1049
Grand Junction,Colorado 81501

Peter Fenner
Governors State University
Park Forest South, Illinois 60466

Quentin File
Amoco Production Company
Box 591
Tulsa, Oklahoma 74102

Edward G. Fisher
Colorado School of Mines
Golden, Colorado 80401

D. E. Fletcher
Signal Oil and Gas Company
1010 Wilshire Blvd.
Los Angeles, California 90017

John Florez
Special Asst. to the President
The National Urban Coalition
2100 M Street, NW
Washington, D.C. 20037

Linda Flueckinger
Kansas State Geological Survey
University of Kansas
Lawrence, Kansas 66044

S. D. Foreman
Colorado School of Mines
Golden, Colorado 80401

Carl Forn
U. S. Geological Survey
5950 McIntyre
Golden, Colorado 80401

Sue Foust
Building 25 Denver Federal Center
U. S. Geological Survey
Denver, Colorado 80225

PARTICIPANTS - 124

Harold L. Fothergill
Union Oil Co. of California
P. O. Box 7600
Los Angeles, California 90051

James Frazier
Director of Civil Rights
Dept. of Transportation
400 7th Street SW
Washington, D. C. 20590

James Freelon
Bureau of Indian Affairs
1951 Constitution Avenue NW
Washington, D.C. 20242

Diane Funmaker
American Indian Movement
1346 Connecticut Avenue NW
Washington,D. C. 20036

John R. Gaines
The Anaconda Company
25 Broadway
New York, N. Y. 10004

Claude N. Gallegos
Colorado State University
Ft. Collins, Colorado 80521

Ali El Gammal
National Institute of Safety and Health
Heliopalies, Liberty P. O.
Cairo, Egypt

Marvin Ghostbear
American Indian Movement
Pine Ridge, South Dakota 57770

Paul Gill
Brazos Oil and Gas Division
Dow Chemical Company
P. O. Box 3387
Houston, Texas 77001

Robert Gillette
SCIENCE Magazine
1515 Massachusetts Avenue NW
Washington, D. C. 20005

Mack Gipson, Jr.
Department of Geology
Virginia State College
Petersburg, Virginia 23803

Theodore P. Gleiter
National Oceanic and Atmospheric Admin.
Rockville, Maryland 20852

Charles C. Gomez
Environmental Protection Agency
Lincoln Towers, Suite 900
1860 Lincoln Street
Denver, Colorado 80203

Manuel Gomez
U. S. Bureau of Mines
Room 2711, Building 20
Denver Federal Center
Denver, Colorado 80225

Fidel Gonzalez
League of United Latin American Citizens
8811 Universe Street
Westminster, California 92683

Dorothy Gorton
Veterans Administration
Building 20
Denver Federal Center
Denver, Colorado 80225

Dale C. Gough
National Oceanic and Atmospheric
Administration
Boulder, Colorado 80302

Edmund J. Grant
Asst. Director for Administration
U. S. Geological Survey
Washington, D. C. 20242

Ralph A. Gullett
U. S. Bureau of Reclamation
Building 67
Denver Federal Center
Denver, Colorado

Judith L. Hamilton
Assoc. of Engineering Geologists
7391 W. 38th Avenue
Wheatridge, Colorado 80333

PARTICIPANTS - 125

James L. Hanson
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

John D. Haun
Colorado School of Mines
Golden, Colorado 80401

Ralph Hay
U. S. Bureau of Mines
Building 20
Denver Federal Center
Denver, Colorado 80225

Walter W. Hays
Environmental Research Corporation
2769 S. Highland Drive
Las Vegas, Nevada 89109

John H. Healy
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Roland G. Henderson
U. S. Geological Survey
Blair Building
Silver Spring, Maryland 20907

Thomas A. Hendricks
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Malcolm T. Hepworth, Chairman
Chem. Eng. & Metallurgy Programs
Space Science Building
University of Denver
Denver, Colorado 80210

C. H. Hewitt
Marathon Oil Company
P. O. Box 269
7400 S. Broadway
Littleton, Colorado 80122

Louise Hobbs
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Warren Hobbs
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

F. M. Holdaway
U. S. Bureau of Reclamation
Room 5 - Building 56
Denver Federal Center
Denver, Colorado 80225

F. D. Holland, Jr.
Council on Education in the Geological Sciences
American Geological Institute
2201 M Street NW
Washington,D. C. 20037

R. A. Hollenberg
Pennzoil Company
900 S. W. Tower Building
Houston, Texas 77002

Ralph C. Holmer
Society of Exploration Geophysicists
Dept. of Geophysics
Colorado School of Mines
Golden, Colorado 80401

Anthony Homyk, District Chief
U. S. Geological Survey
P. O. Box 340
Rolla, Missouri 65401

Linn Hoover
American Geological Institute
2201 M Street NW
Washington, D. C. 20037

G. H. Horn
U.S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

PARTICIPANTS - 126

J. J. Hunter
Phillips Petroleum Company
518 Frank Phillips Building
Bartlesville, Oklahoma 74004

Benjamin L. Hunton
U. S. Bureau of Mines
Room 4429
Department of the Interior
Washington, D. C. 20240

Bubba Jackson
Colorado Urban League
2823 Welton Street
Denver, Colorado 80205

Rev. Jesse Jackson
Operation PUSH
P. O. Box 5432
Chicago, Illinois 60680

J. R. Jackson, Jr.
Humble Oil & Refining Company
Box 2180
Houston, Texas 77001

Edward R. Jacobsen
The Anaconda Company
P. O. Box 11309
Tucson, Arizona 85706

B. E. Jeffries
Atlantic Richfield Company
P. O. Box 2819
Dallas, Texas 75221

William F. Jirikowic
Skelly Oil Company
1860 Lincoln Street
Denver, Colorado 80203

Daniel Jobin
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Charles E. Johnson
U. S. Bureau of Reclamation
Room 740 - Building 67
Denver Federal Center
Denver, Colorado 80225

Harold E. Johnson
Kennecott Copper Corporation
161 East 42nd Street
New York, N. Y. 10017

Rich Joko
Earth Science Educational Program
P. O. Box 1559
Boulder, Colorado 80302

Col. Hubert L. Jones
Colorado Urban League
2823 Welton Street
Denver, Colorado 80205

Norma Jones
K W G N Television Channel 2
550 Lincoln Street
Denver, Colorado 80203

William J. Jones
National Oceanic and Atmospheric
Administration
Geomagnetic Data Division
RV 2, Room 108
Boulder, Colorado 80302

Athenia Kelley
Foothills College - 12345 El Monte Ave.
Los Altos, California 94025

Phyllis Kerns
U. S. Bureau of Reclamation
Building 67
Denver Federal Center
Denver, Colorado 80225

Willie T. Kinoshita
U.S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Stephen P. Kirby
U. S. Forest Service
Denver Federal Center
Denver, Colorado 80225

T. H. Kuhn
Colorado School of Mines
Golden, Colorado 80401

PARTICIPANTS - 127

Ray Kruca
North High School
2960 North Speer Boulevard
Denver, Colorado 80211

L. Kumamoto
Colorado School of Mines
Golden, Colorado 80401

James S. Lakis
Human Relations Department
Polaroid Corporation
730 Main Street
Cambridge, Massachusetts 02139

William C. Larrabee
Gulf Mineral Resources Company
1780 South Bellaire Street
Denver, Colorado 80222

Melvin Lee
American Indian Movement
1346 Connecticut Avenue NW
Washington, D. C. 20036

Robert Lepper
Environmental Studies
Earth Science Educational Program
P. O. Box 1559
Boulder, Colorado 80302

Virginia Lincoln
National Oceanic and
Atmospheric Administration
Boulder, Colorado 80302

Alyce Lindgren
U. S. Bureau of Reclamation
Building 67
Denver Federal Center
Denver, Colorado 80225

John P. Lockwood
U. S.Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Malcolm H. Logan
U. S. Bureau of Reclamation
Building 57, Code 254
Denver Federal Center
Denver, Colorado 80225

John B. Lopez
Colorado Office of Economic Opportunity
1575 Sherman, Room 625
Denver, Colorado 80203

William G. Lunsford
Friends Committee on National Legislation
2027 Massachusetts Avenue NW
Washington, D. C. 20036

Jeanie Maes
League of United Latin American Citizens
8372 Navajo
Denver, Colorado 80221

Jennie Marillo
GSA
Building 41
Denver Federal Center
Denver, Colorado 80225

J. L. Martin
Atlantic Richfield Company
P. O. Box 2819
Dallas,Texas 75221

Gloria Martinez
Las Mujeres De League of United Latin
American Citizens
11701 W. 80th Avenue
Arvada, Colorado 80002

J. V. Martinez
Research Laboratory
Eastman Kodak Company
1669 Lake Avenue
Rochester, N. Y. 14650

Frank Mathews
Colorado School of Mines
Golden, Colorado 80401

Guy T. McBride, President
Colorado School of Mines
Golden, Colorado 80401

46-120 O - 75 - 34

PARTICIPANTS - 128

Edward McCoy, Jr.
Gulf Oil Company
P. O. Box 2100
Houston, Texas 77001

Edgar J. McCullough, Jr.
Department of Geosciences
University of Arizona
Tucson, Arizona 85721

Vincent E. McKelvey, Director
U. S. Geological Survey
Washington, D. C. 20242

T. E. McKinney, Jr.
United Negro College Fund
55 E. 52nd Street
New York, N. Y. 10022

T. G. McLaughlin
U. S. Geological Survey
Denver Federal Center
Denver, Colorado 80225

Diane Means
American Indian Movement
1346 Connecticut Avenue NW
Washington, D. C. 20036

Cesar Flores Mendez
Service, Employment, and
Redevelopment
Bay Area Construction Opportunity
Program
563 - 14th Street
Oakland, California 94612

D. Mesteth
American Indian Movement
1346 Connecticut Avenue NW
Washington, D. C. 20036

Leo Middleton
Continental Oil Company
1755 Glenarm
Denver, Colorado 80202

Austin B. Milhollin
American Society of Civil Engineers
925 So. Braun Drive
Lakewood, Colorado 80228

Ava Milhollin
American Society of Civil Engineers
925 So. Braun Drive
Lakewood, Colorado 80228

Maxine Millard
U. S. Geological Survey
Washington, D. C. 20242

Mary H. Miller
U. S. Geological Survey
Denver Federal Center
Denver, Colorado 80225

Herbert Mills
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Pete Mirelez, Director
Div. of Migrant Labor & Programs
for Spanish Speaking People
Office of Economic Opportunity
1200 19th Street NW
Washington,D. C. 20506

G. D. Mittelstadt
Cleveland-Cliffs Iron Company
P. O. Box 1211
Rifle, Colorado 81650

Edwin H. Montgomery
U. S. Bureau of Land Management
Building 50
Denver Federal Center
Denver, Colorado 80225

Fernie Moore
Community College of Denver
Central Campus
1201 Acoma
Denver, Colorado 80223

Patricia Moore
Housing and Urban Development
1961 Stout Street
Denver, Colorado 80202

Veronic L. Murdock
National Congress of American Indians
Colorado River Indian Tribes
Rt. 1 Box 23-B
Parker, Arizona 85344

PARTICIPANTS - 129

Tom Murnam
North High School
2960 North Speer Boulevard
Denver, Colorado 80211

John F. Murphy
U. S. Geological Survey
Washington, D. C. 20242

Walter Myles
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

M. P. Nackowski
University of Utah
Salt Lake City, Utah 84112

Darlene Nichols
American Indian Movement
Pine Ridge, South Dakota 57770

Robert Nichols, Jr.
American Indian Movement
Pine Ridge, South Dakota 57770

Donna Noble
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Paul V. O'Hara
Nebraska Catholic Conference
521 South 14th Street
Lincoln, Nebraska 68508

M. Oliverez
Cabinet Committee on Opportunities
for Spanish Speaking People
1707 H Street NW
Washington, D. C. 20506

Ferron A. Olson
American Society for Engineering
Education
University of Utah
Salt Lake City, Utah 84112

Sebastian Owens
Denver Urban League
1375 Delaware Street
Denver, Colorado 80204

Rupert P. Padilla
Interstate Research Associates
910 - 16th Street
Denver, Colorado 80202

Lincoln R. Page
U. S. Geological Survey
80 Broad Street
Boston, Massachusetts 02210

Helen Pakiser
Perry Pines Route 1
Sedalia, Colorado 80135

L. C. Pakiser
U. S. Geological Survey
Room 2294, Building 25
Denver Federal Center
Denver, Colorado 80225

Charles "Moose" Pamp
National Indian Youth Council
324 N. Pine Street
Lansing, Michigan 48900

Mr. Lutrelle F. Parker
Office of Minority Business Enterprise
U. S. Patent Office
2016 S. Filmore Street
Arlington, Virginia 22204

Irene Paulsen
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Leonard Peltier
American Indian Movement
3328 W. Lisbon Avenue
Milwaukee, Wisconsin 53208

Wayne L. Peterson
Utah International, Inc.
550 California Street
San Francisco, Calif 94104

Ronald Petite
American Indian Movement
1346 Connecticut Avenue
Washington,D. C. 20036

PARTICIPANTS - 130

Jurgen G. Pohly
National Aeronautics and
Space Administration
Washington,D. C. 20546

Al Polis
Consolidation Coal Co., Inc.
7895 E. Prentice Avenue
Littleton, Colorado 80120

Norma Polivema
U. S. Geological Survey
601 E. Cedar Avenue
Flagstaff, Arizona 86001

T. M. Potts
Humble Oil and Refining Company
P. O. Box 2180
Houston, Texas 77001

Herb Powless
American Indian Movement
431 North 27th Street
Milwaukee,Wisconsin 53208

Frank Press
Dept. of Earth and Planetary
Sciences
Massachusetts Institute of Technology
Cambridge, Massachusetts 02139

N. Pundari
Gulf Oil Corporation
1780 So. Bellaire
Denver, Colorado 80222

Peggy Quintana
League of United Latin American Citizens
4875 Zuni
Denver, Colorado 80221

C. Rainwater
Veterans' Administration
Denver Federal Center
Denver, Colorado 80225

Nick Ramirez, Jr.
League of United Latin American
Citizens
30-750 San Diego Drive
Palm Springs, California 92262

Mrs. Nannette Rease
East High School
1545 Detroit Street
Denver, Colorado 80206

Philip A. Reed
1332 Chase Street
Lakewood, Colorado 80214

Richard E. Rhoades
Phelps Dodge Corporation
Ajo, Arizona 85321

J. T. Rice
Signal Oil and Gas Company
1010 Wilshire Boulevard
Los Angeles, California 90017

William H. Rima, Director
U. S. Civil Service Commission
Building 20
Denver Federal Center
Denver, Colorado 80225

John S. Rinehart
National Oceanic and Atmospheric
Administration
Boulder, Colorado 80302

Miguel Rios
Calif. State Polytechnic College
Physics and Earth Sciences Department
Pomona, California 91762

Marcel Rivera
U. S. Forest Service
Building 85
Denver Federal Center
Denver, Colorado 80225

Peter Robinson
Society of Vertebrate Paleontology
Univ. of Colorado Museum
Boulder, Colorado 80302

Thomas Rodriguez
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

PARTICIPANTS - 131

Tom Rollins
Pennzoil International
900 S. W. Tower Bldg.
Houston, Texas 77002

William D. Romey
Earth Science Educational Program
P. O. Box 1559
Boulder, Colorado 80302

Eugene H. Roseboom, Jr.
U. S. Geological Survey
Washington, D. C. 20242

Reuben J. Ross, Jr.
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

John T. Rouse
American Association of Petroleum Geologists
2026 Pryor Lane
Billings, Montana 59102

R. Dana Russell
American Geological Institute
P. O. Box 357
Estes Park, Colorado 80517

John M. Ryan
Utah International, Inc.
550 California Street
San Francisco, California 94104

Pat Salazar
Housing and Urban Development
Federal Building
19th and Stout
Denver, Colorado 80202

Manuel J. Salinas, Jr.
Community Relations Service
U. S. Department of Justice
1823 Stout Street, Room 278
Denver, Colorado 80202

Katherine Saltzman
c/o Earth Science Educational Program
P. O. Box 1559
Boulder, Colorado 80302

Norma Samano
League of United Latin American Citizens
8320 Zuni Street
Denver, Colorado 80221

Robert Samples
Earth Science Educational Program
P. O. Box 1559
Boulder, Colorado 80302

Don W. Schafroth
California State Polytechnic College
3801 W. Temple
Pomona, California 91768

Robert W. Schnabel
U. S. Geological Survey
Building 53
Denver Federal Center
Denver, Colorado 80225

Rudy R. Schwarzer
Texas Southern University
3722 Merrick
Houston, Texas 77025

Richard A. Scribner
American Association for the Advancement of Science
1515 Massachusetts Ave., NW
Washington,D. C. 20005

The Rev. Thomas Sepulveda
United Methodist Church and Denver General Hospital
249 West 6th Avenue
Denver, Colorado 80204

N. R. Serbu
U. S. Geological Survey
Building 63
Denver Federal Center
Denver, Colorado 80225

Barry O. Seymour
Dept. of Earth & Environmental Science
Queens College
116 - 22 148th Street
So. Ozone Park, N. Y. 11436

PARTICIPANTS - 132

Virginia L. Sharp
Battelle Columbus Laboratory
505 King Avenue
Columbus, Ohio 43201

Irene W. Sharpe
U. S. Bureau of Reclamation
E and R Center
P. O. Box 25007
Denver Federal Center
Denver, Colorado 80225

Edward E. Shelton
Equal Employment Opportunity
Dept. of the Interior
Washington, D. C. 20240

James W. Skehan, S. J.
National Association of Geology Teachers
Devlin Hall, Room 408
Boston College Environmental Center
Chestnut Hill, Massachusetts 02167

Eugene Skenandore
American Indian Movement
1346 Connecticut Avenue NW
Washington,D.C. 20036

Marvin Skougstad
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Francis E. Smiley
Dean of Students
Colorado School of Mines
Golden,Colorado 80401

Cecil Smith
Getty Oil
2979 Richards Street
Salt Lake City, Utah 84115

Joseph B. Smith
American Institute of Mining, Metallurgical and Petroleum Engineers
U.S. Bureau of Mines
Denver Federal Center
Denver, Colorado 80225

Vertie C. Smith
U.S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Allan E. Snyder
Kennecott Copper Corporation
161 E. 42nd Street
New York, N. Y. 10017

A. F. Spilhaus, Jr.
American Geophysical Union
1707 L Street NW
Washington, D. C. 20036

Charla Stewart
Environmental Protection Agency
Lincoln Tower Building
1860 Lincoln Street
Denver, Colorado 80203

Richard A. St. John
N. L. Industries, Inc.
5950 McIntyre Street
Golden, Colorado 80401

Shirley J. Stokes
Bureau of Reclamation
Engineering and Research Center
P. O. Box 25007
Denver Federal Center
Denver, Colorado 80225

Carla Stone
Henry Krumb School of Mines
Columbia University
Room 811 Seeley Mudd Building
New York, N. Y. 10027

William H. Strang
American Petroleum Institute
1801 K Street NW
Washington, D. C. 20006

Tom Sullivan
Society of Petroleum Engineers of AIME
6200 North Central Expressway
Dallas, Texas 75206

PARTICIPANTS - 133

Ted Sumida
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Vernon E. Swanson
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Henry A. Talbert
National Urban League
4055 Wilshire Blvd.
Los Angeles, California 90010

Dennis Taniguchi
National Youth Program
Japanese American Citizens League
Department of Earth Sciences
Applied Science Building
University of California, Santa Cruz
Santa Cruz, California 95060

E. O. Taulbee, III
Sun Oil Company
P. O. Box 2880
Dallas,Texas 75221

Michael Taylor
ARD Education Self-Help Center
1650 Point Breeze Avenue
Philadelphia, Pennsylvania 19145

C. G. Tebelman, Jr.
Bethlehem Steel Corporation
Bethlehem, Pennsylvania 18016

T. W. Ten Eyck
Department of Natural Resources
1845 Sherman
Denver, Colorado 80203

Robert Terrazas
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Mr. Carol M. Thomas
Office of Civil Rights and Urban Affairs
Environmental Protection Agency
401 M Street NW, Room 3220 I
Washington,D. C. 20460

John Thompson
Earth Science Educational Program
P. O.Box 1559
Boulder, Colorado 80302

G. N. Thorsky
U. S. Bureau of Reclamation
Building 67
Denver Federal Center
Denver, Colorado 80225

William Thurston
U. S. Geological Survey
Washington, D. C. 20242

Rev. Joseph B. Torres
Regis College
W. 50th and Lowell Blvd.
Denver, Colorado 80401

L. G. Truby
El Paso Natural Gas Company
P. O. Box 1492
El Paso, Texas 79978

Allen D. Trujillo
Kennecott Copper Corporation
Hurley, New Mexico 88043

Edmund Trujillo
U. S. Civil Service Commission
Building 20
Denver Federal Center
Denver, Colorado 80225

Larry Trujillo
North High School
2960 North Speer Boulevard
Denver, Colorado 80211

Wade W. Turnbull
Humble Oil and Refining Company
P. O. Box 2180
Houston, Texas 77001

PARTICIPANTS - 134

D. K. Unvert
Marathon Oil Company
539 S. Main Street
Findlay, Ohio 45840

Antonio J. Urioste
U.S. Bureau of Mines
Building 53
Denver Federal Center
Denver, Colorado 80225

Bernard Valdez
Denver Department of Welfare
320 West Eighth Avenue
Denver, Colorado 80204

Alvin Van Valkenburg
U. S. Bureau of Mines
Department of the Interior
Washington, D. C. 20240

Salvador F. Varela
National Education Association
2819 Altura Avenue
El Paso, Texas 79930

Maurice Velasquez
Commission on Community Relations
431 W. Colfax
Zook Building, Suite 500
Denver, Colorado 80204

Peter Veruki
Bethlehem Steel Corporation
Bethlehem, Pennsylvania 18016

Clyde Wahrhaftig
Dept. of Geology and Geophysics
University of California
Berkeley, California 94720

Hugh E. Waite
Chevron Oil Company
Box 599
Denver, Colorado 80201

W. E. Warnke
U. S. Bureau of Mines
3610 Interior Building
Washington, D. C. 20240

Warren Washington
National Center for Atmospheric Research
1850 Table Mesa Drive
Boulder, Colorado 80302

Ola B. Watford
Dept. of Commerce - NOAA
RB - 2 Room 154
Boulder, Colorado 80302

Caroline A. Watkins
Room 1213 - Building 25
U. S.Geological Survey
Denver Federal Center
Denver, Colorado 80225

Reace Watkins
National Black Science Student Organization
The City College of the City
University of New York
Finley Student Center
133rd Street and Convent Avenue
New York, N. Y. 10031

Victor Watkins
U. S. Bureau of Reclamation
Building 67
Denver Federal Center
Denver, Colorado 80225

Dennis Watlington
East Harlem Federation Youth Association
2247 Second Avenue
Harlem, N. Y. 10029

Wellington Webb
Colorado State University Manpower Lab.
50 West 5th Avenue
Denver, Colorado 80204

Robert J. Weimer
Society of Economic Paleontologists and
Mineralogists
Colorado School of Mines
Golden, Colorado 80401

Dorothy G. White
U. S.GeologicalSurvey
Building 25
Denver Federal Center
Denver, Colorado

PARTICIPANTS - 135

J. E. White
Society of Exploration Geophysicists
Colorado School of Mines
Golden, Colorado 80401

Grant V. Wickard
Denver Public Schools
Bryant Street Center
Denver, Colorado 80205

Prof. Roland Wiggins
Operation PUSH
P. O. Box 5432
Chicago, Illinois 60680

Adolph Y. Wilburn
National Academy of Sciences
2101 Constitution Avenue SW
Washington, D. C. 20418

Dolores Wilson
U. S. Geological Survey
Building 25
Denver Federal Center
Denver, Colorado 80225

Frederick A. Wilson
New York City Fire Department
736 Washington Avenue
Brooklyn, New York 11238

Kay Wilson
U. S. Civil Service Commission
Building 20
Denver Federal Center
Denver, Colorado 80225

Marcia G. Wilson
U. S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025

Allen S. Winters
The New Jersey Zinc Company
Gilman, Colorado 81634

Roger C. Wolff
U. S.Geological Survey
229 AT
Washington, D. C. 20242

Russell L. Wood
The New Jersey Zinc Company
3838 Lincoln Parkway West
Allentown, Pennsylvania 18104

Robert Wright
National Association for the
Advancement of Colored People
260 Key Building
518 Grand Avenue
Des Moines, Iowa 50309

Earl Young
University of Colorado Cooperative
Education Program
Administration Annex 174
Boulder, Colorado 80302

William Youpee
National Tribal Chairmen's Association
Ft. Peck Reservation
Box 427
Poplar, Montana 59255

GPO 848-210

EXHIBIT 8

DEPARTMENT OF THE INTERIOR

Examples of Bureau Accomplishments in Implementing the Spanish-Speaking Program

The Bureau of Sport Fisheries and Wildlife is engaged with the University of New Mexico in a cooperative education endeavor designed to provide more work-study opportunities for Spanish-Speaking students. The first student identified began work experience during the 1974 spring term. The National Park Service has Spanish-Speaking cooperative education students at the University of Texas, El Paso; New Mexico Highlands University; and Texas A&I. Geological Survey is assisting students at San Jose State College while the Bureau of Land Management has six Spanish-Speaking students from the University of Colorado engaged in its cooperative education program.

Under the Intergovernmental Personnel Act, U.S. Geological Survey has assigned a Geologist full-time to New Mexico Highlands University, which has a predominantly Spanish-Speaking student population. Survey, in connection with its Minority Participation in Earth Sciences Program, also provided an instructor for a course in Surveying.

The Geological Survey presented a lecture series entitled "Geology and the Environment" at Fort Lewis College and Southern Colorado State College during the spring semester of 1973. The colleges participating in

the fiscal year 1974 lecture series are Adams State College in Alamosa, Colorado, and Metropolitan State College in Denver, both having large Spanish-Speaking enrollments. Ten Survey earth scientists conduct the lectures.

The Geological Survey Earth Science Exhibits Trailer toured colleges and high schools across the country with predominate enrollments of minority group members to bring the possibilities of earth science careers to the attention of groups of people not generally aware of such careers.

The National Park Service cooperated with the Civil Service Commission to hold EEO and Sixteen-Point Program training courses at Albright Training Center, Grand Canyon, Arizona on September 25-27, 1973. Furthermore, the National Park Service invited Mr. Higinio Costales, Director, Spanish-Speaking Program, CSC, to participate in its EEO Awareness Week held in Washington, D.C. from March 25-29. Although the program was held for Park Service employees many other Department employees participated in the program.

The Mining Enforcement and Safety Administration conducted a nationwide minority recruitment campaign designed to attract applicants including Spanish-Speaking and other minorities into positions of metal and non-metal Federal Mine Inspectors. Recruitment teams, including

Spanish-Speaking employees went to Arizona, Colorado, Utah, California, Nevada, New Mexico and Texas. Recruitment advertisements were used in a number of local newspapers and the recruitment effort was publicized on local radio stations in areas visited with a significant minority audience.

The Albuquerque Regional Office, Bureau of Sport Fisheries and Wildlife has filled three positions identified as requiring an incumbent with a knowledge of Spanish. These positions are: a GS-9 Fish & Wildlife Biologist; a GS-4 Clerk-Stenographer; and a GS-4 Receptionist-Information Clerk. The incumbents of two of these positions are Spanish-Surnamed.

The Bonneville Power Administration has appointed a teacher from Mt. Hood College for the summer months at grade GS-9. The purpose of the employment is to expose this Spanish-Surnamed teacher to the occupations utilized by Bonneville Power and provide him better insight into the mission of the organization. In addition, he is working on an employment publication which will be published in both English and Spanish. The Bonneville Power Administration also has hired a GS-9 Equal Opportunity Specialist who is Spanish-Speaking.

The Portland Federal Executive Board sponsored a one-day conference on Equality of Opportunity for Spanish-Speaking in Public Employment in May and another in July. The Administrator and other top management officials of Bonneville Power Administration participated in these conferences. The Spanish-Speaking Program Coordinator for BPA was instrumental in developing the conference.

MAY 1973

SPANISH SURNAMED EMPLOYMENT IN THE FEDERAL GOVERNMENT

Agency	Total GS or Similar	1-4	5-8	9-11	12-13	14-15	16-18
AEC	5.1	14.0	9.6	3.8	2.4	.6	-
Defense	2.6	4.1	3.0	2.1	.9	.4	.2
CSC	3.4	4.5	4.1	1.8	2.2	2.2	-
[illegible]	2.2	3.7	2.1	1.4	1.1	.8	-
Justice	2.9	3.9	3.9	2.7	1.1	.8	.6
Labor	2.5	4.9	1.8	2.4	2.6	1.8	2.3
State	2.3	3.6	2.4	2.4	2.1	.7	2.5
Veterans	2.0	2.6	2.0	1.2	.6	3.7	-
Treasury	2.4	4.1	2.0	1.9	1.1	.6	.3
Interior	1.9	2.8	2.6	1.6	.7	.4	.5
Agriculture	1.7	3.9	2.1	1.0	.6	.3	-
HEW	2.1	2.6	2.0	2.3	1.5	1.4	1.5
HUD	1.9	2.5	2.2	1.9	1.3	1.2	1.0
Transportation	1.2	1.7	1.8	1.3	1.1	.5	.7
Commerce	1.0	1.1	1.1	.9	1.1	.6	.3
EPA	.9	1.6	1.0	1.0	.7	.7	-
NASA	.8	1.9	.6	.8	.8	.5	-

EXHIBIT 9