

# NCA

Continued from page 1

an individual's home and private clubs from the provisions of the Civil Rights Act, Ondeck said. The industry's last major legal victory came in 1966 when the Supreme Court repealed a 20-percent excise tax on private club dues.

"The late 1960s was the last time private clubs weren't under attack," he said. "Today, clubs are the flashpoint."

What happened? The two biggest changes were the advent of single-interest groups and a media that moved from informer to adversary, said the NCA lawyer.

Groups like the National Organization for Women and the American Civil Liberties Union spearheaded many needed reforms in the 1970s, said Ondeck. By the 1980s, they had accomplished their major goals. But the organizational structure was still in place. To justify their continued existence, they had to find secondary targets. Private clubs were one they aimed at, he added.

As for the press, Ondeck recalled the days when reporters and cameras ignored the difficulties a sickly President Franklin Roosevelt had getting out of his wheelchair or the extramarital affairs of President John Kennedy.

"In the 1960s, the media still reported rather than inflamed stories. Today, they see themselves as adversaries. They have the same backgrounds as the single-issuers. And they've realized that targets=controversy=ratings=money," he said.

What the media is zeroing in on now is discrimination, Ondeck said. But every club discriminates in two ways.

First is economic. To run the operation, clubs charge hefty up-front fees to members. Critics will argue in the 1990s that dues should be eliminated or reduced, and replaced with daily fees that allow everyone access, Ondeck said.

Second is an ad hoc selection process that accepts some potential members and rejects others. Critics will continue applauding those allowing all-black, all-Jew or all-women clubs, while taking issue with those that are all-white, the NCA lawyer predicted.

The major legal argument opponents will throw in the face of private clubs is the U.S. Constitution.

"They'll argue the Constitution forbids discrimination, so clubs must be illegal under the 5th and 14th amendments," said Ondeck. "But the Constitution says the government is not allowed to discriminate. They forget about the 1st amendment, the right of free speech and the right to associate with whoever one wants. Justice William Douglass argued in favor of the right of people to open their homes or private clubs to whoever they want."

Opponents will attack clubs on other fronts, Ondeck said. They will claim the government passively accepts discrimination by making public land available to clubs, granting liquor licenses, offering reduced property taxes under greenbelt laws or bestowing tax-exempt status.

Existing members will continue bringing lawsuits against their own clubs if they sponsor a potential member person who isn't accepted.



Thomas Ondeck

But the most ominous development is the change in emphasis away from the courts and into legislative bodies, said Ondeck.

"Club opponents weren't always winning in the courts because courts

apply rules. So they said 'Let's change the rules.' Now they're bringing a lot of pressure on city councils and state legislatures," he said.

The best example is a New York City law (NYC LL 63) that changed the definition of a private club to one that has no more than 400 members, has no regular meal service and generates no revenue from non-members. The Supreme Court upheld the law two years ago.

NYC LL 63 has spurred other states and localities to propose ordinances ranging from membership thresholds as low as 100 to retain private club status, to affirmative action quotas requiring five female members be accepted for every two men, to a state law making it a crime to belong to a club that discriminates.

# LETTERS

## Appreciation

To the Editor:

Just a note to let you know how much we appreciate your newspaper. We are relatively new in the golf business and need publications such as yours to educate and keep us informed on the latest in this growing industry.

Sincerely,  
Richard Miller  
Sumner County Tractor  
Hendersonville, Tenn.

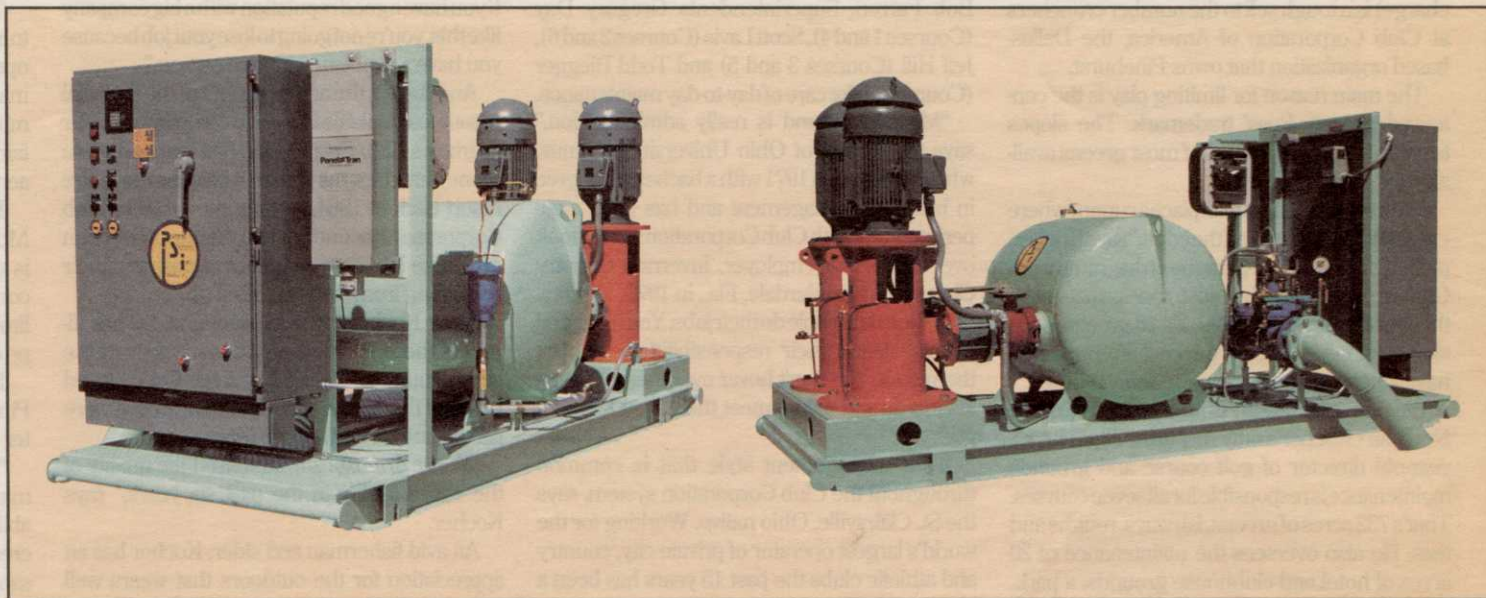
To the Editor:

I would like to congratulate your organization on publishing the finest, most informative golf/development publication around.

I am presently completing my bachelor of science degree in professional golf management/marketing from Ferris State University and find your publication invaluable in my job search.

Best regards,  
Roger L. Reveyrand  
Palm Springs, Calif.

## COMPUFLO FROM PUMPING SYSTEMS, INC. THE MOST VERSATILE VARIABLE FLO® WATER PUMP SYSTEM IN THE WORLD



COMPUFLO irrigation pump systems are built from the highest quality components to insure long service life, minimize downtime, and reduce maintenance costs. Skids and pressure manifolds are made of heavy gauge steel, pipe and I-beams then grit blasted to white metal and sealed with paint or hot dip galvanized. Control panels are UL listed with NEMA 4 enclosures. Select either vertical turbine or close coupled pumps.

VARIABLE FLO® pump control allows the pump station to step water flow through 250 GPM increments to match pump output with irrigation system demands for efficient operation. Control can be accomplished using pre-programmed computer or 8 pin timer relay logic. COMPUFLO systems can also be provided with Variable Frequency Drive control for the ultimate in state-of-the-art VARIABLE FLO® technology.

Call for more information.



Pumping Systems, Inc.  
10717 Harry Hines Blvd.  
Dallas, Texas 75220  
Phone (214) 357-1320  
Nat'l (800) 527-0539  
Texas (800) 442-9303  
Fax (214) 357-5861