

# Unpublished section of HEW reply disclosed

Nearly all of the reply sent to HEW last Friday was released to the public by the University Wednesday, including one section which, earlier this week, was not intended to be made public.

It was a legal argument against retroactive pay for women, prepared by Assistant to the University President David Frohnmayer.

"In view of widespread interest among students and others in the HEW compliance review," University President Robert Clark said in a statement Wednesday, "I asked Mr. Frohnmayer to reconsider the effects of making his memorandum public."

Clark continued:

"He has advised me that, although doing so could not help the University's case with HEW, it would probably do no harm. I have therefore decided to make the memorandum public."

Frohnmayer's legal argument was Appendix C in the reply, and challenges the "Legality of Contract Compliance Condition Requiring Back Pay Restitution for Sex Discrimination in Employment."

It concerns HEW's demand that the University, which agreed in June to give 46 women faculty members increases in pay adding up to about \$50,000 a year, also make those payments retroactive to Oct. 13, 1968.

The total contents of the Friday reply released Wednesday amount to about an inch-thick stack of paper, three-quarters of a pound in weight. It included:

— A one-page forward by Clark.

— An eight-page "Equal Employment Opportunity Policy and Affirmative Action Compliance Policy," printed in full on page 5 of Monday's Emerald.

— Specific replies to questions by HEW regarding employment practices.

— Seventeen sections of appended material.

The University's Friday reply was in response to investigations made by HEW at the University last spring and summer. HEW is the Office of Civil Rights, whose regional office, U.S. Department of Health, Education and Welfare is located in Seattle.

The specific replies section outlines the University's findings on how many women and minority group persons (Black, Spanish-American, American Indian and Oriental, as defined in federal Executive Order 11246) are employed on campus.

In the academic staff, including administration officers, there are 217 minority group people and 580 women out of the total 2459. There are nine minority group people and 32 women out of the total

174, included among the officers of administration.

The reply outlines the number presently employed in the classified staff by the University and the "employment needed proportionate to overall population" for minority group persons.

The replies section also mentions the University's efforts "to increase the number of minorities in pre-college and baccalaureate programs." Two pre-college programs were listed and explained, High School Equivalency Program and Upward Bound, and five other minority student programs were listed: SESAMEX, Project 75, Project Life, Project Continuation and Native American Program.

"A major outcome of these programs," the reply states, "which is now beginning to be realized is the production of baccalaureate students to increase the pool of graduate applicants."

"The lack of an adequate pool of graduate applicants has been one of the most significant limiting factors of equal opportunity for minorities during the last decade."

Regarding the recruiting of minority group people the reply states that HEW asked the University to "direct its recruitment efforts specifically at members of racial minority groups in

order to meet the affirmative action obligation."

However, the University disagrees with this, according to the reply.

"Although we would agree that the University should make a conscious effort to identify and attract minority candidates to apply for position openings, the requirement of conscious selection by race strongly suggests engaging in reverse racial discrimination in order to meet the terms of HEW's required affirmative recruitment and hiring program for minorities."

The reply asks for a clarification of alleged employer obligations of this kind to be made "at the national level, because of its implications for all institutions of higher education."

Retroactive pay requirements by HEW were challenged in the reply. "Because of restrictions of federal and state law and strong considerations of policy, the University respectfully requests that the condition described as 'required action' (on retroactive pay for women) be withdrawn."

One copy of the Friday HEW reply released by the University Wednesday is available to the public through the University News Bureau.

## Feminists rap report, draft letter

By JOHANNA DICK  
Of the Emerald

University Feminists have decided to draft a letter to the Department of Health, Education and Welfare containing their criticisms of the Status of Women Committee and the Affirmative Action program.

The decision was made at the group's Tuesday night meeting, where it was felt the committee did not respond to the majority of the women's recommendations.

John Lallas, Assistant to University President Robert Clark, was named as failing to release information about data in specific questions posed by

HEW; a report of specific goals; a timetable giving the dates when the committee's plans would begin; and a timetable stating how much was to be accomplished by each date.

Members of the Feminist organization said they were angered by this lack of complete information, as they thought their critique of the Affirmative Action program could have been more complete with this data included.

The group also discussed the possibility of having a gynecologist at the University Health Service.

It was reported that Oregon State University has a gynecologist that comes twice weekly courtesy of the Planned Parenthood program to insert

IUD's and to perform other similar services for women at the University infirmary.

The University infirmary, it was noted, does not handle this type of birth control method.

Feminist members also felt the infirmary should give abortions and vasectomies to any student desiring one. A health committee was set up to present recommendations to the Student Health Service concerning these birth control services not being handled by the University center.

Demands for changing sexist titles used by the University were also voiced. University Feminists are currently making a list of the sexist titles and suggested alternatives which will be presented to vice president Gerald Bogen for review.



'Big Red'

## EMU loses sculpture to unidentified culprit

"Big Red," the wood sculpture of a northwest fish which has graced the main stairwell area of the EMU since 1968 disappeared sometime Sunday night, EMU director Dick Reynolds announced Monday. The sculpture was valued at \$650,000.

"Apparently someone blatantly spent several minutes unscrewing the sculpture from the chain on which it hung, then walked through the Union and out the door," Reynolds surmised. "Whoever it was had to carry it where it was visible—that thing is too big to fit in a pocket," he added. The disappearance was discovered before 8 Monday morning.

The EMU director pointed out that the Union is not insured against the loss of its art as the cost in such a public building is prohibitive.

The theft "is really crooked and below the belt," he said, "because the University not only loses the paintings or sculptures, but also the money it spent. It's a total loss."

Reynolds added there had been no art losses until two and a half years ago when a rash of thefts and vandalism began. The EMU has lost seven paintings and three sculptures to date, none of which have been recovered nor can be replaced, Reynolds explained.



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