

CIVIL RIGHTS UPDATE

NEW COALITION: Nation leaders of 24 black and Hispanic organizations have agreed to work in harmony on common economic and political concerns and to seek mutual national policy objectives. Brought together in Washington, D.C. by the National Urban Coalition, they expressed a joint fear that minorities would "very likely become the earliest victims of attempts to deal with inflation..." Among pact participants: National Council of La Raza, NAACP, League of United Latin American Citizens, and the Hispanic and black Congressional caucuses.

ERA BALLOTS: Floridians rejected an Equal Rights Amendment last month. By referendum, Nevada voters "advised" their legislators to oppose it. But female ERA supporters in both states won seats in their Senates. In Oklahoma, a male ERA advocate unseated an incumbent female State Senator who opposed it. In Arizona, State Senator Sue Dye, chief sponsor of ERA there, was defeated.

ANKLES AWAY: The Navy broke a 202-year old tradition in November, placing 15 women officers on sea duty aboard five ships to ease its manpower crunch. By the end of the fiscal year, it expects to have 55 women officers and 375 enlisted women afloat with the Atlantic and Pacific fleets. By 1984, those figures could reach 210 and 5,120.

VETERANS PREFERENCE: The U.S. Supreme Court has agreed to review a Massachusetts law that gives absolute preference in state hiring to veterans. A federal court in Boston ruled that the state law is unconstitutional, based on a suit of a woman civil service employee who lost out on three higher-paying jobs to veterans with lower test scores.

HOSTILE COURTS: Federal district judges in St. Louis

have taken a repeatedly hostile position on civil rights of unpopular and disadvantaged minorities, an 89-page study by the American Civil Liberties Union of Eastern Missouri disclosed.

"The report showed that between 1971-77, the 8th Circuit Court of Appeals reversed 57 out of 110 civil rights cases—52 per cent—that were appealed to it from the Eastern Missouri district. The ACLU said the district was "out of step with the appellate court more often than its sister districts" in ruling on major civil rights issues in the '70s. It listed the issues as including age, sex and employment discrimination, prisoners' rights, and police misconduct.

BILINGUAL FIRST: The House Select Committee on Aging has achieved a Congressional first. It published a bilingual English/Spanish edition of a one-day hearing it conducted in Miami, where half the testimony was in Spanish.

Rep. Claude Pepper (D-Fla.) chairs the committee. Forty per cent of his constituents are Spanish-speaking.

LITERACY REQUIREMENT: A 10-year delay in a Florida requirement that high school seniors must pass a functional literacy test before they receive their diplomas is being sought by the state's NAACP. A resolution passed at the state NAACP conference in St. Petersburg charged that the test—which is to become a graduation requirement next year—"changes the rules of the school game after it's almost over for today's high school students." Some 77 per cent of the black 11th graders who took the test last October failed it; only 27 per cent of the white students failed.

SEX DISCRIMINATION: The Justice Department has asked a federal judge for permission to defend a Virginia Commonwealth University program which gives hiring

preference to women. It's the first such "reverse discrimination" case based on sex. Four previous suits (including Bakke) on school admissions, hiring, and promotion, were based on race. Former sociology professor James Cramer, plaintiff in the two-year-old case, charges that the university considered only women for two permanent positions he sought in 1973-74. They were in a department of 19 men and one woman. Women were hired to fill both vacancies.

DEFENDERS ACCUSED: District of Columbia Superior Judge John Fauntleroy says he won't appoint any more lawyers from the Public Defenders Service to represent indigent defendants in criminal cases because the service discriminates against black lawyers in its hiring.

TRAINING PROPOSAL: The Associated General Contractors of America, a trade association which regularly opposes federal laws that set goals for minority business enterprises to be used on federally funded construction projects, has a proposal. It wants the government to fund a two-year, \$840,000 training program for "socially and economically disadvantaged" construction specialty contractors.

Association executive director James Sprouse, in announcing support for such a plan, said he also wanted a definitive ruling from the U.S. Supreme Court on the constitutionality of quotas.

MINORITY BROADCASTERS: Federal Communications Commission sponsored incentives to encourage sale of broadcasting stations to minorities resulted in minority purchase of the three television stations, FCC staff has reported to its bosses. Transactions on at least seven more radio and television stations are under way.

Carrots include tax incentives and avoidance of full-dress hearings over infractions in cases where owners of troubled stations wish to remain in the FCC's reasonably good graces.

UNION ACCESS: The National Labor Relations Board has ruled that employers must give statistical information on race and sex of employees to unions in bargaining sessions, even though a union may want the information for a possible suit. The Board said that equal opportunity information was as relevant in collective bargaining as wage data.

DISABLED PACT: The Metro subway system in the Nation's Capital has come to terms with representative from disabled organizations to insure that handicapped persons have equal access to the growing transportation system.

A lawsuit initiated in 1973 has finally been resolved by a consent decree filed in U.S. District Court. In '73, Metro was ordered to install elevators for the handicapped at stations under construction. The final agreement includes other refinements and procedural improvements. Presently a person in a wheelchair must push a button and wait for an attendant to process his or her farecard at an inaccessible distant machine before taking the elevator. The pact calls for farecard machines to be installed near the elevators.

Metro has spent or committed \$35.4 million to date for handicapped facilities and anticipates spending an equal amount by the time the 100-mile system is finished.

REPORT CARD: The 95th Congress was given poor marks by the American Civil Liberties Union, which accused it of being more interested in limiting civil rights than extending them.

The ACLU reported that it fought a series of defensive battles with Congress on such issues as busing, affirmative action, tuition tax credits, criminal code reform, with some success. It gave Congress an "A" for its extension of the Equal Rights Amendment ratification deadline.

DEATH PENALTY: New Jersey Gov. Brendan Byrne has vetoed a bill to restore the death penalty, commenting that he isn't convinced that capital punishment deters crime.

RIGHTS CASE: Defense Attorneys have filed an appeal to the conviction of a retired Alabama black man, found guilty by an all-white jury of raping a white woman. Tommy Lee Hines, Jr., 26, was given a 30-year prison term.

The trial has been moved to Cullman, Ala., from Hines' hometown of Decatur after clashes between Ku Klux Klan and civil rights demonstrators. When the trial opened, 22 blacks were jailed for parading without a permit.

BONUS PROGRAM: The multi-billion-dollar New York food and chemical company, Borden, Inc., offers year-end bonuses to its executives who do an impressive job of increasing purchases from minority-owned businesses.

The result, according to Borden, is a three-year increase in minority business transactions from \$3 million annually to \$22 million.

ADMISSIONS STANDARDS: The University of Maryland's Board of Regents has approved a plan to raise its 1980 admissions standards at its three undergraduate campuses. Under the change, applicants with "C" averages and in the top 40 per cent of their high school classes would be guaranteed admission. Presently, those in the top half of the graduating classes are admitted.

The new standards will allow some students with lower grades (up to 15 per cent of each class) to be admitted on a space-available basis.

WOMAN SENATOR: The 96th Congress will welcome the only woman senator, Nancy Landon Kassebaum, daughter of 1936 GOP Presidential candidate Alf Landon, elected from Kansas. In the House, election results and retirements reduced the number of women representatives from 18 to 16.

WIFE'S INCOME: A wife's income must be considered in determining financial qualifications of rental applicants, a consent decree obtained by the Department of Justice against a Virginia builder and apartment management firm requires.

It resolved a suit charging violation of the Fair Housing Act of 1968.

BANK PACT: The Department of Labor has signed its first equal employment opportunity conciliation agreement with a major bank, Chase Manhattan of New York. It provides for job training, education, and career counseling programs, as well as promotion incentive payments for women and minorities.

COLLEGE LOANS: The controversial college tuition tax credit proposal failed to survive the 95th Congress. Instead, the body passed a bill more palatable to President Carter—one which would make 1.5 million college students from middle-income families eligible for basic education grants. The President signed it along with a bill providing more than \$50 billion to extend the government's elementary and secondary education programs for five years. The latter bill will aid 2 million children in some of the nation's poorest areas.

Federal college grants are presently limited to families with annual incomes under \$16,000. Depending on future appropriations, they now could be made available to families with incomes up to \$26,000. Grants for lower-income families will also be increased. A student whose family earns \$14,000, for example, will be eligible for \$1,158 a year instead of the present \$462.

LIFTS OPPOSED: Sen. John Danforth (R-Mo.) has asked Secretary of Transportation Brock Adams to soften federal proposals that buses in St. Louis and other major cities provide special lifts for the handicapped. He calls them costly and ineffective, and asks that other alternatives, such as dial-a-ride programs, be considered.

IMMIGRATION INQUIRY: The U.S. Commission on Civil Rights conducted hearings in Washington D.C. last month on national immigration law, policies, and procedures. Witnesses included Immigration & Naturalization Service Commissioner Leonel Catillo, his deputy, Mario Noto, and other top INS officials. Also testifying were Mike Cortes, of the National Council of La Raza, Al Perez and Benjamin Gim, representing the Mexican-American and Asian-American Legal Defense and Education Funds respectively, immigration attorneys, and State Department officials.

Several witnesses charged that existing laws are discriminatory and alleged that INS frequently denies due process to persons it apprehends. They complained of coerced "voluntary departure" procedures, lack of an appeals system for individuals denied visas by the State Department, and laws which discriminate on the basis of place of birth or country of origin.

An employment profile of INS, prepared by Commission researcher Ernest Gerlach, showed the Service's workforce to be 28 per cent minority, but with heavy concentration of minority and women in the lowest paying jobs.

Castillo commented that his agency had the best record of any unit within the Justice Department, and that it was taking additional steps to improve on it.

COMMISSIONERS ACT: At its November meeting, the Civil Rights Commission accepted studies by its Kentucky and Minnesota Advisory Committees and agreed to assist them in pursuing their recommendations. The Kentucky Committee looked at the Bureau of State Police there (77 statistics showed its force of 948 to be 100 per cent male and 97.8 per cent white), and asked the Justice Department to compel the bureau to comply with applicable civil rights provisions. Kentucky's NAACP conference demonstrated its support by wiring Attorney General Griffin Bell in an effort to force the Kentucky police to implement an adequate affirmative action program.

REPORTS AVAILABLE: All reports of the Commission and its state advisory committees mentioned in UPDATE may be obtained by writing to:
Publications Division
U.S. Commission on Civil Rights
Washington, D.C. 20425



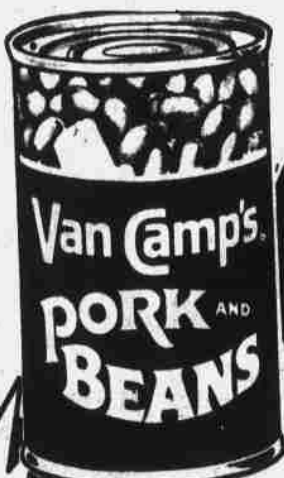
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