

JAN 24 1974

Report from the Capital

JANUARY
1974

U. S. Senate Acts to Set April 30 as Day of Humiliation, Fasting, Prayer; House Yet to Act

WASHINGTON (BP)—The U.S. Senate passed without discussion and without referral to a committee a resolution to set April 30, 1974 as "a National Day of Humiliation, Fasting and Prayer."

Presumably, the matter will be taken up in the House of Representatives at an early date, although the matter was done so quickly in the Senate that no plan for House action had been formed at the time the Senate acted.

Proposed by Sen. Mark O. Hatfield (R., Ore.), the resolution was also sponsored by Senators Harold E. Hughes (D., Iowa), Jennings Randolph (D., W. Va.), Dewey F. Bartlett (R., Okla.), Lawton

the Civil War, the U.S. Senate requested, and Lincoln responded on three separate occasions to a resolution setting aside a day for national humiliation, fasting and prayer."

The preamble to the Hatfield resolution proclaims that it is the duty of nations to acknowledge their dependence on God, that the United States has been unusually prospered by the blessings of God, but that "we have forgotten God." The preamble constitutes a lengthy confession of religious shortcoming on the part of the people of America.

Because of the spiritual failure of the American people, the Senate resolution said, "It therefore behooves us to humble ourselves before Almighty God, to confess our national sins, and to pray for clemency and forgiveness."

The complete text of the resolution is as follows:

Joint Resolution

"To proclaim April 30, 1974 as a National Day for Humiliation, Fasting, and Prayer

"Whereas, it is the duty of nations, as well as of men to owe their dependence upon the overruling power of God, to confess their sins and transgressions, in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon, and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations are blessed whose God is the Lord; and

"Whereas, we know that we have been the recipients of the choicest bounties of

(See, PRAYER DAY, p. 5)

Baptists Join in Forming National PEARL Coalition

WASHINGTON (BP)—Twenty-eight religious, educational and civil liberties groups formally organized a new National Coalition for Public Education and Religious Liberty (PEARL).

President of National PEARL is Suffragan Bishop John Walker of the Washington Cathedral (Episcopal). Leo Pfeffer, a nationally-recognized constitutional expert in the field of church-state litigation is counsel for the group.

The Baptist Joint Committee on Public Affairs is a charter member of the coalition. James E. Wood, Jr., executive director of the Baptist Joint Committee, served on the planning committee that brought the organization into existence. He will continue to serve on the executive committee.

The purpose of the coalition is to support public education and religious liberty and to oppose government aid to non-public schools.

National PEARL will maintain an office in the building of the National Education Association in the nation's Capital. An executive director will be employed in the near future.

Consultations for more than a year produced a consensus that such an organization is needed to coordinate state and federal efforts on items of mutual interest for the protection of public education and religious liberty. A preliminary conference was held in Washington on March 12, 1973, attended by 75 persons from 50 organizations. The formal organization of National PEARL is a direct outgrowth of that conference.

(See, NATIONAL PEARL, p. 5)

Church Bodies Fight for Abortion Rights

WASHINGTON—Sixteen major Christian and Jewish religious organizations joined together here to form a national Religious Coalition for Abortion Rights (RCAR).

Headquartered in the nation's Capital, the coalition's goal is to safeguard the right of women to use individual freedom of conscience in deciding whether to seek an abortion.

Ms. Ray M. S. Tucker, newly named chairperson of the interdenominational coalition said, "Abortion is a highly personal decision; one that should be determined by an individual's own conscience,

(See, CHURCH BODIES, p. 5)

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Chiles (D., Fla.), Paul J. Fannin (R., Ariz.), John C. Stennis (D., Miss.), James B. Allen (D., Ala.), J. Bennett Johnston (D., La.), San Nunn (D., Ga.), Pete V. Domenici (R., N.M.) and Clifford P. Hansen (R., Wyo.).

When Hatfield introduced his resolution, he said that he wanted it referred to a Senate committee for consideration. Then in a hurried consultation with the Senate leadership, the request was made for immediate consideration. There was no objection to immediate consideration, and the resolution was passed without further discussion.

In his introductory remarks, Hatfield pointed out that the resolution "is modeled primarily after a resolution adopted in 1863 and as written by Abraham Lincoln."

Hatfield explained that "in the midst of

From the Desk of the Executive Director

Religious Liberty and Abortion Rights

By James E. Wood, Jr.

In recent polls of top news stories of 1973, the Supreme Court decisions on abortion (*Roe v. Wade* and *Doe v. Bolton*) ranked first in the Catholic press and third in the "top ten" Religious News Service (RNS) stories on religion for the year. Unfortunately, much of the publicity concerning the Court's landmark decisions has failed to focus on abortion rights as a constitutional or church-state issue but rather has been concerned almost exclusively with abortion as an ethical or moral issue. No matter what one's moral or theological judgment may be concerning any given issue, it is highly important in a society such as ours to understand the constitutional issue involved in any Supreme Court decision, particularly any decision affecting human rights and liberty of conscience.



Wood

The decisions of the U.S. Supreme Court last January concerning abortion rights clarified the legal situation on the basis of constitutional rights, leaving questions of individual moral and religious views on abortion a matter of individual conscience. The Court did not endorse, let alone recommend, abortion for anyone. It clearly prohibited the state from denying medical services relating to abortion to a woman during the first trimester (12 weeks) of her pregnancy. By a vote of 7 to 2 the Court declared that "the right to privacy . . . founded in the Fourteenth Amendment's concept of personal liberty . . . is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."

The Court's decisions were neither the legalization of abortion as such nor a moral sanction of abortion. Rather, the decisions were an affirmation of the right of a woman to the medical service of abortion (as prescribed above), by and upon the counsel of a licensed physician. Questions regarding the availability of such medical service, along with the right to counseling from duly licensed members of the medical profession, were left to the individual consciences of the persons involved, including members of the medical profession.

Since the historic decisions of the U. S. Supreme Court on the basis of individual rights and individual conscience, a militant and well organized movement has arisen seeking a constitutional amendment or legislation to annul the Supreme Court's January 1973 decisions on abortion rights. Bills have been introduced in Congress, such as the Buckley Amendment (S.J. Res. 119), which would outlaw completely the right of anyone to an abortion. Generally speaking, the proposed legislation is more rigid than that which prevailed in those states which had statutes on abortion overturned by the Supreme Court decisions.

A review of statements on abortion rights by major Protestant communions and Jewish organizations would indicate that these decisions of the Court are strongly supported in principle by millions of Americans throughout the United States. These religious groups include, among others: American Baptist Churches, U. S. A.; Black American Baptist Churchmen; B'nai

B'rith Women; Catholics for a Free Choice; Church of the Brethren; National Council of Jewish Women; National Federation of Temple Sisterhoods; Union of American Hebrew Congregations; United Church of Christ; United Methodist Church; and United Presbyterian Church, U. S. A.

Three years before the historic Supreme Court decisions, the American Baptist Convention in 1968 urged that legislation be enacted to provide that "the termination of a pregnancy to the end of the twelfth week (first trimester) be at the request of the individual(s) concerned and be regarded as an elective medical procedure governed by the laws regulating medical practice and licensure."

In 1971 the Southern Baptist Convention adopted a resolution calling "upon Southern Baptists to work for legislation that will allow the possibility of abortion under such conditions as rape, incest, clear evidence of severe fetal deformity, and carefully ascertained evidence of likelihood of damage to the emotional, mental, and physical health of the mother."

In many instances the right to abortion, as outlined by the U. S. Supreme Court, has been supported by religious denominations which clearly do not sanction abortion as such. Rather, they see the Court's decisions as rooted in the rights of persons, i.e., liberty of conscience, and the limited role of government in prohibiting abortion medical services to those persons who feel their need for this service, when performed by duly licensed medical personnel. It is significant to note that, according to a Harris poll last spring, the majority of American citizens supported the rightness of the Supreme Court's decisions.

Recently, there was formed in Washington, D. C., a national Religious Coalition for Abortion Rights (RCAR). Membership in the Coalition includes sixteen major religious denominations. Several Baptists are included among its officers and sponsors, as well as leaders of major religious denominations. Its official statement of purpose is "to encourage and coordinate support for safeguarding the legal option of abortion, for ensuring the right of individuals to make decisions concerning abortion in accordance with their consciences; and for opposing efforts to deny this right of conscience through constitutional amendment, or federal and state legislation."

The rationale for this interdenominational Coalition was clearly expressed recently by its newly named chairperson, Ms. Ray M. S. Tucker: "Abortion is a highly personal decision; one that should be determined by an individual's own conscience. . . . The option of safe and legal abortion must continue to be made available."

The Baptist Joint Committee is not a member of the Religious Coalition for Abortion Rights. The Committee did vote, however, at its October meeting to "go on record to oppose the Buckley-Hathfield constitutional amendment, and all like or similar constitutional amendments." It did so out of a concern that in our pluralistic society the state should not embody into law one particular religious or moral viewpoint on which differing views are held by substantial sections of the religious and nonreligious communities. The action of the Committee came also out of its long tradition for upholding liberty of conscience and the separation of church and state. Furthermore, it recognized that simply outlawing abortion fails to come to grips with many of the profound complexities surrounding involuntary, problematic, and unwanted pregnancies. While abortion involves extremely serious ethical and moral decisions, it ultimately requires recognition of the right and responsibility of the persons involved to make their own decisions regarding one of the most intimate and personal of all human experiences.

washington observations

January 14, 1974

THE SECOND SESSION of the 93rd Congress may consider five proposals for amendments to the Constitution. All of them have yet to clear the hearings procedures of the Judiciary Committees of both the House and the Senate.

PRAYER AMENDMENTS have been referred to both House and Senate subcommittees. Hearings for the proponents have been held in the Senate but the opposition has not yet been scheduled. The House Subcommittee has no present intentions of scheduling hearings.

STAFF MEMBERS report that no discharge petition has been filed in the House on this issue. The Senate rules do not provide for discharge petitions. No effective pressure has been mounted in favor of the amendments but an enthusiastic and well financed campaign is expected this spring.

HEARINGS ON ANTI-ABORTION amendments have been scheduled for March and April in the Senate Subcommittee on Constitutional Amendments. The House Subcommittee has not scheduled hearings and a discharge petition filed on July 10, 1973 has been signed by only 40 of the 218 members necessary to bring the measure directly to the floor.

BUSING will be an emotional issue for Congress to contend with this session. Chairman James O. Eastland (D., Miss.) seems to be content to let the matter sit for a while so that some Congressmen and Senators from the North have to deal with the problems busing brought to the South.

SENATOR JAMES B. ALLEN (D., Ala.) has placed an anti-busing amendment on the calendar in an effort to avoid the Judiciary Committee by attaching his proposal to some other pending legislation. If such action were to be attempted, the leadership would probably insist on referral back to the Committee. A House discharge petition has gotten only 55 signatures.

DIRECT ELECTION OF THE PRESIDENT was approved by the Senate Subcommittee on Constitutional Amendments on the last day of the 1st Senate Session. It must clear the full Committee but in the wake of Watergate, this may have a chance to pass both houses.

SENATOR SAM ERVIN'S (D., N. C.) proposal to establish a single six-year term of office for the President could also receive favorable action in an effort to head off future abuses of the type which came from the Committee for the Re-election of the President.

THE SUPREME COURT accepted its constitutional responsibility and rendered decisions in cases with divisive emotional overtones. Congress is now being urged to reverse some of these through the amendment process. Politicians, who must face the voters, generally would prefer not to have to make such decisions.

Public Affairs . . . and the Churches

Clergy Arrested in Korea

SEOUL—Police here arrested a Roman Catholic Bishop, the honorary dean of a Protestant theological seminary and a Buddhist priest during a press conference in which they were reading a statement criticising the "dictatorship and rule by terror" of the present regime. The statement, signed by 15 writers, scholars and clergymen, called on the nation to "rise up and struggle" for the restoration of democracy.

Police broke up the press conference being held in the coffeshop of the YMCA and arrested nine of the statement's signers. Among them were Bishop Daniel Tji Hak Soun of Won Ju, Dr. Kim Jae Joon of Hankuk Theological Seminary and Bop Chong, a Buddhist.

Earlier in 1973, Park Hyong Kyu, pastor of Seoul's First Presbyterian Church, was sentenced to two years in prison for "attempting to overthrow the government." His case is being appealed. (EPS)

Unaccredited Christian Schools

GREENVILLE, Ohio—A court case here involving the parents of children who attended unaccredited Christian schools may develop into a landmark in church-state relations.

Last December a Darke County grand jury handed down eight secret indictments against parents who have removed their children from public school and sent them to a Christian school operated by God's Tabernacle, an independent congregation.

Assistant Prosecuting Attorney Lee Fry related the indictments to an Ohio law which says that parents are required to send their children to schools accredited by the state.

The controversy stems from a revolt against public schools. Levi W. Whisner, pastor of God's Tabernacle declared: "Our people have been aware of the eroding moral and spiritual values of the country, especially of the public schools." He charged that this is a battle between Christ and Satan, who, he said, "has already succeeded in taking the Bible and prayer out of government schools and replaced it with immorality, drug and alcohol addiction, lawlessness and riots, the complete breakdown of all discipline, to

say nothing of lowered academic standards."

Those who are sponsoring and participating in the unaccredited schools feel that it is a denial of their religious liberty to be deprived of the right of having their own God-centered schools, even though they do not meet the state accreditation standards. (RNS)

Reimbursement Move Started

HARRISBURG, Pa.—A move to get Philadelphia Federal District Court approval to disburse \$91 million to the parents of parochial and other nonpublic school pupils, for the period between the effective date of the aid law and the time it was declared unconstitutional by the U.S. Supreme Court, has been started in the Pennsylvania legislature.

Previously the Court has permitted similar payments based upon the proposition that where there is a reliance on a statute later declared unconstitutional, benefits bestowed under the statute prior to the court decision cannot be retroactively voided.

The State Legislature is being asked to hold that "a single act of reimbursement (for tuition paid to private schools) to these parents could not be construed to be excessive entanglement or advancement of religion inasmuch as the reimbursement will occur only once and will not recur." (RNS)

Right to Die With Dignity

ANAHEIM, Calif.—Policy makers of the American Medical Association have adopted a statement condemning euthanasia (mercy killing) but approving the right of patients to die "with dignity."

Members of the AMA House of Delegates said there is a "confusion between euthanasia and death with dignity, and a lack of understanding or agreement about their different connotations."

"The intentional termination of the life of one human being by another—mercy killing—is contrary to that for which the medical profession stands and is contrary to the policy of the American Medical Association," the statement said.

However, the delegates agreed that the patient and his family had the right to ask for the halting of "extraordinary means to prolong the life of the body" when a patient is irrefutably dying. (RNS)

Religion in High Schools

COLUMBUS, Ohio—The demand for courses about religion and "values clarification" in public high schools is increasing, members of the National Council on Religion and Public Education (NCRPE) were told here at their second annual convention.

An illustration: Violet Tupper, a Minneapolis public school teacher, reported that a three-year-old "values education course is now elected by more students than can be accommodated. She added that similar courses, including one on the Bible as literature, have received wide support, "with no parental complaints to date."

The NCRPE is an umbrella organization of 34 groups that was formed in 1971 "to provide a forum and means for cooperation among organizations and institutions concerned with those ways of studying religion which are educationally appropriate and constitutionally acceptable to a secular program of public education."

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Prayer Day

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Heaven; we have been preserved these many years in peace and prosperity; we have grown in numbers, wealth and power as no other nation has ever grown; but we have forgotten God; and

"Whereas, we have forgotten the gracious hand which preserved us in peace, and multiplied and enriched us; and we have vainly imagined, in the deceitfulness of our hearts, that all these blessings were produced by some superior wisdom and

"Whereas, intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us; and

"Whereas, we have made such an idol out of our pursuit of "national security" that we have forgotten that only God can be the ultimate guardian of our true livelihood and safety; and

"Whereas, we have failed to respond, personally and collectively, with sacrifice and uncompromised commitment to the unmet needs of our fellow man, both at home and abroad; as a people, we have become so absorbed with the selfish pursuits of pleasure and profit that we have blinded ourselves to God's standard of justice and righteousness for this society; and

"Whereas, it therefore behooves us to humble ourselves before Almighty God, to confess our national sins, and to pray for clemency and forgiveness: Now, therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, that the Congress hereby proclaims that April 30, 1974 be a National Day of Humiliation, Fasting and Prayer; and calls upon the people of our nation to humble ourselves as we see fit, before our Creator to acknowledge our final dependence upon Him and to repent of our national sins."

National PEARL

(Continued from page 1)

When the new office is opened and the executive director begins work National PEARL will perform three major functions: (1) collect and disseminate information on proposals for supplying federal, state or local aid to nonpublic schools; (2) collect and disseminate information concerning the adoption of such proposals and their administration; and

Church Bodies for Abortion Rights

(Continued from page 1)

not by the dictates of church or state. The option of safe and legal abortion must continue to be made available. We will work vigorously to prevent adoption of any amendment which will prohibit the performance of safe legal abortions and will fight efforts to nullify the Supreme Court decision of last year."

One of RCAR's first priorities is to start religious coalitions in key states in order to mobilize support for abortion rights within the religious communities.

According to Ms. Tucker, the RCAR will be working closely with other organizations to preserve abortion rights. "RCAR's special contribution is to help the public realize that in our pluralistic society, the state should not embody into law one particular religious or moral viewpoint on which widely differing views are held by substantial sections of the religious community," she said.

The RCAR is directed by an interdenominational policy committee. A full time staff is being organized with a staff

director to be announced early in January.

Members of the Coalition are: Division of Social Ministries, American Baptist Churches; B'nai Brith Women; Washington Office, Church of the Brethren; Catholics for a Free Choice; Union of American Hebrew Congregations; Unitarian Universalist Association; National Council of Jewish Women; Board of Homeland Ministries, United Church of Christ; Council for Christian Social Action, United Church of Christ; Board of Church and Society, United Methodist Church; Women's Division, Board of Global Ministries, United Methodist Church; Church and Society Unit, United Presbyterian Church, USA; Women's Program Unit, United Presbyterian Church, USA; Washington Office, United Presbyterian Church, USA; National Federation of Temple Sisterhoods; Unitarian Universalist Women's Federation.

Ms. Tucker is active in legislation for the National Council of Jewish Women.

(3) facilitate and assist in coordinating activities in opposition to such governmental action.

Among the activities contemplated will be publishing a news-letter, preparing research materials, analyzing federal and state legislation and court decisions, holding an annual conference, establishing a speaker's bureau, and serving as a general clearinghouse of information on which national, state and local groups can rely.

In addition to Bishop Walker, other officers include the following: vice presidents, Willard Heckel, former Dean, Rutgers University Law School and former Moderator of the United Presbyterian Church, Jefferson Fordham, former Dean, University of Pennsylvania Law School and now professor of law, University of Utah Law School, Rabbi Robert Gordis, professor of Bible, Jewish Theological Seminary and former president of the Synagogue Council of America, Helen Wise, president of the National Education Association, and Florence Flast, vice chairman of New York PEARL.

Stanley McFarland, director of the Governmental Relations Division of the National Education Association, is the secretary-treasurer.

Although other organizations are expected to join National PEARL as soon

as their controlling bodies act on it, the list of the charter members is as follows: American Civil Liberties Union, American Ethical Union, American Humanist Association, American Jewish Congress, Americans United for Separation of Church and State, Anti-Defamation League of B'nai Brith,

Baptist Joint Committee on Public Affairs, Central Conference of American Rabbis, National Association of Laity (Catholic), National Council of Jewish Women, National Education Association, National Women's Conference of the American Ethical Union, Union of American Hebrew Congregations, Universalist-Unitarian Association,

United Methodist Church, National Capital Area Civil Liberties Union, Connecticut Civil Liberties Union, Illinois PEARL, Monroe County (N.Y.) PEARL, Nassau-Suffolk Counties (N.Y.) PEARL, N.Y. PEARL, Missouri PEARL, Michigan Council Against Parochialism,

Missouri Baptist Christian Life Commission, New Jersey Public Funds for Public Schools, N.Y. State United Teachers Federation, Ohio Free Schools Association, and Wisconsin Preserve our Public Schools.

Report From The Capital

Index for Volume 28—1973

Note: This is the first time *Report From The Capital* has published its Index. It is planned to publish the Index annually hereafter. The Baptist Joint Committee has in its office file an Index beginning with Vol. 23, 1968. An index of *Report From The Capital*, beginning with 1968, appears in the

Southern Baptist Periodical Index, published by the Historical Commission of the Southern Baptist Convention. Numerals refer to page number on which the article begins; abbreviations refer to month.

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How Can One Object to This?

At the risk of being misunderstood and criticized, we must object.

We object to the presumption of public officials who think it is the duty of government to call the nation into a favorable relationship with God. It is not the business of government to be concerned about the religiousness or irreligiousness of the people. It is a violation of the nature of true religion for a nation to curry the favor of God through a national ritualism of "humiliation, fasting and prayer."

On page one is an account of Congressional action to set April 30, 1974 as a "National Day of Humiliation, Fasting and Prayer."

We have long been an admirer of Senator Mark O. Hatfield (R., Ore.) and the others who co-sponsored his joint resolution in Congress. We are at a complete loss, however, to understand how these men think they can get this nation right with God by governmental action.

We were encouraged last February by Senator Hatfield at the National Prayer Breakfast (privately sponsored), attended by President Nixon and hundreds of other prominent public, business and religious persons. At that time the Senator sounded a ringing note for Biblical religion in contrast to "American civil religion."

"Events such as this prayer breakfast," the Senator declared, "contain the real danger of misplaced allegiance, if not outright idolatry, to the extent that they fail to distinguish between the god of an American civil religion and the God who reveals Himself in the Holy Scriptures and in Jesus Christ."

He continued, "If we as leaders appeal to the god of an American civil religion, our faith is in a small and exclusive deity, a loyal spiritual Advisor to American power and prestige, a Defender of the

American nation, the object of a national folk religion devoid of moral content. But if we pray to the Biblical God of justice and righteousness, we fall under God's judgment for calling upon His name, but failing to obey His commands."

We were thankful that a person of the stature of Sen. Hatfield had the courage to say this in the presence of the President of the United States and other highly placed officials. But now he has reversed the field and is running toward the wrong goal line. Instead of turning to the legislative branch of government to issue the call for national "humiliation, fasting and prayer" the Senator could have appealed to the American people through their religious institutions and leaders, their family life, and their responsibility as individuals to lead the nation to a return to God.

Hatfield's appeal to the example of Abraham Lincoln, who three times at the request of the Congress proclaimed days of "humiliation, fasting and prayer," is not altogether impressive. One might say that it worked for Abraham Lincoln, so it might work for us. This might sound convincing except for the fact that there were many people in the south praying for a Confederate victory over the north.

It is understandable why the Senator did not ask the scandal-ridden executive branch of government to call the nation back to God. But it is not quite understandable how he thinks the Congress is qualified to do what the President could not do.

The remarks of Senator Hatfield, when he introduced his resolution in the Senate, and the preamble to the resolution calling for a National Day of Humiliation, Fasting and Prayer, are eloquent confessions of the sins of the nation. However, there is a strangeness about them, coming

as they do from the U.S. Congress. Repentance and faith come from the inner man, not at the behest of government.

The words of the U.S. Supreme Court (*School District v. Schempp* and *Murray v. Curlett*) are appropriate: "The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relationship between man and religion, the State is firmly committed to a position of neutrality. Though the application of that rule requires interpretation of a delicate sort, the rule itself is clearly and concisely stated in the words of the First Amendment."

Report From The Capital

Published 10 months each year by the Baptist Joint Committee on Public Affairs, 200 Maryland Ave., N.E., Washington, D.C. 20002. Phone: (202) 544-4226.

The Baptist Joint Committee on Public Affairs (BJCPA) is a denominational agency maintained in the nation's capital by the American Baptist Churches in the U.S.A., Baptist Federation of Canada, Baptist General Conference,

National Baptist Convention, National Baptist Convention, U.S.A., Inc., North American Baptist General Conference, Progressive National Baptist Convention, Inc., Seventh Day Baptist General Conference, and the Southern Baptist Convention.

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Subscription Rates: Individual subscription, \$2.50 per year; Club rate for 10 or more, \$2.00 each per year; Bulk distribution of 10 or more to a single address, \$1.75 each per year.

Report From The Capital
200 Maryland Ave., N.E.
Washington, D.C. 20002

January 1974—Volume 29, No. 1