Mr. SHRIVER. I was just trying to say that our investigations which were completed over 2 or 3 or 4 weeks ago involving this particular municipal election in Durham did not disclose any violation of the Hatch Act or of our own regulation. I further pointed out as I said just a minute ago that the Civil Service Commission had determined these municipal elections in Durham to be nonpartisan, and they were so advertised so that there was no violation of our rules or of the Hatch Act.

If the question arises as to whether the election in fact, because of what Mr. Baker was saying a minute ago, actually was a partisan election, that is a determination which the Civil Service Commission makes. They are called upon to do that.

Mr. GARDNER. Would the gentleman yield?

Mr. SHRIVER. We would be delighted to have them look into it. All I was saying yesterday was that we had made an investigation which did not disclose any partisan political activity.

Mr. GOODELL. Would the gentleman yield?

Mr. GARDNER. Yes.

Mr. GOODELL. Without going into the details of that particular situation, it disturbs me that you put so much emphasis on whether it is partisan political activity or the definition of that. As I read section 603(b) of the poverty law, it says:

*** * * or resulting in the identification of such program with any partisan political activity or any activity designed to further the election or defeat of any candidate for public office—**

and the latter clause—

any activity designed to further the election or defeat of any candidate for public office—

is completely independent of——

Chairman PERKINS. That is the language used in the Hatch Act?

Mr. GOODELL. No, this is the language in the Economic Opportunity Act of 1964, section 603(b), and I would be troubled if it is the interpretation of OEO that any activity is all right if it is not partisan in the sense of participating with Democrats against Republicans or Republicans against Democrats. It seems to me that the language of the law is considerably broader than that.

Mr. SHRIVER. What I was trying to say is that we are trying to follow the Hatch Act and the rules of the Civil Service Commission with respect to the conduct of Federal employees, and of course our own statute, and that is the job of the general counsel.

What we have done is to enforce this uniformly across the country. I am embarrassed to say that most of the cases have been against Democrats rather than Republicans, but we have done it.

All I am trying to say is we have made exactly the same sort of investigation in this election as we have made on dozens of other occasions. Our investigators may have been wrong, but they didn't find any violation of the Hatch Act or of our regulations, or, let me say, of the law. They may have been wrong, but I was trying to say that that is what we have found.

Mr. GOODELL. My concern is to keep the record clear here. If it were found that community action workers were identified with a candidate