

STATEMENT BY VICE PRESIDENT HUBERT H. HUMPHREY  
AT PRESS CONFERENCE ON SPORTS ARBITRATION  
TUESDAY, DECEMBER 14, 1965

We meet today in the interest of teamwork in U.S. amateur sports.

I want to express my appreciation to the distinguished leaders of sports organizations -- the Amateur Athletic Union, the National Collegiate Athletic Association, the U.S. Olympic Committee and others who have accepted my invitation to be present today.

I am pleased to announce the members of a Sports Arbitration Committee whom I am appointing pursuant to Senate Resolution 147, 89th Congress.

This Resolution requested that, as President of the Senate, I select "an independent board of arbitration composed of 5 members" one of whom I would designate as Chairman -- "for the purpose of considering disputes relating to the conduct, development and protection of amateur athletics . . ."

The members of the committee are: -- as Chairman, Mr. Theodore Kheel -- one of the nation's most experienced attorneys in resolving disputes -- with a record of mediation and arbitration in over 5,000 disputes over a period of 2 crowded decades. In 1942-1944, he served as Executive Director of the National War Labor Board. Since then, he has taken on innumerable difficult mediation and arbitration assignments, including posts during the Administration of both President John F. Kennedy and Lyndon B. Johnson. Mr. Kheel is currently at work -- with associates -- on the New York City transit dispute and formerly served as Impartial Transit Arbitrator. Most recently, his efforts brought to a conclusion the New York newspaper strike.

Other members of the Committee include:

The Honorable Archibald Cox, who served with great distinction under President Kennedy as Solicitor-General of the United States. Mr. Cox has had an eminent legal career in public and

private posts, including important arbitration and mediation assignments, and is regarded as an outstanding expert in labor law. Following his most recent Government service, he returned to his duties as a Professor in Harvard Law School.

General David M. Shoup, who served from January 1960 to December 1963 as Commandant, United States Marine Corps. General Shoup holds the nation's highest award for heroism, the Medal of Honor. In May, 1925, during undergraduate days of DePauw University, he won the Indiana-Kentucky AAU Marathon Championship, breaking the previous record. During his early years in the Marine Corps, as military duty permitted, he ran in track meets in many parts of the world, including Peking, China.

The Honorable Ralph Metcalfe, Alderman, City of Chicago. Mr. Metcalfe was one of America's greatest collegiate track champions at Marquette University, was an AAU Junior and Senior Champion and won honors in both the 1932 and 1936 Olympics. In 1949-1952, he served as a Member of the Illinois State Athletic Commission. A former First Lieutenant, U.S. Army, Mr. Metcalfe has gone on to a leading role in Chicago public affairs and has dedicated himself to the particular service of youth.

Mr. Thomas Vail, Publisher and Editor of the Cleveland Plain Dealer. A former Navy Ensign, 1944-1946, Mr. Vail has served in a wide variety of journalistic posts. He is regarded as one of America's most dynamic young newspaper leaders and is active in civic affairs.

These five outstanding citizens were selected after intensive screening of over 100 names, as submitted by sports organizations, Members of the Congress and interested citizens.

\* Each Member of the Committee possesses the qualifications necessary to render fair and impartial judgment. None has ever been associated in a policy-making capacity with any of the disputants -- nor has committed himself in any way in the present controversy.

The intention of the Senate in enacting the Resolution was to help bring peace and a reasonable degree of unity to amateur athletics.

In its report to the Senate on September 16, 1965, the Commerce Committee noted that the "present controversy is traceable on a sporadic basis for nearly 50 years." The controversy has flared, in particular, over the administration of amateur track and field, but has extended to other athletic contests as well. The issue has come most dramatically to the public's attention with news reports of possible banishment of athletes because of participation in "unsanctioned" meets, as well as reports of penalties and other "disciplinary" actions.

The Senate Commerce Committee report recalled what has happened when the issue reached a climax 2 years ago: --

"Because of the impending disastrous consequences to the U.S. participation in the 1964 Olympic games, President Kennedy requested Gen. Douglas MacArthur to attempt to resolve the problem. General MacArthur, aided by Col. Earl Blaik, initially regarded his role as that of a mediator. However, after early meetings in 1962 he determined that each organization was intractable, and they would not voluntarily reach a compromise. Therefore, he assumed the role of arbitrator, and after many more meetings, rendered a decision. Each organization immediately originated its own interpretation of that decision, resulting in the same divergence of position that had originally existed. However, the decision of the MacArthur arbitration permitted a temporary truce in the athletic warfare . . . "

The Commerce Committee report went on:

"Immediately upon completion of the Olympic games the MacArthur agreement terminated and open warfare has again broken out between the NCAA and the AAU and has continued up to present."

The Report continued:

"Most recently in the spring of this year a dispute erupted over the sanctioning of open meets where both collegiate and noncollegiate athletes participate."

The Report concluded with the following summary on the new Arbitration Committee which it authorized: --

"The resolution is deliberately broad and free of restrictions. It is designed to give the arbitration panel authority which is as broad as the problems. Other parties and groups, in addition to the NCAA and AAU, are deeply affected by the disputes involving the administration of track and field, and the Arbitration Board needs to have authority and scope sufficient to deal with their interests in the matter. Likewise, it is not specifically limited to the current dispute involving the administration of track and field."

The Resolution itself states:

"The Board appointed pursuant to this resolution shall report to the Senate not later than February 15, 1966, and from time to time thereafter as it may deem necessary, with respect to its activities under this resolution."

I may also note that the Report stated:

"The resolution includes provisions relating to a moratorium which it expects will permit the fall and winter track and field meets to operate free of the hindrances which the dispute has caused in the past."

It should be noted that the concept of an Arbitration Committee of this nature was developed and decided upon by Members of the Senate. The terms of reference for the Committee's work are stated exclusively by the Senate -- and no other source.

My own role is limited to the selection of the Members of the Arbitration Committee.

I may, however, parenthetically say that, as a Member of the U.S. Senate, I had followed this and related sports problems for a number of years. My interest then and now, like the interest of the American people, has been that our athletes shall have the finest opportunity to do their best at home and abroad.

The 1968 Olympics are not far away. We would like to see the best showing by our 1968 Olympic team. It was incidentally with this type of goal in mind that, 15 years ago, the Congress chartered the U.S. Olympic Committee -- whose officers are represented here today.

Amateur athletics in the United States are exactly that -- amateur. Unlike certain other Governments, the U.S. Government does not control or dominate or subsidize amateur athletics nor interfere in their private character.

It was the view of the Senate, however, that the public interest required that the Senate use its good offices to try to resolve the dispute. The mechanism which is being established is nonetheless independent and will function on its own and as it sees fit.

The Arbitration Committee will set up its own schedule, procedure and ground rules.

I believe that I express the sentiment of the American people in wishing the Committee well. Its task is difficult, but no more so than problems of even greater complexity which Mr. Kheel, Mr. Cox and other able arbitrators have successfully solved.

I earnestly ask the disputants to give their utmost cooperation to the Arbitration Committee. I invite the U.S. Olympic Committee and other interested sources to do whatever is possible to be of assistance to the arbitrators.

Let us keep before us as the No.1 consideration -- ahead of all others -- excellence in performance by America's athletes.

Our American sports record has many inspiring chapters. That record confirms that the Amateur Athletic Union, the National Collegiate Athletic Association, as well as other organizations have rendered great service to American sports. They are now rendering great service in many ways.

I hope they will add to their record by cooperating with these 5 fine Americans in the common interest.

The test of a free society is the willingness of free men to work voluntarily with one another in the common interest -- even when they differ with one another.

Here is an historic chance, an opportunity for sports organizations to demonstrate the best qualities of sports itself -- fair play, good faith, teamwork.

May this opportunity meet with success as the United States Senate intended.



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