

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1967

HEARINGS

BEFORE THE

COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

FIRST SESSION

ON

H.R. 8311

AND VARIOUS BILLS TO PROVIDE AN IMPROVED CHARTER
FOR ECONOMIC OPPORTUNITY ACT PROGRAMS, TO AUTHOR-
IZE FUNDS FOR THEIR CONTINUED OPERATION, TO EXPAND
SUMMER CAMP OPPORTUNITIES FOR DISADVANTAGED CHIL-
DREN, AND FOR OTHER PURPOSES

PART 2

HEARINGS HELD IN WASHINGTON, D.C., JUNE 19, 20, 21, 22, 23,
26, 28; AND JULY 10, 1967

Printed for the use of the Committee on Education and Labor

CARL D. PERKINS, *Chairman*



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1967

80-084

06-B5405

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ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1967

MONDAY, JUNE 19, 1967

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The committee met at 2:50 p.m., pursuant to recess, in room 2175, Rayburn House Office Building, Hon. Carl D. Perkins (chairman of the committee) presiding.

Present: Representatives Perkins, Green, Dent, Pucinski, Gibbons, Ford, Hathaway, Quie, Goodell, Scherle, Dellenback, Gardner, and Steiger.

Also present: H. D. Reed, Jr., general counsel; Robert E. McCord, senior specialist; Louise Maxienne Dargans, research assistant; Benjamin F. Reeves, editor of committee publications; Austin Sullivan, investigator; Marian Wyman, special assistant to the chairman; Charles W. Radcliffe, minority counsel for education; John R. Buckley, chief minority investigator; Dixie Barger, research assistant; and W. Phillips Rockefeller, research specialist.

Chairman PERKINS. The committee will come to order.

I want to apologize for causing you and the other witnesses so much inconvenience in rescheduling your appearance this afternoon, due to our executive session this morning.

If I understand correctly, we are going to commence today on title II of the Economic Opportunity Act. Will you proceed in any manner that you prefer, Sargent Shriver.

STATEMENTS OF SARGENT SHRIVER, DIRECTOR; BERTRAND M. HARDING, DEPUTY DIRECTOR; DONALD M. BAKER, GENERAL COUNSEL; ROBERT A. LEVINE, ASSISTANT DIRECTOR, RESEARCH, PLANS, PROGRAMS, AND EVALUATION; THEODORE M. BERRY, DIRECTOR, COMMUNITY ACTION PROGRAM; JOSEPH T. ENGLISH, M.D., ACTING ASSISTANT DIRECTOR OF THE OFFICE FOR HEALTH AFFAIRS; JOHN FRANKEL, D.D.S., DIRECTOR, HEALTH DIVISION, CAP; MRS. LISBETH BAMBERGER SCHORR, DIRECTOR, PROGRAMMING PLANNING AND EVALUATION FOR HEALTH AFFAIRS; AND JULE SUGARMAN, ASSOCIATE DIRECTOR, HEADSTART, OFFICE OF ECONOMIC OPPORTUNITY

Mr. SHRIVER. Thank you very much, Mr. Chairman and members of the committee. We are very happy to begin the discussion of title II for a number of reasons. First of all, title II is the recipient of the largest single sum of money under the Economic Opportunity Act

proposed authorization. Second, it is the part of our bill which has the greatest variety of programs involved and, third, I believe that it is the part of our total effort which has been most difficult for most people to understand easily.

It was my thought, Mr. Chairman with your permission, that it would be helpful to the members of the committee to take up particular parts of community action in some detail so that they might have a better comprehension of what we mean by community action. Second, I thought it would be helpful because this committee has already established a milestone as far as I am concerned last week when we had a chance to present testimony about the Job Corps in some depth followed by testimony on VISTA in some depth. It is the first time we have ever had that chance.

Chairman PERKINS. I can assure you that you are going to have all the opportunity that you want before this committee.

Mr. SHRIVER. OEO has been criticized from time to time for not providing information, but we also get criticized for providing too much information sometimes but the record, I think will show that we never had a chance, really, to go into detail about some of these programs before this committee. We welcome it and as a consequence we would like to start off today with some of the detailed programs which constitute in their entirety community action. We would like to start off with some of the programs specifically and move from the specifics to the general.

Now, I have with me today on my left Theodore Berry, who is the Director of Community Action; on my right Bert Harding, whom you know as my Deputy Director; Bob Levine in charge of research and planning; Bob Baker, the General Counsel, and directly behind me the Deputy Director of Community Action, and other officials from community action.

We discussed this at some length before we came over today and thought it would be interesting to start off with some of the programs that are not as well known to this committee, for example the health program under community action. Here today with me are Dr. Joseph English, who is the Deputy Director of the health program, Dr. John Frankel, Health Director within CAP, and Mrs. Lisbeth Schorr, who has been one of the people connected with it from the very beginning.

With your permission, Mr. Chairman, we will ask those people to come up here and start to testify. May I present Dr. Joseph English, who is the Deputy Director of our Health Program Division and with him, as I said, we have Dr. Frankel and Mrs. Schorr who are in the community action indirectly.

Dr. ENGLISH. Thank you, Mr. Shriver.

Mr. Chairman, it is a great pleasure to have this opportunity to talk to you about some of the problems of health that we are learning about through all of OEO's efforts, not only the problems of health of the poor, but some of the opportunities and the progress we have been able to make through the legislation that you have given us.

A part of the reason we think this is important we have tried to summarize on this chart over here. It goes back a long way to something that Aristotle said more than 2,000 years ago. I would like to quote him:

Health of mind and body is so fundamental to the good life that if we believe that men have any personal rights at all as human beings, then they have an absolute moral right to such a measure of good health as society and society alone is able to give them.

Mr. DENT. Mr. Chairman, may I interrupt?

Is there a printed copy of the statement?

Dr. ENGLISH. It is just an oral presentation, sir.

Mr. DENT. That is all right.

Dr. ENGLISH. When the Declaration of Independence was framed and when there was language in there talking about the rights of life, it might have meant one thing back in the 17th and 18th century. Today we wonder, as far as the poor are concerned, if that statement doesn't have something to do with their right not to have their lives whittled away by illness.

If we take the next page there you can see that at the present time 50 percent of poor children in this country still have not had adequate immunizations; that 64 percent of poor children have never seen a dentist in their lives; that 45 percent of all women who have babies in public hospitals in this country have had absolutely no prenatal care at all, that an infant born to poor parents in this country has twice the risk of dying before reaching his first birthday, and that the chance of dying before reaching the age of 35 is four times greater for someone in a poor family in this country.

The next chart shows something of our standing in the world as revealed by the 1965 United Nations Demographic Year Book. It shows the United States among other nations of the world now ranking 14th in the infant mortality rates per 1,000 live births. It is the poor among our people that give us that record, and when we look at this more closely we notice that poor families still have three times more disabling heart disease than other families in this country; seven times more visual impairment; five times more retardation and mental disorder, according to the national health survey and that the killer diseases of the poor are still tuberculosis, influenza, pneumonia, diseases that the economically fortunate of us may not have suffered for a generation, and that among the poor who are employed one-third of them have such chronic illness that their capacity to work is severely limited.

We illustrate that on the next page of showing you the difference in incidence of chronic conditions per 1,000 population between families with incomes under \$2,700 a year, and others and you see in orthopedic, heart conditions, arthritis, mental and nervous disorder, the difference between the poor in our country and the rest of us.

I think that the questions we have asked ourselves as physicians in this program, Mr. Chairman, is, with the remarkable advances in modern medical technology that have been made in this country over the last 20 to 25 years, why it is that the poor in this country still have such a record of illness.

I would like to present to you, sir, the answer that was given by Dr. Alonzo Yerby, the former commissioner of hospitals of the city of New York, who is now a professor of preventive medicine at the Harvard School of Public Health. Speaking before the White House Conference on Health a little more than a year ago, he said:

The pervasive stigma of charity permeates our arrangements for health care for the poor and whether the program is based on the private practice of

medicine or upon public or non-profit clinics and hospitals it tends to be piecemeal to be poorly supervised and uncoordinated. In most of your larger cities the hospital outpatient department together with the emergency room provides the basic sources of care for the poor. Today's outpatient departments still retain some of the attributes of their predecessors, the Eighteenth Century dispensaries. They are crowded, lacking in concern for human dignity, and to make it worse, no longer free.

And Dr. Yerby continued:

To these unhappy circumstances has been added a steady proliferation of specialty clinics so that it is not uncommon for the hospital to boast of 30 or more different clinics meeting at different hours five or six days a week. The chronically ill older patient who frequently suffers from several diseases conditions or poor families are seen in several clinics which frequently meet on different days and even if the clinical record is present and readily available it is difficult if not impossible for any one physician to know the patient as a person and coordinate his care.

He concluded that eloquent address that moved every physician that was in the room at that time with a call for action which is really hard to ignore. He said that Americans must learn to organize their health system in such a way that all Americans, regardless of income, will have, and I quote him again:

Equal access to health services as good as we can make them and that the poor will no longer be forced to barter their dignity for their health.

George James, who was the Commissioner of Hospitals of the city of New York in 1964 said that sheer poverty is the third leading cause of death in most of our cities. He told the story of an old man some 70 years of age and at the bottom of whose medical chart was written the statement: "This is an uncooperative patient." Upon closer investigation he had 12 separate major pathological diseases entities for which he had had to be referred to 10 separate clinics, and as Dr. James tells the story, he was so sick that he couldn't make his way through this web of clinics that confronts the poor in the outpatient departments where they go to be served.

Taking a look at the next chart we see something of what confronts a poor family right here in the District of Columbia. That chart sort of summarizes the things in Dr. Yerby's statement. But to look at it a little more concretely this next chart shows a page from the District of Columbia telephone book and all the kinds of places that a poor family living in this area of our country would have to go in order to organize comprehensive health care.

If we move to the next chart you can see what some of those clinics are and some of the places a person would have to go in the area if they were to try to organize for themselves comprehensive care for all the members of the family. That chart lists some of the separate clinics that are in existence in this area that a family would have to visit, all of them open at different hours, all of them with different eligibility standards, all of them taking one or another member of the family, practically none of them admitting all of the members of the family.

Mr. GIBBONS. Will the gentleman yield at this point?

Is that broad line in the middle of the chart the Potomac River?

Dr. ENGLISH. Yes, sir. That is correct. That is an attempt to represent the situation in Washington but it would really not be too different in almost any city where you tried to plot out the same kind of

thing. That is why this legislation which you have given us as a part of the community action program has really given us an opportunity to take what we as physicians have learned over the last 20 years and to bring it to people that really have not yet benefitted from this knowledge.

You have given us the opportunity to provide comprehensive health services to families in poor urban and rural areas of this country and I think the language of the legislation is interesting when it states that these services should be derived from the needs of the people to be served, not just what we as physicians think is right or what is convenient for us but that in these programs a primary emphasis be the needs of the people to be served and that it be with their participation.

This is part of the way that the community action spirit is represented in this program.

I would like to tell you, sir, of what this means in one community that I have personally had a chance to visit. It is the community of Watts in Los Angeles. It is a community where a member of this committee has helped us in getting underway the health program that is about to open there, Congressman Hawkins. As you know, sir, the Watts area of Los Angeles contains 350,000 people living in a land area almost the size of the city of San Francisco and in that area there is not a single hospital. When you listen to people out there as we have had a chance to do, they have a saying and it is, "Are you \$10 sick," because if you get sick in Watts you are going to have to travel an average of 12 miles to get to the county hospital. There isn't very much public transportation. It seldom goes where you need to go so that it costs you about \$3 by cab to get there if you are really sick, and it is going to cost you \$7 on an average when you do. So that unless you are \$10 sick you don't go, and this is the experience that we as physicians have seen in hospitals all over the country that the poor are much sicker by the time they overcome the barriers financial and otherwise to come for care.

In that community under the leadership of Dean Roger Egeberg, the dean of the University of California School of Medicine, that has services at the Los Angeles County Hospital, so far away from the people living in Watts, they are reaching out into the community and in the middle of this are constructing at this moment a neighborhood health center. In a few weeks there will be 25 full-time physicians serving the poor—30,000 of the poor in that area of Los Angeles.

Many of them will be from the University of Southern California itself; many local doctors working part or full time in the program and for the local practitioners in Watts. This may reduce their alienation from the mainstream in American medicine because they will have an opportunity to become a part of the faculty of that medical school by their participation in the program and to have educational programs there as a result of this partnership between the medical school and the community.

Those physicians, sir, will be organized with the needs of the entire family in mind. They will be organized in family health teams with an internist available for the adults in the family, pediatricians to take care of the children and public health workers and social workers to help out. People from the neighborhood will be a part

of that team and each time a family walks into that center the whole family will get all of the services, not only medical, but social services too, and will have the opportunity to see the same health team each time which will provide the kind of continuity and personalized care that we know is as necessary for the poor as for the rest of us.

The quality of care given there will be first rate because it will be under the auspices of a medical school for the first time in that community. The services will be accessible and acceptable to the poor. They will be in the neighborhood where those people live, which overcomes part of the problem of transportation. And if it is true as in the other centers, the neighborhood people will ask for that center to be open until 10 o'clock at night and over the weekends. That is typical of what the neighborhoods have asked and they are open at those kinds of hours for the convenience of the people who live there.

When a person requires more in the way of medical help, then that neighborhood center can provide transportation and appointment to a hospital bed at the Los Angeles County Hospital just as you or I would have. If the person needs more specialized outpatient services they can be provided but the person doesn't go to a web of 30 different clinics, he goes to the one that his doctor in this neighborhood thinks that he ought to go to, and the doctor is able to follow his clinical course there because he is a member of the staff of the hospital as well as working in the neighborhood where the center is located.

Mr. Chairman, If all we do in that center is provide high-quality health care of the kind the University of Southern California School of Medicine is going to make possible, I think and the physicians from the University of Southern California feel that we fall short because, sir, when you have been in that community for a while and have looked at it and listened to those people you realize that their problems and their desires are even more basic than health, that they are interested in jobs.

Such a high percentage of the male members of that community are unemployed; and that is why at this center neighborhood people will be employed. They will not only be employed as receptionists and clerks and working in the record room and pharmacy and other kinds of service, but the University of Southern California physicians are developing a system of tandem training whereby they will be trained for new health careers in the center from the day it opens, and it will mean that the health occupations will open up for the first time to some of the people living in that community and that notion of jobs is almost as important to them as the health services that will become available for the first time.

Then, sir, over and above the issue of jobs is the participation of the community itself in the planning of the center, in their wish that it be there, in the help that they are giving to the physicians in the neighborhood health council made up of grassroots neighborhood people that are assisting the physicians. That to us is one of the most critical aspects of what is happening.

I had an opportunity not too long ago to visit the neighborhood council in Watts and I don't think that I shall ever forget what Mr. Brown, who is a member of that neighborhood council, said. He talked about a visitor who had come out to Watts to see the new

health center and was disappointed when some of the neighborhood people took him down to the place where it was being constructed. There were only pipes coming up through the ground and there was nothing to see. The visitor left disappointed. Mr. Brown said, "You know, Dr. English, it shows you the difference between someone from the outside looks at those pipes coming up from the ground and the way we the people of Watts look at it. Let me tell you about those pipes. Those pipes are the promise to us, they are the promise of something growing out there but it is growing inside us. For the first time the people in this community feel that they have their teeth into something. And—as I quote him—"We are going to stay kicking to keep it."

I think that explains, Mr. Chairman, why if you walk down the streets in Watts where that center is going up you see the children not only looking through the fence every day and watching the pipes really turn into the center that will soon be open there, but you see them wearing the button that says, "Better health for Watts." This is the kind of thing that the neighborhood in its interest in the center is wearing to symbolize the way they feel it to be their own.

So sir, although we hope to give high quality health services, part of the reason it is a community action is because there are other things about it that are as important in the terms of the participation of the people themselves.

I would like to tell you about some of the things that we are learning in communities where centers are already underway. For example, if you take the number of persons who have seen a physician at least once during the previous year in the United States at large for families with incomes under \$4,000 a year, you will find that less than 60 percent of those families would have seen a physician in the last year. But if you go to the city of Denver where that would have been true 2 years ago but where we now have one of these neighborhood health centers under operation, 85 percent of the people in that community have seen a physician now in the last year. If you go to Boston to Columbia Point where Tufts Medical School has done one of these centers, 92 percent of the people living in that community have now seen a physician for the first time in the last year. If you take the percentage of mothers receiving prenatal care in this country, and you recall that of the mothers of the babies, 50 to 55 percent never received any prenatal care, you will find that figure was true in Columbia Point before the Tufts Medical School started a center. In 1 year's time 97 percent of the mothers in Columbia Point, Boston, have received prenatal care.

In Denver where we are dealing with a larger population it is now between 85 and 95 percent of the mothers. Less than 11 percent of children from families with incomes under \$4,000 a year saw a pediatrician last year.

But in Denver last year 85 to 95 percent of the children under 15 years of age saw a pediatrician; at Columbia Point it is already up to 95 percent.

Sir, we have not yet had enough experience in these programs to be able to give you definitive statements about their results but I think these figures are some indication of what is being made available to

communities of the poor for the first time through these centers. We hope with your help in the next year to make it available to many more.

Thank you, sir.

Chairman PERKINS. I think we will defer questioning until we get the complete picture from your health program witnesses.

Mr. SHRIVER. Thank you, Mr. Chairman and Dr. English. I think that Dr. English and his colleagues, John Frankel and Mrs. Schorr would be happy to respond to questions about this particular part of the community action program, if there are any, Mr. Chairman.

Chairman PERKINS. Yes.

Mr. GIBBONS. Those charts were so good there. I wonder if you could include them in the record. I think they would be very helpful.

I would ask unanimous consent that the charts used to illustrate Dr. English's talk be included at this point in the record.

Chairman PERKINS. Is there objection?

The Chair hears none. So ordered.

(The charts follow:)

OFFICE OF ECONOMIC OPPORTUNITY, HEALTH DIVISION

CHART 1

"Health of mind and body is so fundamental to the good life that if we believe that men have any personal rights at all as human beings, then they have an absolute moral right to such a measure of good health as society and society alone is able to give them." Aristotle, *Politics*.

CHART 2.—HEALTH STATUS OF THE POOR

50% of poor children have not had adequate immunization.

64% of poor children have never seen a dentist.

45% of all women who have babies in public hospitals have no prenatal care.

An infant born to poor parents has twice the risk of dying before reaching his first birthday.

The chance of dying before reaching the age of 35 is 4 times greater for the poor.

CHART 3.—HEALTH STATUS FOR THE POOR

Poor families have:

3 times more disabling heart disease.

7 times more visual impairment.

5 times more mental illness, retardation, nervous disorders.

Dreaded and often fatal diseases of the poor are tuberculosis, influenza, and pneumonia—diseases which the more economically fortunate have not suffered for a generation.

Among the poor who are employed, $\frac{1}{3}$ have chronic illness that severely limits their ability to work.

CHART 4.—Chronic conditions per 1,000 population—Poor¹ (under \$2,700 annual income)—Other

	Orthopedic impairments	Heart conditions	Arthritis-rheumatism	Mental-nervous disorder	High blood pressure
Poor.....	32	30	27	19	17.3
Other.....	15	12	8.7	4.2	4.2

¹ DHEW National Center for Health Statistics.

CHART 5.—INFANT MORTALITY RATES PER 1,000 LIVE BIRTHS¹

Sweden	12.4	Switzerland	19.0
Netherlands	14.4	United Kingdom	19.0
Norway	16.8	New Zealand	19.5
Finland	17.4	France	22.0
Australia	18.5	Belgium	24.1
Japan	18.5	Canada	24.7
Denmark	18.7	UNITED STATES	24.7

¹ The 1965 United Nations *Demographic Yearbook*.

CHART 6.—TRADITIONAL HEALTH SERVICES FOR THE POOR

Fragmented services; Inaccessible; Inconvenient hours; Impersonal; Dismal environment; Confusing eligibility standards; Discontinuous.

CHART 7.—COMPREHENSIVE NEIGHBORHOOD HEALTH SERVICES PROGRAM

Broad scope of services for the entire family.

High quality of professional care.

Acceptable and accessible to the poor.

Simplified eligibility criteria.

Integration with other health funds and services.

Personalized care.

Community participation.

Utilization of Neighborhood people in paramedical and other roles.

Training for new health careers.

Neighborhood health council.

Opportunity for innovation in delivery of health services.

CHART 8.—NEIGHBORHOOD HEALTH CENTERS

FY 1966: \$9.8 million, 8 centers funded.

FY 1967: \$49 million, 13 new centers funded; 12-15 additional centers to be funded.

Total (end Fiscal 1967): Approximately 35 Neighborhood Health Centers.

CHART 9.—HEALTH RESOURCES ASSOCIATED WITH NHC

Public Health Departments; Medical & other health professional schools; Medical societies; Dental societies; Public & private hospitals; Voluntary health agencies; Community mental health & retardation centers; Group practice organizations;

CHART 10.—Community response (June 5, 1967)

	Number	Funds requested (millions)
Letters of intent.....	39	-----
Preliminary proposals received.....	20	\$25.0
Formal proposals received.....	69	110.6
Total proposals, fiscal year 1967.....	89	135.6

CHART 11.—Projection for fiscal year 1968

Refunding: \$40 to \$45 million for 35 centers. New centers: \$15 to \$20 million for 10 to 15 centers. Total, \$60 million for 45 to 50 centers.

PERSONS SERVED IN OEO-SUPPORTED FAMILY PLANNING PROGRAMS

(1) There are at present seventy-nine local initiative family planning programs funded under Sections 205 and 207. These programs are providing family planning information and services for 80,000 persons.

(2) The 35 centers to be funded by the end of FY '67 are planned to serve 500,000 persons. Of this population, approximately 100,000 to 120,000 will be women of the child-bearing age. On the basis of the utilization of family planning services when they have been made available elsewhere, 60,000 to 75,000 of these women can be expected to avail themselves of these services at the Neighborhood Health Centers.

Chairman PERKINS. On the health aspects of community action programs, I was certainly impressed when you stated that 50 percent of the poor were not receiving adequate immunization programs and 64 percent of the poor had never seen a dentist and that heart disease is three times more prevalent among the poor.

I have before me a letter that I received from Dr. Russell L. Hall, M.D., of Prestonsburg, Ky., which I think points up the good work in the field of preventive and remedial health. I know in many poor counties, particularly throughout the mining area that I represent, the greatest need perhaps is adequate health service for people. When we enacted the Community Health Professions Act of 1961 it added on to the public health programs and the public health services that our people were receiving, especially children, but by and large so little has been done.

In the Elementary and Secondary Education Act we were able to do a little more in meeting the very basic health needs of pupils which pose learning difficulties, but this doctor writing to me has been so critical of the community action programs over the last 3 years that I thought this letter was most impressive.

He writes this on June 7 and says that he is—

*** greatly pleased by our comprehensive health program for Floyd County. In my 8 years in public health, this is the soundest and best program we have ever had approved. If circumstances permit it to be funded for the full 5 years, the results will not only immensely upgrade the health environment for the young and elderly of Floyd County—it will have woven the pattern for other counties in other States.

Then he goes ahead and discusses the good that is going to flow from this program. I am of the same opinion. We do not have comprehensive health centers under any programs that we have at the present time. Your efforts to provide programs of this kind mean so much more to the people who have been traditionally bypassed that are its beneficiaries. I am most hopeful myself that we can do more in the field of both rehabilitative and remedial health and personally want to compliment the Director, Sargent Shriver, himself, for these broad community action health centers that you have inaugurated. I think it speaks well of your program in this country. Thank you.

Mr. BERRY. Mr. Chairman, you may be interested to know that of those that we have been able to fund with the amount of money appropriated for this fiscal year, probably one which bids fair to have the same productive quality as the one in Denver is in Louisville, Ky. This evidences both the cooperation and coordination of public and private funds both through the medical college, private foundations, as well as our funds. Also in Floyd, Ky.; and in Leslie, Ky., community action health programs have recently been funded.

One of the early things that we did with our limited funds was to give assistance both to the University of Kentucky and the complex of hospitals formerly established by the United Mine Workers; trans-

ferred to the Presbyterian Foundation or board. Giving assistance helped develop that complex of hospitals into a continuing health program on a regional basis in eastern Kentucky and West Virginia.

Chairman PERKINS. How much money have you expended up to the present for these comprehensive health programs and just who is being served and just how much money would it take to fund programs of this kind throughout the country?

Mr. BERRY. Of the \$49 million which was appropriated earmarked for health services, comprehensive health programs this year, we have up to last Friday funded by grants some \$32 million, and there are programs or proposals that are pending totaling some \$136 million. We expect to fund the balance of the \$49 million before the end of the month.

Dr. Frankel has the details on the proposals. The grants have been broadly distributed both in rural as well as urban areas. Demographically they are located in various sections of the country, by no means adequate to the need but an equitable distribution as far as we could ascertain in relation to the quality of the proposals that have come from the various communities.

Chairman PERKINS. Do you have good cooperation between your neighborhood health centers and your local hospitals?

Mr. BERRY. I would say in the great preponderance of the cases where grants have been made hospitals have been an integral part in developing them.

Dr. ENGLISH. If I could elaborate in a rural area of great need in terms of the way we are trying to work with local hospitals I am sure that you, sir, and members of the committee may have seen the report in Saturday morning's New York Times that sort of dramatizes the terrible problems of health that affect people in rural parts of this country. I have a clipping from it that I would be glad to submit for the record if you wish, sir.

Chairman PERKINS. Without objection, so ordered.

(The clipping follows:)

[Article in New York Times]

SEVERE HUNGER FOUND IN MISSISSIPPI

By Nan Robertson

WASHINGTON, June 16—A team of doctors who recently returned from Mississippi told Congress today that they had found hunger approaching starvation and serious untreated diseases among hundreds of Negro children there.

The doctors met with members of Senator Joseph S. Clark's Subcommittee on Manpower, Employment and Poverty after a four-day inspection of conditions in Humphreys, Leflore, Clarke, Wayne, Neshoba and Greene Counties.

In all, they saw and talked with 600 to 700 children, as well as extensively interviewing about two dozen families.

They described the health of the poor children there as "pitiful," "alarming," "unbelievable" and "appalling," even though Mississippi has reached a higher percentage of its poor with food programs, using Federal antipoverty funds, than any state.

FIELD FOUNDATION PAID

The team, sent with money from the Field Foundation of New York, whose major interests are child welfare and intercultural and interracial relations was made up of the following doctors:

Dr. Robert Coles, a child psychiatrist with the University Health Service, Harvard University, who is the author of "Children of Crisis"; Dr. Raymond

Wheeler, an internist in private practice in Charlotte, N.C.; Dr. Alan Mermann, a pediatrician and assistant clinical professor at Yale Medical School, who made a medical survey in Lowndes County, Alabama, last year, and Dr. Joseph Brenner of the medical department of the Massachusetts Institute of Technology, who has made other medical inspections of the South and in Africa.

Dr. Wheeler, who is executive committee chairman of the Southern Regional Council, a private group whose stated goal is equal opportunity for all Southerners, said he had been born and raised in the South but had not been prepared for what he saw in Mississippi.

He stressed the "absence of compassion and concern" among health and welfare workers and described one child who came for treatment with a "nasty laceration." The nurse gave the child a tetanus shot, Dr. Wheeler said, but "didn't dress the wound."

"She didn't even look at the wound," he said.

In "child after child," the doctors said they had seen nutritional and medical conditions "we can only describe as shocking—even to a group of physicians whose work involves daily confrontation with disease and suffering."

They said they had seen children afflicted with suppurating sores, severe anemia, ear, eye and bone diseases, heart and lung ailments that had gone undiagnosed and untreated, chronic diarrhea, "appalling" tooth decay and, "in every county we visited, obvious evidence of severe malnutrition."

AS BAD AS AFRICA

The doctors' report continued:

"We do not want to quibble over words, but 'malnutrition' is not quite what we found; the boys and girls we saw were hungry—weak, in pain, sick; their lives are being shortened . . . They are suffering from hunger and disease and directly or indirectly they are dying from them—which is exactly what 'starvation' means."

The doctors made their disclosures in discussions with the Senate subcommittee at a lunch in the New Senate Office Building, and later at a news conference.

Dr. Brenner, who had spent one year in East Africa, said he had found health conditions in the South among the poor as bad or worse than those among primitive tribal Africans in Kenya and Aden.

"It is fantastic," he said, "that this should be so in the wealthiest nation in the world—the wealthiest nation that ever was."

The team emphasized that the families they saw in Mississippi were totally isolated, unseen and outside the "American money economy."

They described some who struggled to live on \$15 a week, which they earned after working 55 hours, with children who ate biscuit for breakfast, boiled beans for lunch and bread and molasses for dinner.

They saw women, they said, "who had not had money in their hands for weeks." Therefore, they said, the Government should change the food stamp program so that the rural poor could obtain food stamps free.

The stamps now cost from a monthly minimum of \$2 for each applicant to a maximum of \$12 for large families. They can be used to buy quantities of food worth much more than those amounts.

The doctors also met with Assistant Secretary of Agriculture George L. Mehren and his staff, and said they had found them honest and concerned.

But the team was also "discouraged" by reports of Congressional opposition to the free distribution of stamps, even to penniless families whose fathers are declared "able-bodied" thus making them ineligible for welfare.

Senator Clark is planning to hold public hearings on the doctors' survey next month.

Dr. ENGLISH. May I quote one paragraph:

In "child after child," the doctors said they had seen nutritional and medical conditions "we can only describe as shocking—even to a group of physicians whose work involves daily confrontation with disease and suffering."

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The doctors' report continued: "We do not want to quibble over words, but malnutrition is not quite what we found; the boys and girls we saw were

hungry—weak, in pain, sick; their lives are being shortened . . . They are suffering from hunger and disease and directly or indirectly they are dying from them—which is exactly what 'starvation' means."

Sir, that is a part of the country rural Mississippi where in partnership with the Tufts University School of Medicine the people of Bolivar, Miss., one of the poorest rural areas of the country, are about to start a rural neighborhood health center.

Science magazine, which is probably one of the best-read scientific and medical publications—

Chairman PERKINS. How significant is State participation of title XIX of the Social Security Amendments of 1965?

Dr. ENGLISH. I think it is significant in two ways, Mr. Chairman. First, in many of the poorest areas in the country it make take a while before those States are able to implement title XIX so that our program together with other programs like the Public Health Service programs are able to work together to provide comprehensive care until title XIX is implemented. Then in a State where it is implemented our program is a sort of conduit so that the money that becomes available through title XIX legislation will come out in comprehensive health care.

Money is only part of the problem. When there are no doctors or hospitals and you have to travel 400 miles in some parts of the rural areas of this country you need more than just to break down the financial barrier. If I could I would like to submit the article from Science magazine.

Chairman PERKINS. Without objection, so ordered.

(The article follows:)

[Article in Science Magazine]

RURAL HEALTH: OEO LAUNCHES BOLD MISSISSIPPI PROJECT

In the health field, medical research was the favored child of previous administrations and research activities flourished. The Johnson administration, though by no means allowing the research establishment to suffer harsh deprivation, has been placing a new emphasis on the delivery of health services. Accordingly, the effort under the antipoverty program to provide comprehensive health care centers for the poor is, while still small, growing rapidly. The first "neighborhood health centers" were established in urban slums, but soon some centers will be springing up in rural America. There the problem is not so much that of reorganizing and supplementing available health resources—the great need in the cities—is that of creating resources where few now exist.

By June 1, the Office of Economic Opportunity (OEO) had made grants totaling more than \$30 million for a score of comprehensive health projects, including six rural projects approved within the last few months. Neighborhood health centers are operating in Denver (*Science*, July 29, 1966), Boston, New York, and several other cities. Now Tufts University School of Medicine, which is operating the Columbia Point project in Boston, will undertake a similar venture in the Mississippi community of Mound Bayou, an all-Negro town in Bolivar County, at the heart of the cotton-growing delta region.

The Mound Bayou center, the first and most ambitious of the comprehensive rural health projects OEO has approved, will open this August and begin serving the poor of a 400-square-mile area with a population of about 14,000. The estimated cost of the project during its first 9 months is about \$1 million, which will cover the purchase of medical equipment as well as operating expenses. Other rural or rural-and-small-town health-center projects approved by OEO include those planned for Monterey County, California, Bellaire, Ohio, and two counties in Appalachian Kentucky.

A steady increase in the number of neighborhood health centers, urban and rural, is contemplated. President Johnson has endorsed an OEO goal of 50

centers in operation by July 1968. Besides being appreciated in their own right, the centers are regarded by some antipoverty strategists as an excellent entering wedge for an extensive antipoverty effort. As one health project director put it, "even if you don't give a damn about dead babies, it's just not politic to say so."

The Mound Bayou center, or "Delta Community Health Agency," represents an attempt to shape a winning strategy for aiding one of the nation's major poverty groups. Not only do the Negroes of the rural South constitute a large poverty group in their native region but they are the source of the great flow of migrants into the ghettos of the cities of the North and West. The project at Mound Bayou will not be typical of others OEO may sponsor in the South, for it skirts certain racial and political problems. Ordinarily OEO expects local community action agencies (CAP's) to serve as project contractors. But the planning that has led to the Mound Bayou center was initiated by Tufts Medical School's department of preventive medicine as a research and demonstration project. If the Bolivar County CAP had initiated the project—not a likely possibility—the difficulty of doing anything truly innovative in the face of opposition from the delta area's extremely conservative politicians and physicians would have been enormous. Tufts, by selecting a Negro community as the site and by contributing its own professional resources to the center, seems to have largely avoided this problem.

Nearly two-thirds of Bolivar County's 58,400 inhabitants are Negroes, and for 60 square miles or so around Mound Bayou, in the northern part of the county, almost all the land is Negro-owned. Mound Bayou traces its beginnings to the period following Reconstruction; it became an incorporated town in 1898 and now has a population of about 1300. The mayor and other local officials are Negroes.

Although the Mound Bayou area has an unusual number of Negroes earning decent livings from their cotton farms and business enterprises, the population in general is poor and the pressures to migrate are heavy. From 1950 to 1960, in the county as a whole, the Negro population declined by more than 14 percent. A high infant mortality rate (56.2 per 1000 live births during 1964) indicates the deplorable health conditions under which most Bolivar Negroes live. And in Bolivar, as elsewhere, the companion of poverty and ill health is ignorance. At least half of the county's adult Negroes have less than a fifth-grade education.

Left to itself, Bolivar would be a long time in bringing good health services to the Negro population. There are some 20 physicians, three of them Negroes, practicing in the county; only a few live in the area in which OEO health center is to provide intensive service. In this area there are two small, financially hard-pressed hospitals founded by Negro fraternal orders; each is attended by a Negro physician who devotes some time to private practice. Bolivar's principal medical facility is the modern hospital at Cleveland, the county seat, where most of the 20 doctors practice. This hospital has been unwilling to comply with the Civil Rights Act of 1964, and unless it shows evidence of a change of policy its access to federal funds will be cut off this month.

The Tufts staff found that many of Bolivar's poor Negroes have no ready access to medical service. Bolivar has no public "charity" hospital, and a barrier to admission to the county hospital is the frequent demand for a \$50 cash payment in advance. Negroes are often referred to the state charity hospital at Vicksburg, more than 100 miles away.

Moving into this near-vacuum, the Mound Bayou center will provide free diagnostic service and treatment for all the poor of its service area. An ambitious "outreach" program will be mounted to encourage families to use the center.

When the center's staff attains top strength it will have a full range of health personnel and social workers. The director will be an M.D., H. Jack Geiger, professor of preventive medicine at Tufts. The associate director will be a Negro social worker from Boston. In addition to 12 physicians (pediatricians, internists, obstetrician-gynecologists, a psychiatrist, and a surgeon), the staff will include 11 registered nurses, two nurse midwives, three social workers, a nutritionist, and various laboratory technicians and other health workers.

A large corps of nonprofessional workers will be recruited locally and trained for such tasks as health education, improving environmental sanitation, and organizing the community health associations which are expected eventually to take part in deciding center policies. Meaningful community participation in

policy-making, which has a high place in antipoverty-war doctrine, is expected to be much more difficult to achieve for Bolivar's widely dispersed rural population than it has been for the urban poor.

A crucial question concerning OEO's neighborhood health centers is that of whether they will be able to maintain their initial quality and élan. The question will be even more pertinent in the case of a center started by a university team which eventually will depart. Geiger says the hope is that within 5 years the Mound Bayou center will be staffed and directed primarily by Mississippians. Four of the physicians on the original staff will come directly from Tufts (all staff physicians will hold faculty appointments). But Geiger has a stack of letters from Negro physicians, technicians, and nurses who were born in Mississippi and would like to return, provided good professional opportunities are available. All three of the Negro physicians Geiger has hired thus far for the center are natives of Mississippi, and two of them were recruited in the North.

Tufts and OEO are seeking to strengthen the Mound Bayou hospitals as a step toward enlarging the pool of technical and professional resources available to the health center. Most of the center's patients needing bed care will be referred to one of these institutions, and, as the hospital staffs are expanded, joint appointments to the hospitals and the center should be possible. The hospitals, which have been merged administratively, are expected to receive a federal grant for an expansion program planned for an expansion program planned with the assistance of Tufts and of Meharry Medical College, of Nashville, Tennessee, where about half of the nation's Negro physicians have been trained.

The Mound Bayou center's long-run prospects for achieving a major degree of financial self-sufficiency depend, Geiger believes, on an improvement in the area's economic condition. Tufts, along with Atlanta University and several federal agencies, is assisting in the planning of a general upgrading of public facilities, and in efforts to bring in industry.

The health center and the local hospitals would benefit financially from Medicaid, but Mississippi has not yet elected to participate in this program of assistance to the medically indigent. However, the Mississippi State Medical Association, which views the Mound Bayou project with distaste, has been promoting the establishment of a Title 19 program. The comment has been made that, without Medicaid, other OEO health centers are likely to be established. "I'm delighted that the OEO program acts as that kind of a catalyst," says Geiger.

Geiger adds, however, that he hopes his center will enjoy cooperative and non-competitive relations with the state and county health agencies and with white as well as Negro physicians. Even before Mound Bayou was chosen as the site, Geiger discussed the project with Archie L. Gray, the state health commissioner. He has since explained it to a number of other individuals and groups belonging to Mississippi's medical community. The response has not been encouraging. Gray appears to regard the center as a Trojan horse. "My feeling is that its purposes are other than as stated," he says cryptically. Such suspicions have not been lightened by the knowledge that during Mississippi's long, hot summer of 1964 Geiger served at Jackson with the Medical Committee for Human Rights, a group concerned with civil rights and health.

The Delta Medical Society, to which Bolivar County's white physicians belong, has condemned the Mound Bayou project, reportedly by a vote of 30 to 1, with a few members abstaining. To many, the project smacks, no doubt, of socialized medicine. But the thing perhaps resented most of all is the fact that the project will be run by outsiders—by Tufts, a Yankee institution.

Could the project's apparent isolation from Mississippi's white medical establishment have been avoided? Might it have been possible, for instance, to have the University of Mississippi Medical Center, at Jackson, collaborate with Tufts in running the Delta Health Agency? No definite answer is possible, for, although the delta project has been discussed with the university, neither Tufts nor OEO has suggested or contemplated that the University Medical Center might share in the project management. Yet, although the Medical Center has had progressive leadership, it seems altogether unlikely that, whatever its inclinations, the center would have found it politically possible to take a major part in the project.

The Tufts Medical School is planning a curriculum revision to reflect, among other things, a greater concern for the delivery of health services and for the social conditions contributing to ill-health. Its senior-year students as well as some of its faculty will be taking part in its health center projects. Each student will be assigned to a family health care group, an interdisciplinary team (a

pediatrician, an internist, a social worker, and community health nurse) responsible for the care of certain families. The team will meet daily to pool information and make a diagnosis of fundamental family health problems.

Tufts expects such innovations as the family health care groups and the extensive use of nurses and other health workers for all tasks not requiring a physician's special skills to permit high quality of care at reasonable cost. "It's cheaper," Geiger says, "for health workers to teach mothers how to avoid contamination of water and food supplies than it is for a doctor to stay up all night giving intravenous fluids to a moribund infant with infectious diarrhea."

Thus, a prospectus for a breakthrough in comprehensive health care for the rural poor of the Deep South has been drawn up. Variations of the Mound Bayou project, and probably some markedly different formulations, will have to be tested before OEO develops a health program flexible enough in concept and execution to succeed in a variety of rural situations.

In some rural areas the force of habit and the influence of conservative local physicians will be such that attempts to launch even mildly innovative health programs will meet with difficulties. Indeed, a few years ago four counties in eastern Kentucky were excluded from a more or less conventional diagnostic screening program by the U.S. Public Health Service because of opposition or lack of cooperation from the local medical societies.

The success of even the best-planned programs for delivery of health services in poor rural regions will depend partly on an infusion of federal funds to bring about stronger networks of regional hospitals and satellite facilities. The Appalachian Regional Commission is supporting a program in Kentucky and eight other states to provide comprehensive care by improving facilities and reorganizing services along lines of regional cooperation. Similar efforts are likely to be needed elsewhere. New Social Security and public-assistance programs, such as Medicare and Medicaid, should make it possible for doctors to practice in poor rural areas and still enjoy large incomes. For example, the lone private practitioner in the village of Hyden, Kentucky, saw his taxable income increase from about \$5000 in 1962 to \$35,000 last year. His case is exceptional only in that most doctors of Appalachia were earning substantially more than he was in 1962 and many are earning more than he is today. Given the improved financial incentives and the growing federal efforts to overcome the national shortage of physicians, rural areas should soon be attracting and holding more doctors.

But while new facilities and more physicians are vitally needed, the experience of the cities has demonstrated that, unless the delivery of services is improved and made more responsive to the needs of patients, magnificent hospital buildings and well-trained staffs do surprisingly little good for large numbers of the poor. In its programs in Mississippi and other states, OEO is trying to show that the health needs of poverty areas of rural as well as urban America can be met.

LUTHER J. CARTER.

Mr. QUIE. Mr. Chairman.

How many of the 35 health centers are rural and how many are urban? I am referring to the 35 that will be completed by the end of the fiscal year?

Dr. ENGLISH. So far, of the 21 that have been funded this year, I believe six of these would be rural programs. We may still be able to fund a few additional rural programs this year. We hope to move into even more of an emphasis on the rural areas next year.

Mr. QUIE. Are you talking about six out of the total of 35 or six out of the new ones funded this fiscal year?

Dr. ENGLISH. Six out of the 21 that have been funded so far this year.

Mr. QUIE. Does that include the eight that were funded last year?

Dr. ENGLISH. Of the eight that were funded last year—

Mr. BERRY. Of the eight last year Tufts Medical College for Bolivar County was the one rural. I would think that the Red Lake tribal grant for medical services in Minnesota would be included as a rural one, too.

Mr. QUIE. Will that be classed as a medical center when completed?

Mr. BERRY. Yes; it will.

Mr. QUIE. What is the difficulty in the rural areas where 46 percent of the poverty exists? Has that figure changed?

Mr. BERRY. Forty-five.

Mr. QUIE. What is the difficulty in getting them started in the rural areas?

Dr. ENGLISH. In a city there may be many hospitals and medical schools and societies that really just have to get together to organize their services in such a way that a neighborhood can receive comprehensive health care. In the rural areas in this country there is the shortage of physicians and nurses and hospitals. It is much more difficult, really, to try to bring about a program of comprehensive health care in a rural area. We find we have to give a great deal more comprehensive assistance. It takes a little longer on the average than in an urban area to get one underway.

Mr. QUIE. Are the rural centers connected with a medical school like the Red Lake Indian Reservation which has doctors from the University of Minnesota Medical School?

Dr. ENGLISH. In every instance where we can make that link we try to do it. In Kentucky the University of Kentucky School of Medicine is being very helpful to us. In Mississippi the Tufts Medical School is being very helpful to us.

Mr. QUIE. You talked about Watts in Los Angeles. The community action agency covers a much larger area than Watts. How do you determine what a neighborhood is both in the rural and urban centers?

Dr. ENGLISH. We have a great deal to learn there, Mr. Congressman. In an urban area we attempt to serve a community of between 10,000 and 30,000 people. In a rural area the target population is somewhat smaller than that because of the geographic spread. That determination we leave to local people.

Mr. QUIE. Who are these local people, the community action agency or the medical people?

Dr. ENGLISH. In most cases it is the community action agency that finds and works with the medical school involved and then it is a co-operative thing. They work that out together and recommend it to us.

Mr. QUIE. What do you do in the way of family planning in the neighborhood health centers? What I mean is, is it limited to mothers who are living with their husbands and is it just advice or do you distribute contraceptives as well?

Dr. ENGLISH. The same criteria that are applied to family planning programs anywhere would apply to the neighborhood health center as well. The neighborhood people working with the physicians as well as the physicians themselves have a great deal to say about what services they wish to have there to serve the community. If they wish to have education programs and family planning available we can support that. We are able to support it within the general guidelines of OEO community action for family planning.

Mr. QUIE. You talk about services. I wondered if you mean contraceptives.

Dr. ENGLISH. Yes, sir.

Mr. QUIE. How about the question of whether they should be married or not. Can nonmarried women who want help in both advice and contraceptives receive it from a neighborhood health center?

Mr. SHRIVER. The answer is "Yes," under the law which was changed last year.

Mr. BAKER. The standard must be determined locally according to the changes of last year.

Mr. QUIE. You are using the language in the law which I thought was permissive.

Mr. BAKER. It is permissive. It has to be locally determined. We will not decide whether it be limited to married women or the age. It is up to them.

Mr. QUIE. Will there be an individual who determines it, or will there be a policy decision made at the neighborhood health center, and in this case is it the community action agency or the medical people who make this decision?

Mr. BAKER. It would be the community action agency.

Mr. QUIE. The community action agency will decide this question themselves. How do they decide it?

Mr. BAKER. It is decided at the time they apply.

Mr. SHRIVER. This is Dr. John Frankel. He may have the actual record.

Dr. FRANKEL. So far as I know, the plans for all the old centers and the newly funded ones, and those that we are contemplating funding, do call for a very broad scope of family planning activity, including the provision of devices and drugs for both married and unmarried women where appropriate.

Mr. QUIE. Do you have any information to provide for the record on the number of women who are receiving this help or don't you have this kind of detailed information?

Dr. FRANKEL. I think it would be most appropriate from our local incentive-supported programs but we can provide it for both 205 and for 211. I think we can provide that for the record.

Mr. QUIE. I think this would be helpful. Mr. Chairman, even though my time is up, I want to say that I usually don't give any bouquets to the Office of Economic Opportunity, but I think that the neighborhood health centers have done a tremendous job. I just want to compliment the Director and those who are working with him. From the little I have been able to observe, I am pleased to see the movement into family planning. And I know it has not been publicized the way some things have been in the Office of Economic Opportunity.

(The information requested follows:)

PERSONS SERVED IN OEO-SUPPORTED FAMILY PLANNING PROGRAMS

(1) There are at present seventy-nine local initiative family planning programs funded under Sections 205 and 207. These programs are providing family planning information and services for 80,000 persons.

(2) The 35 Neighborhood Health Centers to be funded under Section 211-2 by the end of FY 1967 are planned to serve 500,000 persons. Of this population, approximately 100,000-120,000 will be women of the child-bearing age. On the basis of the utilization of family planning services when they have been made available elsewhere, 60,000-75,000 of these women can be expected to avail themselves of these services at the Neighborhood Health Centers.

Mr. SHRIVER. Mr. Chairman, could I add one point to what Dr. English has been saying about the local initiative? In every case so far, the local medical associations have supported the opening of these centers and we have been particularly encouraged by the response from

the American Medical Association itself, not necessarily as an association but from the leaders of it, like the current president, Dr. Charles Hudson, and from the Washington representatives of the AMA who have endorsed what we are doing, and actually said that they were warmly sympathetic to what we were undertaking.

This has made our work with local medical societies much easier and has produced a good cooperation which Dr. English was describing earlier.

Mrs. GREEN. I too want to comment on what I thought was a most eloquent and persuasive statement by Dr. English. Would you comment on your problems in regard to manpower needs if you have this many funded at the present time and contemplate the expansion of the program?

Dr. ENGLISH. Yes, Mrs. Green, because I think that is one of the critical problems that you encounter when you move into either a poor urban or rural neighborhood. One of the problems ma'am, is that a community like Watts has lost its attractiveness for physicians. There are relatively few physicians, if you compare other neighborhoods, that practice there any more. The physicians have been leaving both urban areas and rural areas where the poorest of the poor live. One of the things that we are doing is that, for example, when a medical school reaches out into such a neighborhood and makes possible not only the practice of high-quality medicine there which is important to a physician but reduces some of his frustration when he sees many more problems than medicine, per se, when there are other social services available, when there are jobs for people there, this becomes an attractive thing for a physician; and we are seeing the return of physicians who had left because for the first time it is becoming attractive.

One thing we are doing about the manpower problem at least in some of the area is to begin to work getting physicians back into the areas where they had left.

Mrs. GREEN. Do you have sufficient personnel to carry on the program outlined?

Dr. ENGLISH. Yes. As a matter of fact, we have been amazed at the number of physicians that have applied to work at these centers both part and full time, and I think the attractiveness of the quality of medicine that can be practiced there, and that it is often under a medical school's auspices, is what brings them to the center. If it is good medicine generally speaking, you can get good physicians to come.

The second thing is that we are trying to extend the hands of the physician by training neighborhood people in the new health careers to be neighborhood aides; to be dental assistants; family health counselors; for example, in the Watts program from the day that center opens the professors that will be there from the University of Southern California School of Medicine will start a system of tandem training where people from the neighborhood will be paired with the people from the medical school so that we hope to increase the value by capitalizing on the talents. It is interesting that if you listen to the neighborhood councils this is the thing they like. They would like to work there and see their children become doctors and dentists and we hope this will make it possible.

Mrs. GREEN. Thank you.

Besides your neighborhood centers, what are you doing in the way of health care and could you outline specifically the program? As I understand you are picking out a thousand families to give maximum health service to, is that correct?

Dr. ENGLISH. Yes, ma'am. I think Portland, Oreg., is an interesting example of a program. As you know, the Kaiser health plan has been providing very high quality medicine there for a long time. What they have offered to do is to extend their health services to poor people and it is just question of our helping out financially, so that those people can have the same quality of health care.

Mrs. GREEN. Would you go into the statistics? Is it true that you have 1,000 families for comprehensive health care?

Dr. ENGLISH. Could I ask Dr. Frankel to respond to that? I think he knows that program.

Dr. FRANKEL. You are correct, Congresswoman Green, that there are a thousand families initially to be selected, almost self-selection in this situation, who will be worked right into what would be the middle-class framework of a group practice under the Kaiser Foundation in Portland and we think that this is a particularly innovative and interesting thing to incorporate into a middle-class environment the opportunity for poor people to obtain the services.

Mrs. GREEN. I was particularly anxious to know how the thousand families will be selected. You said that they will be self-selected. What do you mean by that? And will you also outline the extent of the health care to be provided? Does that include everything up to major surgery?

Dr. FRANKEL. It will include everything this first year that would normally be in a comprehensive health program except dentistry, because Kaiser has not over the years developed dental programs within its prepayment system. However, we have been carrying on. It will include mental health, for instance. A certain number of hours for this group have been set aside in the psychiatric clinics of Kaiser Portland for this purpose.

It will certainly include all preventive services, all treatment services, and all rehabilitative services necessary for this group. The selection will be through the community action agency, the local community outreach. Several people in the local community are being selected and will be trained for outreach and they will select from among the most needy families within the community somewhat self-selected, as I have said, because those who come forward will be given some preference. However, they will all have to be among the most needy families and the program is capable of enlargement after there has been some experience with this first thousand families.

Mrs. GREEN. All right. If an announcement appears in a newspaper within a day or two that complete health services are available to 1,000 families in Portland, if you applied to the community action program, then what is the next step from there?

Dr. FRANKEL. Well, in the first place we hope that we don't get 1,200 on the first day that the applications are opened up. However, what will happen is that the families will be screened and enrolled based upon their need.

Mrs. GREEN. What is the need? What is your criterion for need? There are more than 1,000 families that could stand comprehensive health care in Portland.

Dr. FRANKEL. This determination will be made locally and not by us here and I am not sure just exactly what criteria will be used but definitely family size as against income will be one of the criteria. Actual health needs will be another, and desire for service will be still another, I am sure. The program as I have said is capable of enlargement so that this thousand is not a rigid figure that must be adhered to.

Mrs. GREEN. What is the Federal appropriation for this?

Dr. FRANKEL. Something over \$800,000.

Mr. BAKER. \$813,058.

Mrs. GREEN (presiding). How much will you expand it to? I am interested.

Mr. BAKER. That depends on Congress.

Mrs. GREEN. Is there going to be a controlled group so that you can measure the results here with another group of 1,000?

Dr. FRANKEL. No, in that sense it is not a controlled program. However, they will be compared very carefully. Kaiser has a public health service grant so that there will be comparison, Mrs. Green, with another at least thousand—I am not sure of the size of the sample—of the other recipients of Kaiser benefits not among the poor.

Mrs. GREEN. I can't pursue this further because of time limitations. I am sorry.

Mr. GOODELL. Thank you, Madam Chairman.

Let me ask this: First of all, as I understand it, in the authorization this fiscal year we have earmarked \$61 million for the health centers. Are you advocating a continuation of earmarking of this money?

Mr. SHRIVER. It is not actually earmarked because it is just a lump sum which we think represents what the community demand will be.

Mr. GOODELL. The law says \$61 million is authorized.

Mr. SHRIVER. That is for this fiscal year ending June 30.

Mr. GOODELL. That is right. What are you advocating for the coming fiscal year?

Mr. BERRY. \$60 million.

Mrs. GREEN. Will the gentleman yield?

I suggest we recess for a few minutes and then come back.

(Brief recess.)

Chairman PERKINS. The committee will come to order.

Mr. Steiger.

Mr. STEIGER. Thank you, Mr. Chairman. I, too, want to join in commending Dr. English and members of his staff for the work that they are doing.

Do you know whether or not you have a request from Menominee County for a neighborhood health center, Menominee County, Wis.?

Dr. FRANKEL. I don't believe so, sir. I don't think we have a request. I would have to check for sure but I don't believe so.

Mr. STEIGER. Do you know whether you have any requests from Wisconsin under this program?

Dr. FRANKEL. Yes, we have an indication of interest from both Madison and from Milwaukee.

Mr. STEIGER. I yield to the gentleman from Oregon.

Chairman PERKINS. Mr. Dellenback.

Mr. DELLENBACK. Thank you, Mr. Chairman.

I did have one line of questioning, Dr. English, that I would like to ask. I am impressed by this testimony as to this type of medical

attention, for example, that is going to be supplied in the Watts area.

Dr. ENGLISH. Yes, sir.

Mr. DELLENBACK. What level of medical attention do you feel we should be supplying from this type of program to the "poor"?

Dr. ENGLISH. Yes, sir. Well, we would like to see the day come in this country and through this program that there would be one standard of health care for all. In all of the programs that we have funded so far we have found that the neighborhood people are as interested in the highest quality of comprehensive care, that is, all the care given at the highest quality level for the entire family, as the doctors are.

That is the interesting thing, and that is what we are trying to maintain.

Mr. DELLENBACK. So your answer really is the highest quality of medical attention?

Dr. ENGLISH. Yes, sir.

Mr. DELLENBACK. What effect does it have on that goal that those just above the "poor" level are not really able to afford the best of medical attention? Don't we by this type of program create an inequity, if you will, a present-day inequity?

Let's agree that ideally and ultimately every one in America will hopefully have available the highest degree of medical attention and the finest in terms of care, but I am thinking of right now when seemingly we have two levels of medical attention in the country. The very wealthy and the poor get the exceptional medical attention, those who are taken in as gratis patients and the wealthy, whereas those in between get a varying degree of medical attention ranging from pretty good down to the situation where if they are not the \$10 poor they are the \$12 or \$15 poor, to follow your earlier example. What should we do at the present time with the level of attention that we are going to supply gratis through the Government when we realize that some of those who are helping to carry the load dollarwise through the taxes they pay are not getting that same level of care?

Dr. ENGLISH. Yes, sir. I think that is a very good question and I think that people who are just above the poverty line in a community have often the same health needs and the same health problems. That is a question we have had a chance to raise with the people in these communities where there are neighborhood councils established. We asked their advice on an issue like that and they tell us that it is the poorest of the poor where we see the farthest behind. Those statistics, those discrepancies between the poorest of the poor and the rest of us are really what perhaps is the greatest problem on our national conscience and the neighborhood people themselves will make a judgment that our first efforts ought to go for that particular constituency.

Mr. DELLENBACK. Are we limited by dollars at the present time?

Mr. SHRIVER. Yes.

Dr. ENGLISH. Yes, sir.

Mr. DELLENBACK. If we are then limited by dollars, should we use 2X dollars to supply the very highest of medical attention within those areas that we do supply, or should we use 1X dollars to supply a lower quality of care in twice as many places?

Mr. SHRIVER. That is not the limitation on dollars. The limitation on dollars to which I was referring at any rate is the interpretation

on dollars available to the poor. The limitation on dollars that you are referring to is the national limitation on dollars for all sources.

Mr. DELLENBACK. I mean it to be applied to medical attention for the poor. I am thinking in terms of those figures we have had given to us.

Mr. SHRIVER. Then the answer to the question remains yes. In other words, we believe and the doctors believe that we should provide high-quality medical care to those who get it and not have quality to twice as many people.

Mr. DELLENBACK. And this would be your answer that, to juggle our formula, if X be highest quality medical attention you would rather supply X quality medical attention in A-number of cases than one-half X medical attention in 2A cases?

Mr. SHRIVER. That is correct.

Dr. ENGLISH. Yes; and this is only what I think the doctors would say. It is the fact that we are able to provide high-quality medical care that brings the doctors back to the neighborhood and then the other thing we are learning, sir, is that it is not just the problem of dollars. Part of the aspect of this program is that Dr. Philip Lee, who is the Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs, said that the single most critical problem that faces us in terms of health in this country is the delivery problem; in other words, how even with the money we have we can organize services in such a way that they better reach people, so that it is a question of learning how to do even more with the money that we now currently have.

I think that what brings the neighborhood people to this program with such enthusiasm and the physicians from medical schools and societies to it with such enthusiasm is that it is an attempt to organize a new kind of delivery system that makes the same number of dollars go much further in terms of services.

Mr. DELLENBACK. This is an almost impossible thing to measure but on the basis of what you have just said have you found any increased number of persons entering the medical professions as a result of this type thing?

Mr. SHRIVER. Yes, sir. Go ahead.

Mr. DELLENBACK. I have evidently fed a slow ball in to the batter.

Mr. SHRIVER. It is not a slow ball, it is really an interesting thing.

Dr. ENGLISH. It really is.

Mr. DELLENBACK. It is a question for which you were waiting. I have asked it. Please answer it.

Dr. ENGLISH. I think you are quite right that we can't measure this yet as accurately as we would like because the program is so new. All we can tell you is what we hear from the neighborhood people when we visit these programs.

For example, in Watts those neighborhood people tell us that what they looked for from the University of Southern California School of Medicine was not only the high quality of health services that are going to be provided there but the fact that teenage kids from that neighborhood will get to work with a doctor for the first time. They raised the questions with us of whether that may not mean that a boy or a girl from that neighborhood may have a better chance of getting into that medical school someday, that something will rub off.

Mr. DELLENBACK. You are still speculating rather than seeing concrete results yet?

Dr. ENGLISH. I think, in terms of neighborhood people, it is still speculative but not so if you move to another group, medical students. Last summer we funded a program in California that brought 100 health graduate students, most of them medical, dental, and nursing students, to work for the summer. Instead of working in a clinical clerkship in a nice hospital they went out and worked with the migrants, worked with the urban poor, and the rural poor and this was largely at the initiative of the students themselves, because they said this they wanted to have as a part of their medical training—an opportunity during the summer to see health problems from the standpoint of the patient to be served, by going into the family, by going into the communities to see this.

This summer as the result of the experience last summer, more than 500 health graduate students will be doing this with us not only in California but in New York and Chicago, and everyone of those students is going to take with them two or three neighborhood Youth Corps boys and girls because the health students feel that these kids want to become doctors and dentists, that work for the summer will show them how, and the way that the program has gone is very good.

Mr. DELLENBACK. The time is going fast. I yield to the gentleman from Wisconsin.

Chairman PERKINS. The gentleman's time has expired.

Mr. DELLENBACK. Both of ours?

Chairman PERKINS. Mr. Gibbons.

Mr. GIBBONS. I will yield him a little of my time.

Mr. DELLENBACK. Thank you.

As a matter of fact, the gentleman from Wisconsin had just asked me to yield to him. Will you yield to the gentleman from Wisconsin?

Mr. GIBBONS. I would be glad to.

Mr. STEIGER. I thank the gentleman.

You gave some figures of the people who had not seen a physician for a year's period of time. Have you anything else on those with incomes of less than \$6,000 and those with incomes of less than \$10,000 who had not seen a physician?

Dr. ENGLISH. I don't have those figures with me. Mrs. Schorr, would you have those figures?

Mrs. SCHORR. Yes. They are available approximately by the categories that you mentioned, which I don't have with me. The one that I do have is a figure for all persons at all income levels in the United States. These all come from the national health survey and the figure for all persons is 66 percent who have seen a physician during the previous year.

Now when you compare that to the poor population that we are talking about, one of the factors that has to be kept in mind is the difference in the health levels, that the poor population which is by and large sicker is much more in need of the physician than the general population of the country.

Mr. STEIGER. But you don't have them for anything that breaks down close to \$6,000 or \$10,000?

Mrs. SCHORR. We would be glad to submit that for the record.

Mr. STEIGER. Would you, please.

(The data to be submitted follows:)

Total population, number and percent of persons with last physician visit within a year, by sex, family income, and age: United States, July 1963-June 1964

[Data are based on household interviews of the civilian, noninstitutional population. The survey design, general qualifications, and information on the reliability of the estimates are given in app. I. Definitions of terms are given in app. II]

Family income and age	Both sexes			Male			Female		
	All persons	With visit within a year		All males	With visit within a year		All females	With visit within a year	
		Number	Percent		Number	Percent		Number	Percent
	Thousands	Thousands		Thousands	Thousands		Thousands	Thousands	
All incomes: ¹									
All ages.....	185,797	122,780	66.1	90,078	56,474	62.7	95,720	66,306	69.3
Under 5 years.....	20,721	16,670	80.4	10,558	8,626	81.7	10,163	8,044	79.1
5 to 14 years.....	38,160	23,337	61.2	19,382	11,924	61.5	18,778	11,413	60.8
15 to 24 years.....	26,960	17,823	66.1	12,815	7,776	60.7	14,145	10,047	71.0
25 to 34 years.....	21,370	14,154	66.2	10,147	5,814	57.3	11,223	8,340	74.3
35 to 44 years.....	23,964	15,203	63.4	11,480	6,680	58.2	12,483	8,524	68.3
45 to 54 years.....	21,306	13,514	63.4	10,343	6,071	58.7	10,964	7,442	67.9
55 to 64 years.....	16,235	10,369	63.6	7,810	4,698	60.2	8,485	5,671	66.8
65 to 74 years.....	11,120	7,548	67.9	5,031	3,183	63.3	6,088	4,364	71.7
75 plus years.....	5,903	4,162	70.5	2,512	1,701	67.7	3,390	2,460	72.6
Under \$2,000:									
All ages.....	21,430	12,689	59.2	9,225	5,002	54.2	12,204	7,686	63.0
Under 5 years.....	1,887	1,202	63.7	908	600	66.1	979	602	61.5
5 to 14 years.....	3,049	1,155	37.9	1,534	592	38.6	1,514	504	37.3
15 to 24 years.....	3,488	2,305	66.1	1,631	973	59.7	1,856	1,332	71.8
25 to 34 years.....	1,300	785	60.4	608	279	45.9	752	507	67.4
35 to 44 years.....	1,449	777	53.6	581	257	44.2	868	520	59.9
45 to 54 years.....	1,791	1,008	56.3	719	360	50.1	1,072	647	60.4
55 to 64 years.....	2,534	1,532	60.5	935	505	54.0	1,589	1,026	64.2
65 to 74 years.....	3,447	2,287	66.3	1,341	810	60.4	2,106	1,478	70.2
75 plus years.....	2,420	1,639	67.6	908	627	64.8	1,458	1,011	69.3
2,000 to \$3,999:									
All ages.....	30,170	18,637	61.9	14,141	8,150	57.6	16,029	10,527	65.7
Under 5 years.....	3,732	2,812	75.3	1,868	1,437	76.9	1,864	1,375	73.8
5 to 14 years.....	5,550	2,706	48.8	2,837	1,387	48.5	2,693	1,319	49.0
15 to 24 years.....	4,748	3,017	63.5	2,156	1,172	54.4	2,593	1,845	71.2
25 to 34 years.....	3,018	1,855	61.5	1,341	691	51.5	1,677	1,164	69.4
35 to 44 years.....	2,833	1,621	57.2	1,253	624	49.8	1,550	997	63.1
45 to 54 years.....	2,784	1,667	59.9	1,191	648	54.4	1,593	1,010	64.0
55 to 64 years.....	3,036	1,897	62.5	1,244	720	57.9	1,793	1,177	65.6
65 to 74 years.....	3,065	2,092	68.3	1,523	970	63.7	1,542	1,122	72.8
75 plus years.....	1,404	1,020	72.6	711	500	70.3	693	520	75.0
\$4,000 to \$6,999:									
All ages.....	58,956	39,053	66.2	29,259	18,353	62.7	29,698	20,700	69.7
Under 5 years.....	8,061	6,667	82.7	4,126	3,460	83.9	3,935	3,206	81.5
5 to 14 years.....	13,214	7,997	60.5	6,679	4,058	60.8	6,535	3,938	60.3
15 to 24 years.....	8,256	5,399	65.4	3,918	2,295	58.6	4,338	3,104	71.6
25 to 34 years.....	8,177	5,435	66.5	3,953	2,298	58.1	4,224	3,138	74.3
35 to 44 years.....	7,791	4,835	62.1	3,880	2,214	57.1	3,911	2,621	67.0
45 to 54 years.....	6,157	3,873	62.9	3,067	1,768	57.6	3,090	2,104	68.1
55 to 64 years.....	4,369	2,786	63.8	2,205	1,309	59.4	2,163	1,477	68.3
65 to 74 years.....	2,115	1,464	69.2	1,064	705	66.3	1,050	758	72.2
75 plus years.....	815	597	73.3	364	244	67.0	451	353	78.3
\$7,000 to \$9,999:									
All ages.....	36,476	25,449	69.8	18,269	12,180	66.7	18,206	13,270	72.9
Under 5 years.....	4,040	3,448	85.3	2,086	1,791	85.9	1,945	1,657	84.8
5 to 14 years.....	8,504	5,826	68.5	4,260	2,942	69.1	4,244	2,884	68.0
15 to 24 years.....	4,907	3,384	69.0	2,377	1,572	66.1	2,330	1,812	71.6
25 to 34 years.....	5,043	3,511	69.6	2,439	1,482	60.8	2,604	2,029	77.9
35 to 44 years.....	5,820	3,847	66.1	2,902	1,790	61.7	2,918	2,057	70.5
45 to 54 years.....	4,519	2,959	65.5	2,361	1,427	60.4	2,158	1,533	71.0
55 to 64 years.....	2,379	1,567	65.9	1,305	818	62.7	1,074	749	69.7
65 to 74 years.....	882	616	69.8	400	258	64.5	483	357	73.9
75 plus years.....	380	292	76.8	140	100	71.4	240	192	80.0

See footnote at end of table.

Total population, number and percent of persons with last physician visit within a year, by sex, family income, and age: United States, July 1963–June 1964—Continued

[Data are based on household interviews of the civilian, noninstitutional population. The survey design, general qualifications, and information on the reliability of the estimates are given in app. I. Definitions of terms are given in app. II]

Family income and age	Both sexes			Male			Female		
	All persons		With visit within a year	All males		With visit within a year	All females		With visit within a year
	Num-ber	Percent		Num-ber	Percent		Num-ber	Percent	
	Thou-sands	Thou-sands		Thou-sands	Thou-sands		Thou-sands	Thou-sands	
\$10,000 plus:									
All ages.....	28,825	20,991	72.8	14,504	10,254	70.7	14,321	10,737	75.0
Under 5 years.....	2,196	1,943	88.5	1,129	1,011	89.5	1,067	932	87.3
5 to 14 years.....	6,222	4,741	76.2	3,213	2,486	77.4	3,008	2,255	75.0
15 to 24 years.....	4,039	2,802	69.4	2,004	1,364	68.1	2,034	1,438	70.7
25 to 34 years.....	2,884	2,015	70.5	1,430	894	62.5	1,554	1,211	77.9
35 to 44 years.....	4,881	3,473	71.2	2,327	1,550	66.6	2,554	1,923	75.3
45 to 54 years.....	4,616	3,183	69.0	2,344	1,533	65.4	2,272	1,649	72.6
55 to 64 years.....	2,655	1,849	68.9	1,490	1,014	68.1	1,196	835	69.8
65 to 74 years.....	813	597	73.4	400	275	68.8	413	322	78.0
75 plus years.....	389	298	76.6	166	127	76.5	223	171	76.7

¹ Includes unknown income.

NOTE.—For official population estimates for more general use, see Bureau of the Census reports on the civilian population of the United States, in Current Population Reports: Series P-20, P-25, and P-60.

Source: Department of Health, Education, and Welfare, Vital and Health Statistics, Data From the National Health Survey: Physician Visits. Washington, D.C.: National Center for Health Statistics, series 10, No. 19, 1965, pp. 25–26, table 11.

MR. STEIGER. Thank you, Mr. Gibbons.

MR. GIBBONS. I was wondering about the figure that you gave for the Oregon plan. You mentioned a thousand families and I think Mr. Berry gave a figure of \$800,000, roughly \$800,000.

DR. ENGLISH. We could give it more easily per patient. The cost per family really is what you are thinking about, is that right, Mr. Gibbons?

MR. GIBBONS. Yes.

DR. FRANKEL. Now Mrs. Green is going to get her question answered because we have, in the budget, provision for more than 1,000 families and this is why the cost shows this high. We would rather not state the figure at this point for the very reason I think that Mrs. Green was concerned about, that if you open up the enrollment in a certain number and then have to close it off immediately it would be somewhat embarrassing to our grantee. There will be more than 1,000 in the plan. Kaiser has taken into account in assessing the premium that they are in effect charging a premium for this program because of the tremendous health deficit of the poor population, and they are anticipating a higher utilization based on very real need than they would get in their middle-class clientele, and this is why the relatively higher cost figures.

MR. GIBBONS. You say they are taking into consideration the fact that these lower income category people will have greater medical needs and therefore the cost is going to be greater.

DR. FRANKEL. Yes, sir. They are quoting a lower premium than they would to their labor union clientele.

Dr. ENGLISH. I think I have the figures here. It would ordinarily be \$54 per year in the Kaiser plant.

Mr. GIBBONS. Per person, we are talking about.

Dr. ENGLISH. Yes, sir. In this instance for this population where really the sickness is much greater it will be about \$81 per year.

Mr. GIBBONS. \$54 to \$81.

Dr. ENGLISH. Yes, sir.

Mr. GIBBONS. That is all.

Chairman PERKINS. Mrs. Green.

Mrs. GREEN. I wonder if I could pursue that a moment. You were asked a question if you had \$2 would you use it for one person or divide it among two. How would you answer a letter to a person out there dying because he needs a dialysis machine and doesn't have enough money to have the operation? He knows that we are supplying this medical care and he writes me a letter and says:

While I don't qualify in the \$3,000 poverty group—yet I have paid taxes all my life and supported a family and I may die in a few weeks because I can't afford medical care but you are giving elective surgery to the thousand families out there who could probably live even if they didn't have it.

How would you people answer these letters which I suspect may come in in great numbers?

Mr. ENGLISH. Yes, ma'am. I think that is a good example. The kinds of services that these centers will give will be basic family medicine, the kind of service that a family practitioner would give. When a family practitioner on his own in the community is presented with that situation the dialysis would sometimes be done in a sophisticated hospital. He would have difficulty getting a patient in because of the cost associated but in these programs, the center is under the auspices of a medical school or teaching hospital so that when someone in the neighborhood needs that service he will be referred to a hospital where this service is available and his chances will be a lot greater of getting that help. It won't necessarily be our dollars that will pay for it because the hospital is getting support from other funds. We would hope that the hospitals will be able to give the service to more people.

I think what will happen is, that the chance of someone in a poor neighborhood seeing a doctor who is able to get in where that machine is, will be much greater.

Mr. SHRIVER. That makes the man whose family doctor doesn't get it for him even more irritated. That is your point; is it not?

Mrs. GREEN. Yes. I would like to have massive health care for everybody but I am wondering how you are going to play God and select the thousand and make a determination that this man lives and this man dies, or to this family we give maximum health care and this family, who may not be in the thousand because their income is \$6,000 a year or perhaps they didn't know somebody, doesn't get any help.

Mr. SHRIVER. Isn't that what that committee does at the Portland Hospital? They had a committee of five doctors who have had to play God to determine who gets those kidney transplants.

Mrs. GREEN. We can take any other of 50 ailments where there is help available if people had the money. I really wondered what democratic process we are going to use in spending the \$800,000 in taxpayers' money for certain people and deny any medical assistance to

others whose income may be just above that "poverty line"—but to whom medical help is just as important—and yet just as remote.

Dr. ENGLISH. I will tell you what we are going to try to do. I think that particular problem reflects that we are trying to make it basically a local program, that the only people that know how to resolve an extremely difficult question like that are the people that live in that area and the doctors that live in that area. I think if we tried to do that in Washington it would be tough. I just don't think that we can.

I think we can give guidelines to a community but in practice the way this is being resolved is by the people who live in the area where the center is going to be located and by their doctors. Watts is a big area and our center is only going to serve 30,000 people. The local people make the determination of where the first one is to be in coordination with the medical school. We are going to try to keep decisions like that as much a local issue as we possibly can.

Chairman PERKINS. Mr. Goodell, do you have any further questions?

Mr. GOODELL. Yes, Mr. Chairman.

I am not sure whether you put in the record your response to my question that was pending when we recessed.

Mr. SHRIVER. No; we did not put it in. That is the \$61 million question.

Dr. ENGLISH. I would be happy to respond now. The \$61 million figure is for fiscal 1967; \$49 million of that was authorized by the Congress for the comprehensive health services program. In fiscal 1968 the figure is \$60 million for the comprehensive health services program.

Mr. GOODELL. Are you advocating that this be earmarked for that purpose?

Dr. ENGLISH. No, sir.

Mr. GOODELL. You are still against earmarking?

Dr. ENGLISH. Yes, sir.

Mr. GOODELL. Once again you are in agreement with the Republican side. I think you are going to be a little embarrassed here soon.

Mr. SHRIVER. I think it is the other way around.

Mr. GOODELL. We have been opposed to earmarking, as you know, and last year opposed it.

Mr. SHRIVER. We felt that way from the beginning. We were not sure that the Republicans had been supporting the whole program so well but I am delighted.

Mr. GOODELL. That raises a question. Mr. Quie indicated that he and I and other Republicans for some time have supported the notion of community action. We certainly support health centers, where a local community action board gives priority to such a center and feels that it should be funded in their area. I was deeply troubled, therefore, to have called to my attention the other day a couple of articles quoting Mr. Shriver as accusing Republicans of being professional throat slitters and doing a professional hatcheting job. It doesn't seem to me that this accusation advances the cause very much. Are those accurate quotes of what you said about Mr. Quie and me and other Republicans?

Mr. SHRIVER. Actually, I didn't say it about Republicans. What I said was that a few Republicans had put these into the record last year—and I cited a few examples of them—of situations which did not involve us and which were alleged to have involved us. There was a systematic number of those that went in one after the other last year. I am very happy to say that it has stopped. It hasn't happened at all for a long time. I don't know what the titles were. I just remember the incidents and as I say, I am very happy that all of that seems to have stopped.

Mr. GOODELL. I believe you were quoted as saying that a professional hatchet job has been done by the Republican Party.

Mr. SHRIVER. Excuse me. If that is what it says I am afraid it is wrong. I have never said that, because right from the beginning we have had terrific support from a number of Republicans, distinguished by the mayor of New York on "Meet the Press." I happened to see him and he was extremely laudatory about the program and, as a matter of fact, I would be glad to have his remarks put into the record. This is not just true of a few, but of a large number of other Republicans and I have noted that on every occasion whenever I have had an opportunity to say it because I am grateful for it.

Chairman PERKINS. Without objection it may be inserted in the record.

(The document follows:)

PRESS RELEASE OF JOHN V. LINDSAY, MAYOR OF THE CITY OF NEW YORK

Mayor John V. Lindsay and Robert J. Mangum, Northeast Regional Director for the United States Office of Economic Opportunity (OEO), jointly announced today that New York City has received federal approval for a program to establish neighborhood law offices in the city's poverty areas.

The Mayor said the newly-designed program, which will provide free legal services for residents of 26 designated poverty areas in the five boroughs, is "a milestone in our efforts to make equal justice a reality for all the people of the city."

The program, under state law, must now be approved by the Appellate Divisions of the State Supreme Court in the First and Second Departments.

The program calls for the operation of 10 neighborhood law offices, with at least one in each borough, which will provide free legal services to the poor in all cases except those involving contingency fees (that is, cases in which the loser pays the legal fees).

The program's full-time attorneys will also provide representation at police precincts in criminal cases and may advise clients before arraignment.

The program will also pay court costs and other expenses involved in cases handled by its attorneys.

Low-income New Yorkers who do not live in one of the 26 poverty areas will be able to get service at the law office nearest to them.

When in full operation, the program will spend about \$4 million-a-year, which will be provided by the Office of Economic Opportunity.

Eligibility for the service will depend on the resources and income of a client. Except for hardship cases, an individual will qualify for services if he has an annual income of less than \$3,000. An additional \$500 will be allowed for each dependent.

The Appellate Division turned down an earlier version of the program last November on the grounds that it was too complex for the Court to assure the maintenance of professional standards.

In announcing the new program, Mayor Lindsay said:

"The credit for this accomplishment goes to the Human Resources Administration, its Community Development Agency, the Office of Economic Opportunity and the City and County Bar Associations.

"They worked with dedication to fashion the new program. I want to pay particular tribute to Human Resources Administrator Mitchell Sviridoff and Commissioner George Nicolau and his legal counsel, William Fry, for their initiative and imagination.

"In addition, the cooperation of William Greenawalt, Director of Legal Services for the Regional Office of OEO, was invaluable. I am also gratified that the Association of the Bar of the City of New York and the five County Bar Associations have announced their intention to support the program.

"I hope that the Appellate Divisions now will give prompt consideration to the program so that legal services can be made available to everyone in New York who needs them."

The City and County Bar Associations have agreed to recommend to the Appellate Division that the new structure now be organized and authorized to practice law.

Senators Jacob K. Javits and Robert F. Kennedy have also said, in a joint statement issued May 16, 1967, that they "strongly endorse" the program.

The City's new plan calls for a central coordinating agency, Community Action for Legal Services, Inc. (CALS), and 10 operating corporations.

The operating corporations will include the Legal Aid Society and Mobilization for Youth, which already are running legal services programs with funds from an OEO grant received last year. Harlem Assertion of Rights, Inc., the Bedford-Stuyvesant Legal Services Corporation and six additional corporations are to be established.

These organizations will operate neighborhood law offices staffed by attorneys, law students working part-time and by investigators and other personnel recruited wherever possible from among the people to be served in the poverty areas.

In addition to providing advice and representation for individuals and groups, the corporations will sponsor research, handle test cases, prepare and comment on legislation and educate the people of the community about their legal rights.

CALS, as the coordinating agency, will train the lawyers who staff the local offices and will complement the work of the individual corporations in research and other functions. CALS will make subcontracts with the operating corporations, will provide technical and administrative assistance to them and will supervise and evaluate their programs and audit their records.

The Board of Directors of CALS will include 20 lawyers and 10 representatives from communities to be served. These 10 are to be chosen by the 10 corporations. The 20 lawyers are to be chosen by the Association of the Bar of the City of New York, the County Bar Associations and the minority bar associations.

Of the 20 lawyer-members there will be two faculty members from law schools in the City and five attorneys chosen from the Bar at large.

The two faculty members already have been named. They are Professor Willis L. M. Reese of Columbia and Associate Professor Thomas M. Quinn of Fordham.

The five attorneys-at-large are: Robert L. Carter, general counsel, National Association for the Advancement of Colored People (NAACP); Burke Marshall, vice president and general counsel, International Business Machines (IBM); Orrin G. Judd, partner, Goldstein, Judd & Gurfein; Edward V. Sparer, director, Center on Social Welfare Policy and Law, School of Social Work, Columbia University; and Theodore Pearson, partner, Kelley, Drye, Newhall, Maginnes & Warren.

The employees of the program will be subject to the Federal Hatch Act's restrictions on political activity, and neighborhood law offices will not be permitted to represent political parties or factions.

The City first obtained OEO approval of a \$3.4 million Federal grant for legal services in June, 1966. When the Appellate Division, First Department, rejected the program last November, the Community Development Agency immediately undertook to revise it. The newly-funded program is the result of extensive negotiations with the City and County Bar Associations, the Federal Office of Economic Opportunity and local groups.

Locations of the 10 neighborhood offices have not yet been designated. Following is list of the 26 designated poverty areas in the city:

MANHATTAN

Central Harlem
East Harlem
Lower West Side

Lower East Side
Mid-West Side
Upper West Side

BROOKLYN

Brownsville
East New York
Bedford-Stuyvesant
Fort Greene
Williamsburgh

South Brooklyn
Bushwick
Coney Island
Sunset Park
Crown Heights

QUEENS

Long Island City
South Jamaica

Rockaway
Corona

BRONX

Morrisania
South Bronx
Hunts Point

Morris Park
Tremont

STATEN ISLAND

Brighton Harbor

Makeup of C.A.L.'s Board of Directors:

- 10 attorneys named by the City and County Bar Associations;
- 7 attorneys (including two law school faculty members) named in the proposal;
- 3 attorneys named by the Bedford-Stuyvesant Bar Association, the Harlem Lawyers Association and the Puerto Rican Bar Association;
- 10 representatives of the poor chosen by the representatives of the poor on the operating corporations.

Makeup of Local Corporation Boards:

- 4 laymen as representatives of the poor chosen by the Community Committee from the poverty area served;
- 4 representatives chosen by: the New York City Bar Association (1), the local County Bar Association (2), and the Legal Aid Society (1);
- 4 attorneys chosen by the preceding eight from a panel nominated by the local Community Committee.

[From Harvard Law Record]

LINDSAY URGES BAR WAR ON POVERTY

LAWYERS AND THE ANTI-POVERTY DRIVE

(By John V. Lindsay)

In the seven years I have been in Congress, I can recall few pieces of legislation that have caused as much discussion and controversy as P.L. 88-452, the Economic Opportunity Act of 1964. In our first deliberations about the bill in the early months of 1964, and again this year as we reviewed the first year of the antipoverty program, we have devoted a good deal of time to consider a broad range of issues growing out of the aims and the experience of implementing this Act.

These deliberations, have been worthwhile. They have been crucial to the effective continuation of the nation's war on poverty, for the great potential of this program demands that painstaking attention be paid to the successes and failures in our experience with its first year.

One of the major conclusions emerging from our discussions and the record of the first year is that the role of the legal profession in the war on poverty will be one of the key determinants of the ultimate success of the effort to "eliminate the paradox of poverty in the midst of plenty," in the words of the Act's preamble.

Repeatedly in my own examination of the provisions of the legislation and the programs which have begun in New York City and across the nation during the antipoverty program's first year, I have been struck by the great potential for lawyers to play major roles in the war on poverty. In this article I would like to set forth some of the areas where I believe lawyers can make a major con-

tribution to this national effort. I hope to suggest some of the unique attributes of the legal profession which offer special promise for the success of the anti-poverty programs.

In assessing the role of lawyer in the war on poverty, we must consider the historical context of the Economic Opportunity Act of 1964.

Power of Ideas

The background to President Johnson's legislative action in the United States, for the Act clearly grows out of the writings and critical perspectives of a group of visionary thinkers in the late 50's and early '60's.

Michael Harrington's *The Other America*, the growing body of practical literature of the civil rights movements, such as Charles Silberman's *The Crisis in Black and White* and Bayard Rustin's *From Politics to Protest*, and a number of sophisticated critiques of the existing welfare structure, combined to develop the consensus that eventually led to the passage of the Act.

It had become apparent that the gap between our power to eliminate between our power to eliminate poverty and our programs designed to that end had grown too great. John Kennedy said in 1962 that "Man holds in his mortal hands the power to abolish all forms of human poverty and all forms of human life." In 1964 our determination in Congress was that strengthening our capacity to achieve the former required a new and greater emphasis.

Two Great Objectives

The language of the Act is specific. It seeks the elimination of poverty in the United States, and establishes ten programs and an administrative structure to operate the war on poverty. But the two great objectives of the anti-poverty program are contained in its key section, Section 202, (a) describing "Community Action Programs."

The first goal is the coordination of all programs which attempt to eliminate poverty in a community, and is emphasized by the phrase "which mobilizes and utilizes resources, public or private * * * in an attack on poverty."

Role of the Poor

The second aim is insuring that residents of the areas affected by the program will play key roles in policy-making regarding their area, and is emphasized in the language of 202(a)(1): "(A) community action program is a program) which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups involved . . ."

I strongly believe that the skills of the legal profession can aid greatly in achieving both of these interdependent objectives.

In their excellent article in the *Yale Law Journal* of July 1964, Edgar and Jean Cahn point out the special advantages which a lawyer brings to any effort to improve the social and economic status of the poor. The lawyer, they note, is a respectable source of assistance and thus may receive many inquiries and complaints which ought to be referred to a social worker but end up on the lawyer's desk because he is viewed as a source of impartial assistance.

In addition, the Cahns stress the lawyer's role as an advocate as an asset which is denied other institutional representatives who see their task as one of mediating between social institutions and not one of continually seeking to defend the rights of the poor.

Case Orientation

The Cahns also point out that the lawyer is case oriented, enabling him to consider individuals, not generalized discontent, in a chaotic neighborhood. Finally, they stress the legal expertise of the lawyer as a special asset for the poor since so many of the problems of the poor have legal implications: eviction, welfare enforcement, police treatment, instalment-buying are but a few examples.

In the effort to coordinate all resources which can be mobilized in the war on poverty, the lawyer's knowledge of legislation is a special attribute, for the Act provides tools for a comprehensive effort by local communities to seek funds from every available program of federal assistance to local communities which can be secured from the federal government.

Under Section 611 of the Act, application for federal funds for programs such as school construction and hospital facilities in poor areas can receive preferential treatment if they are included as part of a total community action

program designed to eliminate poverty. Thus far, this "preferences section" has not been widely utilized. When it begins to play a greater role, however, the knowledge of federal legislation and application requirements which a lawyer can supply will play a significant role in broadening a community action program to include relevant federal programs.

Similarly, the effort to coordinate all programs which can be set to the task of eliminating poverty is a task for which the legal profession bears special responsibility and qualifications. Several critics of the present anti-poverty programs have discussed the feasibility of a master plan for social services which would be linked with the existing master plans for physical development of a city. Development and implementation of such a plan would be a challenge which the lawyer would be uniquely qualified to accept.

I feel that coordination can also be greatly assisted by the lawyer in an equally important fashion in the long and at times bitter negotiations among the various armies united in the war on poverty.

The city's departments and agencies coordinating organizations in City Hall, private welfare and community organizations, and neighborhood organizations formed and composed of the poor—these are social organizations which may seem at first to have little in common and whose interests often appear to be in conflict in the early stages of formation of a comprehensive community development program.

The lawyer's objectivity, his skills at arbitration, and his respect in the community can make unique contributions to progress in bringing greater harmony and coordination among the growing number of groups seeking similar ends in the social services area.

From my own observations, however, it is in the area of the second broad aim of the antipoverty programs—involvement of the poor—where the legal profession may be able to make its greatest contribution. The legislative mandate to broaden the planning, conduct, and administration of the anti-poverty programs to include the poor themselves must, I believe, be considered one of the most far-reaching legislative achievements of the twentieth century.

We have recognized for the first time in national legislation that it is not enough to provide the resources for change, but that those who participate in social change often determine the effectiveness of change itself. We have learned that the root cause of poverty is often a fundamental feeling of powerlessness, to use Kenneth Clark's phrase in his monumental report on Harlem youth.

And we have taken the first halting steps in the direction of enabling those whose destiny, after all, we are trying to shape, to have the power and the sense of efficacy to influence the future of themselves and their neighborhoods.

Inclusion of representatives of the poor on the planning boards of the neighborhood and city-wide antipoverty policy-making councils employment of poor persons as sub- and non-professional employees of the community action programs, and the continuing effort to organize and solicit the reactions of the poor themselves have become crucial strategies in our war on poverty.

I personally view this entire effort as an issue of due process. It seems clear that for too long the voice of those who are affected by federal, state, and municipal policy in the poor neighborhoods of our nation has been stifled and ignored. Those whose lives are dislocated by social change have been the last to be heard from and the least to be heard from and the least likely to influence the final decisions of major import for the future of our nation.

As a problem of due process, the effort to involve the poor in antipoverty programs is one of great significance for the legal profession. Tradition roles of defending those accused of criminal acts are but one of the several ways in which a lawyer can contribute to the effort to insure that the rights of the poor are given equal priority with those of the rest of our society.

Legal aid programs such as those now operating in Harlem, and on the Lower East Side in New York, as well as in Washington, D.C., and Oakland, California have been among the most effective of the many programs now becoming associated with neighborhood service centers financed by the antipoverty programs.

The Legal Aid Society and student legal aid groups have come to realize that the services of a lawyer are a precious resource and one that is rarely even considered by the poor to be available.

Beyond these legal aid programs, there are several other ways in which the lawyer can contribute. Legal education is an activity which must be broadened

in poor neighborhoods if those who are totally unaware of what a lawyer is and what he can do are to be helped.

Mobilization for Youth in New York's Lower East Side has distributed wallet-size cards in Spanish which describe the rights of one accused of crime and how to reach a lawyer when one is needed.

Handouts on one page have been distributed also, describing the rights of welfare recipients and persons buying goods on installment plans. These kinds of imaginative ways of communication offer a genuine challenge to the lawyer who is anxious that his services be relevant to more than a comfortable suburban clientele.

All of these activities of the lawyer in the antipoverty program, however are in areas more or less associated with the present role of the lawyer as a private advocate and counsel.

Indeed, a new concept of the legal profession may be needed. The greatest contributions which the lawyer can make may well be in areas where he can play a role only if he takes an interest as a citizen, and not primarily as a lawyer. I am thinking of activities such as representing a neighborhood association of the poor in negotiations with the city administration which is unwilling to live up to the spirit of the Economic Opportunity Act and has refused to share real policy-making power with the spokesman of the poor.

I am thinking of the role which lawyers have played in the civil rights movement—as individuals deeply committed to social justice and possessing special skills of major relevance to the fight against discrimination—but as citizens, not lawyers under contract or obligation to serve a community.

This kind of initiative seems to me the kind of demonstration of social concern on the part of the "outside" that residents of the ghetto and the bleak countryside of America can take inspiration from. It is this kind of service—out of conviction, rather than contract—which truly taps the talents of the legal profession in the neighborhoods where those talents are almost completely irrelevant today.

In my observations of antipoverty programs throughout New York City and my discussions with directors and staff members of local community action programs around the country, I have been most impressed by the caliber of individual which a successful antipoverty program demands.

As I talk with those who have run these programs, it seems to me that three strains are essential for the effective antipoverty warrior. These programs demand outstanding administrative skills, with acute awareness of the ins and outs of all public and private agencies in the city or area, plus the ability to persuade and bargain with agencies to expand or significantly modify their operations, using the prestige of the political leadership of the community, but remaining free of it at all times.

The personnel in antipoverty programs must also be politicians—politicians at least as effective as the best local politicians in this country, for the staff of such an effort must be able to sense the power and the potential power of all local political groups, as well as what each group will and will not tolerate as public policy.

Finally, the staff of an antipoverty program must be philosophers of a sort, able to keep sight of the sometimes incredible long run aim of eliminating poverty while dealing on a day-to-day basis with the thousand minor details that plague a program which seeks to do so much for so many.

I can think of no group of men and women who combine these skills and values more successfully than the legal profession of the United States. Lawyers possess unique skills and a perspective on social change involved in eliminating poverty from the American experience.

Abram Chayes, in his introduction to the Report to the National Conference on Law and Poverty in June of this year noted that the notion of due process for all citizens and the concept of law as "the dynamic of change" of our society are "impeccably conservative sentiments" which bear the potential for profound social change.

The task before our nation's lawyers is the practical realization of social change in a context of social justice.

Mr. SHRIVER. I said a hatchet job had been done by a few.

Mr. GODDELL. And professional throat slitters.

Mr. SHRIVER. I don't whether I said that. I might have been carried away, but I never would have applied that to you. You know that.

I have had good debates with you and never said anything like that, or even thought it.

Mr. GODDELL. I appreciate that kindly reference.

Mr. SHRIVER. Well, for example, I was upset last week when the Governor of New Mexico came to Washington and testified before another committee of the Congress and a newspaper the next day had a version of what he said. I called him up to find out what he actually had said, and like some of the rest of us he said, "Well, what I said and what appeared didn't bear much relationship." And he said, "As a matter of fact, I have already called a press conference in Albuquerque and I am going to straighten out the record and make it very clear what I believe." And he did that and was kind enough to send us a telegram about it. What I was referring to were the cases that came up last summer but that is ancient history, I am happy to say. At least I hope it will be.

Mr. GODDELL. If you are referring to the series of investigative reports we made last year, none of which were contradicted in their essential facts, then I think it is a very unfortunate reference. Glib terms like "throat slitting," "professional hatchet job," which don't advance the cause of good legislation at all. We were very careful with those memos to stick to the facts as we were able to establish them with our professional investigators. It seemed to us that those facts should be brought out.

Part of the problem with this is the so-called ballyhoo budget that you have at OEO. Is it true that you have \$2.4 million allocated to public information and public relations at OEO?

Mr. SHRIVER. I don't know that specifically.

Mr. GODDELL. You have 46 employees in your public information office and a \$2.4 million budget. This troubles a good many of us. According to a recent AP story, \$42 million is spent by the Federal executive agencies on self-pleadings, if you will, publicity or public relations. At OEO \$2.4 million for a ballyhoo budget really does bother us. Is that much money really necessary?

Mr. SHRIVER. I would be glad to compare our budget for publicity with any agency carrying on a comparable program under President Eisenhower.

Mr. GODDELL. You have all sorts of reservations.

Mr. SHRIVER. I will be happy to compare it to any program with the same amount of money.

Mr. GODDELL. You don't think \$2.4 million is too much?

Mr. SHRIVER. I don't know about the figure. All I know is that our Department of Public Information is working night and day trying to keep up with requests for information about the program. It is a small office for an agency of this size and compares very favorably with any agency that I know of, or any business concern of comparable magnitude. There are 47 people including all the secretaries that work in that division and they have an annual pay of \$975,000 for them all. Now the additional money probably is to pay for printing of reports that are required here by the Congress and by others. We have to have information on hand about the program. For example, when we launched Project Headstart we had to put out five little pamphlets, each one of which was essential for every community in the United

States to have. One was about nutrition, another about the kind of teaching equipment you needed, or materials in the headstart program. We had to pay for all of that out of our money.

Mr. GOODELL. I understand that informational pamphlets have to go out but it seems to me that \$2.4 million is an excessive amount of money for public relations for an agency that size.

Mr. SHRIVER. We would be delighted to have the amount of money that we spend for that purpose up here for a complete analysis by this committee where the men in charge of it will show you everything that is being spent, who gets paid, and then I think you can compare that with the expenditures for any agency of the U.S. Government, any private business, or the Red Cross, or any other agency.

Mr. GODDELL. May I have just 1 more minute, Mr. Chairman?

Chairman PERKINS. Without objection so ordered.

Mr. GODDELL. The reason for our concern about this is that many of us feel exaggerated statements of results accomplish nothing constructive at all. This concern has been shared by many conscientious observers including Haynes Johnson of the Washington Star who wrote articles on the poverty program. He said:

The program has suffered from too much and too effective salesmanship. As a consequence, it is, in part, a captive of its own promises.

I could give you a number of quotes from other people who basically favor the war on poverty. In a war on poverty it seems to me it furthers no one's cause to exaggerate and go through a ballyhoo routine which points up and exaggerates alleged good features and leaves out the bad features. As a matter of fact, I have before me an article in which this problem is discussed and an OEO information staff member is quoted.

Chairman PERKINS. Is there objection to the gentleman proceeding another 2 minutes?

Mr. GOODELL. I only need 10 seconds, Mr. Chairman, unless he wants to answer. An OEO information staffer says that: "With Sarge when something goes wrong with the program you step up public relations." Unfortunately there are a good many times when legitimate, constructive criticism has been made and each time it does seem that the thin-skinned reaction is almost a flashback. OEO denies everything and then comes through with great exaggerated claims for what has been done. There have been a number of cases where the poor themselves have risen up and objected to this kind of high promise which far exceeds performance.

Mr. SHRIVER. I will just respond by saying that first of all we welcome the criticism whenever it is constructive. Second, we have not exaggerated our claims for success but, in fact, have minimized it. With Project Headstart we have only reached 32 percent of the kids eligible. In other programs we are very, very low in terms of reaching the people who should be reached by the program, so that I would like to say for the record that we are interested in constructive criticism. We are not exaggerating what we have done. We do try to dramatize the needs and will continue to, because the needs of the poor are always overlooked and their needs need to be dramatized. That is where we are concentrating our effort.

Mr. GOODELL. We have heard these claims about 4 million of the poor touched or 8 million touched or affected by this program, technically

I guess you could say that is not an exaggeration. However, when you take an impressive figure like 4 million or 8 million people who have been touched and we don't know what the dickens "touched" means—it certainly doesn't mean meaningful impact—then your claim exaggerates the real effects of the war on poverty. It seems to us that this doesn't serve a particularly good cause.

Mr. SHRIVER. Those figures are compiled by the research and planning department. Sarge is not putting them out. They come from there.

Mr. GOODELL. It is your agency.

Mr. SHRIVER. They are the best figures it is possible for us to obtain. Everybody likes to know what the figures are, what are you doing? These are the best figures we could come up with. Suppose we had touched 6 million of 5 million or 7 million people. That still leaves five times as many people untouched and that is what we are talking about all the time. If there are 32 million people in the United States that are poor we are not touching even one out of four with 8 million.

Mr. GOODELL. Reached, affected, served, touched, all of these words are misleading. I quote another outstanding authority who has made many of these studies and he said:

Unsupported claims of achievements and exaggerated official promises for the Federal war on poverty regrettably have serious repercussions.

Mr. LEVINE. On that 7 million or 9 million people, it should be clear that neither my Department nor Mr. Shriver has ever claimed anything for that figure aside from what you have said. There are people who have passed through that we don't know how we have affected.

Mr. GOODELL. What does touched mean?

Mr. LEVINE. It means perhaps they have been in a neighborhood center. In fact, Mr. Shriver never meant anything but that.

Mr. GOODELL. Why take this great big figure and say that they have been touched by the war on poverty? It sounds like you have really made a major accomplishment.

Mr. LEVINE. We haven't tried to make it sound like that.

Chairman PERKINS. Mr. Pucinski.

Mr. PUCINSKI. Mr. Shriver, I saw a report in one of the newspapers the other day that had a survey on the amount of time that youngsters, who have gone through the community action program and receive training stay on the job. It indicated that they stay about 90 days on the average before they move to some other job. These are youngsters who are properly trained, motivated or anything else.

I was wondering if you have an explanation for the kind of mobility that this would reflect among the people in your programs.

Mr. SHRIVER. I don't know the precise program to which you refer.

Mr. PUCINSKI. Job Corps program, young people who have been aided by the community action programs. I was impressed by the rather interesting figure that they only stay in one job for 90 days or less.

Mr. SHRIVER. I think I would be better able to respond to the question if I had a chance to go into it. We would be glad to put it in the record. These youngsters particularly in this age group are extremely volatile and mobile whether they are poor or rich kids. At

the age of 16 and 18 years old they move around a great deal. I don't remember any 90-day figure. I don't say it is wrong but I don't happen to remember it.

If a kid got a job for 90 days he may have gone on to a better job. He may have turned into a criminal but the mere fact that he changed after 90 days or after 6 months would not bother me. It was what he would be doing later that would be an important question. I would be glad to get a response for the record if we can see what clipping you are referring to.

Mr. PUCINSKI. In the Harris study I see a lot of figures, but would you call my attention to the figures that show the degree of success of the Job Corps program. Did I miss that? Perhaps I missed that testimony earlier.

Mr. SHRIVER. You must have missed the ballyhoo budget because you haven't got the figures of success. Congressman, we submitted on the Job Corps last week two large volumes which attempted to put out what we thought the current conditions were about the Job Corps and I would be glad to get you a response on that for the record. I don't happen to know which one you want.

Mr. PUCINSKI. This is what you are talking about. I am inundated by statistics and facts by the OEO.

Mr. SHRIVER. The figure that was presented here I can't recall with precise accuracy, but if I remember correctly it was 70 percent.

Mr. LEVINE. One thing is that 70 percent of the people who have been in Job Corps have either gotten jobs, gone back to school or gone into the military. Is that the point?

Mr. PUCINSKI. I don't know. I am asking.

Mr. LEVINE. That is one indication of success.

Mr. PUCINSKI. I am asking for the measure of success in the program.

Mr. LEVINE. That is an indication of success. It is not completely from the Harris survey but it is a figure put together from the Harris and the Job Corps internal data system.

Mr. PUCINSKI. If I read your figures correctly on the Job Corps, young people who attended Job Corps, 15 percent had trouble with the police before you took them into the Job Corps. Am I reading this correctly?

Mr. LEVINE. I don't have the figure in front of me.

Mr. PUCINSKI. It is page 109 in volume 3.

Mr. SHRIVER. I wonder, Mr. Chairman, whether—

Chairman PERKINS. Would you hold that question until the Job Corps people get back here tomorrow, and it will be appreciated.

Mr. PUCINSKI. You want to save all this for tomorrow?

Chairman PERKINS. Yes.

Mr. PUCINSKI. Let's do that. Looking at this chart, I am just wondering whether you people haven't become too obsessed with this whole subject. Looking at your most successful programs in the poverty program while I know that there is greater participation of the poor, I don't think there is necessarily greater planning by the poor.

For instance, in Headstart which everybody holds out as the most successful program in the whole arsenal of the War on Poverty, and

I assume we can find this agreement on both sides of the aisle, as far as I know you don't require that you have 33 percent of the poor sitting in on the formulation of those programs. Do you?

Mr. SHRIVER. Well, we do, yes.

Mr. PUCINSKI. Do they sit in on the formulation of curricula and such things?

Mr. SHRIVER. No. That isn't what we talk about when we talk about involvement of the poor. I have tried on a number of occasions here to indicate that we think our program should involve the poor in a great many different ways. In Headstart we have a huge number of poor people serving on advisory committees to Headstart. We a large number of poor people employed not just doing menial work in Headstart but participating in the classroom so that involvement of the poor is different.

With respect to the formulation of what ought to go into Headstart, yes, we use the poor because the poor was one of the groups most vocal about participation. We had an idea that that was good but they are the ones who have been pushing the strongest so that their contribution is excellent.

Mr. PUCINSKI. I commend you for the fact that you try to get poor people involved in programs. For instance, your insistence on bringing people from the communities into the Headstart program is commendable. The point I raise here is whether or not your agency hasn't become obsessed with the idea. The language that you have in the bill before us strongly recommends or suggests that you are even thinking of having these people actually elected to these positions, whatever democratic process means, and I take it to mean only one thing, elections. The question is whether or not the whole program across the country has not been slowed down in many areas simply because of the insistence that these ratios be maintained in the basic planning. I would think that wherever the poor can make a substantial contribution they ought to be in on the planning and ought to be invited and ought to be part of the program. But I don't think the program should be held up until that criterion is met because I must tell you that I can't find any place in the bill any language that justifies that guideline.

The only language that I can find in the bill is "maximum feasible participation of residents of the area." It does not say "poor." Your agency in the last 3 years has taken that language to mean all sorts of things on which there isn't a word of testimony in all of the hearings.

Mr. GOODELL. Do you want a defense, Mr. Shriver? I would be glad to volunteer.

Mr. SHRIVER. Actually, the law says that one-third of the people of the local community action agency must be residents of the area and members of the groups to be served.

Now, in applying from our point of view those two phrases it means they had to be persons who were being served by our programs and by definition are poor so that the slight-of-hand or the phraseology came in of the poor. Technically, we say all the time that it should be residents of the area; members of the groups to be served. That is all that we have done and the law says that.

Mr. PUCINSKI. Mr. Chairman, may I proceed for a minute?

Chairman PERKINS. Yes.

Mr. PUCINSKI. I have asked all the county administrators of the poverty program in my State to give me their views and their suggestions on how we can improve this program; how they are getting along with it. I might tell you I am very happy to know that one letter from Kane County says:

It has also been suggested that in effect we abolish the Office of Economic Opportunity and transfer the programs to other departments. I would like to go on record as being totally against such a procedure. The Office of Economic Opportunity, with its short-lived existence to date, has proven beyond a doubt the necessity of this executive office and past experience has shown us the Department of Labor, Office of Education and others do not function effectively for the poor. This is understandable since their basic function is not to aid the "disenfranchized people" of this country but to the broader functions assigned to them.

A case in point for this argument is in the field of education. I am, by profession, a member of the education field and am very sorry to say that educators in general seem to regard the plight of the disadvantaged as a secondary problem.

My feeling is that the problems of poverty are so basic that we need an executive department to convey the needs of the poor to the President, Legislator, and to all of the people.

And to this I say amen. I agree with this person. I think it would be a tragic mistake to try to do away with your Office. I think you have done a good job. The only question I raise here, Mr. Shriver, is that I wonder whether you haven't dissipated a great deal of your energy and effectiveness by insisting very hard on that particular criteria and dissipating a great deal of the cooperation that you could get from local groups in moving forward with the program. That is the question I raise.

Mr. SHRIVER. Well, first of all, let me say that I don't think we have wasted a lot of time and energy. I think in the first year it was a novelty and did take a lot of constructive effort to get it going but the idea has caught hold, I believe, and the early labor pains, you might say, about that are past.

If I might, I just happen to have with me a memorandum which I issued last September on the very subject of involvement of the poor in all of the OEO programs. If the chairman would permit me I would like very much to get this in the record because even today almost a year later it does, I believe, properly express our opinion about this.

Chairman PERKINS. It will be inserted in the record.

Mr. PUCINSKI. Would you like to read it?

Chairman PERKINS. It is too long to read it.

(The document follows:)

SEPTEMBER 9, 1966.

MEMORANDUM FROM THE DIRECTOR

Subject: Involvement of the Poor in all OEO Programs.

Several recent developments prompt me to reaffirm for all in OEO and in OEO-related programs the necessity of including the poor in all our activities, including "national emphasis programs" like Head Start, Upward Bound, Legal Services, Health Centers, Foster Grandparents, etc.

Notable among these developments is the recent speech by the President, ordering an expansion of legal programs and neighborhood multi-purpose centers.

The President said his goal was "in every ghetto of America a neighborhood center to service the people who live in that area" and he asked us "to increase the number of neighborhood legal centers to make a major effort to help every tenant secure his rights to safe and sanitary housing if he lives in the United States of America."

Another important development is to be seen in the current Congressional consideration of our legislation. The Senate subcommittee handling our program has adopted an amendment authorizing OEO to expend \$100 million for health centers like those already established in Denver, Boston, Chicago, Los Angeles, Mississippi and elsewhere. The subcommittee also indicated that Head Start might receive \$200 million more than has been requested. A similar or larger amount may also be added for employment programs. At the same time, there is a determination by some members of Congress seriously to curtail the level of "unearmarked" community action funds for local discretion.

As these national emphasis programs grow in size and diversity, they must not lose their inherent purposes as *Community Action* programs. Our insistence on participation of "the residents of the areas" has not been limited to, and will not be limited to, membership on CAP governing boards. That particular "bone of contention" is for the most part now behind us. I tried to explain the need for this greater concept of participation during my recent appearance at the Ribicoff hearings. I quoted the man from Watts who told me:

"Sargent Shriver, you listen and listen good. I'll tell you exactly how it is. We want to run the jobs. We want to run the programs. It is our lives. It is our future."

We have no intention, of course, of letting any one group, even the poor themselves, "run the jobs" or "run the programs." That's not *Community* action. But it is crucial that all of us understand the intensity of poor people's determination to participate actively in programs designed specifically to help them help themselves.

Our refusal to be bound by strict formulas or uniform applications of the principle of "maximum feasible participation" must not be interpreted as softness on the principle itself. While we accept flexibility in the implementation of such participation, we are inflexible in our determination to achieve it as fully and as rapidly as possible.

Involvement and active participation by the poor do not, it must be understood, rule out important roles for the other parts of the community. The very concept of community action means that the *whole* community is involved—public officials, private agencies, professional societies, industry, labor, church, and others. The poverty program will succeed only as all of these sectors of community life make their appropriate contributions.

The new element in community affairs—involvement of the poor themselves—has not always been understood, and is still being resisted. This is the reason for this memorandum. I will not consider any program a true community action program which does not have maximum feasible participation by *all* segments of the community—and that *must* include the intended beneficiaries of that program.

The Office of Economic Opportunity funds, delegates, administers or coordinates a vast array of programs. Every one of those programs can be perverted into a form of dole—paternalistic, unilateral, and degrading. It has become clearer than ever in the past months that the poverty program must stake its existence on that same ideal upon which our nation gambled from the outset: Democracy.

Community action is a democratic antidote to the dole—an antidote which offers an opportunity for a voice for each and a role for all. From the outset, the poverty program has been embroiled in countless endeavors to give life and meaning to the words "maximum feasible participation." Such was our mandate, written and enacted by Congress, signed by the President of the United States, hallowed by historical precedent, and now reconfirmed by pragmatic experience.

Now we enter into a new phase—one which can leave the form but bleed the substance from those achievements.

First, national priority programs—Head Start, Upward Bound, Legal Services—tend to focus attention on the delivery of a certain kind of service, and the contribution it can make. Those programs are not exempt from the statutory mandate of maximum feasible participation. Those programs must not become

simply vehicles for the delivery of pre-packaged, pre-designed, and unilaterally imposed services—no matter how valuable those services may be in and of themselves.

Second, two factors—our anticipated rate of expansion and the earmarking of funds by Congress for specific purposes—can operate to circumscribe and reduce the opportunities for choice, for local determination and local decision. Past decisions may bind the future. And new funds may come designated for use in particular ways. This will reduce the room for democratic decision making among different program alternatives. But it must not be permitted to lessen democratic participation in determining and redetermining the content of any particular program. The diminution of one kind of choice must be at least equalled by compensatory steps to insure that the quantity and quality of meaningful participation does not diminish simply because there are different issues for decision.

The Houston Legal Service Program, the Watts medical center, New York's Institute for Developmental Studies, and our newly expanded Opportunities Industrialization Center job program provide illustrations of how democracy can operate within the context of a legal service program, a medical service program, a child development Head Start program, and a job training program.

In Houston, each neighborhood law office is subject to the control of a neighborhood council composed entirely of representatives of the poor. That control is not nominal. It extends even to the right to fire the lawyer for unsatisfactory or unresponsive performance (a right, incidentally, which every paying client has with his private attorney.) Furthermore, the overall direction of the program will be determined centrally by a committee composed of neighborhood council representatives and neighborhood lawyers (subject to neighborhood control) who will make the decisions on priorities, overall program direction, and allocation of resources among competing needs. Finally, there is special provision for an attorney whose sole job is to review the complaints of clients and prospective clients against the legal services program for refusing to take their case. His decision is final, and he cannot be penalized for siding with the client. That partnership between the poor and Justice is what the rule of law must come to mean in a democracy.

In the heart of Watts, a neighborhood health center will open shortly—built in large part of the people of Watts, controlled significantly by the people of Watts, and largely staffed by the people of Watts. We are paying the additional cost of a new form of partnership—a system of "Tandem Training" where the technicians and professionals will be paired with local residents to equip them with the skills necessary to provide care and to qualify for the professional and semi-professional jobs in this clinic. The people of Watts—and increasingly, the poor across this nation—want no structure or service built and manned and controlled entirely by outsiders.

In New York City, the Institute of Developmental Studies at New York University has created positions—within the public school system—for community aides who are parents of impoverished children in Head Start and Kindergarten. They know at first hand the difficulties, the fears, and the hesitation of other parents. They act not just as intermediaries between the school and the community—but as advocates for the child and the parent—to insure that parents with a question or a concern or a grievance are not intimidated by a cold reception, long waits, and bureaucratic treatment. As insiders, knowing the system from within and being instantly on hand, they can see to it that the paper work concerns, the institutional concerns and the professional concerns of the principal, and administration, and the teachers do not overwhelm demands which may seem trivial or bothersome but which to a child or a parent are likely to be of all consuming and urgent importance.

OEO, along with the Department of Labor and the Department of Health, Education, and Welfare, has just announced an expansion to eight other cities of the successful Philadelphia job training program. Comprehensive manpower centers will be patterned after that city's Opportunities Industrialization Center (OIC) developed by Reverend Leon Sullivan.

Operating with the motto "We Help Ourselves," the OIC program seeks to give men and women previously considered unemployable, frequently illiterate, too often dismissed as "unmotivated," an opportunity for total involvement and commitment to training and self-advancement. "Self-help" is furthered by example and by success. Graduates of the program are given opportunities both for further personal advance and for contributions to the program itself. The en-

rollees are assured a significant role in the Board structure itself, in the actual operation, and in the relations with the rest of the community.

By building within all these programs paid positions for poor persons to voice the concerns of the recipient—the pupil, the patient, the client—we are in effect enfranchising the poor, providing a role and a voice in affairs which shape their lives directly—but which never appear on any ballot at election time.

These illustrations are representative of a total endeavor to make democracy work more effectively than ever.

The word must go out—and it must go out unmistakably—that token participation is unacceptable. In the process of tightening up procedures, of improving reporting systems, or tidying up administrative details, we must not lose sight of our overriding mission.

If our program is to maintain its catalytic effect, if it is to continue to engender greater responsiveness to the needs of the poor throughout governmental and private agencies, then we must not permit our programs to suffer from hardening of the arteries.

We cannot promise the poor wealth and opportunity today, tomorrow, or even the next day. But we can continue to develop new and promising ways for involving the poor in *all* our programs. The four projects described above are merely illustrative of four *new* ways developed or promoted by OEO within the last six months.

Let us continue to act in accordance with our mandate by devising new and effective ways for democracy to come alive in all our programs. Only thus can we maintain faith with our charter.

SARGENT SHRIVER, *Director.*

Mr. SHRIVER. It expresses why we think it is important and why it has been worth the effort to get the poor involved.

Mr. PUCINSKI. I would say though, that the most important function, in my judgment, of the OEO—and you have done a good job in many aspects—is to make sure that at the end of the line there is something waiting for this person, that you can help him. The only shortcoming of the OEO program in my judgment is that in too many instances at the end of the line of whatever program we had when this individual was exposed to, when it is all over, this is not true.

Many of your people have been engaged in trying to get this maximum involvement of the poor in the planning rather than helping the poor themselves. That is my only objection to the program.

Chairman PERKINS. Mr. Scherle.

Mr. SHRIVER. Mr. Chairman, could I make a comment relative to this? It was because of the fact that some people felt that there wasn't enough at the end of the line, as I think Congressman Pucinski just phrased it, that we were hoping that by going through these programs, program by program, the members of the committee could get a better idea, and we also could get the benefit of your comments as to what is at the end of the line. A health center is at the end of the line in Watts. It wasn't there a year ago. These are the things that are at the end of the line. I was hoping, Mr. Chairman, if you would permit us, to proceed with those integral parts of the program which constitute what is at the end of the line.

Mr. SCHERLE. Mr. Chairman, we are all going to have to vote so that I will just take time for one question for Dr. English.

Doctor, is it still the policy of the OEO to use Gestapo methods in bludgeoning members of the medical profession into participating in your program in your neighborhood health centers, as apparently has taken place in the legal services?

Dr. ENGLISH. Sir, I am not aware of that kind of tactic in any of our programs. I just might say this: that the president of the American

Medical Association, I think, is one of the reasons why doctors are joining in our programs and medical societies, too. He is talking about the health of the poor all around the country. His encouragement is what is bringing it.

Mr. SCHERLE. My question is, Are you doing it or are you not, yes or no?

Dr. ENGLISH. No, sir.

Mr. SCHERLE. Not any more?

Dr. ENGLISH. Ever, e-v-e-r.

Chairman PERKINS. Mr. Burton.

Mr. BURTON. Sarge, I would like to speak for this one member of the committee. I think that you and your people have done a remarkable job with inadequate fiscal resources.

You are to be highly commended for your creativity and daring. If you are only given a chance to continue I am sure that this program will not only work well in the years ahead, but you may actually get around to the position where we will win this war on poverty. I think you have done an outstanding job. I think your staff has and I intend to give this legislation whatever support I can. I don't have any questions.

Mr. SHRIVER. Thank you.

Chairman PERKINS. The committee will recess.

Mr. GIBBONS. Mr. Chairman, before we recess today, a little earlier someone mentioned that Mayor Lindsay had appeared on "Meet the Press" yesterday and had talked about this program. I have his statement here. It is a very short statement. I would like to have unanimous consent to enter it into the record at this point.

Mr. QUIE. Your statement or his statement?

Mr. GIBBONS. His statement.

Chairman PERKINS. Without objection, so ordered.

(The statement follows:)

[Excerpt from "Meet the Press," Sunday, June 18, 1967]

Question by David Broder

The House Republicans are trying to completely revamp the poverty program and in the process abolish Sargent Shriver's poverty agency. Do you think it's a good idea?

Answer by Mayor Lindsay

We have had good luck and success with Mr. Shriver's OEO office and we find that in New York, at least, that it is wise to have a single office with which to deal in this enormously complicated program. It is a difficult program to administer at both ends of the stick, both in a locality and in Washington, D.C. To dismember it and to put its various functions scattered about in five or six Federal agencies, I think would be a mistake. I fear that it would compound the problem of administration that not only exists in Washington but in all of the cities today.

Mr. QUIE. Mr. Chairman.

If I may say one thing—I can't let go by the comments—about the involvement of the poor. As I have observed the work of the Office of Economic Opportunity and this program, it seems to me that the one new venture and the key to eventual elimination of the poor is involvement of the poor themselves. This is the way they are going to gain the dignity and respect and insight into themselves which is so necessary for the final solution.

We have made tremendous progress in the existing program with the existing agency. My only hope is that the involvement of the poor will spread and affect the other agencies of the Government just as we have done in the Office of Economic Opportunity. To me there is great hope that there will be some political pressure in communities when the poor gain their political voice. This is for their future just as it was for every foreign group who came to this country and finally gained a political voice.

Mr. GIBBONS. And may I add this amendment was sponsored by Mr. Goodell and Mr. Quie and I hope they will come forward with many other constructive steps like this. I certainly join in that.

Mr. PUCINSKI. I would be much more persuaded by what the gentleman from Minnesota said if he and his party would put their votes where their voices are. They come in with all these amendments, but when the vote comes we have to squeeze it through by a small majority because we have to squeeze it through without their votes.

Mr. QUIE. As soon as you adopt the opportunity crusade we will be glad to give you our votes.

Chairman PERKINS. Let me say in response to the statement made by my friend from Illinois, Mr. Pucinski, that I have listened with considerable interest in the last 2 days to questioning of the minority and have been impressed by some of the questions such as those from Mr. Dellenback. I was impressed with the questions of Mr. Quie on health centers, Mr. Pucinski, and it seems that we are going at least to get some bipartisan support.

Mr. PUCINSKI. You wouldn't want to make a bet, would you?

Chairman PERKINS. I am sure that Sargent Shriver is going to do his best to see that we get more health centers in rural areas if the funds will permit it. Can we look forward in that direction, Mr. Sargent Shriver, if the programs are properly funded for rural areas, more health centers?

Mr. SHRIVER. Neighborhood health centers.

Chairman PERKINS. Yes.

Mr. SHRIVER. Joe, would you like to respond to that?

Dr. ENGLISH. Yes, sir. The need is so great there, Mr. Chairman, and the difficulties sometimes are greater, too, so that next year we hope to do even more in those areas of the country.

Chairman PERKINS. Those are your plans to make a greater concentrated effort into the rural areas. I think that ought to bring us bipartisan support.

Mr. QUIE. Mr. Chairman.

May I ask one question about the chart over here. Is the family planning money additional to what we find in the neighborhood health center?

Mr. BERRY. Yes.

Mr. SHRIVER. That is the separate money from our bookkeeping approach but you get the family planning on both places as a result.

Mrs. GREEN. Mr. Chairman.

Chairman PERKINS. Mrs. Green.

Mrs. GREEN. This is off the community health centers subject, but does the Office of Economic Opportunity give any funds of any kind for any purposes to various foundations that channel them back to specific programs?

Mr. SHRIVER. Do we give money for any purpose to any foundations? There are some organizations known as foundations which I can recall we have funded, but I don't think they are foundations in the traditional sense of being grantmaking operations themselves.

Mrs. GREEN. Such as? Please go ahead, such as?

Mr. SHRIVER. Ted reminds me that we gave one to the American Bar Association Foundation which has the purpose of legal education.

Mr. SUGARMAN. It is a research program to determine the dimensions of the needs for legal services in the country and evaluate.

Mrs. GREEN. You did not give money to a foundation which then channels money back, for example, to Headstart?

Mr. BERRY. No grants to foundations that in turn fund programs, no.

Mrs. GREEN. How do you finance your Headstart teachers in New York City, for example? How do you pay their salaries?

Mr. SHRIVER. How do we pay the salaries of Headstart teachers in New York? This is Jule Sugarman, the Director of Headstart.

Mr. SUGARMAN. The grant to New York City has been to the New York City Community Action Agency which in turn subcontracts to various delegate agencies. Some of these are settlement houses, some of them are community centers, and there is also a major contract with the Board of Education in New York City. Deutsch as part of New York University. That is a research demonstration and training contract. The contract there is with New York University.

Mrs. GREEN. Could I ask you to check to see if foundations are given money and to what extent, and may I have a list of those, and do you have a list of the various groups that I asked for the other day and the amount of money that had been given to them in contracts?

Mr. SHRIVER. That has been submitted to the committee staff for the record.

Mrs. GREEN. When we ask for this, Mr. Chairman, could we get them in our offices, because otherwise the staff doesn't share them with us.

Mr. BERRY. This is in response to your request, Mrs. Green, of the organizations that have received money for various programs.

Mr. SHRIVER. One does come to my mind. The Job Corps Center in Texas, Camp Gary, is run by something called the Texas Educational Foundation. That is what I meant when I said we have given grants to organizations that have the word "foundation" in the title. On the other hand, that foundation is not a foundation like, say, the Ford Foundation, which is busy distributing assets or money. That was a special thing set up by the Governor of Texas. We funded that but it is not a foundation in the normal sense of the word. There are probably other cases like that.

Chairman PERKINS. The committee will recess for about 12 or 13 minutes to go over and answer the call and come back and run to about 5:30.

(Brief recess.)

Chairman PERKINS. The committee will come to order.

Mr. BERRY. Mr. Chairman, could I in part respond to Congresswoman Green's inquiry about foundations?

Chairman PERKINS. Yes, sir.

Mr. BERRY. I don't know exactly if she has any example in mind or any source of information we are not privy to, but there are two

instances in which we have in the past made grants. There was the Community Service Foundation in Florida in 1965 to which we made a grant for the conduct of a migrant program. They actually operated the program. This was later transferred into another community service action agency for the conduct of that program. Then we have had a relationship with the North Carolina fund which undertook to assist communities in North Carolina in establishing community action agencies to which we made grants once they were brought in existence.

Those are the only instances that I am aware of. We could screen it further, but I am not aware of any grants to foundations which in turn used our funds to fund other agencies. That was the import of your question?

Mrs. GREEN. Yes; it was. I will check the reports I have on that.

Mr. BERRY. We will be glad to respond to it with information.

Mr. SHRIVER. May I ask one question?

Bert Harding, who is my deputy, used to be with the Internal Revenue Service, and he pointed out that for a foundation to be a foundation under the law it has to respond to a particular section under the Internal Revenue Code. There are many foundations which use the term "foundation," but they are not foundations in that sense, and there are some which are, in fact, qualified to do charitable work in the sense that most people use the word "foundation" but they do not use that word in their title.

Would you please point out to us whether it is the so-called charitable foundation with the tax-free exemption that you are interested in?

Mrs. GREEN. I was interested to know if you used any foundations to channel back funds.

Mr. SHRIVER. When you say "broadest terms," you mean one that is a foundation?

Mrs. GREEN. It could be either way.

Chairman PERKINS. Mr. Scherle.

Mr. SCHERLE. The question that I asked previously was not as facetious as it might have appeared to be. With the bells, of course, I didn't have time to finish my question. To complete that question, I meant to ask whether, if local involvement had not been forthcoming on a voluntary basis, the OEO would bring in Government employees such as doctors or people in the field of medicine?

Dr. ENGLISH. No, sir. I am not aware of any such threat.

Mr. SCHERLE. At all?

Dr. ENGLISH. No, sir.

Mr. SCHERLE. I will withhold my remaining time, Mr. Chairman, for later on.

Chairman PERKINS. Mr. Gardner.

Mr. GARDNER. Thank you, Mr. Chairman. I don't have any questions. I would only like to compliment Dr. English on his very fine presentation. After listening to several days of testimony from several of your colleagues, I think it is quite refreshing to hear straight answers. It is also quite exciting to hear what you are doing in the field of neighborhood health centers. I commend you and hope your success will continue. I don't have any questions.

Dr. ENGLISH. Thank you, sir.

Chairman PERKINS. Mr. Gibbons, do you have any further questions?

Mr. GIBBONS. No.

Chairman PERKINS. Mr. Scherle.

Mr. SCHERLE. No more on health centers.

Chairman PERKINS. Mrs. Green?

Mrs. GREEN. I have no questions.

Chairman PERKINS. Mr. Pucinski?

Mr. PUCINSKI. Mr. Chairman, I think we could all agree that the health center is one of those parts of the poverty program that very seldom gets any publicity and yet they are doing a tremendous job in a quiet way to bring respect and dignity and help to people who need it most.

I am delighted that we have had this opportunity to hear the testimony on this program because it does start giving us a picture of the total fabric of the war on poverty. It is so difficult at times for us to show people the totality of this effort and how the whole thing fits together in trying to help these people and give them the kind of help they need.

I think the testimony here was most impressive. I want to congratulate the staff for the job they are doing.

Chairman PERKINS. Mrs. Green.

Mrs. GREEN. Mr. Chairman, I have just one other question.

How many programs similar to the Portland one are you funding in the United States?

Dr. ENGLISH. So far we have funded 21, ma'am, in this fiscal year.

We hope by the end of the fiscal year to have a total of between 30 and 32.

Mrs. GREEN. These would be in cities where you would pick out approximately 1,000 families?

Dr. ENGLISH. No.

Mr. SHRIVER. That is the only one like that.

Dr. ENGLISH. That is correct.

Mr. BERRY. Portland-Kaiser is the only one of that kind.

Dr. ENGLISH. What would be more typical would be the urban areas.

Mrs. GREEN. Portland is the only one?

Dr. FRANKEL. There are two other group practices funded, but in each case they have selected target areas rather than a number of families to serve as the service basis of the program.

Mrs. GREEN. Is it still on the same basis of maximum care for everyone in the family in the target area, and the only difference would be one would be a target area and the other a thousand families selected.

Dr. FRANKEL. That is correct. The others are King City, Monterey, Calif., and Bellaire, Ohio.

Mrs. GREEN. Thank you.

Dr. FRANKEL. Thank you.

Chairman PERKINS. Mr. Scherle?

Mr. SCHERLE. Mr. Chairman, I do have one more question for Dr. English. Is it true that 47 percent of Job Corps enrollees have failed the selective service induction exams?

Dr. ENGLISH. Yes.

Mr. SCHERLE. Further, I understand that only 10 percent or so of the graduates enter military service.

Mr. SHRIVER. I think it is 12, but I don't think it is only. I think it is very good. That is very high because, you see, a lot of our kids are too young to get in. They are 16, 17, and 18. They are not yet able to get in, and of course who want to get in, a large proportion of them do qualify after being in the Job Corps, so that the 12 percent is a high rather than a low figure.

Mr. SCHERLE. This was my point then. The reason for more of the graduates not serving in the military is because of their age, not because of their incapability or IQ?

Mr. SHRIVER. If you would let me give you a tentative answer, I think that is correct, but I will check it. I don't think we are graduating any kids from the Job Corps who can't get into the Army or Navy for mental or physical reasons. I don't think so, but I will check that for the record.

(The information to be supplied follows:)

The percentages of Job Corps completers who do not qualify for military service are 27.8%, category 1X, and 13.9%, category 4F.

Chairman PERKINS. Mr. Dellenback.

Mr. DELLENBACK. May I ask three brief questions?

How many by this definition of poor are there in the United States who qualify as poor?

Dr. ENGLISH. Yes, sir. If you think of clusters of poor people in concentrated areas of poverty we would estimate about 16 million.

Mr. DELLENBACK. How many are now being served by these centers?

Dr. ENGLISH. We would hope to bring these services within the range of about a half million people.

Mr. DELLENBACK. On the basis of the present authorization?

Dr. ENGLISH. Yes, sir.

Mr. DELLENBACK. About half a million people?

Dr. ENGLISH. Yes, sir.

Mr. DELLENBACK. Have you projected how many dollars it would take to extend these services to all of the poor in the United States?

Mr. BERRY. We have a projection figure.

Mr. DELLENBACK. It may already be in the record. If so, I apologize.

Mr. SHRIVER. This is Dr. Levine. That is his business in our place.

Mr. LEVINE. The estimate, which is a rough estimate, is on the order of \$500 million a year, assuming implementation of title XIX of the Social Security Act, and of similar programs which support health services for the poor.

Mr. DELLENBACK. Thank you, Mr. Chairman.

Chairman PERKINS. Mr. Gardner.

Mr. GARDNER. I would like a clarification, Mr. Chairman. Will Mr. Shriver and his associates be back to continue our discussion on community action programs tomorrow?

Chairman PERKINS. Yes.

Mr. GARDNER. I will hold my question until then.

Chairman PERKINS. Mr. Steiger.

Mr. STEIGER. If I may ask Mr. Shriver to get back to the question that I raised with you earlier on the distribution of urban versus rural community action funds, is it correct that under the proposed legisla-

tion which we have under consideration you would be able to fund only 50 additional rural CAP programs? Is the 50 a correct figure?

Mr. SHRIVER. Yes, Congressman, that is a correct figure, but what we would be able to do in addition to 50 new ones is that we would be able to take about 130, I think it is, existing rural community action agencies which have only had a program development grant, take them from that stage to the point where they are actually executing programs.

Do I make myself clear?

Mr. STEIGER. Yes, you do. The reason I asked the question is because the Governor of Wisconsin, Governor Knowles, has written to the members of the Wisconsin delegation. Let me read what he says, and then I wish you would comment on this.

As you will note from the map, we have at least nine community action agencies which have filed application for the program development grants which we cannot officially organize.

Where do those stand in relation to what you have requested for community action in the fiscal year 1968 budget?

Mr. SHRIVER. Well, our estimate is that we would try to open up 50 community action agencies like those, those 50 would cover about 300 counties because they are multicounty. To come right back to Governor Knowles' letter, it would mean that nine of the 50 would have to be in Wisconsin in order for all nine of those to be funded under our present budgetary limitation.

Mr. STEIGER. Now if I may ask, because the gentleman from Minnesota touched on this, if it is correct that 45 or 46 percent of the poor in America are in rural areas, the figures which you gave in testimony last week indicated that you were programing for 36 percent of the community action funds going to rural areas.

Mr. BERRY. That is correct, from 32 to 36.

Mr. SHRIVER. Thirty-two now and it would be 36 next year, so that the imbalance still exists.

Mr. BERRY. That is right.

Mr. STEIGER. This does disturb me quite frankly.

Mr. SHRIVER. It disturbs us all.

Mr. GIBBONS. Will the gentleman yield right there?

Mr. STEIGER. Yes, I yield.

Mr. GIBBONS. It is very hard to make work in the rural area so that we have other programs for the rural poor like the loan programs, and the migrant education programs, and things of that sort. The problem is that the community action concept works better where you have people clustered together and the rural poor are so spread out that it is hard to make these programs work.

If the gentleman has a suggestion as to how we can get more programs to these people. I know we would certainly like to have them. That has been a problem that has plagued us from the very beginning. It is very hard to get the people in the rural areas to meet together. A great deal of the VISTA work has been done in the rural areas and very effective VISTA work has been done in the rural areas trying to overcome this problem of communication and transportation.

Mr. STEIGER. If I may, also, Mr. Chairman, can you give for the record any kind of a breakdown as to how we are going to stand as

you propose the fiscal 1968 budget for OEO in terms of the versatile community action money versus the earmarked community action money?

Mr. SHRIVER. Yes, we can give you that right now or give it to you for the record.

Mr. STEIGER. Will you give us that kind of breakdown?

Mr. SHRIVER. Yes; we can. We have that. Versatile in the 1968—

Mr. QUIE. That is a book we have.

Mr. SHRIVER. Yes, you have it, fortunately, for more than 72 hours. Under the tab that says "Community action program C-4," there is a table on that page and the fiscal 1968 estimate shows \$329 million for local initiative programs. That compares to \$286 million in 1966 and \$247.3. That is actually going to work out to about \$247.3. That is what happened to us last year when we had these cuts coupled with all the earmarking. It went down. Under the current authorization request it would go up to \$329 which is that third column there.

Mr. QUIE. Would the gentleman yield?

Mr. STEIGER. Just one moment.

So that in fiscal 1968 where you estimate local initiative programs as being \$329 million, special emphasis or earmarked funds would be \$614 million so that you are actually, again, in my judgment, continuing an imbalance between the earmarked funds versus the versatile funds.

Mr. SHRIVER. All we do is estimate what the communities are going to ask. So far as we are concerned, we would happily go back to the way the bill was when we started when there was nothing earmarked for anything.

Let me just say for the record that one of the reasons that the Headstart program got so far so fast, and I think so effectively, was that we had the money at our disposal to exploit the opening when it occurred so that we went from a program of maybe \$2½ million to maybe \$88 million without talking to anybody because we had money where we could respond to the local demand. But since that first time we have never had that kind of flexibility. We have always been bound. Some people would say hamstrung by regulations which prevent us from exploiting openings.

A good example is the neighborhood health services or legal services programs or any of six others. If we had the money, we would go further in terms of what the people want, so that this column does not represent an arbitrary ruling from Washington. It represents what we think is going to happen nationally.

Mr. STEIGER. The gentleman from Minnesota.

Mr. QUIE. Yes. I understand your answer to Congressman Goodell's question to be that you would prefer nothing earmarked.

Mr. SHRIVER. That is right. When we started, we didn't have it.

Mr. QUIE. Then why do you request such a substantial increase in the earmarked programs when you could get along on the same amount of money by funding each of those programs you want to give a greater amount to with the versatile money?

Mr. SHRIVER. We don't earmark this. What we are trying to do in this kind of table is to explain how we think it is going to end up in terms of the applications that will be coming in.

If, for example, something happened and nobody wanted legal services, so far as we are concerned that could just disappear but not below the \$22 million that you put up in the law. We have to use \$22 million by law or give it back to the U.S. Treasury because it is earmarked for the purpose.

Mr. QUITE. I understand.

Mr. SHRIVER. Otherwise we just come over here with a glob figure and then all of you, I think, would start to say to us, "What do you expect to spend here or there?" That is why we say "estimate," and on another chart you will see that that says "estimated community demand." That is our way of trying to explain that that is not something that we require or that we enforce. It is what we think is going to come to us from across the country.

Mr. STEIGER. In regard to that chart, I don't find anywhere listed, for example, the Foster Grandparents program.

Mr. SHRIVER. That is one of those that would be down under the fourth from the bottom line which says "Other programs." You will see 42.3. In there, for example, there are a number of programs like Foster Grandparents that are under "Other programs." We just ran out of space on the chart. There are lots of smaller programs.

Mr. STEIGER. You have lumped those together in the "Other programs" category?

Mr. SHRIVER. Excuse me. I am sorry. I made a mistake. Foster Grandparents comes under the so-called Nelson amendment which we delegated to the Labor Department and therefore it doesn't appear under community action even though the money last year was under community action.

Mr. STEIGER. In fiscal 1968 the moneys don't come from OEO?

Mr. SHRIVER. They come to us under the bill, but we now call it national manpower programs and we delegate the administration of those over to Labor. We get the money for them just as we do for the Job Corps, but then the Department of the Interior runs some Job Corps centers for us.

Mr. STEIGER. The testimony before the subcommittee that handled the Older Americans Act from the National Farmers Union indicated their support for transferring Foster Grandparents entirely out of OEO and putting it directly into the Commission on Aging.

Mr. SHRIVER. They are over in Labor now.

Mr. BERRY. We developed the Foster Grandparents program in concert with the Council on Aging and we funded those programs until Congress earmarked the Nelson-Scheuer funds. We delegated the program to the Labor Department. The Foster Grandparents will continue to be a program generated by the Council on Aging, but they will receive their grant funds from the Department of Labor because of the delegation of all the Nelson-Scheuer programs to the Department of Labor. Does that confuse or clarify?

Mr. STEIGER. But the funds that you delegate to the Department of Labor actually are authorized and appropriated to the Office of Economic Opportunity?

Mr. BERRY. That is correct.

Mr. STEIGER. Could you frankly give me any indication why we should continue appropriating to one agency what you have delegated

to another when in fact we could do it more simply by going with an appropriation to the Department of Labor in this case?

Mr. SHRIVER. The reason is complicated, but I think it is pretty important. Congress apparently through in the beginning that the poor needed some agency that was watching out for their interests specifically without having to be concerned about anything else. The money is appropriated to us and we watch it on behalf of the poor and also on behalf of the Congress.

Let me say that I think it is easier for a Congressman to evaluate the effectiveness or lack of effectiveness of moneys given to us in our helping the poor when they are in one place and you can analyze them in one job.

Excuse me.

Mr. STEIGER. Go ahead. I would respectfully disagree. I think here we have a case where we fudged a little bit. Foster Grandparents is not a program, it seems to me, which is designed exclusively for the poor. It is one which ought to be open in the age range of Foster Grandparents, so that the program is made available to anybody who can qualify and can handle what Foster Grandparents authorize. I would seriously object to that kind of a delineation on the basis of who is poor and who is not poor and one who would then be eligible to run a Foster Grandparents operation.

It seems to me that it would make eminently good sense to avoid the sleight of hand that we can go through to run money through your agency when we can't watch it any more effectively than in the Department of Labor. We can watch it more effectively in the Department to which you have delegated it.

Mr. SHRIVER. This is an extremely important point, Mr. Chairman. I think it is very important to understand that the same line of thought which you are expressing could apply to anything that is done for the poor and many people think that. In other words, if we start neighborhood centers for the poor, some people think that that is giving an unfair advantage and everybody ought to have that kind of service. If we start Headstart to try to help poor kids, in particular who have no start to try to get even, they say everybody ought to have that and the poor go back to where they were before.

So it is inherent in this legislation which the Congress passed, that the poor get extra help in many different ways of which the Foster Grandparents program is just one. The reason these programs have come into existence is because a group of people were concentrating solely on the needs of this special group in our society—the poor. If the Congress on the other hand makes the decision which you seem to be indicating that once a program is good everybody ought to have it, then believe me, there isn't enough money and the poor don't get it any longer. That was the history. That is why this got started in the first instance and that is why I wanted to respond to your statement.

Mr. STEIGER. Might I comment, Mr. Shriver, that I do not disagree with the need to concentrate on the needs of the disadvantaged and the poor in our society. That is, after all, exactly what the war on poverty is intended to do, but it seems to me that there are programs, and I would point to Foster Grandparents as one, which are not necessarily nor should they be necessarily limited to just the poor. I would not

make the same argument in terms of attempting to assess whether it is run by OEO or by HEW or Department of Labor because there are other programs which must of necessity concentrate on the poor.

In Wisconsin where I think we have an imbalance in the amount of funds that we have gotten between Headstart and Nelson-Scheuer, we have gotten a tremendous amount of Nelson-Scheuer funds but that has as a result spread, I think, too thin the versatile funds for community action programs in Wisconsin which by local initiative could do things for the poor. I am not at all sure that I entirely agree with what you have just stated.

There may be some programs, I think there are, that should concentrate on the poor. I don't know that you should, therefore, say that everyone of the programs that are authorized and appropriated funds under this act or other acts are necessarily limited to that and I think what happens in Foster Grandparents because of the delegation authority is one of the reasons that I think we should take a long, hard look at OEO to determine whether there should be a spin off of certain or all of the agencies that are now under your jurisdiction.

Mr. SHRIVER. We did spin off a couple without any congressional action where we thought that they were not involving the poor adequately.

In the case of the foster grandparents I am not absolutely sure why you think it isn't appropriate for the poor, when, in fact, it is the poor babies or poor children who are suffering from this lack of attention and there are plenty of elderly poor who need the jobs as a matter of income as well as a matter of psychological satisfaction. We have not been able to reach even those who are poor, the children or the elderly yet. Why is it that that program in your judgment is not one that should concentrate on the poor? I am just interested.

Mr. STEIGER. If in fact our aim is to try and help the poor grandchild in this instance, then it seems to me that this is the kind of program that you ought to open to as many as you possibly can and not limit it just to poor foster grandparents.

Mr. SHRIVER. There are plenty of poor foster grandparents who are not included yet who need the work.

Mr. STEIGER. I agree and they should be given—

Mr. SHRIVER. We want to give it to them.

Mr. STEIGER. But not to limit because then you deprive the child.

Mr. GIBBONS. Will the gentleman yield?

Mr. DELLENBACK. Mr. Chairman, may I just inquire whether it is possible to conclude this tomorrow. I recall that the Chair earlier indicated to the witness that as a special favor tonight we would conclude at 1730.

Chairman PERKINS. I tried to live up to the commitment a moment ago but Sargent Shriver attempted to answer further.

Go ahead, Sam.

Mr. GIBBONS. One of the problems we have in this thing is that I don't believe that all of us, and I include myself in this statement, really understand the dimension of poverty, how great it is in this country but if you took the \$3,100 level as a level that people would automatically step out of poverty and you took all the poor people in the United

States and took all the existing ongoing programs to move them out of poverty it would take in today's dollars about another \$12 billion if we could by some magic formula get all this money to the people in the right place at the right time. If we expand these programs very much further we are going to find that we are really missing the target by about 90 degrees when we fire at it. We are not coming anywhere near doing the jobs ahead of us. We have spent between \$1½ billion or \$1,700 million and with all the other programs, the veterans' programs, aid to dependent children programs, aid to the blind, and aid to the disabled, it would take about another \$12 billion a year to get these 32 million people up to just the bare bottom side poverty level.

Mr. PUCINSKI. Would you yield?

Mr. GIBBONS. I would be glad to yield.

Mr. PUCINSKI. I won't quarrel with the statement you are making but I think that the gentleman from Wisconsin raises a valid point. In my District I don't get a penny of antipoverty money. I don't think that we get one nickel in my whole congressional district and the gentleman is looking around to see if that is true. I have a book here for Cook County. I say that while my constituents have been very generous in their support of this program and I am sure will continue to be generous, they do ask this question: "Where are we going to get some help?" My people would like to have their children go to Headstart and there is no magic line between the youngster that is in extreme poverty and the youngster not in extreme poverty. This is a problem that we have in delineating.

Mr. GIBBONS. This is the only way I can answer. Your people are going to get an indirect or maybe a direct result because as people spin out of poverty hopefully the real estate taxes that your people pay in Cook County are going to help relieve their tax burden. They are going to get a diminution of crime and disease and the different other social problems we have and the people in the middle class like the ones you represent are going to have to understand and be patient. The poor just don't have a large enough constituency.

Mr. QUIE. I would like to ask a question of the witness, not have debate between our colleagues here.

Mr. GIBBONS. I yield.

Mr. QUIE. Mr. Steiger was talking about delegated programs, and if I recall correctly, the transfers of programs to the Department of Labor especially. I think the same is true in the Department of Education, where the money did not follow. The OEO had mortgaged the money and they did not get as much money as was expected on it before. This is the information I get from talking to people in other departments.

Mr. SHRIVER. I don't think that is accurate. What we had in the Foster Grandparent, and in a program called Green Thumb were existing obligations for this fiscal year. When we transferred the funds we said to the Labor Department that they must fulfill the obligations already in existence for the Green Thumb program and for the Foster Grandparents program. If we had not said that, the Foster Grandparents, which we had a moral or if not a legal commitment to continue, might have been stopped altogether and the money used for alternative programs. When we made the delegation, there-

fore, we said that "Of the money we delegate you have to use a certain percent—it was \$22 million—to keep alive the Foster Grandparents and Green Thumb programs which are in existence." That is what I think some of those people were referring to.

Mr. QUIE. Will that mortgaging of the money continue or was that just in the first year?

Mr. SHRIVER. That was a part of the transfer.

Mr. QUIE. But after the transfer are they able to make up their own minds or will OEO still ride herd on them?

Mr. SHRIVER. They make up their minds on a grant-by-grant basis but we reserve the right to monitor the programs and make sure that they are, in fact, being operated and are beneficial to the poor. That is part of the job of this agency, to make sure that the standards of the programs are maintained and we do that not only on behalf of programs like that but let's say the Job Corps rural or conservation centers. We investigate them and work with the departments involved to make sure that they are performing properly and there have not been any serious difference of opinion about that responsibility or the success of it.

Could I say another thing on the foster grandparents? We have no objection to having, so to speak, rich grandparents in the program and under the VISTA associates program, where people volunteer, or want to volunteer we welcome them.

The only place that we say the poor should receive priority is when we have to actually spend money. If we have to spend money to hire foster grandparents, the qualified poor elderly should get a shot at those jobs before a rich person gets it and if there are a lot of babies not getting attention, we should give it to the poor ones.

Our responsibility is to concentrate on the poor, not the others. That is our job.

Chairman PERKINS. Following up that question on the programs that have been transferred, in your fiscal 1968 budget I would think notwithstanding the fact that this has been transferred to the Office of Education that it would be necessary in many community action programs throughout the country for your Office to expend more funds on adult basic education because I think the amount that is in the budget is only a drop in the bucket. Am I correct in that statement? I am talking about additional funds on your part.

Mr. SHRIVER. There is plenty of need for it, yes, sir.

Mr. STEIGER. Would the gentleman yield?

Chairman PERKINS. I yield first to the gentleman from Illinois.

Mr. PUCINSKI. How many agencies participate in this health center program?

Mr. SHRIVER. How many agencies of the U.S. Government?

Mr. PUCINSKI. Yes.

Mr. SHRIVER. Joe, do you want to talk about how many agencies participate?

Dr. ENGLISH. I can think of two immediately; one, the Department of Health, Education, and Welfare who have been of great help to us. Our program is integrated totally with their health programs. Mr. Shriver and Secretary Gardner just signed an agreement that makes sure that there is not only programmatic integration but the moneys are integrated, too.

Mr. SHRIVER. What other?

Dr. ENGLISH. HUD, for example. We are interested in a community where HUD may be developing a neighborhood center.

Mr. PUCINSKI. How about Public Health Service? Do they help?

Dr. ENGLISH. Public Health Service has been very helpful, the Children's Bureau.

Mr. PUCINSKI. We keep hearing discussions about phasing out OEO. We keep hearing discussions about the opportunity crusade. See if I am right. I think I am right using this example. This health center program is an excellent example of what we started out to do in 1964 when we created the Office of Economic Opportunity. Your function at that time primarily was to try and coordinate the existing agencies into a more effective program and a more effective use of these agencies in a comprehensive plan for meeting the needs of the poor. If what you said is correct that you have HEW, you have HUD you have Public Service, and you have your own resources tying together all of these facilities to create a health center, then indeed you are carrying out the very spirit behind the Office of Economic Opportunity. I do not see anything in the substitute legislation that would do that job. I wonder if you would like to comment on that, Mr. Shriver, so that we can get this record straight once and for all that what you are in fact doing is tying together various programs for the most successful operation at the level where the poor people can get the greatest degree of help. Am I correct in that assumption?

Mr. SHRIVER. That is correct, but there is an additional element that is essential which is the fact that we have the actual money to bring into existence the neighborhood health center. If we did not have the money and responsibility for bringing that concept and this center into existence, these other benefits would not flow into that area. You not only, therefore, have to have the power to coordinate, but you also have to have the money to make the coordination effective as well as the statutory authority.

Mr. PUCINSKI. All of these other agencies had existed for many generations previously, but there were not health centers because there was not an organization to draw them together known as the OEO where you now try to perform these services and bring together all these activities. Am I correct in that statement?

Mr. SHRIVER. I think you are.

Mr. QUIE. Would the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. QUIE. How much money in the neighborhood health centers is coming from HEW?

Mr. SHRIVER. I would like Dr. English to respond. It will increase as we get more centers and as more money comes from medicare for the actual patient services.

Dr. ENGLISH. I could, for example, submit for the record to you, Mr. Congressman, exactly what this integration of funds has meant in dollars and cents so far. Let me give you an example in a city of how it is working very well. In the city of Denver the first neighborhood health center there was funded a year ago. At the same time from working with health officials and neighborhood people in

that community we learned that the Children's Bureau was about to start a children's center for a poor community nearby. We got together at the initiation of some of the local health authorities with the Children's Bureau authorities here in Washington and made this proposition.

We said rather than have one center that serves the entire family and another center that concentrates on children, why don't we work together and make them both comprehensive centers where the Children's Bureau funds would pick up the cost of the children in our center and we would pick up the cost of the adults in another center. That was agreed to. It has been done.

We now have two comprehensive neighborhood health centers and by the efficiency that was brought about by that coordination we have 11 other centers, and Denver is the first place where we will have citywide coverage for the poor.

Mr. PUCINSKI. I am glad you brought that out because here is the real heart of the poverty program, the fact that you people were able to bring all of the resources of the country together and organize an effective program.

I think that this is the point that is so often lost in discussion of the poverty program.

Mr. QUIE. Will the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. QUIE. If community action was in the Department of Health, Education, and Welfare, what would have prevented you from doing the same thing?

Dr. ENGLISH. Well, sir, that is a difficult question to answer. I think the Department of Health, Education, and Welfare has been doing all it can. I think what we are learning in the poverty program is that it hasn't been enough. I think this legislation permits us to do some new things to work with them.

The one thing we are sure of is that we have a long way to go in meeting the health needs of the poor.

Mr. QUIE. You haven't answered what would have prevented you, if community action were within Health, Education, and Welfare?

Mr. SHRIVER. The answer is like saying: "What if Edison didn't invent the electric light, or if he hadn't, would someone else have?" You can't say it would have worked someplace else. The point is that it is working where it is.

Mr. PUCINSKI. Isn't it a fact, as was stated in the letter from Kane County, HEW has a very broad mission cutting across many functions. Your mission is a specific mission of bringing health to the 32 million people in poverty in this country.

Mr. SHRIVER. That is correct. I have said that a number of times, including in my opening statement. We have, let's say, 2,500 people working at our place. If you could take 2,500 people out of HEW or Labor and say:

Your only job is the poor, don't think about education of the rich, don't worry about health of the rich, don't worry about anything but the poor.

They could do as well, maybe better. It is because we have a single objective which is the poor that there is at our place an atmosphere of concentration on that to the exclusion of conflicting loyalties to other

groups for competing jobs. So, I think, therefore, as I said the first day, that the more you can keep the poor and their interests under jurisdiction of one group, the better off you are going to be in helping the poor, whether it is us, or me, or somebody else.

Mr. QUIE. I would say that you have given the answer as to why I had recommended in the opportunity crusade that community action be in Health, Education, and Welfare is that that new agency would be admitted to the fore and as you said it can do as well or maybe better.

That is what I expect it would.

Mr. SHRIVER. But that isn't what I said.

Mr. QUIE. That is the way I heard it.

Mr. SHRIVER. I want to make it clear that that is not what I said. I think that when you have a department which has interests which are very broad, some of which conflict with interests of the poor, you cannot help but pay some attention to your conflicting interest.

It is like a conflict of interest if you are legislator or member of the executive branch. There is no conflict of interest in OEO because we have one interest, which is the poor. We are not concerned about the education of the rich. We are not concerned about the health of the rich. We are concentrating on one thing, which is that group which needs help most, and because of that we are able to give them better service, and I believe, to come up with ideas which are fruitful for them.

Mr. QUIE. We had the same situation when Health, Education, and Welfare was not located together in one cabinet level department. Although there was a central interest in education in the Office of Education, it was felt by the Members of Congress at that time that giving it Cabinet level status certainly enhanced its opportunities to improve the education of the people of the country.

Mr. SHRIVER. Let me say the OEO should have that status.

Mr. PUCINSKI. When the President first proposed this program, the very reason that this program was proposed was because we had an HEW, we had a Department of Labor—we had all these agencies—but the poor was not getting the kind of attention for a massive effort to help them that they deserved. So the President came to Congress with his proposal for the War on Poverty and the creation of the Office of Economic Opportunity whose sole responsibility was to deal with this problem. This is the only bill in the history of this country where every single member of the cabinet, except the Secretary of State, testified and they testified because they said that in order to really make this war against poverty effective, we had to have a single agency to coordinate all the activities and concentrate on this massive program in America.

That is what you have been doing, isn't it? If the program was transferred to HEW it would just get lost in the shuffle wouldn't it?

Dr. ENGLISH. May I comment, sir, on your point and quote a high official of HEW who just said this in a press conference recently concerning this program and use his words?

I think this explains the great enthusiasm and the help we have received from that Department as well as other Departments. He said:

This program, the Neighborhood Health Center program, has shown us in terms of the Federal Government new ways of cooperation. I think that it is not

only the cooperation, but it is the stimulus that has come through a number of other government agencies from HEW to wake up to the problem of the poor and I think that in a sense there is a certain amount of competition involved which to my way of thinking is a singularly good thing.

Mr. SHRIVER. Who said that?

Dr. ENGLISH. That was Dr. Phil Lee.

Mr. STEIGER. I was asking you to yield for the purpose of finding out the answer to the question that you asked some time ago about the amount of funds which in this case HEW was supplying for neighborhood health centers.

Dr. ENGLISH. Yes, sir. Let's give you some examples now.

Mr. STEIGER. Can you give us the total?

Dr. ENGLISH. The totals?

Mr. BERRY. It varies from community to community depending upon the components that are brought in. There are a number of services in HEW and HUD that make up the package and it varies from community to community.

Dr. ENGLISH. For example, in New York City in one of our centers the total budget is \$3 million; \$1.3 million is the OEO share. The other funds come from the department of hospitals, the mental health board, welfare, MFY grants, title XVIII, and title XIX.

Mr. SHRIVER. May I just mention at this point that State moneys go into this, too, and so do private moneys. The one in Louisville, Ky., has \$150,000 in private foundation money, so it isn't just one department of the Government versus another or in combination, but it is a whole host of combinations.

Mr. STEIGER. Could you supply for the members of the committee—you have, as I recall, 21 neighborhood health centers.

Dr. ENGLISH. Yes, sir.

Mr. STEIGER. Now in operation.

Dr. ENGLISH. That is correct.

Mr. BERRY. They have been financed. They are in phases of operation.

Mr. STEIGER. Phases of operation.

Mr. BERRY. Yes.

Chairman PERKINS. At this point let me ask that when a member makes a request for material for the hearing and supplying of the information to that particular member, how difficult would it be to supply the remainder of the members the same information. Let the staff of the committee furnish the other members the same information. Could that be done, so that we will not lose track of what is in the record, for other members as we go along without too much difficulty?

Mr. SHRIVER. Yes, sir; it certainly can be done. In fact, that is what we had been doing when Mrs. Green asked about her getting something directly; I answered that we had given it to the committee so that everybody could get what everybody else gets, but we can do both.

Chairman PERKINS. I am hopeful the committee staff will make that available. I know in instances I miss out on it. I know the other members do.

Mr. PUCINSKI. Mr. Chairman, may I make the suggestion that the response to all of these requests be filed through the chief clerk of our committee. He will then photostat them or get the necessary number of copies from the agency and shoot them downrange, and you will have the record of the court reporter, so that the information will eventually be incorporated in the record of the hearing.

Mr. QUIE. Let's find out what information we are going to receive. Are we going to receive the total amount of HEW money that goes into the 21 neighborhood health centers? Is that correct?

Dr. ENGLISH. Yes.

Mr. QUIE. If you break it down by each one perhaps it would give us a better understanding because some have been in operation longer than others. We can get a better picture of the extent to which they may participate later on.

Also are there any other departments of the Federal Government that contribute? If so, I think that information we ought to have also.

Dr. ENGLISH. Very good.

(The information referred to follows:)

FUNDS GOING INTO OEO-SUPPORTED NEIGHBORHOOD HEALTH CENTERS FROM SOURCES OTHER THAN OEO

A. HEW PROJECT GRANTS

NHC grantees may apply for and receive project grants covering part of their services from other government agencies. The extent of this kind of joint funding is expected to increase, both in terms of the number of grantees receiving multiple support, and in terms of the proportion of total funds coming from sources other than OEO.

Examples of this kind of coordinated funding already under way are the Denver Neighborhood Health Center, which has received a total of \$2,119,209 from the Children's Bureau, under its project granting authority, in addition to the funds granted by OEO (\$3,829,315 over a 2-year period) and to the funds made available by the city of Denver (\$454,774); similar coordinated arrangements exist in the North Lawndale, Chicago, center, where the Children's Bureau supports 38% of the total budget for the pediatric portion of the portion.

B. FUNDS FOR SPECIFIED SERVICES, OR FOR SERVICES TO SPECIFIED INDIVIDUALS

Services to certain categories of individuals, and certain specified services are the responsibilities of other programs and agencies, OEO requires that its NHC grantees make provisions whereby funds to pay for such services flow into the center. OEO pays only for those services which cannot be paid for from other sources.

Examples of these types of funds are those meant to finance certain services to persons aged 65 and over under Title 18 of Social Security Act (Medicare), and those funds available under State programs established under Title 19 of Social Security Act (Medicaid). If Title 19 is fully implemented, Federal-State Medicaid funds will, within several years, become the single greatest source of support of NHC operations.

Arrangements for payments to NHC's under Title 18 and 19 and under Federal State vendor medical care programs to persons on categorical public assistance are currently in various stages of completion. It is anticipated that this process—which takes place at the local level—will be encouraged and facilitated by the HEW-OEO agreement on coordinated funding of comprehensive health services, signed and issued by the Secretary of HEW and the Director of OEO on May 2, 1967. A copy is attached for the Committee's information.

A JOINT STATEMENT OF THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE AND THE OFFICE OF ECONOMIC OPPORTUNITY

Coordinated Funding of Health Services in Projects Receiving or Eligible for Assistance Under Programs of the Department of Health, Education and Welfare, and the Office of Economic Opportunity

It is the policy of both the Department of Health, Education, and Welfare, and the Office of Economic Opportunity to encourage the delivery of compre-

hensive and continuing health services. While there may be multiple and varied sources of support for the provision of health services, efforts should be made to coordinate public funding in such a way that when the services get to the people they are meant to reach, they are as comprehensive and as unfragmented as possible.

Under the Economic Opportunity Amendments of 1966, the OEO is authorized to support programs of comprehensive health services in poor neighborhoods, patterned primarily on the neighborhood health centers previously funded under the Office of Economic Opportunity demonstration program. These programs are to be operated with maximum feasible utilization of existing agencies and resources. OEO is undertaking this program not to establish a new and separate set of institutional arrangements for the support of health services to the poor, but to make possible the pulling together of disparate sources of funds and services into a coherent whole, by (1) providing the needed "seed money," and (2) by paying directly for the services which cannot be supported by other sources, or services to poor persons who may not be eligible under other programs.

Also, since the summer of 1965 OEO has sponsored Project Head Start; currently, 160,000 children are in full year programs and 550,000 will be served in next summer's programs. One of the key aspects of Head Start is the provision of essential medical, dental, social and psychological services to disadvantaged children who are in need of them. Head Start facilitates, coordinates, and fills the gaps in the delivery of medical care to assure that services actually reach the poor children in the program that need them. In doing so, it is intended that maximum use be made of existing resources in each community.

The headquarters and regional staff of both HEW and OEO will encourage States and local communities to enter into coordinated funding arrangements and will assist local communities in working out the details of such arrangements. The following outline illustrates how coordinated funding arrangements may be made.*

JOHN W. GARDNER,

Secretary, Department of Health, Education, and Welfare.

MAY 2, 1967.

SARGENT SHRIVER,

Director, Office of Economic Opportunity.

MARCH 15, 1967.

Mr. SHRIVER. Would it be agreeable to you if in those figures we make a projection of what will be in some of these centers, because some of them are not operating yet.

We can't tell you precisely, therefore, how much HUD money or how much State of Illinois or Massachusetts money will be in them.

Chairman PERKINS. Mr. Shriver, I think as far as I know there are no other questions on the health centers. It seems that everybody has had an opportunity to go thoroughly into the subject matter. What time can you appear before the committee in the morning with your associates?

Mr. SHRIVER. Whenever you ask, whenever you say.

Mr. DELLENBACK. What will be the next program?

Chairman PERKINS. And at the same time tell us about the community action programs.

Mr. SHRIVER. We had planned to go next into legal services programs and then go to Upward Bound, from that to the neighborhood centers program, which is estimated at \$160 million from that into the Indian program and the migrant labor program. I think that would take care of tomorrow.

* Copies of the extensive explanatory outline may be obtained from HEW or OEO.

Chairman PERKINS. Can you conveniently get here in the morning by about 9:30?

Mr. SHRIVER. Yes, sir.

Chairman PERKINS. We will try to get in a full day tomorrow then.

Mr. SHRIVER. Thank you.

Chairman PERKINS. The committee will recess until 9:30 tomorrow. (Whereupon, at 6:04 p.m., the committee recessed to reconvene at 9:30 a.m., Tuesday, June 20, 1967.)

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1967

TUESDAY, JUNE 20, 1967

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The committee met at 9:55 a.m., pursuant to recess, in room 2175, Rayburn House Office Building, Hon. Carl D. Perkins (chairman of the committee) presiding.

Present: Representatives Perkins, Green, Dent, Pucinski, Daniels, Gibbons, Ford, Scheuer, Meeds, Burton, Ayres, Quie, Goodell, Ashbrook, Bell, Gurney, Erlenborn, Scherle, Dellenback, Esch, Gardner, and Steiger.

Also present: H. D. Reed, Jr., general counsel; Robert E. McCord, senior specialist; Louise Maxienne Dargans, research assistant; Benjamin F. Reeves, editor of committee publications; Austin Sullivan, investigator; Marian Wyman, special assistant to the chairman; Charles W. Radcliffe, minority counsel for education; John R. Buckley, chief minority investigator; Dixie Barger, minority research assistant; and W. Phillips Rockefeller, minority research specialist.

Chairman PERKINS. Let us come to order. A quorum is present.

How do you desire to proceed this morning, Sargent Shriver? If I understood, after we completed the health segment of your presentation yesterday, you were going into what phase now?

Mr. SHRIVER. Well, with your permission, Mr. Chairman, we would start this morning with the legal services program report? Is that agreeable?

Chairman PERKINS. Yes

STATEMENT OF SARGENT SHRIVER, DIRECTOR, OFFICE OF ECONOMIC OPPORTUNITY; ACCOMPANIED BY BERTRAND M. HARDING, DEPUTY DIRECTOR; DONALD M. BAKER, GENERAL COUNSEL; ROBERT A. LEVINE ASSISTANT DIRECTOR, RESEARCH, PLANS, PROGRAMS, AND EVALUTION; THEODORE M. BERRY, DIRECTOR, COMMUNITY ACTION PROGRAM; AND EARL JOHNSON, DIRECTOR, LEGAL SERVICES PROGRAM

Mr. SHRIVER. Then, may I introduce, Mr. Chairman, to you and the other members of the committee present here, Mr. Earl Johnson, Jr., who is the Director of the legal services program for OEO. He is seated here next to Mr. Berry, and he can start his presentation now, please.

STATEMENT OF EARL JOHNSON, DIRECTOR, LEGAL SERVICES PROGRAM

Mr. JOHNSON. Thank you very much, Sarge.

Mr. Chairman and members of the committee, yesterday you heard from Dr. English about a new and innovative program in the health field. It follows a tradition of Federal support of new and important programs in the health field. But until just 2 years ago the Federal Government had not been involved in any programs in the legal field. Yet, in 2 years some dramatic progress has been made.

There are now legal services projects in 48 of the 50 States of the Union, in 45 of the 50 largest cities. There are, in just 2 years, 700 full-time law offices funded and 1,400 full-time attorneys.

Now, this dramatic progress could not have been made without the wholehearted support of the legal profession.

I would like to quote to you briefly from the joint statement of Orison Marden, the president of the American Bar Association; Revius Ortique, the president of the National Bar Association; Maynard Toll, the national leader of the National Legal Aid and Defender Association; in their testimony before the Senate subcommittee just about a week ago.

As they said:

During this year of phenomenal expansion, the American Bar Association and other bar organizations have greatly stepped up their assistance in the promotion of the Legal Services program. A major portion of the energies and finances of these organizations is now being expended in support of the program. The presidents, officers, and other members of these associations have traveled throughout the United States to speak to these groups and other groups in legal services.

State and local bar associations with some rare exceptions have also given overwhelming support to legal services. Nearly all of the programs funded have been supported by the local bar association or legal aid society. State and local bar associations have likewise sponsored numerous educational programs, institutes, and seminars informing lawyers and laymen about legal services.

The support of the ABA has led to a dramatic improvement in the legal services for the poor in this country and yet it is as yet still a drop in the bucket.

Before the legal services program came into existence, only one-tenth of 1 percent of the total amount that is spent on lawyers in this country was being spent on lawyers for poor people—one-tenth of 1 percent—to bring justice to 20 percent or more of our population.

The American Bar Foundation in their preliminary study of the dimensions of the need for legal services found that there is a minimum of 14 million legal problems a year that arise among the poor of this Nation and only a few thousand of those persons have the assistance of lawyers.

The legal services program has three major functions. One is the representation of individuals and groups of poor people; to protect their rights, to protect them against incursions by landlords or credit companies, or the Government.

The second major function is community education or preventive law, attempting to teach the poor about their legal rights and responsibilities so that they can avoid common legal pitfalls and avoid getting into legal trouble.

And third, to make the legal system itself fairer for poor people.

The methods that have been used by our projects around the country are generally of three types. In the urban areas it's the neighborhood law office, staffed by anywhere from one to four lawyers, secretarial help, and very critically and very important by investigative aides that are employed out of the poverty population. These investigative aides are a human link between the law office and the poverty community, and they are very often able to come up with evidence and information that a trained investigator or an ex-police-man would not be able to come up with, because they are part of that community.

The second type of program and one that is used in some rural areas and some suburban areas where the poverty is more spread out, is the circuit rider programs. This will be one lawyer servicing a number of substations. He may be at one small town on one day and another small town another day of the week, on a regular schedule.

Then in some migrant areas and Indian reservations and sparsely settled rural areas we have used mobile law offices, so-called lawyer-mobiles. This is a van-type truck or a trailer equipped as a law office with a lawyer and a secretary, a little reception area, a library. They will go from one location to another, bringing justice to the poor.

No matter what the basic type of program involved, they have certain common characteristics—all of them involve poor on the decision-making board—the one that sets the basic policy for the program. In fact, on the average there is 35 percent representation of the poor on the boards of legal services programs.

Another common characteristic is that these programs do not take cases from which a lawyer could earn a fee. For instance, they would not take the case of someone—no matter how poor he was—if it was a fee-generating case, say, a personal injury case that any lawyer would be willing to take on a contingent-fee basis.

Another common characteristic is that they take all or nearly all types of civil cases.

And fourth, that they take steps to insure that the attorney-client relationship will be maintained throughout.

We have received recently reports from our operating projects as to how things are going in the field, and I guess one could say they are going almost too well, in terms of volume. In the last 6 months of calendar 1966 our projects handled 92,000 families in legal difficulty. In the first 3 months of calendar 1967 they handled 93,000 families with legal difficulties. In other words, they handled more in the last 3 months than in the prior 6 months.

The lawyers now are, on the average, handling 500 new cases per year. They are at an annual rate of 500 new cases per year, which is up from an annual rate of 300 new cases per year just 3 months ago. So the great need that the American Bar Foundation said existed is being proven by the experience of the projects.

This is of some concern to us, because most experts in the field feel that 500 cases per year is the absolute maximum that can be handled with any kind of quality service by an individual lawyer.

The types of cases that have been handled? In the 3-month period ending March 31, 1967, roughly 34 percent of the cases fell in the

general area of family law—this includes adoptions, paternity suits, and various domestic relations difficulties.

The total is 15 percent for divorce out of that 34 percent—15 percent for divorce or annulment, but interestingly enough, only 2 percent actually resulted in divorces being obtained. This indicates that the projects have been resolving through other means, reconciliation, and so forth, most of the domestic relations cases that have come to them.

Almost 20 percent of the cases involve consumer problems—difficulties with credit companies or with sellers.

Roughly 8 percent fell in the field of housing. Most of these were landlord-tenant cases.

Approximately 7 percent fell in the administrative area. Most of these were welfare cases.

And 33 percent fell in the area of juveniles, misdemeanor cases, and various other miscellaneous matters.

To give you an idea of what kind of work the lawyers are doing on these problems, about 35 percent of the cases that came in required advice only. Now, this may mean just one visit and 10 minutes' worth of advice. It may mean many prolonged visits and several hours of research prior to giving the advice.

About 25 percent involved some drafting of documents, some preparation and some representation of the person outside of a courtroom, and almost 25 percent of the cases involve representation in litigation, either litigation before courts or litigation before administrative agencies. And about 11 percent of the cases were people who were ineligible for the service because it was a fee-generating case or because they were making too much money and they were referred to private attorneys.

The results have been quite good thus far. Over the 9-month period covered by the report the legal services attorneys have averted or stayed evictions in 80 percent of the eviction cases that have come to their attention. They have won over 77 percent of the administrative cases—this is cases involving an administrative agency on the other side. They have won almost three-quarters of the trials they have participated in; and 60 percent of the appeals. They have thus far been engaged in 16,000 trials around the country.

Now, you will probably ask, how much is this service costing?

We have done an analysis of the salaries being paid and the cost per case and I think it's very revealing.

The attorneys in our programs are making anywhere from \$6,000 to \$15,000 a year. The average salary is \$9,500 per year. Project directors—that is, the directors of these programs, and the average program is about seven attorneys in size so this is an attorney supervising seven attorneys—are earning anywhere from \$10,000 to \$20,000 a year, and the average is \$14,300.

It is calculated that it costs approximately \$21,000 for every attorney that we have in the field. This is his salary, his secretary's salary, investigator's salaries, paper, transportation, everything, is costing us about \$21,000 per attorney. It works out to \$48.39 per case handled.

We did a comparison of this with what it would have cost to render this service if private attorneys had been offering it at the minimum bar fee schedule and in every case charging only the minimum bar fee schedule. It worked out to \$101.73 per case.

We also compared it with an experimental program we have founded in rural Wisconsin called Judicare, in which private counsel are compensated for the cases that they handle for the poor rather than having staff attorneys handle them. Under that plan it works out to an average of \$139.01 per case, almost three times what it is costing us, on a national average, with staff attorneys.

Behind the statistics, of course, there are some stories that have come to us that I think really tell what legal services is all about.

In rural California, a migrant camp was located near a city. The migrants came to our California rural assistance program and complained that their water was impure; contaminated. They also complained that their water bills seemed much higher than residents of the city.

Some investigation turned up the fact that, No. 1, they were being charged more. This was primarily because the city was contracting with a private water company rather than rendering the service out of the public utility there. It also turned out that the water was contaminated. Chemists analyzed it and found it was impure.

California Rural Legal Assistance, our project there, filed suit before the Public Utilities Commission in California and after prolonged negotiations the CRLA attorneys were able to get a settlement with the water company on behalf of several hundred migrants.

No. 1, they purified the water, and No. 2, they refunded almost \$4,000 in past water payments, admitting that they had been overcharging.

Another good example comes from New York City out of our project there represented a young man who was being expelled from school and established for the first time in New York City the right of a juvenile to have a hearing before he is suspended from school and before he becomes, in effect, a force dropout.

In today's paper it is reported that our Hartford, Conn., program won a landmark case before a three-judge Federal court in which that three-judge Federal court held that the very common State law requiring a year's residence before you are eligible for welfare is unconstitutional.

Chairman PERKINS. Let me ask you a question at this point in the view of saving time.

Do you have a breakdown of the type of cases that your neighborhood legal service has rendered to the poor throughout the country?

Mr. JOHNSON. Yes, I had given a partial breakdown. As I indicated, roughly 34 percent of the cases have been in the general area of family law, and as a subdivision of that, 15 percent of the cases have involved people who were seeking divorce or annulment. Roughly 20 percent have involved consumer problems; roughly 8 percent have involved housing problems; roughly 7 percent administrative problems with most of those being in the welfare area; and roughly 33 percent have involved juvenile problems, misdemeanor problems, and other miscellaneous problems.

Mr. GIBBONS. Let me ask a question, if I may, Mr. Chairman.

Could you talk a little more about this welfare case?

Did that involve the problems of these welfare programs under our Social Security Act, or was it the local welfare matter?

Mr. JOHNSON. This was aid to dependent children. And it was a case in Hartford, Conn. It was a three-judge Federal court ruling on the

constitutionality of the State law which imposes a year, a full 1-year residence requirement prior to being eligible for welfare.

Mr. GIBBONS. When was that decision?

Mr. JOHNSON. I guess it was yesterday. It was reported in this morning's Times.

Mr. DENT. Will the gentleman yield?

Mr. GIBBONS. I will be glad to.

Mr. DENT. Is that State funds or strictly Federal contributions? Did they rule that the State itself could not establish guidelines on residency or only upon that part of the funds that were contributed by the Federal Government?

Mr. JOHNSON. I have not read the full decision. All I have is the newspaper report and the newspaper report is not complete on that point.

Mr. GIBBONS. That is going to have almost as much effect among States and States' problems as the juvenile delinquency decision the other day.

Mr. JOHNSON. That's right.

Mr. GIBBONS. It is going to involve a great change in State attitude. I wonder if we could put that news article in the record at this point.

Chairman PERKINS. Without objection it is so ordered.

(Newspaper article follows:)

[From the New York Times, June 20, 1967]

**CONNECTICUT WELFARE LAW HELD UNCONSTITUTIONAL—ONE-YEAR RESIDENCY
STATUTE OVERTURNED IN U.S. COURT—39 OTHER STATES AFFECTED**

(Special to the New York Times)

HARTFORD, June 19.—A Federal court ruled today that a one-year residency requirement for payments under Connecticut's aid to dependent children law is unconstitutional.

The majority opinion of the three-judge panel said the law was unconstitutional because the requirement violated the right of interstate travel.

The case arose after the Connecticut Welfare Commissioner, Bernard Shapiro, denied benefits to Vivian Marie Thompson last Nov. 1 because she had not lived in this state for a year. Miss Thompson has two children. She had been receiving assistance in Massachusetts before moving here about a year ago.

PURPOSE OF AID CITED

In its 2-1 decision, the court said "the intent of the law was to exclude from benefits those who came into the state for the primary purpose of seeking welfare assistance and it should be so construed and interpreted." The minority opinion was written by Judge T. Emmett Clarie.

The majority opinion, written by Judges N. Joseph Blumenfeld and J. Joseph Smith said "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement. Denying . . . even a gratuitous benefit because of her exercise of her constitutional right effectively impedes the exercise of that right," the majority opinion said. Judge Clarie, in his dissent, said that 40 states, including Connecticut, have one-year residency requirements in their welfare laws.

\$1-MILLION IN AID INVOLVED

Francis McGregor, counsel for the State Welfare Department in the Thompson case, said he had not yet received a copy of the court's decision, but he believed that the welfare laws of the other 39 states would probably be affected by the decision.

Ten states, including New York, New Jersey and Rhode Island, do not have residence requirements in their welfare laws, Mr. McGregor said.

Mr. McGregor, who is an assistant state attorney general, said that during the course of the trial Commissioner Shapiro testified that more than \$1-million in welfare funds in Connecticut would be affected by the court's decision.

He said "it is possible" the state may appeal the case to the United States Supreme Court. The welfare commissioner Shapiro is on vacation.

The majority opinion held that "Connecticut states quite frankly" that the purpose of the law is to protect it from "those who come needing relief."

Brian Hollander, Miss Thompson's lawyer, said that under the decision "no state would have a residence law in the area of welfare."

Mr. GIBBONS. I wonder if you could give us a copy of that court opinion and we could put it in the record.

Mr. JOHNSON. I will obtain it as soon as possible.

(The court opinion referred to follows:)

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

(Civil No. 11,821)

MEMORANDUM OF DECISION

VIVIAN MARIE THOMPSON *v.* BERNARD SHAPIRO, COMMISSIONER OF WELFARE OF THE STATE OF CONNECTICUT

Before: Smith, Circuit Judge, Blumenfeld and Clarie, District Judges.

SMITH, Circuit Judge:

This action was brought in the United States District Court for the District of Connecticut under Title 28 U.S. Code, §§2281 and 2284, seeking a declaration that Chapter 299, §17-2d of the Connecticut General Statutes is unlawful as in violation of the Constitution of the United States and seeking an injunction against its enforcement and payment of monies unconstitutionally withheld. A three-judge district court was convened pursuant to the statute, hearings were held, briefs were filed and arguments were made. Notification of pendency of the action was given to the United States because of possible effect on federal statutes, and the Solicitor General notified the court of his decision that the United States would not intervene in the case.¹ The court has considered the stipulations of facts, the testimony taken, the briefs and arguments of the parties, and finds the issues in favor of the plaintiff.

In June of 1966 Vivian Marie Thompson, the plaintiff in this action, and a citizen of the United States, moved from Boston, Massachusetts, to Hartford, Connecticut. Plaintiff's purpose in moving was to live near her mother. Then the mother of one and now the mother of two, plaintiff had been receiving Aid to Dependent Children (ADC) from the City of Boston. Boston discontinued this aid in September because of plaintiff's change of residence. When she applied for similar assistance to Bernard Shapiro, Commissioner of Welfare of the State of Connecticut and the defendant in this proceeding, he denied ADC to her on November 1 because plaintiff, although she was otherwise eligible, had not met the one year residence requirement of Conn. Gen. Stat. §17-2d which provides as follows:

"When any person comes into this state without visible means of support for the immediate future and applies for aid to dependent children under chapter 301 or general assistance under part I of chapter 308 within one year from his arrival, such person shall be eligible only for temporary aid or care until arrangements are made for his return, provided ineligibility for aid to dependent children shall not continue beyond the maximum federal residence requirements."

As can be seen, it was to insure continuation of the state's right to receive the substantial payments which the federal government pays to the state for federally

¹ The state moved to have the court apply the doctrine of equitable abstention. The court, however, declined to exercise its discretionary equity powers because, "the state statute in question . . . is not fairly subject to an interpretation which will render unnecessary or substantially modify the federal constitutional question . . ." *Harman v. Forsestenius*, 380 U.S. 528, 534-35 (1965).

approved plans of state aid to needy families with children that §17-2d is keyed to the federal limitation on residence requirements. At the present time, the Social Security Act, 49 Stat. 627 (1935), as amended, 42 U.S.C. §602(b) (1959), limits the length of the period of prior residence which a state can require as a condition of eligibility to one year in order to obtain such approval. Thus ADC programs are financed jointly by the state and federal governments and generally the responsibility is shared approximately equally. Some states, like Connecticut, impose the maximum residence requirement allowed by §602(b); others require a shorter period of residence, or none at all. The Catholic Family Services of Hartford have been supporting plaintiff pending the outcome of this action; these private payments, however, are below Connecticut's ADC level. See, Harvith, *The Constitutionality of Residence Tests for General and Categorical Assistance Programs*, 54 Calif. L. Rev. 567, 569 n.28 (1966) which cites as its authority, NATIONAL TRAVELERS AID ASS'N, ONE MANNER OF LAW—A HANDBOOK ON RESIDENCE REQUIREMENTS IN PUBLIC ASSISTANCE 8-13 (1961).

The Welfare Department of the State of Connecticut has promulgated regulations which construe in the following manner the words "without visible means of support for the immediate future" contained in § 17-2d:

1. Persons or families who arrive in Connecticut without specific employment.

2. Those arriving without regular income or resources sufficient to enable the family to be self-supporting in accordance with Standards of Public Assistance.

3. "Immediate future" means within three months after arriving in Connecticut.

NOTE.—Support from relatives or friends, or from a public, private, or voluntary agency for three months after arrival will not satisfy the requirements of the law, which relates to self-support rather than to dependency. Connecticut Welfare Manual, Vol. 1, Ch. II, § 219.1.

In accord with the above, the regulations further provide:

1. If the application for assistance is filed within one year after arrival in Connecticut, the applicant must establish that he was self-supporting upon arrival and for the succeeding three months thereafter; or

2. If the application for assistance is filed within one year after arrival in Connecticut, the applicant must clearly establish that he came to Connecticut with a bona fide job offer; or

3. If the application for assistance is filed within one year after arrival in Connecticut, the applicant must establish that he sought employment and had sufficient resources to sustain his family for the period during which a person with his skill would normally be without employment while actively seeking work. Personal resources to sustain his family for a period of three months is considered sufficient. Those who come to Connecticut for seasonal employment such as work in tobacco or short term farming are not deemed to have moved with the intent of establishing residence in Connecticut. Connecticut Welfare Manual, Vol. 1, Ch. II, § 219.2.

Thus, Connecticut withholds ADC for one year to newly-arrived residents unless they come to Connecticut with substantial employment prospects or a certain cash stake.

Plaintiff came to Connecticut with neither the prospect of employment nor the necessary cash stake. It is her contention in this action that Connecticut's denial of ADC results in an unlawful discrimination violative of her constitutional rights under the equal protection and privileges and immunities clauses of the Fourteenth Amendment and the privileges and immunities clause of Art. IV. §2. Plaintiff contends that Connecticut discriminates against her in favor of three classes of persons: newly-arrived residents with employment, newly-arrived residents with a stake and residents of one year's duration.

At the outset, it will be helpful to highlight what is at issue here by excluding what is not. Plaintiff does not argue that Connecticut cannot deny ADC to non-residents. Since plaintiff is a citizen of Connecticut, her reliance on the privileges and immunities clause of Art. IV. §2 is misplaced; that clause only outlaws discrimination by one state against citizens of another state. *New York v. O'Neill*, 359 U.S. 1, 6 (1959). We have no question of the state's power under the Tenth Amendment to provide for relief to the indigent, whether by state agencies, town agencies or otherwise. Nor is any claim made here of a

local, state, or federal constitutional duty to provide aid at all, or any kind or amount of aid. What we do have is a claim that a state may not discriminate by arbitrarily classifying those who shall and those who shall not be provided with aid, because such discrimination violates rights guaranteed by the first section of the Fourteenth Amendment to the Constitution of the United States.

"SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Plaintiff's argument based on privileges and immunities is premised primarily on the right of interstate travel. That right, so the argument goes, is abridged by Connecticut's practice of denying ADC to those in plaintiff's situation because it chills their mobility. The existence, source and dimensions of the right to travel have been the subject of much constitutional debate. In *Edwards v. California*, 314 U.S. 160 (1941), the Court struck down a California statute which made it a misdemeanor to bring an indigent non-resident into the state. The rationale of the majority was that the statute violated the Commerce Clause. Mr. Justice Jackson, concurring, would have held that the statute abridged the state citizenship and privilege and immunities clauses of the Fourteenth Amendment. 314 U.S. at 181-86. Mr. Justice Douglas, joined by Justices Black and Murphy, would also have rested on the privileges and immunities clause. 314 U.S. at 177-81. In the passport cases, which deal with the right of foreign travel, the Court relied on Fifth Amendment notions of liberty. *Zemel v. Rusk*, 381 U.S. 1, 14 (1965); *Aptheker v. Secretary of State*, 378 U.S. 500, 505-06 (1964); *Kent v. Dulles*, 357 U.S. 116, 126-27 (1958). Finally, in *United States v. Guest*, 383 U.S. 745, 759 (1966), the Court ruled that, "Although there have been recurring differences in emphasis within the Court as to the source of the constitutional right of interstate travel, there is no need here to canvass those differences further. All have agreed that the right exists." The Court thereby quieted any doubts that might have remained about the existence of the constitutional right of interstate travel but left unanswered questions regarding its source and dimensions. The defendant contends that the plaintiff is not deprived of the right to travel and to settle in Connecticut since she may do so freely so long as she does not seek welfare benefits until after she has resided here for a year.

Whether or not the state citizenship clause and the privileges and immunities clause² are the as yet unnamed source of the right of interstate travel, Mr. Justice Jackson's concurrence in *Edwards*, which as mentioned above was based on those clauses, delineates in timeless language the dimensions of the right.

"... it is a privilege of citizenship of the United States, protected from state abridgment, to enter any state of the Union, either for temporary sojourn or for the establishment of permanent residence therein and for gaining resultant citizenship thereof. If national citizenship means less than this, it means nothing.

² To abridge the privileges and immunities clause of the Fourteenth Amendment, the challenged state action must contravene a right inherent in national, as opposed to state, citizenship. *Adamson v. California*, 332 U.S. 46, 52-53 (1947). The Supreme Court has seldom defined a right of national citizenship. See, *Colgate v. Harvey*, 296 U.S. 404, 436 (1935) (Stone, J., dissenting) overruled *Madden v. Kentucky*, 309 U.S. 83 (1940); *Hague v. CIO*, 307 U.S. 496, 520-21 n.1 (1939) (Stone, J., concurring). According to Mr. Justice Douglas, "judicial reluctance to expand the content of national citizenship . . . has been due to a fear of creating constitutional refuges for a host of rights historically subject to regulation." *Bell v. Maryland*, 378 U.S. 226, 242, 250 (1964) (Douglas, J., concurring). Nevertheless, there is continuous and abundant judicial recognition that the privileges and immunities clause means something. See the cases cited *supra* in this footnote and, e.g., *United States v. Guest*, 383 U.S. 745, 762, 764-67 (1966) (Harlan, P. concurring and dissenting); *New York v. O'Neill*, 359 U.S. 1, 12, 13 (1959) (Douglas, J., dissenting). See also, *Oyama v. California*, 332 U.S. 633, 640 (1948) which speaks of "privileges as an American citizen". An *en banc* decision of the Court of Appeals for the Second Circuit, *Spanos v. Skouras Theatres Corp.*, 364 F. 2d 161, 170 (2d Cir.), cert. denied, 385 U.S. 987 (1966), stated among other reasons for its decision, that "under the privileges and immunities clause of the Constitution no state can prohibit a citizen with a federal claim or defense from engaging an out-of-state lawyer to collaborate with an in-state lawyer and give legal advice concerning it within the state." As quoted in the text, *infra*, "If national citizenship means less than" the right "to enter any State of the Union, either for temporary sojourn or for the establishment of permanent residence therein and for gaining resultant citizenship thereof . . . it means nothing." *Edwards v. California*, 314 U.S. 160, 181, 183 (1941) (Jackson, J., concurring).

"State citizenship is ephemeral. It results only from residence and is gained or lost therewith. That choice of residence was subject to local approval is contrary to the inescapable implications of the westward movement of our civilization. 314 U.S. at 183.

"Any measure which would divide our citizenry on the basis of property into one class free to move from state to state and another class that is poverty-bound to the place where it has suffered misfortune is not only at war with the habit and custom by which our country has expanded, but is also a short-sighted blow at the security of property itself. Property can have no more dangerous, even if unwitting, enemy than one who would make its possession a pretext for unequal or exclusive civil rights. Where those rights are derived from national citizenship no state may impose such a test, and whether the Congress could do so we are not called upon to inquire." 314 U.S. at 185.

In short, the right of interstate travel embodies not only the right to pass through a state but also the right to establish residence therein.

While prior "right to travel cases" have been concerned with absolute proscriptions on movement, *Guest* may be read as proscribing the discouragement of interstate travel. The Court there upheld a paragraph of an indictment based on 18 U.S.C. § 241 which outlaws conspiracy to interfere with rights or privileges secured by the Constitution. The paragraph charged interference with, "The right of travel freely to and from the State of Georgia and to use highway facilities and other instrumentalities of interstate commerce within the State of Georgia." 383 U.S. at 757. The Court went on to say that, "if the predominant purpose of the conspiracy is to impede or prevent the exercise of the right of interstate travel, or to oppress a person because of his exercise of that right, then, whether or not motivated by racial discrimination, the conspiracy becomes a proper object of the federal law under which the indictment in this case was brought." 383 U.S. at 760. By employing the words "impede" and "oppress", the Court must have contemplated that the discouragement of interstate travel is also forbidden. Further support for the proposition that the right of interstate travel also encompasses the right to be free of discouragement of interstate movement may be found by analogy to cases proscribing actions which have a chilling effect on First Amendment rights. See *Dombroski v. Pfister*, 380 U.S. 479, 487 (1965); *Wolff v. Selective Service Local Board No. 16*, 372 F. 2d 817 (2d Cir. 1967). Finally, it should be underscored that the statute invalidated in *Edwards* penalized the sponsor of the indigent, not the indigent himself. In short, whatever its source, the right to travel exists and included within its dimensions is the right to establish residence in Connecticut. Denying to the plaintiff even a gratuitous benefit because of her exercise of her constitutional right effectively impedes the exercise of that right. See *Sherbert v. Verner*, 374 U.S. 398, 405-06 (1963). Because Conn. Gen. Stat. § 17-2d has a chilling effect on the right to travel, it is unconstitutional.

Not only does § 17-2d abridge the right to travel and its concomitant right to establish residence, but it also denies plaintiff the equal protection of the laws. "Judicial inquiry under the Equal Protection Clause . . . does not end with a showing of equal application among the members of the class defined by the legislation. The courts must reach and determine the question whether the classifications drawn in a statute are reasonable in light of its purpose . . ." *McLaughlin v. Florida*, 379 U.S. 184, 191 (1964). Connecticut states quite frankly that the purpose of § 17-2d is to protect its fisc by discouraging entry of those who come needing relief.³ The state has not shown that any significant number come for that purpose, and the evidence indicates that most of the class discriminated against come for other purposes, such as, hope of employment, to be with relatives in time of need, as in the case of plaintiff, or to resume residence in Connecticut after a period of absence. Even a classification denying aid to those whose sole or principal purpose in entry is to seek aid, however, would

³ The legislative history further demonstrates that this is the purpose of § 17-2d. For example, Mr. Cohen, while recognizing that only a small proportion of new arrivals come to Connecticut to seek welfare, made the following argument in favor of § 17-2d:

"If we pass this Bill, the word could get around that we are not an easy state, and the rate of influx might relate more closely to the level of job opportunity. As responsible legislators we must, at some point, be interested in costs. I doubt that Connecticut can, or should, continue to allow unlimited migration into the State, on the basis of offering instant money and permanent income to all who can make their way to the State, regardless of their ability to contribute to the economy." Connecticut General Assembly 1965, House of Representatives Proceedings, Vol. II Part 7, pp. 194-95 (Connecticut State Library).

not be sustainable. Anyway, the classification made here, based not on purpose in coming but solely on indigency, hits most heavily those with not even an arguably bad purpose in coming and may not be upheld. As detailed above, the purpose of § 17-2d, to discourage entry by those who come needing relief, abridges the right to travel and to establish residence. A similar purpose was behind the statute invalidated in *Edwards*. California in *Edwards*, like Connecticut here, tried to justify its statute under the police power.^{5a}

Here, as there, the burden on the state treasury⁴ does not justify an enactment with an invalid purpose.

The policy behind the equal protection clause has long been interpreted as that of preventing states from discriminating against particular classes of persons. *E.g.*, *Yick Wo v. Hopkins*, 118 U.S. 356 (1886). Even if the purpose of § 17-2d were valid, which it is not, the classifications established by the statute and the regulations promulgated thereunder are not "reasonable in light of its purpose." Admittedly, the classifications are not drawn on the presumptively suspect lines of race, creed or color. Nor, at the time application for aid is made, can it be said that they are based on poverty; for, at that time, all bona fide applicants are indigent. Furthermore, no inquiry is made into the assets at any past point in time of those applicants who enter with a job or those who have one year's residence. But there is a classification based on wealth between those who enter with a cash stake and those like plaintiff who do not. This classification is invalid because there is no showing that in the long run the applicant with the cash would be a lesser drain on the state treasury. Similarly, even though they are not based on wealth, the classifications of one year's residence or a job are not reasonable in light of the purpose of § 17-2d because again there is no showing that those applicants will be lesser burdens than applicants without jobs or one year's residence. Section 17-2d, in brief, violates the equal protection clause because even if its purpose were valid, which it is clearly not, the classifications are unreasonable.

Granted, the state may provide assistance in a limited form with restrictions, so long as the restrictions are not arbitrary; but, in any case where the government confers advantages on some, it must justify its denial to others by reference to a constitutionally recognized reason. See *Sherbert v. Verner*, supra; *Speiser v. Randall*, 357 U.S. 513 (1958). In *Carrington v. Rash*, 380 U.S. 89, 96 (1965), while striking down a Texas law which prevented servicemen from voting, the Court was careful to emphasize that, "Texas is free to take reasonable and adequate steps . . . to see that all applicants for the vote actually fulfill the requirement of bona fide residence." For example, if there were here a time limit applied equally to all, for the purpose of prevention of fraud, investigation of indigency or other reasonable administrative need, it would undoubtedly be valid. Connecticut's Commissioner of Welfare frankly testified that no residence requirement is needed for any of these purposes.

Judgment may enter in favor of the plaintiff declaring the residence requirement of § 17-2d of the Connecticut General Statutes invalid as applied to plaintiff, awarding plaintiff moneys unconstitutionally withheld,⁵ and enjoining defendant from denying plaintiff Aid to Dependent Children solely

^{5a} "Their coming here has alarmingly increased our taxes and the costs of welfare outlays, old age pensions, and the care of the criminal, the indigent sick, the blind and the insane."

"Should the States that have so long tolerated, and even fostered, the social conditions that have reduced these people to their state of poverty and wretchedness, be able to get rid of them by low relief and insignificant welfare allowances and drive them into California to become our public charges, upon our immeasurably higher standard of social services? Naturally, when these people can live on relief in California better than they can by working in Mississippi, Arkansas, Texas or Oklahoma, they will continue to come to this State." 314 U.S. at 168.

⁴ Incidentally, a small part of Connecticut's ADC budget is involved and the burden on the state treasury is not overwhelming. Connecticut estimates that the indigent who would come in should plaintiff prevail would cost another 2% in ADC, that is, some \$2,000,000 annually. Approximately half of this sum, of course, would be paid by federal appropriation through Congressional recognition of the national nature of the problem.

⁵ That a state cannot be sued without its consent, *Monaco v. Mississippi*, 292 U.S. 313 (1934), is no barrier to awarding money damages here; for, in *Ex parte Young*, 209 U.S. 123 (1908), the Court held that the Eleventh Amendment did not prevent a suit against a state official who was acting unconstitutionally. Consequently, this court can order Commissioner Shapiro to tender moneys which he unconstitutionally withheld. See, *Department of Employment v. United States*, 385 U.S. 355, 358 (1966) where the Court ordered refund of taxes unconstitutionally paid. See also, *Sherbert v. Verner*, 374 U.S. 398 (1963) (unemployment benefits).

because of her failure to meet the one-year residence requirement. Form of decree, including computation of amount of damages due, may be submitted by counsel for plaintiff on notice to counsel for defendant.

The above shall serve as the Findings of Fact and Conclusions of Law required by Fed. R. Civ. P. 52(a).

Dated at Hartford, Connecticut, this 19th day of June, 1967.

J. JOSEPH SMITH,
United States Circuit Judge.
M. JOSEPH BLUMENFELD,
United States Circuit Judge.

I dissent, with opinion.

T. EMMET CLARIE,
United States Circuit Judge.

CLARIE, District Judge, dissenting:

I respectfully dissent and disagree with the majority opinion that §17-2d of the Connecticut General Statutes is unconstitutional. The residence time qualification for welfare eligibility of non-residents coming into the State, as contained in the law, is a reasonable one directly related to the problem sought to be governed. It is a valid legislative classification, which the State has the discretion and authority to enact. It is not within the province of the judiciary to determine whether the remedy chosen is a wise one, but only whether it is constitutional. *Railway Express v. New York*, 336 U.S. 106, 109 (1949); *Daniel v. Family Ins. Co.*, 336 U.S. 220, 224-25 (1949); *Olsen v. Nebraska*, 313 U.S. 236, 246-7 (1941).

Forty other states of the United States, including Connecticut, have established a one-year residence requirement, as a condition of eligibility to qualify for aid to families with dependent children.¹ Congress itself has sanctioned the laws of these forty states, by enacting 42 U.S.C.A. § 602(b), which provides for a federal contribution to state administered programs, where the condition of eligibility does not exceed a one-year prior residence. As a practical matter, most states require a residence eligibility requirement or waiting period for all forms of welfare benefits.²

The majority opinion concedes that the purpose of § 17-2d is to protect the state's fiscal responsibilities by discouraging entry of those who come into the state seeking relief.³ It goes even further and asserts that a classification denying aid to those whose sole or principal purpose in entering the state to seek aid would be unconstitutional. The principal basis for the majority position is that the law abridges the right of freedom to travel and to establish residence; and that because such a statute as § 17-2d has a chilling effect on the right to travel, it is therefore unconstitutional. The landmark case cited to support this position is *Edwards v. California*, 314 U.S. 160 (1941).

The latter case can be distinguished from the issue being litigated here. It involved a state statute, which made it a crime to transport across the state line into California, one who was an indigent. This statute was ruled unconstitutional by the United States Supreme Court, because it not only restricted commerce between the several states, but it also actually limited the right of citizens to travel freely between the several states. On the contrary, the statute which is now in issue, does not prohibit travel between the states as such. What it does do and is intended to do, is to deter those who would enter the state for the primary or sole purpose of receiving welfare relief allotments.

Connecticut is comparatively generous in welfare grants. The legislature provides an open-end budget in its biennial appropriations to the State Welfare Department,⁴ so that no qualified applicant may be denied aid or caused personal hardship by delay or the arbitrary limitation of budgetary appropriations.

¹ (a) Stipulation of the Parties, Para. 61.

(b) States which do not have any waiting period are Alaska, Georgia, Hawaii, Kentucky, Maine, North Dakota, South Dakota, New York, Rhode Island, and Vermont. *Pocket Data Book USA, 1967*, U.S. Dept. of Commerce, Statistical Reports Division, Lib. Cong. Card No. A66-7638.

² Some thirty-five (35) states require that an applicant must have resided within the state five of the preceding nine years, including the immediate past year to be eligible to receive old age, deaf and blind benefits. Five (5) other states require simply a one-year residence to receive these benefits. See, *Characteristics of State Public Assistance Plans Under the Social Security Act*, U.S. Gov. Print. Off. (1965). Also see, 42 U.S.C.A. §§ 1202, 1352.

³ *Supra*, note 1(b) at 182.

⁴ CONN. GEN. STAT. (Rev. 1958) § 4-95.

Connecticut ranks fourth among all the states, with monthly payments of \$197.00 (46% contributed by the federal government) for a family of four, compared with the national average of \$148.00. An extreme comparison is had by comparing the average monthly payments for a similar family unit in Mississippi of \$33.00; in Alabama, \$48.00; in Florida, \$60.00, and in South Carolina, \$64.00. In those latter states, the federal government contributes 83%, the state 17%.⁵ Thus by way of illustration and comparison, the State of Connecticut's monthly contribution is \$109.00 compared with that of Mississippi's of \$5.50. It should be noted that §17-2d applies both to the general assistance allotments under §17-273, Part I, Chapter 308, for which no federal contribution is provided, as well as to Chapter 301, aid to dependent children. Uncontrolled demands upon Connecticut's welfare program could effect an overall reduction of aid paid to eligible beneficiaries. It is a proper function of the legislature to enact such reasonable statutory controls, under the police powers reserved to the state in the Federal Constitution,⁶ that its obligations to aid the needy of the state may continue to be generously fulfilled. *Missouri, Kansas & Texas Railway v. Haber*, 169 U.S. 613, 629 (1898).

The United States Supreme Court recognized the problem when it upheld the constitutionality of the Federal Social Security Act:

"A system of old age pensions has special dangers of its own, if put in force in one state and rejected in another. The existence of such a system is a bait to the needy and dependent elsewhere, encouraging them to migrate and seek a haven of repose. . . ." *Helvering v. Davis*, 301 U.S. 619, 644 (1937).

Connecticut has always freely exercised its sovereign right as a state, to legislate and administer controls governing a myriad of comparable state services. A needy student, to be eligible for a scholarship loan, must have resided within the state for the twelve (12) months previous to his application;⁷ to receive aid to send a blind child for instructions, both the child and one of his parents or guardians must have resided within the state for one (1) year preceding the application.⁸ To be an elector, one must have resided within the state for six months.⁹ To be eligible to hold a liquor permit one must first be an elector.¹⁰ With certain specified exceptions, a one year's residence is a prerequisite to applying for employment in the state merit system.¹¹ A plaintiff in a divorce action must have resided in the state continuously for three (3) years prior to bringing an action, unless the cause arose subsequent to residence within the state.¹² The captains and members of the crew of oyster boats, in order to be licensed must have a one-year residence,¹³ as well as those who would take scallops from state waters;¹⁴ and so on ad infinitum.

Are these residence requirements established through several generations of orderly state growth, now to be struck down as constituting a constitutionally unlawful discrimination between the citizens who have just moved into the state and those who meet these reasonable statutory requisites? Such a decree by judicial fiat would go far toward completing the annihilation of the police powers, which were reserved to the several states and to the people under the tenth amendment to the Federal Constitution.

It is not within the province of this Court to pass upon the state legislature's wisdom in causing the enactment of this law, but whether or not the law violates the constitutionally guaranteed rights of its citizens. As Mr. Justice Frankfurter said in *Board of Education v. Barnette*, 319 U.S. 624, 647 (1942):

"It can never be emphasized too much that one's own opinion about the wisdom or evil of a law should be excluded altogether when one is doing one's duty on the bench. The only opinion of our own even looking in that direction that is material is our opinion whether legislators could in reason have enacted such a law."

An historical review of the legislative act which preceded § 17-2d illuminates and discloses the true purpose of this law. § 1, Public Act No. 501, 1963 Connecticut General Assembly provided:

⁵ Stipulation of Parties, Para. 58, 59.

⁶ Art. X, Amendment to the Constitution of the United States.

⁷ Conn. Gen. Stat. (Rev. 1958) § 10-116(c).

⁸ Conn. Gen. Stat. (Rev. 1958) § 10-295(b).

⁹ Conn. Gen. Stat. (Rev. 1958) § 9-12.

¹⁰ Conn. Gen. Stat. (Rev. 1958) § 30-45(3).

¹¹ Conn. Gen. Stat. (Rev. 1958) § 5-39.

¹² Conn. Gen. Stat. (Rev. 1958) § 46-15.

¹³ Conn. Gen. Stat. (Rev. 1958) § 26-212.

¹⁴ Conn. Gen. Stat. (Rev. 1958) § 26-288.

"When any person comes into this state without visible means of support for the immediate future and applies for aid to dependent children under chapter 301 or general assistance under part I of chapter 308 of the general statutes within one month from his arrival, the welfare commissioner shall determine whether such person's remaining will serve the best interests of (a) the state, (b) the town to which the person has come and (c) such person. In making his determination, the commissioner shall consider (a) the circumstances involved in such person's coming to this state, (b) his situation now that he is here, (c) the circumstances involved if he remains, (d) whether he comes to this state able and willing to support himself or whether he came for the purpose of seeking welfare assistance and (e) whether he will need such assistance indefinitely."

The 1965 Session then amended the law, § 17-2d, so as to change the phrase "one month from arrival" to "one year from arrival"; it eliminated the statutory restrictive standards for the guidance of the Commissioner's administration of the act, and adopted the maximum federal residence requirement. 42 U.S.C.A. § 602b. The intent of the law was to exclude those from benefits, who came into the state for the primary purpose of seeking welfare assistance and it should be so construed and interpreted. It has always been a principle of constitutional interpretation that the Courts, if at all possible, should construe a statute so as to bring it within the Constitution. *Michaelson v. United States*, 266 U.S. 42 (1924); *United States v. Delaware & Hudson Co.*, 213 U.S. 366 (1909).

The Public Welfare Committee of the 1967 Legislature, just adjourned, considered this residence issue in Substitute for Senate Bill No. 166; the bill was defeated by recommitment to committee.

The legislature so exercised its sovereign police power to classify equally all non-residents who came into Connecticut, who applied for welfare aid within a stated time period. The law affected all persons similarly situated in the class described:

"Class legislation, discrimination against some and favoring others, is prohibited, but legislation which, in carrying out a public purpose, is limited in its application, if within the sphere of its operation it affects alike all persons similarly situated, is not within the amendment." *Barbier v. Connolly*, 113 U.S. 27, 32 (1885).

Without such a statutory deterrent, this state would be powerless to prevent its becoming a refuge for welfare recipients of other states; even those who might be encouraged or even assisted to migrate from their settlement of origin.

"Freedom of residence is restricted as to citizens only while on relief. . . . No interference is had with the right of any citizen to choose and establish a home. What is controlled is the unrestricted imposition of indigent persons and families without settlement upon a community and State where they cannot establish a home because of their indigent status. . . . Such conditions restrict individual rights and freedom in the interest of the right, security and freedom of the rest of the community of the State." *Matter of Chirillo*, 283 N.Y. 417, 28 N.E. 2d 895 (dissenting opinion).

I further dissent from the award of money damages to the plaintiff by the majority for the past aid alleged to have been unconstitutionally withheld. Connecticut has not consented to be sued for money damages in this class of action. *Monaco v. Mississippi*, 292 U.S. 313, 324 (1933); *Ex Parte State of New York No. 1*, 256 U.S. 490, 497 (1920).

Welfare aid, by its nature, does not create a vested right to back payments which have been denied. Public welfare is a current subsistence grant from public charity funds administered by statutory standards. This is confirmed by the philosophy behind the state welfare laws requiring reimbursement from paupers for support payments. §§ 17-277, 17-293. This plaintiff has been living on monthly allotments from a private source, the Catholic Family Services of Hartford. A money judgment award, under the circumstances, would amount to a gratuitous windfall.

Without such a right to reimbursement for past allotments, the case is now moot. The plaintiff moved to Hartford, Connecticut, in mid-June 1966. Her present residence eligibility under § 17-2d, having been satisfied, she now qualifies to apply for aid to dependent children under Chapter 301. The case should accordingly be dismissed. *Doremus v. Board of Education*, 342 U.S. 429 (1952).

T. EMMET CLARIE,
District Judge.

Chairman PERKINS. You have covered in general your general presentation, you are ready for questions?

Mr. JOHNSON. Yes.

Chairman PERKINS. Mr. Dent?

Mr. DENT. I have no questions. If I remember correctly, when you were before us before there was a question left unresolved, and the gentleman on my left from New Jersey had asked a question dealing with activities of your legal service through your staff into the area called "other than acting as an advocate for the poor" and acting rather as an attorney at law in all phases of law, other legal services.

I dropped the question at that point because I know that he is more informed on it than I am. What's happened on that? If I remember right, you were to give us some kind of a survey on whether or not that was happening in the Legal Services Branch of OEO.

Mr. DANIELS. In other words, Mr. Johnson, the question presented to you at that time—

Chairman PERKINS. The gentleman from Pennsylvania yields to the gentleman from New Jersey?

Mr. DENT. Yes.

Mr. DANIELS. The question was whether or not the Bureau of Legal Services of OEO would undertake to write wills for so-called indigent persons. Well now, I believe the end response was that at this informal luncheon meeting we had that you would write a will.

I would like to have it stated for the record under what circumstances would your attorneys be authorized to draw up and execute a will for a person who comes to your department for legal assistance?

Mr. JOHNSON. Only when the income and the other assets of the individual involved were so minute that a private attorney would not be interested in the case.

There have been rare instances—I know of only two or three, for instance, out of some 20,000 cases that have been handled in the Washington project, that involve that. What they turned out to be were people who had some family heirloom of no value financially, but, you know, emotional value, sentimental value to the family, and they wanted to pass that on to a specific individual.

They could not afford a private attorney to do it. There were no assets in the estate for a private attorney to earn any fee out of it, so they did undertake to write the will in those cases.

Mr. DANIELS. Assuming that interrogation of the testator would disclose that he had substantial assets, be it either real or personal property, would your attorneys undertake to draw the will under those circumstances?

Mr. JOHNSON. He would not, because a private attorney would be only too happy to do that.

Mr. DANIELS. Under what circumstances does your department undertake to render assistance in divorce or separation proceedings?

Mr. JOHNSON. Our projects handle divorce and separation proceedings as they would any other legal matter, as is evidenced by the statistics. However, they have been able through the help of family service agencies and so forth to effect reconciliations, dispositions other than divorce or separation for the vast bulk—something like 80 percent of the divorce and annulment cases that come to their attention.

Mr. DENT. If the gentleman will yield, I would like to ask the Chair to invite our colleague.

Chairman PERKINS. Come on up Bill. He authored the act of 1965.

Mr. DENT. I would like them to know that he is slowly ebbing away from here.

Mr. JOHNSON. As I was pointing out, our projects would undertake to represent someone in a divorce, separation or annulment under the same circumstances they would in any other kind of case. But I also want to point out that the statistics reveal that in the vast majority of cases where people have come seeking divorce, separation or annulment, the legal services program along with family help service agencies have been able to work out a different solution to the problem.

Mr. DANIELS. Would you initiate a divorce proceeding or a separation proceeding on behalf of a person?

Mr. JOHNSON. Yes; we would, if that person was eligible financially for the services.

Mr. DANIELS. What is the justification for such action on your part? How is it justified under this poverty program?

Mr. JOHNSON. We feel that the major purpose of our program, as stated in the statute, is to promote justice among people living in poverty, and that this entails offering to them the same scope of legal services as is available to a rich man. If a State statute sets up a right to obtain a divorce if certain grounds are present, then the legal services program should afford an attorney to a poor man to obtain that divorce in the same sense that a rich man has that opportunity.

Mr. MEEDS. Will the gentleman from New Jersey yield?

Mr. DANIELS. I yield.

Mr. MEEDS. Mr. Johnson, is it not true that in some instances that a divorce or a legal separation is the best instrument to keep a person from going into poverty or to enable a person to get out of poverty?

Mr. JOHNSON. Yes; there is a very good example from southern Illinois, one of our projects there. A woman came to them who had for several years been beaten by her husband and he had not been supplying any support to her. She had someone else that she would have liked to have married, but she had not been able to afford a divorce. The legal services program obtained the divorce for her. She then married the second man, and not only did they benefit, but the society benefited because she had been on welfare before and now the second man was supporting her.

Mr. MEEDS. Are you aware, Mr. Johnson, that the community property laws in some States—as for instance my own State of Washington—provide, when a couple are separated, that the husband can incur obligations which the wife could be responsible for. In many instances that I have seen personally where a wife was trying to make a living for herself after being separated from her husband, but not legally, or divorced. Her wages were subject to garnishment for debts incurred by the husband because they were still a community and as such she lost her job.

Mr. JOHNSON. There are scores of these instances from California, for instance.

Mr. MEEDS. And divorce or legal separation is the only thing that can prevent this, is that not correct?

Mr. JOHNSON. That is correct.

Mr. MEEDS. Would you say there is justification for a divorce then and for representation under those circumstances?

Mr. JOHNSON. Yes; and there are also many cases where it's the only way of legitimizing children and this has an economic impact on those children for the rest of their lives in terms of whether they will be entitled to social security benefits, whether they will be entitled to inherit, and so forth.

Mr. MEEDS. Mr. Chairman, at this point in the record I would ask permission to insert a memorandum of actual cases handled by the Legal Services Bureau of King County, showing instances in which this very thing that I have just described occurred.

Chairman PERKINS. Without objection it is so ordered.

(The memorandum follows:)

JUNE 5, 1967.

Memorandum to: Congressman Lloyd Meeds.

From: Charles E. Ehler, assistant director, Seattle-King County Legal Services Center.

Re Divorce litigation by OEO funded legal aid offices.

The following are case summaries and observations of staff lawyers in our three neighborhood offices regarding divorce litigation for people with low incomes.

1. The plaintiff is an attractive, intelligent woman. She and the defendant were married in 1956 and have two children. The plaintiff has three other children by a former marriage, including teenage twins. The defendant deserted the family more than two years ago and since that time the plaintiff has not heard from him or been able to get any information as to his whereabouts, although she has attempted to locate him through his relatives out of this State. Rather than renting, the plaintiff is purchasing a small home in order to keep her family together and maintain a respectable standard of living, even though she is receiving help from the Aid to Dependent Children program. She has never been able to afford a divorce action until the opening of the Legal Services office. It will mean a great deal to both the plaintiff and her children to be free from an unhappy marital situation wherein there is a husband and father, but no one knows where. This is especially important in this case because there are teenage children involved, who are old enough to know the facts surrounding their father and to be hurt by his neglect and lack of concern.

2. The plaintiff and defendant have been married for 10 years. They have three children ages 9, 6 and 3. From the beginning, the plaintiff has had trouble with the defendant's drinking and extreme physical cruelty. The defendant gambles and will go to almost any length to obtain money for gambling. He takes things away from the family home, appliances, clothes, radios, in fact anything he can pawn or raise money on with which to drink and gamble. The plaintiff has often attempted to help the defendant and has tried to get him to seek help through the Alcoholics Anonymous, but the defendant will never cooperate. The plaintiff herself is able and willing to work and support the family, but every opportunity she has had has been lost as a result of garnishment or harrassment due to her husband's financial problems. The defendant has lost numerous jobs due to his drinking and the plaintiff has never had any money to start legal proceedings for a divorce. This family came to Washington to try to make a fresh start, about two years ago, but by now the plaintiff can see that there is no hope. After consulting with a Legal Service Center lawyer about the divorce action, the plaintiff was able to move into a public housing project with her three children, has found employment and hopes to make a new life for herself and her boys. She is regretful about having to seek a divorce, but can see that there is no hope for the future of her children living in an atmosphere of fear and insecurity.

3. The plaintiff's husband left her about two years ago with two small children. The plaintiff has been in bad health for several years. She has no particular job

skills and little education. Nevertheless, with the babysitting assistance of some married friends, the plaintiff secured two low paying jobs to provide enough money to support herself and her family. Her husband had never provided her with any support and she did not want to be on the public assistance rolls. She consulted an attorney (private) about getting a divorce from her husband on grounds of abandonment and non-support. The lawyer started an action for her, but would not complete it unless she came forward with \$200.00 in cash. He would not even turn it over to another lawyer unless she came forward with \$100.00 in cash. She did not have either sum. Meanwhile, during the two years since her husband left her, she had met another man and they wanted to get married. Since the plaintiff's bad health had forced her to give up one of her jobs, she became economically eligible for legal assistance at the Legal Services Center.

4. The plaintiff, a woman about 55 years old had been married to the defendant for 25 years. During this time the defendant had worked off and on. The parties had accumulated no property except a small piece of real estate with a small house on it in rural King County, worth about \$2,000 to \$3,000. The parties had never had any children. One day, about a year and a half ago, the defendant left and has never come back. There had been no arguments, no fights and no discussion of separation. He just left. Having no other means of support, the plaintiff had applied for Public Assistance and was living on an allowance of about \$80.00 per month. The Department of Public Assistance did, however, provide for surgical and other medical care of the plaintiff, which she needed during the year after her husband left. Eventually the plaintiff decided that her husband was not coming back and came to the Legal Services Center to secure a divorce. At the hearing on her divorce, the Judge remarked in the plaintiff's presence and in open court that it seemed like she could pay for an attorney by selling her property. The property would be well within the Homestead exemption allowed by the laws of the State of Washington.

5. The plaintiff and defendant had been married for about 20 years. It then became necessary for the plaintiff to have a hysterectomy, which was performed. Very soon thereafter, the defendant abandoned the plaintiff and she has never seen him since then, a period of about two years. The plaintiff lives on small amount of support provided by a grown son, and upon a small amount of money that she makes through occasional work. She has no education and no job skills. She came to the Legal Services Center for a divorce, which service was provided for her.

6. The plaintiff was a young woman who married the defendant after knowing him for a few months. The defendant had told her that he had been married before and divorced. After their marriage, the plaintiff learned that the defendant had not, in fact, been divorced and was still married to his first wife. The plaintiff also found that she was pregnant. The defendant also began mistreating the plaintiff and inflicting physical pain on her. As a result of these things, the plaintiff left the defendant and, being pregnant, having no employment and no income, came to the Legal Services Center to straighten out her marital affairs. A Legal Services attorney was able to document that the defendant had, in fact, been married before and was still married at the time of his presumed marriage to the plaintiff, and an action for annulment (Decree of Nullity) was instituted.

7. The plaintiff and defendant had been married for about six years and had three minor children. The defendant, for some period of time, had been given to violent bursts of temper and physical abuse of the plaintiff. In the past, he had frequently lost his temper, beaten up the plaintiff, broken up the household things and left for a day or two. The last time this happened the plaintiff tried to get a private lawyer to begin a divorce action and obtain a restraining order for her, but was turned down because she did not have \$100.00 in cash. She came to the Legal Services office and a divorce action was immediately instituted and restraining order obtained against her husband, barring him from entering the family premises, and requiring him to pay support, and separating him from the children temporarily. The defendant was able to appreciate the significance of the court order and obeyed it. In this somewhat more orderly and disciplined atmosphere the plaintiff and the defendant were able to discuss their marital problems and even though the defendant had in the past refused to seek professional help and marriage counseling, he did in this case agree to do so. After several months the plaintiff advised her Legal Services attorney that

they were getting professional marriage counseling and had worked out what appeared to be a durable reconciliation.

8. The plaintiff and the defendant had several children. The defendant father abandoned the family. The plaintiff applied for and received Aid to Dependent Children. Having no funds to secure assistance of a private attorney, the plaintiff came to the Legal Services Center to institute a divorce action. Her Legal Services attorney secured a support order against the defendant father, which he complied with, making support payments to the plaintiff. These payments were counted by the Department of Public Assistance as a family resource and reduced the amount of Public Assistance grants to the plaintiff's family.

9. The Seattle Housing Authority operates a public housing project for people with low incomes, computing its rent on an annual basis, according to income. If a husband and wife separate during the year, the rent computation is not changed, even though the income situation may be drastically altered as a result of the separation, unless a divorce action is filed. The plaintiff and her husband and children lived in a public housing project at the beginning of the year. During the year, the husband left the plaintiff, and did not provide her with support. The plaintiff came to the Legal Services Center to seek a divorce, which was instituted for her, resulting in a reduction of her rent.

SUMMARY

Several purposes are served by Legal Services attorneys handling divorce litigation, which would probably otherwise be neglected.

1. Handling divorces results in obtaining support orders, obtaining partial support and reducing Public Assistance grants;
2. Handling divorce litigation may result in freeing one spouse from a hopeless marital relationship, enabling her or him to remarry and try to establish a more stable family;
3. Handling divorce litigation may result in obtaining orders for the protection of parties to the marriage from physical and mental abuse;
4. Handling domestic relationships may result in referrals to other social agencies, leading to a reconciliation;
5. Handling divorce litigation may result in rent reductions in public housing projects.

Mr. DANIELS. What is the American Bar Association feeling toward this divorce and separation matter?

Mr. JOHNSON. Their position is the same position that we have taken, that is; that the legal services program should render assistance in those kinds of problems.

In fact, our national advisory committee spoke to this question at a recent meeting. The national advisory committee of the legal services program, which as you are probably aware, has the immediate past president of the ABA, the current president, the president-elect of the ABA, and many other ABA officials on it, passed this resolution unanimously.

It is stated that:

It is to be expected that as legal services programs get underway there will be a cycle of problems in the family law area. For those who have not had legal services available to them, these are often the most immediate problems requiring attention. They will often arise out of long-standing situations for which there has previously been no redress. These problems should be handled by legal services programs and their relation to legal problems in other areas, such as housing or credit protection, fully explored.

This was a unanimous resolution of the national advisory committee.

Mr. MEEDS. Mr. Chairman, may I ask one further question?

Chairman PERKINS. Yes.

Mr. MEEDS. Mr. Johnson, is it also not true that the legal services bureaus in most instances have very good working relationships with

the family conseling and other services available in the cities and that they can work as a group toward solution of domestic problems?

Mr. JOHNSON. Yes.

Mr. MEEDS. Doesn't this account for the fact in large degree that where you have 15 percent of your people seeking legal services for divorce, that only 2 percent actually end up in divorce?

Mr. JOHNSON. That's absolutely correct, Congressman.

Mr. MEEDS. You are able to, in effect, offer to these people a much more elaborate and much more capable system of family counseling than the average independent lawyer to whom a client might, or from whom a client might, seek information about domestic problems?

Mr. JOHNSON. Which also points up the advantage of having the law offices, as is true in over 50 percent of the cases located in multi-service centers, where the family services and other kinds of services that would help the family are ready at hand.

Chairman PERKINS. Mr. Goodell.

Mr. GOODELL. Mr. Johnson, you had earmarked \$22 million for legal services program in the authorization bill last year. What are you recommending this year?

Mr. JOHNSON. For fiscal 1968?

Mr. GOODELL. Yes.

Mr. JOHNSON. I believe that we are listed at \$47 million.

Mr. GOODELL. Are you recommending that it be earmarked?

Mr. JOHNSON. No; we are not.

Mr. GOODELL. Is it your position that you feel the legal services program could stand on its own feet in competing for community action funds from the local community action board?

Mr. JOHNSON. I think it can. In many surveys run by community action agencies, the need for legal services has been one of these uppermost in the minds of the poor.

Mr. GOODELL. Do you know if this is the position of the American Bar Association?

Mr. JOHNSON. I do not know. I don't believe they have taken a position on the matter of earmarking; I do not know.

Mr. GOODELL. What percentage of your cases involve a suit against an agency of the Federal Government?

Mr. JOHNSON. I would have to give an estimate on that; roughly 7 percent of our cases are suits involving an administrative agency, either State, local, or Federal on the other side. Approximately half of those involve State and local welfare agencies—

Mr. GOODELL. Half of those?

Mr. JOHNSON. Half of the 7 percent involves State and local welfare agencies, so it would be less than 3.5 percent of our total. But I would imagine more in the neighborhood of 1 to 2 percent.

Mr. GOODELL. I think many of us who have great sympathy and understanding for the legal services program with reference to consumer problems, housing problems, and things of that nature, where the poor are being exploited, have some question in our mind about the propriety of providing counsel to sue agencies of the Federal Government.

If there is an injustice done in the administration of a Federal law, it seems to me there should be some kind of procedure administratively

provided for appeal within that agency rather than get into a lawsuit as such.

You cited the one case in Connecticut where you had the constitutional decision that was just handed down regarding the resident requirement. What kind of other cases do you have with reference to welfare?

Mr. JOHNSON. First, let me put the matter—the first part of your question in perspective.

Mr. BURTON. Excuse me, at this moment will you yield?

I am sure the gentleman from New York understands that a welfare program is not technically a suit against the Federal Government, but a local, because these programs are administered entirely through state agencies, so for purposes of classifying whether this is a suit against the Federal Government or not, I think it should be understood that this is not in any technical sense, certainly not in a substantive sense, a suit against the Federal Government, be it against a local agency of a Federal, State, or local program.

Mr. GOODELL. There is a great deal of money involved in funding the agency, I agree with that. I am not distinguishing here a suit technically against a State, local, or Federal Government. What I am interested in is a suit against a government where it is a program of aid or welfare for the individuals involved.

Mr. JOHNSON. Most of the legal problems that involve either State or Federal agencies involve representation by a legal services lawyer in the administrative proceedings of that agency, not in a separate court suit brought against that agency.

In other words, most of the State and local welfare cases are cases in which a legal services lawyer is representing a local recipient in a hearing conducted by the welfare agency, not in bringing some suit in Federal court or State court against that kind of agency.

The Hartford kind of case is the exceptional case in the welfare area.

Mr. GOODELL. First of all, do you have legal services boards in areas where you do not have a community action board?

Mr. JOHNSON. We have a very few single-purpose legal service agencies. We, for instance, have a statewide program in Montana which is administered by the State Bar of Montana and which covers all of the cities and towns plus some of the rural areas of Montana, although there is coordination with the community action agencies in those cities in Montana which have them, it is basically a single-purpose agency.

Mr. GOODELL. Where there is a community action board, I take it it's your procedure to have the legal services board created by the community action board and your funds come through the community action board?

Mr. JOHNSON. Yes, almost without exception. I can think of only one place where there is a community action agency where a legal services program is funded separately and not through the community action agency.

Mr. GOODELL. And you have the representation on the legal services board and, as I understand it, have developed in most instances a high degree of independence as to policymaking on the legal services board itself?

Mr. JOHNSON. That is correct. In most instances the legal services program is a delegate agency of the community action agency, has its own board and it does have considerable independence. It was felt it had to have at least enough independence so that a legal services lawyer would be free to represent someone against the community action agency as well as against anyone else.

Mr. GOODELL. I understand it's the lawyers' viewpoint and the bar associations, that this program should not be a social welfare type program, that it should be a professional program handled in a professional way, controlled by, or at least greatly influenced by, the local bar association with the representation of the poor also on the board.

Are you in accord with that approach?

Mr. JOHNSON. That's part of our guidelines, in effect, of our program—

Mr. GOODELL. You don't believe that there should be what they call—I don't know whether it is just a bogeyman or not, a social welfare approach as distinct from a professional legal approach?

Mr. JOHNSON. In one sense the whole community action program in OEO is against the traditional social welfare approach. The legal services program looks upon itself, the lawyers look upon themselves as advocates, professional law advocates for the poor.

Mr. GOODELL. Let me ask you with reference to this experiment of judicare in Wisconsin. Initial reports were that 84 percent of the cases there were divorces. This was a situation, was it not, where you issued a "credit," card in effect, to poor who qualified and they could go to any lawyer they wanted to, for any type of legal services?

Mr. JOHNSON. Well, for any kind of civil case.

Mr. GOODELL. Any kind of civil case?

Mr. JOHNSON. That's right.

Mr. GOODELL. Has the experience over a period of time reduced the percentage from the original 84 percent that was reported in divorce cases?

Mr. JOHNSON. In the Wisconsin judicare program?

Mr. GOODELL. Yes.

Mr. JOHNSON. As you recall, that was the first 2 months. It was based on a total of 85 cases. The percentage is now down even in that program to somewhere in the neighborhood of 50 percent. As I indicated, based on the first 200,000 cases we have had nationwide, the percentage of people we have had coming in seeking divorce and annulment is only 15 percent.

Mr. GOODELL. Legal care in England, as such, conforms to that pattern. When they started out, about 80 percent of the cases were divorce cases. As I understand it, legal care has been in operation for about 17 years in England and the rate is now down to about 40 percent of the cases. Would your own experience adhere to that trend?

Mr. JOHNSON. That is correct.

There is another thing that probably bears on this area. The American Bar Foundation, in connection with a survey it is running for us, did a survey of the poor and what the poor perceive to be legal problems in Peoria, Ill.

One thing they found out, all the poor recognize domestic relations as something you went to a lawyer about. But only one recognized what

a lawyer or trained layman would recognize to be legal problems in the consumer area, the housing area, et cetera.

Mr. GOODELL. I have one further question here, if the gentleman will indulge me. I take it by implication, that you gave the cost of \$48.39 per case in your neighborhood legal services and \$139.01 for judicare. By implication you seem to be saying you prefer the neighborhood approach to the judicare approach.

Do you have any assessment of the comparative value of these two approaches?

Mr. JOHNSON. Our preliminary conclusion is that certainly for urban areas where neighborhood law offices manned by full-time staff attorneys are clearly feasible, that this is by far the preferable method. It means we can reach with the same amount of money almost three times as many people.

We don't know all the answers on judicare yet, because we don't know all of the answers as to the quality of service being performed and what the cost might be in a rural area like that with a staff-type program.

The American Bar Foundation is doing a comparison study for us of judicare and staff-type programs in a rural context, and we are also going to have the University of New Mexico Sociology Department do an in-depth study and comparison of judicare and another kind of program in a rural area.

Chairman PERKINS. Mr. Ford?

Mr. FORD. Thank you, Mr. Chairman.

The record seems to be unduly burdened this morning with discussion of divorce. The implication here is that your program is blazing a new trail in providing public money for the destruction of the institution of marriage. I would like to observe that in Wayne County, which includes the city of Detroit, and some 40 other communities known as the Detroit metropolitan area, we have been using public money to pay for divorces, separations for at least since I began to practice law in January 1952, and I know it had been going on for some many years before that.

Mr. Meeds has touched upon a situation in his State which makes a divorce not only absolutely desirable, but absolutely essential for a person who frequently finds himself in poverty. I would like to suggest one we find frequently around the big industrial city.

We have folks who come from other parts of the country with false hopes about how easy it is going to be to get a big-paying job in the automobile plant. A young man comes without much training and perhaps one or two small children. He discovers that the additional burden of trying to compete in the much more difficult environment of an industrial city is just too much; so he has what the lawyers in our area refer to as "a poor man's divorce." He just gets on a bus or train and leaves.

His young wife is left with one or two children. The first time she comes in contact with a social agency, a record is made of the marriage and where it occurred and so on, but she hasn't the slightest idea where her husband lives, or even if he is alive. She may ultimately get on ADC or some other program. Finally, if she's fortunate and starts to work her way out of it, she might find a job that will start to move her away from being dependent entirely on public welfare.

She is still young enough and has an opportunity to make a new life for herself. She finds, however, that every time she turns around, she is classified for all purposes as a married person when, in fact, she no longer is enjoying any of the protection of her marriage state.

So, in those cases where the husband cannot be found, she is in a state of legal limbo until an action can be brought for his desertion and the relationship severed.

All too frequently this young woman seeks the protection afforded by living with another man without benefit of that divorce, and then starts to produce some children whose legitimacy is legally wrong from the beginning. Now we find that we have two generations of people being fouled up because of the presumptions that the law creates, and the only way to untangle this kind of mess is for a quick, clean, proper divorce proceeding.

I would like to also suggest that it is not the function of either your program or this committee to decide upon the public policy of the law of divorce. It has already been decided by the superior wisdom of the legislatures of every one of our 50 States, that divorce is, in fact, a proper legal remedy to sever certain legal relationships between people. I don't think that we should leave this record with the impression that this has become a primary function or a primary mission in any part of the program, and I hope before you finish that you will put enough statistical data in this record to show exactly where these cases fall, representing a portion of the total legal work done not just in terms of the number of people involved, but how much time is spent counseling people on their legal rights and responsibilities as distinguished from the actual time in preparing papers for a divorce.

So, any legal stenographer in a law office who cannot prepare a divorce proceeding from the beginning to end is not much of a legal stenographer. I am sure my legal colleagues here would agree it is one of the less troublesome and taxing types of legal work to handle.

I shouldn't want the impression to be that we are taking all of this high-powered legal talent and using it that way, because most of these divorce cases are just a filling-out-paper operation.

Mr. JOHNSON. I think we can put it in perspective.

Twice as many people are receiving representation in court in regard to consumer problems as are receiving representation in court with regard to divorce. More juveniles are being represented in juvenile court by our programs than spouses are in divorce court.

That gives you some idea of the volumes of other kinds of cases in court as compared to divorce and annulment.

Mr. FORB. Let me ask this. Suppose that an injured person comes in and the attorney in your neighborhood office determines that the person probably has a cause of action against someone that is of such a nature that many attorneys would accept that case on a contingent fee basis. Are those always referred out?

Mr. JOHNSON. Those are always referred out and in the majority of instances, the vast majority of instances, there is a lawyer referral service run by the bar association in town and the referral is made through that lawyer referral service to private attorneys.

Mr. FORB. Now, with regard to this judicare program in Wisconsin, as I understand it, the person was at complete liberty to go to any

lawyer, practicing in the community, that they selected for the purpose of consultation.

Mr. JOHNSON. That is correct.

Mr. FORD. Did you make any breakdown to see if the same lawyers were handling all of the divorces or if they were spread around?

Mr. JOHNSON. The statistical breakdown, I cannot recall the details, but we could furnish it to you. I do know that a good portion of the cases were being handled by a very few attorneys.

(The information referred to follows:)

WISCONSIN JUDICARE

From 12-31-66 to 6-31-67 Wisconsin Judicare attorneys have handled a total of 732 family problems and rejected 10. They are broken down as follows:

	Accepted	Nonaccepted
(a) Divorce and annulment.....	549	0
(b) Separation.....	41	1
(c) Nonsupport.....	44	6
(d) Custody and guardianship.....	45	2
(e) Paternity.....	11	1
(f) Adoption.....	6	0
(g) Other.....	26	0

Mr. FORD. I would be interested to know if the same attorney was handling all the divorce cases, because one of the dangers that I can see in what you are experimenting with, and I am glad to hear it was only a one-shot experiment, is that there are some attorneys who like this easy word. You know, this is shooting-ducks-in-the-barrel type of practice that, as I said, can be done mostly by a girl in the office, and I wouldn't like to see us financing a situation where the only lawyer in town who wanted to do this sort of thing was handling all of the divorce cases with this money and running up a pretty good score.

That kind of a specialist is not generally looked upon in our courthouse as the guy who is working hardest to take care of the American family.

Mr. JOHNSON. That is correct.

My recollection is that in one town where they had about 10 attorneys, one of those attorneys had over half of the cases and most of those cases were divorce cases. So this kind of pattern may be emerging.

Mr. FORD. I also recognize that it is the shame of our profession that we have many lawyers who are too busy to become involved with the dirty little problems of people like I described a few minutes ago with illegitimate children and problems of that kind, and no money involved to make the case interesting.

So, even with the danger of this possible use in Wisconsin, you are dealing again, as in so many other phases of the poverty program, with cases that nobody else wants to handle. It is hard to evaluate what you are doing with the legal services program because for the first time I think you are helping people with the kind of problem that the Legal Aid Service in my own area—where we thought we were fairly liberal and forward-looking—has just barely scratched the surface, if they have done anything at all.

We have more attorneys in operation in the Detroit area than we have had cumulatively in the last 20 years. The program does seem to be working very well in our city.

Mr. JOHNSON. Yes, almost half of the clients that do come to legal services programs have never seen a private attorney or a Legal Aid attorney or any other attorney before in their lives.

Chairman PERKINS. Any further questions, Mr. Ford?

Mr. FORD. No.

Chairman PERKINS. Your time has expired.

Mr. Bell?

Mr. BELL. Thank you, Mr. Chairman.

Mr. Shriver, I want to congratulate you for a very effective defense of a rather difficult program. I wanted to start out by saying that my criticism has never been of you as an administrator. I think you are doing an excellent job. My criticism relates to the structure of OEO.

I have just two or three quick questions that perhaps have been asked before. I have not been able to attend all of the hearings.

But I notice that in some cases you have not always placed the Job Corps people where some people have wanted them to be and I am wondering why that is.

I know in some instances you have wanted to locate a Job Corps center in a place where the public, as far as I can tell, did not welcome it. Is this situation a policy you have been following or is this something that has just happened?

Mr. SHRIVER. Well, Congressman Bell, I don't think that we have placed any Job Corps center, at least in the last year, or year and a half, or two years, in a place where the local people were opposed to having it.

There was a question that arose near your city there, one of the suburban places called Newhall, Saugus, I cannot remember. I think it was called Saugus-Newhall or Newhall-Saugus—

Mr. BURTON. I hope you can remember it.

Mr. SHRIVER. I think it was a former veterans' hospital. There was another group that didn't want one there.

Mr. BELL. My question was to clarify that. Was there a substantial number of the populace who wanted the Job Corps there?

Mr. SHRIVER. Yes, sir. Usually whenever there is an argument, there are two sides to it and there were two sides to it. Now, the issue there—that was not the principal issue on which the situation was resolved.

It was resolved on the cost factor. We have very strict budget limitations on the Job Corps and it turned out that there was an alternative location in the State of Washington where we could accommodate just as many people with a much reduced cost of rehabilitation of the facilities.

I think we saved something in the neighborhood of a half million dollars by going to an alternative location in Washington as compared to the one down there at Saugus-Newhall.

However, there was nothing wrong, really, with the Saugus-Newhall place as a place, provided we had had unlimited funds. In fact, one could say if we had more funds, we would have more centers and that would be a place that we would give consideration to.

Mr. BELL. In other words, it was primarily for a monetary reason that you decided on Washington rather than going ahead at Saugus-Newhall?

Mr. SHRIVER. That's right. Let's say there had been no controversy at all. We still would have gone to Washington for the savings to the taxpayers involved in going to Washington if there had been no controversy.

Mr. BELL. The next question I have is relative to a small business development center which I believe had been shut down. I assume the question has been asked, but there had been some indication that these small business centers had been quite successful. I wondered why you cut off the operating funds.

Mr. SHRIVER. Well, there are a number of reasons involved.

First of all, as you will remember, I guess, the Small Business Administration has taken over the job of processing the actual loan papers which in the first year of the small business development centers was done by the small business development center, so that the small business development center has become a place where merely advice and consultation is given rather than loans extended.

It seemed to us that it would be better if the Small Business Administration official not only give loans in SBA offices, but moved out into the neighborhood centers, which we will talk about in a little while, because they would then be close to the people and they could give the advice as well as the loan in one place.

As a result of that and for other reasons, we announced, oh, 5 or 6 months ago that we would phase out the small business development centers as of the 30th of June.

Now, this is not because of any—disenchantment with the idea of trying to help small businessmen, but our studies revealed that very few of the very poor, which is our clientele, were actually getting services through small business development centers or really through SBA. The answer to that is not too hard to see as being something maybe we should have anticipated at this. We thought it would be a great thing to get poor people into the free private enterprise system, but it turns out—I guess you might say obviously—that it takes more skill to run your own little business than it does to be an employee in somebody else's big business.

If you are trying to run your own little business, you have to be a salesman and a manager and accountant; a fellow who can run a little real estate operation, you have to be a boss. If you have even two people working for you, you have to be able to direct their work, and it requires a spectrum of ability which the poor people don't have.

Mr. BELL. Most of your clientele, as you say, wouldn't have the education to take care of this?

Mr. SHRIVER. That's right. So it turned out that the SBDC's, although they were helpful to extremely small businesses, were not reaching the very poor, which is our clientele. So it was our decision that it would be better for that to be handled by SBA and the Congress, as you remember last time, put that over into SBA, not because we were against it, but because in our judgment it wasn't reaching deep enough into poverty to be a legitimate concern of ours.

We have been asked on the Senate side, in case you don't know it, by all of the Senators on the Education and Labor Committee over

there, Mr. Chairman, to continue to finance the SBDC's, let's say, for 60 days after the 30th of June.

Their request was based on studies maybe that you have seen, too, which indicate to them at any rate that it was a good program, and they didn't want to have us stop it and then have Congress say, start it up again 60 or 90 days later. So we do have an official request to continue it temporarily, pending congressional action. But the reason why we have done what we did was based on our evaluation studies by Dr. Levine's department, which show that that particular program was not being as helpful to the poor, the very poor, as we thought our program should be and, therefore, we were putting it over into another department where their interests were more compatible.

Mr. BELL. Mr. Chairman, one more question.

I know this is not your department, Mr. Shriver, but I note that you also tried to answer the question at one time, so I thought I would bring it up again, relative to this Project Alert. I know it's in Secretary Gardner's Department of Health, Education, and Welfare. However, you did indicate that this had not been funded.

I understand, though, that it has been funded to \$59,000. I am wondering if you have any information that I don't have?

Mr. SHRIVER. The last that I saw was a letter from the Secretary of Health, Education, and Welfare to the people of Los Angeles, stating that it was not going to be funded unless certain specific things were worked out with the Los Angeles police and with others in Los Angeles.

Now, that letter went out, I would say, within certainly the last 2 weeks and maybe within the last week. Therefore, the funds as I understand it at this time are, you might say, suspended pending resolution of some technical questions with the Los Angeles Police Department and others in Los Angeles.

Mr. BELL. Thank you, Mr. Chairman.

Mr. SHRIVER. I might say in connection with that, if I might, Mr. Chairman—

Chairman PERKINS. Go ahead.

Mr. SHRIVER. It was interesting this morning on the TV on the Today show to see the Governor of Florida decorating young people who were serving as a Community Alert patrol in the difficulties in Tampa recently. He was on there giving them some sort of a medal to the same kind of people in Tampa which I think HEW was trying to mobilize in Los Angeles on the side of, let's say, the police.

So it is not just, I think, an open-and-shut case that this kind of thing is sort of a, you know, bad idea.

Mr. BELL. It has proven to be a bad idea in Los Angeles, so far as the police are concerned.

Mr. SHRIVER. I think the public sentiment is that way, but it hasn't, in fact, proved to be a bad thing, when you know, things get stirred up.

Mr. BURTON. Will the gentleman yield?

Mr. BELL. Yes.

Chairman PERKINS. Mr. Dent has the floor.

Mr. DENT. No questions.

Chairman PERKINS. Mr. Pucinski?

Mr. PUCINSKI. I will yield to the gentleman from California, Mr. Burton.

Mr. BURTON. I wanted to follow up. We had ad hoc set up in our Hunters Point area when we had a disturbance out there—something similar to Project Alert. These youngsters who in their own more effective way, rather than adults, were able to enforce a little discipline. This was a volunteer service performed by one of the groups that had been funded by the Neighborhood Youth Corps. But for their assistance during our Hunters Point disturbance the situation could have been very costly in terms of human suffering as well as material damage to the city.

So, involving youngsters in some constructive relationship with the law can, during moments of crisis at least, be very useful in keeping the peace in an urban center.

Mr. BELL. However, in Los Angeles, the police department and certain departments of the local government were not in support of this project.

Mr. PUCINSKI. Mr. Shriver, I agree with your remarks about the Tampa situation and it seems to me that perhaps this is a field that some communities have been neglecting. There seems to be a belief that by getting these young people more directly involved in these problems, they can be of greater service.

I would like to take this opportunity to congratulate you and your Office for funding the first of the youth movements in this country right here in Washington. You took a long-shot chance and gave some seed money to the Rebels With a Cause, who have been very helpful in southeast Washington. They have done a good job and are highly motivated. We are looking forward with great expectation to more of this kind of activity around the country as perhaps the antidote for the unrest that we find in the streets of America.

I would also like to congratulate you and the program you are discussing now—legal services. The OEO has a chance to come here and give us their analysis and submit to questioning on these various programs. Both sides of the aisles can agree that most of the programs funded by the OEO are working very well around the country. Mr. Chairman, can we have some indication of the procedure here. I don't want to see the OEO's opportunity to tell the good things about their work precluded. We are well aware of the good work this agency is doing, but there are some programs that have been subjected to severe criticism and I would like to have Mr. Shriver have an opportunity to address himself within the time that we have to these controversial areas so he can set the record straight and so we can go to the floor with the information we need from the most authoritative source in the country.

Would the chairman be good enough to advise how we are going to move along?

Chairman PERKINS. Yesterday we decided we would start out with what we thought were the most important segments of the Community Action programs, which was health, then we would go with legal services.

It would appear to me that legal services would take the remainder of the morning until 12 o'clock. It may be that Sargent Shriver wants

to, from this point on, group the many segments of the community actions together and discuss one at a time and just go all the way through them. I don't know.

I think we ought to let the Office of Economic Opportunity present its case in the way they feel it should be presented and then interrogate them.

Can you see any way you can work with that procedure, Mr. Shriver?

Mr. SHRIVER. First of all, our approach was that the Job Corps had been subjected to a lot of criticism, so we started with the one everybody claimed was the most criticized. The next was community action, so we put that on second, because it was supposed to be the second most criticized.

So we have been attempting in the arrangement we make to put those who are the most objectionable first.

Now, one of the problems about community action is that everybody objects to it, but when you get down to talking about what it adds up to, you get the sort of response that Congressman Pucinski is saying, well, who's objecting?

Now, in fact, the legal services program caused a great deal of controversy last year, and I was just getting the statistics here on that point.

For example, last year the North Carolina bar came out against the legal services programs in North Carolina, and it took us from this time last year, let's say midsummer last year until 3 weeks ago or 4 weeks ago to resolve that situation.

Now the North Carolina bar supports what we are doing in North Carolina. The same thing happened out in California. We gave a grant in California to migrant services and we were condemned by the board of regents, I guess it is, of the bar. It took a year for that situation to be straightened out and now the California bar supports the program.

The same thing happened in Tennessee; the same thing happened in the city of Savannah, Ga., and in Tulsa, Okla. So it hasn't been totally—people have objected to it.

Mr. PUCINSKI. Isn't that the whole story of OEO? At this really crucial point, where you are hitting your stride, where you have these things working, there are those who would like to do away with your office. However, this testimony, and I think that as we proceed I am willing to bet that in every one of the programs of the OEO, whether it's in Headstart or community action or Job Corps, when the full facts are known, the critics will have their answers.

I think that the greatest problem that the OEO has is the communications gap of telling the dramatic story of this agency.

So, Mr. Shriver, perhaps the best thing is let you proceed in your own way and tell your story and show how all these programs dovetail into a total war on the problem that affects some 32 million people in this country.

All I can do is congratulate you for this particular aspect, because I think you are finally getting into an area that had been too long neglected. I think this legal services program does more to give people a feeling of dignity when they know their rights.

Chairman PERKINS. Mr. Erlenborn?

Mr. ERLNBORN. No questions.

Chairman PERKINS. Mr. Gurney?

Mr. GURNEY. Thank you, Mr. Chairman.

I want to thank Mr. Shriver for congratulating our Governor—

Mr. SHRIVER. I praised him before at the White House in front of 59 other Governors—not that I approve of everything he does or he approves of everything I do.

Mr. GURNEY. Incidentally, I did catch that on the "Today" program myself and I thought it was good and apparently those people have worked well in Tampa.

While we are on that subject, since the 1967 riot business I guess has started, to the regret of all of us, let me ask Mr. Johnson, does your Legal Branch involve themselves in any of these riot matters? In other words, if some person gets involved with the law in these riots, do you help them?

Mr. JOHNSON. We look upon our program, one of the major purposes of our program is to offer a viable alternative to violence in the streets, to offer justice in the courts as an alternative.

I can think of an instance in Cleveland, Ohio, that happened recently in which a legal services program became involved in a potential riot. This was a case where a policeman shot and killed a young Negro youth. It is one of those situations that has created riots many times, and it happened in the Hough area where there were riots last year.

The legal services office in the Hough area had established so much rapport with the neighborhood, instead of rioting, about 20 of the youths who might have been leaders in this kind of thing came to the office and spent almost all night talking to the legal services officer, who convinced them there was legal recourse.

If there is police brutality, there is something that can be done about it either in the courts or before police review boards and the proper course is not violence, not rioting, but to let the legal services work for you.

That legal counsel is representing some of those youths who contended there was police brutality in that instance.

Mr. GURNEY. I thought your department handled civil cases only. Did I hear that correctly?

Mr. JOHNSON. No; that is not correct.

Mr. GURNEY. Criminal cases, also?

Mr. JOHNSON. Misdemeanors and juvenile offender cases, but generally not felony matters.

Mr. GURNEY. Let's take a specific example then. Suppose you have a riot in X City and some people involved in the riot are arrested and thrown in jail. How does your agency work in such a matter, such an instance?

Mr. JOHNSON. There are at least two ways a legal services project might get involved in such a situation. When the persons who had been arrested for rioting came to the court for arraignment, it is entirely possible that the court might appoint a legal services lawyer to represent the persons, assuming that the charge is a misdemeanor and not a felony.

Mr. GURNEY. Has this been done before?

Mr. JOHNSON. I believe that some legal services lawyers were appointed to represent some people charged with rioting in Los Angeles about a year ago. But most of the people were represented by others.

Mr. GURNEY. If there are other instances, would you furnish those for the record?

Suppose the judge doesn't appoint a legal services officer. What other action might your agency take?

Mr. JOHNSON. First of all, it wouldn't be action by our agency. It would be what the local legal services project did and what the attorney did in view of his duties as an attorney. If he was appointed to represent someone who was charged with a misdemeanor, whether it be out of a riot situation or otherwise, he would represent him and provide him all of the advice, counsel and representation that a lawyer would normally give.

Mr. GURNEY. Your answer is that if he was appointed, and I presume there you are talking about if the court appointed him?

Mr. JOHNSON. That is correct.

Mr. GURNEY. I am asking about other situations.

Mr. JOHNSON. All right. There are two ways that a legal services lawyer could become involved. One, as I said, would be court appointment. The other would be if the family of, say, the person who had been arrested came to them and said, we would like you to represent our son in this particular matter. We do not have money to retain a lawyer.

And if he was charged with a misdemeanor and if this was one of our legal services programs that does handle misdemeanors, they might very well take that case.

Mr. GURNEY. And do you have instances where that has happened?

Mr. JOHNSON. I can think of at least one instance offhand, but there may be others.

In Cincinnati, Ohio, our legal services project was requested by families of some people who had been arrested was requested to represent those people, and they did enter appearance to obtain bond and a continuance.

Mr. GURNEY. This is recent?

Mr. JOHNSON. Quite recently, I believe.

Mr. GURNEY. If you have other illustrations, would you supply that?

Mr. JOHNSON. I certainly would.

(The information referred to follows:)

REPRESENTATION OF PERSONS IN RIOT OR PROTEST SITUATIONS BY LEGAL SERVICES AGENCIES

The OEO Legal Services Program has been able to identify the following cases in which legal services attorneys represented persons who had been alleged to have participated in riots or protest actions.

1. *Northeast Region—New York City*

Mobilization for Youth did handle eight or nine persons involved in the Viet Nam demonstration at St. Patrick's Cathedral. A description has been forwarded to Mr. Johnson.

2. *Mid-Atlantic Region—Washington, D.C.*

Last summer a few days before the 15th of August, some teenagers described as negroes were accused of having assaulted a "white" near a tavern in the South-East section of Washington. The police had the name of one person allegedly

involved. During a meeting on the 15th of August at the South-East House the police arrived and tried to arrest the named person. One of supervisors of the House attempted to intercede and was also arrested. Both were taken to the 11th precinct. Word of the arrests resulted in a general disorder consisting of picketing, rock throwing, and traffic stoppage in the area of the precinct house. The director of the legal services agency and several staff members immediately consulted with the police in order to dispel the rioters and to obtain the release of the five or six persons who were being held. Release of the juveniles into the custody of their parents and bond for the others were obtained. A full-scale riot was averted. Several prosecutions did result from the incident. All were successfully handled by the Legal Services Agency.

The alleged assault which precipitated the incident was sent to the Grand Jury and was handled by private counsel.

3. *Southeast Region—Tampa, Fla.*

There have been recent incidents in Tampa, Florida where the Legal Services may become involved, but to date they have not been requested to represent anyone.

4. *Great Lakes Region—Chicago, Ill.*

The most effective work of the agency was to work with the West Side organizations (the looting area) and to talk with the people involved. Since the agency

During the winter of 1967 a large scale snow storm immobilized the city of Chicago. At this time many incidents of looting took place. The legal services agency had eight offices operating with three newly opened and understaffed. release on bond pending a hearing of the persons charged, many of whom had been held from four to six weeks without bail bond or preliminary hearing. It handled twelve juvenile cases and four or five adult cases. The juvenile cases resulted in four being dismissed on the grounds that the charges were too vague, three being sent to the Illinois Youth Commission (similar to a finding of guilty), and five being placed on probation. The one adult felony resulting is still pending. knew that it could not handle all the cases due to insufficient personnel, it worked to make the Public Defender aware of the situation and to convince the area people to use the Public Defender. The agency was also instrumental in obtaining

The result was that the agency's main involvement was in working with organizations in the area, rather than active representation.

5. *Southwest Region—Austin, Tex.*

No representation of this type reported.

6. *North Central Region—Omaha, Nebr.*

On July 3, 1966 a general disturbance broke out in Omaha. Sporadic outbreaks continued for the next two days. On the 5th of July the National Guard was called out and order was restored. Two weeks later and in August there were other outbreaks resulting in several arrests. During this two month period, a total of 127 arrests resulted. Charges included malicious destruction of property, loitering, resisting arrest, inciting to riot, breaking and entering, looting and theft, and receiving stolen property. Approximately one-half of these were dropped for insufficient evidence or other reasons.

Nine adult defendants and juveniles were handled by the legal services agency. Four of these were charged with receiving stolen property, but were dismissed for insufficient evidence. Four others were charged with loitering or disturbing the peace, but several of these were also dismissed. One juvenile was charged with delinquency for theft of firearms. This allegation was found to be true.

7. *Western Region—San Francisco, Calif.*

Four to five months ago there were disturbances in the Oakland area (riot conditions) involving a school boycott and that sort of problem. The Legal Aid Society of Alameda County (Thomas Fike's outfit) was involved in two aspects of the situation. They represented from 30 to 40 juveniles who were rounded up by the police. The juveniles were not charged with criminal behavior, but were arrested as part of the clean up by the police.

Mr. SHRIVER. Could I emphasize on a point he made in passing that it is a local decision whether the lawyers in Cincinnati, for example, took that case. It was a decision made by the legal services program in Cincinnati.

We are not issuing an edict from Washington that everybody has to do such and such under certain circumstances. It is a decision, first of all, by the individual lawyer operating under a local board of directors, which in the case of Cincinnati are Cincinnati lawyers. They are not Washington lawyers. In fact, that board of directors isn't even composed of paid people. It is a community-based group of lawyers working in coordination with and with the approval of the Bar Association of Cincinnati and the National Bar Association group there, including some of the most distinguished lawyers in Cincinnati and the preexisting Legal Aid Association.

So I want to make it clear that it is not his agency, as you say, what is your agency doing about it? These are local programs under local jurisdiction.

Mr. GURNEY. Of course, they are funded by the Office of Economic Opportunity.

Mr. SHRIVER. We fund them, that's right, but my point is Earl Johnson would not be making a decision about whether or not to represent nor would anybody in Washington be making a decision about whether or not a particular person should get representation in Cincinnati, Tampa, Tulsa, Chicago or any other place. That is done by the local group.

Mr. GURNEY. Let me ask this, since we are pursuing that subject.

Of course I am sure that a lot of the people involved in the riots are swept up in the emotion of the moment and to that extent you might say they were innocent, but I think there also is some evidence that there is sort of nationwide movement on foot spearheaded, I am sure, by some people to cause riots.

As you well know, the Congress is quite concerned about that and will be holding hearings on an antiriot bill within a few days and probably report one out this year. Therefore, there are some irresponsible elements, I believe, in this business, too.

What precaution does your agency take or your legal appendages take, Mr. Johnson, in order to insure that you are not representing, shall we say, the irresponsible, as well as those who can be identified? Do you attempt to identify them? Do you attempt to single out those that perhaps shouldn't be defended and those that should?

Mr. JOHNSON. No, pursuant to the canons of our profession, which require that lawyers represent unpopular as well as popular causes, and represent the undeserving as well as the deserving, the legal services programs would be violating the canons if they separated the irresponsible from the responsible, the guilty from the innocent, the popular from the unpopular or the deserving from the undeserving.

Mr. GURNEY. As a lawyer, I recognize this, too. Suppose the Congress does enact an antiriot bill. Is your agency going to defend people who are prosecuted under the antiriot bill?

Mr. JOHNSON. If an antiriot bill was passed, it would then become—this is Federal legislation, I believe—it would become a Federal crime, it would go to the Federal courts, and lawyers compensated under the Criminal Justice Act would be providing the defense in those cases.

Those would be public defenders in some cases; in some districts this is done through public defender and in other districts through

private counsel, but it would be paid for by the Administrative Office of the U.S. Courts and we would no longer be involved at all.

Chairman PERKINS. Your time is up, Mr. Gurney.

Mrs. Green?

Mrs. GREEN. Following up Mr. Gurney's question: Have any of these cases been before the Federal court?

Mr. JOHNSON. Any of the criminal cases—

Mrs. GREEN. Any cases of riots and so on.

Mr. JOHNSON. No, not to my knowledge, not in the Federal courts.

Mrs. GREEN. If it did go to the Federal courts, would you still finance it? Would you pay for the lawyer for the defense?

Mr. JOHNSON. If it was a Federal criminal case, then it would be handled under the Criminal Justice Act administered by the Administrative Office of the Courts. We might be involved in some of the preliminary proceedings, but once it got to the Federal court, someone would be appointed under that act and we would not be involved any further.

Mrs. GREEN. Would you have a case in which the Government was paying for both the prosecution and the defense?

Mr. JOHNSON. That is correct, as they do now under the Criminal Justice Act for the last—I guess it's year and a half or two years, the Federal Government has been paying for the defense of alleged criminals in Federal criminal cases, and in the District of Columbia this is handled through a public defender, the Legal Aid agency; in a couple of other district courts it is handled through a public defender, but in most districts it is handled through private counsel.

That is not unique. The Federal Government has been doing this for a couple of years and State and local governments through public defenders have been doing it for decades.

Mrs. GREEN. Let me turn to another subject, if I may, while Mr. Berry is here.

Do you have a contract with the National Education Association for some \$415,000?

Mr. BERRY. Will you state that again?

Mrs. GREEN. Do you have a contract with the National Education Association? At the top of the second page which you furnished me you have \$5,800 listed.

Don't you have a contract with them that is more than \$400,000 in regard to teachers serving in a Job Corps?

Mr. BERRY. That report purports to cover those contracts in which community action program was the contracting party. I do not have the information. I don't know whether Job Corps was separately undertaking to respond to your question to include those contracts on which they were the party. My report which was presented deals only with community action.

Mr. Shriver's statement of last Monday referred to the YWCA. I am aware generally that the YWCA has a contract with Job Corps.

Mrs. GREEN. I think information concerning the other contracts is being prepared; is that right, Mr. Shriver?

Mr. SHRIVER. I think the answer to your question is, yes, the Job Corps does have a contract with the NEA for exchange of teachers. I am not certain about the size of it, but it probably would be several hundred thousand dollars. I was hoping I could get the figure.

The Job Corps does have a contract with NEA.

Mrs. GREEN. The Job Corps people are coming back, I believe, to discuss some of the other points.

Mr. SHRIVER. Their report, the Job Corps report, like the one you have from community action, will be submitted to this committee today.

Mrs. GREEN. Fine.

The CAP made a grant to the Congress of Parents & Teachers for \$51,000. Would you explain what that contract is for? What was the application sent in by the PTA? What was the PTA going to do?

Mr. SHRIVER. Mr. Berry.

Mr. BERRY. They were going to undertake, as I recall, the convening of a conference with representatives of poor families selected by various PTA's in the country to explore further means by which the PTA would involve poor parents, the residents in poor areas in more meaningful dialog in the developing of school and parent relationships.

This was an undertaking with this national organization to focus attention upon a larger involvement of parents of poor children in relation to both the schools and the teachers.

Mrs. GREEN. Was this to be a 2-day conference in Chicago at one of the hotels there?

Mr. BERRY. I don't recall the locale in which the conference was to be expected to be held. It was to be expected to be centrally located.

Mrs. GREEN. Was it to be a 2-day conference?

Mr. BERRY. I think it was.

Mrs. GREEN. And how many poor people were they to bring in for the 2-day conference?

Mr. BERRY. I will have to review the highlight or summary of that particular contract. We will provide it for the record, Mrs. Green.

Mrs. GREEN. As I recall, it was a 2-day conference and the PTA was bringing in 100 representatives of poor families to discuss how parents and teachers could work better together. I think that was essentially the situation.

Mr. BERRY. Yes, this is, I think, the same subject. The exact number of conferees—

Mrs. GREEN. Is it necessary to provide Federal funds to bring 100 poor people to Chicago for 2 days to discuss how parents and teachers can work better together?

Mr. BERRY. We considered that this was a move in the right direction in at least getting a broad cross section of parent involvement from various sections of the country rather than carrying the same subject to various sections of the country.

Mrs. GREEN. Isn't it true that every State PTA has a State conference every year and the national PTA has a national conference every year? Don't they get together?

Mr. BERRY. That is correct, and it was considered a better way of involving all of the State associations or at least a representative number of them from various States at one meeting rather than holding a series in the various States.

We felt that in the end it would be more economical.

Mrs. GREEN. Do you believe the travel to and from a central location, be it Chicago or some other place, and what could be accomplished in 2 days, justify the expense? Do you believe this was some-

thing that PTA's could not do on their own, or indeed during the last hundred years have not done on their own?

Mr. BERRY. It is very difficult to make a judgment before the fact.

We felt that in response to this offer of specific involvement of the clientele served by our agency that it was worth an investment in this effort to involving a nationally established as well as locally established organization to become actively involved in this effort.

Mrs. GREEN. Do you say they have not been involved actively before this?

Mr. BERRY. Well, not in—I would say it's sketchy and varied in the response that the PTA has given this subject in various communities and this was in an effort to get a national thrust in this direction.

Chairman PERKINS. Mr. Erlernborn?

Mr. ERLERNBORN. No, thank you, Mr. Chairman.

Chairman PERKINS. Mr. Scherle?

Mr. SCHEUER. On that last question, did the idea come from the OEO or did it come from the indigenous PTA?

Mr. BERRY. I think the idea came from the national PTA conference as their offer of effort in the war on poverty and particularly in the areas of education.

Mr. SCHEUER. So, it came from outside OEO?

Mr. BERRY. It came from outside of OEO, yes.

Mr. SCHEUER. It seems to me that one of the great purposes—

Chairman PERKINS. The Chair has recognized the gentleman from Iowa. I will recognize you next Mr. Scheuer.

Mr. SCHEUER. I am sorry, Mr. Chairman.

Mr. SCHERLE. Thank you, Mr. Chairman.

Mr. JOHNSON, I would like to probe a question that particularly concerns me as to how the OEO obtained the voluntary cooperation from local attorneys to participate in the legal services? Did you do this by threatening to bring in Government lawyers if the State bar associations were dragging their feet?

Mr. JOHNSON. No. We couldn't bring in Government lawyers. We work strictly, as everything in community action, via making grants to local community action agencies in locally sponsored and formed entities.

Mr. SCHERLE. I noticed in a release I have here in front of me that on December 21 the Lower East Side Mobilization for Youth was setting out to find clients.

Now, are these ambulance chasers that are assigned to this Mobilization for Youth—are they Government employees?

Mr. BURTON. Will the gentleman yield?

As a member of the bar, I would like you to find a more delicate way to describe my colleagues. [Laughter.]

Mr. SCHERLE. Mr. JOHNSON, are these lawyers Government-paid or are they local attorneys in a vicinity where these legal services are located?

Mr. JOHNSON. Mobilization for Youth is one of the local community action agencies in New York City that has a grant for a legal services program. The lawyers receive their pay and are supervised by the board of Mobilization for Youth.

The Mobilization for Youth does receive funds from OEO to pay a portion of the salary of these lawyers, yes.

Mr. SCHERLE. Mr. Johnson—

Mr. JOHNSON. Could I complete the answer to the last question? I wanted to go on further to point out that these were members of the New York bar, most of them were residents of New York City, and they were employed by a local board composed of primarily New York lawyers.

Mr. SCHERLE. How about those that are serving out in the suburban areas or in other States outside of New York? Are they permanently assigned as referrals in legal services, or are they just part time?

Mr. JOHNSON. Most of the attorneys employed in our programs are employed full time, but they are employed, again, not by us, but by a local board.

Mr. SCHERLE. Who is the local board?

Mr. JOHNSON. The local boards are the local boards of the legal services agencies.

Mr. SCHERLE. That are paid by the Government?

Mr. JOHNSON. Oh, no; these are private attorneys, representatives of the poor, judges, law professors, and other representatives of the community.

Mr. SCHERLE. Does anybody from the CAP sit in on that as a board member?

Mr. JOHNSON. Pardon me, sir?

Mr. SCHERLE. Does anyone from the CAP sit on this board as a board member?

Mr. JOHNSON. In some of our programs there will be one or more representatives from the community action boards on the legal services board.

Mr. SCHERLE. I have an article in front of me which indicates that Mobilization for Youth is defending 10 persons who staged a protest at St. Patrick's Cathedral against the war in Vietnam. Is this true?

Mr. JOHNSON. I believe it is true. I think I have read the newspaper account.

Mr. SCHERLE. Let me read this a little further.

On January 22, police arrested 23 men and women for unfurling antiwar posters in St. Patrick's during a Sunday morning mass. Ten have applied to your agency for legal aid and the others are defended by a private attorney.

Now, is this true?

Mr. JOHNSON. I have to go by the newspaper account, the same as you.

Mr. SCHERLE. I should think you would be familiar with what goes on under your jurisdiction.

Mr. JOHNSON. There are 200,000 cases a year and I couldn't know what goes on in each one of them. I would be glad to obtain and supply the details of that particular case.

Mr. SCHERLE. Fine. I would like to have that.

(The information follows:)

MOBILIZATION FOR YOUTH REPRESENTATION OF DEMONSTRATORS AT ST. PATRICK'S CATHEDRAL

This is an answer to the inquiry regarding the role of an OEO funded Legal Services Program, Mobilization for Youth, in the representation of demonstrators at St. Patrick's Cathedral.

Mobilization for Youth is representing 11 of 23 defendants, none of whom are being charged with the commission of a felony. The breakdown of income is as follows:

- (a) housewife; combined income \$50 per week;
- (b) \$30 per week;
- (c) \$15-\$30 per week;
- (d) \$50 per week;
- (e) \$19 per week;
- (f) \$20-\$25 per week;
- (g) unemployed;
- (h) \$60 per week;
- (i) \$18 per week;
- (j) & (k) married couple, combined income of \$80 per week but a very large medical debt.

The newspaper reports which indicated Mobilization for Youth is representing students and the wife of a Brooklyn college professor whose earnings were approximately \$25,000 per year is not true. They have private counsel. The trial is set for September 25.

All parties before a court of law are entitled to an attorney no matter what the charge may be, if equal justice is to be meaningful. The Legal Services Program seeks to promote this concept by insuring that those people who cannot afford a private attorney are provided legal counsel. Since the above parties meet the indigent standard, Mobilization for Youth does not violate any of their contractual obligations under which they received Federal funds.

Mr. SCHERLE. Another article I have here. MFY has instant law advice for unhip hoods.

Mr. SHRIVER. For what?

Mr. SCHERLE. Unhip hoods.

Mr. SHRIVER. What does that mean?

Mr. SCHERLE. Mr. Shriver, I should think you would know.

Mr. SHRIVER. I don't—because I guess maybe I am an unhip hood.

Mr. BURTON. You would never get by in my neighborhood with all of my hippies. [Laughter.]

Mr. SCHERLE. My question is hoodlums and others who get in trouble with the law are being given around-the-clock legal advice from legal services, and they are supplied with cards stating "what are your legal rights?" Do you supply these cards?

Mr. JOHNSON. We do not supply cards.

Mr. SCHERLE. They are funded and this is still under your jurisdiction. Do you give cards to these people letting them know what their rights are. "You have the right to remain silent, you have the right to a lawyer. If you cannot afford a lawyer and you need legal advice, call Mobilization for Youth."

Mr. JOHNSON. That is correct.

Mr. SCHERLE. What's the idea for these cards?

Mr. JOHNSON. Well, this is just one element of an entire community education program that is run by Mobilization for Youth. Community education programs are run by many of the legal services programs, advising not just what are your rights upon being arrested, but your rights as a consumer, your rights as a tenant, your rights in many other phases of life.

Mr. BURTON. Will the gentleman from Iowa yield for a very brief question?

Mr. SCHERLE. No, not at this time. I only have 5 minutes.

Mr. BURTON. I am requesting you get another 10.

Mr. SCHERLE. One more question. The Office of Economic Opportunity has created the impression that a riot is necessary as a first step for poverty-stricken areas to obtain Federal help.

Mr. BERRY. That is absolutely wrong.

Mr. SCHERLE. Would you like me to continue?

Mr. BERRY. You may.

Mr. SCHERLE. "Mr. Young said, most of the necessary legislative devices to fight poverty have been established and the basic need now was for providing money."

Mr. MEEDS. Mr. Chairman, would the gentleman from Iowa supply the source of his information?

Mr. SCHERLE. Yes. This is by—"A National Urban League said last Thursday"—dated June 9, out of Washington, "Young decries"—

Mr. MEEDS. Is it an article from some newspaper?

Mr. SCHERLE. Do you want to pass it over to him before my time expires?

Mr. BURTON. I object. I just think the gentleman from Washington would like you to cite the source, so as to be able to identify it as a whole, as part of the basic for your questions.

Mr. SCHERLE. It is by the World-Herald, dated June 9, 1967, and I want to ask a question.

Mr. Shriver, can you tell me how many outhouses the OEO has counted in New Mexico? [Laughter.]

Mr. SHRIVER. Could I respond not only to that, but the previous newspaper article quoting Whitney Young?

On my time—not your time.

Mr. SCHERLE. I thought you might give me a figure—

Mr. BURTON. Mr. Chairman, I ask unanimous consent the gentleman from Iowa's time be extended another 3 minutes. These penetrating questions are most useful to us, I think. [Laughter and applause.]

Mr. SCHERLE. I would like to know also how many OEO members are here this morning. Would you raise your hands?

[Show of hands.]

Mr. SCHERLE. Who's running the store? Proceed, Mr. Shriver, if you wish.

Mr. SHRIVER. Thank you. In the first place, the quotation that Congressman Scherle is quoting from the newspaper came on page 22 of a 30-page statement that Whitney Young made before the Senate last week. It was in this statement that Whitney said that the OEO has been a spectacular success, and after talking about that for 22 pages, he observed that in his judgment OEO had not been financed as much as it should be, the result of which was that in some cases in his judgment, that in some cases, because of lack of financing OEO had had to respond to riot situations or to emergency situations rather than being able to adequate finance programs in advance.

Now, that was his own opinion.

Let me say, as Ted Berry just said a minute ago, that we feel that is a mistaken judgment. Not a mistake necessarily that OEO has been adequately financed, but it was a mistaken judgment that OEO as a matter of policy responds just to a riot situation.

For example, cities in which there have been no riots have gotten just as much money as cities in which there have been riots. Cities in which there have been riots got more money in many cases before the riot than they got after the riot. There is no cause and effect relationship in terms of the money that OEO has expended for any of these purposes.

In any event, the illusion which was in the newspaper involved one paragraph on page 22 of a statement which was totally the opposite of that particular point.

I just thought I would get that clear and we will be happy to supply the entire testimony so you can put it in the House side, if you would like.

Chairman PERKINS. Mr. Scheuer, will you yield to Mr. Burton?

Mr. SCHEUER. Yes.

Mr. BURTON. Will you please supply in your response to the gentleman from Iowa the response from the mayor of New York, which is one that he supports or opposes?

Mr. JOHNSON. I would be glad to do that, too.

(Mayor Lindsay's prepared statement and Whitney M. Young's testimony follow:)

PREPARED STATEMENT OF HON. JOHN V. LINDSAY, MAYOR OF THE CITY OF NEW YORK

Mr. Chairman, members of the Committee, I welcome the opportunity to talk with you about the most important problem facing our City: the plight of almost 2 million men, women and children locked in poverty. The scope of the problem can be spelled out in some figures. The number of poor people in this city is as large as the entire population of Philadelphia. New York City's anti-poverty programs operate out of more than 1,200 locations throughout the five boroughs. Close to 300 organizations and delegate agencies are involved in running these programs. New York City has as many school children as there are people in Baltimore. Half of these children, a number equal to the population of Cincinnati, need special programs and services.

I hope that you will have the opportunity during the next two days to travel around the City to test for yourselves both the dimensions of the problem and our commitment to its solution.

As a Member of Congress I gave strong support to the 1964 anti-poverty legislation. Since becoming Mayor, my perspective on urban legislation and urban policy has changed. However, my continued full support for the concepts and programs that were embodied in the legislation of 1964 has not changed. It has been confirmed.

In those early days of the war against poverty, the strong support which the program had in Congress was not fully or enthusiastically shared in all cities and communities. Many city administrations were concerned that the community action program might turn out to be a threat to the exercise of their traditional authority.

Today in New York City and in several of the largest metropolitan centers in the country the situation is reversed. In 1967 mayors and urban administrators are among the program's most enthusiastic and knowledgeable supporters, while many in Congress seem to be losing some of their earlier faith in the principle of community action and local initiative.

The conduct of the war against poverty has been dogged by undue expectation. Many people thought that success would come almost overnight, and were disappointed when the quality of the slum neighborhoods did not change as fast as they expected.

Clearly, we have had our frustrations. Some community organizations find it difficult to develop administrative skills which meet the exacting standards of inspectors and auditors. In many communities, misunderstandings about the nature and purpose of the program, as well as distrust of the intentions of established institutions, including City Hall, slow the pace of development. In addition, the anti-poverty program—with its multiple funding and the major role assigned to delegate agencies in the community—poses unique administrative problems.

Here in New York City, we are doing something about the obstacles that are hobbling performance. We have completely re-fashioned the administrative structure of our anti-poverty program. We have developed more effective procedures to streamline operations. Yet much remains to be done to ease the flow of paper and money from funding sources through the City's administrative and fiscal

system to the programs and the people who need it. But none of these problems has weakened my commitment to the philosophy underlying the 1964 legislation, nor for any and all efforts to widen the range of innovation and creativity that give it meaning and strength.

Here in New York and in communities across the nation we have found the means embodied in the 1964 legislation to offer indispensable resources for our efforts to halt and reverse the process of decay. These resources include not only money but new and imaginative approaches to problems which do not yield to old and traditional patterns of service.

It is all too easy for an administration to be so enmeshed in the tasks of daily management that it is unaware of the rigidity or irrelevance of its services to its constituents. Innovation comes painfully to a bureaucracy. The war on poverty is a combination of catalyst, goad, and educator, moving inertia-bound bureaucracies to change their established ways of doing business. As Mayor of this city, responsible for an operating budget of over \$5 billion and for a payroll of 300,000 employees, I welcome the innovative force applied to the New York City governmental machinery by the anti-poverty program.

Among the most significant effects of community action programs have been the changes that they have sparked in many established institutions—in and outside government—changes that have given new meaning to the work of these agencies. Such changes have created new job titles, provided areas with services formerly unavailable, and altered the manner in which traditional services have been provided.

For example, community pressure has led to the creation of new career lines for para-professionals both in the health services, and as teacher assistants and guidance assistant in the educational system.

A community group, after surveying the health needs of the Lower East Side, found no adequate services within a wide area and convinced the City's Health Services Administration, the New York University school of medicine, and the Dept. of Health, Education and Welfare to jointly develop and sponsor a neighborhood health center for the community.

Certain community action programs across the City, working with the Vera Foundation and the Courts have had prisoners on bail released directly to them.

In each of these instances the pressure of communities organized in the war against poverty led to the improvement in the services provided by municipal agencies. Such change in our way of doing things is vital, and the community action program must retain its vitality as a source of encouragement and support for innovation—the forward edge of a national drive to make our institutions conform to our aspirations.

Such institutional change can only develop if maximum flexibility in the development of programs is preserved. The early planners recognized that there was little certainty about the kind of change that was needed. They responded by writing into the federal legislation a minimum of program restrictions, leaving it to the localities to experiment with the money available and to develop the responses most suitable to their particular needs. Present attempts to restrict the flexibility of the program by curtailing local option and substituting mandated top-down planning are, in our judgment, misdirected.

It is unlikely that the experience of 26 months under one of the most ambitious pieces of domestic legislation ever enacted can provide sufficient evidence to determine which segments of that legislation are most effective. We are learning much about the causes and effects of urban poverty, but we do not know enough to determine the ideal "mix" of different community action programs. It would be premature to assign specific priorities to programs within the community action framework.

Moreover, there is a growing awareness in the nation of the wisdom of developing greater decision-making to the localities as a means of developing new procedures. From city to city problems differ. The community action program stimulates each city in the nation to analyze the problems of its poverty population, to mobilize and choose among available resources and to mold the separate components into a comprehensive program suited to local needs and conditions. The fundamental responsibility for decision-making is local.

Here in New York City, we are embarked on a wide-ranging program of decentralizing the decision-making process and widening the range of participation. We are doing it in the areas of public health, recreation and education. In the anti-poverty program, we are building community corporations in each of New

York's 27 designated poverty areas. These corporations will plan and coordinate community development programs for their respective areas.

One of our aims is to build into the governmental process the constant pressure for change which arises from communities in the City dissatisfied with the level of services provided by municipal agencies. To curtail the options open to the localities is to deprive community participation in government of any practical significance, thereby depriving the governmental process of this vital force for innovation and change.

We strongly urge you to preserve the voice of the neighborhoods in the use of community action funds. Earmarking of funds for community action is doubly harmful. It not only inhibits further experimentation by freezing the present range of programs, but also discourages active participation of the community by limiting sharply the role that it can play.

To enable the municipal government to respond most effectively to the demands generated in the neighborhoods, the City must mount a coordinated effort by all the agencies directly involved in the quest to provide full opportunity to the poor. We have recognized this need by establishing the Human Resources Administration. It groups together the following agencies:

The Welfare Department.

The Youth Board.

The Community Development Agency—responsible for administering anti-poverty programs under the policy guidance of the Council Against Poverty.

The Manpower and Career Development Agency—responsible for all training, job development and placement services.

And the Office of Education Liaison—the link between the city administration and the Board of Education.

For the first time this structure will allow the City to develop and apply a city-wide strategy for human resource development. By placing the various departments and agencies under a single Administrator, we shall have a better chance to make program objectives prevail over bureaucratic divisions.

But capability is more than program concepts and administrative blueprints. It is people who can translate good ideas into effective performance. New York City has been fortunate in attracting topflight talent from here and around the country to do the job. We could not have found a better man than Mike Sviridoff to run the Human Resources Administration. Coming out of the community action agency in New Haven, where he made a national reputation for himself, he in turn has brought in some of this city's and country's leading experts and administrators to fill the key positions in this new organization.

Fred Hayes, our budget director, came to us from the federal government and is reshaping our budget system in terms of the problems and needs of today.

An executive in one of the country's finest foundations, Carl McCall is a dynamic new personality who, as chairman of the new Council Against Poverty, has added a new dimension of leadership to this volunteer policymaking body. In the short span of eight months, this Council has become a powerful force in the building of an effective program of human resource development.

The program priorities we have set ourselves are: jobs, education, with special emphasis on early childhood development; a social service system that supports these opportunity-focused programs; and maximum involvement of the community in all human resource programming.

Any effort to bring an end to poverty would be futile if it ignored the potential contributions of the education system. The pressures of community groups, many originally mobilized by the community action program, have led to general recognition of the need to decentralize the administrative structure of the Board of Education. Such decentralization will lead, we hope, to a closer meshing of the needs of children with the content of their school programs. The distinguished President of the Ford Foundation, McGeorge Bundy, has agreed to serve as Chairman of the Panel, which will be advising me on a decentralization proposal plan which I must submit to the New York State Legislature in December of this year.

But the central task of the city is to slow the climb of the welfare spiral by providing expanded and more effective job training and employment opportunities. Almost 75% of the city's proposed Human Resources budget for 1967/68—\$729 million—out of a total of \$1 billion \$15 million goes for Welfare.

Even more significant is the cost to the City in lost taxes and income that would otherwise be generated if many of those on welfare were qualified for

full employment. Only 6% of New York City welfare recipients are either unemployed or underemployed due to lack of skills. An additional 15% are aged, sick or disabled. The great majority of welfare recipients—almost 400,000 people—are mothers and children. This is not only the largest but the fastest growing segment of the welfare population. It is among the 98,000 mothers in this group that we believe we can achieve the most telling results with our strategy—if we can get the necessary resources for expanded day care and training programs.

The trouble is that the resources available for opportunity programs are disproportionately small when compared to the cost of welfare. And because welfare payments are mandatory, budget cuts in the human resources area invariably and ironically hit the opportunity programs, which are the key to the reduction of the welfare rolls.

We simply must make more funds available for opportunity programs, or forfeit our chances of getting off dead center. The training of a welfare recipient in skills that can make him self-sustaining is an investment in the future, not a cost.

To illustrate the effect of moving an individual from the welfare to the employment rolls, we need only look at one fiscal fact: the tax yield to the city from the service and manufacturing industries for each employee is in excess of \$300. Thus, if only 10,000 of New York's current welfare population of 600,000 were to become gainfully employed, it would mean an increase of \$3 million in the city's tax returns—as well as a significant reduction in the welfare budget.

There is no question that, given the opportunity to enter training, many of these women will be able to land jobs. We recently graduated a class of 108 Welfare women from a training course in basic office skills run by the Port of New York Authority. Within a few days of their graduation, 104 of these women had been offered jobs—more than 80 of them in major companies, among them the Chase Manhattan Bank, the Consolidated Edison Company and the Union Carbide Corporation.

Before graduation these new office workers were receiving a total of \$255,000 in public assistance each year. In some cases, the Welfare Department will have to provide continued assistance in order to budget for their work-incurred expenses. We estimate that this additional aid will cost no more than \$50,000 a year. Thus the government may save \$200,000 a year for a one-time investment of \$970 per person in training. This does not take into account the taxes that will be collected from these new wage earners: an estimated \$30,000 a year directly, and some \$70,000 indirectly as a result of their productive activity.

This success was made possible by meshing the operations of the Welfare Department and the Manpower Agency under the Human Resources Administration. To duplicate and expand on such results we need more resources. Mothers cannot acquire job skills, let alone go into full time employment, until they can be assured that their children are receiving proper attention. We must expand our day care program so that more mothers will be able to take advantage of job training programs. The City presently operates 93 Day Care Centers for about 7,000 children, many of whose mothers are employed, 6,000 children are on the waiting list. It is estimated that triple that number could use day care services if they were available. By increasing the day care program, obtaining federal approval of our proposed incentive programs, developing new techniques, and, most important, securing the necessary resources to invest in training, this success can be multiplied many times over.

The key to the achievement of maximum effectiveness in equipping people with job skills through programs such as those discussed will be our ability to measure the impact of our programs with reasonable accuracy. This year, for the first time, New York City has a budget that will enable us to undertake a proper analysis of the cost effectiveness of various manpower training programs. This is vital, for our resources are sharply limited, and an effective community action program will greatly increase the number of poor that can be brought into the development process, and anxious to take advantage of training programs.

We are working up a program budget for the manpower training system that will enable us to weigh the impact of various program "mixes" and begin to determine guidelines for the most effective and efficient use of resources. For example, we hope to be able to make informed decisions on the relative emphasis we should place in a given training program on such components as recruitment, basic education skills, special job-related skills, job placement, or counseling.

From this budget analysis we seek to develop accurate estimates of the cost to train individuals for various skill levels. For each level of acquired skills we hope to be able to provide the cost necessary for the appropriate training. With these tools we will be able to determine the cost of reducing the welfare rolls by any given figure.

This budgetary system should also help us in dealing with the classical conflict between short-term and long-term goals. Were our resources unlimited, this would be only a minor problem. But they are not, in the starkest terms, the issue is whether to center our efforts on educating the young for the future, or on training adults presently at an employable age. Because we can ignore neither group, and have no means now of making such a judgment, both groups receive partial and inadequate attention. An effective program budget may allow us to develop some idea as to the relative effectiveness of a dollar if spent on a child's education or on an adult's training. Such management tools are essential as we seek to maximize our resources in the City's war on poverty. At present, the process is far from sophisticated. We have only a first approximation—but it is a start—a base from which we can begin.

I hope and trust that what you see in New York as well as the evidence gathered elsewhere, will serve to demonstrate the essential soundness of the 1964 legislation. No doubt this law, like any other, is susceptible to refinement and improvements in the light of experience. But the range for local initiative must be maintained and the resources for locally developed programs increased.

We have re-kindled the hopes of those who had given up hope. We have launched a program that can bring dignity and grace to the mean and beaten lives of millions. We are embarked on a war in which victory is as indispensable as on any battlefield. We must go forward.

Thank you.

TESTIMONY OF WHITNEY M. YOUNG, JR., EXECUTIVE DIRECTOR, NATIONAL URBAN LEAGUE, BEFORE THE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, ON THE WAR ON POVERTY, WASHINGTON, D.C., JUNE 8, 1967

Mr. Chairman, members of the committee, my name is Whitney M. Young, Jr. I am the executive director of the National Urban League.

The National Urban League is a non-profit, charitable and educational organization founded in 1910 to secure equal opportunities for Negro citizens. It is non-partisan and interracial in its leadership and staff.

The National Urban League has affiliates in 82 cities, in 33 States and the District of Columbia. It maintains national headquarters in New York City, regional offices in Akron, Atlanta, Los Angeles, New York and St. Louis, and a Washington Bureau.

A professional staff of 800, trained in the techniques and disciplines of social work, conducts the day-to-day activities of the Urban League throughout the country, aided by more than 8,000 volunteers who bring expert knowledge and experience to racial matters.

The National Urban League is deeply grateful for your invitation to appear before the Committee today in order to add to your body of knowledge the information and evidence we have accumulated over the years as experts in the area and on the subject now before you—the war on poverty.

In addition to testifying today, I am happy to submit to the Committee, as per its request, a supplementary report prepared by the National Urban League reflecting the experiences and observations of the war on poverty of our affiliated local Urban Leagues throughout the country for inclusion in the record of these hearings as you see fit.

I want to make it clear at the outset that as a principal spokesman for massive effort, which the Urban League called for in proposing a domestic Marshall Plan several years ago, I am strongly in support of the war on poverty and strongly opposed to any dismemberment of the Office of Economic Opportunity which will tend to weaken the massive effort.

This does not mean that I have no criticism to voice, but that my criticism is directed, not to the structure of the Office of Economic Opportunity, but to the scale on which the war on poverty is being conducted, a scale still far too limited to do much more than act as a palliative.

When the war on poverty was launched in 1964, it was estimated that there were some 32,000,000 poor people in this country in serious need of aid

if they were to break through the cycle of poverty. No one, today, has definitive figures on what the reduction in the total poor has been in the short span of two-and-a-half years, although it is estimated that the war on poverty has affected the lives of some 9 million people.

William Pitt once said that "poverty is no disgrace, but it is damned annoying." This is no longer the case. Poverty is both a damned annoyance and a national disgrace Americans are no longer willing to ignore. It is intolerable to find a fifth or more of the nation's population living in poverty while the remainder

What is clear is that in that short period of time, we have demonstrated that the job *can* be done; we have established the usefulness of a broad battery of innovative techniques for doing the job; and we have alerted the conscience of the richest country in the world to the flat and unalterable necessity to do the enjoy the highest standard of living in the world. It is this contrast—between the existence of widespread poverty in the midst of an affluent plenty—which job.

This is no time to ponder the dismemberment of the Office of Economic Opportunity, both the focus and the format of the effort. The OEO has, on the whole, done a spectacular job. There is no doubt in my mind it has a still more spectacular job to do in the future. If there is anything wrong with the war on poverty it is that it has not yet reached enough people, has not reached all of those who, in the words of the President when he launched the war on poverty, "live on the outskirts of hope—some because of their poverty, and some because of their color, and all too many because of both."

As a nation we have discarded once and for all the belief that poverty is an evil to be endured, one that has always been with us and always will be. We are bent not upon alleviating poverty, but on eliminating it and we must never lose sight of that goal.

has spurred us, as a nation, into a concerted assault upon poverty as an institution.

In addition to the moral imperatives facing us, a real reduction in poverty would result in a tremendous growth in economic and personal output, an output far greater than any the world has ever seen. We have "a unique opportunity and obligation to prove the success of our system; to disprove those cynics and critics at home and abroad who question our purpose and our competence." The United States is the only country in the world which can mobilize the financial and human resources which can truly eliminate poverty.

But despite the readiness of the American people to pursue this struggle (a recent Harris poll demonstrates that 60 percent of the population is fully committed to the effort) we appear to be suffering a loss of confidence. Cut-backs in the funding of present programs have been made, others threatened, and delays in the implementation of new programs have been recommended. Worst of all, it is being seriously proposed that the OEO itself be dismantled.

It is ironic that at a time when the American people, for the first time in the history of this or any other nation, are fully prepared to undertake a total war on poverty that this trend to retrenchment should occur, that we should find ourselves fighting just to hold our ground.

We are all impatient to see quick results. While it is commonplace in industry, when billions of dollars are spent on research, to accept a 10 percent return on the investment, yet in dealing with human beings, who are far more unpredictable, we want 100 percent results and we want them immediately.

We tend to forget that it is only a little more than two-and-a-half years since the Economic Opportunity Act was passed. It is important to consider in detail just what has been accomplished in the administration of the OEO in that short span of time.

At the very outset, the OEO was directed to come up with a complex series of new programs. It was directed to create, without delay, a nationwide network of Job Corps centers providing education and training for America's most disadvantaged young people; a network of local community action agencies; a system of technical assistance to be transmitted via the States; a massive program of youth employment and work-study; programs for migrants in education, housing and related areas; new kinds of loans to the smallest farm and business units in the country; a domestic equivalent of the Peace Corps; a work-experience program for welfare families that would get them off welfare; and a system of coordinating the poverty-related actions of all Federal agencies.

In the sheer scope of new program and the need to mobilize resources, no other legislation in recent memory begins to compare with the scope and range of the

economic opportunity programs. The initial challenge far outstripped any previous legislation in the fields of welfare, health or education.

And the OEO had to start from scratch. At the outset, there it was, a brand new agency, not even of Cabinet status, without an office, a staff, or even a system of traditional state and local institutions through which to operate. It was at work in an area where there was not even much formally known about the problem it was to attack.

In the succeeding two-and-a-half years, the OEO not only met the initial demand, but launched a broad range of additional programs. It conceived of and operated such pioneering programs as Head Start, legal services for the poor, neighborhood health centers, Upward Bound, Foster Grandparents and Medicare Alert.

It was in a position to make its first multiple grants within two months after funding, which must surely have been a record for a program of such breadth and complexity.

Within two years, OEO programs were in operation in more than 3,000 of the 3,132 counties of the United States. To date, it has made more than 10,000 community action grants to the 1100 Community Action agencies established in areas including more than 70 percent of the nation's poor. It is estimated that Head Start alone has reached 1.3 million young children; the Neighborhood Youth Corps, 900,000 young men and women. Neighborhood Centers have brought needed services to nearly 3 million poor. The Job Corps has provided vocational training for 60,000 of our most impoverished young men and women in 113 residential Job Corps centers. The Work Experience program has assisted nearly 150,000 adults, most of whom were on public assistance, by increasing their opportunities for future employment. Nearly 3,000 VISTA volunteers are in service in 48 States and the District of Columbia. 33,700 rural loans totaling more than \$55 million have been made to the isolated rural poor. 224 institutions of higher learning have supported Upward Bound programs involving 22,400 students.

And all of this has been accomplished with one of the lowest administrative costs of any Government agency now operating—about 3 percent—and with an administrative staff for both the headquarters in Washington and the seven regional offices of no more than 2600 people.

The staff of OEO is approximately one-half that of the Small Business Administration. It operates with about the same number of people the Air Force needs to keep one single squadron of B-52's in the air. It is a staff 1/50 the size of NEW.

Viewed objectively, no substantial apologies need be offered for results obtained within existing appropriations. The OEO has launched important programs with a speed unmatched by any Federal agency since the New Deal. What is needed is more, not less.

Poverty is a cancer in our midst that costs \$10 billion a year in cold cash in welfare expenses alone, plus \$100 billion a year in lost opportunities, lost income and lost taxes.

Under the impact of poverty in the ghettos, the tax-base of the cities is eroding and their fiscal management becomes increasingly difficult. According to estimates of the HHFA, the average cost per citizen for municipal services in a blighted area is \$7 but the area pays back only \$4.25; whereas in a good area, the average cost of essential services is \$3.60 per citizen and the area pays back \$11.30. Between 1953 and 1963, given the fiscal drain of low income areas and the increased demand for public services, State and local expenditures increased from \$27.9 billion to \$64.8 billion, an increase of 132.2 percent. At the same time, State and local government debt went from \$33.8 billion to \$87.5 billion and the fiscal pressures show no signs of easing.

Any overall approach to the war on poverty must also include a soundly conceived and administered welfare system. The orthodox welfare system is sorely in need of overhauling. The humiliation and stigmatization engendered by standard welfare procedures are bad enough. What is worse is that the additional system of welfare payments condemns generation after generation to an unbroken cycle of poverty.

Despite the 1962 amendments to the Social Security Act, less than half the States have enacted enabling legislation in conformity with them; the level of welfare payments from State to State varies radically; and most States fail to pay even the full amount specified by their own legislative mandates. As a result, in most States, any initiative in earnings is still taxed at a rate of 100

percent on the dollar; in many States, ADC regulations require a father to abandon his family in order to obtain necessary benefits for his children; and the overall level of maintenance is most frequently scarcely above subsistence so that all energies are absorbed in the simple act of staying alive.

The basic solution lies in the adoption of an adequate plan for income maintenance. This idea, considered radical before the advent of the war on poverty, is now being proposed by people as politically divergent as Leon Keyserling, former economic aide to President Truman, and Professor Milton Friedman, Barry Goldwater's economic advisor. It has also been endorsed by the President's Committee on Technology, Automation and Economic Progress, hardly a group of radicals.

Given the diversity of plans under discussion, what they all have in common is the realization that a country as rich as the United States cannot tolerate the poverty that afflicts so many millions of people.

Their advantages are obvious. No family would be deprived of the means for the basic essentials necessary to survival. By becoming a matter of right, like social security, a program of income maintenance would enhance the dignity of individuals and eliminate much of the stigma of welfare. By replacing the present welfare system, such a program, by transferring the responsibility of the Federal Government, would release millions of dollars of local funds to the cities for use in coping with the problems facing local governments.

In the years of the farm crisis, the Federal Government did this for agriculture. In these years of urban crisis, we need a system that directs funds, not to the country at large, but to the points of greatest need, in short, to the large cities. The entire nation would benefit because the increased purchasing power available to the poor would be spent on goods and services, stimulating the economy and creating more jobs.

With one exception, plans within the current welfare structure for turning welfare recipients into wage-earners are essentially fruitless. Current figures show that of the 7.3 million on the welfare rolls only about 50,000 fathers are potentially capable of supporting themselves and their families. The remainder are blind, aged, handicapped, children or mothers with young children. While some of the latter might become sources of family support, the question remains whether they might not more usefully be encouraged to remain with their children.

The only reasonable *foci* for substantial change within the overall group are the 3.5 million dependent children of poverty-stricken parents. These are the ones who must, by every available device, be motivated and given the chance to break out of the cycle of poverty that has gripped their parents. They represent the only real possibility for substantially diminishing current welfare rolls under the present system. For the remainder, some system of income maintenance is essential to living in dignity and decency.

But to return to the subject at hand. Quite aside from the moral considerations that underlie the war on poverty, the eradication of poverty is essential to the welfare of the nation. Jobs are needed. Education is needed. Training and opportunity are needed. Health care is needed. And every available means must be utilized in obtaining them. The OEO, in concept and form, is central to the effort.

Those who oppose this year's amendments to the Economic Opportunity Act and, thereby to a continuation of the OEO in its present form are forced into a position where they must applaud the results while condemning the process. They would keep the programs, rename them, and obliterate the agency that conceived the programs and made them produce results.

Opponents of the OEO tell us the war on poverty is in need of major redirection. Their proposal is to dismantle the agency by scattering its components all over Washington. In large part, they are the same people who in 1964 voted to kill the original Economic Opportunity Act by recommitment, after first trying to cripple it with amendments; they are the same people who, in 1965, voted to recommit the poverty amendments.

Not only do they want to decapitate the OEO, but they also want to impose on the States half the cost of running such programs and the Neighborhood Youth Corps. Under 50-50 contributions which finally convinced us that Medicare was an absolute necessity if everyone were to be protected. The important thing is to come up with a formula that works. Experience has taught us that 50-50 funding is not the solution.

If we believe the beginnings of the war on poverty have been auspicious, let us not dismember the program, but rather continue, enlarging it as need and demand dictate.

As originally envisioned there was supposed to be a dramatic increase in funds for the war on poverty as programs mature. This was a rational approach based upon the recognition that it would take some cities and localities time to gear up for action. Now there are nearly twice as many cities involved as at the outset, and given the slight increase in appropriations being sought this year, the net result represents an outright reduction in the level of funding per city. As a result we find ourselves in a position of having to run faster just to maintain our ground when the demands of the situation clearly dictate all-out effort.

Opponents of the OEO would destroy the one Federal agency which serves as a spokesman for the poor. The alleged purpose of such reorganization is to promote efficiency by sorting out OEO functions among existing departments already dealing with similar problems—by putting all programs relating to education in HEW, for example, and all programs relating to manpower training in the Department of Labor, etc. Such a reorganization may be an attractive one on an organizational chart, but not in practice.

By dismembering the OEO, by lodging its programs in already high overburdened bureaucracies, opponents of the war on poverty would reduce it to a series of minor, unrelated and ineffective skirmishes.

One Washington wag has suggested that if dismembering an agency is the way to promote organizational efficiency, why limit the process to the Office of Economic Opportunity? Why not apply it to the most expensive operation in the entire Government, the Department of Defense?

Since recruitment for the Armed Forces is basically a manpower problem, this line of reasoning goes, it should be turned over to the Department of Labor and the work of the Medical Corps should be turned over to the Public Health Service. The Continental Army Command should be transferred to the Department of the Interior; the fleet to the Maritime Administration; the food service to Howard Johnson's; the military airlift command to TWA; and the Signal Corps to A.T. & T. This is, of course, ridiculous but I hope it makes a point.

It hardly seems that the best way to achieve results in the poverty program is to fragment program among existing bureaucracies which are already having difficulty administering the responsibilities they already have.

This is not to say that there might not come a time in the future when some distribution of programs generated by the OEO among on-going departments might be indicated. Such considerations may well be appropriate at some future date—say, five or ten years after initial funding—or at a time when such program can be said to have been clearly established in practice and the public consciousness. But, again, it needs to be borne in mind that the OEO is just a bit more than two-and-a-half years old. It is premature to consider reshuffling its obligations and responsibilities at this early and critical juncture.

It should also be borne in mind that the OEO now administers only about 10 percent of all Federal program relating to poverty. In the view of the Urban League, to leave the OEO with less than a 10 percent responsibility for program in the war on poverty would be a grievous error.

Destruction of the OEO would turn out to be the destruction of the most ambitious, innovative and imaginative program the Nation has ever undertaken to help the poor become self-sufficient. Running such a program requires an organization with the freedom to innovate and experiment in areas that cut across departmental lines. In any well-run program the ultimate authority must be vested in one individual. If the OEO were dismembered, who would supply the direction of the program?

By killing the OEO, we would, for all intents and purposes, be turning our backs on the poor, sweeping the problems of the poor under the rug. We would kill the voice of the poor at the highest levels of government, and in so doing, regress to the administrative doldrums of earlier years when welfare was the only way of life for those in poverty.

The Office of Economic Opportunity is demonstrating that there are ways by which the poor can become self-sufficient, ways by which youngsters can be moved out of the poverty that has gripped their families. One of the major reasons for creation of the OEO, in the first place, with its community action component, was that the existing welfare bureaucracy, both governmental and private,

had for at least two decades been groping with the poverty problem with rather poor results.

If anti-poverty funds were to be transferred into the machinery of the orthodox welfare system, it would be more difficult than ever to determine the successes and failures of the war on poverty. For whatever criticism one may have of the OEO, it cannot be said it doesn't have an open door for public examination, whether by Congress or the newspapers or the interested public.

Part of the problem of the OEO results from the high visibility the OEO, itself, has given such problems as it has had. To turn anti-poverty funds back to the big departments might very well lessen the visibility of the poor. It would also ensure that we'd know less than we do not about the cost-effectiveness of the war on poverty.

This might well ease the frustrations of some Congressmen and of that portion of the public which would prefer not to be reminded that poverty exists, but it certainly would not ease the frustrations of the poor themselves. We cannot pursue a policy of "out of sight, out of mind."

Many of the economic opportunity programs are controversial, most particularly the community action programs. Much of the controversy arises from the fact that these programs are bringing people together, in communities across the country, who have never talked to each other before, people who in many cases have never even been aware of each other's existence. This bringing together of community elements results in a catalytic action which inevitably produces some conflict and some turmoil, but the alternative to meeting at the neighborhood center is to meet in the neighborhood street where the action is more likely to be explosive than catalytic.

The double value of the CAP program is that, on the one hand, it allows for a level of experimentation which would be awkward, perhaps impossible, for established departments, and, on the other hand, it requires community involvement. It gives people a means of participation in the control of their own destinies through the historically established machinery for social change. To eliminate either aspects of the CAP program would be a serious matter. The established departments are unlikely experimenters and if people are not directly involved (despite whatever discomfort this may occasionally cause the politicians), their reactions will be manifest in more violent and non-traditional ways. It is better to have people petitioning through established channels than to have them throwing rocks at City Hall.

Any long-range solution must continue to recognize the fact that there are two kinds of poverty to be attacked. There is the poverty of resources which we all recognize. And there is a poverty of culture which develops out of generations of neglect, of being beaten down and denied, not just things, but access to the knowledge of how to change things, how to make an impact on one's environment, how to challenge the system, how to exercise an influence on the common course of communal affairs.

Denied knowledge like this, people become overwhelmed by their own powerlessness and this gives rise to hopelessness, despair and apathy. As an ancient Greek philosopher once said, "the greatest crime against a man is not to deny him but to make him not even care."

It was specifically to combat this poverty of culture that the community action programs were developed by OEO. Some of you may be familiar with Project ENABLE conducted by the National Urban League in cooperation with the Family Service Society and the Child Study Association and funded by the OEO. It was a great success. Perhaps its greatest achievement was in developing means and demonstrating ways to reach people afflicted by a poverty of culture.

ENABLE dealt with groups of parents in 59 cities, parents who didn't understand the system, who didn't know how to petition in their own behalf or in behalf of their children, who before the advent of ENABLE were demoralized in the face of authority and incapable of pressing their own best interests with officialdom—incapable of speaking up at City Hall, or at the local welfare department or before the board of education.

ENABLE demonstrated how a community of parents can be mobilized when given an opportunity to exercise a real influence on matters affecting the welfare of their children. ENABLE explored many of the possibilities for traditional social welfare agencies to take effective action at the grass roots. It would be a disaster if such lessons were lost, such experiences denied those who need them.

I hope that other agencies will study the ENABLE record and pick up on it and that, under no circumstances, will the Federal Government renege on its

commitment to programs of this kind. The community action program has proved that the concept of the participation of the people to be served is not only feasible, but a *must* for effective government performance.

The OEO has served as an unparalleled catalyst for the development of leadership among those who have been traditionally excluded from local decision-making. Because of the participation of the poor, hidden issues have been given high national visibility. The Administration, the Congress and the general public have yet to grasp the full potential of local community action.

If we allow these programs to pass from the scene we shall have to invent something else to take their place. The current program is based upon local administration and initiative, certainly conservative ideas today. If we allow this kind of "localism" to fail, what system will take its place?

The OEO has been equally important in stimulating national discussion about more and more effective ways to combat poverty. It is only since the Economic Opportunity Act of 1964 that there has been serious, widespread discussion of such concepts as the negative income tax, the guaranteed annual wage and other plans of income maintenance as well as "community corporations" for low income areas.

Much has been written, and still more has been said, about alleged administrative failures in the OEO, and yet a careful examination of the record demonstrates a remarkable record of administrative success, obtained, moreover, in the face of unusual social and political pressures. Few pieces of legislation have involved such complicated administrative features.

In no other program, Federal, State or local, has there ever been so much involvement of different public and private interests and resources at all levels. It could even be said that the manner in which the OEO has brought the diverse resources and interests of a multitude of communities into focus upon the problems of poverty represents a high water mark in public administration.

Few, if any, other programs in the field of public administration have received the volunteer and material contributions that have flowed so freely to the war on poverty. The administrative problem has been to find ways to effectively utilize this unprecedented wealth of volunteerism. As a partial accounting, 95,000 Americans have contributed volunteer services to Head Start, before long VISTA will have enlisted 30,000 Americans as part-time volunteers in their communities; tutorial programs have involved more than 30,000 volunteers, and volunteer membership on Community Action boards and councils numbers over 90,000.

Local community action agencies have tended to have a consolidating effect on the hodgepodge of local jurisdictions. Statistics show that there are something over 91,000 separate units of government in the United States today; whereas the 1100 community action agencies generally include not one but a group of local jurisdictions which produces a consolidating effect. From the perspective of the local level, the community action approach has made possible coordination of dozens of Federal programs where coordination counts the most.

To mobilize the factual data necessary to fight the war on poverty, the OEO has collected and printed on a county-by-county basis the information available on the economic and social characteristics of each of the more than 3000 counties in the Nation.

Again, it has done all this at an administrative cost of no more than 3 percent and with a minimum of staff.

In certain respects at least, administration of the OEO could be said to represent an interesting study in the modern-day use of both old and new concepts in public administration. The record shows relatively few instances of mismanagement or impropriety. Where such difficulties have arisen, Sargent Shriver, himself, has read the incidents into the public record with a candor few bureaucrats can be said to have matched.

This is not to say that the OEO is beyond all criticism for it is not, but, by and large, its failures have been the result of the need to initiate program on too broad a scale in, perhaps, too much of a hurry. They are the faults of working with extremely limited resources in view of the problems the OEO is mandated to solve and of laboring under the necessity to mobilize a major effort in an exceedingly short period of time.

The Economic Opportunity Amendments of 1967 are designed to tighten program control in a variety of ways to meet legitimate criticism without changing the fundamental character of existing program. These amendments

would tighten administrative standards consistent with the needs of expanding programs; expand audit and fiscal responsibilities; would help in the elimination of red tape and certain real barriers to efficient and cooperative efforts; and remove some of the maze of potentially inconsistent technical requirements with which local agencies are now sometimes saddled.

Most importantly, the proposed amendments would seek a basis for expanding private participation, particularly in the area of job-creation. By and large, in the economy of this nation, people who ultimately escape poverty and again self-sufficiency will do so through employment which only the private sector can provide.

My major overall criticism is that we, as a Nation, are, in effect, using a sling shot for a job that calls for nuclear weapons, applying band-aids in the curious expectation of arresting an advanced cancer.

Fundamentally, we have most of the necessary legislative devices available to use in the war on poverty. The basic need now is to apply these measures on a scale massive enough to actually solve the problems we're all concerned about. Two billion dollars per annum is not enough to do the job. Fifty billion dollars would be more like it.

A further criticism I would like to place on the record is that all too often, given the limitations on funds, administrators of the war on poverty have been forced not to act, but to react. Too often, they have found themselves reacting to crisis, such as a riot in Watts, tending to convey the impression that rioting is a necessary prelude to eligibility for poverty war funds.

It will be tragic if the impression is allowed to grow further that it is necessary to have a civil disturbance in order to get necessary attention to local problems and services, as so often seems to have been the case.

A further mistake, in the opinion of the Urban League, has been the almost consistent practice of channeling funds for programming purposes into entirely new local structures created for the purpose of receiving funds. These structures have most often been hastily conceived, hastily manned, and have generated great controversy over who was to make policy.

I would hasten to add that many, perhaps most, of the established voluntary agencies needed challenging, needed to be forced to re-examine existing programs and to reconsider whether or not they were actually reaching the most disadvantaged citizens, and whether or not their policy-making bodies were, in fact, sufficiently representative.

But I am firmly convinced that it would have been better, rather than to have set up duplicating and competing new structures to carry out programs, to have established coordinating bodies which would have served as channels through which funds were advanced to existing agencies with their years of experience and know-how, providing only that they met necessary criteria as to program, clients served, and broad representation at policy levels as well as in personnel utilized.

It is particularly interesting to note that the civil rights agencies, some of which have a half-century or more of experience in dealing with the problems the war on poverty is designed to attack, which have thoroughly representative boards, and the established confidence of the community, were given little, if any, of the poverty war funds at a time when, had they been, they would have been greatly reinforced in their positions through being able to implement some of the tangible programs sought within the ghettos.

It would have served to increase their influence in channeling understandable anger and impatience which erupts in the ghettos into constructive rather than destructive directions.

Paradoxically, as much as some of these agencies and organizations have been left out of the picture, they are still the first ones to whom the authorities turn when civil disorder threatens to replace realistic and orderly procedures, and the first ones upon whom extremists turn with the charge that they do not deliver on the meat, bread and potatoes issues fast enough.

And yet there is no mistaking the expertise of such agencies. The Urban League's record, both in and out of the war on poverty as formally structured, is informative. On-the-job training programs conducted by Urban League affiliates in strategically located cities across the country, funded by the Department of Labor, have been a spectacular success.

In 1966, some 4000 people received on-the-job training and subsequent placement through Urban League channels. In St. Louis a group of 350 trainees, the vast bulk of them "hardcore" unemployed before training, were earning \$3000

to \$3500 per annum after training, and in New York City, total wages for a group of 172 trainees more than doubled after on-the-job training. Most of those receiving up-grading through such training represent departures from the welfare roles who have been made tax-producers in the process.

In addition, routine day-in-and-day-out Urban League job placements, at no cost to the government, ran to about 40,000 people in 1966. At an average annual income of \$4000 for such new jobs, this comes to \$160 million annually in new and expanded national income.

Our National Skills Bank, which opens up new jobs for Negroes and makes up-graded opportunities available to Negroes whose skills are being under-utilized—which is, again, operated *without* government funds of *any kind*—registered 39,698 people in 1966, made 28,506 referrals and 9,656 placements. Typical results include a young government worker who is now a \$9,500-a-year analyst for a drug firm and an \$85-per-week clerk who became a \$120-a-week secretary; again, with an obvious rise in local tax payments. In one community alone, the earning power of the Negro community rose \$2 million per year as a result of Urban League up-grading.

In the summary, however, let it be said that the immediate issue at hand in the war on poverty is clearly and simply the continued existence of the Office of Economic Opportunity as an independent agency. Those who would eliminate it would turn their backs on more than 30 million Americans who live in poverty and who look to the economic opportunity program as a way out of misery and human degradation for themselves and, most certainly, for their children. The Nation's promise to the poor as enunciated in 1964 is embodied in the OEO and to destroy the OEO would destroy that promise.

In order to right the social wrongs of centuries, in order to lift the burden of poverty, we must now, in order to redress the balance of history, succumb to an excess of feeling, of courage, of caring and of decency. The time is ripe. The resources of a rich nation requires it. As a cause, the eradication of poverty has the sympathy and devoted attention of the American public. The future of a society that would call itself civilized is at stake.

SUPPLEMENTARY REPORT BY THE NATIONAL URBAN LEAGUE ON THE WAR ON POVERTY PREPARED FOR SUBMISSION TO THE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE

The National Urban League is pleased to make available to the Subcommittee on Employment, Manpower and Poverty of the Committee on Labor and Public Welfare, United States Senate, as per its request, the following report on the Urban League's nation-wide experience in, and observations of, the war on poverty for inclusion in the record of the Subcommittee's hearings as the Subcommittee sees fit.

This report covers information supplied by 79 of the National Urban League's 82 local affiliates in cities¹ in 33 States and the District of Columbia. The National Urban League also has regional offices in Akron, Atlanta, Los Angeles, New York and St. Louis serving all 50 States, the District of Columbia, Puerto Rico and the Virgin Islands, and a Washington Bureau.

A total of 1,253 anti-poverty programs are reported in these 79 cities, of which 999 are funded by the Office of Economic Development, 253 by the Department of Labor, the Department of Health, Education and Welfare and the Department of Housing and Urban Development, and one by the Justice Department. For the purposes of this report, the National Urban League sees the war on poverty as including, not only programs funded by the OEO, but programs designed to alleviate poverty, funded by major Departments, as well.

While we believe the material in this report to be of great interest it is not intended as exhaustive. Urban League executives reported on their communities in broad terms.

In the field of *education*, programs covered in this report include: Head Start, Tutorial, Adult Basic Education, Upward Bound, Day Care, Work Study and miscellaneous other programs. With the exception of Upward Bound, some of these programs are funded by the OEO and some by HEW. Upward Bound is funded by the OEO only.

¹ See Appendix I.

In the field of *employment*, programs covered in this report include: Neighborhood Youth Corps, Job Corps, On-Job-Training, Manpower Development, Small Business Development and miscellaneous others. Small Business Development is funded exclusively by the OEO. Job Corps and On-Job-Training are funded in some instances by the OEO and in others by the Department of Labor. The Neighborhood Youth Corps, Manpower Development and some of the miscellaneous employment programs are funded in some instances by the OEO, in some instances by the Department of Labor and in still others by HEW.

In the field of *family services*, programs covered in this report include: Home-maker Service, Project ENABLE, Foster Grandparents, Family Planning and all other child and family services. Project ENABLE is funded by the OEO. The remainder are funded in some instances by the OEO and in others by HEW.

In the field of *health services*, programs covered in this report include: Medicare Alert and miscellaneous other health services, including pre-natal and infant care, reproduction and sex education, and community and school health services. Medicare Alert was funded by the OEO. Miscellaneous other health services reported were funded in some instances by the OEO and in others by HEW.

In the field of *housing*, 16 cities report 29 programs funded by the OEO and 9 programs funded by the Department of Housing and Urban Development.

A *miscellaneous* category covered in this report includes: Legal Services, CAP programs unspecified, City and Neighborhood Centers, Delinquency and Crime Control, Program Administration, Program Development, Migrants and miscellaneous other programs, variously funded.

The 79 reporting Urban League cities reported on a total of 1,253 anti-poverty programs, all of which they were asked to rate as "poor," "fair," "good" or "excellent." Ratings were given on 815 programs, or 66 percent of the total.²

The nation-wide results were:

	Percent
Poor	5
Fair	19
Good	54
Excellent	22

Broken down by regions, the ratings were as follows:

Region ¹	Total cities reporting programs	Total programs reported	Total programs as rated				
			Poor	Fair	Good	Excellent	No rating
Eastern	23	395	7	49	121	40	178
Southern	11	165	7	22	75	29	32
Midwestern	17	262	8	26	129	51	48
Midwestern	19	225	13	39	87	40	46
Western	9	205	3	20	28	20	134
Total	79	² 1,253	38	156	440	181	438

¹ The eastern region includes Connecticut, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, the Virgin Islands, and Puerto Rico. The southern region includes Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia. The midwestern region includes Kentucky, Michigan, Ohio, and West Virginia. The midwestern region includes Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. The western region includes Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

² The total figures includes OJT program administered by the NUL, which is not and does not appear in the regional totals.

The extent of programs under Urban League auspices, by region and by city, is contained in Appendix II.

Table III, Appendix III, demonstrates the full extent of Urban League participation in anti-poverty programs which are not administered by the Urban League.

Responses from the 79 cities show 321 instances of Urban League participation on advisory committees and/or as consultants. Urban League executives serve as members of CAP advisory committees in 28 cities and as CAP con-

² A detailed discussion of the basis for ratings is included later in this report, beginning on page 6. A subsequent discussion of nine open-ended questions directed to local Urban League executives contains many insights into the determinants of effectiveness of given programs.

sultants in 25 additional cities, one as a paid consultant. Of the 321 instances of Urban League participation, 164 take the form of membership on advisory committees and 157 take the form of consultancies, of which 14 are paid consultancies.

This pattern of participation represents a major volunteer contribution to the war on poverty. It also demonstrates the extent of Urban League interest and influence in the war on poverty outside of program directly administered by the Urban League. In addition, the breadth of participation of Urban League personnel demonstrates the unique vantage point the Urban League occupies on a nation-wide basis for observing anti-poverty program at close range in urban areas.

Urban League local executives were asked to respond to a series of nine questions³ relating to their experiences in, and observations of, the war on poverty. The following is a digest of their views and experiences as reported question by question.

The first question dealt with the basis for rating poverty programs in Urban League cities, whether or not such programs were administered by the Urban League.

Of the 1,253 anti-poverty programs reported from 79 reporting cities, no ratings were offered on 438 (or 34% of the total). In most instances, the failure to rate was due either to the fact that the Urban League executive felt the program had not been in operation long enough to warrant a judgment, or that there was insufficient data available to permit a fair rating.

Making ratings was further complicated by the fact that in some cities programs have been in existence for only a short time because of delays in funding and because of various conflicts which prevented programs from getting underway. Some such conflicts were among CAP board members, particularly in conservative communities where there tends to be a resistance to accepting federal funds, federal direction or "handouts." Delays in funding are also traced to red-tape at County and Regional OEO levels, which frequently leave communities with a feeling they are being required to "hurry up and wait."

In all, 815 programs were rated. It should be stressed again that Urban League executives were not asked to restrict themselves to OEO programs but to report on all anti-poverty programs funded by the Federal Government. Again, the nation-wide results were:

	Percent
Poor -----	5
Fair -----	19
Good -----	54
Excellent -----	22

Within each of the National Urban League's five geographical regions there is a range of ratings similar to the cumulative ratings above but there are some finer points that need to be mentioned.

It is interesting to note that even such a widely acclaimed program as Head Start, heavily rated as "good" and "excellent," is occasionally rated "poor" or "fair," demonstrating that even the best of programs can falter in a given community depending on local circumstances.

In Marion, Indiana, for instance, where Head Start is rated as "fair" the problem cited is one of less than fully qualified staff, demonstrative that there is clearly a need for intensive staff training for even the most highly regarded of programs to be successful. The Marion Urban League further attributes the "fair" rating to a lack of professional workers and the inability of the workers involved in the program to develop meaningful relationships with minority groups, and a tendency for staff to be patronizing toward the poor. In Battle Creek, Michigan, there is a feeling that Head Start lacks sufficient parent participation and that the Neighborhood Youth Corps, which is generally rated "good" or "excellent" in Urban League cities, lacks sufficient funds and sufficiently creative and/or challenging work experience for young people.

At the other end of the spectrum, Massillon, Ohio, reports that 75 percent of the children who were in Head Start are now achieving satisfactorily in Kindergarten. Springfield, Ohio, reporting on Upward Bound describes it as excellently administered with 20 of 40 seniors planning to enroll in college and a local program underway to raise scholarship funds.

Tulsa, Oklahoma, reported all programs as "good" but added that a lack of funds and personnel limit the scope of programs there. Cincinnati, Ohio indicates

³ See Appendix IV.

that those programs which received "poor" and "fair" ratings did so because staff was poorly trained, supervised and directed. (This illustrates the need for professionally qualified supervision and a need for in-service training on an on-going basis.)

The second question asked of Urban League executives was, "*What results have been achieved in relieving poverty in your community?*"

It is fair to say that the overwhelming proportion of 39 Urban League cities reporting believe that anti-poverty programs, even where they are extremely effective, have only scratched the surface. At the outset of the anti-poverty program in 1964, it was estimated that there were 32,000,000 people in this country. No one has definitive figures today on what the reduction in total poor may have been but it is obvious to all observers that in two-and-a-half years while a program that has been begun demonstrates a viable format for ultimate success, it must be greatly expanded if it is to truly eradicate poverty in this land. This is the message from both large and small communities.

For example:

(1) In Omaha, Nebraska, the Neighborhood Youth corps is effective but it reaches only 500 out of 5000 eligible adolescents.

(2) In Los Angeles, California, the Urban League executives reports that fighting the war on poverty gives one the feeling of "standing still while accomplishing something." In Los Angeles, the problem is greatly complicated by the constant influx of immigrants, so that while anti-poverty workers are aware of helping a significant number of individuals, the rate of increase in the total requiring help leaves them with the feeling of being "on a treadmill."

(3) In Cleveland, Ohio, the Urban League executive reports that "poverty is more acute" now than it was in 1964, which, in this case, is to say that the gap between the "haves" and the "have-nots" is widening. The average annual income for families in the Hough section of Cleveland is not only relatively less than it was five years ago but is actually less. Needless to say, the contrast between the circumstances of those living in Hough and those in surrounding communities is greater than ever in this affluent society.

(4) In Phoenix, Arizona, it is reported that the war on poverty has had only a "trivial" impact on income.

(5) San Francisco, California, reports only "minimal" results.

(6) In both Birmingham, Alabama, and Memphis, Tennessee, a mood of "too little, too late," is reported in relation to the magnitude of the problem.

Other cities report a feeling that the anti-poverty program is best summed up as demonstrating "more promise than performance." On the other hand, there is general satisfaction with MDTA and OJT programs, the latter of which are funded in given instances by either OEO or the Department of Labor, because they are seen as definitely relieving poverty. To a lesser degree, the employment of sub-professional workers is considered to be having an impact on income levels.

Other cities report that results achieved by the war on poverty depend on the nature of the agencies involved in the CAP program. For example, if there is more concern with riot prevention than with solving the problems of the poor, little real gain is to be expected. One city reports that while the education and manpower programs are very successful, the community organization effort has failed because of a riot-prevention approach.

Some cities, notably Warren, Dayton, Springfield and Columbus, all in Ohio, report an increase in employment and the impact of a variety of programs.

By contrast, cities like Cleveland, as noted feel that poverty has become more acute. In the Mid-Eastern Region, which includes Ohio, 33 percent of the 17 cities reporting feel that there have been no significant results in the war on poverty or that the results have been limited. Another 33 percent of the same 17 cities feel that the results are meager compared to the immensity of the need. As noted above, both Birmingham and Memphis reflect a mood of "too little" and "too late."

In sum, the reports indicate that the results achieved in relieving poverty, while notable in many cases, constitute only a beginning. Unless this nation is committed to an all out effort over an extended period of ten to fifteen years, at minimum, with top priorities established for anti-poverty programs, the war on poverty will not succeed. In fact, the results may well be disastrous beyond our worst expectations.

To arouse the hopes of the poor for an escape from poverty, to set in motion programs ostensibly designed to enhance their dignity, to create an experience

whereby they begin to develop leadership capabilities, and then to cut off, or refuse to expand, such programs and services is a matter of sheer cruelty. It can only be perceived as a punitive measure on the part of a nation turning its back on the sufferings of the poor and on their hopes for dignity and result in inevitable fury by those thus twice scorned.

In a sense, we have encouraged the poor to become "middle-class," to assert themselves, to petition for redress along the historically established lines long known to the middle class, to mobilize to increase their voices within the corridors of power. At the same time, we become frightened when they become "militant" and we may even go so far as to misinterpret their every plea for dignity as a plot for our destruction.

The *third question* directed to Urban League executives was "What was the primary obstacles to greater achievement in the war on poverty? Lack of a community concern? Lack of funds? Lack of Coordination? Inefficient management? Other?"

In the Eastern, Western and Southern Regions, the primary obstacle to greater achievement is seen as a lack of funds. In the Mid-Eastern and Mid-Western Regions, a lack of community concern is defined as the primary obstacle. To a lesser degree, in these latter two regions, lack of funds is also of major concern. For example, 67 percent of the 19 cities reporting in the Mid-Western Region define lack of community concern as the major obstacle to greater achievement. Most of these are the larger cities.

Lack of community concern is manifested in a variety of ways:

(1) Through lack of concern on the part of the power structure, often cited as including the Chamber of Commerce.

(2) By virtue of a conservative climate which rejects federal funding in principle (particularly in smaller cities).

(3) Occasionally, the indifference of the mayor (primarily in smaller communities).

This lack of community concern also is described as disinterest on the part of the "haves" and apathy on the part of the "have-nots." One wonders, at the same time, whether a failure to sell the program to the poor is interpreted as meaning "apathy" on the parts of the poor. It also must be stated that in many cities the lack of community concern was not spelled out, hence, to some extent the answer to this question remains unclear.

In order to create viable communities, the individual must have a sense of participation in, and control over, the events that effect his life. Conservatives, in the power structure, are only too eager to accept this concept as it applies to themselves, but most often reject it as it applies to the poor.

The conservative systematically maintains the *status quo* because he recognizes, as Daniel Bell pointed out in a recent article, that steady, dependable poverty is the best guarantee of social conservatism. In short, if people have no reason to expect or hope for more than they can achieve, they will be less discontented with what they have, or even grateful simply to be able to hold on to it. But if, on the other hand, they have been led to see, as a possible goal, the relative prosperity of the more fortunate in the community, they will remain discontented with their lot until they have succeeded in catching up. We as a nation cannot continue to ask the poor to bear the burden of social stability on these terms for the community at large. To do so is an intolerable abridgement of human rights and human dignity.

The attitude of the local CAP agency toward local existing agencies is also a factor frequently cited by Urban League executives as an obstacle to greater achievement in the war on poverty. CAP programs are very often seen as shutting out existing agencies and refusing to delegate program to them. In some instances, CAP duplicates what existing agencies do, rather than buttressing independent efforts. There is a feeling, particularly in smaller communities, that the CAP program does not encourage participation by other community agencies.

It is particularly interesting to note that the civil rights agencies, some of which have a half-century or more of experience in dealing with problems the war on poverty attack, have been given little, if any, poverty war funds, which would have greatly reinforced their positions at times of civil disorder by permitting them to implement some of the tangible programs sought within the ghettos. Paradoxically, as much as some of these agencies and organizations are left out of the picture, they are still the first ones to who the authorities turn when disorders threaten to replace realistic and orderly procedures, as well as the first ones upon who the extremists turn because the civil rights agencies cannot deliver on the meat, bread and potatoes issues fast enough.

Problems relating to funding also create massive uncertainties, often leaving in question even whether programs of great merit will continue to be funded. It is *extremely* important that the Federal Government face the reality that annual funding is a *program-defeating* process. Staff, community and recipients are flatly demoralized by funding uncertainties.

Ways must be found to fund programs for consecutive two-, three-, four- and five-year periods if there is to be any sense of stability, flexibility and serious purpose to programs.

It is a waste to operate a program for one year during which time both staff capability and the effectiveness of program usually increase, in many instances by an important process of trial and error, and then to dissipate these gains by abandoning the program.

Uncertainty about refunding invariably results in staff's beginning to look for other employment as much as six months before the termination of a one-year program. Anxiety about the stability of program reaches the poor whom it is supposed to be helping. And all of this sets in motion a program-defeating cycle which destroys all, or much, effectiveness. Under these circumstances, even if the program is ultimately refunded, valuable ground is lost.

In documented instances, programs have continued for as long as two months beyond the conclusion of the contract before being either refunded or terminated. It is inconceivable, regardless of the complexities of the funding process and the uncertainties of Congressional appropriations, that a way cannot be found to protect recipients, community and staff from such pressures and dislocations as these.

The *fourth question* asked of Urban League executives was "*What recommendations would you make for improving the overall anti-poverty program in terms of efficiency, coordination and scope? What features of the program should be kept and expanded and which should be scrapped?*"

Several common factors can be seen in Urban League responses from all five geographical regions in response to this question.

As noted previously, it is felt in all five regions that CAP should negotiate more contracts with existing agencies to perform program. In some instances, this concern is combined with a concern that CAP stop duplicating the services of voluntary agencies. In part, these concerns stem from the early development of OEO, wherein, at the outset, there was an almost total rejection of traditional social agencies on the grounds that they had previously failed to solve outstanding problems. It was not until after almost a year of operation that OEO officially began to invite the participation of the traditional agencies.

There is a consensus among the 79 Urban League cities responding that, at the *local* CAP level, the initial policy is still deeply entrenched, particularly in smaller communities. It would seem likely that leadership on this question will have to come in the form of guidelines from OEO in Washington, specifically instructing CAP to contract with existing agencies and institutions.

At the same time, criteria need to be developed to define the commitments traditional agencies and institutions should be required to adopt in undertaking CAP contracts. For example, they must be prepared to accept and implement the philosophy of participation by the poor in decision-making, planning and operation of programs. They need to be forced to re-examine existing programs and to reconsider whether or not they are actually reaching the most disadvantaged citizens. They also need to determine whether, in fact, their policy-making bodies are sufficiently representative and, if not, adopt procedures that will guarantee that they are. Traditional family-service agencies will need to be creative in devising new ways to involve people in solving their own problems.

There are indications that there is a need for such formal agreement as seen in what is happening, for instance, in New Orleans. In that city, there is a conflict of values between CAP program and the traditional social work organizations involved in carrying out portions of the CAP program. The conflict seems to revolve around the CAP philosophy of employment of sub-professional aids versus the traditional agencies' orientation toward total professionalism.

Another factor which emerges is the need, not only for involving more of the poor, but the need for leadership training of the poor within the framework of CAP program. In addition, there is a recurrent plea for better staff support of the poor on CAP boards, which is spelled out in more detail under question six of this report.

In all five regions a strong need is seen for recognizing the individuality of cities. This is best seen in the broad range of recommendations from city to city as reflected by Urban League executives.

In essence, the plea in all five regions is one for greater adaptability to local needs rather than rigidities which ear-mark funds for specific purposes while demonstrated needs go unmet.

Most cities stress a need for continuing research both in the provision of current data and to develop standards of measurement. No program should be permitted to proceed beyond the six-month mark without providing a progress report. This progress report should document both successes and failures. There *must* be a willingness to *learn* from failures as a matter of administrative staff and program development. There must be a freeing of administration and staff of programs from chaotic anxiety over "blame" and "mistakes." There must be a willingness to involve recipients of service in the periodic evaluations of program. Only through an on-going gathering of facts, a documentation of successes and failures can the effectiveness of program truly be measured.

It is not sufficient, for example, to state that 400 people were placed in jobs. It is essential that the individuals be followed up. How many are still working three weeks later, or three months later? Of those no longer working, how many were fired, how many resigned? What were the reasons for the firings, or the resignations? How many can be reached and helped to find other employment or strengthened in order to function more effectively once employed? These are only some of the complexities involved in providing *quality* services to the poor. We must never lose sight of the fact that the gravity of their circumstances and the cumulative cost to society *demands* that the quality of service be exceptional if the war on poverty is to be won.

The next recommendation ramifies the need for reorganizing the individuality of cities and their programs. Most cities reflect a desire for expanded employment, job-training and education programs with less emphasis on programs of importance, but less urgency, such as consumer education, home management, credit union projects, etc.

To allude to an earlier recommendation, the great need is again stressed for adequate preparation and training of the poor for effective participation. This is particularly true in respect to their functioning on CAP boards, where, as a result of OEO guidelines, they now have $\frac{1}{3}$ representation in most instances. At the same time, the *quality* of participation, in many instances remains open to question, or it is found that the views of the poor are ignored at the moment of decisionmaking by the "professionals."

Memphis, Tennessee, cites an instance where no action could be taken in the course of six consecutive meetings of the CAP board because of the lack of a quorum. Procedures need to be developed to deal with such situations, through replacement of individual members, or otherwise.

The specialized needs of individual cities is again emphasized by a variety of suggestions relative to CAP agencies. One most frequently expressed is that "delegate" agencies should be represented on CAP boards. Another is highlighted in Omaha, Nebraska, where, at one time, OEO regional officials communicated with the community only by telephone and it was not until they began to make personal visits to secure firsthand information that adequate understanding developed between regional OEO officials and local leadership.

In the smaller cities, one finds a desire for the expansion of all program largely because only minimal program is in operation, reflecting the relatively limited impact which the anti-poverty program has had in such cities.

The *fifth question* was "*What have been the benefits of the OEO? How effective is the OEO as an operating agency? Are there management deficiencies in the OEO?*"

In response, the OEO is seen as having awakened communities to the many problems confronting the poor. On the other hand, it is felt that the OEO needs to generate the effective political support of the poor and that the limited extent to which the poor have given the OEO such support is indicative of the extent to which they have remained suspicious, unreached and, to some extent, disenchanted by the failure of the anti-poverty program to fulfill promises, to fulfill the belief that "something is being done for us." In sum, it is relatively simple to dismiss the poor as "apathetic," or to avoid facing the reality of the need for effective communication.

Many cities report that the OEO has encouraged people to help themselves and has given many people hope that the problems of poverty can be solved. The OEO is credited, in some instances, with having removed health and welfare services from political control. There is abundant praise for the OEO for having encouraged programmatic experimentation.

The OEO, nationally, is judged to be doing an efficient job in some communities, though, in most instances, there were no comments concerning the OEO

on a national basis, which is not surprising in view of the preoccupation of local Urban League officials with their immediate situations. Throughout, in response to this question, the emphasis was upon local CAPs rather than the national administration of the OEO.

With respect to local CAPs, it is felt that management deficiencies are caused largely by uncertainty of employment and the involvement of the poor, to some extent, in positions for which they have aspirations but not aptitude. This, again reflects the need for more adequate funding arrangements and on-going staff development, professional and non-professional. It also underscores the need for a true marriage between the professional and non-professional in order for programs to be more effective.

It is widely felt that community attitudes hinder the effectiveness of the OEO, particularly in smaller communities. Jacksonville, Florida, for example, reflects a feeling that the anti-poverty program has to *fight* for everything it obtains. The smaller communities also tend to complain about the morale of personnel, about bureaucratic administration, and charge that the OEO is a political football.

In Fort Wayne, Indiana, it is noted that the CAP board is heavily weighted with members of the United Community Services.

These points again illustrate the need for guidelines spelling out the relationship between a CAP agency and traditional community agencies.

The sixth question was *"To what extent have poor people been involved in the war on poverty in your community."*

As previously indicated, OEO guidelines have resulted in one-third representation of the poor on CAP boards in most instances. Prior to the guidelines, the poor were permitted very little participation. Even where the involvement of the poor is considered most successful, as in Washington, D.C., where 849 poor people were employed in CAP programs and 1,536 poor people serve on CAP advisory and policy-making bodies, it is pointed out that where the views of the poor conflict with those of the "professional," the poor tend to be ignored.

In both the Mid-western and Mid-eastern regions, and in smaller cities throughout the nation, there is a feeling that there is still some resistance to the meaningful involvement of the poor on CAP boards. In the Mid-western region, the larger cities indicate that the involvement of the poor has been, for the most part, in the role of client. The exception is Kansas City where the poor demanded and got representation at the planning level, but, at the same time, even there, CAP is being watered down because it "rocks the boat of the establishment." Fort Wayne, Indiana, among other cities, cautions that in many instances involvement of the poor on CAP boards is a matter of tokenism. "They come to meetings, they are seen, they sit, they say nothing, and they return home, while a handful of other people usually make the decisions."

An additional dimension to the problem of developing programs to help the poor help themselves is the potential vulnerability of organizations without reliable, responsible professional/non-professional cooperation. Where the non-professional in combination with a relatively inexperienced administrator are burdened with the full responsibility for a program, they are potentially fair game for individuals and organizations who may exert destructive influences over the indigenous group. Such individuals and organizations may have agendas of their own which have little to do with the objectives of the program or the needs of the poor. In fact, they tend to specialize in leading rather than developing leadership; they may even systematically work to bring about chaotic circumstances, resulting, in some instances, in violence and destruction.

There are any number of variations on the theme of the extent to which the poor have been involved, which again reflects the need to recognize the individuality of cities and their needs. In Jacksonville, Florida, Urban League officials consider the involvement of the poor the best in the Southeast, despite the fact that this city reports weak financial and community support for poverty programs. Another Southern city indicates that some of the poor regard Negroes serving on the CAP board as "selectively safe." Atlanta, Georgia, like Kansas City, points out that participation by the poor on CAP boards and advisory committees came about only after vigorous protest by the poor.

In sum, there is substantial room for improvement in the quantity and quality of participation of the poor in the poverty program.

The seventh question addressed to Urban League executives was *"To what extent has the Community Action Program been effective in achieving its objectives?"*

Again, reduction of funds from year to year and the unmet need for the expansion of program are identified as the key factors limiting the effectiveness of CAP.

In most of the cities of the Southern and Western regions, the feeling is that the CAP program is too young to evaluate its effectiveness in achieving objectives. The larger cities in these regions, on the other hand, generally seem to agree that CAP has had a certain effectiveness.

In the Mid-western region, 71 percent of the 19 cities responding report that the effectiveness of CAP program has been limited or of a minimal nature. Much of this relates to lack of adequate funding for programs.

In the Mid-eastern region, 60 percent of the 17 local affiliates reporting feel that while CAP has, in varying degrees, achieved success, it has not achieved its objectives.

In the Eastern region, there is general agreement that CAP has the potential for being effective but that, for various reasons, it has not fully achieved its potential. The smaller cities in this region tend to less praise for CAP programs than the larger cities. In a few scattered cities across the country, there are expressions of substantial satisfaction with CAP performance, as for example, in Warren, Ohio; Pittsburgh, Pennsylvania and Portland, Oregon.

In sum, it can be said that *long-range, consistent and sufficient funding* is the prime requisite for bringing about an effective assault in the war on poverty. Anything less than this results, instead, in a "war on the poor."

It is a sad commentary that in many cities, it is felt that only a riot seems to bring about necessary (although usually temporary) funding. *Temporary* relief from the strain of poverty, once withdrawn, results in only greater bitterness among the poor.

The eighth question was, "*Are there self-defeating delays in getting programs underway because of 'red-tape'? If so, characterize briefly.*"

The general picture across the country is one of dissatisfaction and delay both in getting operations underway and in funding and re-funding programs. In addition, there is some dissatisfaction with delays in reimbursements.

There are further major complaints about the technicalities involved in the re-submission of proposals as they relate to delays in starting programs.

Canton, Ohio, points out that the complexity of guidelines and procedures for developing programs have hampered, or created obstacles which discourage, agencies from becoming involved in the war on poverty. The feeling of "hurry up and wait," as previously mentioned, is best described by an instance in which a six-month wait followed the submission of a proposal which was then followed by a three-day notice to re-submit.

Some cities reflect the feeling that while red-tape is not of a self-defeating magnitude at the local level, it seems to be at the regional and Federal levels.

Perhaps significantly, it is felt in Cincinnati that while the city, on the whole, has not suffered from delays in funding, it has been because of the skills of the local CAP staff and board, flanked by the services and consultants of the Community Chest and Council.

This is perhaps an illustration of the importance of greater cooperation between existing social welfare structures and CAP programs. Where such co-operation exists, a true community-wide effort is possible. Again, this seems to illustrate the possibility of, and need for, additional guidelines.

In sum, the obvious pressures resulting from red-tape hinder program development, particularly in smaller communities, render acquiring competent staff difficult or impossible, seriously affecting the retention of staff and the continuity of program.

In general, there is relatively little attention being given to the elderly poor of this nation. The bulk of attention to them has consisted of the Medicare Alert Program, which was temporary in nature.

The Foster Grandparents Program seems extremely effective where it exists, as for example, in Racine, Wisconsin; Philadelphia, Pennsylvania; and Denver, Colorado. It might be noted that the Denver Urban League reports that while the Foster Grandparent Program there is effective, there is a problem in increasing the number of minority group participants.

Other examples of on-going programs for the elderly poor include SCOPE, a community organization dedicated to senior citizens in Warren, Ohio; Neighborhood Centers in Columbus, Ohio; Senior Citizens Referral Center, in Peoria, Illinois; and Project Three Score in St. Paul, Minnesota.

In sum, the efforts in behalf of our senior citizens who constitute 9.4 percent of the U.S. population are relatively, woefully weak. One wonders if perhaps this is because the aged do not, like the "squeaky wheel," require the most grease.

Reports from the 79 Urban League cities reflect the fact that, with scattered exceptions, extremely little is being done in relation to the rural poor. There are examples, as in Warren, Ohio, where efforts to bring services to the rural poor

run into difficulties because transportation poses such a problem in rendering services. The need to develop and exploit the tie-in between efforts for the rural poor and the relief of urban poverty seem particularly important in relation to those rural poor who are, or will be, migrating to the cities.

All in all, reports received do not reflect much activity in behalf of either the rural or elderly poor.

The following extended examples of Urban League programs in the war on poverty cover selected materials on OJT project, Project ENABLE, a VISTA training program, Project ASSIST, a Human Resources program, Housing Information Centers and a Neighborhood Development Center in Washington, D.C., variously funded by the OEO and major Executive Departments.

Summary of income—1966-67 operations of on-the-job training program

I. Urban League affiliates:			
Program: OJT.			
Number leagues	-----		41
Number reached (contracted)	-----		15,845
Total budget	-----		\$8,851,168
II. National Urban League (administrative costs):			
OJT program	-----		\$344,020
Rent	-----		5,360
Telephone, postage, etc.	-----		12,572
Equipment	-----		6,059
Supporting services	-----		3,221
Special funds total budget	-----		371,232

Summary of income (by Urban League affiliate)

	Initial project	Renewal project	Total
Akron.....	\$110,225		\$110,225
Atlanta.....	289,126	\$259,000	548,126
Baltimore.....	155,494		155,494
Boston.....	112,423	143,632	256,055
Buffalo.....	335,940		335,940
Canton.....	88,046		88,046
Chicago.....	237,324		237,324
Cincinnati.....	147,999		147,999
Cleveland.....	231,008		231,008
Columbus.....	134,139		134,139
Dayton.....	130,236		130,236
Englewood.....	157,546		157,546
Flint.....	118,543		118,543
Gary.....	166,900		166,900
Grand Rapids.....	100,082		100,082
Hartford.....	75,408		75,408
Jacksonville.....	255,775		255,775
Kansas City.....	116,243	121,902	238,145
Lansing.....	112,117		112,117
Los Angeles.....	261,826	601,044	862,870
Louisville.....	110,358		110,358
Memphis.....	276,004		276,004
Milwaukee.....	120,576		120,576
Minneapolis.....	80,336		80,336
Muskegon.....	129,541		129,541
New Orleans.....	70,156		70,156
Omaha.....	33,702		33,702
Philadelphia.....	228,102	184,425	412,527
Phoenix.....	107,372		107,372
Pittsburgh.....	212,605	173,807	386,412
Portland.....	126,818		126,818
Richmond.....	58,000		58,000
Rochester.....	203,089		203,089
St. Louis.....	225,607	119,537	345,144
San Bernardino-Riverside.....	142,124		142,124
San Francisco.....	221,514	668,715	890,229
Seattle.....	156,173	108,632	264,805
Tulsa.....	117,331		117,331
Warren.....	20,658		20,658
Washington, D.C.....	243,000	75,000	318,000
White Plains.....	176,008		176,008
Total.....			8,851,168

Source: Exclusively through U.S. Department of Labor, Bureau of Apprenticeship and Training.

Submitted by:

ADOLPH HOLMES,

Associate Director, Economic Development and Employment.

MAY 5, 1967

LOS ANGELES URBAN LEAGUE REPORT

(MDTA-OJT Project-Contract CA-J-72, July 1, 1965-September 30, 1966)

To keep in step with a community's problems and effect their solution is the real foundation for both healthy community development and good orientation of residents—old and new—to "A Better Way Of Life."

(Dallas A. Martin, project director, February 15, 1967)

OJT IN ACTION

The Federal Government under the provisions of the Manpower Development and Training Act (MDTA) of 1962 offers help to employers in the development and cost of On-The-Job-Training Programs. The Act was created primarily to give job skills to the unemployed, the underemployed and those workers whose jobs are affected by a changing technology. Its method of providing training for a specific job under actual working conditions points up a very real advantage. Most programs directed toward disadvantaged groups offer training in skills considered useful in obtaining employment, but OJT is actually geared toward direct employment of such individuals. *It will result in not only a trained individual but, more important, an employed individual.*

The Los Angeles Urban League MDT-OJT Project of 1965-66 has been considered successful. This is supported by the fact that it did exceed its goal of 400 training slots. Even though this quantity can be considered minute when compared to the total unemployment problem, it was not achieved with ease and non-chalance. On the contrary, many obstacles were encountered in the developmental stage. Industry's understanding and acceptance of the program had to be assured and resistance to Federal involvement overcome.

It became apparent early that the careful selection of staff and a proper choice of the initial contact person would play an important role in our success. The former *must*, through previous experience and/or specific training, be so oriented as to assure a good understanding of industry personnel problems. The latter *must* be one in a policy making position with broad authority in employment, to assure an objective evaluation of the OJT Project. Unless both factors are given proper priority, affirmative action will be seriously delayed and oftentimes never achieved.

Since August 18, 1965, the Los Angeles Urban League has spent much effort in overcoming various typed of opposition, particularly that type conveniently identified as an OJT encroachment on company hiring policy. It is simple enough to point up what OJT will do for the underprivileged person, but what it will do for the employer is also vital and must be effectively presented by the OJT Developer.

In consideration of the aforementioned facts, the writer submits the following as points to be remembered when attempting to overcome certain natural or subtle employer resistance.

Do limited categories actually exist for employee on-the-job-training?

Often the initial company resistance lies in their tendency to suggest that this type training is applicable to a very limited number of job categories. However, experts agree that any type organization thrives on a good balance of trained individuals. Therefore, the need to provide for OJT type training in all occupational areas cannot be over-emphasized. It is extremely important that the OJT Developer explore the needs within each job category (maintenance, sales, production, accounting, clerical, etc.), and be ready to recommend the appropriate effort. Once equipped with a broad prospective, he will not become discouraged when faced with that problem, real or constructed, identified as occupational limitation. On the contrary, he is able to pursue all areas of possibility and clearly point out both the advantage and importance of OJT to a company's growth.

Can values under OJT be considered as twofold?

Whenever and wherever new personnel is required, the emphasis is usually placed on careful selection, with provision that it be followed by appropriate

training. When occupations are properly analyzed and standards devised, the company is provided with a basic guide for the choice of applicant. Certainly such careful screening deserves to be followed by a dynamic training process. It has often been stated that, "the authority to supervise includes the ability to teach." Because many supervisors are found to be deficient in teaching "know how," On-The-Job-Training Programs can do much to remedy this situation. Under such a program, the supervisor is provided with a teaching responsibility and must proceed in some formalized fashion if he is to achieve the desired result. Bearing this in mind, the OJT Developer is provided with a tool which can adequately point up the value of OJT to the employer, both in the existing supervision areas and new employee situations.

Can the employer afford a passive attitude toward OJT?

The recruitment, selection and training of personnel at all levels of occupation are vital factors in the good development of any organization. However, the training responsibility might be considered of greatest importance, as it will result in the type specialist required in today's highly functionalized industries. Specialization of occupational tasks in industry have reduced considerably the scope of work, so that the latter embraces only a small phase of the entire work process. It follows, therefore, that the knowledge and ability required for satisfactory performance is reduced and this gives persons having less academic training and no skill an opportunity to do work which formally demanded a higher grade of labor. It is extremely important that the OJT Developer be prepared to inform a company that it can readily fulfill its training objectives through the use of OJT. Also, by participating in this Project, the employer is eligible to receive reimbursement money to cover a percentage of his training cost—a *very real and practical incentive*.

The foregoing is an attempt to give emphasis to certain of those underlying management reactions which, unless explored, prove to be formidable barriers to affirmative OJT action. Yet, when presented in proper perspective they provide a meaningful approach and will do much to open the door of opportunity for the unemployed, underemployed and those whose jobs are affected by changing technology.

OJT RESULTS

The statistics to follow do point to gratifying development underlying the Los Angeles Urban League MDTA-OJT Project. Although our efforts managed to reach only a small segment of that group known as underqualified, the results show that important On-The-Job-Training objectives can be met. Also, those individuals reached, who are continually bypassed during all stages of economic progress, experienced within our prosperous society. Because these persons *deserve* and *must* be given the chance to enhance their opportunity to enter in and remain in so competitive a labor market, any meaningful training is a positive action.

Persons whose formal education does not reach beyond the high school level have the greatest difficulty qualifying for employment. This is most certainly an acute problem when 1964 statistics reveal that the non-white unemployment rate for high school graduates stood at 21.1% and this is compared with 9.6% for whites. It will be noted that our Project did render a service to the group in question, as those with twelfth grade or less education comprised of 68.5% of the total trained. Refer "Project Characteristics" data.

This Project also contributed to an improvement in income which is important, when realizing that income deficiency will always result in increased public assistance—a problem of great concern to us all. In 1959, the median income for white workers in Los Angeles was \$5,465 and for Negro \$3,599. It has been estimated that should we raise the Negro level to that of white, we could more than double the Los Angeles rate of economic growth. Certainly it is agreed, upon viewing "Income Patterns" data, that those served were at least provided with the opportunity to begin their rightful contribution to the Los Angeles economic and social well-being.

A glance at "Occupational Patterns" data will show that there exists a noticeable lack of concentration in the low-skill job areas. Undoubtedly, the OJT Project did much to find those being served a place higher on the job ladder. This is important, as we must continue to strive for a more balanced pattern of occupational level between non-whites and whites. A 1960 study in Los Angeles revealed that among male professional, technical and kindred workers, whites averaged 15.4%, Negroes 4.9%. Whereas, among laborer groups, whites totaled 4.7% and Negroes 14.1%. An adjustment in this pattern is necessary, if we ever expect

to overcome the more subtle discriminations prevalent at the time employee promotion is being considered.

In spite of the foregoing achievement, there still exists gross job discrimination among the minority in Los Angeles. We must strive to assure that the Los Angeles minority is given the opportunity to contribute at their optimum level of ability. Unfortunately the disproportionate unemployment rate between minority and white has not yet narrowed and a manpower report of 1966 predicts that the next five years will show an increase of non-whites entering the labor market. Unless, therefore, we continue with our effort to place the minority on an equal footing with white, the employment gap will become even wider.

Project characteristics

1. Number interviewed for OJT	2,000
2. Number enrolled in OJT	432
(a) Ethnic composition:	
(1) Nonwhites	310
(2) Whites	122
(b) Sex:	
(1) Male	337
(2) Female	95
(c) Age:	
(1) 16 to 21	154
(2) 22 to 39	264
(3) 40 and over	14
(d) Education:	
(1) 5 to 8 years	7
(2) 9 to 12 years	290
(3) Over 12 years	135
(e) Head of household or family	331
(f) Number unemployed	266

Income patterns

Weekly earnings of applicants before OJT :		Total applicants
Income:		
Unemployed : None-----		266
\$50 to \$69	Group average income per week, \$26	114
\$70 to \$89		36
\$90 to \$110		16
Over \$110		0
Weekly earning of applicants : start of OJT :		
Income:		
\$50 to \$69	Group average income per week, \$76	136
\$70 to \$89		201
\$90 to \$110		95
Over \$110		0
Weekly earnings of applicants, completion of OJT :		
Income:		
\$60 to \$79	Group average income per week, \$90	133
\$80 to \$99		155
\$100 to \$119		143
\$120 to \$140		1
Over \$140		0

Occupational patterns

Professional and managerial: Management trainee, escrow officer, pest control, etc.	5
Clerical and sales: Secretary, stenographer, clerk-typist, receptionist, ticket agent, shipping clerk, counter girl, etc.	67
Skilled: Mechanic, field service representative, inspector, presser, arc welder, etc.	103
Semiskilled: Machine operator, assembler, shop helper, electroforming helper, etc.	244
Unskilled: Warehouseman, maintenance, nurses aid, service station attendant, etc.	13

Industry participation in MDTA-OJT, 1965-66, Los Angeles Urban League

Company name	Number slots obtained	Slots filled	Total trainees completed
Aerospace Corp.....	13	13	13
Aircraft Hydro-Forming.....	14	14	14
American Airlines.....	5	5	5
American Bearing Metal Co.....	1	1	1
Automation Industries.....	18	18	15
Attorney George L. Vaughn, Jr.....	1	1	0
Baker Oil & Tool Co.....	3	3	2
California Decorated Glass.....	2	2	0
Duncan Hunter.....	3	3	0
East-West Extermination.....	2	2	1
Electroforms Industries.....	6	6	3
Electro-Optical Systems, Inc.....	25	25	25
Emergency Refrigeration Services.....	2	2	2
Grant Industries.....	7	7	7
Hogar Industries.....	2	2	0
Hughes Aircraft Co.....	25	25	20
IBM Corp.....	42	42	37
Litton Industries.....	7	5	4
Lockheed-California Co.....	30	20	20
Master Linen.....	1	1	1
Maxon Industries.....	1	1	1
Merchant Title Co.....	5	5	1
Metal Improvement Co.....	3	3	3
National Cash Register Co.....	20	20	19
North American Aviation.....	10	10	9
Northrop-Norair.....	177	155	117
Nu-Hair of California.....	1	1	1
Par-Craft Laminates, Inc.....	2	2	1
Products Engineering Corp.....	32	32	25
Superior Escrow Co.....	4	4	4
Zeb's Quality Cleaners.....	3	2	0
Total.....	467	432	351

Program costs

	Budget allowance	Actual cost
Wages and salaries.....	\$59,991	\$59,268
Employee benefits.....	2,972	2,227
Transportation.....	3,513	2,213
Office equipment, rental and utilities (including telephone).....	6,107	5,874
Office supplies.....	2,350	1,755
Training reimbursement.....	186,893	69,074
Total.....	261,826	140,411
Cost per trainee (including administration).....	\$325	

FUTURE OJT

Because the Los Angeles Urban League is the one social service agency geared to give professional service to the employment problem of the Negro, any consideration which will provide for a total outreach of such a program must not be overlooked.

Under the agreement summarized by this report (Contract No. CA-J-72), the Los Angeles Urban League was committed to establish OJT Programs which would provide 400 job opportunities for unskilled persons regardless of age. This commitment was fulfilled and its success engendered considerable optimism regarding the future growth of such a program. The Urban League desires to take full advantage of local climate and industry reception to further the very basic and sound objectives underlying MDTA-OJT. Therefore, upon considering the great need which exists in and around Los Angeles county, the Los Angeles Urban League proposed to increase its effort and include in its outreach such areas as Pacoima, Santa Monica, Pasadena and Long Beach, together with central Los Angeles. This resulted in a request for funding to support 1,000 training slots.

To assure effective coverage of the selected areas, additional staff had to be acquired so that important and workable area assignments could be made. By

deploying an OJT Developer to each area of concern, we can expect to localize sub-contracts and thereby provide opportunity to area constituents. The latter we will reach by maintaining active liaison with those community agencies having the preferred community outreach. The results of this experiment should provide a solid basis for pursuing the establishment of self-contained OJT Projects within those areas having a firmly established need. It is anticipated that all such outposts can be included under a single Urban League proposal, to assure that each will benefit from our agency's job development and employment know-how. Needless to say, the success of this effort will depend upon the coordinated thinking of all persons responsible for its successful completion.

Accordingly, a good analysis of each staff responsibility is necessary with assignments made so that each can function effectively.

The objectives to follow are considered basic to any OJT Project desiring broad outreach and good continuity. We actually attribute our current success to their having been given proper priority in operational planning.

1. Develop and maintain industry information, which will lead to OJT placement in those occupations able to absorb both the unskilled and those considered underqualified.

A very recent employment analysis indicates that three out of every five Negro males are considered unskilled or semi-skilled. In addition, more than 50% of the Negro males over 25 years of age have less than a high school education. It is no wonder that one out of every three Negro males has suffered from unemployment within the last three years.

2. Establish and maintain a knowledgeable and effective referral service, thereby providing the applicant with an assist on as broad basis as possible. Referral should not only include vocational training, occupational therapy and vocational guidance, but also provide for inter-agency exchange of OJT opportunities. The latter could be made possible with the establishment of a central clearinghouse for all OJT Projects.

Current employment statistics indicate that non-white joblessness increased in July, 1966, at the same time national unemployment fell to 4.5%. Less than 4% of the white working force was jobless while non-white employment actually decreased. The non-white unemployment rate continues to be double that of white, and there is current speculation that it could become worse. We must, therefore, give good direction to all those deserving to attain their rightful place in our society.

3. Maintain appropriate counseling and follow-up, offering encouragement to all trainees suggesting that they take full advantage of very opportunity which could lead toward the development of their fullest potential.

Almost any urban population statistics will point-up a ghetto situation involving its minority constituents, and this forms the real basis for multi-frustration. With opportunities grossly limited, there is the realization that they form the bottom of the economic ladder. By often receiving the least education due to inferior schools, motivation is further impaired and leads to a high incidence of drop-out. We feel obliged, therefore, to assist and direct on an individual basis, in an effort to overcome this deep-seated discouragement.

It is apparent from the foregoing that counseling, as a staff function is needed and required in direct support of good job development. We should make certain, therefore, that all Urban League prime contacts include provision for this important function, as part of the staffing requirement. *Agencies established to serve a particular community constituency, as ours, is must maintain a close continuity in agency/applicant relationship to assure effective matching of people and jobs.*

In addition, each of the above objectives could be greatly enhanced through a subsidized program permitting our agency to couple certain types of institutional training with that of On-The-Job Training. *When we are able to supplement the employer's occupational training efforts with training in those basic educational skills required on the job, additional and important OJT areas will open to us.*

It is our sincere wish that the information in this report will serve to expedite the release of future funds as needed to permit implementation of the Urban League OJT Program. It is fortunate that the Urban League's years of sound program experience would permit its immediate implementation to the fullest extent. Proposal cost, therefore, should be viewed in terms of both immediate and long range values and not be the sole factor to govern decision.

APRIL 25, 1967.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
U.S. Department of Labor,
Washington, D.C.

Mr. FRANK NEHER,
Regional Director, Bureau of Apprenticeship and Training, U.S. Department of
Labor, New York, N.Y.

DEAR SIR: Since 1965, the Urban League of Westchester County, Inc. has been responsible for the development of the On-the-Job Training Program for the Westchester County area. The Urban League, because of its long history in the struggle for social, economic and educational equality, was considered the most logical organization to carry the concept of On-the-Job Training to the community.

The report which follows shows the project's accomplishments and our goals for a future program.

Sincerely,

MONROE R. LAZERE,
Chairman, Economic Development and Employment Department.

INTRODUCTION

On November 29, 1965, the Urban League of Westchester executed a contract with the United States Department of Labor, Bureau of Apprenticeship and Training, to conduct an On-The-Job-Training (OJT) Program for the county of Westchester. This program provided the vehicle through which a concerted effort was made for the development of job opportunities combined with skill improvement in actual work situations.

The initial project called for the development of three hundred (300) trainee positions for semi-skilled, and underskilled job seekers, who were unemployed or underemployed. As of March 1, 1967, the Urban League of Westchester fulfilled its commitment under the initial contract and will propose a new and expanded On-The-Job-Training Program for Westchester County.

ROLE OF THE URBAN LEAGUE OF WESTCHESTER

Since its organization in 1918, the Urban League of Westchester has been involved in the struggle to end economic and social inequities which exist throughout Westchester County. The Westchester Urban League has concerned itself with some of the housing, economic, and educational inequities faced by minority people.

During the past decade, the League has focused on the area of job development and employment. It has maintained a Job Development and Employment (JD&E) which interviews, screens, and refers job applicants to positions developed by the League, within industry.

In 1965, the Job Development and Employment Department of the League was involved in special projects aimed at orienting and preparing youngsters for entry into the job market. The League maintained its Volunteer Employment Service which operates as part of the National Urban League's Skills Bank Program for direct job placement.

Through the many activities of the Job Development and Employment Department, the League has seen the need for new and better ways of closing the gap between minority workers and job opportunities. The National Urban League's Skills Bank has pointed out that there are more jobs available than qualified persons to fill such jobs.

On the national level this gap prompted legislation calling for job training and re-training programs to bring the utilization of minority manpower into line proportionately with that of the community at large. With this purpose in mind the Westchester Urban League developed, in conjunction with the National Urban League and the United States Department of Labor, an On-The-Job-Training Program under the Bureau of Apprenticeship and Training (BAT).

PROGRAM NARRATIVE

The purpose of the On-The-Job-Training Program was to develop training positions in industry for three hundred (300) marginally skilled minority job applicants who were unemployed or underemployed.

The On-The-Job-Training Program offers the employer personnel recruitment

and screening services, and defrays a portion of the costs incidental to the training of new personnel. The length of the training period and cost per trainee depends upon the nature and complexity of the occupation involved. The employer agrees to provide training, pay a regular salary, and have a permanent position available upon satisfactory completion of training.

For the job applicant, the On-The-Job-Training Program offers the possibility of developing or improving skills in demand occupations and earning a decent wage at the same time. The On-The-Job-Training Program's major role is to bring the minority worker to industry, and to help open job opportunities that ordinarily would not exist.

Operationally, the On-The-Job-Training staff developed the training programs for periods ranging from four to twenty-six weeks in duration. The On-The-Job-Training staff did the initial screening of job applicants with the employers making the final selection of the trainee, hiring them at the prevailing rate for the training period. The employer received, at his option, reimbursement for his training costs up to \$25.00 per week, per trainee for the duration of the contract. Besides OJT for entry level jobs, provisions were made for the re-training of persons who were displaced by automation and technological changes in the Westchester County job market.

A. Staffing the Project

Under the contract between the Urban League of Westchester and the Bureau of Apprenticeship and Training, United States Department of Labor, a Project Director, two Field Representatives, one Trainee Advisor, and two clerical positions were allocated for the management and cultivation of the program.

The primary responsibility of the director, a working supervisor, was to organize, supervise, and assist in the development of all staff activities under the overall administration and supervision of the Westchester Urban League.

The field representative's responsibility was to develop trainee job openings and conduct visits to firms participating in the On-The-Job-Training Program to insure that project objectives are being fulfilled. This staff person maintains close relations with the New York State Employment Services, community organizations and other related groups. The maintenance of records and reports related to this position was the responsibility of the field personnel.

The responsibility of the trainee advisor was to arrange formal pre-OJT orientation for trainees to fully acquaint them with the world of work and to instill in them the proper attitudes toward employer-employee relationships. The advisor would also inculcate the responsibility of personal hygiene, sound grooming, and any other activity which affects one's employability. After placement, follow-up advisory sessions would be handled by all professional staff to insure the success of the program.

The clerical personnel performed all clerical support functions needed for the efficient operation and maintenance of the project.

B. Orientation

All persons hired for the On-The-Job-Training Program went through a period of job orientation, which was developed and operated by the Employment Division of the National Urban League. Specialists in the area of job development, placement techniques, and OJT coordination discussed the purpose, scope, and program implementation of an On-The-Job-Training Program. Work study groups were formed to explore the different aspects of manpower utilization. All subsequent persons hired for the On-The-Job-Training Program went through a similar orientation program.

C. Publicity and Community Relations

During the On-The-Job-Training Program's embryonic period the Director and his staff personally visited more than one hundred companies in Westchester to establish communications and promote the concept of on-the-job-training. Visits were also made to Chambers of Commerce, Community Action Programs, state and local agencies and other groups interested in the areas of employment and training.

The first trainee placement was given newspaper coverage to further present the On-The-Job-Training Program to both business and job applicants.

During July, 1966, the OJT staff coordinated a special events program with the Mayor of White Plains, the Honorable Richard S. Hendey. This event proclaimed the week of July 11-15th at OJT Week, which was accompanied with broad publicity. The success of this type event led to the development of another proclamation during September, by the Mayor of Yonkers, the Honorable John E. Flynn.

On-The-Job-Training promotion was continued throughout the year with spot press releases and radio announcements.

D. Community Action and On-the-Job Training

The Urban League of Westchester's On-The-Job-Training Program worked closely with the many Community Action Programs existing throughout Westchester County. The OJT staff interviewed several hundred job applicants, connected with these community programs, referring many to institutional training programs such as Manpower Development and Training Act (MDTA), regular employment and OJT positions. The staff also helped local community groups develop program proposals for pre-vocational training. The Mount Vernon Beautification Project, funded under the Nelson Amendment for the Economic Opportunity Act, is an example of such proposals.

E. Performance

At the completion of its initial On-The-Job-Training contract on December 23, 1966, the Urban League of Westchester submitted, and was granted a four month budget extension. As of March 1, 1967, the project had developed two hundred and fifty (250) OJT sub-contracts. Sixty-nine (69) different classifications were developed for three hundred and eighty-four (384) trainees, of which ninety-one (91) are still under contract. One hundred and fifty-eight (158) successfully completed training, of which one hundred and fifty-two (152) were employed after training. Although the final statistical analysis of the project is, at this date, incomplete, it can be safely projected that better than ninety (90) percent of the persons completing training will be retained or employed in a related position. The project successfully placed eleven (11) handicapped persons in training positions, and maintains an average wage scale of \$1.91 per hour.

As a result of the On-The-Job-Training Program, the League's overall Employment Program expanded its regular job placements, and developed many new employer contacts.

THE BUSINESS COMMUNITY AND OJT

The overall On-The-Job-Training Program involved seventy (70) different employers, of which the large majority were medium and small in size. Very few large employers were interested in developing On-The-Job-Training Programs. Most large businesses were reluctant to accept federal funds and felt that the operational levels of work performance would suffer if hiring standards were lowered.

In one case, e.g. IBM, non-reimbursable agreements were developed, but the number of positions and agreements were small.

As a pilot program for Westchester County, the On-The-Job-Training Program had as one of its major aims, promoting the concept of on-the-job-training in preparation for a broader program that could be developed for helping the disadvantaged wage earner.

JOB APPLICANTS AND OJT

The On-The-Job-Training staff has interviewed more than fourteen hundred (1,400) job applicants of which three hundred and eighty-four (384) were directly placed in OJT positions. Many job applicants, due to educational deficiencies, were counselled extensively and referred to other community programs or training situations.

On an average, the project registered approximately one hundred (100) persons monthly. More than sixty percent of these persons registered for OJT were in need of some basic orientation educationally, and could not take immediate advantage of OJT. Many of these persons were referred to other agencies. Due to staff limitations no followup could be made on these referrals. It is hoped that a new OJT contract will provide money for additional staff for follow-up and pre-job orientation, including basic education. Approximately thirty-eight (38) to forty (40) percent of the applicants had the basic educational requirements and, through the Urban League's OJT Program, the gap between applicant and job opportunity was bridged.

CONCLUSION AND RECOMMENDATIONS

The League's pilot On-The-Job-Training Program has demonstrated the need for OJT and, more important, that such projects can work. The success of OJT is not necessarily told in the statistics, numbers placed, numbers completed, numbers retained after completion of training. The real success lies in the under-

standing that there is potential in many untrained people and when an opportunity is given, talent can be developed.

As a result of our experiences, we recognize the tremendous need and particular value that on-the-job-training offers. OJT has a built-in mechanism for developing one's self-esteem. Under OJT, a person has a job first, which means a pay check and the satisfaction and dignity that goes with it.

Specific recommendations involve length of program contract and staff allocation and salaries. This OJT contract should be funded for a minimum of two years with an option to renew at the completion of one year if the program is progressing satisfactorily. One of the most difficult tasks business consultants face is getting prospective businessmen to realize that many new businesses begin by losing money. So it is with many poverty programs, there is an initial period of limited productivity.

Many programs have really begun to produce when their life is contractually ended. A longer contract will attract more staff persons and will provide for their more efficient use.

We further recommend that equal emphasis be placed on the staff position of Trainee Advisor, allowing one Advisor per Field Representative. The success of the OJT trainee is directly related to the effective work of the Trainee Advisor. Present staff allocation limits the amount of follow-up deemed necessary.

One major problem in administering the project has been staff turnover due to substandard salaries for professional and clerical personnel. These salaries cannot compete in the Westchester job market, government and private, because of the relative shortness of the contract and limited fringe benefits. This inability to recruit and to retain capable personnel results in a discontinuity to services rendered to individual communities.

The Westchester Urban League is aware of the growing need for effective means of solving the problems of unemployment. We have had the opportunity to demonstrate that the On-The-Job Training Program can be an effective vehicle for bridging the gap between industry and minority job seekers. We feel a new and broader contract must be developed so that the community can begin to feel the impact of programs which have positive results.

Submitted by:

ALLAN A. STEPHENSON, *Project Director.*

MARCH 28, 1967.

OJT project characteristic data

1. Number of applicants registered for OJT	1,402
2. Number of OJT sub-contracts	250
3. Types of OJT occupations developed	69
4. Average length of OJT Program (weeks)	10
5. Number of trainees placed (Mar. 1, 1967)	384
6. Number of trainees completing training	158
7. Number of trainees retained after completion of training	152
8. Number of persons presently in training (Mar. 1, 1967)	91

Characteristics of trainees placed

Male	259
Female	125
Age:	
16 to 21	127
22 to 39	235
40 and over	32
Education:	
1 to 4 years	1
5 to 8 years	22
9 to 12 years	253
Over 12 years	108
Head of household	186
Welfare recipients	7
Unemployed	200
Handicapped workers gainfully employed	11
Percentage of trainee completions (percent)	54
Percentage of trainees retained after completion of training (percent)	96.2
Average wage scale per trainee (per hour)	\$1.91
On-the-job training budget	\$176,008.80

Arlo Industries: Assembly mechanic; machine operator; welder's helper.
 Amalgamated Local #475 (I.U.E.): Administrative assistant.
 Atlantic Carpet Company: Carpet and linoleum trainee.
 Bodnar Products, Inc.: Lighting technician; production control; tester control.
 Bonded Rebuilders, Inc.: Driver trainee; mechanic's helper; tank room disassembler; welder trainee.
 Bondfair Automotive Products, Inc.: Clerk; driver; machine assembler; mechanic; mechanic's helper; machine assembler; stockroom assistant; welder.
 Given M. Britto Agency, Inc.: Insurance secretary.
 Mr. Burt of Eastchester: Clothes presser; shirt presser.
 Carvel: Refrigeration machinist.
 Capitol Temprol: Machine assembler.
 Cernac Laboratory: Animal helper; animal keeper; animal supervisor; truck-driver.
 County Trust Company: Check sorter.
 Cross County Art Center: Stock clerk.
 De Camp Industries: Assembler.
 Delburn Electronics: Clerk.
 Egidi Motor Sales, Inc.: Assembler; machine assembler; machine operator.
 First Westchester National Bank: Bookkeeper.
 Floor Shop, Inc.: Carpet and linoleum trainee.
 Forrest Engraving Company: Mechanical engraver.
 Thomas E. Hails: Accounting trainee.
 Haroutinian's: Furniture finisher.
 J. H. Harvey: Bookkeeping clerk.
 Operation Hope, Inc.: Assembler.
 Hydra-Power: Bench lathe trainee; drill press operator; electronic technician; expediting helper; grinding trainee; powder puff machine operator.
 Hygienol Company, Inc.: Weaver trainee.
 IBM: Key punch operator.
 Joe's Service Center: Automobile mechanic.
 Johnny-on-the-Spot: Countergirl; shirt presser; dry cleaner-spotter.
 John's Auto Body Shop: Painter's helper.
 Kacy and Meyers, Inc.: Air conditioning installer.
 Edward H. Kahn: Stock clerk.
 King Fences: Fence installer.
 Lem Products, Inc.: Arbor press operator.
 L & M Optical Company: Grinder trainee.
 Litton Precision Products, Inc., Potentiometer Division: Assembler trainee; inspector trainee; line assembler; machine operator; shipping clerk; tester assembler.
 Main Tool and Die Corporation: Stock clerk.
 Main Tool Supply: Stock clerk.
 Mesifta of Yonkers: Cook; maintenance men; typist.
 Medelton Company, Inc.: Production worker.
 Millers Cleaners: Counter girl.
 Neptune World Wide Moving: Furniture finisher.
 New Rochelle Moving and Storage, Inc.: Furniture packer; rug cleaner; truck driver.
 New Rochelle Precision Grinding Corporation: Machine operator; maintenance man.
 Nathan Nirenberg: Clerk sales.
 O'Brien & Lutz Body Company: Automotive helper; automotive mechanic helper; automobile trimmer.
 P. J. Verneuil: Driver; shipping clerk.
 Portman Instrument Company: Machinist.
 Precision Circuits, Inc.: Plater; photographer, machine operator.
 Dorothy Robinson: Interior decorator.
 Rose Cleaners: Countergirl; presser.
 Rush Manufacturing Company: Milling machine operator; drill press operator.
 Saveway Drive-in Cleaners: Countergirl; presser.
 Saw Mill Auto Wreckers: Officeman; tow truck driver; yardman.
 Warren Schloat Productions: Clerk.
 Schmuckler's Cleaners: Countergirl; presser.
 Dr. Leon Scott: Dental assistant.

Sealectro Corporation: Machine operator; plator; quality control trainee; receiving clerk; screw machinist; shipping clerk.
 Semi alloy: Die setter; inspector trainee; machine operator; shirt marker and cleaner.
 Trans-poly Corporation: Machine operator.
 Vernon Tool and Die Company: Tool and die maker.
 Vogue Offset Company: Offset pressman.
 Wechsler International: Purchasing and handling trainee.
 Westrex Communications: Cablemaker.
 White Plains Food Vending: Route serviceman.
 Yonkers Hardware Company: Stock clerk.

NATIONAL URBAN LEAGUE REPORT

PROJECT ENABLE

Nature and Objectives

ENABLE was the first nationwide demonstration project sponsored by voluntary social agencies to be funded by the U.S. Office of Economic Opportunity.

The Project was sponsored jointly by the Family Service Association of America, the Child Study Association of America and the National Urban League. It was carried out locally in 59 communities through the affiliates of FSAA and NUL, and financed by funds provided by their local Community Action Agencies.

The objectives of this Project was to help poor families break the cycle of poverty and apathy which accompanies the chronic poor. Parents were helped to recognize their individual strengths as parents and to use singly or collectively, available community agencies and services more effectively.

General Operational Procedures

In selected poverty neighborhoods (CAP target areas), project "teams" used an educational group discussion method to reach and serve parents. A team consisted of a group leader and a community organizer, assisted by social work aides (employed residents of the target areas). The neighborhood group was organized as a pivot for exchange of ideas, education and community action. The team acted as the group teacher, leader, supporter and broker to various community services identified by the groups themselves as necessary for individual or institutional change.

Cities where Operational

Projects ENABLE were conducted in 59 communities throughout the country. In six cities the Urban League was the sole participant. These were: Yonkers, N.Y.; Providence, R.I.; East Orange, N.J.; Atlanta, Ga.; Jacksonville, Fla.; and Fort Wayne, Indiana. (For additional data, see Appendix II.)

Extent of Federal Funding

The national demonstration grant made by OEO to FSAA, NUL and CSAA was approximately \$900,000. Local CAP grants to local affiliates of FSAA and NUL amounted to approximately two million dollars.

A total of 66 Family Service agencies and 34 Urban Leagues participated in this project in their respective communities.

Results

The research and evaluation is not completed. As of this date 6,458 questionnaires on parents have been received. However, the following activities have been recorded: Projects report the initiation of hot-lunch programs, playgrounds, lights and running water in the rural areas. Improvement in tenant-housing management relations; police-community relations. Credit unions were organized and so were day care centers. All in all an impressive record was achieved for a program of such a short duration.

Assessment and Recommendations

The executive directors of the three participating agencies made the following remarks:

Clark W. Blackburn, General Director, FEAA: "The participation of FSAA in ENABLE is a remarkably successful demonstration that the family service move-

ment does rise to the challenge of our times. In its brief lifetime, ENABLE has demonstrated new and collaborative methods and techniques to reach and affect the lives of thousands of impoverished persons. There is no doubt that the multiplier effect of ENABLE will influence the practices of many agencies in the years ahead. Meanwhile FSAA is fully committed to pursue vigorously an outreach program to families in greatest need."

Alfred D. Buchmueller, Executive Director, CSAA: "The drastic reduction of funds for operation of Community Action Programs in the war against poverty which has necessitated curtailment of Project ENABLE is indeed a tragic occurrence in the lives of many families living in poverty who had begun to gain a new basis for hope for themselves and their children. As the training component in the tri-agency collaboration of ENABLE it was most gratifying to witness unique achievements in realization of goals originally projected and to observe the implementation of innovative concepts formulated. It is our firm belief that the commitments embodied in ENABLE must be maintained in order to provide, skillfully and flexibly, greater opportunities for strengthening parent-child-community relationships leading to constructive action."

Whitney M. Young, Jr., Executive Director, NUL: "During the past fourteen months, the National Urban League has had the opportunity of participating in this Project through 34 of our local affiliates. It has been an illuminating and rewarding experience—illuminating from the standpoint that this collaboration of three national agencies has demonstrated the feasibility of teamwork and a coordinated approach to attacking some of the debilitating results of poverty."

"It has meant helping poor families to utilize their own strengths as well as community resources to bring about a better life for themselves. It has meant the provision of running water for some families, paved streets, credit unions, consumer education classes, a TB campaign, and employment for over 250 neighborhood workers."

"The National Urban League is proud to have participated in Project ENABLE."

Submitted by:

DUDLEY CAWLEY,
Field Representative, Eastern Regional Office.

MAY 31, 1967.

SOUTHERN REGIONAL OFFICE REPORT

E. K. Jones VISTA Training Center: Initiated June 30, 1966.

Funding Amount: \$231,937.00, OEO.

Operating in Atlanta, Georgia, and Liberty County (Georgia) under the aegis of the Southern Regional Office, National Urban League.

BRIEF DESCRIPTION

The program is concerned with generic training for potential VISTA volunteers who need to understand the dynamics and techniques of working with the poor, especially in the South.

Through structured classroom instruction and unstructured field experiences, the VISTA trainee is given six weeks of intensive pre-service training.

The program services VISTA trainees, 18-80 years of age.

The program utilizes Emory University, Atlanta University and selected skills specialists for classroom experiences: 40%

43 community services agencies in Metropolitan Atlanta provide the field work component: 60%

A rural assignment is included.

The program operates in six-week cycles of approximately 50 trainees per cycle.

The program was begun June 30, 1966, and the termination date is August, 1967.

NOTE.—Currently at the VISTA Office (Washington, D. C.) is a request for a second VISTA Training Center, to be established in the Western Region.

We also are discussing ways VISTA volunteers can be used as added manpower with local affiliates.

Project ASSIST—Initiated December 1, 1966 to extend through March 31, 1968.

Funding Amount: \$231,000.00, U. S. Department of Labor.

Program funded for a 15 month period.

Operating in six states: Alabama, Florida, Georgia, Mississippi, Tennessee, South Carolina.

Program under the aegis of the Southern Regional Office, National Urban League.

BRIEF DESCRIPTION

Project ASSIST will serve, in part, to orient disadvantaged groups to the merit systems in the region and focus primarily on Negroes, 16-35, who are high school graduates or college dropouts still unable to secure jobs in categories commensurate with their interests and potentials.

It is designed to investigate the many variables which stand between this group of workers and successful competition for entry level and more advanced jobs.

Once the variables are identified, the Urban League creates and administers an educational and placement-oriented program which makes use of existing and new techniques of communication and training; small group exposure, role playing, team teaching self-analysis.

HUMAN RESOURCES PROGRAM

1. NATURE AND OBJECTIVES OF PROGRAM

Program was concerned with identifying, recruiting and training out-of-work, out-of-school people 16 to 40 and offering them individualized service. Program was designed also to include remediation, basic education, re-training and referrals to Manpower Development programs. An effort was also made to avoid duplicating existing programs.

In Chicago, the program is designed to recruit, prepare and place people in apprenticeships, primarily in the building trades.

2. AMOUNT AND SOURCE OF FEDERAL FUNDING

Personnel includes: Project Director, National Coordinator, Executive Secretary and Secretary.

Total budget: \$56,617.68.

Source: U. S. Department of Labor.

Dates: March 1, 1966-April 15, 1967.

Chicago Urban League

Personnel includes: Executive Director (1/3 time), Project Director, Coach Supervisor, ten (10) coaches, Administrative Clerk and Secretary.

Total budget: \$273,834.

Source: U.S. Department of Labor.

Dates: January 1, 1966-June 30, 1967.

3. CITIES IN WHICH OPERATIVE

a. National Urban League contract is based in New York City at National Urban League Office. It operates on a nationwide basis.

b. Chicago Urban League contract operates in the city of Chicago.

4. GENERAL OPERATIONAL PROCEDURE

A. The National Urban League (NUL) cooperated with the U.S. Department of Labor in implementing the Labor Department's Human Resources Program in cities where there were local Urban Leagues.

B. NUL functioned as one of the national coordinators in developing and initiating, in cooperation with local Urban Leagues, programmatic relationships with private and public agencies which would have some responsibility for implementing the program.

C. NUL assisted the Department of Labor in analyzing pertinent data to determine potential cities, target populations and urban areas for concentration.

D. NUL aided Urban League officials in the presentation of proposals for funding of local Human Resources Programs.

E. NUL coordinated the development of and provision for, regular follow-up reports to be submitted to the U.S. Department of Labor.

F. NUL provided consultation to local Urban Leagues on the organization, supervision, orientation, interpretation and development of local staff activities.

G. NUL assembled, coordinated and disseminated information regarding the approaches, developments and needs of the program and target areas.

The initial target cities were: Chicago, Hartford, Houston, Los Angeles, Rochester, and St. Louis. Other cities scheduled for participation were: Baltimore, Boston, Buffalo, Cleveland, Cincinnati, Detroit, Gary, Memphis, Milwaukee, Newark, New Orleans, New York City, Omaha, Philadelphia, Pittsburgh, San Diego, San Francisco and Washington, D.C.

5. RESULTS

a. National Urban League

Proposals were submitted in Boston, Gary, Houston, Los Angeles, Milwaukee, New York City, Pittsburgh and St. Louis.

Proposals were prepared but not submitted in Atlanta, Omaha, San Diego and San Francisco, but not submitted as State Employment Services claimed no funds.

In Boston, we were unable to complete a revision of the proposal due to the resignation of the local Urban League's executive director.

Only Chicago was funded. The remaining cities went unfunded as the various State Employment Services declined to use their Human Resources funds in this way.

b. Chicago Urban League

Program provides pre-apprenticeship training, placement and supportive follow-up services. Placements primarily in the building trades. Eighty-five (85) have been indentured as apprentices; 7 have passed examinations and await placement; 163 await examinations; 92 are awaiting applications.

6. RECOMMENDATIONS AND/OR OBSERVATIONS

a. National Urban League

1. Any effort similar to our experience in the Human Resources Program must have a base of funding for local Urban Leagues from the Federal level if it is to be implemented.

2. The possibility for funding such an effort by providing the National Urban League with funds to subcontract to local Leagues should also be considered. This offers a number of advantages, including the potential for more effective staff training, coordination and accountability.

b. Chicago Urban League

1. There should be continued communication with the Chicago Urban League re: their progress in the project so that the entire Urban League movement can benefit from the experience. This is especially important as new techniques of recruiting and servicing applicants are being developed, knowledge of which can benefit other Urban League programs. In this regard, the possibility of the National Urban League's LEAP program buttressing the efforts of the Chicago Project and maintaining the necessary communication has been suggested.

2. The U.S. Department of Labor should be encouraged to continue to communicate with the National Urban League, on an informal basis, their views regarding progress in the Chicago Project so that, when appropriate, constructive coordination can be implemented.

3. There are so many similarities in the experience of counselors, supervisors and directors of various projects that a sufficient body of knowledge probably exists from which a training manual should be developed.

Submitted by:

MANUEL ROMERO,

National Coordinator, Human Resources Program.

MAY 31, 1967.

MILWAUKEE URBAN LEAGUE REPORT

HOUSING INFORMATION CENTER

In June 1964, the Milwaukee Urban League was awarded a \$103,300 grant from HHFA, now HUD, for a thirty-three (33) month demonstration program to es-

establish five (5) Housing Information Centers in the "Central City" area of Milwaukee.

The "Central City" area covers some five (5) square miles and has a population of 88,000 60% of whom are Negroes. The Milwaukee Urban League estimates that the project area contains 80% of the Negro population (66,000) in Milwaukee. More than a third ($\frac{1}{3}$) of the housing units are deteriorating or dilapidated, which is more than three (3) times the rate for the city. Approximately $\frac{1}{3}$ of the units are owner-occupies and $\frac{2}{3}$ renter-occupied. Four-fifths ($\frac{4}{5}$) of the area's housing supply consists of one- and two-family structures.

The project provided counseling on housing problems to families in five (5) strategically located centers that were open evenings and Saturdays. Low-income families were offered advice and guidance in finding decent and adequate housing within their means. Tenants were offered advice in regard to their rights and responsibilities as tenants. Owners were counseled in regard to bringing their property up to code standards, finding reliable contractors and obtaining financing. Prospective house buyers were aided in selecting good buys and counseled in avoiding overcharges, securing financing and other relevant matters.

The demonstration program is currently being evaluated. A preliminary look at the data indicates that 647 families were served, 67% of whom were tenants. Approximately 54 families sought advice in regard to buying homes, the remainder, some 160, were owner-occupants. The median incomes of tenants were \$4,392 of owners, \$5,520. Over half the families were paying \$10 to \$20 a month more than $\frac{1}{4}$ of their income for housing. Of the families seeking help approximately 26%, or some 171, could not be helped because there was a lack of standard units in the housing supply. Another 15% could only be given partial help for similar reasons.

The families serviced presented a constellation of problems. Some 545 groups of problems were identified or classified, of which approximately 52% stemmed largely from the poor physical condition of dwelling units and 48% stemmed largely from personal or family problems. Slightly more than $\frac{1}{3}$ of the family constellation problems were related to finances.

Submitted by:

PAGET ALVES,
Associate Director, Housing.

MAY 31, 1967.

WASHINGTON URBAN LEAGUE REPORT

NEIGHBORHOOD DEVELOPMENT CENTER

The neighborhood development center program is designed to assist residents of a predominately low-income community in finding solutions to the problems which contribute to their continuing poverty and circumstances; and to help establish and maintain a stable community and stable families in the face of four urban renewal projects, a freeway project, and a school site expansion.

The target area for this program contains approximately 24,000 persons. In three of the four census tracts served, the median income is \$3,600. The median income for the four tracts combined is \$4,025.

This community action program is administered by the Washington Urban League, a delegate agency for the United Planning Organization, Washington's CAP agency. The Urban League directly administers the community organization program, including Neighborhood Development Youth Program, and a consumer action program. It also coordinates and loosely administers six other programs as component parts of the neighborhood center. These include a credit union, a group day care center, a manpower program, a family counseling unit, a housing improvement center, and a neighborhood legal services project.

The Urban League-administered programs are developed and carried out by a multitude of citizens' groups, supported by a staff of approximately 32. This number includes about 25 neighborhood residents. On the professional staff are community organization specialists, a consumer specialist and a city planner, hired as a housing adviser.

The policy-making body for the Neighborhood Center is the Neighborhood Advisory Council, composed of representatives from the more than 25 block clubs organized by the Center, 12 citizens' committees, and other groups operating in the neighborhood.

COMMUNITY ORGANIZATION

In attempting to realize the goals established for this program, specific objectives have been set in seven broad areas: housing, health, education, welfare, employment, youth opportunity and senior citizenship.

By far, the greatest effort has been expended on the problems of housing. Informational programs about the urban renewal process citizen participation in planning, the selection of school sites and freeway routes have resulted in a growing body of residents knowledgeable about the basic questions involved in the implementation of these processes.

The failure of the city to deal adequately with the problem of relocation housing and housing for low-income families provides citizens with a major area of concern and action. Major successes have included the rehabilitation of an apartment building to provide relocation housing for freeway area residents; an intensive maintenance program to repair homes (including abandoned and boarded-up units) in the redevelopment project area; and the development of an "air rights" demonstration housing project for the freeway area. The Neighborhood Council issued a report dealing with relocation problems and including a number of recommendation to improve and humanize the relocation process, the majority of which have been adopted and effected. The immediate construction of public housing in the urban renewal area was an issue which was dramatized during a direct action campaign, resulting in the commitment of three government agencies to work speedily to assure that construction would begin within a three-month period.

Citizens have been involved also in solving the health, education and welfare problems of the community. They have defined the community's health needs, and have established an informational program which has served two purposes: the education of the committee members, and the education of the community-at-large. The Welfare Committee appeared at Congressional hearings and wrote letters to the President and Congress to press for an increase in welfare payments. Within the past year, the senior citizens of the target area have been organized and have established a center for recreational activities, meetings and programs, and a thrift shop; and have lobbied for increased benefits. In the area of education, several successes have been realized, notably the reduction in the overcrowded conditions in several area schools, and obtaining a commitment from the school superintendent for a new school within the urban renewal area.

One of the major concerns of the Employment Committee was the obtaining of jobs for persons with police records. This concern led to the establishment of an organization of 300 rehabilitated ex-convicts which has been able to make significant changes in the ability of ex-convicts to secure jobs. In addition, a special recruitment for the custodial and maintenance civil service registers resulted in numerous placements. Through recommendations of the Neighborhood Council, civil service jobs (federal) were created for the category of urban renewal aides, where are sub-professional jobs for community residents.

Neighborhood Development Youth Programs. One of the earliest objectives set by the Neighborhood Advisory Council was to establish a youth program and to provide more neighborhood recreational facilities and youth centers. Through re-allocation of community organization funds, a summer program was provided in 1966 for youth, in which more than 300 youngsters were involved. A football team for older youth (most of whom were high school dropouts) was established, and several youth groups with a community action orientation were organized. The teens established an employment bureau called JOBS, and participated in a summer job orientation clinic which provided information about opportunities, interviews, civil service procedures, and testing procedures.

At the close of the summer, funds were made available for a year-round youth program based on a city-wide format. The Neighborhood Council withheld its acceptance of the program until a successful effort had been made by the delegate agency to effect changes in the proposed program structure. These changes were in line with a comprehensive proposal which the Center had developed months earlier. By December, a youth staff had been hired to develop action programs in the areas of employment, recreation, police relations and education. Clubs and communities have been formed among youths, ages 10 to 19; special events and programs have been carried out; a youth staff has been trained; and a central center has been established.

CONSUMER ACTION

The consumer action program has two major goals; to assist families in stretching dollars through a broad educational program and to assist families in understanding their responsibilities and protecting their rights as consumers. The program has a policy-making body, the Consumer Action Committee, which is a committee of the Neighborhood Advisory Council. Informational groups in the program include the home buyers group and the library club, and special interest groups, including residents interested in family budgeting, home management, food and nutrition demonstration and credit buying education. Action groups, in addition to the Consumer Action Committee, include the Welfare Committee and the cooperative buying club.

The buying club was one of the most successful groups organized. Its back-to-school clothing project involved 40 families; and its Christmas toys and clothing project involved 60 families who were able to purchase merchandise at a 28 percent savings.

The objectives of changing abusive merchandising practices by neighborhood grocers and door-to-door salesmen had measurable success in one direct action campaign leveled at a corner grocer who signed an agreement with a committee representing five block clubs. The agreement promised certain changes in his merchandising practices and customer relations.

Consumer groups supported and participated in lobbying for legislative changes which would protect the consumer from fraud, deception and misrepresentation. Both the truth-in-packaging and truth-in-lending bills were supported through a letter writing campaign and through participation in visits to Congressmen and officials.

Another advance toward the objective of a "money-wise community was the establishment of a consumer reading room, where free literature and circulating and non-circulating materials are available."

Residents have participated with other groups in working for reforms in the food stamp program. Residents are interested in lowering the purchase price of stamps and the amount of money families have to put-up as lump-sum payments; and permitting more families in debt to participate in the program.

OBJECTIVES FOR THE CURRENT YEAR

While the community has been able to come to grips with many of its problems and to effect some significant changes, many more problems remain to be solved. In the area of housing, nothing effective has been done about the whole question of evictions; about need of reform in the landlord and tenant court; about increasing the welfare shelter allowance; about providing more police protection for residents in the urban renewal area. Nor were citizens about to come to grips with the problem of how to help low-income families purchase homes, how to close the gap between the low-income housing rentals and moderate-income housing rentals, how to change the rules which bar couples living in a "non-legal" marriage from eligibility for public and moderate income housing, or how to provide general information to individuals about the do's and don'ts in signing leases.

In the area of employment, unrealized program objectives are many. They include reaching the hard core unemployed, those who have given up hope of finding satisfactory jobs and who are no longer counted in labor market statistics; attacking on a massive basis the problem of functional illiteracy in the community; providing cheap transportation from the inner city to suburban job locations; helping the under-employed in achieving job up-grading; reducing racial discrimination in employment; and reducing job discrimination against mothers who have children born out of wedlock. Residents have been unsuccessful in arranging contracts, agreements, or working relationships with construction companies which will be developing the urban renewal area, and in arranging for help for the large number of alcoholics in the area.

In the area of consuming, little has been done to stop unfair credit practices in neighborhood groceries and other stores. Residents are still reluctant to stop patronizing a merchant in the area who will extend them credit. Other unmet objectives include these: developing more consumer education programs in the public schools and with youth groups; providing debt management counseling to families with complex debt problems which can be solved only through long-

range planning; development of more consumer programs for block clubs; changing current practices which require low-income families to deposit large sums for public utility services; and relating consumer problems and health problems.

Submitted by:

DAVID RUSK, *Program Director.*

MAY 31, 1967.

APPENDIX I

REGION I: EASTERN

Hartford, Connecticut
New Haven, Connecticut
Washington, D.C.
Baltimore, Maryland
Boston, Massachusetts
Springfield, Massachusetts
Elizabeth, New Jersey
Englewood, New Jersey
Morristown, New Jersey
Newark, New Jersey
New Brunswick, New Jersey

Albany, New York
Buffalo, New York
New York, New York
Rochester, New York
Syracuse, New York
White Plains, New York
Lancaster, Pennsylvania
Philadelphia, Pennsylvania
Pittsburgh, Pennsylvania
Providence, Rhode Island

REGION II: MIDEASTERN

Louisville, Kentucky
Battle Creek, Michigan
Detroit, Michigan
Flint, Michigan
Grand Rapids, Michigan
Lansing, Michigan
Muskegon, Michigan
Pontiac, Michigan
Akron, Ohio

Canton, Ohio
Cincinnati, Ohio
Cleveland, Ohio
Columbus, Ohio
Dayton, Ohio
Massillon, Ohio
Springfield, Ohio
Warren, Ohio
Youngstown, Ohio

REGION III: MIDWESTERN

Champaign, Illinois
Chicago, Illinois
Lake County, Illinois
Peoria, Illinois
Springfield, Illinois
Anderson, Indiana
Elkhart, Indiana
Fort Wayne, Indiana
Gary, Indiana
Indianapolis, Indiana

Marion, Indiana
South Bend, Indiana
Wichita, Kansas
Minneapolis, Minnesota
St. Paul, Minnesota
Kansas City, Missouri
St. Louis, Missouri
Omaha, Nebraska
Milwaukee, Wisconsin
Racine, Wisconsin

REGION IV: SOUTHERN

Birmingham, Alabama
Little Rock, Arkansas
Jacksonville, Florida
Miami, Florida
Tampa, Florida
Atlanta, Georgia
New Orleans, Louisiana

Jackson, Mississippi
Winston-Salem, North Carolina
Oklahoma City, Oklahoma
Tulsa, Oklahoma
Columbia, South Carolina
Memphis, Tennessee
Richmond, Virginia

REGION V: WESTERN

Phoenix, Arizona
Inland Area, California
Los Angeles, California
San Diego, California
San Francisco, California

Colorado Springs, Colorado
Denver, Colorado
Portland, Oregon
Seattle, Washington

APPENDIX II

*Extent and evaluation of antipoverty programs under Urban League auspices,
by region and city*

Programs under Urban League auspices	Source of funds	Amount of Federal funds	Joint auspices
I. EASTERN REGION			
Baltimore, Md.:			
Project Enable ¹	OEO.....	\$61,000	Family service.
On-the-job training.....	Labor.....	155,000	
Bergen County, N.J.:			
Westwood Day Care Center.....	OEO.....	(²)	
On-the-job training.....	Labor.....	157,546	
Boston, Mass.:			
Project Enable.....	OEO.....	73,000	Do.
On-the-job training.....	Labor.....	256,000	
Buffalo, N.Y.: On-the-job training.....	do.....	335,940	
East Orange, N.J.: Project Enable.....	OEO.....	31,756	
Elizabeth, N.J.: Project Enable.....	OEO.....	38,000	Do.
Hartford, Conn.: On-the-job training.....	Labor.....	75,408	
Newark, N.J.: Project Enable.....	OEO.....	75,000	Do.
New Brunswick, N.J.: Project Enable.....	OEO.....	25,000	
New Haven, Conn.: On-the-job training.....	Labor.....	200,000	
New York City:			
Project Enable.....	OEO.....	218,401	Do.
Operation Open City.....	OEO.....	362,910	
Philadelphia, Pa.:			
Project Enable.....	OEO.....	97,000	Do.
On-the-job training.....	Labor.....	412,000	
Pittsburgh, Pa.:			
School-age pregnant girls.....	OEO.....	105,690	
Prejob interview.....	OEO.....	21,690	
Maternal and child care.....	OEO.....	71,428	
On-the-job training.....	Labor.....	386,412	
Project Enable.....	OEO.....	17,000	Do.
Providence, R.I.: Project Enable.....	OEO.....	21,000	
Rochester, N.Y.:			
Project Uplift.....	OEO.....	40,000	
On-the-job training.....	Labor.....	203,000	
Washington, D.C.:			
Newcomers project.....	OEO.....	40,114	Travelers aid.
Neighborhood centers, community organized.....	OEO.....	(^{2 3})	
Neighborhood centers, consumer action.....	OEO.....	(^{2 4})	
Neighborhood housing.....	OEO.....	8,573	
On-the-job training.....	Labor.....	318,000	
Westchester County, N.Y.:			
Neighborhood Youth Corps.....	OEO.....	(²)	
Project Enable ⁵	OEO.....	182,000	Family service (except Yonkers).
On-the-job training.....	Labor.....	176,000	
National Urban League:			
National Urban League coordination office.....	do.....	81,436	
National Urban League on-the-job training program in New York City.....	do.....	388,269	
II. SOUTHERN REGION			
Atlanta, Ga.:			
Project Enable.....	OEO.....	35,477	
MDTA on-the-job training.....	Labor.....	548,126	
Jacksonville, Fla.:			
Project Enable.....	OEO.....	32,530	
On-the-job training.....	Labor.....	255,750	
Little Rock, Ark.:			
Consumer education.....	OEO.....	24,855	
Project Enable.....	OEO.....	29,766	Family service.
Memphis, Tenn.: On-the-job training.....	Labor.....	276,004	
Miami, Fla.: Project Enable.....	OEO.....	52,000	Do.
New Orleans, La.:			
Child development.....	OEO.....	139,612	
On-the-job training.....	Labor.....	70,156	
Project Enable.....	OEO.....	30,000	Do.
Oklahoma City, Okla.:			
Urban League job development and employment center.....	OEO.....	73,772	
Project Enable.....	OEO.....	40,230	Sunbeam Home and Family Center.
Richmond, Va.:			
Project Enable.....	OEO.....	26,000	Family service.
On-the-job training.....	Labor.....	58,000	
Tampa, Fla.: Project Enable.....	OEO.....	30,831	Do.

See footnotes at end of table, p. 993.

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Extent and evaluation of antipoverty programs under Urban League auspices, by region and city—Continued

Programs under Urban League auspices	Source of funds	Amount of Federal funds	Joint auspices
II. SOUTHERN REGION—continued			
Tulsa, Okla.:			
Summer Headstart 1965.....	OEO.....	\$354,957	Family service.
Headstart Follow Through 1965.....	OEO.....	67,351	
Medicare Alert program.....	OEO.....	22,178	
Project Enable.....	OEO.....	19,693	
Summer Headstart 1966.....	OEO.....	406,525	
Program development.....	OEO.....	67,351	
Program Development Supplement.....	OEO.....	10,236	
Program administration.....	OEO.....	92,718	
Jobs Unlimited project.....	OEO.....	30,997	
Jobs Unlimited Extension.....	OEO.....	36,141	
New day child development center.....	OEO.....	220,203	
On-the-job training.....	Labor.....	117,331	
III. MIDEASTERN REGION			
Akron, Ohio:			
Akron-Summit tutorial program.....	OEO.....	44,517	University of Akron.
On-the-job training.....	Labor.....	110,225	Family service.
Project Enable.....	OEO.....	47,000	
Canton, Ohio: On-the-job training.....	Labor.....	88,000	
Cincinnati, Ohio:			
Lincoln Heights Social Work Project.....	OEO.....	26,488	Hamilton County Board of Education.
On-the-job training.....	Labor.....	148,000	
Cleveland, Ohio:			
Project Enable.....	OEO.....		Family service.
On-the-job training.....	Labor.....	231,008	
Project Enable.....	OEO.....	64,000	
Columbus, Ohio: On-the-job training.....	Labor.....	134,139	
Dayton, Ohio: On-the-job training.....	do.....	130,236	
Flint, Mich.: On-the-job training.....	do.....	118,543	
Grand Rapids, Mich.:			
Pocket Parks.....	(3)	72,000	Grand Rapids Junior Chamber of Commerce.
On-the-job training.....	Labor.....	100,082	
Lansing, Mich.:			
Project Enable.....	OEO.....	32,520	Family service.
On-the-job training—greater Lansing.....	Labor.....	112,117	
Louisville, Ky.:			
Neighborhood service.....	OEO.....	245,435	Settlement houses and community councils.
Community organization program.....	OEO.....	130,679	BAT and national contracts.
MDTA—On-the-job training.....	Labor.....	262,616	
Muskegon, Mich.:			
Neighborhood Youth Corps.....	do.....	115,970	
On-the-job training.....	do.....	129,541	
Springfield, Ohio: Project Enable.....	OEO.....	33,000	Family service.
Warren, Ohio:			
Project Enable.....	OEO.....	33,000	Do.
On-the-job training.....	Labor.....	20,658	
IV. MIDWESTERN REGION			
Champaign County, Ill.: Project Enable.....	OEO.....	31,565	Do.
Chicago, Ill.:			
Education, human resources.....	Labor.....	231,000	FSA.
Project Enable.....	OEO.....	208,000	
On-the-job training.....	Labor.....	237,324	
Fort Wayne, Ind.: Project Enable.....	OEO.....	32,698	
Gary, Ind.: On-the-job training.....	Labor.....	166,900	
Kansas City, Mo.: On-the-job training.....	do.....	238,145	

See footnotes at end of table p. 993.

Extent and evaluation of antipoverty programs under Urban League auspices, by region and city—Continued

Programs under Urban League auspices	Source of funds	Amount of Federal funds	Joint auspices
IV. MIDWESTERN REGION—continued			
Milwaukee, Wis.:			
Housing.....	HUD.....	\$103,300	
On-the-job training.....	Labor.....	120,576	
Minneapolis, Minn.:			
Project Enable.....	OEO.....	60,645	Family and children services. Jewish family and children services.
On-the-job training.....	Labor.....	80,336	
Omaha, Nebr.:			
Project Enable.....	OEO.....	73,000	GOCA, family children services.
On-the-job training.....	Labor.....	33,702	
Peoria, Ill.: Neighborhood Youth Corps.....	do.....	40,000	Illinois Farmers Union.
St. Louis, Mo.:			
Comprehensive manpower program.....	OEO.....	2,081,915	Human Development Corp., Jewish employment and vocational services work opportunity unlimited. Human Development Corp.
Neighborhood action program.....	OEO.....	1,573,758	
On-the-job training.....	Labor.....	345,144	
St. Paul, Minn.: Project Enable.....	OEO.....	64,018	Family service.
V. WESTERN REGION			
Colorado Springs, Colo.: Project Enable.....	OEO.....	34,741	CAP.
Denver, Colo.: Project Enable.....	OEO.....	28,000	Family service.
Los Angeles, Calif.:			
Operation Headstart.....	OEO.....	40,000	
Nickerson Gardens project.....	OEO.....	28,335	
Operation Beacon Light.....	OEO.....	61,242	
On-the-job training.....	Labor.....	3,000,000	California State Employment Service.
Phoenix, Ariz.:			
MDTA.....	HEW, Labor.....	663,721	
On-the-job training.....	Labor.....	107,372	
Portland, Oreg.:			
Job development.....	OEO.....	77,045	
On-the-job training.....	Labor.....	126,818	
Riverside, Calif.:			
Job counseling, development, and placement.....	OEO.....	66,368	
On-the-job training.....	Labor.....	142,123	
San Diego, Calif.:			
Education.....	OEO.....	70,840	
Project Enable.....	OEO.....	41,000	Family service.
San Francisco, Calif.: On-the-job training.....	Labor.....	890,229	
Seattle, Wash.:			
Central area motivation program.....	OEO.....	582,562	Seattle-King County action program.
On-the-job training.....	Labor.....	264,805	

¹ Project Enable was conducted by the National Urban League in cooperation with Child Study Association of America and the Family Service Association of America and funded by OEO. Figures cited in this table, are total figures for the Enable project in any given city, regardless of whether one or all of the 3 sponsoring agencies participated.

² Not available.

³ Total of \$1,770,558 Federal funds reported for what are apparently 10 programs, of which 1 is under auspices of WUL.

⁴ Similarly, total of \$186,885 reported for 8 programs, of which 1 is WUL.

⁵ Including Yonkers, Mount Vernon, and Portchester.

APPENDIX III

Urban League participation in non-Urban League antipoverty programs, by region and city

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
I. EASTERN REGION					
Albany, N.Y.: None reported					
Baltimore:					
Consumer protection program		X			Sponsor.
On-job training project				X	Do.
MDTA		X		X	
NYC					Employed 2 youths.
Project enable					Sponsor.
Work-experience program					Referred applicants to jobs.
Job Corps					Referred applicants.
WICS					Do.
Headstart					Information resource, parent referral.
Small Business Development Center.		X		X	
Target city youth program				X	
Street club workers project				X	Referred to jobs.
VISTA				X	Training participation.
Homemaker services					Do.
Emergency services					Proposed program in 1963.
Baltimore Youth Opportunity Center.		X		X	Referred applicants to jobs.
Neighborhood parent schools				X	
Community action agency		X		X	Training participation.
Bergen County, N.J.:					Participated in organization.
Bergen County community action program.		X		X	
Westwood day care center		X		X	
Buffalo, N.Y.: Opportunities Development Corp. (ODC).		X		X	Sponsor.
Essex County, N.J. (Newark)					
Hartford, Conn.:					Furnishes trainees.
Comprehensive manpower		X			
Project Concern		X	X		
Lancaster, Pa.:					
Prep				X	
MDTA		X		X	
CAP		X		X	
Enable		X		X	
Middlesex County, N.J.:					
Enable	X	X		X	
Legal Services Corp.	X			X	
Job Corps (Camp Kilmer)	X			X	
Morris County, N.J.:					
Neighborhood Youth Corps	X	X		X	
OJT		X			
Save CAP program	X	X		X	
Headstart	X	X			
Westchester Co., N.Y.: None reported					
New Brunswick, N.J.:					
Legal Services Corp.	X			X	
MCEOC (Poverty Corp.)		X		X	
Job Corps Community Relations Council	X			X	
MDTA Advisory Council		X			
Human Resources Comm. (OEO)		X			
Area board I (local poverty group)	X				
New York City:					
Haryou-act		X			
New York City Rent and Rehabilitation Administration					
Two Bridges Neighborhood Council					Operate 114th St. project.
Central Brooklyn Coordinating Council		X			Coordinate effort. Assist children on education.
					Active member.

Urban League participation in non-Urban League antipoverty programs, by region and city—Continued

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
I. EASTERN REGION—continued					
New York City—Continued					Organize agencies of council.
Interracial Council for Business Opportunity.....					
Jewish Family Service.....					
Neighborhood Youth Corps.....					
United Neighborhood Houses.....		X			Coordinate effort on Enable. Maintains 300 to 400 Neighborhood Youth Corps students.
Onondaga County, N.Y. (Syracuse):					
Adult basic education program.....		X		X	
Small Business Development Center.....		X		X	
Syracuse Manpower Coordinating Committee.....		X		X	
Philadelphia, Pa.: None reported.....					
Pittsburgh, Pa.:					
Project Enable.....			X		
Day care and child development.....				X	
School volunteer association program.....	X				
Providence, R.I.....					In all programs in Providence, executive director is on executive committee and serves as secretary of board of directors. A staff member is paid consultant to a manpower training program.
Springfield, Mass.: None reported.....					
Washington metropolitan area:					
Metropolitan Citizens Advisory Council.....		X			
Step-Up (Operation Champ).....					Supervised in ULNDC area. Volunteer recruitment.
Medicare Alert.....		X			
Housing Development Corp.....	X				
Model School Division.....					
Neighborhood Development Center.....					Will direct contractor for—
1. Component services.....					
2. Credit union.....					
3. Neighborhood legal services.....					
4. Neighborhood services.....					Center director provides general supervision and coordination of all component services.
5. Group day care.....					
6. Neighborhood employment network.....					
7. Small business.....					
II. SOUTHERN REGION					
Atlanta:					
Economic Opportunity Atlanta, Inc.....		X		X	
Small Business Development Center.....		X			
Volunteers Task Force.....		X		X	
Project Hire.....		X			
Golden Age Employment Service.....		X			
Summer recreation program.....		X		X	
Foster grandparents demonstration project.....		X			
Birmingham: No specific program participation to date.....					
Jacksonville:					
Greater Jacksonville Economic Opportunity, Inc.....	X	X		X	
MDTA program.....				X	

Urban League participation in non-Urban League antipoverty programs, by region and city—Continued

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
II. SOUTHERN REGION—continued					
Little Rock:					
Coordinated social services.....	X	X		X	
Day care.....	X			X	
Family planning.....	X			X	
Headstart.....		X		X	
Homemaker service.....				X	
Legal aid.....		X		X	
Neighborhood organization.....	X	X		X	
Neighborhood Youth Corps.....				X	
Development and administration.....				X	
Opportunities industrial center.....	X			X	
Medicare Alert.....	X			X	
Memphis:					
Early childhood development.....		X		X	
Early childhood awareness.....		X		X	
MAP—South.....		X		X	
Community involvement planning.....		X		X	
Conduct and administration.....		X		X	
NYC out-of-school project.....		X		X	
Miami: Executive director serves on the technical advisory committee of the local CAP agency. The president of the board of directors of the Urban League serves on the policymaking body of the CAP as a representative of the league.					
New Orleans:					
TCA's OJT and NYC.....		X		X	
C.O.—Irish Channel Action Foundation.....				X	
Neighborhood development centers.....	X				
Legal assistance program.....	X	X			
Oklahoma City: No specific participation reported.					
Tampa, Fla.:					
Community Action Agency.....		X		X	
Neighborhood Service Agency.....		X		X	
Foster Grandparents.....		X		X	
ESEA.....		X		X	
Small Business Development Center.....		X		X	
Headstart/Cope.....		X		X	
Upward Bound.....					
Tulsa, Okla.:					
Summer Headstart.....		X		X	
Medicare Alert.....		X		X	
Enable.....		X		X	
Program development.....		X		X	
Program administration.....		X		X	
Jobs unlimited.....		X		X	
New day child development centers.....		X		X	
On-the-job training.....		X	X		
III. MID-EASTERN REGION					
Akron, Ohio: None.....					
Canton, Ohio: Headstart.....				X	
Medicare Alert.....					
MDTA.....		X			
Cincinnati, Ohio: Lincoln Heights School social worker project.		X	X		
Cleveland, Ohio:					
AIM, jobs.....		X		X	
Opportunity 1050.....		X		X	
Columbus, Ohio: Columbus Metropolitan Area Community Action Organization.					
					Urban league executive served as acting director of CAP until June 1966. Organized program.
					On board o directors, executive committee.

Urban League participation in non-Urban League antipoverty programs, by region and city—Continued

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
III. MID-EASTERN REGION—continued					
Dayton, Ohio:					
Planned parenthood.....	X	X		X	
West Dayton self-help.....	X	X		X	
NYC (out of school).....			X		
Title V.....		X		X	
Support. council on prevent. effort..	X	X		X	
Latch Key.....				X	
Tutorial.....				X	
Detroit, Mich.: Mayor's human resources development agency.	X	X		X	Also chairman, health sub-committee.
Flint, Mich.:					
Summer Headstart.....		X			
Medical-dental care for preschool.....		X			
ADC mothers prevocational training.		X			
Extended school year.....		X			
MDTA—Office machine repair.....		X			
Grand Rapids, Mich.:					
Community action program.....	X	X		X	
Medicare Alert.....		X		X	
Upward Bound.....		X		X	
Headstart.....		X		X	
Legal services.....		X		X	
Neighborhood Youth Corps.....		X		X	
Lansing, Mich.:					
Capitol area economic opportunity comm.		X		X	
Youth opportunity center, MESC.....		X			
Louisville, Ky.:					
Upward Bound.....					Recruitment of teachers and students.
Community action, administration.....		X			
Headstart.....					Helped select employees.
VISTA.....				X	Assisted in training workers.
Community manpower survey.....					Helped staff project.
NYC.....					Worked with sponsors; placements.
Adult basic education program.....		X			Recruitment.
High school equivalency.....		X			
MDTA—Institutional.....		X			Recruitment of trainees.
Apprenticeship training program.....		X			Leap.
Vocational rehabilitation.....		X			
Massillon, Ohio:					
Headstart.....		X		X	Supplied teachers and teacher aides.
NYC.....			X		Group guidance counselor.
Muskegon, Mich.:					
Muskegon Area Skill Center.....		X			
Manpower development program.....		X			
Community action against poverty.....		X		X	Board of directors.
NYC.....		X			Do.
Pontiac, Mich.:					
Oakland County OEO Commission.....		X			
OEO Education Committee.....		X			
OEO Technical Committee.....		X			
Project 100, title I.....					UL staff services.
Springfield, Ohio: Citizens opportunity program.		X		X	
Warren, Ohio:					
Neighborhood center conference (Dec. 3, 1966).		X		X	
Neighborhood groups for community action.		X	X		

Urban League participation in non-Urban League antipoverty programs, by region and city—Continued

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
IV. MIDWESTERN REGION					
Anderson, Ind.:				X	Have CAP organization, but have not been able to get it funded.
Headstart.....				X	
Community action council.....				X	
Homemakers service.....				X	
Job Corps recruitment.....				X	
Day care service.....				X	
Job counsel, referral, literacy.....				X	
Champaign County, Ill.:					
Headstart.....		X		X	
Technical advisory.....		X		X	
Neighborhood centers.....		X		X	
Upward Bound.....		X		X	
Elkhart, Ind.: Headstart.....		X			
Fort Wayne, Ind.: None reported.....					
Gary, Ind.:					
Upward Bound.....	X	X		X	
MDTA.....	X	X		X	
Headstart.....	X	X			
Job Corps.....	X	X			
SBA.....	X	X			
NYC.....	X	X			
Indianapolis:					
Manpower development and training.....		X			
Flanner House education and demonstration project.....					
Neighborhood Youth Corps.....					
Kansas City, Mo.:					
Human Resource Corp.....		X		X	
Planned parenthood.....		X		X	
Motivation for teenage girls.....		X			
Consumer education.....		X			
Neighborhood center.....		X			
Neighborhood Job Corps.....					Placement.
Manpower development training.....		X			
Apprenticeship information center.....		X			
Marion, Ind.: No programs.....					
Minneapolis, Minn.: None reported.....					
Omaha, Nebr.:					
Greater Omaha Community Action, Inc.....					Member of charter advisory committee.
Small business development center.....				X	
Peoria, Ill.:					
Neighborhood Youth Corps.....				X	Screened, recruited, and referred.
Headstart.....				X	Interviews, referrals, and clerical assistance.
Production machine operator.....		X		X	Recommended program.
Racine, Wis.: None.....					
St. Louis, Mo.: None reported.....					
St. Paul, Minn.:					
North Central Voters League.....	X			X	Served through Enable.
Project Summer.....				X	
South Bend, Ind.:					
Community action program.....		X			Board member.
Small Business Development Center.....					
Springfield, Ill.:					
NYC.....		X		X	
Title I.....		X		X	
Wichita, Kans.:					
MDTA—Kansas State Employment Service.....		X		X	
Headstart.....		X		X	
Upward Bound.....		X		X	
Family planning.....		X		X	

Urban League participation in non-Urban League antipoverty programs, by region and city—Continued

Non-Urban League antipoverty programs	Manner of Urban League participation				Other
	Advisory committee		As consultant		
	Personal	Urban League representative	Paid	Unpaid	
V. WESTERN REGION					
Colorado Springs:					
Enable.....		X		X	Furnish group leader.
Study group, Peoples Methodist Church, Denver: No specific participation reported.					
Los Angeles: Teen post program.....					
Oklahoma City: No specific participation reported.					Operate 2 teen posts; lower level of involvement than delegate agency, with no financial accountability.
Phoenix:					
Leap community service center.....			X		
Neighborhood Youth Corps.....				X	
Operation Leap (CAP).....			X	X	
Job Corps.....		X	X	X	
MDTA-OJT.....			X		
Booker T. Washington Community Councils and Headstart and day care center.				X	
Maricopa County Camps comm.....		X			
State camps committee skills bank..				X	
Operation Ser. Mexican-Americans..				X	
Portland, Oreg.:					
Citizens antipoverty committee.....				X	
Albina Citizens Advisory Comm.....		X			
Headstart.....		X			
State advisory comm., MDTA.....	X				
City schools system Job Corps.....	X				
Riverside, Calif.:					
Economic opportunity board.....		X		X	
Dependency prevention committee..		X		X	
San Francisco:					
Program development.....				X	
Central administration.....				X	
Area development program.....		X		X	
Neighborhood legal services.....		X			
Bayview-Hunters point Housing.....	X				
Potrero Hill manpower project.....		X		X	
Horizons Unlimited.....				X	
Summer youth employment.....				X	
San Francisco Advisory Comm., MDTA.		X			
9-county advisory comm., MDTA.....		X			
Community training program.....		X			
Community action training program.				X	
Seattle:					
Seattle Opport. Indust. Center.....	X	X		X	
Central area motivation program.....	X	X		X	
Justice court probations, parole.....	X			X	

APPENDIX IV
POVERTY PROGRAMS

City:-----

Answer on separate sheets according to your experience and observations.

1. Briefly explain ratings on page 1.

2. What results have been achieved in relieving poverty in your community?

3. What are the primary obstacles to greater achievement? Lack of community concern? Lack of fund? Lack of coordination? Inefficient management? Other?

4. What recommendations would you make for improving the overall anti-poverty program in terms of efficiency, coordination and scope? What features of the program should be kept and expanded and which should be scrapped?

5. What have been the benefits of OEO? How effective is OEO as an operating agency? Are there management deficiencies in OEO?

6. To what extent have poor people been involved in the War on Poverty in your community?

7. To what extent has the Community Action Program been effective in achieving its objectives?

8. Are there self-defeating delays in getting programs underway because of "red-tape"? If so, characterize briefly.

9. How much attention has been directed to the elderly and rural poor?

Please return to: NATIONAL URBAN LEAGUE, 55 East 52nd Street, New York, N.Y. 10022.

Deadline: May 5, 1967.

Mr. SHRIVER. I could now respond to the outhouse question.

Mr. SCHEUER. I ask unanimous consent for Mr. Shriver to have 5 minutes to address himself to the outhouse question.

Mr. SHRIVER. It won't take me that long. [Laughter.]

First of all, we have not been doing any surveys of that kind. Those are surveys made by EDA. The paper got that confused, so we have not done any. Thank you. [Laughter.]

Mr. SCHEUER. You mean you have neglected that whole area of poverty? [Laughter.]

Mr. Shriver, I am very much intrigued by your remarks about the cause-effect factor in these urban disturbances.

From your research can you give us your judgment as to what the causal stimuli are, what conclusions you have come to in the evaluation of your programs as to which of these programs or which other conditions in a community militate for or against the demonstrations? What are the causes that produce them? If it isn't the amount of expenditure, is it the number of programs? What is it?

Mr. SHRIVER. Actually we are trying to address our research money and programs to the elimination of poverty. We have not gone into the business of analyzing riots, as if that were our responsibility. I do know, however, that a substantial number of mayors of cities where these disturbances have arisen have, in fact, publicly and privately, expressed their opinion that the community action aspect of our work has been extremely helpful to them not only in some cases postponing or eliminating a potential riot, but in minimizing these when they do arise for the simple reason that the neighborhood people who are participating in community action are a direct contact between city administration and the people in the riot-torn areas, as the phrase goes.

So they have a means of communication which did not exist prior to having this community action device available to them to use in these difficult situations.

Mr. SCHEUER. In other words, it provides a new leadership stemming right from the grassroots?

Mr. SHRIVER. That's right, so it opens up the lines of communication as well as, say, before the very poor in these areas and the established authorities, so that the community action program in many,

many cities has been extremely helpful, but I don't believe that we have to finance any large-scale research programs on riots.

Needless to say, I was wrong, there is one. It was the study of the Watts riot by UCLA and it is not completed. Do you want to talk about that great study that is not completed?

Mr. LEVINE. It is not completed, but we do have preliminary reports on it. It was a study obviously triggered by the riot but it was a study which we thought would enable us to get an insight into the causes of the interconnection of riots with poverty.

The study itself, I think, will be made available to the committee, but the kinds of conclusions that it came to are the ones which I think you would expect, Mr. Scheuer, that these causes are closely connected to poverty.

This still doesn't mean that we are going to change our action in order to use our poverty program to prevent riots. It does mean that in looking for knowledge about the effectiveness of these programs, this does have some relevance.

Mr. SCHEUER. I quite agree and I am sure we will all be interested in getting copies of that report.

Mr. Shriver, in reading the transcripts of the most interesting testimony yesterday, I notice that most of the testimony on your family planning program, which I am most enthusiastic about, was directed to their activities in the community health centers which I am also very enthusiastic about, having seen three of them in Denver, Boston, and New York.

I would very much like to get a further report, a comprehensive report, on your family planning program and I wonder if you could invite Dr. English back here again so that we can let him give us such a full report, and I would also like to ask you to have Dr. English and perhaps some of your other people address themselves to the problem that has been ventilated in the Senate on the question of severe health deficiencies in the South.

I particularly refer to an article that absolutely horrified me in the June 17 issue of the New York Times by Robertson. The quotes from that article from specialists, nutritionists, doctors, are enough to shock the conscience of any American and I would like to know if the leadership of the poverty program had some answers to the desperate health and nutrition problems in America which were adverted to incidentally in the national advisory council under title I of the National Elementary and Secondary Education Act, many learning deficiencies were caused by extreme hunger in schools. They outlined the problem of kids half asleep in the morning because the kids hadn't had a square meal since the school lunch the noon before.

I would be grateful if you would bring Dr. English back to us for a detailed consideration of the family planning program and the problem of health and nutrition.

I would also like to ask unanimous consent for me to put some questions and answers in the area of new careers to Mr. Shriver in the record at an appropriate point.

Chairman PERKINS. Without objection it is so ordered.

Chairman PERKINS. Mr. Dellenback?

Mr. DELLENBACK. Thank you, Mr. Chairman.

Mr. Johnson, how many lawyers do you have nationwide participating in this program?

Mr. JOHNSON. You mean staff attorneys, employed personnel?

Mr. DELLENBACK. Either full time or part time.

Mr. JOHNSON. We have funded now approximately 1,400 full-time attorneys.

Mr. DELLENBACK. How about part time?

Mr. JOHNSON. Very few. I would say 25 or under. I don't have the exact figures on that.

Mr. DELLENBACK. This covers all the various programs throughout the Nation?

Mr. JOHNSON. That's right.

Mr. DELLENBACK. We are not talking about staff counsel for OEO here in Washington?

Mr. JOHNSON. No, we are talking strictly about full-time lawyers employed by legal services projects rendering services to indigents.

Mr. DELLENBACK. What about the basic criteria that you establish for the minimum criteria for participants who want help of this nature? What are the basic criteria? Are they extensive or minimal for any program you approve?

Mr. JOHNSON. Financial criteria?

Mr. DELLENBACK. Yes.

Mr. JOHNSON. This is something set not nationally, but locally.

Mr. DELLENBACK. How much variation is there on all of this?

Mr. JOHNSON. Let's take a single person.

The median means test around the country is \$2,200. It ranges from as low as \$1,200 in some of the rural areas to as high as over \$3,000 in some of the urban areas; for a family of four, the average—

Mr. DELLENBACK. May I do this, excuse my breaking in on you. But because time is short, would you supply this for the record, please? I would like very much to know how much variation we have. Mr. Chairman, may I have unanimous consent this be entered in the record?

Chairman PERKINS. Without objection it will be printed in the record at this point.

(Information follows:)

ELIGIBILITY STANDARDS IN THE LEGAL SERVICES PROGRAM

Each legal services project has an eligibility standard which it employs in determining whether to provide legal assistance to an applicant. There is no national standard. Each community establishes its own. The variation has been considerable among different communities. The average eligibility standard for a single person is \$2,240, but the range varies from a low of \$1,200 in some rural communities to a high of \$3,380 in a few large cities. The average for a family of four is \$3,610, but the range is from \$2,500 to \$5,200. These differing eligibility standards reflect differences among communities with regard to economic conditions, cost-of-living and the cost of private legal assistance.

Mr. DELLENBACK. Mr. Johnson, tell me how many people are now being served on a nationwide basis with this type of help.

Mr. JOHNSON. We have reached as of the last quarter what would be an annual rate of approximately 400,000 families per year receiving legal advice and representation.

Mr. DELLENBACK. That's families, not individuals?

Mr. JOHNSON. That's right. In most instances, you see, when you are helping an individual, you are really helping his whole family. If he

is going to be evicted from his home and you keep him in that home, you are keeping his whole family in the home.

Mr. DELLENBACK. How many people would you consider that embraced? How many individuals?

Mr. JOHNSON. I would imagine it would be safe to say a million and a half to 2 million individuals are being benefited.

Mr. DELLENBACK. How many individuals—

Mr. JOHNSON. In addition to those that are receiving individual legal advice and representation, however, we have already reached something like 2 million people with community education.

Mr. DELLENBACK. Would you give us just a word on this. I will give you 16 seconds.

Mr. JOHNSON. All right. Community education is, in many instances lawyers, volunteer private attorneys, giving lectures or making presentations of one kind or another to neighborhood groups and church groups. In other instances it's radio programs. In other instances it's little brochures.

Mr. DELLENBACK. These are primarily volunteers?

Mr. JOHNSON. I would say well over half of our community education effort is volunteers, and this is where some of the local share for our programs comes from.

Mr. DELLENBACK. The others is in part by these 1,400 full-time employees?

Mr. JOHNSON. That's right.

Mr. DELLENBACK. As far as legal services are directly concerned rather than education, you figure about 400,000 families per year or something like a million and half to 2 million persons?

Mr. JOHNSON. That is at our present annual rate. But our rate doubled from last quarter to this quarter.

Mr. DELLENBACK. You anticipate reaching annually this many on present levels of service?

Mr. JOHNSON. I would anticipate with the trend of growth that is going on now that our annual rate at the end of next quarter, June 30 of this year, in other words, a couple of weeks from now, would have reached closer to a half million to 600,000 families.

Mr. DELLENBACK. Now, how many families or individuals, as you will, do you anticipate there are in the Nation that need this sort of help?

Mr. JOHNSON. 32 million.

Mr. DELLENBACK. Families or individuals?

Mr. JOHNSON. Individuals, that is.

Mr. DELLENBACK. Use whichever system of measurement you want; 32 million persons then?

Mr. JOHNSON. Right. To get a more sophisticated answer, the American Bar Foundation in their preliminary report, as I indicated, have estimated that a minimum of 14 million problems occur every year among the poor requiring the need of legal services.

Mr. DELLENBACK. Time is rushing us.

How many dollars do you anticipate it would take to extend these services to every person who needs it in view of your present \$47 million as projected in the 1968 fiscal year budget?

Mr. JOHNSON. In excess of \$250 million.

Mr. DELLENBACK. Per year?

Mr. JOHNSON. Per year.

Mr. DELLENBACK. Are full-time legal service lawyers generally local or are they brought in from the outside?

Mr. JOHNSON. They are generally local.

Mr. DELLENBACK. They will be within the State, qualified to practice within the State? Generally do you find them in the city in which you are looking for programs?

Mr. JOHNSON. We will fund the local program. The local board will hire the attorneys. Generally they will be hiring attorneys from their locality first and if an unusually capable man from another vicinity wants to come—

Mr. DELLENBACK. Generally you are employing local lawyers. Do you have any qualitative analysis which compares the type of legal service you give with judicare or private practice?

Your dollar analysis is quantitative rather than qualitative.

Mr. JOHNSON. That's right, and the qualitative analysis is not completed. As I indicated, the American Bar Association is doing a qualitative kind of study of judicare and other programs, and the University of New Mexico Sociology Department is going to be doing the same.

Mr. DELLENBACK. May I ask one more question, Mr. Chairman?

Chairman PERKINS. The Chair hears no objection—proceed.

Mr. DELLENBACK. I sought to get this question answered in another field yesterday and I ask you the same type of question, because we are talking about a different field. Part of my concern with many of these services lies in the statement that was given to us on medical services and now given to us on legal services, that what you are seeking to supply is a full range of legal or medical services, the top quality.

If you don't give it to us now, can you give us an answer to be put in the record as a comment on the fact that many of our people who are at least in the lowest levels of the nonpoor don't have the same quality service. We find ourselves in a situation where the poor are getting this full range of legal service. The very wealthy can afford this same full range, and in between the average Joe Doak is not in a position to afford this, particularly those that come closest to the poverty level.

I don't ask you for a full explanation now, because neither of us has the time. I would welcome an answer on what you feel ought to be done in this area.

(Information follows:)

LEGAL ASSISTANCE FOR THE LOWER AND LOWER-MIDDLE CLASSES

In recent weeks some question has been raised about the availability of legal assistance for middle class or lower middle class individuals who do not qualify for assistance from a legal aid or legal services office. Can this individual obtain legal counsel at a rate which he can afford, and does the legal assistance which he does receive compare favorably with that received by the very poor or the very rich.

The first question can be answered in the affirmative: Legal assistance is generally available to all persons. First, the local legal services programs apply a flexible indigency standard which is devised to take account of the size of the family, outstanding debts such as recent medical expenses, and the recent em-

ployment history of the individual seeking assistance. The local legal services offices tend to reach more individuals than other kinds of programs which apply a flat gross or net income eligibility standard. Programs with rigid eligibility standards tend to exclude persons who, in fact, are unable to obtain similar services. The flexible standards applied by legal services programs reflect a policy developed over the past 40 years by legal aid societies and sanctioned by local bar associations.

Second, the legal aid and legal services offices in the majority of locations work very closely with institutions known as lawyer referral services established by local bar associations. The lawyer referral service provides for the marginally indigent and the middle class persons the names of participating private practitioners who have agreed to give one-half hour consultation for a fixed fee. The fee is usually sufficiently low so that all persons who do not qualify for free legal assistance can afford to obtain initial guidance from the private practitioner.

Third, the publicity and community education programs undertaken by the legal services offices have had an impact on middle and lower middle class individuals making them more aware of the advisability of seeking legal help. These persons often come to the legal services offices and are then referred to the lawyer referral service. Because of the legal services program, greater numbers of persons are receiving legal assistance who had previously never consulted a lawyer either because they did not know a lawyer or feared that they could not afford to seek legal advice.

The second question does not lend itself to a facile answer. The problem raised is extremely complex and there is little data available from which to make a determination of the quality of legal advice given the middle and lower middle classes. It has been suggested by some researchers that the best talent in the profession is drawn either to the large law firm or very recently to the legal services program. Two gentlemen, Jerome Carlin and Jan Howard, did a sociological study in 1965 of the qualifications of those attorneys who handled cases for clients whose income fell below \$5,000 per annum. (See: Jerome E. Carlin and Jan Howard, "Legal Representation and Class Justice," 12 UCLA Law Review 381; Jerome E. Carlin, *Lawyers' Ethics: A Survey of the New York City Bar*, 1966.) Their study showed that these practitioners for the most part did not have outstanding academic credentials either at college or at law school and that they spent less time per case than did their colleagues who were employed by large firms. While this data does indicate some disparity in the initial qualifications of lawyers who represent both groups, it is not conclusive proof that the attorneys serving the middle and lower middle classes are not perfectly qualified and competent to handle the kinds of problems brought to their attention. Most attorneys, even those in very small partnerships develop specializations and the time factor may be attributable to their expertise and the comparatively uncomplicated nature of the problems presented.

Chairman PERKINS. Mr. Meeds?

Mr. MEEDS. Thank you, Mr. Chairman.

Sargent Shriver, Mr. Johnson, I would first like to extend to you and to this entire program my commendations and compliments. I think it is one of the finest, one of the most far-reaching, and successful programs that has been launched by the Office of Economic Opportunity.

I would particularly like to compliment you on your efforts to acquire the support and the commendation and cooperation of local bar associations and in acquiring the support of the American Bar Association and other bar associations and legal associations in the United States.

I think that in meeting the problem or attempting to meet the problem presented by the lack of legal services to the poor people of this Nation, you are reaching one of the very, very deep sores to be treated by the war against poverty.

Too often the poor people of this country regard the law as an enemy and not an aid, and I am particularly impressed with your statement

that you are providing an alternative to violence in the street by providing justice in the courts and I think the poor people of this country and the people who have not been able to afford this are, indeed, receiving a great benefit from this.

Now, having said that, I would like to ask some questions about how you involve the local people. It is my understanding that you start your involvement with a community action program who works with the local bar association; is that correct?

Mr. JOHNSON. Actually many of the programs have been initiated, so to speak, by a legal aid society or a local bar association. They have gone to a community action agency and said, we would like to have a legal services program. In other instances the community action agency has gone to the local bar or legal services and said, we would like to have a service in this community; would you put one together?

Mr. MEEDS. Is it not true, that the legal aid society or the local bar association in the area to be served is consulted; in all regards the cooperation and coordination is as complete as can be under all the circumstances?

Mr. JOHNSON. That is correct. In fact, we require documentation of the fact that the local bar association has been consulted.

Mr. MEEDS. Now, Mr. Johnson, in giving us the figures that you did some time ago, I think you indicated that for the first 3 months—it would be the first quarter in 1967, you had tripled—was it doubled or tripled, I have forgotten your figure.

Mr. JOHNSON. We had doubled our annular rate from the 6-month period ending December 31, 1966.

Mr. MEEDS. Now, if that were to continue, would the \$47 million which you have requested for fiscal 1968 be adequate?

Mr. JOHNSON. If you mean adequate in the sense of handling every legal problem in the country that the poor have, the answer is "No."

If you are talking in terms of what the community demands are in relation to all the services and programs of OEO, I would say \$47 million would be sufficient.

Mr. MEEDS. And yet you said just a moment ago that there are in excess of a million cases per year which should be handled; is that correct?

Mr. JOHNSON. More like 14 million.

Mr. MEEDS. Pardon me, 14 million. So your annual projected rate now of being able to handle at \$47 million is what?

Mr. JOHNSON. With \$47 million we anticipate being able to handle in the neighborhood of a million cases a year.

Mr. MEEDS. So that we are actually, in terms of the broadest general problem, merely making a dent in it, are we not?

Mr. JOHNSON. That is correct, in the same sense we are only making a dent in the health problem of the poor and education problems of the poor.

Mr. MEEDS. I think we are all aware that what we are doing is totally inadequate in terms of the total problem.

I am particularly interested also in the establishment of local criteria. Isn't it true that, as you said initially, many of the programs which are now being funded were existing as legal aid services or as legal aid programs operating prior to the institution of this program,

and that they had drawn up criteria as to whom they would represent and under what circumstances?

Mr. JOHNSON. That is correct, almost half of our legal services grants have been made to existing legal aid societies to enable them to enlarge and improve their programs.

Mr. MEEDS. So that you have not imposed criteria upon local operating units or ones that you have taken in?

Mr. JOHNSON. Right, whether it is an existing Legal Aid Society or a brandnew entity, the local community develops the means test or financial criteria that are going to be used.

Mr. MEEDS. And in all instances these legal services programs are operated by the board of local practitioners, judges, and the people right in the community which it serves; is that correct?

Mr. JOHNSON. That is correct.

Mr. MEEDS. And you have no voice in the selection of these people?

Mr. JOHNSON. That is correct. It's almost like a little community action agency and it's formed very much the same way and its board is constituted very much the same way, except that a legal services program will generally have a majority of lawyers on its board.

Mr. MEEDS. Fine, thank you, Mr. Johnson.

Chairman PERKINS. Mr. Esch?

Mr. ESCH. Thank you, Mr. Chairman.

Gentlemen, I think it is significant that we are faced with the problem of separating those programs for which we have the greatest need from those for which such a pressing need does not exist during the shortage of funds.

In that light I would like to associate myself with those who favor much stronger support for the family planning programs. Testimony here and elsewhere indicates that we do need to move ahead with these programs rapidly.

With that, let's turn to the legal services, if we might.

Mr. Johnson, you stated we need approximately \$250 million a year for a total program that would meet all of the needs of your area and this might involve 32 million people. Do you envision this as an ongoing program? Are we going to develop a permanent structure for legal aid services for the poor from now into the next century? Or do you look at this as a terminal program?

Mr. JOHNSON. I feel that it is essential that we establish a program that would continue ad infinitum, because the poor are going to need justice ad infinitum. I would reserve the question as to whether or not there necessarily has to be a Federal program or that through the years there can be more and more State and local involvement, but I think it is essential that we get the program established and ongoing.

Mr. ESCH. I share with you the concern of making sure that the poor do have legal services. What I am trying to determine is whether these are short-range or long-range programs we are structuring. Now let's get into the other question, legal services.

You suggest you are an advocate of the poor in terms of governmental relations.

Do you envision your legal services group serving as a spokesman and advocate on some of the pressing social problems of the day, that

is, taking test cases, working in the area of not just the day-to-day legal services, but accepting the responsibility of moving ahead on trying to get landmark decisions and test cases?

Mr. JOHNSON. Yes, as I stated in my opening statement, one of the three major functions of the legal services program is to attempt to make the legal system fair for poor people, and our legal services programs do take to the appellate level cases which have some potential for raising many times for the first time basic issues that affect the lives of the poor.

Mr. ESCH. Then you envision this as a proper function of the services?

Mr. JOHNSON. I think it is the proper function of a lawyer. In fact, it is almost the duty of a lawyer representing any client to attempt to make the legal system function better for his client and these as lawyers for the poor have the duty, I think, to attempt to make the legal system fair for their clients.

Mr. ESCH. Right. This would all be on the basis of an individual justice rather than in terms of moving ahead on the social problems? This is what I am trying to determine. I accept the other responsibility of a lawyer to his client.

Mr. JOHNSON. I don't know if you can separate the individual client who shares the problems of the group, the economic group from which he comes. If you take a so-called test case, and change the law for that individual, you are necessarily changing the law and the system as it affects the group of which he is a member.

Mr. ESCH. We will go on for just a moment more. Do you see any inherent danger in about one-sixth of the population or citizens of this country being dependent upon such a service pertaining to their legal rights?

Mr. JOHNSON. I don't see any danger in it, no. I think that it's wholly appropriate, a fundamental role for Government, to attempt to seek justice and especially justice for poor people.

Mr. ESCH. You think justice's role would be to relate to other Government agencies, that is, would there be a Government role relating to other Government agencies, in this case representing a given economic group against a Government agency?

Mr. JOHNSON. No, I don't see any more danger in that than a State-funded public defender defending a defendant against charges being advanced by a publicly supported prosecutor.

Mr. ESCH. This is an area in which I have not yet made a value judgment. The public defender may be one thing, while the national program may be something else again. I share with you the concern in keeping the program at a local level.

Mr. JOHNSON. I think that is one of the essential features of this. It is basically locally operated and that is true of all OEO. It is locally operated and merely receives the funds from the Federal Government.

Mr. ESCH. Thank you very much.

Chairman PERKINS. Mr. Burton?

Mr. BURTON. Would you tell me if your program has had any ripple effect and has it had any impact on the curriculums being developed by the Nation's law schools?

Mr. JOHNSON. Yes, there has been almost a revolution, I guess.

Two years ago a poverty law was probably in the same status as labor law was 50 years ago. There were no courses in it, no one paid any attention to it, no research was being done on it, no journals were being written in the field. But something has happened in the last 2 years in the poverty law field similar to what has happened in the last 40 or 50 years in the labor field.

Thirty-six law schools in the last 2 years have initiated courses in law on poverty; some of them have more than one course. There is now a Journal of Urban Law put out by a law school, which concentrates on the legal problems of the poor. The Bureau of National Affairs, which puts out Law Week, is now talking about putting out the Poverty Law Reporter.

There are scores of law review articles and scores of professors doing research in these fields. It is just a burgeoning area of the law. One of the things that has triggered this has been the interest among law students in this field.

Some of the very finest law graduates in this country are going into the legal services field. We just gave a grant to the University of Pennsylvania Law School to recruit, train, and place in operating programs 50 young lawyers. Within a few weeks they had 300 applicants for those 50 positions. And they recently made their selections, including a man first in his class at the University of Chicago last year, who was clerking for a Federal judge; a man seventh in his class at Harvard; a man third in his class at Columbia.

They are just the very top-ranking law graduates. In addition, five or six are coming out of Wall Street law firms to go with legal services projects.

It has been a revolution in the legal field.

(The information follows:)

LAW SCHOOLS OFFERING LAW AND POVERTY COURSES

University of Chicago	Texas Southern
Stanford University	Albany
University of California (Berkeley)	Marquette University
University of North Carolina	UCLA
Harvard University	Notre Dame
Columbia University	University of Pennsylvania
Yale University	University of Minnesota
University of Michigan	Boston University
Ohio State University	University of Maryland
University of Mississippi	University of Texas
Arizona	Georgetown
So. Methodist	Houston
Toledo	George Washington University
Loyola of New Orleans	University of Kentucky
Rutgers	Wayne State University
North Carolina College	New York Law School (not NYU)
Utah	Catholic University
Wisconsin	Emory University
University of Detroit	

LAW SCHOOLS AND LEGAL SERVICES

Law schools have shown a greatly increased interest in the new field of poverty law in the past two years. At least 37 law schools have established new courses in law and poverty in the past two years. These schools include most of the leading law schools in the country. A list of the schools offering such courses is attached.

Law schools and their students are participating more in legal services programs. Some colleagues have set up their own neighborhood law offices and clinics, sometimes with OEO Legal Services research and demonstration and training funds, but in many other instances—without Federal funds. Among the law schools that have established neighborhood law offices with OEO sponsorship are Harvard, the University of Detroit, Notre Dame University, Southern Methodist University, the University of Mississippi and Emory University in Atlanta.

The University of Pennsylvania School of Law in Philadelphia is conducting a fellowship program whose purpose is to attract to the Legal Services field top quality young legal talent. Fifty outstanding young lawyers were chosen this year to receive Reginald Heber Smith Fellowships to receive special training and serve for a year in the field with a Legal Services Program. They were chosen from among 300 applicants recruited from among major law firms, law schools, Federal judges, and state appellate courts. This first group of Smith Fellows had impressive credentials. Most had finished high in their class standings at law schools. One was first in his class at the University of Chicago. Another was third in his class at Columbia. Another was 7th out of 500 at Harvard. Several came from Wall Street and other top law firms. Five had been serving as judges' law clerks.

Many law schools are working in cooperation with Legal Services Programs in their communities. They provide training of staff attorneys for Legal Services Programs. They conduct research and help to draft pleadings and briefs.

The nature of the changes underway in the law schools is well described by an article in the June 19 *Newsweek* called "The New Law v. Tradition." It lists the War on Poverty as one of the factors that has helped to create a new atmosphere of social concern.

The article follows:

[From *Newsweek*, June 19]

ADDITIONAL OEO-SPONSORED PROGRAMS

The lawyer's war on poverty requires the support of legal scholarship and professional education of the highest quality.

American law schools have developed their curricular over the years to reflect the changes in society's needs and institutions. Today the War on Poverty and the nation's increased awareness of poverty in the midst of plenty have brought scholarly attention to the legal problems of the poor. This new awareness has helped to bring about curriculum revision, innovation, and experimentation by the law schools.

The University of Detroit Law School, with OEO assistance, has revamped its curriculum and established an Urban Law Program whose major focus is poverty law. It has added new courses in poverty law and has incorporated new poverty law material into traditional courses. For example, administrative law courses will cover rulings affecting those on public welfare, as well as rulings affecting stock investors. Bankruptcy law courses, which traditionally have examined "creditors rights" will cover the debtor's viewpoint.

OEO Legal Services has encouraged scholarship that joins the law with other disciplines. The Indiana University School of Law and the University's School of Social Work have developed a program of research into the legal problems of the poor. A social worker will be assigned to Legal Services offices to supplement the usual referral service.

The Columbia University School of Social Work is making a study of social welfare law. It is offering research assistance to any Legal Services Program in the country in the preparation of briefs and pleadings in welfare law cases. The Columbia Bureau of Applied Social Research is using OEO funds to conduct in-depth surveys of the impact on the poor of consumer credit systems and garnishment proceedings.

OEO is promoting the growing efforts of law schools to involve their students in legal services. The Harvard Law School is conducting an experimental program which includes a model neighborhood law office in a racially mixed slum area of Cambridge. The office is staffed by full-time lawyers and Harvard law students.

The Director is John Ferren, formerly a member of the largest law firm in Chicago, where he spent his evenings and weekends providing free legal assistance to poor people in church basements and schools. The purpose of the Harvard

project is to operate the law office on the same basis as a private law firm. Lawyers offer low income clients the same consideration and attention that private attorneys give to paying clients. Ferren, a 1962 graduate of the Harvard Law School, said the office uses "vigorous, imaginative, ethical tactics to protect its client's interests." He said an attempt for quick compromise settlements "rarely should be the attorney's only tactic or concern."

Mr. SCHEUER. Will my colleague yield?

Mr. BURTON. Yes.

Mr. SCHEUER. In view of the scarcity of lawyers available to work on these counseling programs, has your experience given you any conviction that there is a role for a legal aid, a person perhaps out of a poverty community who does not have formal law school training, but who could function as an aid to a lawyer in counseling families?

Mr. JOHNSON. Yes, sir; in fact, we have several hundred already funded in our programs. They perform several different roles. Investigative aids are probably the most prevalent and most useful.

Again, as I pointed out in my statement, they have a rapport with the neighborhood that allows them to get information that an expoliceman, for example, probably couldn't get. They are used for messenger work, used for various routine kinds of repetitive tasks that you don't require a lawyer for, and we are studying to see if there might be some other roles that they might perform.

Mr. SCHEUER. Is there any role they can perform in the actual counseling with families under the supervision of a lawyer?

Mr. JOHNSON. They have not counseled in the sense of giving legal advice, but some of them have worked as so-called community aids, working usually under the supervision not of a lawyer so much as of a social worker, counseling with persons with domestic relations problems, for instance.

Mr. BURTON. May I ask you if you will at the termination of those remarks of yours, that you be immediately responsive to my request to include the law schools that you made reference to?

May I ask you further if you have considered, or have already implemented, the idea of permitting, let us say, secondary law school students on an internship kind of program during the summer months to participate in this program?

Mr. JOHNSON. As a matter of fact, we have this summer employed several hundred law students, in legal services programs around the country, some between their first and second year, some between their second and third years.

Mr. SCHEUER. I think Columbia University Law School has supplied some of them.

Mr. JOHNSON. That's right. We have several hundred employed in serving sort of an internship in the legal problems of the poor. Many of them we found have become interested in working as lawyers in the Legal Services field just with this second go-around. We had several hundred students last year. We find many of them have been employed as attorneys upon graduation.

Mr. BURTON. One final question. In our city one of the most promising men in our U.S. district attorney's office left that office to head up our legal services in San Francisco, and is this experience unique or what kind of men are you attracting? What quality of men are

being attracted into this field, as best you can make a qualitative judgment on this?

Mr. JOHNSON. Well, very high quality. I think some of the information I gave you about the Reginald Heber Smith Fellows gave you an insight into the level of quality. Let me take one project I am familiar with, because I used to work with it, the Washington, D.C., project.

Over half of those lawyers on that project are on law review in law school; one was second in his class at law school; another was fifth in his class at law school. Just very topnotch people, and yet not completely inexperienced people. The average level of experience in the Washington, D.C. project when I was there at least, was 6 years of legal experience, and the average age was 34, so it was a happy mixture of experienced people with younger, very academically qualified people.

Mr. BURTON. I yield back the balance of my time.

Chairman PERKINS. Mr. Gardner?

Mr. GARDNER. Thank you, Mr. Chairman.

Mr. JOHNSON, I want to thank you for your excellent testimony. I think this along with Dr. English's testimony yesterday certainly has pointed out to the members of this committee the excellent job OEO is doing in many areas.

I would like for one second to go back to Mr. Berry and ask several questions of him concerning the North Carolina fund that you mentioned yesterday.

First of all, do you have the total amount of money that OEO has given to this North Carolina fund? What percentage of the overall funding of the program does it represent?

Mr. BERRY. I will have to furnish that for the record. I don't have it at my tongue's end.

Mr. GARDNER. Would you have any rough idea?

Mr. BERRY. I would say generally that in the total grants of OEO funds, that is, CAP money, in North Carolina the great preponderance of it has been to the community action agencies which in many respects, were generated, given technical assistance, and guidance in the formulating of their qualifying agencies to receive grants. The amount going to the North Carolina fund has been relatively small in the total aggregate of dollars funded in North Carolina.

Mr. GARDNER. Would you furnish this data?

Mr. BERRY. I will furnish you with the specific data.

(Information follows:)

North Carolina fund

Section of act	Grant No.	Date approved	Federal share	Type of program	Comment
Fiscal year 1965:					
207.....	0431	Apr. 2, 1965	\$274,316	Utilizing college students as volunteers.....	No funds to CAA's but trainees go to CAA's after training. These are research projects. No funds go to CAA's but where applicable, data and findings are supplied to CAA's.
207.....	9194	May 28, 1965	99,299	Analysis of the community action process.....	Do.
207.....	9195	do.....	360,110	Research survey on low-income families.....	Do.
Subtotal.....			733,635		
Fiscal year 1966:					
207.....	0319	Dec. 12, 1966	109,794	Training project.....	No funds to CAA's but trainees go to CAA's after training. Do.
207.....	0319	Mar. 28, 1966	299,255	Technical training program.....	These are research projects. No funds go to CAA's but where applicable, data and findings are supplied to CAA's.
207.....	9195	June 13, 1966	58,960	Survey of low-income families in North Carolina.....	
Subtotal.....			438,009		
Fiscal year 1967:					
205.....	2474	July 18, 1966	376,426	Low-income housing.....	No funds to CAA's. Loan funds go through private, non-profit corporations and technical assistance is provided.
207.....	9194	Sept. 26, 1966	109,969	Community analysis.....	These are research projects. No funds go to CAA's but where applicable, data and findings are supplied to CAA's.
207.....	8735	June 14, 1967	1,181,187	Demonstration manpower development.....	No funds to CAA's, but CAA representatives make up 1/2 of statewide manpower board.
206.....	8995	do.....	104,997	Summer intern training program.....	No funds to CAA's, but trainees go to CAA's after training.
Subtotal.....			1,772,579		
Grand total.....			2,944,223		

Mr. GARDNER. Could I ask you also what restrictions or what requirements OEO would place on a group like the North Carolina fund? Would they operate, for example, under OEO restrictions?

Mr. BERRY. Yes, they operate under our guidelines and under our regulations, if they, in fact, conduct any programs.

Their primary function was to serve, at the request of the Governor, in the absence of an established technical assistance agency at the beginning of our program. They served as an effective liaison and catalyst for developing a community action agency enabling North Carolina to get off to a very fast start on the war on poverty in comparison with other States which did not have that preexisting agency which was completely indigenous to North Carolina.

Mr. GARDNER. May I say that I am, of course, very proud of the State of North Carolina and the fact we have looked into the area of poverty in our State and have been willing to meet the challenge.

I would like to ask Mr. Shriver several questions.

As you know, I am deeply concerned in the involvement of any OEO programs and any funding by OEO into the area of political activity. Do you have at your disposal any records so far as to the total number of registered voters OEO programs have been able to register during the last several years, or during 1966?

For example, I think I remember 50,000 voters were registered in Houston, Tex. by an OEO program there.

Mr. SHRIVER. I am almost certain that we don't have any such figures because we don't finance voter registration programs as an entity like, say, family planning or housing or adult education or manpower.

Mr. GARDNER. Excuse me one second. Do you consider this a vital part of your war on poverty, the registration of voters?

Mr. SHRIVER. I would not say that that by itself is; no.

What we are trying to do with the poor is this: We are trying to make the poor full participants in all aspects of American life, get them to the point where they can buy goods that are produced by American industry, get them participating in the form of getting justice, getting them participating in terms of education, getting them participating in PTA's, as Mrs. Green was talking about a little while ago. Also getting them to participate in community and civic life, so we have programs which we call citizen education, and in citizen education people could be taught, as we teach kids in school, how to run a voting machine, for example.

We try to encourage people to exercise their franchise. We try to get them to do it, but we are extremely sensitive to the political overtones of those programs and we have very strict rules to make sure that whenever activity of that type takes place, that it is on a strictly nonpartisan basis, that it is not in favor of a particular candidate and so on.

As I testified a day or so ago, in response to some questions from you, Mr. Congressman, many other Congressmen—as a matter of fact in the Senate and House—were both concerned about the same issue and they brought all of the programs and all of the personnel under the Hatch Act and we report regularly any instances that we find which are real or threatened invasions of the Hatch Act to the Civil Service Commission for followup.

We also follow them up ourselves. And I tried to point out to you that we have in three or four cases found—in fact, they are not voter registration drives, but in other places where there were improper political activities and we have stopped those across the country ever since we started.

This doesn't mean there won't be something happen tomorrow or the next day or 6 months from now, but we have done our best to enforce the nonpartisan aspect of this program nationally.

Mr. GARDNER. You seem to hang on the word "nonpartisan." As you know very well, I am interested in the Operation Breakthrough program in Durham, N.C. I think this is one example of what could be happening throughout the United States.

Going back to your own figures in testifying before this committee, I think you said there were 1,050 community action programs involving some 50,000 employees of these programs.

Mr. SHRIVER. That's right.

Mr. GARDNER. I see an inherent danger in the fact that it would seem to me it would be almost impossible as far as your agency is concerned to properly, for lack of a better word, leash the political activities of these employees and they can become—I ask unanimous consent for 3 additional minutes.

Chairman PERKINS. Finish your question.

Mr. GARDNER. I see a great danger in the political activities of the war on poverty.

First of all, I see no place for politics in the war on poverty. I think it hurts the purpose of your program; it certainly brings a great amount of suspicion within, I would think, the Congress and certainly throughout the country. In the case of Durham, N.C., I believe this is a prime example of an overzealous attempt on the part of your employees to participate in the political affairs of the community.

Now, these employees in Durham, N.C., for example, three of your employees in the Operation Breakthrough experiment spent from early December until March 28, 5 days per week, copying the names of registered voters off a voter registration list.

What happened to them? What was the purpose in copying down the names of registered voters? How in any way, shape, or form, did this help the war on poverty in Durham, N.C.?

Mr. SHRIVER. First of all, let me just say at the beginning that we have kept politics out of this program to the absolute, and any place—

Mr. GARDNER. You have been trying to keep politics out.

Mr. SHRIVER. No, we kept it out.

Mr. GARDNER. I would disagree with that.

Mr. SHRIVER. Maybe you do disagree, but in any case where there is an allegation or the reality of it, those cases have been reported to the Civil Service Commission for the enforcement of the Hatch Act.

You point out, as you said, that there are 50,000 employees. The Post Office Department has 450,000 employees. These are all covered by the Hatch Act. So are HEW's people covered by the Hatch Act.

Mr. GARDNER. Could we just deal with OEO?

Mr. SHRIVER. I am pointing out the Civil Service Commission has the same responsibility. There is the same danger of other Federal employees of other agencies getting involved in political activities as there would be with us.

In addition to that, you talk about the one Operation Breakthrough. They are not literally OEO employees.

Mr. GARDNER. Do they operate under your restrictions?

Mr. SHRIVER. Excuse me, they are employees of Operation Breakthrough, but they are covered by the Hatch Act just as if they were Government employees, because Congress extended the restrictions of the Hatch Act to cover those people.

Now, what I am trying to make is this very significant point: They work for North Carolinians, they are North Carolinians. They are supervised by a board of directors which is broadly representative of the community in which they work, and that means on that board there are businessmen, religious people, social welfare people, poor people, and so on.

That board itself has got the capacity in these local situations, as thousands of people across the country, to make sure and to bring to light very rapidly any improper political activities.

Why? Because there are people of different political persuasions on those boards, so there is not going to be something that somebody gets away with in a place. Even if they do it for a little while, they are not going to be doing it long. They are watched by newspapers, Congressmen, by the board that is nonpartisan.

It is not just that we have the job of watching them, the community is watching them. That is one of the strengths of community action and why so little has gone wrong with it—because it is a community.

Chairman PERKINS. Time is expired.

Mr. Steiger?

Mr. STEIGER. I yield to the gentleman from North Carolina.

Mr. GARDNER. Would you, did this in any way, shape, or form help the war on poverty in Durham?

Mr. SHRIVER. I don't know that it occurred.

Mr. GARDNER. Let's use a test case. Suppose it happened in Durham, N.C. Do you think it would help the war on poverty?

Mr. SHRIVER. I wouldn't have any concept of why they would be doing it without knowing the full story. There may be some reasons I don't know about that was approved by the board of directors of Operation Breakthrough as being desirable or some reason I don't know about.

If there is a political violation, we vigorously pursue those. In addition to that, we would refer that to the Civil Service Commission. We have fired people, we have reprimanded people of my own party—that is the Democratic Party—for violations of the Hatch Act or of our own regulations which have been out ever since we started the program.

Mr. GARDNER. Mr. Shriver, this all sounds very good and noble and I am certain that it has been the intention of your organization to try to police it to this extent. But I again say that I think it is a very dangerous trend.

For example, your organization through their political activities could have decided an election as close as the 1960 election.

Mr. SHRIVER. We couldn't decide any election.

Mr. GARDNER. For example, what happens to this registration list you use in a nonpartisan election that you seem to be hanging everything on?

Mr. SHRIVER. I am not hanging everything on that. Our regulations specifically state—

Mr. GARDNER. I have read your regulations.

Mr. SHRIVER. Good. And Congress has passed a law which says that our employees and employees of delegate agencies cannot become involved in political activities. That's in the law.

Mr. GARDNER. I am charging that in Durham, N.C., they are involved in it.

Mr. SHRIVER. I wouldn't say, but there is an agency of the U.S. Government; namely, the Civil Service Commission, which has the job of carrying out the law. When you submit your evidence there, others submit their evidence there, they have that job, and if they make such a decision, obviously that is correct.

I am not saying that anybody is wrong. I am trying to say there is an established governmental machinery for making certain what you fear does not happen. People have feared what you fear for 150 years, ever since we started the country. That is why we have the Civil Service Commission and the Hatch Act.

Mr. GARDNER. Don't you think we would have a better situation if we could go ahead and fight the war on poverty and remove any political activity whatever so there would be no shadow of doubt cast on your agency?

Mr. SHRIVER. We agree there should be no political activity, but citizen education, teaching people how to vote or encouraging people how to vote, that is what we all say we want everybody in America to do—that is, to vote.

Mr. GARDNER. Would you consider citizenship carrying voters to the polls on election day, furnishing them with marked ballots? Is this part of it?

Mr. SHRIVER. No, I do not.

Mr. GARDNER. That is going on in one of your programs.

Mr. SHRIVER. Take it to the Civil Service Commission and they will enforce it.

Mrs. GREEN. Did you say OEO funds, Federal funds, were used to hire people or to pay for the cars and so on?

Mr. GARDNER. In some cases, yes. The employees were of the Operation Breakthrough, which is an OEO-funded program. These employees spent a period of 3 months—from early December to March 28—copying the registration books. They then went out and recruited students from nearby universities who were not even involved in the poverty program at all.

Mrs. GREEN. Were they doing this on their own time or at a time they were being paid with Federal funds?

Mr. GARDNER. During the time they were being paid with Federal funds.

Mr. SHRIVER. Just a second. Let Mrs. Green speak.

Mrs. GREEN. We don't furnish funds to post office employees to go out and work in a campaign. I would think that it is kind of splitting hairs whether it is a partisan or nonpartisan. We have a mayor's race in Portland. I would be pretty upset if OEO funds were used to support one of the candidates. There, of course, we always try to elect a nonpartisan Democrat [laughter], but if OEO-financed workers were lined up with either candidate, it would seem to me to be a violation of the intent of the statute which we passed.

Do I understand you correctly that you do not consider the additional language we wrote into the war on poverty bill to be applicable and that you go by the Hatch Act? Is that what I understand you to say?

Mr. SHRIVER. No, what I am trying to say is, if the things you are saying were being done, they would be in violation of our rules and regulations. Therefore, we would be objecting to them as strongly as anybody else, and we have a pretty good record on that for 2 years, not only of objecting but enforcing.

In addition to that, what I am trying to say is that the facts are in dispute and the facts have been submitted to the Civil Service Commission, which is the agency of the U.S. Government which is supposed to render decisions when facts are in argument at any rate, so they have the job of determining what the true facts are on the basis of all the evidence.

The Congresswoman thinks certain facts are true; other people down there think that other facts are true. I am not saying she is wrong. All I am trying to say is we agree there should not be partisan politics. We do our best under our own rules to make sure that it doesn't happen.

Mrs. GREEN. This is the point.

Mr. SHRIVER. Political, leave "partisan" out of it, political activity.

Mr. GARDNER. Will you yield for a minute?

You seem to hang your whole argument on what I have brought out in Durham, N.C., and I may—may I say I think it is going on elsewhere in the United States, and I only point out Durham because I know something personally about it.

You indicated in a letter to me and a conversation that we had that these activities that I have pointed out of copying registration lists and various other things were completely all right, because this was a nonpartisan election.

Mr. SHRIVER. In the first place, I didn't say that in the letter.

Mr. ESCH. Just for the record since the facts are in dispute, Mr. Shriver, I would like to request at this point that you make a survey to determine (1) to what degree and (2) in what specific areas, voter registration activity has taken place in each of the CAP programs throughout the country.

Mr. SHRIVER. Fine. I will be glad to do that.

(The information requested follows:)

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1967 1019

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : All Community Action Agencies

DATE: JUN 30 1967

FROM : C Theodore M. Berry *TMB*

SUBJECT: Information Survey on Community Action Activities
for Older Americans and Voter Registration

It is important that we provide Congress with additional information about:

- (1) The extent that Community Action Programs are benefiting Older Americans (those 55 years of age or older),
- (2) The extent that Community Action agencies are involved in Voter Registration Programs.

These are specific requests made by the Congressional Committees that review our program, and I need more information immediately in order to respond to their demands.

In order to aggregate these data nationally, I have attached a form for you to complete in three copies -- one for your own records, one to be sent to the OEO Regional Office, and one to OEO Headquarters at the address listed below. It is important that this information be in the mail by no later than July 14. Thank you for your cooperation.

If you do not have any programs to report under this questionnaire, please return the forms with the notation "Negative Report" completed on each page.

Please return forms to:

Lawrence S. Kowitch
Chief, Program Information Branch
Room: 533
1200 - 19th Street, N.W.
Washington, D.C. 20506

Attachment:



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

C. List the total current employment of the Community Action Agency and Delegate Agencies, estimating the number of Older persons age 55 or over employed by each. Include here all staff positions in such programs as Head Start, NYC, etc.

Total					Older	
Agency (1)	Prof. Non- Resident (2)	Resident Non-Prof. (3)	Prof. Non- Resident (4)	Resident Non-Prof. (5)		
CAA Staff Delegate Agency(s) Staff						
TOTALS						

D. Senior Citizens Centers: As a result of the program activities listed in A, B and C above, have you established or are you providing the bulk of the funds for the operation of an older persons or "senior citizens" center or centers in your community? For the purposes of this survey a senior citizens center may be defined as a place designed exclusively or primarily as an older person service center where older persons may come for a variety of services including recreation, referral, skill training etc.

Number of Centers	Types of Activity	Number of Beneficiaries (annual)

B. List other OEO funded components (by type) currently being operated by your Community Action Agency or a delegate agency which benefit older persons even though the component is not designed as an exclusively older persons project. Complete the columnar data as required. In column (3), enter the total actual number of persons benefited since the beginning of the program. If it is not possible to count the total participants in each component type without duplicate counting of individuals, enter the total number of individuals for all components in the Totals line in columns (3), (4), (5).

Components by Type (1)	Total Cost (Federal \$) (2)	Total Participants (3)	Estimated Number Older Participants (55+) (4)	Estimated Cost of Program for Older Participants Only (5)
Legal				
Health				
Education				
Manpower				
Training & Placement				
Title V				
Nelson-Scheuer & Other Work Programs				
Housing				
All Other				
TOTALS				

☐ NEGATIVE REPORT

Mr. PUCINSKI. Mr. Chairman, I ask that the gentleman be permitted to proceed for 3 more minutes.

Chairman PERKINS. The gentleman is recognized for 3 additional minutes.

Mr. GARDNER. I quote from your letter:

CAP memo 50-A specifically states in outlining the explicit instructions of political activity, certain nonpartisan political activities are permitted. These are activities in connection with campaign for office which are run on a non-partisan basis and are of a strictly local character, that is, completely unrelated with issues and candidates identified with a national political party.

I think this goes back to the——

Mr. SHRIVER. Let me say, does it go back to the——

Mr. GARDNER. At the end of your letter——

P.S. You incidentally seem to think I appear to deny the facts in your investigation. I say our investigation conducted did not show any violations of our act or regulations.

Mr. SHRIVER. That is correct. Now let me explain——

Mr. GARDNER. You said just a minute ago—did I misunderstand him, Mrs. Green——

Mr. SHRIVER. No, the difference is this. You just said that certain things were going on down there and that I justified those things on the basis that it was a nonpartisan election. That is not what I said.

I wasn't even commenting upon the things that you talked about.

Mr. FORD. Would the gentleman yield?

Mr. SHRIVER. Those are some of the facts that are under contest, whether those things actually did or did not take place. The quotation in my letter has to do with the OEO regulations and with the Hatch Act regulations as interpreted by the Civil Service Commission, which if I am properly informed, do say exactly what we say in that letter.

That is not my idea. That is the Civil Service Commission idea.

Mr. FORD. Would the gentleman yield?

Mr. GOODELL. Mr. Chairman, I would like to point out here we have a difference of opinion. Apparently you feel that registration drives as such are proper and that it's all right to fund this through the poverty program because it's an act of citizenship. The problem with that, Mr. Shriver, as you well know, is that both parties will engage in registration drives. It isn't very difficult for the Republican Party to pick out the section of town where they are going to get a three- or four-to-one vote. It is not very difficult for the Democratic Party to pick out the sections and the blocks where they will get a two- or three- or four- or five-to-one vote.

Likewise, in a so-called nonpartisan election and not identified with a Republican or Democrat at a local level, it isn't very difficult to pick out the precincts or wards where a given candidate is going to get a sizable portion of the vote.

It is my understanding that in the results of the election in Durham this point was directly affirmed. This is what happened.

One of the candidates was clearly going to get a high proportion of the votes from two or three areas where the poverty workers spent their time.

Mr. GARDNER. Ten or twenty to one.

Mr. GOODELL. They spent their time for 2 or 3 months in the registration office with the election clerk, who has affirmed this. These were

community action workers, full time, during working hours, spending their time copying the lists in these select areas. And then, of course, these were used in the election to get the voters out. The results very clearly showed an overwhelming vote for one of the candidates in those select areas.

I think this illustrates the danger we are talking about, not only in terms of partisan or nonpartisan, but in terms of registration.

Registration drives can be very partisan, and usually are, unless they are conducted by the League of Women Voters or some nonpartisan group.

The potential is there for tremendous damage to the poverty program and damage to public officials.

Mr. BURTON. Will the gentlemen yield?

Mr. GARDNER. You brought out the League of Women Voters and I again quote from Mr. Shriver's letter:

I am sure you know numerous civic organizations, including the League of Women Voters, long have been engaged in assuring that all eligible Americans are registered so they may be able to exercise their choice on election day.

And I wholeheartedly support the activities of those involved doing it not at the expense of the American taxpayer.

There is a difference. The League of Women Voters are not financed by the taxpayer, and I see a vast difference between the two.

I might also say for the record that you have said several times that the facts that I have brought out in the Durham, N.C., investigation are being disputed. These facts that I have mentioned have been admitted in writing by the operation breakthrough employees—

Chairman PERKINS. I will call for order.

Mr. FORD. Mr. Chairman, I would like to ask unanimous consent to insert at the point in the record where Mr. Gardner was alluding to Durham, N.C., a copy of the Operation Breakthrough memorandum that went to the employees prior to the Saturday, May 13, election, to wit, on May 11, specifically admonishing them—

Mr. PUCINSKI. I reserve the right to object until I have read the memorandum.

Mr. GARDNER. May we insert the entire investigation that was done by the minority investigator on the Durham, N.C., case, which includes this?

Mr. PUCINSKI. I renew my reservation, Mr. Chairman. I would like the gentleman to read the letter.

Mr. FORD. It is a memorandum on the letterhead of the operation breakthrough, William R. Pursell, executive director.

(The memorandum referred to follows:)

To: All Staff Members.

From: William R. Pursell, executive director.

Date: May 11, 1967.

Subject: Use of Facilities and vehicles on Election Day, May 13, 1967.

This is to officially inform you that no vehicles and/or facilities of operation breakthrough are to be used in any way in support of any individual or slate of candidates in the General Election on May 13, 1967. This is to be interpreted as meaning that only normal Saturday program activities will be allowed on this day. It is also to be interpreted that no vehicles and/or offices can be used to get voters to the polls. It is further to be interpreted that no staff members will be reimbursed either in salary or compensatory time for election related activities on this day.

Due to the fact that this is a non-partisan election and in compliance with CAP Memo 50-A, each staff member may, if he so desires, be involved as a private citizen according to the dictates of personal conscience.

Attached to this when it was presented to me was an advertisement from the newspaper in Durham, N.C., addressed:

"Attention Republicans, Democrats, and independents," signed by several people identified as the president of the Republican county organization, and Young Republican Club; the President of the Republican women, which says: "This Saturday's municipal election is nonpartisan. Every registered citizen of Durham can vote regardless of party affiliation."

And inviting them to participate.

Chairman PERKINS. Is there an objection—

Mr. GOODELL. Reserving the right to object and I only do so to make the comment in the context here of that going in the record, probably the reason that particular memorandum was put out was that last year we documented the fact that Operation Breakthrough cars were used in an election in Durham, and the Director of Operation Breakthrough specifically in this memorandum was informing people that they could not use the cars themselves and the equipment themselves. But this memo is irrelevant to the facts concerning registration that have been alleged here which we are talking about with reference to the activities that did occur in Durham.

Mr. GARDNER. Reserving the right to objection, may I make one comment, please?

Chairman PERKINS. Go ahead.

Mr. GARDNER. I think it's also quite interesting that these vehicles were used the three previous weeks on the days that the citizens went down to register and these employees did it at the time, at the expense of the taxpayers.

I would like to also ask for unanimous consent to put in the entire investigation done by Mr. Buckley in Durham, N.C., in the record.

Mr. BURTON. Reserving the right to object.

Chairman PERKINS. Is there objection?

Mr. BURTON. Mr. Chairman, I am going to object. If we are going to have one side, we should have all sides in the matter. I would suggest that the gentleman from North Carolina bring this up when it is disposed of by the Civil Service Commission, so it can appear with all the relevant data.

The gentleman has decried the use of taxpayers' money, some of the backward States like our own require that free copies of the registration laws and all of the registered voters be available to candidates and political parties. And we, at taxpayers' expense, pay members of either party or any party, or no party to go out and register voters, because we believe the taxpayers have a stake in seeing to it that all American citizens are registered to vote and participate in the political processes.

So our unenlightened State believes it is in its interest to spend its tax dollars in this effort.

That is not necessarily relevant with the point made about Durham, but it is a reference to what is and is not a taxpayer responsibility. I would suspect even further that those jurisdictions that pay for the

costs of elections by paying precinct boards and printing of ballots and all the rest recognize at least to some extent, that taxpayers have a stake in the carrying on of elections, partisan or nonpartisan.

Chairman Perkins. The objection is heard.

The Chair will recognize the gentleman to respond, Sargent Shriver.

Mr. GOODELL. Mr. Chairman, I think it is unfortunate to require unanimous consent to put material in the record. It is a device we use in the committee and frequently people make a request of this nature to put material in the record that is normally one-sided. We all have this privilege and the gentleman from California has the privilege of asking unanimous consent to put in material to counterbalance it, including a county report Mr. Shriver says he has in OEO investigating the Durham situation. I know no one would object to a request that that report be put in the record at that point side by side with the other one.

That is a proper request. I think the whole—

Mr. BURTON. Is the gentleman from New York stating that the request is amplified so it will include—

Mr. GOODELL. Ask the gentleman from North Carolina who has put in the unanimous request.

Mr. GARDNER. I would like very much for that to be done.

Mr. BURTON. May I request, what is the date of the study made that the gentleman from North Carolina seeks to have placed in the record?

Mr. GARDNER. June 2 and June 4.

Mr. BURTON. Mr. Shriver, what is the date of your review of this matter?

Mr. SHRIVER. I don't happen to know the date. All I know, when we make inspections and if anything is shown, we turn them over to the Civil Service Commission as a regular procedure. There is nothing unusual about this, because we are making inspection reports all the time. People are frequently calling matters to our attention.

We do make investigations and we do present the information to the Civil Service Commission. I don't know the date.

Mr. BURTON. So the gentleman from New York will understand the gentleman from California's position, and I have made an effort that I think should be discernible on a great number of matters pending before this committee, I believe we should seek the facts and not indulge in trivial partisan differences.

My concern is primarily that whatever goes into the record with reference to a specific matter that is in effect pending before a judicial or quasi-judicial body, that the record be complete and I cannot at this stage ascertain whether the record would be complete and equitable in that regard.

I would suggest as a solution to this matter, if the chairman of the full committee intends we meet this afternoon, that the gentleman from North Carolina renew his request at that time. That will give us an opportunity to make some assessment as to whether the record of the committee will be fair and equitable.

It has been my view—

Chairman PERKINS. Will the gentleman yield, please?

Mr. BURTON. Yes.

Chairman PERKINS. If there is no objection to the request from the gentleman from North Carolina, and at the same time your suggestion

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is implemented, that the Office of Economic Opportunity be permitted to file their response or any response that they so desire, side by side in the record, then there is no objection; is that correct?

Mr. BURTON. That is correct.

Chairman PERKINS. Agreed.

(Information follows:)

OEO STATEMENT ON OPERATION BREAKTHROUGH CG-66-178

Operation Breakthrough, Inc., currently operates under an OEO grant authorized by §§ 204-205 of the Economic Opportunity Act of 1964, as amended. It is a private non-profit agency instituted by the North Carolina Fund. By virtue of § 603 of the Economic Opportunity Act, as amended, Operation Breakthrough is subject to all the provisions of Section 1502(a) of Title 8 U.S. Code (sometimes called the Hatch Act).

OEO has reviewed a report made by John R. Buckley, Minority Chief Investigator, House Education and Labor Committee, dated June 9, 1967, relating to certain incidents of alleged political activity on the part of Operation Breakthrough and its employees. The report is based upon reports furnished to Mr. Buckley, some of which are vague and contradictory. We have, however, considered Mr. Buckley's report and found that, assuming the correctness of all of the information furnished to him and set forth in the report, it does not disclose any violations of federal law, Civil Service regulations or OEO regulations.

OEO sent its own inspector to Durham, North Carolina, to investigate charges of illegal political involvement of employees of Operation Breakthrough. Our investigation also revealed that no federal law, Civil Service regulations or OEO regulations appear to have been violated by Operation Breakthrough or any members of its staff.

An independent investigation by the Civil Service Commission is now in process. We have, of course, offered full cooperation to the Civil Service Commission. We do not at present know what its conclusions will be, but we have no present reason to expect any conclusions different from those already reached.

We find the instructions issued by the Executive Director of Operation Breakthrough to his staff regarding non-involvement in prohibited political activities an accurate reflection of OEO policy and we have no information indicating that his instructions were violated.

To date, there is no evidence that, while on the job, employees in any way violated their responsibility to be politically neutral.

What evidence does exist of support for any individual candidates relates to off-duty participation in non-partisan political activities. The election took place on a Saturday when, with few exceptions, the employees were not on duty. To the extent that individual employees not on duty participated on that day in activities favoring particular candidates in an election officially classified as non-partisan, this involved no violation of the partisan political activities restrictions of the Hatch Act nor of OEO regulations.

REPORT DATED JUNE 19, 1967, MADE BY JOHN R. BUCKLEY, MINORITY CHIEF INVESTIGATOR, EDUCATION AND LABOR COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C., OF OPERATION BREAKTHROUGH, DURHAM, N.C., WILLIAM R. PURSELL, EXECUTIVE DIRECTOR

SUMMARY

On June 2, 1967, Operation Breakthrough employees advised that during the past year Operation Breakthrough has conducted a voter education community action program in Durham, North Carolina. In conjunction with this program, during the period January-March, Operation Breakthrough neighborhood workers reviewed voter registration books in the office of the Durham Board of Elections and copied registration lists. On April 1, April 8, and April 15, 1967, Operation Breakthrough employees, using the agency's automobiles, transported several hundred Durham citizens to Durham polling places for the purpose of registration. On April 29, 1967, Operation Breakthrough employees, using person-

ally owned vehicles, transported Durham citizens to the polls during the municipal primary election. On May 13, 1967, Operation Breakthrough employees, using personally owned vehicles, transported Durham citizens to the polls during the municipal general election. On June 3, 1967, Mr. J. F. Steele Jr., prominent Durham resident and unsuccessful candidate for U.S. Congress in 1966, furnished a signed statement alleging numerous Durham citizens had complained to him that employees of Operation Breakthrough had engaged in wide-spread political activities during the Durham municipal general election, the Durham primary election and the voter registration days prior to these elections. Mr. Steele's statement is set forth in details. On June 2, 1967, Mr. William R. Pursell, Executive Director of Operation Breakthrough, stated Operation Breakthrough employees participated in a voter registration drive early in 1967. According to Mr. Pursell, he issued specific instructions that Operation Breakthrough facilities and vehicles were not to be used during the primary and general municipal elections. Mr. Pursell stated he had been in contact with OEO officials during the period of registration and election and that he was confident that activities of Operation Breakthrough employees were not improper and not in violation of either the Hatch Act or the Economic Opportunity Act. He explained that it is permissible to use community action facilities and vehicles in connection with voter registration drives and that it is not improper for employees to involve themselves in political activities in a non-partisan election.

According to Operation Breakthrough Council, Mr. Robinson Everett, the Civil Service Commission in 1955 ruled the Durham municipal elections were non-partisan and involvement by U.S. Government employees would not constitute a violation of the Hatch Act. Statements and photos obtained establishing Operation Breakthrough employee and agency vehicle transported Durham residents during voter registration. Statement and photos obtained establishing Operation Breakthrough employees, including Mr. Lawrence Kelly, Administrative Assistant to the Director, participated in transportation of Durham citizen to the polls during municipal general election. Mr. A. C. Sorrell, member, Operation Breakthrough Board of Directors, advised there is wide-spread concern in Durham regarding Operation Breakthrough's political activity. On May 13, 1967, during the municipal general election, he interviewed a girl at a Durham polling place. She stated she was a student at the University of North Carolina and that numerous students at the University of North Carolina and Duke University had been recruited by Operation Breakthrough employees to transport voters to the polls. Results of voting in ten precincts researched by Operation Breakthrough employees reflects candidates recommended on Durham Committee on Negro Affairs political brochure polled substantial margins. Mrs. Geoffrey Hamilton, Secretary to the Directors, Operation Breakthrough, advised she had distributed cards soliciting votes for candidate for Alderman, Mrs. R. O. Everett, on May 13, 1961.

The card illustration contained the following information :

"THE DURHAM COMMITTEE ON NEGRO AFFAIRS RESPECTFULLY RECOMMENDS THE FOLLOWING :

"FOR MAYOR
 "(Vote for One)
 "FOR ALDERMAN WARD 2
 "(Vote for One)
 "FOR ALDERMAN WARD 4
 "(Vote for One)
 "FOR ALDERMAN WARD 6
 "(Vote for One)
 "[No designation appears]

"1A : R. W. Grabarek.
 "(x) 2A : Paul Hardin.
 "3A : Sidney Booth.
 "(x) 4A : Mrs. R. O. Everett
 "5A : Walter A. Biggs.
 "(x) 6A : J. Tom Freeman.
 "(x) 7A : Vance E. Fisher.
 "8A : Ollen M. Lane.
 "9A : Luther H. Barbour.
 "(x) 10A : C. E. Boulware.

"Campaign Headquarters: Carolina Times (682-2913), 436 Pettigrew Street.
"May 13, 1967.)"

On June 2, and June 3, 1967, Mr. G. F. Steele, Jr., 3928 Notteway Road, Durham, North Carolina, was interviewed as a result of his complaint to members of the Education and Labor Committee, U.S. House of Representatives, that personnel of Operation Breakthrough had engaged in improper political activity during the 1967 Durham municipal elections. Mr. Steele's information was incorporated in the following signed statement which he furnished on June 3, 1967:

DURHAM, N.C., June 3, 1967.

EDUCATION AND LABOR COMMITTEE,
U.S. House of Representatives,
Washington, D.C.

GENTLEMEN: I respectfully call to your attention improper political activities of certain personnel of Operation Breakthrough and the North Carolina Fund, both of which are OEO-sponsored agencies.

I make reference to activities surrounding the municipal general election in Durham, N.C. on May 13, 1967, the primary election on April 29, 1967, voter registration days on April 1, 8 and 15, 1967, and certain other activities of approximately two months' duration preceding April 1, 1967.

During the month of March, 1967, several local citizens advised me that persons known to be staff members of Operation Breakthrough were then engaged in a program of copying names of registered voters from the voter registration books at the office of the Durham County Board of Elections. The people who called this activity to my attention stated that their concern was based on the fact that Operation Breakthrough personnel were copying names of voters from the negro areas only, and the negro citizens of Durham traditionally "bloc vote."

On April 1, 1967, which was the first day that the registration books were open for new voter registration prior to the municipal election, I received calls from a number of local citizens advising me that Operation Breakthrough personnel were engaged in an apparently organized drive to register negro voters.

After receiving several calls of this nature, I personally visited a number of precincts and observed several people involved in what did in fact appear to be an organized registration effort. These activities apparently were organized in the following manner: (1) one or more persons were stationed at each of the various polling places with a list of names; (2) a number of people were driving automobiles and transporting prospective voters to be registered at the polling places, and (3) each prospective voter thus brought in to register first would check in with the person or persons stationed at the polling places as specified above. It should be noted that this activity included only negro voters, although some of the precincts involved are of a racially mixed population.

During the following week, I visited the office of Operation Breakthrough and discussed this matter with the Executive Director, Mr. William R. Pursell. I pointed out to Mr. Pursell my concern over the unhealthy atmosphere created by this activity, and the resultant effect of causing a "Black-White" vote on election day. I also expressed my concern over any activity which might be interpreted as political in nature, and asked for his cooperation in seeing that his employees took no further action that might be considered as politically motivated.

Following the two final registration days of April 8 and April 15, I received additional complaints of a similar nature and was, further, informed that photographs had been taken of these activities.

On April 29, the primary election day, and on days following, I received additional complaints of political activities of certain people described as employees of Operation Breakthrough and the North Carolina Fund. Again, these activities involved only negro voters. The specific complaints alleged that these employees were engaged in activities similar to those observed during the voter registration period; that is, some persons being stationed at the polling places with what appeared to be lists of voters, and some individuals driving voters to the polls. It was observed that voters thus transported were checked off the lists handled by those persons at the polling places. Furthermore, said voters were seen to have in their possession slips of paper which have been identified as a list of recommended candidates.

Similar activities were observed on the general election day, May 13, 1967. It should be noted at this point that the lists which were used at some of the polling places to check off the names of those who had voted were printed by some type of electronic machine.

The election day activities observed are described as follows: at all precincts that are predominantly negro or racially mixed, people were stationed with "check-off" voter lists. Drivers would bring voters to the polling places in vehicles displaying signs reading "Vote today—use this car." The voters would leave the cars and confer with the people who had the "check-off" list. The voters would then enter the polling places. After voting, they would be driven away in the same cars. These cars were observed following the same procedure throughout the day. Printed lists of recommended candidates were seen in the vehicles and also were seen in the hands of voters as they entered the polling places. Some of the drivers of the described cars were identified as staff members of Operation Breakthrough. Others were identified as students at nearby universities. Some of the students stated that they were driving at the request of Operation Breakthrough staff members. The activities described above involved only negro voters.

It is my opinion that these activities are outside the realm of programs envisioned by members of Congress when they passed the Equal Opportunity Act of 1964. I believe that this fact is borne out by the action taken by Congress in amending this act in 1966 after there was an indication of political activities in OEO-sponsored agencies. I further believe that no public funds should be furnished to any organization that is politically involved or whose employees are actively involved in politics.

It is the expressed opinion of many local business and civic leaders that Operation Breakthrough has become ineffective, largely because of political involvement in this and in past elections in Durham County. I therefore respectfully request that the Education and Labor Committee follow whatever course of action deemed necessary in order to assure the people of Durham that any Federal funds allotted to Durham will be handled only through organizations whose staff members are totally dedicated to helping our poor, and that under no circumstances will any tax money be spent that in any way could build or aid in the building of a political machine.

Very truly yours,

G. FRED STEELE, Jr.

On June 2, 1967, Mr. A. C. Sorrell, 323 Foster Street, Durham, North Carolina, a member of the Board of Directors, Operation Breakthrough, advised he has been concerned over the political involvement of Operation Breakthrough employees during the past six months. He stated his concern is shared by numerous businessmen and community leaders in Durham.

Mr. Sorrell complained to the Executive Director of Operation Breakthrough in a letter dated May 15, 1967. A copy of this letter and replies from Operation Breakthrough, dated May 17 and May 19, 1967, follow:

MAY 15, 1967.

MR. WILLIAM R. PURSELL,
Director—Operation Breakthrough,
Durham, N.C.

DEAR BILL: I would like to restate my displeasure with the political activities of Operation Breakthrough. As a member of your Board, I am requesting that a written report be furnished me as to the activity of all personnel in the election Saturday. I am referring to their time, both on and off the job.

Please give this matter your prompt attention.

Very truly yours,

A. C. SORRELL, Vice President.

DURHAM, N.C., May 17, 1967.

MR. A. C. SORRELL,
Clark & Sorrell, Inc.,
Durham, N.C.

DEAR MR. SORRELL: This is to acknowledge receipt of your letter of May 15, 1967, in which you requested information regarding the activities of our staff members on May 13, 1967.

I have given this request serious consideration and have decided that, because the information requested regards personnel matters, and because of my respon-

sibility to keep the Executive Committee and Board of Directors fully informed on all matters relating to our organization and further upon the advise of the President of the Board of Directors, Dr. Charles Watts, your request should properly be referred to the Executive Committee at its next meeting scheduled for May 18, 1967. Dr. Watts has agreed to make this matter a part of the agenda for the meeting.

I shall inform you of the decision of the Executive Committee regarding your request.

Sincerely yours,

OPERATION BREAKTHROUGH, INC.,
WILLIAM R. PURSELL,
Executive Director.

OPERATIONAL BREAKTHROUGH,
Durham, N.C., May 19, 1967.

Mr. A. C. SORRELL.
Clark & Sorrell,
Durham, N.C.

DEAR MR. SORRELL: In reply to your letter of the 15th and pursuant to my communication of the 17th, I would like to inform you that the Executive Committee of Operation Breakthrough met in regular session on May 18 and declared itself to be in substantial agreement with my opinion and that of the President, Dr. Charles Watts, regarding the proper disposition of your request.

As requested we are making available to you a list of Operation Breakthrough employees who were engaged in agency activities on election Saturday, May 13, 1967. The employees, with their job titles, and the nature of their activities are:

Mrs. Marla Hamilton; Administrative Secretary. Activity relating to the Operation Breakthrough exhibit for the Allied Art's Spring Festival of the Arts at Y.W.C.A.

Miss Edna Cole; Driver. Regularly scheduled N.Y.C. enrollee pick-up and delivery.

Mr. Richard Wescott; N.Y.C. Work Supervisor. N.Y.C. Work supervision at Children's Museum.

This list is, of course, the product of a preliminary investigation and is only as complete as the limitations of such a survey allow. A final record will be compiled from data made available through our regular monthly payroll accounting procedures. This can be forwarded to you, upon request at any time after June 7, 1967. You may rest assured, however, that it will contain no authorization for the expenditure of Operation Breakthrough funds for any election-related activities which may have occurred on the Saturday in question.

Community Action Program Memorandum No. 50-A (December 1, 1966) sets forth a summary description of the restrictions on political activity applicable to the personnel employed by Operation Breakthrough. As you will no doubt recall, paragraph 3 on page 4 of that document is particularly germane to the situation presented by Saturday's municipal elections. It reads:

"Certain non-partisan 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. For instance, elections for local school boards and other local offices are frequently run on a local non-partisan basis. If a state election law provides for a non-partisan ballot for a particular local office or class of local offices, or provides that the local office is considered non-partisan, the campaign for that office or class of offices qualifies for the exception. Local agencies and their employees should note, however, that if a particular candidate or slate in a non-partisan election actively seeks partisan support or identification, the campaign of that candidate or slate will be considered to have become a partisan campaign."

In light of this unequivocal exemption from restriction I felt at the time of the election that I could not in justice interfere with the dictates of individual conscience. The Executive Committee has made it clear that they feel any investigation into the private citizenship activities of the 190 Operation Breakthrough employees would be a tedious, time consuming waste of Operation Breakthrough funds and an unwarranted invasion of personal privacy.

Any specific charges which may be brought against any individuals in our employ will be courteously received and thoroughly investigated, but I must, on the instructions of the Executive Committee, decline to honor your request for a "written report" of personnel activities "off the job."

Very truly yours,

OPERATION BREAKTHROUGH, INC.,
WILLIAM R. PURSELL,
Executive Director.

Mr. Sorrell advised that on May 13, 1967, he visited a Durham polling place during the municipal general election. While there he engaged a young lady in conversation. On the seat of her car were a number of political brochures captioned "The Durham Committee on Negro Affairs respectfully recommends the following:" (Copy of the brochure attached to this report).

According to Mr. Sorrell, the young lady told him that she was a student at the University of North Carolina and that students from that University and Duke University had been recruited by Operation Breakthrough employees to transport Durham residents to the polls.

On June 2, 1967, Mr. E. B. Cranford, Jr., 312 Watts Street, Durham, North Carolina, was interviewed and he furnished the following signed statement:

To whom it may concern:

"I have furnished the following information to John R. Buckley, who identified himself to me as an Investigator, Education and Labor Committee, U.S. House of Representatives. No promises or inducements were made to me and I will be willing to testify at any type hearing or proceeding regarding the information furnished.

"On Saturday, May 13, 1967, the day of the Durham, North Carolina, municipal elections, I made observations at several polling places in Durham, North Carolina, between the approximate hours 7:45 a.m.-4:30 p.m. Included were the Whitted School, the Bragtown School, the Forest Hills Club House and the Lakewood School.

"During the day I took several pictures of activities in the vicinity of the polling place. I have identified, marked, and furnished eight photos to Mr. Buckley. In these photos are vehicles and drivers that I observed on several occasions transporting different groups of people to the polls.

"I have marked a yellow political brochure, size approximately 3' x 10' captioned 'The Durham Committee on Negro Affairs respectfully recommends the following.' This brochure illustrated the voting lever in the vote position for candidates for Mayor and City Aldermen. Of the people transported in the vehicles in the photos mentioned above, I observed that approximately fifty per cent carried yellow slips of paper approximately 3' x 10' when they left the cars. These slips resembled the political brochure I have described.

"I certify the above is a true and accurate statement to the best of my knowledge and recollection.

"E. B. CRANFORD, Jr.,
"Durham, N.C.

"Witnessed: John R. Buckley, Minority Chief Investigator, Education and Labor Committee, U.S. House of Representatives."

On June 2, 1967, Mr. Joseph Bernard High, 219 North Dillard Street, Durham, North Carolina, advised that on April 1, 8, and 15, 1967, he served as an observer at Durham polling places during voter registration activity. He furnished the affidavit which had been prepared previously:

"AFFIDAVIT

"Durham County, N.C.

"Joseph High, being duly sworn, deposes and says:

"That he is a resident of Durham County, North Carolina; that during the month of April, 1967, he personally observed a 1965 Ford bearing North Carolina license number ET-4280 transporting Negro citizens of Durham County to the voting polls, for the purpose of registration as a voter in Durham County and the City of Durham.

"JOSEPH HIGH, Affiant.

"Subscribed and sworn to before me, this 11th day of May, 1967.

"CHARLES N. SHIMON, Notary Public.

"My commission expires: January 22, 1968."

On June 3, 1967, Mr. William R. Pursell, Executive Director, Operation Breakthrough, advised that a 1965 Ford bearing 1967 North Carolina license ET-4280 was an Operation Breakthrough vehicle.

On June 3, 1967, Mr. Sigmund Meyer, Chairman, Durham County Board of Elections, Wachovia Building, Durham, North Carolina, advised that early in December, 1966, three individuals came to the office of the Board of Elections and requested books containing names and addresses of registered voters. These books are broken down by precincts. According to Mr. Meyer, these persons returned on a regular, almost daily basis, until late in January. At that time, Mr. Meyer advised them that due to space limitations in the office he requested that only one of the three come to the office. On the following day, Mr. John Edwards, Operation Breakthrough employee, came to Mr. Meyer's office and complained about the reduction of from three to one having access to the registration books. Mr. Meyer told Mr. Edwards that, if he could make arrangements for space on the same floor for the reviewers, he would make the registration books available to them.

Mr. Meyer stated that during conversations with the individuals he learned that they were Operation Breakthrough employees. He explained that it was the policy of the Board of Elections not to require identification to any legitimate inquiry concerning registrations.

Mr. Meyer stated the Operation Breakthrough personnel appeared at his office on a regular, continuous basis during the period December, 1966, to March 28, 1967, from Monday through Friday. On some days during December and January he made entries in a notebook concerning their appearance. He said it was his practice, but not a rule, to keep such notes. He discontinued this in February, 1967.

Mr. Meyer advised that he observed that Operation Breakthrough personnel conducted quite extensive research, copying names and addresses from the registration books. He recalled that during their visits he made available registration books of the following City of Durham precincts: 6, 8, 9, 10, 11, 12, 13, 17, 18 and 22.

On June 5, 1967, Mr. Meyer furnished the following results of the Durham general elections:

Results of Durham general elections, May 13, 1967

Precinct No.	For mayor		For alderman, ward 2		For alderman, ward 4		For alderman, ward 6		For alderman at large ¹	
	Gra-barek	Har-din	Booth	Ever-ett	Biggs	Free-man	Fisher	Lane	Bar-bour	Boul-ware
6.....	655	531	483	655	628	492	710	253	603	361
8.....	261	288	193	306	229	282	371	75	172	316
9.....	529	152	431	221	508	148	477	80	276	169
10.....	106	675	35	656	63	634	601	57	82	839
11.....	130	1,156	40	1,118	64	1,085	1,035	52	75	1,295
12.....	69	471	26	475	34	473	407	19	31	558
13.....	81	722	32	749	43	715	690	50	52	400
17.....	127	228	64	275	92	223	235	59	87	250
18.....	392	407	334	420	304	452	499	122	195	480
22.....	369	268	315	299	272	342	417	72	197	249

¹ Furnished by G. F. Steele, Jr., June 5, 1967.

Mr. Meyer furnished the following schedule pertaining to the City of Durham's 1967 municipal elections:

"CITY OF DURHAM 1967 MUNICIPAL PRIMARY AND MUNICIPAL GENERAL ELECTIONS

"Durham County Board of Elections: Sigmund Meyer, Chairman; J. V. Ingram, Secretary; Charles N. Fuller, 320 Wachovia Bank Building, Durham, N.C., Telephone: 682-4747.

"To the Registrars of City Precincts of Durham:

"The following is a calendar of the dates to be observed by you in the coming Municipal Primary and Municipal General Elections:

"March 29: The Registrars will meet at the City Hall (Council Meeting Room) at 10:00 o'clock A.M., Morris Street, 2nd Floor, for instructions and afterwards pick up registration books, etc.

"April 1: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. Sunset 6:37 o'clock P.M.

"April 8: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. Sunset 6:43 o'clock P.M.

"April 15: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. This is the last day for registration of voters for the coming Municipal General Election. Sunset 6:48 o'clock P.M.

"April 22: Challenge Day for the Municipal Primary Election. On this date the Registrars will remain at the polling places from 9:00 o'clock A.M. until 3:00 o'clock P.M.

"April 26: At 10:00 o'clock A.M. the Registrars will meet at the City Hall, 2nd Floor, for instructions and pick up poll books, etc.

"April 29: Municipal Primary Election. The polls will be open from 6:30 o'clock A.M. until 6:30 o'clock P.M. After taking the prescribed oath, open the polls and conduct the election. After 6:30 o'clock P.M. tally the ballots, make duplicate returns, mailing duplicate copy that night to the Chairman of the Board of Elections at 320 Wachovia Bank Building. *Immediately* after tallying the ballots telephone the results to 682-4747 or 688-4205, or 682-2621, or 688-8181.

"May 1, Monday: The Municipal Primary Election returns will be canvassed at the City Hall (Council Meeting Room, 2nd Floor) at 10:00 o'clock A.M. Registrars will deliver the original set of returns brought with them, as well as the registration, poll books and miscellaneous supplies. Statement of account, original return and voting machine keys should be brought to the City Hall. Everything else should be delivered to the Board of Elections office.

"May 10: The Registrars will meet at the City Hall (Council Meeting Room), Morris Street, 2nd Floor, at 10:00 o'clock A.M., for instructions and afterwards pick up registration books, poll books, etc., for Municipal General Election.

"May 13: Municipal General Election. The polls will be open from 6:30 o'clock A.M. until 6:30 o'clock P.M., for the General Election. After 6:30 o'clock P.M. tally the ballots, make duplicate returns, mailing duplicate copy that night to the office of the Board of Elections, 320 Wachovia Bank Building. *Immediately* after tallying the ballots telephone the results to 682-4747, 688-4205, 682-2621, or 688-8181.

"May 15: Monday The Municipal General Election returns will be canvassed at the City Hall (Council Meeting Room, 2nd Floor) at 10:00 o'clock A.M. Registrars will deliver the original set of returns brought with them, as well as the registration books, poll books and miscellaneous supplies. Statement of account, original return and voting machine keys should be brought to the City Hall. Everything else should be delivered to the Board of Elections office, 320 Wachovia Bank Building, Durham, N.C., Phone 682-4747.

"DURHAM COUNTY BOARD OF ELECTIONS,

"By: SIGMUND MEYER, *Chairman*.

J. V. INGRAM, *Secretary*.

CHARLES N. FULLER, *Member*.

"Note: Keep this calendar of dates for future *information and reference*, also all Notices, Letters, etc., you receive at any time from the Durham County Board of Elections.

"It may be possible that it will not be necessary to have a City Primary Election, this will depend upon the number of candidates filing notices. If there is no Municipal Primary Election you will be advised about it sometime after 6:00 o'clock P.M., Friday, April 14, 1967, which is the final filing date and hour for candidates.

"There is to be no further registration of electors between the Municipal Primary and the Municipal General Election.

"Please note: *All meetings for this election are at the City Hall 2nd Floor, Morris Street, City.*

"For voting machine service call office of Durham County Board of Elections, 682-4747."

On June 2, 1967, Miss Charsie Hedgepeth, Program Coordinator and Miss Joan Burton, Community Worker, Target Area A, were interviewed in the offices of Operation Breakthrough. Miss Hedgepeth acted as spokeswoman with an occasional comment from Miss Burton.

Miss Hedgepeth advised that during the past year Operation Breakthrough has conducted a Voter Education Program involving an effort to contact a maximum number of Durham's poor. The program was designed to explain to the poor the importance of registering and voting.

According to Miss Hedgepeth, early in 1967 Operation Breakthrough began reviewing registration books in the office of the Board of Elections. These books were available daily, Monday through Friday. Lists of registered voters were compiled. Using the voting lists and tax maps, door-to-door canvassing in the target areas was commenced and several hundred of the poor were registered on three successive Saturdays in April, 1967. Miss Hedgepeth estimated that approximately 500 were registered in Target Area A.

Miss Hedgepeth said Operation Breakthrough automobiles were used to transport the Durham citizens to the polling places for the purpose of registering on April 1, April 8, and April 15, 1967, and this effort was considered the end product of the one year Voter Education Program.

Miss Hedgepeth explained that Operation Breakthrough community workers are assigned to specific geographic areas in what are considered target areas in Durham. On the days of the municipal primary and general elections (April 29 and May 13, 1967) Operation Breakthrough employees, on a voluntary basis and using personally owned cars, transported numbers of the poor to the polling places to vote.

Miss Hedgepeth and Miss Burton were shown photos taken in the vicinity of the polling places on May 13, 1967. Miss Hedgepeth stated she recognized Operation Breakthrough employees, but declined to identify them, other than a photo of herself where she appears on the passenger side of a two-door Volkswagen.

Miss Hedgepeth and Miss Burton were shown a political brochure captioned "The Durham Committee on Negro Affairs respectfully recommends the following (candidates for Mayor and Aldermen)." When asked if these brochures were distributed to the people transported to the polls, Miss Hedgepeth replied, "No, it was'n't necessary, they knew who they were going to vote for."

On June 2, and June 3, 1967, the investigator met with the following officials of Operation Breakthrough:

Dr. Charles W. Watts, President, Board of Directors, and Chairman of the Executive Committee.

Mr. Robinson Everett, Attorney for Operation Breakthrough.

Mr. William R. Pursell, Executive Director.

Mr. Scott Puckett, Assistant Director.

Mr. Lawrence Kelly, Administrative Assistant to the Executive Director.

Mr. Aden Field.

Dr. Watts expressed concern over the public charges made by Fred Steele (G. F. Steele, Jr.) that Operation Breakthrough employees were engaged in improper political activity. He stated that the anti-poverty program in Durham suffers from this adverse publicity and that to his knowledge there have been no violations of existing laws or OEO regulations. He indicated Operational Breakthrough members and staff feel they have complied with regulations pertaining to political activity and, if there has been noncompliance, they want to be apprised of the specifics in order that necessary steps can be taken to correct the situation.

On June 2, Dr. Watts requested that Operation Breakthrough be advised of the specific allegations or charges which have been made by Fred Steele regarding improper activity of Operation Breakthrough employees. The investigator advised that if the complainant, Fred Steele, had no objections, a list of specifics would be furnished the following day.

(On June 3, 1967, Mr. Fred Steele furnished the following statement in response to the request of Dr. Watts: "During the Durham, North Carolina, Municipal elections of 1967, and for the period preceding the elections, including Registration of voters and the primary elections, employees of Operation Breakthrough were engaged in political activity in an effort to elect a slate of candidates." Mr. Steele declined to furnish Operation Breakthrough with specific evidence or charges because he felt the evidence should first be reviewed and evaluated by members of the House Education and Labor Committee and the Office of Economic Opportunity or the U.S. Civil Service Commission.)

Dr. Watts furnished the following signed statement reflecting his views concerning the Congressional inquiry and the matter of charges that Operation Breakthrough was involved in improper political activity.

JUNE 3, 1967.

STATEMENT OF DR. CHARLES WATTS, PRESIDENT, BOARD OF DIRECTORS,
OPERATION BREAKTHROUGH

Along with some of the staff members, I have conferred with Mr. John Buckley, minority counsel to the House Committee on Education and Labor. We have generally discussed the functions and purpose of Operation Breakthrough and the laws, regulations, and directives that apply to it. I have explained to Mr. Buckley that under our interpretation of the applicable laws, which was checked with officials of the Office of Economic Opportunity, the Durham municipal election is a local non-partisan election and not subject to the restrictions that apply to partisan political activity. Moreover, I have emphasized that Operation Breakthrough had repeatedly apprised its personnel that no support by the organization should be given to any candidate in the municipal election, and that, although each staff member retained his private rights as a citizen in such an election, he was not to use the organization's funds or equipment, nor his compensated official time, to participate in political activity. Mr. Pursell and I have furnished Mr. Buckley with prior statements by us and with other documents which amplify our position.

Mr. Buckley has informed us that, despite our request to be allowed the opportunity to learn of and refute any specific allegations which either have been made, or may be made by Mr. Fred Steele, or anyone else, no such opportunity can be provided us at this time. He explained further that these allegations could only be made known to us with the consent of Mr. Steele, which Mr. Steele has refused to grant up to this point.

Accordingly, any further comment by us should await the moment when we know what are the specific charges against our organization. Anyone is entitled to know the accusations against him and to confront his accuser. We trust that this right will be fully recognized by any Committee or other group that may receive charges against Operation Breakthrough. Of course, when and if specific charges of improper action are brought against Operation Breakthrough by Mr. Steele or any other citizen, I shall be glad to answer those charges and to call for appropriate action from the Executive Director of Operation Breakthrough.

OPERATION BREAKTHROUGH, INC.,
DR. CHARLES WATTS, *President*.

Photos taken by E. B. Cranford, Jr., on May 13, 1967, in the vicinity of Durham polling places were shown to Operation Breakthrough officials present at the conference.

Mr. Lawrence Kelly, Administrative Assistant to the Executive Director, acknowledged that he appeared in one of the photos. He advised that on May 13, 1967, he transported voters to the polls in the Durham municipal general election. He said he did so at the request of the Neighborhood Council and that he felt this activity was proper inasmuch as the election was non-partisan.

Mr. Robinson Everett, attorney for Operation Breakthrough, advised it was his opinion Operation Breakthrough has been in compliance with OEO regulations and directives. He said that in 1955 or 1956 the U.S. Civil Service Commission had ruled that the Durham municipal elections were non-partisan and not covered by the Hatch Act.

Mr. William R. Pursell, Executive Director, furnished the following material pertaining to the Operation Breakthrough controversy:

OPERATION BREAKTHROUGH, DURHAM, N.C.

Memorandum to: All staff members.

From: William R. Pursell, Executive Director.

Date: May 11, 1967.

Subject: Use of facilities and vehicles on election day May 13, 1967.

This is to officially inform you that no vehicles and/or facilities of Operation Breakthrough are to be used in any way in support of any individual or slate of candidates in the General Election on May 13, 1967. This is to be interpreted as meaning that only normal Saturday program activities will be allowed on this

day. It is also to be interpreted that no vehicles and/or offices can be used to get voters to the polls. It is farther to be interpreted that no staff members will be reimbursed either in salary or compensatory time for election related activities on this day.

Due to the fact that this is a non-partisan election and in compliance with CAP Memo 50-A, each staff member may, if he so desires, be involved as a private citizen according to the dictates of personal conscience.

WRP.

STATEMENT ISSUED BY DR. CHARLES WATTS, PRESIDENT, BOARD OF DIRECTORS, AND
MR. WILLIAM PURSELL, EXECUTIVE DIRECTOR

Mr. Fred Steele's allegations against Operation Breakthrough at his press conference Tuesday morning were sensational and without foundation. It was extremely disappointing that Mr. Steele found it expedient to use Operation Breakthrough as a political football again. It is surprising that Mr. Steele can align himself with those who fear registration and voting by the poor of Durham, and who would raise a false racial issue in a matter is both non-partisan and non-racial.

Mr. Steele's allegation that Operation Breakthrough sought to register only Negro voters in its ongoing citizen education program is false. The white voters registered through our efforts will take issue with Mr. Steele on this matter. It is obvious for anyone to see that the limited resources and staff of Operation Breakthrough cannot be spread over the entire county. The citizen education efforts were concentrated within defined target areas, where extensive poverty and Negro population are unfortunately combined. These are the same target areas where Operation Breakthrough has been working all along.

Any "unhealthy division" among the city electorate is more properly laid to the inflammatory statement of Mr. Steele than to the work of Operation Breakthrough.

Mr. Steele's further allegation that Operation Breakthrough made improper use of its staff is also false. Staff members of Operation Breakthrough are authorized and encouraged by Federal regulation to be active as individual citizens in local, nonpartisan elections. Those who are so active receive no pay or compensation for these activities.

On April 28, the Executive Director of Operation Breakthrough issued an order, in line with OEO directives, prohibiting the expenditure of any Operation Breakthrough funds in support of activities on election day, and forbidding the use of agency vehicles in support of such activity.

A prompt investigation of vehicle schedules and reports by drivers and supervisors substantiated the fact that none were used.

Operation breakthrough invites Mr. Steele to make his alleged "evidence" public so that the charges may be fairly judged by all.

Mr. Pursell stated, "If the existence of accurate information which has not yet come to my attention can be fairly established, I am willing to consider it and take appropriate actions."

The Director strongly stated however that private non-paid individual participation in nonpartisan election activities is a citizen's right and privilege.

The intent of Congress as expressed in the Economic Opportunity Act of 1964 has been clear from the beginning. "Maximum feasible participation" of the poor in the workings of our society surely includes the proper exercise of a citizen's right to register and vote. Attacking the encouragement and support of citizens who are poor and who seek to express their concerns through voting is hardly in keeping with the established concept of American Democracy.

SUPPLEMENTAL STATEMENT REGARDING OPERATION BREAKTHROUGH NON-INVOLVEMENT IN PROHIBITED POLITICAL ACTIVITIES, WILLIAM R. PURSELL, EXECUTIVE DIRECTOR, OPERATION BREAKTHROUGH, MAY 28, 1967

In a 1966 amendment to the Economic Opportunity Act of 1964 Congress extended the limitations on political activities contained in the Hatch Act to include the employees of Community Action Agencies. Under the Hatch Act is a specific provision in 5 U.S.C. Section 1503 permitting nonpartisan activity. It reads: