



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

*File
Blumenthal*

April 26
March 22, 1995

President Bill Clinton
The White House
Washington, D.C. 20500

Dear President Clinton:

We are writing to express our serious concern about Housing Secretary Henry Cisneros' decision to support government funding of security contracts with affiliates of Louis Farrakhan's Nation of Islam. These security affiliates have engaged in proselytizing, handed out racist and anti-Semitic literature and sold religious items at housing projects while being paid by federal taxpayer dollars. We do not believe that government funds should be used to help promote the racism and anti-Semitism advocated by Louis Farrakhan.

We were also extremely disturbed by Secretary Cisneros' recent testimony before Congress during which he compared the Nation of Islam, with an avowedly racist agenda, to the Salvation Army and B'nai B'rith. At a time when many of us are waiting for the Administration to position itself to fight for the noble, original principles behind the civil rights movement, Secretary Cisneros has decided to defend Nation of Islam Security which will not hire whites, Jews, Latinos, women--anyone other than male members of the Nation of Islam.

We urge you to reconsider your Administration's support for government funding that has become the financial base of the Nation of Islam. As elected Democrats and members of the New York State Legislature, we support New York's decision to prevent state funds from being used by security companies to promote the Nation of Islam agenda. We hope you will ensure that the federal government does the same.

Sincerely,

Jeffrey Dinowitz
ASSEMBLYMEMBER J. DINOWITZ

Joe Brennan
ASSEMBLYMEMBER J. BRENNAN

Jules Polonetsky
ASSEMBLYMEMBER JULES POLONETSKY
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ASSEMBLYMEMBER S. HOYT



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001

FAX TRANSMISSION

DATE:

3/31/95

NUMBER OF PAGES (including this page)

4

To:

Jennifer O'Connor

FROM:

Bruce Katz

PHONE:

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COMMENTS:



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001

M E M O R A N D U M

TO: Jennifer O'Connor

FROM: Bruce Katz

SUBJ: Review of Contracts Between Recipients of Federal
Financial Assistance and Firms with Possible
Connections to the Nation of Islam

DATE: March 31, 1995

This memorandum provides you with background on HUD has handled the issue of federal funding being provided to security firms with possible connections to the Nation of Islam (NOI). A separate memorandum will summarize the Secretary's March 2nd testimony before a House Subcommittee.

The Department received a number of letters during 1994 from Members of Congress and private organizations expressing concern that the Nation of Islam and firms affiliated with the Nation of Islam had been awarded contracts to provide security at public and federally-assisted housing developments. During that period, the Department received no individual complaints of housing discrimination by the security firms. Nevertheless, in January of 1995, the Department commenced a review of these contracts at the request of Senator Dole and other Members of Congress to ensure that the contracts complied with civil rights requirements.

The Department has not contracted with the Nation of Islam for the provision of security of services. The Department funds local public housing authorities (PHA's) and federally-assisted housing providers who, in turn, enter into subcontracts for various operating services. These PHA's and assisted housing providers are local government bodies or private firms which, in most cases, have full authority to make their own contractual decisions without HUD approval. Also, the security contracts identified are with firms which are separate, legally-incorporated entities, which purport to be distinct from the Nation of Islam, although the principals of these firms and their employees may have other associations with the Nation of Islam.

At the outset of our review, we identified eleven contracts between assisted housing providers and firms that may have some

ties to the Nation of Islam. Four of these contracts were with PHA's in Baltimore, Chicago (two contracts) and Dayton, Ohio. The remaining seven were with private housing providers receiving HUD assistance in Brooklyn, Buffalo, Pittsburgh (two contracts), and Washington, DC (three contracts). All of these contracts were for security services except the one contract in Dayton, which is for the provision of social services. Also, by the time of our March 2, 1995 hearing before the House Subcommittee on General Oversight and Investigations, the two contracts in Pittsburgh had expired. Thirteen other contracts in five metropolitan areas had expired before the Department commenced its review. Those expired contracts were in Los Angeles, Washington, DC (five), Pittsburgh (five), Philadelphia, and Freeport, NY.

HUD conducted its review, in part, under its compliance review authority under Title VI of the Civil Rights Act of 1964 and Section 109 of the Housing and Community Development Act of 1974. HUD also conducted its review in order to determine whether there was evidence to warrant a Secretary-initiated complaint under Title VIII of the Civil Rights Act of 1968.

During the recent congressional oversight hearing, questions were raised about the employment practices of the security firms, including suggestions that the firms may discriminate on the basis of race, gender, and perhaps religion. During HUD's review, investigators observed that the security firms' workforces were all African-American and overwhelmingly male. Several members of the oversight subcommittee suggested in their questions that a mono-racial work force was strongly suggestive of discrimination. The American Jewish Congress (AJ Congress), one of the private organizations that has expressed concern about the NOI-related contracts, also alleged possible employment discrimination when, in March 1994, they asked the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) to investigate whether the firms were in compliance with the equal employment requirements for federal contractors. The OFCCP informed the AJ Congress that it did not have jurisdiction over its allegations and referred the matter to HUD.

HUD does not have jurisdiction over employment discrimination unless (a) the primary objective of the federal financial assistance is to provide employment, or (b) employment discrimination operates to deny equality of opportunity or otherwise discriminates against the beneficiaries of the public or assisted housing program involved. HUD has not, to date, uncovered evidence to this effect.

Despite the Department's limited authority to investigate employment discrimination under Title VI, the Department did request the voluntary cooperation of the security firms in providing employment records to the Department. To date, the security firms have failed to provide employment records to HUD or to the public or assisted housing providers. As the

Department has no authority to compel the companies to provide this information, we believe that the appropriate course of action is to turn over any further review of the employment matter to the EEOC.

Since the March 2, 1995 subcommittee hearing, the Chicago Tribune and the Baltimore Sun, have published a series of articles reporting a number of other problems these security firms are facing, including tax evasion, a possible conflict of interest involving a PHA Chairman, charges against guards for "assault with intent to murder," and renewed questions about the inter-relationship between the Nation of Islam and the security firms. Also, the Washington Post reported on March 28, 1995 that the Department of Health and Human Services' Office for Civil Rights is investigating an NOI-affiliated AIDS clinic in Northeast Washington, DC for alleged failure to treat patients who are not African-American.

As the Secretary stated at the hearing on March 2, 1995, the Department's review, although thorough and detailed, was limited in scope. The review focused on compliance with contract non-discrimination provisions, contract performance, proselytizing or improper religious recruitment, discrimination or harassment towards residents, as well as any complaints and grievances that had been filed against the security firms. The results of the nearly 1,000 interviews illustrated that there were no "widespread or systematic" problems in the areas reviewed. The Department, however, has not exonerated the firms. Due to the time constraints imposed by the March 2, 1995 hearing date (only six weeks after we commenced our review), the Department was completing its initial review of these contracts on the eve of the Congressional subcommittee hearing. Since that time, the Department's lawyers have had an opportunity to conduct further review of the documents and the other information collected.

The Department will undertake further review of the contracts to determine whether the conduct recently reported in the Baltimore and Chicago press justifies debarment or non-renewal of the contracts.

I await any advice that you or your office may have as the Department continues its investigation.

3-28-95 Natn Islam
Achtenberg, Ehrman, Mekia, Inadomi,

- Dole letter $\Rightarrow$ Sec'y asks for review
- Achtenberg met w/ ASD in Jan
said will do what have legal
auth to do.
tussle over it

AJC met w/ Sec'y - good mtg - think Title 6
shld work implement

EEOC $\rightarrow$ DOJ $\rightarrow$ HUD $\rightarrow$ DOT $\Rightarrow$ all said no
jurisdiction
so all = mad
Can DoL?
 $\neq$ respond to their
letters

lotta new info

if combined w/ a complaint, then could
be reopened

Don't have Casner meet w/ them

Brai Brth self wrote good letter

shld meet w/ them $\rightarrow$ then have Sec'y
announce he's asking DOJ
to do technical asst. on a further investg.

keep headline from being (isn't) covers in
to Jews (b/c will piss off Blacks)

what if did it w/ David Saperstein + blacks
Black-Jewish group
meet w/ him

so we'll get a complaint, combine
w/ Trib article
will say ppl being deprived of
fair housing rights

Then HC writes to Backus (AL) &
says I stated I'd cont to monitor;
we got a complaint + got more info

Press release from HUD
asked DOJ to provide invest.
resources

Ab will get DOJ to do it

modify ADL letter to include Trib staff

WLIB - 2/28/95

Speech of Louis Farrakhan on February 26, 1995

Do you know why I'm teaching the subject on Jesus saves? Cause after I say what I'm saying today, if I ain't got a savior, I'm sure gonna need one after I say what I say today. Let me just finish. Don't be frightened for me. You better be frightened for yourself. Because some stuff is going down in America right now as we speak. And all our lives are in danger right now. And I've got to sound the alarm, brothers and sisters. I don't care nothin' about my life. It's your life that I wanna save. Listen. Now that the bank that prints money is in the hand of private interest, the idea is to push up and inspire the government to borrow. How do you do it? Get America into war! The war in Europe started in 1914, and by 1917, under a lie about the Lusitania being sunk by German subs, the American people were called into a war to end all wars. Boy, this is heavy, man. You can't believe how wicked, how low-down, how rotten, wait a minute, wait a minute, wait a minute. You can't believe how wicked these people are to play games with your lives and the lives of your babies, create a war just to get more money, to charge more interest, and send your babies to die for bullshit! Excuse me, but bullshit is the dropping of a cow or bull, it's b.s., it's lies, it's deceit, and the American people went to war in 1917, and black people sued to become a part of the war, because we didn't want to be left out of America, so American signed us up to fight the war. And black men died. But they don't know what the hell they were dyin' for, and neither did the white ones know what they were dyin' for. But the man of sin gotta be revealed, and I thank God that he put it in my heart, I don't have no fear of those bastards, I wanna expose them all! God is present, God is in the world, and I'm gonna prove to you by

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my life that God has power to save. Don't worry about me. You better worry about yourself. Excuse my language, but they are bastards, they're illegitimate children. When America started borrowing money, they had to have a way to pay it back. And that's how they thought up the IRS. Then they started taking income tax. But by that time the Rockefellers and the Carnegies had their money in trust funds, and they had found a way to get around paying taxes, but the taxes were for the poor and the middle class. It was a gradual income tax. It was to keep on escalating. And in the same year, the FBI was established. You think the FBI is out here to fight crime. The FBI has done some of the most wicked, criminal things in this country against the citizens of America. Who are you, Farakhan? Who are you to take on the unseen power of the world to expose them to the light of day? Who are you? I say I'm your brother. I'm a servant of these two mighty men. The FBI has spied on and sought to persecute everybody, white or black, that tampers with control of the poor people. Whether you're communist, socialist, whether you have an idea that could stimulate the masses with truth, the FBI pounces on you. In the same year that the FBI was established, the Anti-Defamation League was established. The Anti-Defamation League has been used to cover up and to fight against anybody that is not necessarily anti-Semitic but anybody who will expose those Jews who have been at the root of the control of the banking system of the Federal Reserve. So when you start opening up the truth, immediately they attack you and call you either a latent anti-Semite or anti-Semite because they want to stifle you. They'll drive you out of Congress. They'll drive you out of business. They'll drive you out of wherever you are. But I say to the Anti-Defamation League, this is one black man that you ain't gonna drive one damn thing. Now, from 1913 to 1995, the debt is nearly \$5 trillion, and

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STUDY FINDS NO RECRUITING BY MUSLIM PATROLS IN HOUSING PROJECTS

Eds: LEADS with 8 grafs to UPDATE with Cisneros, other testimony;
PICKS UP 6th graf pvs bgng, 'Congress is'

By SONYA ROSS
Associated Press Writer

WASHINGTON (AP) — Housing Secretary Henry Cisneros said today he found no evidence that Nation of Islam security guards recruit for their faith while patrolling housing projects. He warned a congressional hearing that further investigation of their work would only "persecute" the Muslim sect.

With one exception, he said, the firms with federally funded security contracts were entirely separate entities from the Nation of Islam, a black Muslim sect led by Minister Louis Farrakhan.

He acknowledged that the Department of Housing and Urban Development's six-week review of the contracts was somewhat limited, but said, "Going any further than this" would "persecute an organization" that has been effective in stamping out crime in low-income housing.

"We have been absolutely, scrupulously straight in our review," Cisneros told the oversight and investigations subcommittee of the House Banking, Finance and Urban Affairs Committee. "I abhor the tendency toward

division in our society. When I hear some of the expressions by Minister Farrakhan, they obviously grate. But we've followed the law."

The Nation of Islam is an all-black Muslim denomination headed by Farrakhan, who has criticized Judaism and made statements offensive to Jews. The guards have been credited with reducing crime in some of the country's most chaotic housing projects.

HUD's review "has identified some local contracts with security firms which are run by persons who practice the Islamic faith," Cisneros said. Housing agencies may not deny a contract based on religious affiliation, he noted.

Abdul Arif Muhammad, lawyer for the security companies, said the owners of the security firms are "acknowledged members" of the Nation of Islam, but there are no legal or corporate connections between them.

In testimony, he said allegations that the Nation of Islam is a hate group already has cost the security firms several private contracts with companies such as

Holiday Inn, Federal Express, Stouffer-Renaissance Hotels and the Washington Convention Center.

Congress is scrutinizing the federal contracts to determine whether security firms violate laws barring discrimination in employment or use their security patrols as a recruitment tactic.

Late last year, Senate Majority Leader Bob Dole, R-Kan., asked HUD for a list of Nation of Islam-held contracts either with HUD or agencies it regulates.

The HUD review found nine current contracts for security in public housing projects or federally subsidized apartment complexes in Baltimore, New York City, Chicago, Dayton, Ohio, Washington, D.C., and Buffalo, N.Y. Fifteen other contracts either have expired or were terminated.

The current contracts, worth about \$10 million, are held by NOI Security Agency Inc., New Life Self Development Co., X-Men Security, Inc. and Nation of Islam Community Support Group.

They were reached with local housing authorities and private landlords who "have full authority to make their own contractual decisions without HUD approval," Cisneros said. The support group holds a contract with the Dayton Metropolitan Housing Authority to provide community services, not security, Cisneros said. It was included in the HUD review because its name implied a direct link to Farrakhan's sect, the secretary said.

Rep. Peter King, R-N.Y., who has introduced legislation prohibiting federal contracts for extremist groups, said the HUD review skirted the employment discrimination issue. He also wants to know whether the companies were the lowest bidders for their contracts.

"These reports seem to be going into the quality of the work.

They never looked into the employment discrimination," King said. "In Brooklyn, we know they were proselytizing, selling Nation of Islam products.

"He does have the right to stop them, I believe, if it turns out there were bidding irregularities," King added. "My feeling is ... once they got the contracts, Cisneros looked the other way."

Cisneros said HUD had not received any discrimination complaints from tenants against the contractors. The Nation of Islam, he noted, is not on the FBI's list of hate groups.

As for recruitment, Cisneros said, all HUD could find were "isolated, short-lived incidents" where the Nation of Islam's newspaper, The Final Call, was distributed. The newspaper is sold primarily on street corners by dark-suited, bow-tied Nation of Islam members.

###

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March 2, 1995

The Honorable Henry G. Cisneros
Secretary of Housing and Urban Development
451 Seventh Street, SW
Washington, D.C. 20410

Dear Secretary Cisneros:

Following up on yesterday's letter to you, we write to express our deep dismay and disappointment with the Department's testimony at today's hearings on federally funded security services provided by affiliates of the Nation of Islam.

In other circumstances, Mr. Secretary, you have demonstrated an understanding of the importance of strong federal action to confront racism and discrimination. Not today. In concluding your testimony, you noted that some of Minister Farrakhan's expressions "have caused national concern" and you said you rejected them. But you then stated: "But that's a separate question."

It's not a separate question, Mr. Secretary -- and that's the point. Beyond any excessively legalistic attempts to distinguish the Nation of Islam and its affiliated security services, remains one painfully obvious truth: These are not just any service contracts -- and the Nation of Islam is not just any subcontractor.

We wanted to hear some recognition of this simple, apparent fact in your testimony -- and we did not. To the contrary, the overall picture presented of the Nation of Islam through HUD's testimony was complimentary.

The Nation of Islam is an organization with a well-documented, irrefutable public record of racism and bigotry. Yet, HUD's limited and inadequate investigation of their affiliated security services inevitably resulted in an inaccurate and distorted view of the organization. Further, your statement's shallow comparison of the Nation of Islam with Catholic Charities, B'nai B'rith, and the Salvation Army is odious and deeply offensive.

The Honorable Henry Cisneros
March 2, 1995
Page 2

Your testimony essentially ceded civil rights oversight responsibilities to other federal agencies -- in circumstances we believe, instead, call for much more vigorous and proactive HUD enforcement scrutiny.

The articulated racism and anti-Semitism of bigots can poison the atmosphere of civil discourse and do much damage. But the real danger of racist demagoguery can occur only when good people are silent in the face of bigotry, when they avert their eyes from it, or choose to ignore it altogether. That is when prejudice can grow -- and that is when minorities that are the targets of hate and discrimination should really begin to worry.

Sincerely,

Abraham H. Foxman
Abraham H. Foxman
National Director



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
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March 28

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COMMENTS:

Attached is the latest letter from
ADL and a draft response. Call if you
have any questions.



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DAILY NEWS BULLETIN

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78th Year



HUD probe into Nation of Islam blasted by Jewish organizations

By Matthew Dorf

■ The Department of Housing and Urban Development has cleared security firms affiliated with the Nation of Islam of any wrongdoing. The investigation, prompted by pressure from Jewish groups and members of Congress, has come under attack. (Page 1)

■ Israeli police launched an investigation into alleged misuse of funds in the Histadrut labor federation. A major political scandal erupted after reports that police officials are investigating Labor Party leaders who allegedly misappropriated Histadrut funds for their own political purposes. (Page 3)

■ Israeli officials and Jewish leaders expressed dismay and surprise over a statement issued by eight church leaders that criticized the Clinton administration for "failing to recognize and support Palestinian rights and interests in Jerusalem." Avi Granot, an official with the Israeli Embassy in Washington, said he "was offended" that Israel was not consulted.

■ Representatives from Israel, Egypt, Jordan and the Palestinians convened in Amman for their first meeting to discuss the return to the territories of Palestinians displaced during the 1967 Six-Day War. Differences regarding the scope of the meeting were evident, with the Israeli team calling it an "informal consultation meeting," while the Arab leaders referred to it as a formal attempt to solve the problem of displaced persons.

■ The president of the U.N. Security Council met with an Israeli representative to express concern over the Israeli blockade of the Lebanese coast. The meeting came in the wake of a letter circulated by Lebanon asking for U.N. intervention to end the weeks-old blockade. (Page 2)

■ More than 1,000 fervently Orthodox Jews gathered outside the Israeli Consulate in New York to protest the excavation at the site of an ancient cemetery in Jaffa. The demonstrators said the disputed land, designated for an underground parking lot, was a Jewish grave site. Israeli officials said such claims are "baseless" and that the land is a Christian burial site.

WASHINGTON, March 7 (JTA) — A Department of Housing and Urban Development investigation, which has cleared security firms affiliated with the Nation of Islam of any wrongdoing, is under attack from members of Congress and Jewish activists.

At the same time, a congressional hearing on the subject last week signaled a low point in black-Jewish relations as some black members of Congress accused Jewish groups of launching an assault on Islam and blacks.

At the hearing, HUD Secretary Henry Cisneros said continuing the investigation "would simply be using government resources to persecute" the Nation of Islam.

Cisneros' evaluation drew the ire of representatives from the American Jewish Congress and the Anti-Defamation League, who also testified at the hearing before the House Banking and Financial Services Subcommittee on General Oversight and Investigations.

For more than a year, Jewish groups had requested that HUD investigate \$10 million in security contracts at low-income housing developments held by firms with ties to the Nation of Islam, the virulently anti-Semitic group led by Louis Farrakhan.

HUD finally agreed to the investigation in January, succumbing to extensive pressure from Jewish groups — including 4,000 letters from supporters of AJCongress — and from members of Congress, including Rep. Peter King (R-N.Y.) and Senate Majority Leader Bob Dole (R-Kan.).

"It is my view that these contracts are helping to finance Farrakhan's empire of hate," King said in pushing for the investigation earlier this year.

At the hearing last week, the Jewish groups both criticized the HUD investigation and reiterated their belief that the Nation of Islam should not be granted government contracts.

Both ADL and AJCongress argued at the hearing that HUD has shirked its responsibility and "misinterpreted" its role.

ADL went further, calling the investigation "limited and inadequate."

Session deteriorates into Jewish vs. black debate

The March 2 hearing had been expected to provide a forum to explore the link between the security firms and Farrakhan. It was also expected to explore allegations that those firms discriminate against non-blacks and people who do not belong to the Nation of Islam.

Instead, the marathon session before a packed congressional hearing room deteriorated into a minority vs. white and Jewish vs. black debate. The session lasted more than five hours.

The entire Republican side of the committee present were white men, which was in contrast to the black and Hispanic Democratic subcommittee members.

And the panel testifying against the Nation of Islam was made up exclusively of Jews: Marc Stern of the American Jewish Congress; Jess Hodes and Meyer Eisenberg of the Anti-Defamation League; and Jules Polonetsky, a New York state Assemblyman and Orthodox Jew.

"I have to admit that I wish today that you were Irish, black, Italian, Asian, Hispanic, that you didn't necessarily have to all be Jewish," Rep. Kweisi Mfume (D-Md.) said to the Jewish panel testifying against Nation of Islam.

"The tragedy, mark my words, is that this hearing is going to be seen as a referendum on black-Jewish relations. It's not that at all," said Mfume, a former chairman of the Congressional Black Caucus and himself a Muslim.

Rep. Maxine Waters (D-Calif.) called the hearing a "witch hunt."

"You're treading on dangerous ground when you make an argument against the Muslims. If you go after them today, it will be the Jews tomorrow," said Waters, who does not serve on the subcommittee but was allowed to participate in the hearing.

Republican members of the committee argued that the hearing was an appropriate investigation into whether government money is being used to finance the hate and anti-Semitism of the Nation of Islam.

"I summarily reject and repudiate those remarks," said Rep. Bob

but (A.C.) in response to the very legitimate questions."

Scores of Nation of Islam supporters at the hearing repeatedly interrupted the proceedings with applause as Cisneros and HUD officials praised the security companies for cleaning up the housing projects.

They also responded favorably as Democratic members of the committee attacked the Jewish groups for raising the issue and as Nation of Islam security company officials attacked ADL, suggesting that the group should lose its tax-exempt status.

Testifying in defense of the Nation of Islam-affiliated security firms, Leonard P. Muhammad, president of New Life, one such firm, and a Nation of Islam official, told King in a heated exchange, "You ought to be ashamed of yourself."

"I don't appreciate this hearing one bit," Muhammad said. "The laws you seek compliance with should also be used for the protection of our rights. Where is the focus on the money we have saved you, and the lives we have saved?"

In response, Rep. Spencer Bachus (R-Ala.), the subcommittee chairman, admonished Muhammad, saying, "I don't consider you to have saved this country and its people one dime" if Nation of Islam guards recruit new members and spread Farrakhan's hatred about Jews.

Polonsky came to argue that the security guards were proselytizing on the grounds of at least one housing development in New York.

The HUD investigation uncovered nine Nation of Islam-related contracts for security in public housing projects and federally subsidized apartments in Baltimore, New York, Chicago, Washington, Buffalo and Dayton, Ohio. Fifteen other contracts were terminated for unknown reasons or have since expired.

The \$10 million in contracts are held by New Life Self Development Inc., NOI Security Agency Inc., X-Men Security, Inc. and Nation of Islam Community Support Group.

An 'odious and deeply offensive' comparison

In testimony at the hearing, Cisneros outlined what he termed a "thorough" investigation that in the end praised the security services.

Although the investigation uncovered "some local contracts with security firms which are run by persons who practice the Islamic faith," Cisneros argued, "federal law does not permit a local housing provider to refuse to contract with firms because of their religious affiliation."

Cisneros equated the Nation of Islam contracts to those held by B'nai B'rith, which runs HUD-subsidized elderly housing developments as well as to contracts granted to other religious groups.

After the hearing, ADL National Director Abraham Foxman chastised the HUD secretary.

The "shallow comparison of the Nation of Islam with Catholic charities, B'nai B'rith and the Salvation Army is odious and deeply offensive," Foxman wrote to Cisneros.

Both ADL and AJCongress officials argued that Cisneros' investigation, which was based on interviews with tenants and a limited number of security guards, does not address the question of whether the firms discriminate.

"The issue is not whether the guards are doing a good job and the residents are happy with them," Stern said. "HUD did not ask the right questions."

Although he believes that this is a "HUD responsibility," Stern said his organization will pursue the issue, turning back to the Office of Federal Contract Compliance, which originally passed him on to HUD.

Both AJCongress and ADL said they will also

Commission to look into the matter.

Another option that remains open is that the House Banking subcommittee will require HUD to refocus its investigation.

Capitol Hill aides say the subcommittee has not yet made any decision. □

U.N. expresses concern to Israel over blockade of Lebanese coast

By Larry Yudelso

UNITED NATIONS, March 7 (JTA) — The president of the U.N. Security Council met with an Israeli representative this week to express concern over the Israeli blockade of the Lebanese coast.

Lebanon last week circulated letters to Chinese Ambassador Li Zhaoxing, who this month holds the Security Council's rotating presidency, and to U.N. Secretary-General Boutros Boutros-Ghali, asking for U.N. intervention to end the blockade.

On Monday, the issue was raised by the Omani ambassador during the Security Council's daily informal consultations. It was decided that Li would discuss the issue with Israeli and Lebanese representatives.

Israel has stated that the blockade is in response to Lebanese strictures on inhabitants of the security zone Israel controls in southern Lebanon. Ambassador Moshe Melamed, Israel's second-ranking diplomat at the United Nations, met with the council president in the absence of Ambassador Gad Ya'acobi, who was in Israel.

Melamed explained that Israel's measures were not directed against the fishermen or other people in southern Lebanon, but were designed to prevent terrorist activities from known bases in the area.

But according to Nohad Mahmoud of the Lebanese mission to the United Nations, with increased Israeli activity on the Lebanese coast, "the fishermen don't dare to venture into sea for more than half a mile."

There has been no indication as to whether the issue will proceed further in the United Nations.

"Here we do our utmost," said Mahmoud. "Something should be done there in the region, particularly with the arrival of Secretary of State Warren Christopher in the region this week."

On the eve of Christopher's visit, ongoing hostilities between Israel and Hezbollah guerrillas in Lebanon heated up.

Israeli helicopter gunships, artillery and tanks struck at Hezbollah bases in the southern Lebanon security zone shortly before midnight Monday.

About the same time, Israeli jets flew over a section of Beirut where Hezbollah maintains the headquarters of its high command. No bombs were dropped.

Earlier Monday, a member of the Israeli-allied South Lebanon Army was killed and two other SLA soldiers were wounded when a roadside bomb was detonated while their unit was on patrol in the eastern sector of the security zone.

Israeli sorties and artillery bombardments of Hezbollah positions resumed Tuesday in southern Lebanon.

The commander of the SLA forces, Gen. Antoine Lahad, toured Jerusalem on Monday with a delegation of 15 other SLA officers as the guests of municipal council member Yehoram Gaon. Gaon described Lahad as a "friend" whom he wanted to host in Jerusalem.

Lahad also met with Prime Minister Yitzhak Rabin last week when the Israeli leader was touring southern Lebanon. □

(JTA correspondent Naomi Segal in Jerusalem contributed to this report.)

HUD WAS HAD! AND AMERICA IS THE LOSER

A Department of Housing and Urban Development (HUD) investigation recently cleared security firms affiliated with the Nation of Islam to continue receiving government contracts.

Farrakhan Attacks Jews, Catholics and Others

The Nation of Islam has a well-documented public record of racism and bigotry. And that abysmal track record continues. As recently as February 26, 1995, Minister Louis Farrakhan railed against Jews at his annual Saviour's Day message in Chicago. Using centuries-old conspiracy theories and code words like "international bankers," Farrakhan excoriated Jews as those who "have been at the root of the control of the banking system of the Federal Reserve."

In his own words, Farrakhan makes it clear that he and the Nation of Islam hate not only Jews, but Catholics, whites, homosexuals and anybody else who is not like them. Sounds like the rhetoric of the Ku Klux Klan.

Your Taxes Where?

So, why are HUD and the United States Government spending your tax money on Nation of Islam contracts?

Would HUD be willing to spend your tax money on contracts with the Ku Klux Klan?

Would you let them? There is no rational reason to

allow this to continue. The Anti-Defamation League is outraged that the Nation of Islam's message of hate and its discriminatory hiring and proselytising practices were ignored by HUD as not relevant to its scope of inquiry.

HUD's Deaf Ear

HUD not only turned a deaf ear to our arguments, but the Secretary of HUD even equated doing business with the Nation of Islam with B'nai B'rith, Catholic Charities, Lutheran Social Services, United Church Homes, Habitat for Humanity, and the Salvation Army. What's going on here? Who's on first?

You can help. If you agree that it is wrong for America to support the Nation of Islam with public funds, write to HUD Secretary Henry Cisneros (451 Seventh Street, SW, Washington, D.C. 20410) and to your Representative and Senators. If you would like more detailed information, including copies of hearing testimony, write to us, Department E.

The racism and anti-Semitism of bigots can poison the atmosphere of civil discourse. But the real danger occurs when good people are silent in the face of bigotry, when they avert their eyes, or choose to ignore it altogether. The words of Edmund Burke say it best:

"The only thing necessary for the triumph of evil is for good men to do nothing."

David H. Strassler
National Chairman



Abraham H. Foxman
National Director

**The Anti-Defamation League is the world's leading organization
fighting anti-Semitism through programs and services
that counteract hatred, prejudice and bigotry.**

WHY IS IT SO HARD TO GET A REAL INVESTIGATION OF FARRAKHAN'S CONTRACTS WITH THE GOVERNMENT?

EXACTLY ONE YEAR AGO, the American Jewish Congress asked the U.S. Department of Labor for an urgent and immediate review of federal contracts held by the Nation of Islam (NOI) and its subsidiaries to determine if they practiced employment discrimination in hiring security guards for housing projects funded by the federal government.

There was no response. We never heard a word.

This was our letter:

AJ Congress

American Jewish Congress
Stephen Wise Congress House
15 East 84th Street
New York, NY 10028-0458
212 879 4500 • Fax 212 249 3672

March 8, 1994

The Honorable Robert Reich
Secretary of Labor
U.S. DEPARTMENT OF LABOR
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Mr. Secretary:

On behalf of the American Jewish Congress, we are writing to ask that the Office of Federal Contract Compliance Programs (OFCCP) conduct an urgent and immediate review of federal contracts held by the Nation of Islam and its affiliates and subsidiaries.

We recognize that the OFCCP has no authority to oversee the propriety or desirability of government agencies spending tax dollars on purveyors of hate, racism, homophobia, anti-Catholicism and anti-Semitism. But OFCCP is charged with ensuring that all government contractors take affirmative action to ensure that employment with those holding government contracts is equally available to all citizens regardless of their race, sex, national origin and religion.

At the most basic level, one is hard-pressed to believe that an organization whose spiritual leaders preach that whites are devils, that Jews are blood-suckers, and who have made generally disparaging comments about the leader of the Catholic Church is, in fact, an equal opportunity employer.

According to the published reports we have seen, the Nation of Islam and its affiliates have held federal contracts at least since 1988. They thus have a sufficient track record for OFCCP to assess whether these contractors have made any effort at all to comply with the policy of non-discrimination which lies at the heart of federal contracting policy. If, as we suspect, they are not in compliance with the policy of non-discrimination, then the only appropriate remedy is a broad order of disbarment.

Last month, following a campaign organized by AJCongress that produced 4,000 letters, and after hearing expressions of concern from Sen. Bob Dole (R-KA) and Rep. Peter King (R-NY), the Department of Housing and Urban Development, which funded the security services, at long last began an investigation.

Even then, it was the wrong kind of investigation, which asked altogether the wrong kind of questions.

As a result, after a perfunctory inquiry, HUD cleared NOI of discrimination, and in fact, told a Congressional hearing that NOI was doing excellent work.

Why this delay? Why this refusal to engage in a real investigation of NOI's practices?

HUD apparently believes either that it would be politically dangerous to conduct a rigorous investigation of the Nation of Islam or that the Nation's performance excuses possible racial discrimination. HUD is wrong on both counts.

Whatever their race or religion, Americans reject discrimination. There is nothing controversial about investigating a government contractor to ensure that the government is not funding bias in employment. And good performance on government contracts no more excuses bigotry than making the trains run on time excuses political oppression.

Discrimination has no place in America. The U.S. government has no business financing it. And AJCongress will not let a travesty be called an investigation.

We will not let the matter rest. The legislative hearings are continuing. We intend to make certain that the U.S. Congress does what HUD won't.

David V. Kahn
President

Phil Baum
Executive Director

I too am very concerned. Here is my contribution to assist the work of AJCongress in fighting discrimination and federal funding for discrimination, racism, and anti-Semitism.

Enclosed is my check for: ☐ \$25 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$_____Other

Name _____ Address _____

City/State/Zip _____ Telephone _____

ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE TO THE FULLEST EXTENT OF THE LAW.

American Jewish Congress
15 East 84th Street, New York, NY 10028-0458
(212) 879-4500

AJ Congress

NY Jewish Week 3-17-95

Complaints of Discrimination Lead Agency to Probe Clinic

CLINIC, From B1

tured the AIDS virus as a genocidal weapon against black people. Despite Muhammad's criticism of the government, Abundant Life has begun to seek and receive federal AIDS grants to subsidize its work. It has received more than a half-million dollars in subsidies, including \$367,000 for this year.

Those grants make the clinic subject to federal anti-discrimination statutes.

A Health and Human Services spokesman said yesterday he could not legally identify the source of the complaint. The spokesman, Campbell Gardett, said, "We looked into it enough to satisfy that this warranted being investigated further."

The American Jewish Congress, a conservative organization that contends that the Nation of Islam is antisemitic, has been urging federal health officials to investigate whether Abundant Life discriminates in its hiring practices. Marc Stern, a lawyer for the American Jewish Congress, said yesterday that the group had not filed any complaints involving the clinic's services to patients.

The civil rights office has initiated 785 investigations this year, most of which have been settled when the targets of those investigations agreed to comply with federal rules, Gardett said. If investigators find that a complaint is valid and cannot negotiate a settlement, they can refer a case for an administrative hearing that could lead to revocation of the federal aid, or to the U.S. Justice Department for possible prosecution.

The federal government also is

preparing to begin a long-delayed clinical trial of the drug Muhammad promotes, low-dose alpha interferon, Muhammad said. Abundant Life will be one of 12 sites participating in the federally funded trial, estimated to cost at least \$1.5 million, that Muhammad said is scheduled to start in June.

Julian Tolver, Abundant Life's client services director from 1993 until late last year, said that "probably

"My gut reaction is, this is going to turn out to be a big to-do about nothing."

—Abdul Alim Muhammad

99 percent" of its patients are African American, many of them living in or near Paradise Manor, the housing complex at the eastern edge of the District where the clinic is located.

Tolver said the clinic has treated Latino patients and "as a matter of fact, we had a white female."

"We accept everybody and anybody," Tolver said. He noted, however, that the terms of the clinic's grant, administered through the District government, specify that it target its work among residents of the District's largely black neighborhoods east of the Anacostia River, where other medical services are scarce.

"Things like this don't discourage us," Muhammad said of the investigation. But he added, "It certainly distracts people from their real work."



U.S. Begins Probe of District AIDS Clinic *Facility, Linked to Nation of Islam, Is Focus of Bias Complaints*

By Amy Goldstein
Washington Post Staff Writer

Federal health officials are launching an investigation into discrimination complaints against an AIDS clinic in Northeast Washington that has ties to the Nation of Islam.

The U.S. Department of Health and Human Services' Office for Civil Rights notified the Abundant Life Clinic late last week of the probe involving allegations that the clinic has failed to treat patients of all races and nationalities, in violation of federal law.

Abundant Life is a major source of alternative medical treatment for

poor African American residents in the District and nearby suburbs who are HIV-infected or have AIDS.

It is directed by Abdul Alim Muhammad, a physician who is national spokesman for Louis Farrakhan, minister of the Nation of Islam. Muhammad rejects commonly used AIDS medications and treats several hundred patients with an unproven drug that he has touted as a potential cure for the fatal disease and that he has lobbied the federal government to research.

Muhammad said yesterday that Abundant Life "has no policy of discrimination. Anybody who shows up

at the clinic is welcome and would be treated like any other client."

He called the probe a form of religious harassment. Even though Abundant Life is not financed by the Nation of Islam, he said, "the fact I am national spokesman ... makes me a target ... by all manner of people, and it makes the clinic a target."

"My gut reaction is, this is going to turn out to be a big to-do about nothing," he said.

Muhammad has said in public speeches that the United States and other "white governments" manufac-

See CLINIC, B4, Col. 3

Wash Post
3-28-95



► COMMENTARY

Editorial

Bigotry and double standards

Bang! Better duck — you're hearing the opening shots of the 1996 presidential election.

Some have been fired in our direction. Thus, Jewish liberals — there was a time when adding "liberal" would have seemed a redundancy — are going after the weak links in the conservatives' armor — the two Pats.

That helps explain the recent burst of essays outlining the kooky, and possibly anti-Semitic, historical theories espoused by Pat Robertson and the virtual populism and anti-Semitism of presidential-possible Pat Buchanan.

George Orwell once observed that when he became an anti-communist, he was embarrassed by his new allies. Anti-communism, after all, included left-wing, liberal, conservative and fascist variations. Something of the same thing seems to underlie this challenge to Jews who have already gravitated over to the GOP — aren't you embarrassed by your allies?

But there is an additional twist. Orwell saw the problem with new allies as the occupational hazard of the democratic left; that is, he refused to abandon anti-communism to the far right. Of course, the Democrats of the 1990s are *not* the communists of the 1940s, so the argument for holding fast to the liberal coalition, whatever its other flaws, does not require us to support totalitarianism, the way Stalin's supporters did when Orwell's views were taking shape in Spain.

So the new twist here is that, *reductio ad absurdum*, the two Pats (with Jesse Helms thrown in for good measure) illustrate the dangers to Jews posed by right-wing politics.

And the alleged failure of Republican-oriented Jews to stand up to the two Pats underscores their failure to be embarrassed by their allies, and therefore undercuts their claim to political leadership of American Jews.

There are real problems with the Republicans, including the tendency toward isolationism and nativism that manifested itself in the anti-foreign aid and debt forgiveness rhetoric of some GOP members in Congress and anti-immigrant initiatives elsewhere.

But the two Pats don't make up the GOP and, anyway, Jewish neo-conservatives have so attacked Buchanan. (On the other hand, they attacked ADL for a report critical of the Christian right.)

Unfortunately, Jewish Democrats have enough problems within their own ranks.

Last week, we reported on the congressional hearings during which U.S. Housing Secretary Henry Cisneros said he found no problem in awarding contracts to Nation of Islam-linked security firms.

Instead of dealing with the issues raised by congressional detractors of the contracts and by Jewish groups — including the Anti-

Defamation League and American Jewish Congress — Cisneros set up straw men, arguing that residents of housing projects patrolled by the security firms had not complained, and that other religious groups — he specifically mentioned Catholic agencies and B'nai B'rith — were also receiving HUD grants.

And Cisneros, in concert with black lawmakers, chose to portray NOI as a victim of religious persecution, rather than the anti-white and anti-Semitic organization it has been documented to be.

The Jewish groups pressed the point, to no avail, that the real issue was that NOI firms could not possibly be equal opportunity employers, and that they were spreading Louis Farrakhan's message of hate.

We agree with AJCongress' Marc Stern that NOI is "an equal opportunity hater."

It is also probably corrupt. According to a series of articles that ran in the *Chicago Tribune* this week, "Nation-affiliated companies are riddled with debt, failure and allegations of fraud, while Farrakhan, some relatives and top aides live lavishly."

So what accounts for Cisneros' logic-defying, clean bill of health? The embattled HUD secretary, along with the White House, saw no political benefit in locking horns with NOI. President Bill Clinton's team has its eye on the '96 election, and is moving to shore up its base among African American voters. Clinton's potential problem is that a focus on NOI exposes the fault line between two core constituencies, African Americans and American Jews.

In the same way, pressing neo-conservatives to denounce Pat Robertson aggravates the fault line between Jews and the Christian right.

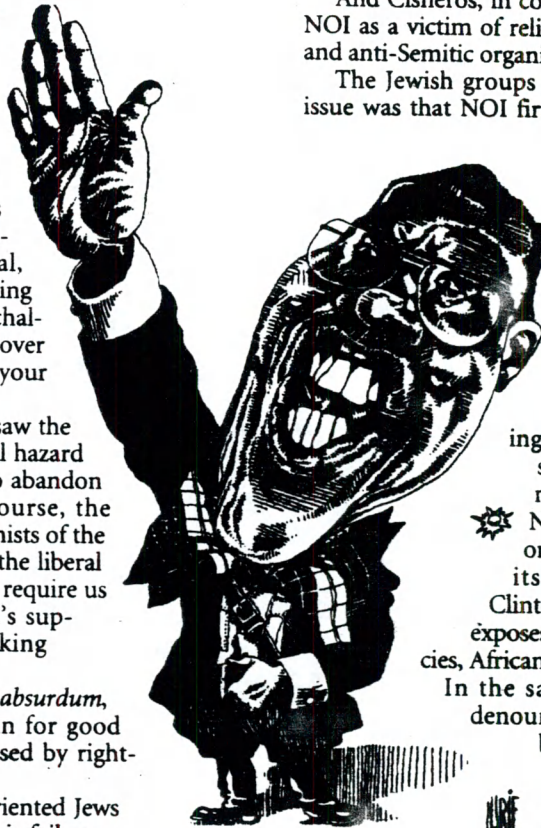
We think bigotry must be resisted, regardless of any immediate partisan advantage. When liberals use the two Pats to beat up the neo-cons and Republicans use the NOI to beat up the Dems, each

employs a dangerous double standard: We insist you denounce *your* extremists, but we ask that you follow our example and pay no attention to ours.

Some try to distinguish between the threats to Jews on the basis of the perceived power of the anti-Semitic source. Thus, for some, Robertson presents a more present danger than Farrakhan because he is in a position to influence the Republican program on abortion rights and church/state issues; though presumably, he would not influence the GOP to accept his bizarre theories on the federal reserve system, the issue for which he, and his Jewish allies, are now taking so much heat.

But the HUD whitewash of NOI shows that, when it suits their interests, Democrats, no less than Republicans, can turn a blind eye to bigotry from their own ranks.

We think both sides should be embarrassed by their allies.



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VANTAGE POINT

HILLY GROSS
SPECIAL TO THE JEWISH WEEK

NY Jewish Week 3-24-95

Affirmative Action Is Jewish Suicide

Many years ago, in a career as a political speech writer, I accompanied a candidate on an upstate swing. The candidate was a forceful, eloquent spokesman for the concept of affirmative action, and I must admit the speech I/we had crafted was a rhetorical masterpiece.

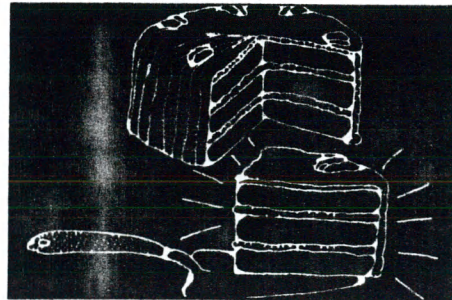
Affirmative action was "our moral debt to those for whom the American Dream had become the American Nightmare," he asserted in Buffalo.

Affirmative action was our "atonement of compassion for the slavery of our black brethren," he thundered in Batavia.

Somewhere between Corning and Utica, it occurred to me that when these guys' grandfathers were slaves, mine were serfs, and no one was offering me nothing.

But it was in Syracuse that the scales truly fell from my eyes. Mounting the ramp to the plane for the trip home, the candidate suddenly froze, gripped my arm and motioned to the top of the ramp.

There at the entrance to the plane, as big as life, was an African-American man dressed in the traditional costume of an American Airlines pilot. "They're not serious," he said. "They're not really going to let him fly the plane. They're kidding," said the panicked candidate.



"No," I lied, "he's probably just the flight attendant."

Relieved, we settled into our seats for an uncommonly bumpy 50-minute flight to LaGuardia in which we honed our affirmative action speech to even greater oratorical heights.

Conceived in hypocrisy, midwived by well-meaning Jewish liberals, affirmative action has

been the illegitimate offspring of a promiscuous social engineering policy. Hopefully, with California's coming referendum, it will die a quick, merciful death. But what havoc it will have left in its wake.

Basically, what affirmative action did was change the rules of our societal game in the ninth inning. Instead of the team with the most runs, the victor would be the team with the fewest runs.

To our black brethren, affirmative action was as mean-spirited a form of racist, paternalistic putdown as any Southern sheriff who ever blocked a schoolhouse door could deliver, for it cheapened the coin of black accomplishment. A black college diploma was suspect, black achievement was tainted, a black success was diminished.

In addition, it created a culture of entitlement. Entitlement must be justified by deprivation. If there is a "deprivee," there must be a "depriver," and so the once-vaunted black-Jewish coalition disintegrated into a tarpitch of ethnic rivalry.

It was one thing to march with our black brethren to get them a fair slice of the Ameri-

can pie; it's a different story altogether when they're demanding we submissively hand over our slice as well.

And make no mistakes about it, brothers and sisters, if affirmative action is allowed to survive, it is our Jewish community that will be its greatest victim.

A simple mathematical calculation will illustrate. The entering freshman class at Yale is 42 percent Jewish. Jews comprise less than 3 percent of the total American population.

Blacks and Hispanics come close to 20 percent. If we must apportion admission on percentage quotas rather than on merit, one need not be a rocket scientist to calculate where the numbers are going to come from.

Our tradition teaches us to be fair, to be compassionate, to be just. It says nothing about suicidal.

If the last Jewish liberals cannot get it through their brains that affirmative action is nothing less than the end of civilization as we know it, then maybe it's time for a collective lobotomy. With their luck, it would be performed by a quota-ordained neurosurgeon. □

Hilly Gross is a local businessman.

Jews quiet on affirmative action

by Debra Nussbaum
Cohen
Jewish Telegraphic Agency

NEW YORK— Several Jewish groups long associated with civil rights causes recently took part in planning a news conference designed to shore up support for affirmative action — a policy increasingly under attack.

But when it came time for the news conference itself, which took place March 1 and was led by the Rev. Jesse Jackson, the Jewish groups were nowhere to be found.

Jewish representatives "didn't know what positions would be staked out" at the news conference, said the representative of one group involved in the planning stages.

The Jewish groups included the National Jewish Community Relations Advisory Council, the American Jewish Congress and the Religious Action Center of Reform Judaism.

Their partial involvement in the news conference reflected the deep ambivalence within the Jewish community over one of the most volatile issues in black-Jewish relations.

"It's a little bit early yet to be guessing at how the Jewish community will react," said Marc Stern, co-director of the Commission on Law and Social Action at the American Jewish Congress.

"This is going to be a big issue, and we want to see what the Clinton administration does on it and how other political factors play out" before taking our own stand, said the head of one major Jewish group. This leader's refusal to speak for attribution in itself reflects the sensitivity of the issue within the Jewish community.

The issue has taken on increased prominence since the election of a Republican-controlled Congress last November. President Clinton, under political pressure from conservative Republicans, agreed recently to review affirmative action policies currently in place. A California ballot proposition against affirmative action may appear on the ballot in November 1996.

Affirmative action policies followed on the heels of the civil rights era, when Jews worked together with blacks to enact laws guaranteeing fair treatment for minorities.

The first two major court cases challenging affirmative action policies related to white men trying to gain admission to graduate schools that had rejected them while accepting less-qualified minority students.

In 1973, Jewish groups spearheaded support of a Sephardi Jewish law student, Marco De Funis, whose application to the University of Washington law school had been rejected. He claimed that less-qualified blacks were admitted instead.

A year later, a non-Jewish Vietnam War veteran named Allan Bakke made similar charges when he was not admitted to the University of California Medical College at Davis.

The Jewish community was divided over the case. The American Jewish Committee, Anti-Defamation League and AJCongress filed briefs with the U.S. Supreme Court on behalf of Bakke.

The National Council of Jewish Women and the Reform movement's Union of American Hebrew Congregations filed briefs on behalf of the university.

Still, "Jewish groups were singled out for attack" by blacks who felt that the Jewish community had deserted their cause, according to a new book by Murray Friedman, "What Went Wrong? The Creation and Collapse of the Black-Jewish Alliance."

"The position of the Jewish community was pretty uniform when this debate over affirmative action started," said Jack Greenberg, a professor at Columbia University Law School who formerly headed the NAACP Legal Defense Fund and was a central player in the civil rights movement.

For the past decade or so, most Jewish groups have cautiously favored overcoming discrimination with compensatory training and education programs — but have drawn the line at anything smacking of quotas.

The policy adopted in 1973, and slightly amended in 1975 and 1981 by the constituent agencies of NJCRAC, is an exercise in achingly careful wordiness.

Its policy emphasizes merit-based opportunity, opposes quotas and advocates "compensatory education, training, retraining, apprenticeship, job counseling and placement, financial assistance and other forms of help for the deprived and disadvantaged."

"The sole criterion of eligibility for such special services must be individual need; the services must not be limited or offered preferentially on the basis of race, color, national origin, religion or sex," the policy statement says.

Still, today, only ADL supports most white challenges of race-based remedies when the cases reach the courts.

"We've long believed that there is no place in our society for quotas or goals and timetables," said Abraham Foxman, national director of ADL.

"We're beginning to coalesce around some of the issues" related to affirmative action, said Karen Senter, NJCRAC's co-director of domestic concerns.

The National Council of Jewish Women, which had supported race-based graduate school admissions policies in the Bakke case, adopted a different policy in 1993, stating: "We resolve to work for affirmative action programs which ensure equal opportunity for all. We resolve to work for the elimination of quota systems in both the public and private sectors."

NJCJW's executive director, Rosalind Paaswell, declined to explain the shift and would not hazard to predict what position her organization will take in the current debate. "We have to see what our members say," she said.

According to Stern of AJCongress, "We're in the process of setting up a task force to begin a full-fledged review of our policies to see how we ought to respond to the current debate."

"There are clearly new political winds blowing and we have to look at where the law is and the effectiveness of these programs," Stern said. "Maybe affirmative action was a pump primer and maybe it's time to move onto new programs."

The main vehicle for Jewish support of affirmative action is through the Washington-based coalition known as the Leadership Conference on Civil Rights.

Jewish participants in the conference's steering committee on affirmative action, which is still being formed, include NJCRAC, the Religious Action Center and AJCommittee.

This time around, the issue is emerging not as one of Jews vs. blacks, but one pitting conservatives vs. liberals and Congress vs. the Clinton administration.

Jews benefit from policies

through any scientific study, it has become almost axiomatic that affirmative action has been good for women.

In fact, Jewish women may have benefited more than other women because the average Jewish woman has attained a higher educational level than the average white woman, which has positioned Jewish women well for competitive positions.

"Women's understanding is that it helps us as women," said writer and liberal activist Letty Green Pogreban. "We don't think in terms of quotas, but in terms of the benefits."

B'nai Brith
Women

**BACKGROUND ON AFFIRMATIVE ACTION
FOR DISCUSSION AT
EXECUTIVE BOARD MEETING
OCTOBER, 1985**

BACKGROUND

The pursuit of affirmative action in this country has posed some thorny issues that are once again coming to the fore of public debate. For over 20 years there have been laws prohibiting discrimination on the basis of race, sex, ethnic origin, religion, and, more recently, age, but these alone have not been sufficient to end discrimination. Dismantling a system of pervasive and extensive discrimination is a worthy goal to which the country has committed itself, but is one not easily achieved.

How then to proceed? Vigorous enforcement of the law is clearly one avenue. However, this alone, it is argued, is not sufficient because it is expensive, time-consuming, and discrimination is not easily proved. Aggressive outreach to minorities in education, job training, and employment are similarly almost universally endorsed (although recent funding cutbacks have seriously impaired some of these efforts).

Quotas - A more divisive issue is whether or not affirmative action should include numerical quotas. Quotas are fixed numbers or percentages set aside for the exclusive use of a particular group. If the country is to move from theoretical to actual equality, this is the only way to proceed, say many civil rights activists. The Jewish community have been leading opponents of this as a remedy to discrimination. Having suffered from exclusionary quotas, they have opposed inclusionary quotas as being the same--destructive of the very concept of equal opportunity.

There have been instances when courts have ordered temporary quotas in hiring as a remedy to past, proven discrimination and, usually in these cases, there is also a continuing resistance to ending discrimination. Some opponents of quotas find this acceptable (American Jewish Congress and ORT, for example). Others (American Jewish Committee and ADL) believe that in such instances the courts should impose fines or perhaps jail sentences on those responsible for perpetuating discriminatory practices and to grant remedies such as back pay to those who can prove they were discriminated against. Quotas under any circumstances, they hold, are unacceptable.

Goals and Timetables - Most affirmative action plans include some provisions for goals and timetables. Goals mean a reasonable, realistic target and no penalty is exacted for not meeting that target, provided that a good faith effort has been made to reach it within a stated period of time. Changing circumstances or unrealistic estimates can interfere with realizing goals, despite best efforts. An example is in an executive order drafted by President Johnson that is presently being rewritten by this Administration. That order as it presently stands, requires that businesses that wish to receive government contracts must determine if there are fewer women or minorities in their employ than would be expected according to their availability for work. If there are fewer, the contractor must develop

goals and a timetable and make a "good faith" effort to meet these targets. These regulations specifically prohibit "inflexible quotas," require only "good faith" efforts to reach "reasonable attainable goals." A study by the Department of Labor in 1983 of 77,000 companies showed that minorities and women made significantly greater gains in employment at companies contracting with government than in those that did not. The Administration is proposing to change this order so that affirmative action plans will not include any numerical goals or timetables, even voluntary ones. Such goals, they argue, violate a race- or gender-neutral approach that is the hallmark of true equality.

The Administration makes no distinction between quotas or goals (nor does ADL). Others (such as the American Jewish Congress, American Jewish Committee, and Union of American Hebrew Congregations) say that overzealous administrators have sometimes used goals as fixed quotas, but in fact, they are different. To assure that goals are properly used in affirmative action plans they must be properly developed, adequately monitored, and periodically reviewed.

Collection of Numerical Data - A related issue is whether or not statistical data on race, gender, ethnic origin, etc., can be collected and used to assess progress in affirmative action. The Administration is proposing as part of its revision of the executive order mentioned above, to prohibit such collection. Others (including virtually all Jewish organizations) find that if such data are collected without violating the privacy of being used to favor or discriminate against an individual, it is acceptable to assess progress in eliminating discrimination.

Melting Pot Boils Over

FORWARD

By ADAM BRODSKY

With the debate over affirmative action bursting into the open like a festering wound recently unbandaged, those on the left seem genuinely mystified. Why would anyone oppose a system that they see as clearly progressive, designed as it is to integrate the country and compensate for past wrongs? Why would well-meaning Americans want to "roll back the clock" on civil rights? The New York Times chalked it all up to a nefarious plot by Republicans to skim off white male Democrats and capture the White House in 1996. "Blue smoke and mirrors," an editorial in the paper called it, facetiously dismissing all that "rhetoric about reverse discrimination." Another publication on the left, The Village Voice, claimed that white males are simply getting "whiny."

The better question is what took so long for simmering resentment over racial favoritism to boil over.

Americans, after all, find preference programs abhorrent, and by overwhelming majorities, according to polls. That is no surprise. White males, at whose expense today's programs are carried out, make up a good chunk of the population; their opposition accounts for much of the resentment. On a broader scale, the idea of unequal treatment based on race offends fundamental American ethics of fairness, merit and hard work. Those values have been a significant force from this country's start. They have triumphed over bigotry time and again and have led directly to the current ubiquity of anti-discrimination laws. So the real mystery is how Americans with values like that could have

tolerated for so long a system that is discriminatory by design and that, indeed, discriminates against such a large share of the population.

Affirmative action has enjoyed a 30-year ride for two reasons. One is that it has received broad support from a coalition of guilt-ridden whites, misguided integrationists and understandably bitter blacks, Hispanics and women. Pandering for votes, politicians on both sides of the aisle have reinforced the idea that race-based hand-outs and favorable treatment are acceptable, indeed necessary, forms of social redress. The second explanation for the system's longevity is that some opponents tolerated it in exchange for political support on other issues. Voters who opposed racial favoritism may have backed affirmative action Democrats nonetheless because of the politicians' positions on, say, abortion, which those voters may have considered more important.

Still, the very passions that led to affirmative action and the civil rights mentality now seem poised to bring them down. Discrimination is such an anathema that it simply cannot be tolerated indefinitely by Americans even when it is done out of good intentions. It was only a matter of time before Americans realized that penalizing one group is no better than penalizing another and that, in fact, such racial-preference formulas come with pernicious side effects.

Flaws in the program that have long been pointed to — even by staunch civil rights leaders, including many blacks — are now being reconsidered.

- Tokenism poisons race relations.
- Blacks and women in top positions aren't taken seriously because they're regarded as quota-fillers, even when they've risen on their own talent.

- Affirmative action sends a destructive implicit message that certain groups are inferior — whether because of environment or genetics — and don't have the skills to compete fairly. When Rutgers University's president, Francis Lawrence, accidentally voiced that message out loud recently, his campus exploded.

- Quality in certain areas of the work force, particularly in government and at universities, is suffering because merit is no longer the primary factor in hiring decisions.

- The program often helps the wrong people. Wealthy and middle-class blacks benefit over poor whites simply because of their color.

- Fraud and corruption have plagued the system, as whites have used black "partners" to win lucrative government contracts.

One of the most powerful arguments is that affirmative action just doesn't work. After 30 years, the successes — and there are some notable ones — have

been too few to outweigh the program's ill effects. Despite some growth in the black middle class, the underclass seems more entrenched than ever.

Finally, the argument that reverse discrimination is too small of a problem to worry about — because there are too few blacks to displace many whites — won't hold up. For one thing, it isn't true. Blacks, Hispanics and Asian Americans account for almost a quarter of the population, and their percentages are growing. In New York, "minorities" already are in the majority. It is true that in some parts of the country, and in certain fields, like academia, law and medicine, minorities make up a much

smaller share of the labor pool than they do in the population at large. Yet it is precisely in those areas that the most egregious lapses occur. Because black professors, for example, are so scarce, universities have had to reach way down into the applicant pool to find them. At one school in the metropolitan New York area, The William Paterson College of New Jersey, a desire by the board of trustees to boost the number of minority faculty members led to a directive in hiring that could be met only if the bulk of all new hires were minority members, even though they may represent less than 10% of the applicants.

The more important point, of course, is that when it comes to matters of principle, quantity should not matter. Even small degrees of bias against whites and men should not be written into the law any more than small degrees of discrimination against blacks, Hispanics or women should be. The dangers of the slippery slope and the double standard became clearest in Crown Heights in 1991, when officials believed that "aggrieved" black youths were entitled to a little venting of their anger and allowed rioting against Jews to go on for three days.

Jews, as a matter of fact, have been on the losing end both coming and going. When quotas and outright bans were erected to keep out blacks, Jews were generally kept out as well. Then, when affirmative action came along intending to limit whites, Jews were counted along with them and subjected to reverse quotas. Though the subjects of past discrimination themselves, liberal-minded Jews went along gladly with the new system, hoping to see a little social justice for at least some groups, even if those groups did not include Jews.

Unequal treatment based on race offends fundamental American ethics of fairness, merit and hard work.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001

FAX TRANSMISSION

DATE: March 28

NUMBER OF PAGES (including this page) 9

To: Jennifer O'Connor

FROM: Amy Liu

Ofc. #: _____

Ofc. #: (202) 619-8054

Fax #: _____

Fax #: (202) 619-8257

COMMENTS: Attached is the latest ~~the~~ letter from
ADL and a draft response. Call if you
have any questions.

JAN-16-'00 MON 09:39 ID:

TEL NO:

#031 P02

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JUSTIN L. FINGER

March 1, 1995



The Honorable Henry G. Cisneros
Secretary of Housing and Urban Development
451 Seventh Street, SW
Washington, D.C. 20410

Dear Secretary Cisneros:

A report in today's Chicago Sun Times has indicated that in testimony before the House Banking Committee you will state that an investigation into the Nation of Islam's security agency does "not indicate any widespread or systematic problems" with the organization's contracts at federally funded housing projects.

If this is indeed the case, we raise strenuous objections to this position. As we have stated in our letter to you in recent months, racism and anti-Semitism are--and have always been--central to the Nation of Islam's agenda, and it is highly inappropriate for the Department to fund contractual agreements with them which include quasi-law enforcement responsibilities and such ancillary services as counselling.

The horrendous nature of Nation of Islam bigotry was underscored only this week, when Minister Louis Farrakhan, the group's leader, delivered a speech [excerpts attached] laced with anti-Semitic conspiracy accusations to thousands of his followers in Chicago. (For instance, he condemned "Jews who have been at the root of control of the banking system of the Federal Reserve.")

It is difficult to believe that an organization with the Nation of Islam's record of bigotry and racism is an equal opportunity employer. Your apparent exoneration of the Nation of Islam raises questions as to the scope of your investigation and clearly sends the wrong message to the American people. It suggests that an organization dedicated to spreading racism and division is a worthy recipient of their tax dollars.

The bottom line could not be more obvious--the government of the United States should not be in the business of providing legitimacy, approval, or encouragement to a hate group. Any other conclusion debases the very concept of the civil rights movement and squanders the moral authority of our nation.

We strongly urge you to reconsider your position on this matter.

Sincerely,

Abraham H. Foxman
Abraham H. Foxman
National Director

WLIB - 2/28/95

Speech of Louis Farrakhan on February 26, 1995

Do you know why I'm teaching the subject on Jesus saves? Cause after I say what I'm saying today, if I ain't got a savior, I'm sure gonna need one after I say what I say today. Let me just finish. Don't be frightened for me. You better be frightened for yourself. Because some stuff is going down in America right now as we speak. And all our lives are in danger right now. And I've got to sound the alarm, brothers and sisters. I don't care nothin' about my life. It's your life that I wanna save. Listen. Now that the bank that prints money is in the hand of private interest, the idea is to push up and inspire the government to borrow. How do you do it? Get America into war! The war in Europe started in 1914, and by 1917, under a lie about the Lusitania being sunk by German subs, the American people were called into a war to end all wars. Boy, this is heavy, man. You can't believe how wicked, how low-down, how rotten, wait a minute, wait a minute, wait a minute. You can't believe how wicked these people are to play games with your lives and the lives of your babies, create a war just to get more money, to charge more interest, and send your babies to die for bullshit! Excuse me, but bullshit is the dropping of a cow or bull, it's b.s., it's lies, it's deceit, and the American people went to war in 1917, and black people had to become a part of the war, because we didn't want to be left out of America, so American signed us up to fight the war. And black men died. But they don't know what the hell they were dyin' for, and neither did the white ones know what they were dyin' for. But the man of sin gotta be revealed, and I thank God that he put it in my heart, I don't have no fear of those bastards, I wanna expose them all! God is present, God is in the world, and I'm gonna prove to you by

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- 2 -

my life that God has power to save. Don't worry about me. You better worry about yourself. Excuse my language, but they are bastards, they're illegitimate children. When America started borrowing money, they had to have a way to pay it back. And that's how they thought up the IRS. Then they started taking income tax. But by that time the Rockefellers and the Carnegies had their money in trust funds, and they had found a way to get around paying taxes, but the taxes were for the poor and the middle class. It was a gradual income tax. It was to keep on escalating. And in the same year, the FBI was established. You think the FBI is out here to fight crime. The FBI has done some of the most wicked, criminal things in this country against the citizens of America. Who are you, Farakhan? Who are you to take on the unseen power of the world to expose them to the light of day? Who are you? I say I'm your brother. I'm a servant of these two mighty men. The FBI has spied on and sought to persecute everybody, white or black, that mingles with control of the poor people. Whether you're communist, socialist, whether you have an idea that could stimulate the masses with truth, the FBI pounces on you. In the same year that the FBI was established, the Anti-Defamation League was established. The Anti-Defamation League has been used to cover up and to fight against anybody that is not necessarily anti-Semitic but anybody who will expose those Jews who have been at the root of the control of the banking system of the Federal Reserve. So when you start opening up the truth, immediately they attack you and call you either a latent anti-Semite or anti-Semite because they want to stifle you. They'll drive you out of Congress. They'll drive you out of business. They'll drive you out of wherever you are. But I say to the Anti-Defamation League, this is one black man that you ain't gonna drive one damn thing. Now, from 1913 to 1995, the debt is nearly \$5 trillion, and

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END OF TRANSMISSION

JAN-15-'00 MON 09:41 ID:

DRAFT

Mr. Abraham H. Foxman
National Director
Anti-Defamation League of B'nai B'rith
823 United Nations Plaza
New York, NY 10017

Dear Mr. Foxman:

Thank you for your recent March 1, 1995 letter expressing the concerns of the Anti-Defamation League about private contracts with the Nation of Islam for security services at public and assisted housing facilities. Specifically, you voiced your concerns about a report in the Chicago Sun Times dated March 1, 1995, which stated, among other things, that HUD's review of these contracts did not "indicate any widespread or systematic problems" with the reviewed security firms. You indicated that HUD's "apparent exoneration of the Nation of Islam raises questions as to the scope of your investigation and clearly sends the wrong message to the American People." Finally, you stated that it was "difficult to believe that the Nation of Islam was an equal opportunity employer." Allow me to address your concerns and explain more precisely the status and results of our review, which were not fully reported in the Chicago Sun Times article.

As you know, your letter predated my detailed testimony before the Subcommittee on General Oversight and Investigations on March 2, 1995. I hope, therefore, that the various points discussed throughout my testimony answered some of your questions. I have enclosed a copy for your records.

Let me start by reiterating that I, and HUD, condemn intolerance and hatred and do not in any way support bigotry. As I have stated in the past and as I emphasized at the hearing, I vehemently disagree with many of the views shared by Louis Farrakhan. However, under the present state of the law, a local housing provider cannot be prevented from entering into a service contract merely because of the religious affiliation of the firm's owner. Nevertheless, HUD conducted a review in order to assure that the local housing providers and the security firms identified were complying with civil rights laws.

Please be assured that HUD has not "exonerated" the Nation of Islam. As I stated at the hearing on March 2, 1995, our review, although thorough and detailed, was limited in scope. The review focused on compliance with contract non-discrimination

2

provisions, contract performance, proselytizing or improper religious recruitment, discrimination or harassment towards residents, as well as any complaints and grievances that had been filed against the security firms. The results of the nearly 1,000 interviews illustrated that there were no "widespread or systematic" problems in the areas reviewed. The review, on the other hand, could not address in any depth the issue of employment discrimination as I shall explain more fully below.

To the extent that the facts have established some isolated and/or short lived incidents of violations applicable to HUD programs such as proselytizing on the housing sites, I can assure you that HUD has taken immediate action to eliminate and correct any such conduct identified in the review. In order to ensure that public housing authorities and assisted providers are aware of the civil right requirements that flow from receipt of federal funds from HUD, we have sent a letter to each of the housing providers involved advising and warning them that the failure to assure compliance with civil rights requirements can result in the initiation of administrative sanctions including declaration of breach of the ACC or Regulatory Agreement, findings of non-compliance with Title VI and/or Section 109, the issuance of Limited Denial of Participation orders for HUD programs and possible debarment from participation in Government contracting programs.

With regard to the question of employment discrimination, our review did not certify that the security firms identified were "equal opportunity employers." We did note that our review did not reveal any complaints about employment discrimination on the basis of race or gender by the security firms involved, either from residents of the housing developments or from persons otherwise alleging injury as a result of any alleged discrimination. However, as I and Assistant Secretary Achtenberg testified on March 2, 1995, we asked the Housing Authorities and the three security firms, Citywide/New Life Self Development Corp., Nation of Islam Security Agency, Inc., and X-Men Security, Inc., as well as the Nation of Islam Community Support Group, that they provide us with incorporation documents and employment data. We have received no data as of today. While HUD's jurisdiction to investigate the employment practices of firms doing business with public housing authorities and private housing providers is limited under Title VI, the Department is taking steps to see that the housing providers comply with their contracts with HUD with respect to equal employment requirements.

After discussing this issue further with the Chairman of the Equal Employment and Opportunity Commission (EEOC), we have referred the matter of the firms' employment and hiring practices to the EEOC for review pursuant to their jurisdiction over Title

VII. It was decided that the EEOC is the appropriate agency to address the issue of employment practices.

Thank you for your support of the Department's action in reviewing these contracts expressed in your January 19, 1995 letter and for sharing your concerns with us. I hope that I have answered your questions, and feel free to contact me again if you have any further comments. I am also sending a letter to Mr. David Strassler who cosigned your previous letters to me.

Sincerely,

Henry Cisneros

cc: Jess N. Hordes, ADL Washington Representative

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March 2, 1995

The Honorable Henry G. Cisneros
Secretary of Housing and Urban Development
451 Seventh Street, SW
Washington, D.C. 20410

Dear Secretary Cisneros:

Following up on yesterday's letter to you, we write to express our deep dismay and disappointment with the Department's testimony at today's hearings on federally funded security services provided by affiliates of the Nation of Islam.

In other circumstances, Mr. Secretary, you have demonstrated an understanding of the importance of strong federal action to confront racism and discrimination. Not today. In concluding your testimony, you noted that some of Minister Farrakhan's expressions "have caused national concern" and you said you rejected them. But you then stated: "But that's a separate question."

It's not a separate question, Mr. Secretary -- and that's the point. Beyond any excessively legalistic attempts to distinguish the Nation of Islam and its affiliated security services, remains one painfully obvious truth: These are not just any service contracts -- and the Nation of Islam is not just any subcontractor.

We wanted to hear some recognition of this simple, apparent fact in your testimony -- and we did not. To the contrary, the overall picture presented of the Nation of Islam through HUD's testimony was complimentary.

The Nation of Islam is an organization with a well-documented, irrefutable public record of racism and bigotry. Yet, HUD's limited and inadequate investigation of their affiliated security services inevitably resulted in an inaccurate and distorted view of the organization. Further, your statement's shallow comparison of the Nation of Islam with Catholic Charities, B'nai B'rith, and the Salvation Army is odious and deeply offensive.

The Honorable Henry Cisneros
March 2, 1995
Page 2

Your testimony essentially ceded civil rights oversight responsibilities to other federal agencies -- in circumstances we believe, instead, call for much more vigorous and proactive HUD enforcement scrutiny.

The articulated racism and anti-Semitism of bigots can poison the atmosphere of civil discourse and do much damage. But the real danger of racist demagoguery can occur only when good people are silent in the face of bigotry, when they avert their eyes from it, or choose to ignore it altogether. That is when prejudice can grow -- and that is when minorities that are the targets of hate and discrimination should really begin to worry.

Sincerely,

Abraham H. Foxman
Abraham H. Foxman
National Director

THE WHITE HOUSE
WASHINGTON

March 28, 1995

MEMORANDUM FOR THE PRESIDENT
LEON PANETTA
ABNER MIKVA

FROM: HAROLD ICKES

SUBJECT: SECRETARY CISNEROS' NATION OF ISLAM TESTIMONY

The Anti-Defamation League objected to a portion of Secretary Cisneros' testimony on the Nation of Islam's security contracts at public housing developments. Essentially, the ADL takes the position that HUD should not be legitimizing the Nation of Islam.

I have attached a paragraph taken from the Secretary's testimony that has caused particular concern. In it the Secretary draws the analogy that public housing organizations have ties to many religious organizations, including B'nai B'rith, Catholic Charities, etc. I have also attached a copy of a newspaper advertisement the ADL took out condemning HUD, a memo describing the Secretary's testimony, a letter from ADL to the Secretary and the Secretary's draft response. The Secretary is trying to set up a meeting with the ADL in the next two weeks to try to sort the matter out.

Ab Mikva and Kitty Higgins are focussing on this issue, along with staff from HUD.

491 | contracts.

492 | Second, HUD does not support intolerance or hatred by any
493 | organization. The Department, I believe, has been very
494 | forceful in its efforts to assure that there is no
495 | discrimination in its programs and its activities.

→ 496 | Thirdly, the security firms we have identified are
497 | separate legally incorporated entities distinct from the
498 | Nation of Islam. Even if there is an affiliation between
499 | the security firms and the Nation, thousands of local
500 | housing providers throughout the country obtain services and
501 | conduct some form of secularly related business with various
502 | organizations that have some affiliation to religious
503 | groups, such as B'nai B'rith, Habitat for Humanity, Catholic
504 | charities, Lutheran Social Services, United Church Homes,
505 | the Salvation Army, and the establishment clause of the
506 | Constitution does not forbid such activity.

507 | Fourth, there is concern that contracting with the Nati
508 | of Islam results in providing funds to a hate group. The
509 | term "hate group" is not defined by the Department of
510 | Justice statutes or regulations; but it may prosecute
511 | individuals who commit acts of prejudice.

512 | Although the Department of Justice does not keep a list
513 | hate groups, the FBI does maintain a list of groups known to
514 | have committed terrorist acts. The Nation of Islam is not
515 | on that list.

HUD WAS HAD! AND AMERICA IS THE LOSER

A Department of Housing and Urban Development (HUD) investigation recently cleared security firms affiliated with the Nation of Islam to continue receiving government contracts.

Farrakhan Attacks Jews, Catholics and Others

The Nation of Islam has a well-documented public record of racism and bigotry. And that abysmal track record continues. As recently as February 26, 1995, Minister Louis Farrakhan railed against Jews at his annual Saviour's Day message in Chicago. Using centuries-old conspiracy theories and code words like "international bankers," Farrakhan excoriated Jews as those who "have been at the root of the control of the banking system of the Federal Reserve."

In his own words, Farrakhan makes it clear that he and the Nation of Islam hate not only Jews, but Catholics, whites, homosexuals and anybody else who is not like them. Sounds like the rhetoric of the Ku Klux Klan.

Your Taxes Where?

So, why are HUD and the United States Government spending your tax money on Nation of Islam contracts?

Would HUD be willing to spend your tax money on contracts with the Ku Klux Klan?

Would you let them? There is no rational reason to

allow this to continue. The Anti-Defamation League is outraged that the Nation of Islam's message of hate and its discriminatory hiring and proselytizing practices were ignored by HUD as not relevant to its scope of inquiry.

HUD's Deaf Ear

HUD not only turned a deaf ear to our arguments but the Secretary of HUD even equated doing business with the Nation of Islam with B'nai B'rith, Catholic Charities, Lutheran Social Services, United Church Homes, Habitat for Humanity, and the Salvation Army. What's going on here? Who's first?

You can help. If you agree that it is wrong for America to support the Nation of Islam with public funds, write to HUD Secretary Henry Cisneros (Seventh Street, SW, Washington, D.C. 20410) and your Representative and Senators. If you would like more detailed information, including copies of HUD's testimony, write to us, Department E.

The racism and anti-Semitism of bigots can poison the atmosphere of civil discourse. But the real damage occurs when good people are silent in the face of bigotry, when they avert their eyes, or choose to ignore it altogether. The words of Edmund Burke say it

"The only thing necessary for the triumph of evil is for good men to do nothing."

David H. Strassler
National Chairman



Abraham H. Foxman
National Director



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001

March 2, 1995

MEMORANDUM TO: KITTY HIGGINS
FROM: BRUCE KATZ *BK*
RE: NATION OF ISLAM HEARING

Secretary Henry Cisneros will testify on Capitol Hill this morning about HUD's review of Nation of Islam (NOI) security contracts at public housing developments.

Testifying before the House Committee on Banking and Financial Services Subcommittee on General Oversight and Investigations, the Secretary will discuss HUD's review of contracts between public housing authorities and assisted housing providers that receive federal funds and security firms which have been associated with the Nation of Islam.

HUD initiated a review of these contracts following inquiries from Senate Majority Leader Robert Dole, Representative Charles Schumer, Representative Peter King, and others questioning why federal funds were being awarded to NOI.

The Secretary will make the following five points in his testimony: First, it is the local public housing authorities and local private housing providers, not HUD, who do the contracting for services such as security. These local authorities and housing providers are local government bodies or private firms existing under State law which own and operate their own housing programs for low-income families.

Second, HUD does not support intolerance or hatred by any organization.

Third, the security firms we have identified are separate, legally incorporated entities, distinct from the Nation of Islam. Even if there is an affiliation between the security firms and the Nation of Islam, thousands of local housing providers throughout the country obtain services and conduct some form of secular-related business with various organizations such as B'nai B'rith, Habitat for Humanity, Catholic Charities, Lutheran Social Services, United Church Homes, and the Salvation Army.

Fourth, there is a concern that contracting with the Nation of Islam results in providing funds to a "hate group." The term "hate group," is not defined by the Department of Justice's statutes or regulations, but it may prosecute individuals who commit acts of prejudice. Although the DOJ does not keep a list

of "hate groups," the FBI does maintain a list of groups known to have committed terrorist acts. The Nation of Islam is not on that list. In addition, in the last five years, the Department of Justice has filed no criminal prosecutions alleging hate crimes by members of the Nation of Islam.

Finally, since these security firms first began their work in 1988 and throughout our review, there have been no complaints filed against these firms regarding any inappropriate religious activity. In fact, the result of close to 1,000 interviews of residents and management illustrates that these security guards have been effective in transforming many drug ridden properties into places where there is now safety and peace.

Also, I have attached an AP story which is embargoed until after the Secretary testifies this morning. It will run on the afternoon cycle.

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March 1, 1995



The Honorable Henry G. Cisneros
Secretary of Housing and Urban Development
451 Seventh Street, SW
Washington, D.C. 20410

Dear Secretary Cisneros:

A report in today's Chicago Sun Times has indicated that in testimony before the House Banking Committee you will state that an investigation into the Nation of Islam's security agency does "not indicate any widespread or systematic problems" with the organization's contracts at federally funded housing projects.

If this is indeed the case, we raise strenuous objections to this position. As we have stated in our letter to you in recent months, racism and anti-Semitism are--and have always been--central to the Nation of Islam's agenda, and it is highly inappropriate for the Department to fund contractual agreements with them which include quasi-law enforcement responsibilities and such ancillary services as counselling.

The horrendous nature of Nation of Islam bigotry was underscored only this week, when Minister Louis Farrakhan, the group's leader, delivered a speech [excerpts attached] laced with anti-Semitic conspiracy accusations to thousands of his followers in Chicago. (For instance, he condemned "Jews who have been at the root of control of the banking system of the Federal Reserve.")

It is difficult to believe that an organization with the Nation of Islam's record of bigotry and racism is an equal opportunity employer. Your apparent exoneration of the Nation of Islam raises questions as to the scope of your investigation and clearly sends the wrong message to the American people. It suggests that an organization dedicated to spreading racism and division is a worthy recipient of their tax dollars.

The bottom line could not be more obvious--the government of the United States should not be in the business of providing legitimacy, approval, or encouragement to a hate group. Any other conclusion debases the very concept of the civil rights movement and squanders the moral authority of our nation.

We strongly urge you to reconsider your position on this matter.

Sincerely,

Abraham H. Foxman
Abraham H. Foxman
National Director

DRAFT

Mr. Abraham H. Foxman
National Director
Anti-Defamation League of B'nai B'rith
823 United Nations Plaza
New York, NY 10017

Dear Mr. Foxman:

Thank you for your recent March 1, 1995 letter expressing the concerns of the Anti-Defamation League about private contracts with the Nation of Islam for security services at public and assisted housing facilities. Specifically, you voiced your concerns about a report in the Chicago Sun Times dated March 1, 1995, which stated, among other things, that HUD's review of these contracts did not "indicate any widespread or systematic problems" with the reviewed security firms. You indicated that HUD's "apparent exoneration of the Nation of Islam raises questions as to the scope of your investigation and clearly sends the wrong message to the American People." Finally, you stated that it was "difficult to believe that the Nation of Islam was an equal opportunity employer." Allow me to address your concerns and explain more precisely the status and results of our review, which were not fully reported in the Chicago Sun Times article.

As you know, your letter predated my detailed testimony before the Subcommittee on General Oversight and Investigations on March 2, 1995. I hope, therefore, that the various points discussed throughout my testimony answered some of your questions. I have enclosed a copy for your records.

Let me start by reiterating that I, and HUD, condemn intolerance and hatred and do not in any way support bigotry. As I have stated in the past and as I emphasized at the hearing, I vehemently disagree with many of the views shared by Louis Farrakhan. However, under the present state of the law, a local housing provider cannot be prevented from entering into a service contract merely because of the religious affiliation of the firm's owner. Nevertheless, HUD conducted a review in order to assure that the local housing providers and the security firms identified were complying with civil rights laws.

Please be assured that HUD has not "exonerated" the Nation of Islam. As I stated at the hearing on March 2, 1995, our review, although thorough and detailed, was limited in scope. The review focused on compliance with contract non-discrimination

provisions, contract performance, proselytizing or improper religious recruitment, discrimination or harassment towards residents, as well as any complaints and grievances that had been filed against the security firms. The results of the nearly 1,000 interviews illustrated that there were no "widespread or systematic" problems in the areas reviewed. The review, on the other hand, could not address in any depth the issue of employment discrimination as I shall explain more fully below.

To the extent that the facts have established some isolated and/or short lived incidents of violations applicable to HUD programs such as proselytizing on the housing sites, I can assure you that HUD has taken immediate action to eliminate and correct any such conduct identified in the review. In order to ensure that public housing authorities and assisted providers are aware of the civil right requirements that flow from receipt of federal funds from HUD, we have sent a letter to each of the housing providers involved advising and warning them that the failure to assure compliance with civil rights requirements can result in the initiation of administrative sanctions including declaration of breach of the ACC or Regulatory Agreement, findings of non-compliance with Title VI and/or Section 109, the issuance of Limited Denial of Participation orders for HUD programs and possible debarment from participation in Government contracting programs.

With regard to the question of employment discrimination, our review did not certify that the security firms identified were "equal opportunity employers." We did note that our review did not reveal any complaints about employment discrimination on the basis of race or gender by the security firms involved, either from residents of the housing developments or from persons otherwise alleging injury as a result of any alleged discrimination. However, as I and Assistant Secretary Achtenberg testified on March 2, 1995, we asked the Housing Authorities and the three security firms, Citywide/New Life Self Development Corp., Nation of Islam Security Agency, Inc., and X-Men Security, Inc., as well as the Nation of Islam Community Support Group, that they provide us with incorporation documents and employment data. We have received no data as of today. While HUD's jurisdiction to investigate the employment practices of firms doing business with public housing authorities and private housing providers is limited under Title VI, the Department is taking steps to see that the housing providers comply with their contracts with HUD with respect to equal employment requirements.

After discussing this issue further with the Chairman of the Equal Employment and Opportunity Commission (EEOC), we have referred the matter of the firms' employment and hiring practices to the EEOC for review pursuant to their jurisdiction over Title

VII. It was decided that the EEOC is the appropriate agency to address the issue of employment practices.

Thank you for your support of the Department's action in reviewing these contracts expressed in your January 19, 1995 letter and for sharing your concerns with us. I hope that I have answered your questions, and feel free to contact me again if you have any further comments. I am also sending a letter to Mr. David Strassler who cosigned your previous letters to me.

Sincerely,

Henry Cisneros

cc: Jess N. Hordes, ADL Washington Representative