

live in poverty, which shows that they have lost the spirit of individual responsibility. We have got to stop coddling them. The answer is to end poverty by eliminating food stamps, school lunches and infant nutrition programs that provide such an irresistible incentive for people to raise their kids in lousy neighborhoods. If poor people want a good job, they should get it the way the rest of us do. Call an uncle or a business associate of your father. Invest your inheritance. Get active in a prestigious church or a good golf club. Blacks are going to make it when they learn to act and look like everyone else.

I am for social policies that are colorblind, just as the founders of our nation were.

For me, all I want is my country back. You know what I mean: a return to traditional values where the white man is king, even if his woman has to work.

#### THE PROPER ROLE FOR AFFIRMATIVE ACTION

"Affirmative action" is not-so-suddenly becoming a major topic of discussion.

Affirmative action is like religion or education: A good thing, but it can be abused.

Affirmative action means opportunity and fairness. It does not mean quotas. It does not mean hiring unqualified people.

Some believe that affirmative action hurts minorities and women and those with disabilities, because when people secure jobs there will be some who say, "He (or she) only got that because of being a minority." Or a woman or being disabled. They believe that it is demeaning for people of ability.

The distinguished African American writer Shelby Steele properly suggests that we are troubled by "race fatigue" and "racial anxiety." He oppose affirmative action and wrongly—in my opinion—calls the opportunities that result "entitlements."

No one is entitled to a job or an opportunity because of race or gender or ethnic background.

I accept the idea that diversity in our society needs encouragement and is good for us.

If, for example, someone employs 500 people—and they all happen to be white males—it still may not be possible to prove discrimination. One answer for that situation is to go through the lengthy legal process of proving discrimination.

A better answer is affirmative action, where that employer understands that his business should not compromise quality, but opportunity should be given to those who don't fall into the usual personnel pattern.

Employing people on the basis of ability is just good business, and affirmative action encourages good business.

My office is an example. If I were to hire everyone from Chicago or from Southern Illinois, the people of Illinois would regard that as strange. I look for diversity in geography, and it does not compromise quality. I don't lower my standards when I choose to hire someone from central Illinois.

In the same way, I have consciously made sure that in my employ there are African Americans, Latinos, Asian Americans and people with disabilities. Anyone who knows my office operation knows that we have not compromised quality to do this.

Has this harmed the people of Illinois? To the contrary, it has helped them and it has helped me.

To move away from affirmative action, back to a situation where discrimination has to be proven to bring about change, invites clogging the courts with endless litigation, and denying opportunity to many.

A federal judge in Texas ruled that the University of Texas law school can set a general goal (not a rigid quota) of admitting 10 percent Mexican Americans and 5 percent African Americans, but if the school lowers it

standards to reach those goals, that is unconstitutional.

That strikes many legal scholars as sound. Interestingly, if that same school gives preference for admission to children of alumni—who are overwhelmingly white—no one objects to that. But if steps are taken to diversify the student body, some of the same alumni object.

Complicating all of this is the fact that many Americans are out of work. The opportunity for people of limited skills to have a job is declining, and will continue to decline.

The person in that situation rarely says, "I'm not working because I don't have the skills that are needed."

It is often easier to say, "I don't have a job because a black [or a woman or a white or someone else] got the job I should have."

And so tensions rise.

The answer is not to get rid of affirmative action, but to work on jobs programs for those of limited skills, expand education opportunities for all, and increase efforts to give training (including reading and writing) to those who are unemployed.

We should diversify opportunity, and at the same time see that everyone has the basic tools to function effectively.●

#### AFFIRMATIVE ACTION: AID IN DOING THE RIGHT THING

● Mr. SIMON. Mr. President, I have been inserting into the RECORD items on affirmative action from time to time because I am concerned that the distortion of affirmative action can result in loss of opportunity for many Americans.

Columnist William Raspberry had an op-ed piece in the Washington Post, and in other newspapers in which his column is circulated, on affirmative action.

It appeared during the days when Congress was in recess, and many of my colleagues may not have seen it.

It is simple common sense, and we seem to lack that so often.

I ask that the William Raspberry column be printed in the RECORD.

The column follows:

AFFIRMATIVE ACTION: AID IN DOING THE RIGHT THING

(By William Raspberry)

It was 1967, and I had just taken my new wife—a Washington native—on her first visit to my home state of Mississippi.

She had heard all the horror stories of racial mistreatment, and she was pleasantly surprised at the way white salesclerks seemed to be going out of their way to be nice. She was particularly intrigued by one middle-aged white clerk at the J.C. Penney's in Tupelo. For some reason, this woman, having learned that we were from "up north," wanted to talk—even after we'd paid for our purchases.

Just as we were about to make our final effort to leave, her face lit up. She caught the attention of a black woman across the store and beckoned her to come over.

"This," she said, introducing us, "is our new salesclerk."

I don't suppose I'll ever forget the humiliations, large and small, of growing up under the American apartheid that used to be the rule in the Deep South. But I'll also remember the pride this one white woman displayed in the fact that her boss had done the right thing. It was almost as if she herself had been somehow redeemed.

It's something I think of when I hear well-meaning people say that affirmative action

is ultimately demeaning to minorities and it would be better to just let merit be the rule. It's reasonable to punish discrimination, they say, but an artificially produced diversity comes close to the discredited practice of setting racial or sexual quotas; worse, it is tantamount to acknowledge that minorities and women are inferior.

It came back to me the other day when a colleague called my attention to Katha Pollitt's column in the March 13 issue of The Nation magazine. This liberal publication has been a staunch advocate of affirmative action and diversity and all the things that give minorities and women all those warm-fuzzy feelings. But listen to this one passage from Pollitt's piece:

"In the 13 years I've been associated with The Nation, we've had exactly one nonwhite person (briefly) on our editorial staff of 13, despite considerable turnover. And we're not alone: The Atlantic has zero nonwhites out of an editorial staff of 21; Harper's, zero out of 14; The New York Review of Books, zero out of nine; The Utne Reader, zero out of 12. A few do a little better, although nothing to cheer about: The Progressive, one out of six; Mother Jones, one out of seven; In These Times, one out of nine; The New Republic, two out of 22; The New Yorker, either three or six, depending on how you define 'editorial,' out of 100 plus, . . ."

It's a passage that could fuel right-wing radio talk shows for months. But that wasn't Pollitt's point. Her point, which seems unaccountably difficult to grasp, is that it's not necessarily bigots and hypocrites that stand in the way of the "diversity" so many of us favor; it's the fact that people tend not to pay attention to unpleasant facts that they can as easily ignore.

Atlantic editor William Whitworth told The Post's media critic, Howard Kurtz, that his magazine's statistics were "unfortunate" and "embarrassing." He went on to describe the publication's open-door policy, its desire to have black journalists and his bafflement that so few have applied. Whitworth at least answered Kurtz's queries, as some others did not. Still I found myself wondering what sort of shot the magazine might have taken at, say, an insurance company or police department that offered a similar defense.

It wouldn't surprise me to learn that the management of the Penney's store in Tupelo made just such an argument before some combination of legislation, court decree and affirmative action forced a change in the company's hiring policies.

And it wouldn't surprise me, sometime down the road, to hear Whitworth and his peers boasting of their success in hiring black writers and without any sacrifice in quality, either.

Why do opponents of affirmative action find it so difficult to understand that even good people need a nudge now and then, or to comprehend that anti-discrimination statutes are insufficient to overcome deeply entrenched racial attitudes? What black writer—unemployed or working elsewhere—could be certain that some white guy on one of these liberal publications has the job she should have had? How can anybody know?

In some jobs, discrimination is easy to spot; the 120-word-per-minute typist who loses out to a competitor whose top speed is 80 wpm has a discrimination claim. But what of the applicant for an editorial position, or a legal clerkship, or a securities brokerage?

Anti-discrimination laws won't do it and neither will affirmative action—although these things may help employers to focus on their behavior.

I keep hoping that the time will come when nearly all employers will react as

many already do: with embarrassment when they haven't lived up to what they know to be right and with pride when they know they've done it right.

That's why I remember that beaming clerk in Tupelo 28 years ago. And, by the way, I don't recall the faintest indication that her black colleague found it demeaning to have been hired for what may have been the best job of her life.

### THE WRONG TARGET

• Mr. SIMON. Mr. President, recently, Bob Herbert, a columnist for the New York Times, had a column about affirmative action and how the politics of meanness is in the ascent.

My colleagues have heard me address this question before. Affirmative action is basically an excellent thing that has helped to make opportunity available to many people who otherwise would not have it. Has it been abused occasionally? Yes, like any good thing is abused, just as religion and education are abused.

In this column, he concludes "All of this will pass. Eventually we'll find our higher selves."

I hope he is right.

But there is both the beast and the noble in all of us, and unless our leaders appeal to the noble in us, instead of the beast—instead of hatred and fear—the better instincts in our people will not come forward. That is true, not only in the United States but in any country.

It is important for politicians, journalists, members of the clergy, business leaders, labor leaders, and people of every walk of life to call upon us to reach out and do what is noble.

"One nation, under God, indivisible" should be more than a phrase in our country.

At that point, I ask that the Bob Herbert article be printed in the RECORD.

The article follows:

[From the New York Times, Apr. 5, 1995]

#### THE WRONG TARGET

(By Bob Herbert)

One of the many important issues to emerge battered and distorted from the insidious cavern of political demagoguery is affirmative action. If you listen to the latest crop of compulsively deceitful politicians, or tune into the howling degradation of talk radio, you might become convinced that the biggest problem of discrimination in the United States today is bias against white men.

The complaint is that legions of African-Americans, women and assorted others are taking jobs, promotions, classroom slots, theater tickets and the best seats on the bus from the folks who really deserve them—white guys.

The arguments against affirmative action are almost always crafted in racial terms because the demagogues know that race is the way to get the emotional flames roaring. In fact, the primary beneficiaries of affirmative action are women. If all parties would lower their voices and try to communicate in good faith, it could be pointed out that while there are problems with affirmative action—including some serious problems of fairness—the negative impact on white men has not been great, and the problems are correctable.

What you do not want to do, in a country where there are still prodigious amounts of race and sex discrimination, is abandon a long and honorable fight for justice in the face of political hysteria.

The Federal Glass Ceiling Commission recently reported that 95 percent of top corporate management positions in the United States are held by white men. Throughout corporate America, women, blacks and Latinos are paid less than white men for doing the same work. And if you believe there is a bias against white males in hiring, just pair up a white guy with a black guy and send them off in search of the same job.

Racism against blacks and sexism against women abound. And yet the outrage we hear today is about discrimination against white men.

A report on discrimination in employment commissioned by the Labor Department found very little evidence of employment discrimination against white men. The report was prepared by Alfred W. Blumrosen, a law professor at Rutgers University. It found that a "high proportion" of the so-called "reverse discrimination" claims brought by white men were without merit.

The politicians will tell you that the attack on affirmative action is a cry for racial justice. That is not so. It is an expression of the anger and frustration felt by large numbers of overwrought and underemployed white men. Their anxiety is understandable, but affirmative action is not their enemy. Downsized to the point of despair, their wages stagnant or falling, their prospects dim, these men are caught up in the treacherous world of technological innovation, economic globalization and unrestrained corporate greed. Buffeted by forces that seem beyond their control (forces that are affecting everybody, not just white men), they listen to the demagogues. *It's the blacks doing it to you. It's the women. They're getting your piece of the pie. Otherwise you'd be O.K.*

#### AFFIRMATIVE ACTION ISN'T ANTI-WHITE

The Clinton Administration, under pressure, is reviewing Federal affirmative action programs. Fine. Let whatever abuses exist come to light. Scrap whatever programs are unnecessary or unfair. Where affirmative action is being used to help the disadvantaged, remove the racial or ethnic requirements. There are white kids all over the country who are economically and educationally deprived. Give them a hand.

But neither Bill Clinton nor anybody else should back off from the commitment to fight what is still an enormous and debilitating problem—discrimination against blacks, other ethnic minorities and women. Where affirmative action is needed to counter the effects of discrimination, let it be.

The United States is going through a period in which the politics of meanness is in the ascent. In many circles, it is unfashionable to be compassionate. Putting down others is the dominant mode of political expression, preferably with a vicious remark accompanied by cruel laughter.

All of this will pass. Eventually we'll find our higher selves and chase the dogs of bigotry and fear and ignorance from the yard. I am convinced this will happen. We are Americans, after all. We are better than we have been behaving lately. •

#### DR. HENRY FOSTER SHOULD BE CONFIRMED

• Mr. SIMON. Mr. President, I had the privilege of serving in the House of Representatives with Congressman Paul Findley, who is now retired and

writes a Sunday column for the Jacksonville Journal-Courier in Illinois.

My friend, Gene Callahan, who once served as administrative assistant for Senator Alan Dixon, still get the Jacksonville newspaper, and he sent me Paul Findley's commonsense reaction to the nomination of Dr. Henry Foster.

I ask that it be printed in the RECORD.

The column follows:

#### DR. HENRY FOSTER SHOULD BE CONFIRMED

(By Paul Findley)

During a discussion at a meeting of the Pittsfield Rotary Club, a member asked if I favor the confirmation of Henry Foster, M.D., President Bill Clinton's nominee to be surgeon general of the United States.

My answer was affirmative. Based on what I believe to be factual about Foster's career, he should be confirmed. The president is entitled to have a surgeon general of his own choosing, barring the disclosure of some important flaw in character or record.

A casual reader glancing at headlines and picking up snippets from televised news reports might easily reach the erroneous conclusion that Foster's record is badly flawed, that he is a back-alley disgrace to the medical profession who has spent a long career performing abortions.

It was a curious happenstance that the question was raised in Pike County, once the family home of a physician who fit that dreary description and gained a reputation as one of Chicago's preeminent abortionists. This was a half-century ago when abortion was illegal, not just in Illinois but throughout the nation. Never indicted, the doctor in question made abortion his career, performing the surgery clandestinely in various parts of Chicagoland. It was his specialty. So far as I know, he did nothing else. He catered mainly to people who could not afford to travel to Sweden for the desired surgery. Legend had it that he periodically hauled bags of money back to Pike County.

By contrast, the president's nominee is not an abortionist. In the years since abortion has been made lawful by ruling of the U.S. Supreme Court, Foster, by his own account, performed 39 abortions, all of them to save the life of the mother or to end pregnancies caused by rape or incest. He has delivered several thousand babies and declares that he abhors abortion.

Some years ago, like many other physicians, he performed procedures that sterilized institutionalized women who were determined to be severely mentally retarded. At the time, that procedure was legal and broadly accepted by the medical profession. Both law and medical policy have since changed. Under existing law, sterilization can be performed only through court order.

Abortion, of course, has been legal for many years in the United States and is widely practiced. In fact, the Accreditation Council for Graduate Medical Education now requires that programs to train doctors in obstetrics must include abortion skills. About a million abortions are performed here each year, notwithstanding widespread controversy that sometimes becomes violent and even fatal. House Speaker Newt Gingrich, although anti-abortion, wisely advises his Republican colleagues in the Senate, where the confirmation vote will occur, not to focus on Foster's abortion record.

Although, like thousands of other U.S. physicians, Foster has performed a few abortions since the procedure became legal, it has never been more than a minor part of this 38-year practice. To his credit, he has been candid on all points.