

HUGHES REPORT

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We are all aware that the political season for the national election is rapidly approaching and certain political adjustments are expected from the politicians to attract support and votes. But, it would behoove not only the President but all politicians not to misread the temperament of the enlightened will and determination of poor people. For them the "New Foundation" must also mean an improvement in the quality of life. Poor people, and especially Black people will be watching with keen interest as the current national administration refines its social and economic programming for the future.

The Internal Revenue Service has come under heavy fire in the past several months. The reason? Its new regulations barring tax exempt status to the notorious "segacademies."

Those are schools that were set up after local public school desegregation took effect. White parents who vowed their kids would 'never' go to school with black kids made good on their promise.

They yanked their kids out of the public schools and enrolled them in private schools. In some cases, long-established private schools saw their enrollments swell. More often new schools were set up, draining the public schools of white students.

Such schools were helped to prosper by getting tax exempt status as educational institutions. That meant donations to them could be written off as charitable deductions. Without that hidden subsidy from the federal Treasury, few of those seg academies could have survived.

In 1970, the Federal courts got into the act. In a case that went to the Supreme Court, it was ruled that racially discriminatory private schools were not entitled to tax exempt status.

Some schools lost their exemption, but more continued to flourish by making a simple statement that they did not discriminate. Those professions of non-discrimination were easily seen through--the absence of blacks from faculty and students was proof enough.

So the IRS drew up a set of regulations that conforms to anti-discrimination laws and to court rulings. It says that predominately white schools that were established in a period following public school desegregation or whose enrollment grew by ten percent or more at that time have to prove they don't discriminate.

The regulation is really a mild one. The schools would have to enroll a modest number of minority students. Or they could just prove they are making a good faith effort to do so. That's all it takes to keep the exemption.

But that mild regulation has resulted in over 100,000 letters to the IRS complaining about it. It has led a small army of Congressmen to put pressures on the IRS to revoke or modify the regulation.

Spokesmen for private schools have made charges of "dictation by regulation." They've wrapped themselves with the cloak of religious freedom, since some of the schools claim affiliation with a religious denomination.

What's all the fuss about? The argument doesn't revolve around the right of such schools to exist. Everyone grants that right is constitutionally protected. The issue is whether they should get a federal subsidy. And there's no constitutional right to discriminate with federal money.

On the contrary there is a constitutional mandate against such discrimination. If white supremacists want their own schools they can't be stopped. But let them support these schools themselves--without raiding the federal treasury to do it.

No one really believes all those denials of discrimination. A seg academy can insert a statement that it doesn't discriminate in its brochures. But that doesn't mean a thing. The proof lies in the fact that such schools are lily-white, and they want to stay that way.

Some people argue they don't have to comply with anti-discrimination mandates because they don't get direct federal aid. That's nonsense. A tax exemption means they get money that's exempt from taxation. Whether federal subsidies are direct or, as in this case hidden and indirect, they're still subsidies.

It is immoral and unconstitutional for federal money to be used to support discriminatory activities. The seg academies have enjoyed a free ride for too long. Now, to its credit, the IRS has stopped playing their game. Those seg schools are going to have to remove the federal seal of approval if they want to continue white supremacy policies.

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