

In regard to the matter of Operation Breakthrough employees participating in political activities on election day, both our Inspectors and Mr. Buckley found that these activities occurred on their own time. The automobiles that were used to transport voters to the polls were the private property of those employees who were engaged in that activity on their own time.

The Civil Service Commission as Mr. Buckley indicated in his report ruled in 1955 that Durham Municipal elections were non-partisan. A flier distributed in Durham before the election contained the following text:

"Attention Republicans Democrats and Independents! This Saturday's Municipal Election is Non-Partisan! Every registered Citizen of Durham can vote regardless of party affiliation!"

As you indicated in your letter to me you, too, believe that a non-partisan election "very likely would not be considered a violation of Chapter 15, Title V, U.S. Code."

OEO CAP Memorandum 50-A specifically states in outlining the explicit instructions on political activity on the part of CAP employees the following:

"Certain non-partisan political activities are permitted. These are activities in connection with campaigns for office which are run on a non-partisan basis and are of a strictly local character—that is, completely unrelated to issues and candidates identified with national and state political parties."

I am frankly surprised that because we disagree about existing OEO policies that you suggest that my disagreement has "been motivated by partisan politics."

This Agency, in the nearly three years of its existence, scrupulously has enforced all regulations governing political activity on the part of its staff or any staff member of any Agency covered by our regulations. In those isolated instances where we have uncovered such activities, we have acted on them promptly whenever they were substantiated without regard to any political party involved.

For example, in 1965 our Inspectors uncovered an instance in Carlinville, Illinois where young men and women, ineligible because they did not meet income requirements, were enrolled in a Neighborhood Youth Corps program after referrals by local Democratic political leaders. The program was cancelled by the Neighborhood Youth Corps.

In the summer of 1965, our Inspectors uncovered a similar case of ineligibility because of income in Kansas City, Kansas, which included also referrals by local political figures of ineligible enrollees who were found on the payroll. Neighborhood Youth Corps froze the funds of this project and negotiated an agreement with the city to repay the Federal Government for the cost of ineligibles in the program.

More recently, this Agency instructed the United Planning Organization in Washington that an employee of a delegate Agency was in violation of OEO regulations, because that employee was also the head of a local Democratic political organization. The employee resigned after UPO told him he could not hold the job and the political office.

In April of this year, our Regional Office reprimanded the Director of a State Technical Assistance Office for making a partisan political speech and immediately referred the case to the Civil Service Commission.

Incidentally, these cases were reported fully in the daily press at the time they were uncovered by this Agency, and we took action.

Furthermore, I don't believe the suggestion that our actions and statements are motivated by "partisan politics" is consistent with the fact that the Regional Director, who supervises and is responsible for programs in the Mid-Atlantic Region which includes Operation Breakthrough, is affiliated with neither major political party. He is an independent voter.

Finally, this Agency this year has allotted more money to states governed by Republicans than to states governed by Democrats.

I assure you that we shall continue to pursue vigorously any allegation of improper activity, political or otherwise, that is prohibited by our Act and our regulations. When we find such improper activity, we will, in the future as we have in the past, order prompt remedial action regardless of the political label of those who are involved.

Sincerely,

SARGENT SHRIVER, *Director.*

PS.—Incidentally, you appear still to believe that I denied the facts in your investigation. I said that our investigation, conducted at the request of Congressman Galifianakis, did not show any violations of our Act or our regulations.