

**STATEMENT OF  
THE HONORABLE WILLIAM BARCLAY ALLEN  
CHAIRMAN, U.S. COMMISSION ON CIVIL RIGHTS  
BEFORE THE SUBCOMMITTEE ON COMMERCE, JUSTICE,  
STATE, THE JUDICIARY AND RELATED AGENCIES  
OF THE COMMITTEE ON APPROPRIATIONS**

MARCH 22, 1989

Mr. Chairman and Members of the Subcommittee, I am William Allen, Chairman of the United States Commission on Civil Rights. With me today are: Melvin Jenkins, Acting Staff Director; John Eastman, Congressional Liaison; and Marcia Tyler, Acting Budget Officer. Of my colleagues, Commissioner Robert Destro has submitted testimony and wished to be here. The change in schedule prevented his attendance. Commissioner Sherwin T. S. Chan is here with me, and will be pleased to take any questions.

There are before us this year two issues, at once distinct and inseparable. The Commission's authorization will expire on November 30, 1989 –but two months into the 1990 fiscal year. It would be difficult to arrive at some conclusion on the FY '90 appropriation without first resolving the question, "Is the Commission to be reauthorized?" Yet, your process is further along than the reauthorization process, and you and I are forced to make some assumptions.

I propose that we assume the Commission will be reauthorized, and that we must assess the Fiscal Year 1990 budget in light of requirements for a full operation over the course of a full year. My second assumption is that, whatever compromise is worked out in the reauthorization hearings, a period of cooperation will follow. I mean by that that we would see a commitment both on the part of the Administration and of Congress to rebuild the Commission to an effective level. That is the right thing to do, and I believe with Walter Lippman that, "it is a practical rule well known to experienced men, that the relation is very close between our capacity to act at all and the conviction that the action we are taking is right." I will make no assumptions about structure or membership, as my colleagues have made no recommendation on those points. I do assume, however, that Congress will retain its mandate that we operate Advisory Committees in each of fifty-one jurisdictions.

With these assumptions in place, we may then ask what is required. The general answer is surely that a Commission on Civil Rights must be situated and funded so as to accomplish the mandate we would expect Congress to give it. That, in turn, is to speak of such a budget as will ratify the impression that focused attention is due to festering civil rights problems in our country. Nor will it be possible for the Commission to serve in that role, providing long-term thoughtful analysis as well as pursuing vigorously its monitoring responsibilities, with the current level of funding.

To be sure, we could accomplish some minimum, and we would make a good faith effort. But the minimum will never be sufficient to satisfy the aims of policy in these areas. And I must emphasize that I believe we require to perform both vigorous monitoring and long-term analysis. It is essential to insure that the laws are being correctly enforced and no less essential to deter-

mine whether the laws can be enforced and, when they can, whether they actually produce the results intended.

Moreover, it is important that we maintain a regional program in order to accomplish these objectives. We have sought to preserve the spirit of our regional programs in the recent era of austerity, and we are proud of the efforts the State Advisory Committees have mounted in response. From Toledo to Miami, from Georgia to Minnesota, from Seattle to New York, Advisory Committees have been active in addressing pressing civil rights questions. I also want to note for this Committee that the Commission on Civil Rights has increased publication of State Advisory Committee reports, issuing fourteen in FY '88 (the most since 1983) and already having approved thirteen for the current Fiscal Year.

As a former member of the California Advisory Committee to the Commission, I appreciate the contribution these volunteer committees can make to the unfinished civil rights agenda in the United States. Like many of our distinguished Advisory Committee members, and also Commission staff, however, I find it sad to lack the resources to support the quality of work of which our Committees are capable. Our current three regional offices, compared to ten three years ago, cannot provide adequate staff support for our 51 Advisory Committees.

Our budget request of \$7.857 million, before you today, would not restore the Commission to adequate funding. But I do not believe that full funding will be restored overnight. We would, however, bolster our efforts by an additional thirty-four staff positions, and the additional policy exertion this increase would represent. This budget request represents a first step, and I encourage you to give it serious attention. I thank you, and would welcome your comments and questions.