

STANFORD UNIVERSITY NEWS SERVICE

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FOR IMMEDIATE RELEASE

STANFORD - A little noticed "anti-riot" amendment attached to the current appropriation for the U.S. Department of Health, Education, and Welfare was sharply criticized by Stanford University officials today.

Vice President and Provost Richard Lyman said the law's language is "so sweeping and so loose" that it could force universities "to engage in a major way in a business strongly resembling criminal investigation, risking that very climate of freedom which is the essential basis of the educational mission."

Several major universities probably will issue a joint statement condemning the provision "in a few days," Lyman said. They hope to prevent its extension beyond June 30, when it is scheduled to expire.

Sponsored by Rep. James Broyhill (R., N.C.) and enacted Nov. 7, 1967 by Congress, the amendment bars use of H.E.W. funds by recipients "to provide payments, assistance, or services, in any form" to individuals convicted of "inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons" in violation of federal, state or local law.

Stanford alone receives about \$15 million annually from H.E.W. Approximately \$14 billion is covered by the amendment nationally.

In a telegram officially accepting the first H.E.W. grants and contracts to Stanford with this new restriction, Reserach Administrator Earl G. L. Cilley said the University "regards the provision as, practically speaking, unenforceable, misguided, and without reasonable relationship" to the appropriations act.

While registering "in strongest terms its concern and dismay" at the amendment, the University said: "We also understand from our counsel that neither party to this agreement can at this time negotiate on this provision. We are therefore not taking formal exception to it.

"Believing the provision to be inimical to the interests of both parties, we urge you to take action to 1) explore the possibility with...counsel of modifying the clause as it presently stands; and 2) prevent the extension of the effective period of the provision beyond June 30, 1968."

Cilley's telegram was sent to Albert Riskin of the U.S. Office of Education's Contracts Division. Lyman said there was "no lack of sympathy in H.E.W." for the problems posed by the amendment, which received very little notice at the time of its adoption by Congress.

Lyman said the amendment is "far too indirect and oblique to have any bearing on the problem of civil disorder."

Strictly applied, its "fantastically broad" requirements could require checks for possible criminal records of library users, hospital patients, and other individuals using facilities or services financed in part by H.E.W. funds, he added.

This could lead to an eventual court case on constitutional grounds.

Just returned from discussions with other provosts and university officials in the East, Lyman said, "we plan to keep exploring every reasonable way open to us to get the law changed."

Disclosure of Stanford's position in advance of other universities came when a copy of Cilley's telegram inadvertently was sent to The Stanford Daily in a secretarial error.

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