

Senator Sam J. Ervin Says:

WASHINGTON—The Labor Department's recently adopted Philadelphia plan raises a serious question involving the doctrine of separation of powers.

The plan, which seeks to impose racial hiring quotas on federal contractors, has been challenged by the Comptroller General of the United States in an opinion dated August 5, 1969. The significance of this opinion is that the Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to the heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question relating to the legality of federal programs. Generally, the decisions of the Comptroller General are final and conclusive on the executive branch of the government, but in this instance the Secretary of Labor has announced that he will continue to press the implementation of the plan.

The Comptroller General appears to me to be on solid ground in his interpretation of the applicable law governing the Philadelphia plan. Basically, the plan seeks to insure employment opportunity for minorities in federal construction projects by requiring employers to show that they have hired a quota of workers according to race. The Comptroller General has ruled that Title VII of Civil Rights Act of 1964 forbids this, and that this is the applicable law relating to the plan. Indeed, the legislative history of the Civil Rights Act of 1964 supports the Comptroller General's opinion. Senators Clark and Case, floor managers for Title VIII of that act, advised the Senate in 1964 that racial employment quotas were not required under the act because they were in themselves discriminatory.

In spite of this legislative history, and the opinion by the Comptroller General, we find the Secretary of Labor seeking to implement the Philadelphia plan in several of the major cities of this country. It is most unfortunate that he has chosen to do this, for it is bringing disorder at a time when we sorely need peace and tranquility. Recently, in Chicago, an estimated 3,000 workers fought with police because the Labor Department announced that it intended to institute in that city a version of the Philadelphia plan.

The disturbance in Chicago should be a clear warning that the Philadelphia plan is more than an illegal ruling. Disruptions may occur in many cities as the Labor Department tries to set quotas for jobs according to the racial makeup of the work force. Only a few days ago, a New Jersey labor leader promised as much if the Labor Department pursues its plan.

Apart from the legal and constitutional considerations involved, it seems to me that the Philadelphia plan does nothing to advance the

goal of opportunity for all who seek employment. Indeed, it brings the prospect that management, labor and unions will be embroiled

Accent On Homes

By MARJORIE MARSH

I've just come back from a visit to North Carolina where most of our furniture "grows." The flowers were in bloom—and so was modern! There's nary a company around those beautiful hills that doesn't have a line of chrome or steel or lucite furniture.

And to these old eyes, the new modern looks interesting indeed. Not only does it seem young, but elegant, too. I was fascinated with how the designers in those huge showrooms made their introductions look warm and formal—so as to please we older ladies as well as our children.

They used soft, earth colors on walls and for accessories. Many of them also used Oriental rugs to give contrast to the hard geometric lines of the furniture.

Oriental Wool Carpets Featured

Of course, real Orientals are so scarce that we now have copies, made in this country by machine—and at one-third the price. Because they're wool (and also Woolmark) they have a soft sheen and that marvelous deep, rich coloring, as wool seems to have a love affair with dyes.

I also saw many Greek Flokati rugs, those white, furry wool "animals" that make every home look like a movie star's. They certainly go well with steel and glass.

Then I spotted an American version of the Flokati, called "Gambol," a luxurious Woolmark carpet that comes in yummy colors that even made this old-timer pine to change her ordinary broadloom.

But more about "Gambol" next time—from your friend, Marjorie.

in a constant battle with bureaucrats as to whether governmental quotas are justifiable and have been met. Its thesis is that some are to be treated as "more equal" than others. For these reasons, I think it is essential that the Separation of Powers Subcommittee, of which I am chairman, review the Philadelphia plan to ascertain whether it usurps the power of Congress to legislate. I trust that the hearings which are now scheduled for October 27 and 28 will aid in resolving the issue which this plan has created.



Jogging is one of the popular ways to keep trim in Hollywood. Witness Peter Graves who jogs regularly wearing easy-fitting clothes, such as a sweat-shirt of Creslan acrylic fiber and loosely cut slacks. Mr. Graves is shown jogging on the Paramount set between takes of the television series, "Mission Impossible."

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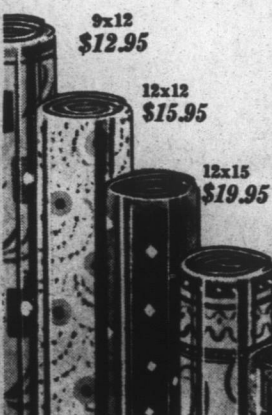
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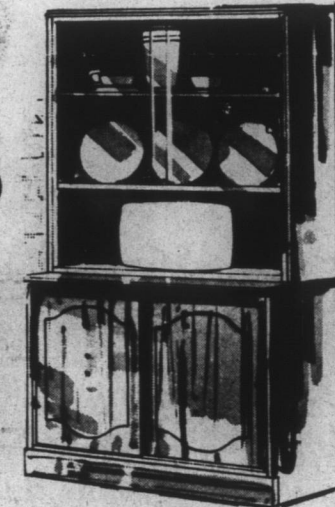
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