

America, the people of America, are calling for immediate action in support of at least what we are asking for, the \$2.06 billion that the President has asked us to come up here and ask you to give us.

Now, some people have said that by asking for 25 percent more than what we got last time, that we are just being foolish, that Congress won't give us 25 percent more. I don't agree with that. I think Congress will give us 25 percent more. I have every confidence, despite everything that has been written in the papers or other places, that when the Congress sees, as they must now see, the tremendous needs for these programs, with all their weaknesses as well as their strengths, that Congress will act.

That is what I said in my statement.

None of these programs can afford to be cut. You have had black and white, Catholic, Protestant, and Jew, and rich people and poor people, and professional people and amateur people. Who else do you have to have come?

My belief is that America is waiting for us to do something.

Now, the programs we have got, you had five Republicans here from the Bar Association saying they need three times what the President is asking for. Therefore, my belief is what we are asking for is the minimum amount of money.

I said the same thing last year when we asked for \$1.75 billion. I said in the Senate, "This is the absolute minimum," and then when they cut the budget, I said last fall that the consequences of this cut, even though it is a 7-percent cut, the cut will be great and grave. God knows it has been.

I think the time for discussing these things is over, and we ought to get out of here and go to work.

Mr. BRADEMAs. I thoroughly endorse what you said, Mr. Shriver. I quoted Lincoln once at you, and I will quote another sentence out of that same address of Sandburg's, where he said, "Fellow citizens, we cannot escape history. We will be remembered in spite of ourselves."

Well, I hope this is a Congress that is remembered as responding intelligently and constructively to this problem. Can you give us any comments, since this has been a subject of discussion among the committee members today? Can you tell us what steps you took after the riots began, to insure a proper conduct on the part of the community action programs across the country?

Mr. SHRIVER. Since there is so much talk about riots, let's recall that the previous Congress amended the law last year and put in a so-called antiriot provision, and it is in the law.

Under that law last year, we issued instructions to all the community action agencies all across the country, emphasizing the importance for themselves as organizations and their employees as individuals to stay out of programs that would be inflammatory or would get somebody else excited.

Judgments on what is important are hard to make in the beginning. It's easy to second-guess about it. You can say in this place, in retrospect, "This fellow shouldn't have done that."

We have no cases that I know of where someone is shown to be doing maliciously something like that. We have admonished them over and over again in dispatches, and just 10 days or 2 weeks ago, I sent out

another dispatch on this subject, and I have it here, as a matter of fact.

I will read three sentences out of it:

There will be absolute insistence that every OEO employee and every employee of OEO grantees scrupulously avoid and resist participation by OEO-funded resources in any activities that threaten public order in any community. I shall insist upon immediate and full penalties for any individuals found guilty of wrong behavior in this connection. Furthermore, I shall insist on withholding of funds from any grantee or delegate agencies which is shown to be encouraging or . . .

Chairman PERKINS. The time is up.

Mr. Bell?

Mr. BELL. Thank you, Mr. Chairman.

Mr. Shriver, I want to commend you for a very fine statement. There are not many areas where I find great disagreement with the general thrust of your ideas. However, I may have some differences.

I was in Watts attending hearings about 4 days before the Watts riot occurred. We were in Will Rogers Park and the place was thickly packed. There were over a thousand people there, and they were very, very concerned at that time about the Poverty Act, and about the things that they were not receiving, things that they expected, were hoping for, but with no action by that time.

They weren't essentially blaming you or your organization, perhaps, as much as they were blaming the local organization. My question concerns your communications with your own people; inasmuch as riots happen to be a major problem today. What sort of communications do you maintain between your people as to riots.

Did you have a pretty good idea that the Watts riot was going to take place? Did you have any idea of the problems that existed there at that time?

Mr. SHRIVER. I personally had no idea there was going to be a riot in Watts.

Mr. BELL. Did you have an understanding of the discontent that existed there because of the poverty program?

Mr. SHRIVER. I had the understanding that this discontent had existed in Watts a long time. When people thought there was going to be a war on poverty, people thought somebody from Washington was going to come out, let's say you, and hand out \$10 bills for them.

The concept from the beginning was that it was going to hand out job training and so on. Some people were disappointed that all the chance they got was to go to work. I have been asked, "When is the money going to arrive?"

I had a woman in Omaha in a rally say, "When am I going to get furniture for my house, and shoes for my kids?"

I have been going around the country trying to explain that we are not in a handout program. We are trying to give people a chance to become independent of us, the government—the Los Angeles government or the National Government.

So there is a difference between what we are attempting to do, and what some people thought was going to happen. It is true they are still concerned in Watts, they are concerned in Washington, in Jersey City, in South Bend—not that we haven't handed money out, but even the programs that are running, job training programs, or legal services programs, that those programs are not big enough and they are right.

They are not big enough. I tried to testify earlier here today that in Detroit we are meeting maybe 14 percent of what we know we can do now without any new program, without any new brilliant ideas by anybody. We can do that now.

I am not saying it is perfect, or that it will stop riots. We didn't start an agency as an antiriot agency. But we know we can do these things now.

I say, "Let's do them," and then, as we are doing them, let's find other things we need to do.

Mr. BELL. The point I was making is that there seemed to be a breakdown of communications between you and the local government and so forth—

Mr. SHRIVER. When you were there in the summer of 1965 we had been in business 6 months. There was no question about it, and there still is in some places a misunderstanding of the nature of this effort, that it is not a money or clothing or food distribution effort. It is an effort to help people to help themselves.

It is a complicated idea, but because everybody didn't understand it in the first 6 months is not to me a fault of the program. What we need to do is to—the one way you lick poverty is to have the poor lick it themselves.

Mr. BELL. On page 4 of your statement, Mr. Shriver, you talked about Headstart as more than an educational program, one that affects the total life of the child, his environment, and so forth.

I wanted to point out to you that the education programs under the Commissioner of Education do many of the things right now that Headstart does. So, if it changed, it would not affect the program one iota.

Mr. SHRIVER. It does affect it, if I may say so. It is a rather complicated thing. I just want to say I disagree with that.

Chairman PERKINS. Mrs. Mink?

Mrs. MINK. I want to add my word of commendation to you, Mr. Shriver, and your staff, for not only your dedicated services and studies with this committee and Congress, to continue the work that began, but also for the very fine statement that you provided the committee today.

I deplore personally the efforts being made throughout the country and even here in the Congress to place the blame for the disorders that we have witnessed over the last few weeks on this program. If anything, I think the program deserves a great deal of commendation and praise for what it has been able to accomplish over these few years with the limited amounts of money that we have been able to appropriate.

I think one of the great regrets that I have in the 2½ years that I have served here is the inability to fund the program to the extent that I feel it needs to be if it is really to begin to do the work to help solve the problems of our poor people throughout the country.

To place the blame on those who are working in this field for the riots, I think, is a grave travesty on the truth and facts of the situations.

The poverty program is seeking to find the root causes of discontent in our urban communities, and I think your administration and those

who work with you have sought their earnest best to try to help these people.

I think one of the difficulties that we had in the last year as we adjourned the 89th Congress was the sad task of going back to our communities and explaining to our constituents that instead of more money and more programs to help the poor, that we had to report back serious cutbacks in the kinds of programs that they wanted, and so I express again grave concern that perhaps because of the riots and the need for new programs to help curb these situations in our big cities, that we perhaps are again going to have to meet the argument of earmarking funds, limited as they are already, on funds in separate areas, such as rat eradication.

I think as one studies the conditions that lead to the riots in the big cities, one has to come to the conclusion that in many of these situations it is the inability of the poor in these communities to understand what motivates police officers and the police authorities in the actions that they must take in order to preserve law and order in their communities.

As we have watched the development of the Legal Services program, I wonder, Mr. Shriver, if you could tell this committee, perhaps if we are able not to just meet the funds request that you are seeking in this Congress, but increase it, what kinds of programs you might be able to suggest to us and to this Congress that could better improve the adult relationship of these people in the communities with the police authorities so that these kinds of conditions can be avoided.

MR. SHRIVER. Well, as you know, Mrs. Mink, we are not authorized to recommend new programs to the Congress just off the top of our heads—

MRS. MINK. That is one of the saddest outcomes of the history of this program, because I can't think of newer, better, and innovative programs that have come out of your leadership—Headstart, Green Thumb, Upward-Bound, and all of the other programs—

MR. SHRIVER. So far, in reading the newspapers, I haven't seen any suggestion made for any program anywhere by anybody yet that we haven't already made.

It is also a fact that in the Department of Justice under the Attorney General's leadership that a comprehensive effort is being made to have seminars, for example, an institute for the benefit of local police, working through various police academies and chief of police associations and so on.

MRS. MINK. But aren't these more oriented toward riot control and to try to equip police authorities to better control riots—

MR. SHRIVER. I don't know enough to make a comment on that. One thing that has developed indigenously in the war against poverty is what is called police corps cadets.

I have seen them in operation in Detroit last summer. You heard me describe one in Grand Rapids, where 50 kids were sort of deputized—not officially—but in a sense deputized as junior policemen. We have that all over the country, and I think that that is an indication of something that is very good.

For example, in the early days of the war against poverty, when we had enough money to be rather bold, when something came along like an idea like Headstart or Upward-Bound, I was able to sit there and



say, "OK, we have \$75 million for that," and I didn't have to ask anybody. It was because of that fluid situation that we were able to exploit openings.

It was a little bit like I used to say when General Patton broke out of that impasse there in Europe, when he broke free he could push everything behind him. He exploited the opportunity. But we haven't been able to do that to the extent we should have, because we didn't have the money to exploit the openings.

There are dozens of them right now in the existing programs. One that is very obvious to me is this one. If we had a lot of fluid money, I would bet a lot of money—my deputy here from the Internal Revenue Service says I am a plunger, maybe too much of a plunger—but I would put a lot of money on the junior cadets, say 14-, 15-year-old kids.

If they were brought into the police forces all over the country, I think it would be good.

My friend, Bill Kelly, handed me the telegram from the chief of police in San Francisco which says to Mr. Kelly:

We wish to express our appreciation to you for the cooperation received from the Park Job Corps this weekend because of the difficulties this city has experienced the last week, as well as in the past. Tom J. Cahill.

What he is talking about is that the kids did the work for the police department there.

I know in Chicago one of the best things they are doing now is, poor people residing in the neighborhood, they were getting to work in every precinct in Chicago.

Mr. PUCINSKI. You mean police precincts?

Mr. SHRIVER. Police precincts. [Laughter.]

That shows you how nonpolitical I am. [Laughter.]

If we could do this all over America, and it could be done between now and the fall, you could have 10,000, 20,000, 30,000 kids like this. It isn't difficult to do. The kids want to do it.

Mrs. MINK. Do you have any States in your department which might reveal whether any of our Neighborhood Youth Corps youngsters are being given experience, say, in working with the police authorities and giving them a feeling that the police department is part of them, part of their community?

Mr. SHRIVER. That's what actually happened.

That is actually what is happening, and I think one of the advantages of the war on poverty is that you can see that. You can see that Mayor Lindsay does it in New York. I also know that it is being done in Tampa, in Youngstown, Ohio, and I know it has been done in 10 other places. It isn't that we are so bright at all, but that that information comes to us automatically, and when we see it, you have to be stupid not to understand that that is general and anything that is general like that, that is catching on. There you have got it.

It isn't that I say somebody was brilliant and thought it up. It is the 10 guys around the country who are doing it without getting instructions from Washington.

Mrs. MINK. What would happen with all the innovative programs that are administered this way if the Neighborhood Youth Corps were transferred to the Department of Labor?

Mr. SHRIVER. The Neighborhood Youth Corps is working under a

delegation now, as we call it. It has now, we think, become more entwined with community action than ever before, and the delegation is working out very well.

I think that the—whether or not it should be transferred, you might say altogether sometime in the future is still one of those iffy questions that nobody has a firm answer to. All I am trying to testify to is that it is working very well now.

Nobody in the field really cares about all this stuff back here. What they are interested in is whether we got some more Neighborhood Youth Corps kids out there, and what I am trying to say is, why don't we go ahead and do it the way we are doing it? Not because it is perfect, but because it is pretty good, and we can meet the demand at the point of action.

You see, we have 16 centers right in the center of the ghetto in Detroit. I say, let's get them better and let's get them in there. We don't have to have an administrative folderol in Washington. They are not interested in that in Detroit. They want to go.

It is like being in a straitjacket awaiting orders to march.

Mr. BRADEMAS. Last Friday afternoon, out in Southwood, Ind., I drove around those parts of my city which had been a scene of some disturbances earlier in the week, and I talked with a number of leaders, particularly in predominantly Negro neighborhoods, people who had been working in the fields of housing and youth work, and everywhere I went, I found that there was a request for more support for the poverty program rather than less, and I found nobody complaining about the administrative mechanisms which seem so much to occupy us here in Washington.

I talked with the mayor of my city, who happens to be a Republican. He is a supporter of the poverty program. He has never up to now suggested to me—he may now—that he found that there is some difficult problem with the administrative mechanism with the war on poverty, and I want to echo the question of the gentlelady from Hawaii, and reiterate that I think we would be on more sure footing if we give attention to the matter of substance and somewhat less attention to the administrative mechanism when we discuss this program except in those areas.

Mr. SHRIVER. I hate to be talking about Chicago, except that I know it is Congressman Pucinski's city—when they got the temporary swimming pools in Chicago, what they did, they took the swimming pools and put them right next to the fire stations. What happened was, then they took the firemen on their day off and gave them the job of supervising the swimming pool.

They did two things right away. First of all, you have got a mature, responsible person to supervise the pool, which is always a problem in opening up these temporary pools, health standards and so forth.

Second, you have a person in the city government, a fireman, who immediately began to be identified with these kids in a different way than an object of repression.

Being a fireman, they kept the swimming pool full. It is the only city that I know which had the ordinary commonsense to put the swimming pools next to a fire station.

If you could do that in all these cities, it would be a big thing for the

fire department, and the city and the kids. The people who do it on their day off don't complain, because they get a little extra money. It is such a simple thing.

Chairman PERKINS. Mr. Scherle?

Mr. SCHERLE. Mr. Shriver, to put things back into proper perspective, I doubt very seriously that if one is not in complete agreement with the goals that are set forth under the OEO that they are not interested in the poor. This is wrong.

It is in the administration that we are primarily interested in effective improvements. We are trying to eliminate waste and put these programs under already existing agencies.

I don't think anyone would doubt that the programs, as they exist today, under Opportunity Crusade, would make any changes other than the elimination of some high-priced personnel.

As mentioned earlier, one problem, and I think you mentioned it, too, is that in regard to the riots, these people have been led down the primrose path, perhaps by the administration, perhaps by the Congress, to expect something that could not be delivered.

All this started during the present administration and you can check the record on this. Don't you think that perhaps these people were led to believe that solutions to their problems were just over the hill, were available yesterday, and in their anticipation and frustration, that the riots and demonstrations today are a product of resentment? Would you go along with that?

Mr. SHRIVER. No, I don't, Congressman.

Mr. SCHERLE. What do you feel is behind these riots and demonstrations? In the last Congress I doubt if there was any Great Society legislation that wasn't passed and everything made available. However, we are now talking about the present Congress, and nothing we do in this session of Congress could help alleviate the present situation.

Now, what has been the problem concerning these unfortunate people? They were unjustly led to believe that utopia was here. We all knew that time would be necessary to help solve this problem.

Mr. SHRIVER. First of all, as I mentioned a minute ago, there were a number of riots before the 89th Congress and before the OEO legislation was brought up.

The second point is that I think there are many things this Congress can do, this Congress right now. I think in a sense today Congress has an unrivaled opportunity, because what may have been difference of opinion before about whether something of a vast scale was needed, I don't see how there could be much difference of opinion now that the problem is a very important, if not the most important domestic problem in the United States.

Mr. SCHERLE. We agree, but you are asking this Congress to do nothing more than one word, money, and a continuation of what already exists.

Mr. SHRIVER. No, sir. I am not. I am asking the Congress to expand the programs that exist, and the mayors of America—

Mr. SCHERLE. But you are asking us to expand in an area that already exists. If this is true, and it must be, because you said there is no program anybody could mention that you don't already have, and I can agree with that.

Mr. SHRIVER. I didn't say that. I said that we hadn't in times past suggested—

Mr. SCHERLE. You haven't left any project out.

Mr. SHRIVER. There is quite a bit.

Mr. SCHERLE. If this were true, what else could have been financed to prevent the riots that have already taken place? I understand that both the poverty program and the rat eradication program in Detroit was one of the best.

The American people are asking the question, "What's necessary? What more do we have to do?"

Mr. SHRIVER. I tried to answer that a little while ago when I pointed out that, although the antipoverty effort in Detroit was a good one, it in fact only reached 14 percent of what the city of Detroit—not a Washington bureaucrat, but what the city of Detroit said they needed to have from our agency.

Let me just make it clear. This had nothing to do with what they felt was needed in the area of housing, or nothing to do with what Mrs. Mink was talking about in police community relations. Those issues like that were totally separate from what they said they needed from us.

Mr. SCHERLE. This is my point, and nothing but time can cure this.

Mr. SHRIVER. Many things besides time can cure it.

Mr. SCHERLE. It is my understanding that many people in the adult phase of life who have spent all the time they can afford to spend in a classroom, still ask for an opportunity. This can only be arrived at by rehabilitation or retraining, each takes time.

The youngsters you can educate, this takes time but even education for the disadvantaged, this is still a matter of time.

Now, what more beyond what Congress has already made available can we provide other than the element of time?

Mr. SHRIVER. Let me give you an example of what could be done. The mayor of New York and the mayor of Detroit used this as an example. They said when they opened up their job training programs in Detroit I think they had 2,000 slots for job training.

In the first week they had 6,000 people apply for the training. Now, when you say what could be done now more than time? Now we could have 6,000 slots rather than 2,000 slots, and therefore those 4,000 men could be trained now rather than wait 2 or 3 years for the training.

Mr. SCHERLE. Mr. Shriver, we have heard excuses from your own men here this afternoon about why things weren't done earlier. In fact, we heard that we couldn't have this book given to us.

Let me read you an article:

The Government has issued a new book, 701 pages in length, weighing 3 lbs. and 4 oz. It lists 458 Federal assistance programs administered by Government agencies. Copies were sent to members of Congress with a letter from Mr. Shriver \* \* \*

Chairman PERKINS. Don't read that. Put it in the record.

Mr. SCHERLE. It is more fun reading it, Mr. Chairman.

Mr. SHRIVER. We all know about that. That is the compendium of Federal programs, and it turned out to be almost as popular as the Harris report. [Laughter.]

Mr. SCHERLE. With the poverty program, it takes time, and that's all.

Mr. SHRIVER. Could I just say, Mr. Chairman, that some people felt

the Declaration of Independence was an incendiary document that raised false hopes, and the Constitution of the United States when it was written, that it raised false hopes that never would be fulfilled.

Mr. SCHERLE. And it took time.

Mr. SHRIVER. We are still trying to fulfill some—

Mr. SCHERLE. You are asking for time.

Mr. SHRIVER. I don't want time. The poor don't want time.

Mr. SCHERLE. If you can explain to me—

Mr. SHRIVER. I can explain it. Whether you would understand it is another question. I don't know.

Mr. SCHERLE. It would be understood.

Mr. SHRIVER. We have been trying.

Mr. SCHERLE. Time is what you are going to get.

Mr. SHRIVER. I am afraid you are right.

Chairman PERKINS. Mr. Meeds?

Mr. MEEDS. I would like to compliment you on what I consider a very good statement, and the thing that impressed me was that it was not a defense, but a challenge to all Americans, and I think this is something we need very badly.

I had the opportunity just yesterday in my own congressional district in Washington to attend a conference of Western Washington Indians, and they were at this conference discussing mutual problems, and the Federal Government with these problems.

The classic answer that had been given in the past, and I think perhaps the most eloquent defense and the most eloquent statement in favor of the Office of Economic Opportunity and its CAP programs and Indian programs was made by a young Indian girl who was working in one of these, and who was well educated and articulated very well, but who had taken pride in her work.

In differentiating the approaches that had been made by the older agencies and the one that was being made by CAP programs, she said, "On the old programs, we haven't been reached, we haven't been touched, we haven't been moved." And then she said, "The CAP programs, the programs that we are working with ourselves, they are reaching us, touching us, and moving us." And I thought this was a moving comment on what is taking place in the Indian reservation in my area.

I would like to ask you some specific questions about the Job Corps, if I may.

Mr. SHRIVER. Yes, sir.

Mr. MEEDS. We heard last year that the attendance to Job Corps classes was very poor, and in many cases the Job Corps men would stay in bed and would not get up and go to class, and that there was no way of telling their attendance. Could I have an answer to this question?

Mr. KELLY. Yes, Congressman, you are quite correct. We had some Job Corps youngsters last year who would not get out of bed and we had some permissive attitudes on the part of some of the staff about that.

Let me say in terms of attendance now, we just finished a survey on rates of absenteeism over the first 6 months of this year, and in men centers, it averaged 3.7 percent, and that was down dramatically from 12 to 15 percent last year.

In women's centers, absenteeism from class—this is unauthorized absenteeism, I might add, was 3.5 percent. In the conservation center—this is really interesting—0.9 of 1 percent absenteeism, and in our demonstration centers, like the Capitol project here in Washington, it was running 1.3 percent, so that the overall average of the Job Corps was 2.5 percent, men's and women's conservation.

Mr. MEEDS. To what do you attribute this rather phenomenal success?

Mr. KELLY. I think that we have done in the last year is, I think we have made it very clear if you are going to be in the Job Corps, you are going to obey the rules, and we issued this code of enrollee conduct. We have also jacked up our staffs, and let me say we fired some people, and I had to unfortunately fire a director Friday of last week, because there was still a high degree of permissiveness in his center, and when I saw the absentee rate and the fact that the youngsters weren't doing what they were supposed to do, I fired him.

The name of the game is people. The people who come into the Job Corps can't be told it is a country club or a finishing school. If you don't want to work, you ought to get out. It is a voluntary program. If you volunteer to get in, it strikes me you ought to do what you are told.

Mr. MEEDS. Another problem that has been concerning me—half of my district is rural, and I have heard, and perhaps there is some validity to it, and I would like to check it with you, that there is difficulty in recruiting and setting up proper recruitment programs for rural youth as opposed to city and urban youth.

Mr. KELLY. You are quite correct.

Mr. MEEDS. And that the groups in the city are working much better.

Mr. KELLY. You are correct. The overall Job Corps, with 41,000 people in it, in terms of males, 19 percent are from rural America, and females, 5 percent are from rural America.

We have not done a good job of recruiting in rural America.

Mr. MEEDS. What will be done to recruit more from rural America?

Mr. KELLY. We entered into an agreement with the AFL-CIO and their Appalachian Council. They are recruiting for us in Appalachia. They promised to deliver 10,000 youngsters in fiscal 1968 from rural America into the Job Corps.

We also have an agreement with the Department of Agriculture, the Conservation Service, and they are working through—what do they call it—the extension agents, in terms of trying to identify youngsters in rural America who need this program, and the Agriculture Department said that they will deliver some 4,000 youngsters in fiscal year 1968 from rural America.

Now, those are the two specialized efforts we are making. I think they are both working fairly well, although in the case of the AFL-CIO, we have been in operation with them, I think, since March, and not all of the precincts have been heard from in terms of their success. We will know a lot better, say, by the end of this summer.

Mr. MEEDS. In the higher concentration areas, where there are more people, most of your recruitment efforts are going on through employment offices?

Mr. KELLY. That's right.

Mr. MEEDS. Have you conceived of the idea, perhaps, of working with employment offices and sending people out from your own programs in recruiting?

It is easy enough if they come in, but don't you have to, to get to rural America, go out and see them?

Mr. KELLY. One of the things we try in the conservation center program is that we had a number of centers in the Rocky Mountain region do recruitment right from the center within that State, within a couple of hundred mile radius, and it worked fairly well. It wasn't the greatest thing we have ever done, but it did work fairly well.

I think if we can have the AFL-CIO Appalachian Council succeed, that we will try to replicate that in other areas of the country.

Mr. MEEDS. Thank you, Mr. Chairman.

Chairman MEEDS. Mr. Dellenback?

Mr. DELLENBACK. Mr. Shriver, Mr. Levine, Mr. Harding, Mr. Gottlieb and Mr. Kelly, we welcome you all back again, and you all have spoken, I think, very eloquently today of the constructive work and constructive record of poverty workers as far as arrests are concerned, and the constructive work that the Community Action agency people have performed in these recent outbreaks.

Let me just add a word on this. I spent 3 or 4 hours last Friday night on the streets of one of our major cities, walking with some of your people, and I was completely favorably impressed by the manner in which in that city at that time these people from quite high up the echelon down to the fellow who was out there all the time on the street, were making a real effort to stop trouble and not to create it.

Against that one laboratory experiment, I don't seek to generalize, but I commend the people in the city of New York for what they were doing that night and what they are doing right now.

This problem is a complex one, and I agree we can't tolerate lawlessness and violence, but neither can we reward it, and our task here in the Congress is, as the people's voice and their lawmakers, to pick out a path and walk a path between the extremes. We have to pick out the underlying causes, and we must be, as best we can, from the role we play, about the task we have in curing the underlying problem.

One of my colleagues was earlier quoting from Mr. Lincoln. There is an old Arabian proverb, "Don't confuse the intensity of the thirst with the quality of the drink."

America has an intense thirst and in my opinion there isn't anything thinking Americans can do except agree about the fact of that intense thirst. But our concern as Members of Congress is to look at it and also look at the quality of the drink.

I think that means we must analyze the nature of that thirst, and we must look at the effectiveness of the drink in slaking that thirst, and determine how better and more effectively we can do it, however good the drink we have been drinking.

After 6 weeks of hearings before this committee, and I have probably been at it as many hours as almost any other member of the committee, I think the drink is better than I feared it would be when I began the study, and I think in many, many ways it is an excellent drink.

Unfortunately, time is short, and without giving you a chance to

more eloquently dwell on the problems, may I ask you a couple of brief questions, Mr. Shriver?

You quoted a number of people in your testimony who feel that OEO is not spending nearly enough money. Do you agree?

Mr. SHRIVER. Yes. That is why the President asked for a 25-percent increase. We are requesting \$2.06 billion.

Mr. DELLENBACK. How much more than the \$2.06 billion could OEO responsibly spend for fiscal 1968?

Mr. SHRIVER. Let me just say if we could get \$2.06 billion and go to work, I would be happy, and so would the poor people—

Mr. DELLENBACK. What if a number of us in Congress looking at the problem become convinced we ought to go further than \$2.06 billion and said we ought to go to  $\infty$  amount? How far should we go?

Mr. SHRIVER. I am sure you are aware, Mr. Congressman, I am not authorized to make any suggestion of any sum of money beyond the amount which the President has requested.

Mr. DELLENBACK. The thing that strikes me is, we look at this problem, and if we really accept the lesson of Detroit, we are not playing with superficialities. We are talking about something that is deep and basic and fundamental, and we have just scratched the surface of what our problem may very well truthfully be. We are not in a position to move around with little additions here and there. If some of us really feel that is something we should make major moves on, my question is, are we really talking through this instrumentality of OEO of being only able to go so far this year?

The people you quoted talked about doubling and tripling and increasing amounts for specific programs in much more than a 25-percent basis. Is that sound? Can we soundly go that far?

Mr. SHRIVER. Well, as I said just a minute ago, Congressman, I can only testify on behalf of what we have been authorized to request. That is No. 1.

Mr. DELLENBACK. I don't mean to put you in a box.

Mr. SHRIVER. No. 2, the Congressmen have to consider not only what we are asking for, OEO, but what has been requested under the Education Act, or rent supplements, what has been requested by a number of these bills, which is, of course, what the President is trying to do.

Mr. DELLENBACK. Yes, and without talking about any of those specific bills, I think that it is important that America realize through the reporting of the news media, if there is ever any misunderstanding on this, that this isn't the only thing Congress is doing in its attempt to attack poverty.

It has moved into welfare, and education. We have wrestled here for hours with the Elementary and Secondary Education Act, and we talk about vocational education. We are attacking the same problem, but one of the proper tools is the Office of Economic Opportunity—at least this is the answer given to us by a great many witnesses.

Mr. PUCINSKI. Would the gentleman yield?

Mr. DELLENBACK. Yes.

Mr. PUCINSKI. I appreciate the fact that maybe you can get an answer to his question.



Your answer is on page 17 of his statement, where we are funding the small percentages of the needs Detroit, Atlanta—

Mr. DELLENBACK. What I am really saying, and this becomes a dialog that we ought to carry on in executive committee, really, if this instrumentality is one we ought to retain just as is, the question in my mind then is: Are we talking about a 25-percent increase, or 50-percent increases, or more?

Mrs. GREEN. Would the gentleman yield?

Mr. DELLENBACK. Yes.

Mrs. GREEN. May I ask how much you requested from the Budget Bureau originally?

(The information follows:)

*Office of Economic Opportunity, budget data*

[Dollars in millions]

|                                         | Fiscal year<br>1967 appro-<br>priation | Fiscal year<br>1968 request<br>to BOB | Fiscal year<br>1968 Presi-<br>dent's budget |
|-----------------------------------------|----------------------------------------|---------------------------------------|---------------------------------------------|
| Job Corps.....                          | 211                                    | 330.0                                 | 295                                         |
| National work training programs.....    |                                        | 829.0                                 |                                             |
| NYC.....                                | 326                                    | (1)                                   | 321                                         |
| 2d supplemental appropriation.....      | 47                                     |                                       |                                             |
| Work experience.....                    | 100                                    | (1)                                   | 70                                          |
| Kennedy-Javits and Nelsen/Scheuer.....  | 98                                     | (1)                                   | 258                                         |
| Community Action program:               |                                        |                                       |                                             |
| Headstart.....                          | 351                                    | 349.0                                 | 472                                         |
| Other CAP.....                          | 424.85                                 | 767.0                                 | 550                                         |
| 2d supplemental appropriation.....      | 28                                     |                                       |                                             |
| VISTA.....                              | 26                                     | 37.0                                  | 31                                          |
| Small business development centers..... | 2.6                                    |                                       |                                             |
| Migrants.....                           | 33                                     | 100.0                                 | 27                                          |
| Rural loans.....                        | 24                                     | 25.0                                  | 20                                          |
| Information and research.....           |                                        | 44.2                                  |                                             |
| G.D. & A.....                           | 15                                     | 18.8                                  | 16                                          |
| Other.....                              | 1.05                                   |                                       |                                             |
| Total.....                              | 1,687.5                                | 2,500.0                               | 2,060                                       |

<sup>1</sup> In national work training program estimate.

Mr. SHRIVER. Again, Mrs. Green, I am sorry. You know I am not permitted to discuss the figures we turned into the Bureau of the Budget. On the executive side—

Mrs. GREEN. We do get these figures from the other departments who appear before this committee. They don't volunteer the information, but in response to a specific question, they do tell us how much they requested from the Budget Bureau.

Mr. SHRIVER. I will ask the Budget Bureau if I can give you the figures, and if they tell me I can, I will be happy to. It isn't that I don't want to give them.

Mrs. GREEN. May I ask if it is considerably more than the \$2.06 billion?

Mr. SHRIVER. I am not at liberty to discuss it more with you. I am sorry. [Laughter.]

Chairman PERKINS. Mr. O'Hara.

Mr. O'HARA. I am sorry I wasn't here to hear your statement, but I have had an opportunity to read it, and I wish to commend you.

Your characterization of the role of people working in poverty-related programs is in accordance with my understanding. Certainly

with respect to the disturbances in Detroit and other Michigan communities, I am personally aware of the fact that poverty workers played an important role in an attempt to bring these disturbances under control.

I wish to thank your agency and your delegate agencies for the role they have played in these very unfortunate occurrences.

I would like to say this about the comment made by the gentleman from Oregon. If the gentleman from Oregon reached the conclusion, and I would be very pleased if he did so, that your program should receive more than has been requested, I would hope that he would first turn his powers of persuasion upon his Republican colleagues. They are the ones who propose a much smaller authorization through their so-called Opportunity Crusade.

Mr. DELLENBACK. Will the gentleman yield?

Mr. O'HARA. When the gentleman from Oregon has assured me those on the Republican side are ready to come—

Mr. DELLENBACK. Would you yield?

I am regretful we come back to this political badinage. Our concern here as members of this committee was to wrestle with the underlying problem, and I don't think we need to get off into committee repartee as to what side stands this way and what side stands this way.

I think we will find a great many issues and pros and cons on both sides of the aisle and I am regretful we need to talk about what one party stands for.

I stand as one individual, and I assume you do the same.

Mr. O'HARA. I appreciate the way in which the gentleman from Oregon approaches this, but if we were to discuss at this hearing, before these people and before the representatives of the press, what we ought to do in addition to the requests made by the administration, I think we would be fooling the people into believing the situation is a good deal different from what it is. You know, as well as I, the question is not how much over those recommendations this Congress will go, but how near can we come to the recommendations.

That is the real problem, and I don't think that wrestling with some imaginary problem about what we might do contributes to the discussion.

Mr. DELLENBACK. If the gentleman will yield one step further. Whatever comes out of this committee, will it be based on what you think the floor will pass, or what you think ought to be in the bill?

Mr. O'HARA. It will be based on what is the best thing we can do, given the attitude of the Members of this Congress and the way they will vote, and I think we will have a tough fight just keeping the program the way it has been recommended, and I look forward to fighting with the gentleman in that effort.

Mr. Shriver, I would like to ask just a couple of questions with regard to the Job Corps.

It has been charged that the Job Corps suffers from not being closely affiliated with the public school systems. It has been charged that the Job Corps is actually in some competition with the schools because it is stealing teachers away from the schools.

It has been suggested that the residential nature of the Job Corps hinders its effectiveness because it isolates the members of the Job Corps from contact with a cross section of the community.

I would like to have your comment, if I could, on these several charges that have been made with respect to the Job Corps program.

Mr. KELLY. Congressman O'Hara, let me take those one at a time.

First of all, we don't think that your youngsters are isolated in the Job Corps. We think the youngster that lives in Harlem and has never gotten to 42d Street, for instance is isolated.

We have brought our youngsters into contact with a community that they have never been involved with before. We have brought them in contact with the police in a different relationship than they have ever had before.

We have brought them into contact with educators in a different relationship than they ever had before.

One of the things that was very interesting to me last week, I was listening to a recording that was made by a group of girls at the Charleston, W. Va. Job Corps center, and the one word that kept recurring in their conversation was "care."

One young lady said, "When I was in high school my teacher didn't care. The people here care."

One said, "My father and mother never care, but people here care, my counselor cares about what is happening to me."

So we would deny that the Job Corps has isolated anybody. We have opened up a new vista for these youngsters.

Secondly, we have been involved with professional educators. We have had a contract with NEA in which the systems have had teachers at the centers. The AEA tells us they have learned a great deal with the disadvantaged, and they are going to work in the schools that are predominantly going to work trying to educate the disadvantaged.

There is an accrual of benefit because of this opportunity. We have had intern programs to train student teachers. We have a pilot training program in State College, Pa., and we have had other programs that are of that nature.

As a matter of fact, we have a women's center that is located right on the campus of the Michigan University.

These young girls live right in dormitories, so they haven't been isolated. What a magnificent opportunity to be involved in a university having come from a ghetto. That is not isolation, that is a new vista, a new opening, and a new opportunity, and that is what the Job Corps is all about.

Dave Gottlieb, here on my left, is a real professional, Ph. D., and he is an eminent sociologist having written books on adolescence.

I would like him to say a few words on that.

Mr. GOTTLIEBER. The truth of the matter is that for the first time in their lives these youngsters are getting exposure to a lot of people. They are having an opportunity to get out of the ghetto.

I think our relationships with the educational communities have been extraordinary. In addition to the relationships we now have with the educational communities, we have Job Corpsmen learning something about teaching, and they are working in Clearfield, N.Y., as teacher aids, and a variety of other relationships that I think are extremely positive.

Mr. KELLY. You had some figures on Job Corps teachers. I think it is interesting to then note, Congressman, that we have 2,621 people

involved in teaching in the Job Corps. Fifty percent came from the public schools, actually 57 percent. Eight percent came from private schools. Nine percent came from Government, military, or industry, and somebody has said, you know, that we have raided the public school system. I don't think we have.

I don't think that in the enormous job that the public schools are faced with, and I am personally supportive of the public school system in this country, I don't think we have trained teachers to any significant degree. I think what we are doing is handling some of the most urgent problems in education.

Mr. O'HARA. Let me say something further on that question: There is some feedback, evidently. You have spoken of men going back to the regular school system, supposedly with their skills enhanced after Job Corps experience. Are any of the teachers who have been working for you returning to teach in the public school systems?

Mr. KELLY. The arrangement that we had with the NEA, the arrangement was that once they spent a year in our conservation centers teaching that they would go back to their public school system, and that has occurred, and it continues, that program continues. We have more teachers in the program this fall through the offices of NEA.

I can't tell you off the top of my head what our attrition has been among teachers. I can get that, but I don't know how many teachers we have lost, or whether they have gone to the public school system.

Again getting back to the basis of stigma and isolation, as I mentioned, a youth from Harlem who has never been to 42nd Street is isolated.

A youth who works in the field in California for 50 cents an hour is isolated.

A youth from Oregon who has rotted teeth is stigmatized.

A youngster who cannot compete in school with his peers is stigmatized.

I knew kids that were like that. We had a class that was called the opportunity class in grammar school, and this is back in the 30's, and that class had about 30 students in it.

Those youngsters were stigmatized, and they had to put them in a special class, than was being—and this was being stigmatized, whereas in our program, our kids participate. We have student governments at everyone of our centers. They are learning about citizenship. They are in constant contact with adults who care.

They live in a healthy environment, and they didn't come out of one.

We put in the record early on a book which contained a lot of information about our community relations, and we have some wonderful things that have been said by chiefs of police and mayors and so on, and the reason why they say that they participated with these kids.

Mr. O'HARA. Mr. Shriver, I intend to support your program fully. Chairman PERKINS. Mr. Gardner?

Mrs. GREEN. Would the gentleman yield for a minute? I think there is quite a lot of good in the Job Corps, but I am amazed at your method of procedure. I am delighted that you have this prepared on the question about youngsters who are isolated. I am pleased at that.

Do you expect to convince me that a youth from Oregon from—with rotten teeth—is stigmatized as one of the reasons I support Job Corps?

It seems to me you could get a hell of a lot better proof that the—

Mr. KELLY. I didn't say there are a lot of Oregon kids stigmatized—

Mrs. GREEN. If somebody in Kentucky has rotten teeth, he is stigmatized. My daughter has to—

Mr. GARDNER. I am concerned with the stigmatism. I want to bring up something that Mrs. Green brought up. I share the concern of everyone. I was quite impressed with parts of Mr. Shriver's testimony today, but I was not impressed at all by the way you try to whitewash the political activities of OEO.

Let's go back to Newark, N.J. I went to Newark. I had the opportunity of spending 4½ hours with the police director of the city of Newark, and may I say for the record he is not very thrilled with the performance of OEO funded programs in the city of Newark.

I think it would speak well of this committee if we have this gentleman come down and have the other side of the story.

We have been sitting here for 6 weeks hearing your side of the story.

Chairman PERKINS. Get him here tomorrow and we will hear him.

Mr. GARDNER. I will call him tonight and try to get him down here.

Chairman PERKINS. We will hear him.

Mr. GARDNER. You have pushed aside very lightly, and I will read for the record, on May 25, which was exactly prior to the riots breaking out in Newark, the police director sent you an urgent telegram in which he said, "Acceleration of this kind of practice by this antipoverty agency will undoubtedly lead to riots and anarchy in our city." This to me from a person in his position would certainly warrant immediate attention.

It took you 3 weeks to answer this telegram. When I talked to him he was completely down on the poverty program, and on you, Mr. Shriver, because of the complete lack of interest you had shown him.

You sent him a letter, and he said your vehicles had been used to agitate against the planning board, and you denied this. You said they were being used to carry chairs.

I have an affidavit from the police lieutenant who followed this vehicle all day long, asking for people to come out at a mass rally that night.

The same thing happened at Durham, N.C. I have checked into this—

Chairman PERKINS. Let me say this to the gentleman. Let's not argue but just put the question to the witness and let him answer. If you want to make a speech, go ahead.

Mr. GARDNER. May I say, we have been hearing speeches for 6 weeks in praise of Mr. Shriver. It is almost like a mutual admiration society, and when any criticism is brought up, it seems to rub people wrong, but I think they—

Chairman PERKINS. Go ahead, and criticize the program, but put your question.

Mr. GARDNER. I am criticizing it now, but in Newark, N.J., and I think in answering Mr. Daniel's remarks—he very casually said remarks were made by people who drifted around the program, but were not employees.

We have sworn testimony from the poverty employees from Newark,

and had your investigators taken time to visit with Mr. Spina, the police chief, they would have found the same thing.

Mrs. Green made a very important point. No, your people are not involved in the actual riots. You went to great lengths to present these figures of the number of arrests. The number of arrests of the total people involved was almost nil.

The important thing is that you people are agitating the poor sections of our cities, Newark for a prime example, and Durham, N.C., to go out and demonstrate against the authorized authority in that city, and what happens, it gets out of hand.

This happened in Newark, N.J.

Now, again, I go back at what I asked you several weeks ago when you were before this committee.

Don't you think that the political activity on the part of OEO is a very dangerous thing, and in fact I think hurts the poverty program in general.

You went to great lengths in your testimony today to defend the poverty program against political charges. If you have no political activities in your agencies, you wouldn't have to defend it.

Do you think it serves the interests of the Nation after what happened in Durham, N.C., using your vehicles to a mass meeting, and as a result the National Guard was called out?

Do you think that it serves the interests of the people to be involved in political activity?

Mr. SHRIVER. I would like you to think, though I don't think I am going to get you to think that I am as interested in these questions as you are—

Mr. GARDNER. I believe that, but there are many things going on that you can't get your finger on because you have 1,050 of these going on throughout the United States.

Mr. SHRIVER. The last Congress was interested in that, and that is why they put into the bill last year the provision about antirioters and why it was amended to cover from the Hatch Act the overall employees and so on.

I also admit that I have on a number of occasions, as I have today, that we can't police every minute everywhere in the United States, but we do have the benefit that the newspapers are watching these things very clearly, as you are, and all your friends are, so by and large I think it is fair to say that there has been a minimum of any kind of political activity in these programs around the country, certainly nothing to do with partisan political politics.

Let me say one other thing, please. There is a qualitative difference, I believe, between the charge which some people seem to make that OEO employees were actually creating riots or inciting people to riots. There is a difference between that issue and politics.

Now what I was addressing myself to in these charts was not the issue of politics that you are so concerned about. I was trying to address myself to the issue of whether or not OEO employees, the direct ones or indirect ones, were actually contributing to inflaming people in riots, or participating in riots.

I am not saying you made that charge, don't misunderstand me, but it did appear some places that some people thought that.

Mr. GARDNER. May I still say, I think this was the case, the first part of it, that they helped in the city of Newark to incite the situation that later developed.

Mr. SHRIVER. All right. What I am trying to get at—

Mr. GARDNER. Here is a statement made by one of your employees on June 27 before a Board of Education Committee—he makes statements that blood will be running in the streets, if certain things are not met, and this was only dealing with the employment of a secretary with the Board of Education, and yet I call statements like “blood running in the streets” and saying, “If you don’t take a certain action tonight we will see a holocaust.”

Mr. PUCINSKI. Would the gentleman yield for a question?

Mr. GARDNER. Yes.

Mr. PUCINSKI. Was this person working for a public agency, or with a private agency?

Mr. GARDNER. This was a community action agency in the city of Newark.

Chairman PERKINS. Hired by local people.

Mr. GARDNER. Paid for by OEO. They were hired by the officials of this Community Action Program in the city of Newark.

Chairman PERKINS. I think you ought to give the gentleman’s name.

Mr. GARDNER. His name is Mr. Harry Wheeler, and this is his testimony that I received in the Newark Police Department.

Mr. PUCINSKI. May I get one point clear. Was this person you are talking about hired by an agency that is managed or controlled by some Government agency in Newark or is this a private citizen?

Mr. GARDNER. It is a CAP agency in Newark.

Chairman PERKINS. They are the agency who did the employing of this individual.

Mr. GARDNER. That is correct.

Chairman PERKINS. That is the responsibility, I take it, of the local people. That is all in their hands, Mr. Shriver, to hire and fire local personnel to direct CAP?

Mr. SHRIVER. That is correct.

It is also true that if somebody can show us, under the directives that I have issued, that somebody is actually inciting people to violence, that I have taken over to myself the power, you might say—somebody said I didn’t have it, so I took it—to suspend people on my own motion if I had the facts in front of me.

I have suspended a number of people on my own motion on the basis of facts produced for us by the investigation department.

This case that Congressman Gardner speaks about here now, what this man said, it at least seems to me to be both a possible case of entrapping people to riot. It could also be a case of merely predicting what in that person’s judgment was going to happen.

Sometimes when somebody says, “If you don’t do something, this is going to happen,” the person to whom you say that feels what you are doing is trying to get it to happen, whereas in fact all you are predicting is what would happen.

Let me give you an example, Congressman Scherle: There is no use shaking your hand.

Mr. SCHERLE. You are pretty naive.

Mr. SHRIVER. Thank you. I am glad I am. If I had the other attitude, maybe I wouldn't even be able to help here.

But it is possible to have people predict something and have people say, "What you are trying to do is causing a riot."

We have VISTA volunteers, who are by and large decent American youngsters, to go in a moderate way to a city council, or even a local political leader, and say, "Listen, you know there is real trouble down here in this place. If you don't do something about it, there is going to be a very good chance something will blow up."

The guy to whom it is said says, "That guy is threatening me."

He isn't actually threatening him. He is trying to say what is going to happen. It depends a great deal on the way a person reacts. I sat as the president of a board of education in Chicago for a time, who said a lot of things inflammatory—

Mr. GARDNER. Were they Government employees?

Mr. SHRIVER. Yes, sir.

I have had union organizers in a board of education meeting say they would close every school in Chicago, they wouldn't give anybody any lunch. "We will throw everybody out of school, we will close the school system up."

I could have taken the attitude that these guys were trying to close the school system up. I think they were bargaining very aggressively.

I am not saying they were right or wrong, but somebody could have said they were inciting the employees to a strike.

Again, I am not trying to condone this case in particular, don't misunderstand me. We have, as I testified here earlier, we have had inspectors up in Newark and so has the State of New Jersey, up, at any rate, until recently the inspections made by the State people in New Jersey, who are not connected with us at all, corroborated what we had learned earlier.

Now, maybe they were wrong. I am not saying they were wrong or that we weren't wrong. What I am saying is that it was also an honest difference of opinion that these statements were not made for the purpose of creating a riot.

Mr. GARDNER. I could probably go along with your line of thinking had not the same situation developed numerous times in Newark prior to its development on the date of the riot.

We have a copy of a handbill passed out throughout these areas in Newark. It says, "Stop police brutality. Come out and join us at the mass rally tonight at 7:30."

The rally was held in front of the fourth precinct.

Here is a police memorandum that identifies seven CUU workers who were protesting and involved in this thing.

What I am saying, Mr. Shriver, is that there cannot be so much smoke and not be fire there. These people turn up repeatedly at every demonstration prior to the major riots. These are people who were in positions of leadership in the poverty areas.

Chairman PERKINS. Let Mr. Shriver respond.

Mr. SHRIVER. All I want to say is that we have done everything we know how to do administratively to prevent anybody directly or indirectly being financed by us from inciting people to riot or participating in riots.



If Congress feels what we have done is not adequate, then I think it is up to Congress to modify the law. We have done everything we know how, anything that the General Counsel has suggested that was constitutional, I have done all I know how to operate an inspection department, and the inspector here is a very distinguished American and an able one, and we have done our best working with the mayors and the community action people, and we have done all we know what to do—in truth, with a thousand community action agencies running across the country, and with thousands of employees, direct and indirect, there have been very, very, very few incidents of the type to which you refer.

Have there been any? Yes, there have been some. But where we got the facts we moved as fast as we could. We have to move constitutionally, too.

Mr. GARDNER. May I say, I think you have given the ideal solution. I think Congress should act.

Mr. SHRIVER. Fine.

Mr. PUCINSKI. It would be my hope that the charges made by the gentleman from North Carolina would be checked out. I believe we have staff members down in Newark and I hope this information could be turned over to them for full information.

We should know exactly who these people are, who they are working for, and what role they have played in this.

Mr. GARDNER. May I say, we have testimony from several people—several of them—

Mr. SHRIVER. Actually, we have that information already. Sometimes it happens in political life. Let's say you are in office and I want to get your job. Sometimes it isn't a riot but a couple of guys fighting over a job.

Mr. PUCINSKI. I am very much interested in this, because we have seen in the riots that the first charges made are charges of police brutality. The first thing they do is get people worked up against the police and their alleged brutality, and I think we ought to appreciate the difficult job the police have.

Chairman PERKINS. Mr. O'Hara.

Mr. O'HARA. I think the gentleman from North Carolina has brought up an interesting point on which I can throw some light. The gentleman who made the prediction of blood on the streets may have come from Detroit, because that was a popular expression there at one time.

In 1952 the largest newspaper in Detroit predicted there would be "blood in the streets" if the Democratic candidate, Blair Moody, were elected on the next day.

Whatever else I might think of its opinion in that matter, I don't think the newspaper was trying to incite the people of Detroit to riot and I never even made that accusation, as angry as I was. I think we ought to look at the current problem with a little bit of perspective.

I would like to direct to the chairman a parliamentary inquiry: Did I understand the chairman to say to the gentleman from North Carolina that if he wanted to bring some witnesses from Newark to testify on the involvement of poverty workers in the civil disturbances in Newark that the chairman would hear them tomorrow?

Chairman PERKINS. I made this statement.

Mr. O'HARA. Mr. Chairman, I would like to call your attention to the fact that this committee adopted a resolution at its last regular meeting in which we agreed to send staff investigators to Newark and other places where disturbances had occurred, and obtain reports from those staff investigators before any witnesses were called to testify on these matters.

I would request the chairman would review the minutes of that committee, and see if they—

Chairman PERKINS. That is my recollection, but I have never denied the minority a single witness they have presented to the committee, and the hearing will be concluded tomorrow or the next day, and at this late hour, if the minority wanted to call a witness that would have a bearing upon any Hatch Act provision, or any other provision in the bill, I would not deny the minority, and I would suspend the resolution that was adopted here, unless the committee on its own made the decision.

Now let me entertain your views, Sargent Shriver.

There are several more questions to be propounded. I know I have several questions.

Do you want to run it on here tonight, or do you want to come back tomorrow morning?

Mr. SHRIVER. I will suit your convenience, Mr. Chairman, and the other members of the committee. We are here, and we are more than willing to stay. If it is more convenient to come back tomorrow, we will come back tomorrow. It is up to all of you.

Mr. PUCINSKI. Mr. Chairman, if everything else is equal, I am prepared to continue going. We have the witnesses here. We have the material. These people want to get on with the job. Bringing them down for a hearing like this means they have lost a whole day at a time when I think the whole country, as Mr. Shriver says, wants the program moving.

Mr. GOODELL. Mr. Chairman.

Chairman PERKINS. Yes?

Mr. GOODELL. This entails a decision as to how late you want to go. I think we have run 2 or 3 hours, and I don't we ought to impose on anybody here for that length of time.

Mr. PUCINSKI. Why don't we try 6 o'clock and see what happens?

Mr. GOODELL. I hope your decision, Mr. Chairman—I was not here when the decision was made, but your decision to call anybody from Newark would be for an executive session or something that would be—

Chairman PERKINS. I made no decision along that line. I responded to Mr. Gardner. I said that I had not denied the minority of any witness, and would note that this testimony had a bearing on this legislation.

Mrs. GREEN. I think, Mr. Chairman, the record ought to show that the motion was made and adopted by the committee.

It seems to me that if we look at it carefully, that such a mandate—nobody is going to be able to carry it out to investigate in any of the cities in the United States and report back to the chairman immediately, and it would seem to me that when allegations are made, that they—that we would be in a better position when the bill is taken

before the House to present the true facts in regard to these allegations in Newark or any other place, than it would be to go to the floor of the House, than it would be to have allegations or charges made, and then have members say we are sorry we didn't investigate that.

So, I would point out first, that by action of the committee in executive session, the chairman was not precluded from hearing any witnesses that the chairman decided to invite, and second, it was abundantly clear from all of the discussion in the executive session a week ago that any such invitation to witnesses would be in an executive session also, in a closed hearing, for the very purpose of trying to find out both sides, both of who may or who had made accusations, and the head of the poverty agency who had denied the accusations, to hear from both of them, so this committee would be in a position when we go to the floor whether these allegations are true or not true.

I am sorry there is this position to really not find out what happened on the part of the members.

Mr. PUCINSKI. Mr. Chairman?

Chairman PERKINS. Yes?

Mr. PUCINSKI. I would agree with the lady. That is why I said originally the gentleman from North Carolina has brought before the committee some significant material, and we have the resolution instructing our staff to look at these things, and that is why I suggested our staff be notified immediately of this.

I presume they would have a chance to look into this, and if minority counsel wants to join them, I have no objection.

I agree that when we go to the floor with this bill, we ought to have all the information, and not leave out any facts that would obscure the basic purpose, the success of this program. I feel the staff ought to clearly investigate the material brought forward by the gentleman from North Carolina. Let's have all the facts.

Chairman PERKINS. We would let the public get the impression that the antipoverty workers in this country were responsible for the riots, if we commenced to call witnesses in here. It would be additional to the unfounded presumption that our poverty program was not working in America, and I think we would do the program unjust and undue harm by calling witnesses in here insofar as riots are concerned, and I think that the committee took the right step in directing that the staff gather information and that we will share that information, the majority, the minority, together, compare notes with Sargent Shriver, and if we can improve the legislation in any way as a result of the investigations, naturally we will write something in the act.

But if the minority, on their own initiative, and I think the charges are to a great degree political—I say that unhesitatingly, and it is for that reason that I offer the minority a chance within the next day or two to bring witnesses in here—if they want to on their own initiative.

I don't think they will be able to bring any witnesses in here—they may find some isolated incident where somebody has gone overboard and made statements that they should not have made, but by and large, to my way of thinking, the poverty program has kept down riots in America and has made great contributions in that area. I don't think we ought to becloud the picture by somebody, or some few people that have violated the law, because in each branch of the Gov-

ernment we have someone who violates the law, not only the legislative, the executive, the judicial, all the branches of the Government.

So because of the timing—and let the opposition tie on to a program that has worked very effectively in keeping down riots, and try to turn the thing around in the wrong direction, I think is very harmful and it is for that reason that I don't think—this thing is so broad, we need a bipartisan investigation, as bipartisan as could come about, and to say here that Sargent Shriver or some member on this committee is trying to keep down that type of investigation, I think we may do harm to a bipartisan investigation by making flimsy charges without merit, and if anybody on this committee wants to bring a witness, I have stated my views.

Unless the committee directs me otherwise, I think the witness they bring in should bear on better legislation instead of trying to make politics out of such a grave and important matter in this country, but I would not foreclose the opportunity on the minority; if they want to bring in a witness here, we will hear that witness, whoever that witness may be.

MR. PUCINSKI. Mr. Chairman? What is the procedure now for questioning the witness?

Chairman PERKINS. It can continue so far as I know.

MR. QUIE. I am ready to ask questions.

Chairman PERKINS. I am going to call on Mrs. Green.

The 5-minute rule; we will go on again.

MRS. GREEN. Mr. Shriver, I am not sure I understood what you said a minute ago, that with regard to policemen you would bring in 13- and 14- and 15-year-olds and train them as what?

MR. SHRIVER. What I was trying to describe was a program that was under the community action in the city of Detroit. What they did there is this: They get kids—let's say, teenage, 13, 14, 15, 16—and they bring them in and call them the junior police cadet corps, some phrase like that.

In the mornings, they muster them at the police station—I saw them actually being mustered—about 50 kids, each morning, let's say at 9 or 8 a.m. They give them a little uniform, a sort of crash helmet—excuse me—

MRS. GREEN. I think it is clarified. I was afraid the statement might be misunderstood.

At another point you said you had people supervising the pools.

MR. SHRIVER. That was in Chicago, and it was firemen.

MRS. GREEN. The way I understood you, you were going to bring in 13- and 14- and 15-year-olds as assistant policemen.

Let me turn to Headstart. Would you tell me the difference between the Headstart program as it is operated under the Office of Economic Opportunity and the preschool programs that are operated under titles I and III of the Elementary and Secondary Education Act?

MR. SHRIVER. Right behind me is sitting Joe Sugarman who runs the Headstart program. Perhaps it would be better to get more detailed information from him than from me.

May I ask him to answer it?

MR. SUGARMAN. Mrs. Green, what is absolutely possible under title I and what is legally possible under the Headstart program are the same.

What actually happens under title I tends to be significantly different. It tends to be significantly different in the sense that the normal title I program, or the typical title I program, first of all, limits itself only to the educational component of the Headstart program, and in that it provides generally a staff averaging one staff member per 25 children, where it is typically——

Mrs. GREEN. Why is this?

Mr. SUGARMAN. Because local educational authorities have hoped with the choice that they have under the Elementary and Secondary Education Act to spread the money to more children.

Mrs. GREEN. Is it true they don't have the amount of money, that the amount of money that we give to the schools, for instance, in a preschool, which you say is legally identical to Headstart, that they have about \$250 per child, and that we have, if I understand it, about \$1,100 for Headstart per year for a 9-month program?

Mr. SUGARMAN. That is correct, yes; but the difference there is, that the 250 is on top——

Mr. SHRIVER. The difference is that the 250 is on top of the amount spent for average daily attendance—it depends on what the local school board spends—on top of which goes the 250.

Mr. SUGARMAN. And it is possible by concentrating funds that the school system can expend that 250.

The other features, if I may continue, Mrs. Green, that the school system does not have typically is a medical program, and—a program for parents—a social service program, and a nutritional program, as part of their Headstart operation.

Mrs. GREEN. Have you examined these so that you can say on the basis of personal knowledge, because I happen to know a lot of preschool programs, and they do concern themselves with the medical care of the child and with guidance and counseling people.

Mr. SUGARMAN. I depend basically for my knowledge on the Office of Education and the people who had—who administer title I of the Elementary and Secondary Education Act.

On the basis of information they give me, I think those are probably not typical programs you have seen. As you know, that act is very permissive in nature, and there are variations between systems.

Mrs. GREEN. You feel my personal observation is not typical?

Mr. SUGARMAN. My feeling, yes.

Mrs. GREEN. How do you account for the fact that educators across the country have testified in favor of transferring the Headstart to the Office of Education, so that we could have these programs handling the same youngsters?

Mr. SUGARMAN. I think there are many school administrators who see this only as an education program and therefore one which logically belongs in a function that is an educational organization.

Second, I think that a number of school administrators——

Mrs. GREEN. Excuse me. What do educators think?

Mr. SUGARMAN. I will testify that they think education is a more cognitive and typical concept, typical of what one would find in a kindergarten program today, where there are specific learning objectives for all children in the class, rather than a program of individualized development interested in taking an individual child and trying to develop him in the ways that are most appropriate to his need.

Now it is true that many educators would not voluntarily come to this objective, but have been forced to it by the necessity of financial limitations.

Mrs. GREEN. I must say I disagree heartily with your definition of what public schools are doing in public school work. It is at the same age level as Headstart, and I disagree heartily. I have watched them, and I have seen them in many, many places, and they did it long before OEO got started.

Mr. SHRIVER. Could I say something on that? It is my understanding that the Director of Headstart Followthrough in the Office of Education, this new program—Dr. Egberg is his name—that he subscribes to the concept that Headstart ought to stay where it is even though he is responsible for the Headstart Followthrough program.

Mrs. GREEN. Mr. Shriver, isn't it a fact that even if there were private differences of opinion, and I happen to know because I have talked to a lot of people in departments and agencies who have told me privately differently, but isn't it true that every person who is part of the administration has to publicly say it is undesirable to transfer Headstart—

Mr. SHRIVER. I wish that would happen when some people—

Mrs. GREEN. Do you think that even though they privately held this view they could publicly say this?

Mr. SHRIVER. It has happened many times in the Congress in my lifetime. Dr. Egbert, I don't think he is in the Government yet, so he is not in this straitjacket that you think exists.

Mrs. GREEN. I am surprised at the straitjacket, and you don't think it exists when I ask you how much you requested from the Budget Bureau?

Mr. SHRIVER. I am—I agree that is a document that we produce for the President. I believe there is no question about the fact that I am not authorized to testify about that. That is correct. If I can get the figure released, I will get it released. We did release it, Mrs. Green, last year and the year before, to the Appropriations Committee. The chairman of the Subcommittee on Appropriations did get the figures, and they are in the record of the Appropriations Committee for the previous years.

All I am saying is that I don't have the right under the system in the executive branch to discuss those figures without permission. I will try to get them.

Mrs. GREEN. May I say that people very high up in the poverty agencies were not permitted to come up here and say they are not permitted to come up.

Mr. SHRIVER. I suppose there are some who are not permitted to testify about lots of things. There are some of them who probably want to testify that the shoe not be transferred and they can't come. I don't want everybody to testify from OEO, otherwise we would be here for 6 months.

Mr. QUIN. I think this is becoming quite clouded. I think it is an administrative position that Headstart should not be transferred to the Department of Education, and anybody would endanger his future in an agency if he testified differently. I think this is recognized by people in the Government and I don't think this is useful.

Maybe it is because I am impatient in having to wait all this time to ask questions this afternoon.

I have quite a number of questions to ask about the whole program of OEO and the way you administer it. When I went home this weekend, I ran across a friend of mine who has been involved in some of these programs. He asked me a number of questions about the neighborhood health program and the Center. I thought perhaps this evening, since the time is limited, that I could go through these first.

I heard of a few of the health centers, and—it looks like somebody is going to do some work around here—how many Neighborhood Health Centers are there now in operation in the United States?

MR. PUCINSKI. Mr. Chairman, I presume you have a whole series of questions to ask. I am wondering if it would not be a kind of courtesy to Mr. Shriver to give him 5 minutes. He has been here since 2 o'clock this afternoon. I am going to stay and listen to my colleague's questions, but I think he needs a breather.

MR. SHRIVER. I don't need any break, to tell you the truth. If somebody else wants one, that is fine.

Chairman PERKINS. Why don't we run along here a couple of hours and get through tonight?

MR. PUCINSKI. Yes, but we should have a 5-minute recess.

MR. QUIE. Let me go on with the questions.

MR. SHRIVER. This is Dr. Joseph English, sir.

MR. QUIE. Dr. English, how many of the Neighborhood Health Centers are in operation?

DR. ENGLISH. As of this moment, there are eight in operation?

MR. QUIE. Where are those eight?

DR. ENGLISH. Well, there is one in Columbia Point, two in New York City—

MR. QUIE. Mr. Chairman, are we losing the general of the group?

Chairman PERKINS. No, we are not losing the general. He is just going to answer a question, I presume. Go ahead.

MR. QUIE. I have some questions for him, too, about the programs. I have to get through some of the technical aspects.

DR. ENGLISH. There is one operating in the city of Boston, two in the city of Denver, two in the city of Chicago, and there are a total of 41 which are now funded through the country.

MR. QUIE. And sometime in the next year if you receive the appropriations will they be in operation?

DR. ENGLISH. Yes, sir, the ones appropriated are out of fiscal year 1967 funds.

MR. QUIE. Beyond that how many do you plan for this coming fiscal year?

DR. ENGLISH. That will depend on what the appropriations are that are to be given to us in fiscal 1968, when we know the total amount of money that is available to OEO and then have a chance to assess that against the estimate in the President's budget, fiscal 1968, is \$60 million for Neighborhood Health Centers.

MR. QUIE. Those that are funded and presently in operation, how many of them are giving free drugs to the Neighborhood Health Center?

DR. ENGLISH. Almost all of the ones that are in operation that I am aware of would be providing drugs as a part of the care there.

Mr. QUIE. Mr. Chairman, I would suggest we meet in the morning and get Sargent Shriver.

Chairman PERKINS. He will be right back.

Mr. QUIE. How many of the health centers have the patients who go to a retail outlet and how many provide the services free in the health center?

Dr. ENGLISH. I could check that out to be absolutely sure, Mr. Congressman, but all of the Centers functioning now provide drugs at the Center at the time of treatment.

Mr. QUIE. So there are not any where you use the title 19 system of social security for the acquisition of drugs.

Dr. ENGLISH. In all of the Centers, would you ask the grantee to be asked that all Federal funds are incorporated for services even including title 19? They would be reimbursable for all services under title 19, including drugs.

Mr. QUIE. So they would secure their drugs for the Center, and then the Center would be reimbursed?

Dr. ENGLISH. That would be one possible arrangement by which it could happen.

Mr. QUIE. That is the arrangement.

Dr. ENGLISH. Yes; that would be the plan of the program in that area in most of the Centers functioning now.

Mr. QUIE. Do you have figures on the number of people who do receive funds under title 19, and those who are not eligible, sir?

Dr. ENGLISH. We could submit that to you for the record. We could tell you that Centers are receiving reimbursement from title 19, yes, sir.

Mr. QUIE. How does the income requirement for the non-title-19 patients compare with the earnings of the title 19—

Dr. ENGLISH. In many States that have implemented title 19, so far just people who were on various kinds of the categorical assistance have been switched to title 19. There are many other indigent people who require health services that would not yet be covered yet to the extent to which the State has implemented title 19, so if they met the poverty criteria in that community, they would be eligible for the services, and that would vary greatly in the various parts of the country.

Mr. QUIE. What is the availability of free drugs in the health centers?

Dr. ENGLISH. If they qualify for general medical care from the Center, they would also qualify for all the range of services there, including the drugs.

Mr. QUIE. I understand in some of the Centers you do not limit them to income but rather limit them to the area in which they live, and they can get free medical benefits—

Dr. ENGLISH. Well, the area in which the free programs are underway have such high concentrations of poverty that nearly all the people there would qualify for the services by the poverty criteria.

In our guidelines if 80 percent would be eligible under the poverty indices, the only question for eligibility is: Are you from the neighborhood?

Mr. QUIE. What has happened to the drugstores that have been in operation in those neighborhoods which have a center at the present time?



Dr. ENGLISH. There has been some concern on the part of many of the drugstores in the areas where the centers start that they will suffer some loss of services because of the pharmacies that are set up in the communities where neighborhood health centers are beginning. It is for these reasons that we urge the neighborhood health people who are a part of the plan as well as the physicians to consult with the local pharmacist to deal with that problem and consider how they can best contribute to the program starting in the community.

Mr. QUIE. If all the residents of the area where 80 percent or more qualified can receive free drugs from the neighborhood center, what is there left for the drugstore to do after that?

Under title 19, I understand they can secure their drugs from a private vendor, and they would be reimbursed for those, as long as—

Chairman PERKINS. Would the gentleman yield for a point of information?

Mr. QUIE. Yes.

Chairman PERKINS. It is my understanding that under title 19 of the Social Security Act that there is a partnership between the State and the Federal Government, bearing on the ability of the resources of the State. For instance in my area, the State of Kentucky, then is may be on a 75/25 basis. In the areas where you have the Neighborhood Centers, and furnish drugs, is the State participating and paying their share of the cost along with the Federal Government where you are furnishing the drugs?

Dr. ENGLISH. Yes, sir; as soon as the State has implemented the program in the way you have discussed, they would reimburse the Center for the services given, and that would include a State share of the cost.

Mr. QUIE. That only occurs for those who qualify for title 19 benefits. The State does not participate in any way in the payment of services for any of the other figures: Is that right?

Dr. ENGLISH. That is correct, sir; because in many States of the country they have great difficulty in even providing the 25 percent that was mentioned by the chairman, and so this is a gradual implementation of title 19, and it is very different, for example, in New York City as compared to Kentucky, Alabama, Mississippi, or other States of the Union where it is more difficult to get the local share that the State provides.

Mr. QUIE. As you expand these neighborhood health centers, could we say, then, that the private drugstore owners—that it is very likely their business is going to be reduced substantially in the future, and it will undoubtedly endanger the future of quite of number of them?

Dr. ENGLISH. Well, sir, that issue, you see—the guidelines that we distribute to a community that is thinking about doing this talks about comprehensive care and reducing the barriers. It is comprehensive care.

One of the things that our doctors tell us is that it is very important at the time they see a patient to be sure the drugs are available to that patient at the time the doctor writes the prescription. So the drugs are there for the patients to take with them, and they can be instructed on how to use the drugs, et cetera.

Any way a local community wishes to set it up so that that kind of

comprehensive care is provided—what we are concerned about is if the care is comprehensive. If the drugstore, for example, were right across the street from the center, and were easily available to the people being seen at the center, there is no reason the people couldn't go there for their drugs.

But if the drugstore was a long way off, and there was some concern about that kind of problem, then it is possible that the community might invite the drugstore to set up a branch within the health center.

So there are a number of options that could be considered by communities that are beginning such programs.

Mr. QUIE. But at the present time none of them has made arrangements for a private vendor of drugs. They all dispense them within the Centers. Is that what you said?

Dr. ENGLISH. I didn't hear the question, sir.

Mr. QUIE. I say, so far, all these neighborhood health centers have not made arrangements for a private vendor to furnish the drugs, but provide them within the center. Is that what you told me?

Dr. ENGLISH. Yes; that is correct, though that would not be true of many of the new programs that were funded this year. There are some variations on that approach in some of the new programs I recall, and in at least one or two of them it is my recollection that pharmaceutical services were sufficiently proximate to where the centers were going to be, that it would be worked out with a pharmacy.

Mr. SHRIVER. This issue came up in Watts, where the drugstore man near the center was worried he was going to be put out of business, and he is on the board of trustees. He is not out of business at all. The big worry is that somebody is going to give away something somebody is handling, and that is not happening.

Mr. QUIE. Wouldn't somebody give away drugs that somebody else is selling in the center?

Mr. SHRIVER. If the drugstore is 5 miles away—

Mr. QUIE. What if it is not 5 miles away?

Mr. SHRIVER. Then it will be incorporated in the center. It has been taken care of in Watts, and it will be taken care of elsewhere.

Dr. ENGLISH. That level of concern was felt by all the local practitioners in the area, including the pharmacies, and the Watts Pharmaceutical Association is represented together with a local physician, and they have a chance to come to grips with how total comprehensive care will be provided and they are represented as well as everyone else who has an interest in this.

Mr. PUCINSKI. Would the gentleman yield?

Mr. QUIE. Yes.

Mr. PUCINSKI. I am not sure you are driving at this, but you are talking about people on poverty and to a great extent on public welfare, so if the center has drugs it can give away, what is wrong with that?

If somebody has to pay for them, it is the taxpayer who has to pay for them.

Mr. QUIE. Under title 19, the beneficiary can purchase the drugs from a private vendor.

Mr. PUCINSKI. Who pays the beneficiary? You and I.

Mr. QUIE. The taxpayer.

Mr. PUCINSKI. If OEO could negotiate some other procedure and

make those drugs available, I don't see why that should be a horrible thing.

Mr. QUIE. If this expands to the cities, where I have heard that there is an area where people live in poverty, that the private businesses go out and—whenever there are 80 percent or more in poverty, that means the other 20, 19, 18 percent who are not in poverty also can receive free drugs.

Mr. PUCINSKI. Mr. Shriver has stated that these people for the most part are in the planning stages, that these programs are not put together here in Washington. They are put together by local communities, in the communities which know the local problems and who work at the local solutions and those local businessmen then sit in on those boards.

Is this correct, or am I mistaken?

Mr. SHRIVER. What Congressman Quie wants is what a lot of other people have said. They want to have assurance that no doctor or dentist or druggist is going to be injured by the arrival of this program.

Mr. QUIE. Or put out of business.

Mr. SHRIVER. Or put out of business. So far that hasn't happened. We have had this problem come up. The Watts case was a good case, there were eight doctors out there in what was called the John Bruce society, and it worked out.

It has been handled at the local level, the doctors, druggists, and dentists got together at the center and solved it. It differs from place to place.

Mrs. GREEN. Would the gentleman yield?

In response to Mr. Pucinski's question, you said the local people made the decisions.

In the program you outlined with respect to Portland a few weeks ago, where you make provisions that a thousand poor families will be selected and total hospital and medical care will be provided for them, wasn't that decision made here in Washington, that this would be a program that you would put into operation in Portland?

Dr. ENGLISH. That was a proposal from that community, though, Mrs. Green, that it be done in that way, in an already-existing health care system.

In other words, that was an extension of the Kaiser—

Mrs. GREEN. Prior to the application, but the people in Portland were not involved in any other way except the application, which you approved of. Isn't that correct?

Dr. ENGLISH. The community action program in Portland participated in that program, so that to that extent the community was involved.

Mrs. GREEN. Before your approval of the program?

Dr. ENGLISH. Yes, ma'am; that is my recollection.

Mr. SHRIVER. Actually, that wasn't so important. It was a mistake—the guidelines says that the local community action group must participate. In those cases where something went wrong, we heard about it pretty fast, and you might say backtracked and came back in again, having made the contacts in the community to make sure that it did represent the community attitudes.

So if it isn't done that way, it is wrong; it was a mistake. Maybe it was a mistake. I don't know.

Mr. QUIE. What about eyeglasses? Do you furnish them free at the centers like you do in drugs?

Dr. ENGLISH. If that were necessary in a given center, the people doing the program would ask for that kind of authority from us. If that was important in the giving of care, and we would certainly include that in what could be provided by the center; yes.

Mr. QUIE. How do you pay for eyeglasses now?

Dr. ENGLISH. The center itself would pay out of OEO funds for eyeglasses if, for example, title 19 or some other source of support for poor people were not available.

Mr. QUIE. So the present neighborhood health centers that are in operation, OEO pays for them, but they go to a private concern to secure them.

Dr. ENGLISH. I would have to check that out. There are many variations. I think what you say is true in many of them.

Mr. QUIE. What about dentures? That would be another example.

Dr. ENGLISH. Yes, sir; it would be the same thing. We would try to provide that care right at the center as a part of the dental program.

Mr. QUIE. So they would receive their dentures from a dentist who was hired by the center and not be able to go to a private dentist. Is that right?

Dr. ENGLISH. That would be true in many programs. There are other programs that I can think of where they in effect do go to a private dentist for that service because of the situation in the particular local community.

The other thing I would want to emphasize, Mr. Congressman, is that in a target area where a person has help for title 19, it is their choice where they go. They may go to a private practitioner, or to a center, or get the drugs at the center pharmacy, or if they choose to go to a pharmacy outside where, under title 19, they would be eligible for this kind of help, they could do that.

Mr. QUIE. That is the title 19, but the remainder do not have that choice, do they?

Dr. ENGLISH. If there are no other types of programs that would help a medically indigent person other than the center, that would be the only place they would receive care.

Mr. QUIE. Isn't that the only place the beneficiaries who are not title 19 beneficiaries can receive their drugs? They would not be reimbursed for those that were purchased at the private vendor?

Dr. ENGLISH. A person who was eligible for title 19 and came to the medical center for care could receive free drugs there, and the title 19 reimbursement would be to the center.

Mr. QUIE. You do not permit this for the patients who are not title 19 beneficiaries?

Dr. ENGLISH. I see your question. I cannot tell you the practice on the operating centers in that. We will be glad to check it.

Mr. PUCINSKI. Would the gentleman yield?

Mr. QUIE. Yes.

Mr. PUCINSKI. Regardless of what the practice is, it is one that is established by the local community. You don't set the criteria. A local community comes to you with a grant request, and they spell out the procedure and the mechanics for carrying out the medical health center under the poverty program, and the local advisory board—the local

medical people, pharmaceutical people, the optometrists, dentists—are the people who put together the package and come to you, and whatever forms or procedures are spelled out are procedures that have been determined by the local committee commensurate with its abilities. Isn't that true?

Dr. ENGLISH. Yes, sir; that is correct.

Mr. QUIE. I think there is a concern, however, of the people who are present vendors that they are paying taxes to fund this program and that the result is that it puts them out of business. They have a good reason to be upset about it.

I know that any other business—if a group of people receive 90 percent funding from the Federal Government and the end result will put private enterprise out of business, I would think we would take a very serious look at this.

Mr. PUCINSKI. Would the gentleman, if he has any evidence of that—I would like to see it, because if what you are saying is true, certainly we want to change it. However, I would like to see some evidence that when these programs are put together at the local level with the local community participating and drawing up the mechanics that private enterprise is being either put out of business or is experiencing any severe competition. The gentleman has stated repeatedly—the witness has stated repeatedly—that in every instance where a program like this is put together, the local businessmen are consulted and they participate in establishing the procedures under which people want to take advantage of the medical center.

The procedures under which they can take advantage of these things—it seems to me the local merchants, the local professional people are adequately protected.

If the gentleman has any evidence to the contrary, I would like to see it.

Mr. QUIE. Let me ask another question.

Were all the dentists in Massachusetts and Denver, Colo., consulted with, and did they approve of dispensing drugs free?

Dr. ENGLISH. The program in Denver was one of the first that got underway, and that was done under 205 funds, and it is possible that under one of the very first of these programs there wasn't the kind of consultation that our guidelines urge with private pharmaceutical, medical, and dental societies.

The legislation actually calls upon us now to urge—that was reinforced in section 211 last year, and I must say that we have set up liaison now with the national groups that represent all of these interests, so they are able to communicate to us any such situation where consultation is not held, and then we can assist, and we do try to be helpful in that way.

Mr. SHRIVER. Didn't you mean it was under 207 funds?

Dr. ENGLISH. Denver was 205 funds. This was the one center that began under 205.

If you wanted to put into the law an amendment that said that we had to do what we are doing; fine. That has been done many times before in our law.

I must say, Mr. Congressman, that when a program begins in a community, particularly if it has some Federal support,

there is this kind of concern. There has been with physicians and dentists and pharmacists, because one of the things they begin to discover that there are 350,000 people in Watts, and the center that we have is going to be able to serve 30,000 of them, you see, and title XIX, hopefully, is going to be financially helpful to all the people who live there.

As the center begins and heighten, the local doctors and the local dentists and doctors usually experience an increase. I know of very few instances where the development of a neighborhood health center has resulted in less work for the physicians in the total community as well as the relatively few served by the community itself.

Mr. QUIE. What would you do in a neighborhood where there were more than 80 percent of the people for a person who has people substantially higher than the poverty level receiving benefits, what would you do about it?

Mr. SHRIVER. I think the answer is that the doctors in Denver think what you say is correct, and in Denver because it was the first one that went into operation, and the consultation that is not the guidelines now were not carried out.

Why? Because we were doing an experiment, so I think their worry out there was a legitimate worry based on the local situation in Denver, but Joe English is trying to say, I think, that the communities have to respond to it now, that is, in the last 6 months, under which 90 percent of the existing programs have been financed, require this type of local involvement that he has been describing, and under them we haven't had any complaint that I know about, have we?

Dr. ENGLISH. Last week, we met with 21 representatives of the National Association of Retail Druggists in order to set up a more effective liaison between our office and the national office here in Washington, so if they heard of a community, for example, where the local druggists were not participating—

Mr. SHRIVER. Let me say one final thing: It is not our objective to put anybody out of business or even hurt anybody's business. Most of the people, with whom we are working, do not patronize these stores or doctors now because they don't have the money to do it.

Dr. ENGLISH. OK, sir. Part of the problem when you listen to the people in communities, who are involved in starting centers that they describe, is that when they are sick and they come to a health center for health, one of the first things they are given is a form, a very complicated determination of eligibility.

When you are sick that is not exactly the way the people in the communities where our programs are being developed want to be greeted. They want to be helped. That is why we say in the area you describe where 85 percent of the people are qualified the only question they are asked about eligibility is, are you from the neighborhood, and if they are, they get help.

In that kind of situation what our guidelines recommend is that sometime in the course of the year everyone in the target area perhaps when they are coming in for preventive health services but in the course of the program here are asked to sign a simple statement of income that insures to us that they are well within the poverty criteria that make them eligible for that service.

We leave it then to the program itself and to the neighborhood people there to work out precisely how that works. They suggest it to us and we have a chance to review it and particularly at the time of refunding to be sure there are no abuses.

Our experience in the operating centers right now is that the neighborhoods are most concerned about this. They are actually tougher than the doctors are because they are concerned that the people who really need this kind of help get it. I think the best monitor we are going to have in most communities is not just the physicians but the neighborhood people themselves who would be concerned if anyone of high level income would be getting such services free.

Mr. QUIE. Do you suggest we use the same poverty line nationally or can they adjust it up and down?

Dr. ENGLISH. We urge in our guidelines to use the poverty figures.

Mr. QUIE. You urge them but don't require them.

Dr. ENGLISH. In some areas, they want to use the same eligibility as title XIX which is a little broader than our poverty indicia. If they wish to do that we will go along with whatever the states medical definition of medical indigency.

Mr. QUIE. Have you placed in the record at any other time the guidelines that are used for the health centers?

Dr. ENGLISH. No, sir; we have not but we would be glad to do that.

Mr. SHRIVER. They are awfully long. It is a book.

Mr. QUIE. How "bookish" is it?

Dr. ENGLISH. It is about 40 or 50 pages.

Mr. SHRIVER. It does not make any difference to us because we have copies of it.

Dr. QUIE. Have you got it broken down?

Mr. SHRIVER. That is the broken down version of it.

Mr. QUIE. If the 40- or 50-page one is broken down, I wonder how capable the people at the community are.

Mr. SHRIVER. Maybe you are interested in the part that deals with the eligibility of people for service in the center. That is a relatively small part.

Mr. QUIE. That is what I am talking about.

Dr. ENGLISH. We could submit that part and an appendix that explains it further.

(The requested information follows:)

[Excerpt from booklet, "Guidelines—Comprehensive Health Services Programs,"  
February 1967]

#### G. ELIGIBILITY CRITERIA

No eligibility determination should be made at the time of need or request for service, beyond verifying that the patient resides in the area being served by the center. Eligibility criteria must be established and eligibility determinations made in such a way as to be consistent with the objective of eliminating financial, administrative and other barriers to needed health services. The center should determine as soon as possible (1) whether the individual meets the programs' criteria for free care (which must be established in accordance with OEO standards set forth in Appendix F), and (2) what other agencies may be responsible for paying for services to the patient.

Mr. PUCINSKI. Mr. Shriver, throughout this testimony today we have gone into many aspects of this program but I am intrigued by this one statement on page 17 where you say that right now OEO is funding

in Detroit representing only 14 percent of the need of this city and in Hartford we are spending 6 percent, New York 10 percent, Atlanta 21 percent.

In my judgement this is probably the most significant statement you have made. It indicates to us how far we have to go to give these cities what they need.

Am I correct in reading this statement that these requests have been made by the cities?

These programs are being submitted by the local governments, by the local administrators? These are not standards that you have established, are they?

These are programs of need that have been developed by the local community? Am I correct in this?

Mr. SHRIVER. That is correct. The only qualification I want to add is that the local community, generally speaking, has asked for even more than these figures would reveal. In other words, 14 percent of Detroit's need is what both they have asked for and after we went over what they asked for and cut it down somewhat we agreed to. In fact, they asked for more than this.

Mr. PUCINSKI. You are talking about the local people who have surveyed the needs of their community and have come to you with a series of programs and proposals and grant applications and have said to you, "These are the things that we need to cure the problems of poverty in our area and all of the things that go with it," including the rioting, and what not.

We have been talking for nearly 5 hours about the various aspects of the program but I am impressed by the fact that it is the local people who have surveyed their needs. These are the people who know most what their community needs.

This is not some bureaucracy in Washington making this decision. These are the local people. The fact is that you are able to fund only 14 percent of these needs that have been ascertained by the local people in Detroit and that you have been able to fund only 6 percent of the needs spelled out by the people of Hartford. I was wondering how big a job it would be for you to give us a table on all 1,050 of the communities that are knocking on your door for help and what percentage of their needs are you meeting?

It seems to be this is the story that should be told to this Congress. There are a lot of fellows around here who should know a lot of these programs. But I am impressed when the mayor of a city comes to you and says, "Mr. Shriver, these are the things I need." He knows what he needs. I don't know what he needs but he knows what he needs. I would like to see how much of this mark we are hitting with this program.

Now, could we get that? I think this would probably open the eyes of Congress more than anything else you could say around here because these are programs being planned by their people, not by the Federal bureaucracy, but by the local people in these communities. Could we get such a table?

Mr. SHRIVER. Let me say we could give a good, calculated estimate which would cover all of them. Some of them have very fine perfected figures, especially the bigger cities with more sophisticated apparatus there for getting all of that material.

In those cases you might say it would be 10-percent accurate but



when you get down to the rural areas some of the figures would be more of a guess, so the figures would not be absolutely provable as a precise amount but we could come close. In places like Detroit, Chicago, and places like that we could come to it right on the nose.

Mr. PUCINSKI. As we listen to the debate develop here on this poverty program, our colleagues on the other side would have you believe that somehow this is a big Federal program with the Federal Government injecting itself into community after community and just running the whole program. It seems to me that, if I read your statement correctly, what you are doing is trying to respond to the requests being made by the local governments.

They administer these programs. They are the ones who originate the programs and manage and administrate them.

Mr. SHRIVER. Your basic approach is accurate. We are not saying to, say, Minneapolis that it has to have some one thing or another, but we try to respond to what they say they need.

Among some 20 places there are small places like Pueblo, Colo.—now, we could supply that right now. I think the important issue here is twofold, one the issue that you brought up. I think it is very important and I agree.

The second issue is this: Sometimes some people say that you have invested, let's say, \$20 million in the ghetto area of Detroit and yet there was a riot. Obviously the \$20 million must have been misspent or ineffective; otherwise, there would not have been a riot.

I think, in addition to that kind of approach, one has to stop and reflect for a minute on what the genuine need would be for the downtown area of Detroit, let's say, as compared to what we were able to put in. I think that the mayor of Detroit or the mayor of any big city, and I don't care what city and I don't care of what party he is a member, to come in here and tell you just what we have been able to do with the programs we have does not begin to touch what he wanted from the programs we have.

Mr. PUCINSKI. That is the important thing.

Mr. SHRIVER. \$20 million is a lot of money, but \$20 million is very little money when you consider the aggregate of the needs of those central cities just for our programs, regardless of other people's programs. I must say sometimes you read about the fire on the aircraft carrier, the *Forrestal*. I said it cost \$70 million. The legal services program even expanded for next year is only a \$47 million for all of the needs of justice for all of the poor and you cannot help but feel sometimes it is a tragedy that sometimes we lose \$70 million out there and over and above the loss there is a tragedy that that amount of money could be so profitably used for the poor.

Chairman PERKINS. Let's talk about the health program for assistance under title XIX.

Mr. QUIE. Mr. Chairman, before you go into that, I would like to ask one question along the lines of questions raised by Mr. Pucinski. How much would it have been necessary to spend in Detroit to have prevented to riot?

Mr. SHRIVER. I don't know that. I suppose the best person to answer that is the mayor of Detroit.

Mr. QUIE. Or Rap Brown.

Mr. PUCINSKI. That is not a fair statement. Rap Brown is an idiot who should be sent to Maryland to stand trial and I hope he gets the

maximum of 20 years. I think we could get a measure, Mr. Shriver, of needs from the mayor of Detroit, and I think the thing that ought to worry the members of the Michigan delegation and all of us in Congress is that you only have been able to fund 14 percent of the programs that the people in Detroit say are needed. They have come here with a program and they have said this is what we need. You have only been able to fund 14 percent. The people in Chicago have come to you and have said this is what you need and I don't know the percentage you have been able to fund in Chicago.

But it seems to me the significance of your statement on page 17 is that it does give us a measure, at least some measure, of the needs of these local people.

The more I listen to this debate, the more I am persuaded by the fact that this program does give local communities a chance to survey their own needs.

If you can give us the figures for the 1,050 communities, I think a lot of Members in Congress will have their eyes opened on their particular districts.

I think it would be important for Members to see what is happening in their own communities and their own areas, and what little percentage of these needs we are matching with programs now.

Mr. GARDNER. If the gentleman would yield for a moment I would like to explore your point for a moment. I think it is a very valid and good one.

It is my understanding in many, many cases and you have 1,050 throughout the United States, a mayor has little or no say-so as far as funding by OEO. We hear quite a bit about the local people being in charge but in Durham, N.C. for example, there are very few local people involved in the actual operation, paid employees.

Most of them are outside who have come into Durham. In talking with people in Newark we found exactly the same thing. We found very few people in the higher echelon in the program who were from Newark and who were familiar with the problems there.

Isn't this stretching it a little bit to say that the local people have complete control over the mayors. I don't know what the situation is in Detroit but this would not be true in some areas with which I am familiar.

Mr. SHRIVER. I think the fact is Congressman, on the board of directors, of the local community action agency all of the people are local people.

For example, in Newark all of the people on the community action agency of Newark, are residents of Newark. They are Newarkites, and they are all Newark people. They go and employ people from wherever they wish. We don't say to the people in Newark, or Durham, or Washington, D.C. that the only people that those citizens on the board of directors can employ have to be people from Washington, D.C.

Mr. GARDNER. Who makes the request, the board of directors or the mayor's office?

Mr. PUCINSKI. Who does it in Durham?

Mr. SHRIVER. In the case of Durham, it is the community action agency of Durham. Frankly, I don't know if the mayor is on that or not.

Mr. GARDNER. He is not.

Mr. SHRIVER. He can be on it. In the legislation we brought up to

you 5 months ago there is a provision in the legislation which we have asked you to approve, which specifically states that the mayor or his representative must be, unless they take themselves off voluntarily.

Frankly, Congressman, many mayors did take themselves off voluntarily at the beginning, one to get it off of the area of riot discussion. The mayor of New Orleans decided he did not want to be on. Art Naftallon, the mayor of Minneapolis, decided he wanted the health and welfare council of Minneapolis to be the community action agency.

Let me repeat. We did not require him to make that decision.

This was a local decision. Some mayors now say they wish they had decided a different way 2 years ago. In order to make it possible for that to come about, if they wanted to change their mind and get on, we proposed in the law you have pending in front of you, an amendment which would require the mayor or his representative to be on, if they want to be on, so the problem you are worried about in Durham under the law, under the proposed law, would be eliminated.

Mr. GARDNER. What has been the rate of turnover among board members of your community action program? Do you have any figures?

Mr. SHRIVER. Offhand I don't have any figures but I would suspect there has been substantial turnover in 2 or 3 years. That is not peculiar, however, to local community action agencies.

There is turnover on most local boards whether they are a local conservation board or a local board of education. You have to remember too, all of these community action agencies boards were new 2½ years ago and we found that a lot of people who originally said, "Yes, I want to serve on here," when they found out they had to put in a lot more work than they wanted to, got off and different people got on.

Mr. GARDNER. Were there any people dissatisfied with the program who resigned?

Mr. SHRIVER. Certainly, but that does not mean they were right.

Mr. GARDNER. It does not mean they were wrong, either.

Mr. SHRIVER. No, that is correct. No one could say all local school boards are perfect. You have elections all over the country and you have frequent arguments whether they are good or bad or indifferent, and whether they are teaching about the Government, or the U.N., or what have you.

I think there has been considerable turnover and I think it is because of the reasons I am trying to describe.

One thing is that Congressman Quie put an amendment on the bill last year which many people think was a very good amendment.

Under that rule we had to have every community action agency with at least one-third of the people poor, that is, residents of the area.

Mr. GARDNER. Did you think this was a good rule?

Mr. SHRIVER. Yes, I had no objection.

Mr. PUCINSKI. Some charges have been brought here which are going to be clearly investigated—at least I hope they will be investigated. As you know, I have never been a great devotee of that theory.

I think these programs ought to be run by responsible people in the community. Our good friend over here put that one-third rule in. He invited trouble. He is now fighting and criticizing the program because he did get people into the program that Mr. Shriver has no control over, that the local government authorities have no control over, and nobody has any control over. So today they are flexing their

muscle and the very thing I predicted would happen, I suspect, may be happening in many areas.

I think maybe the gentleman from Minneapolis may want to take another look. I am happy to see the amendment being offered now—the mayor of a city ought to be on this program. He is the man who has to go before the electorate every 3 or 4 years and account for his stewardship.

I trust local officials. I might tell the gentleman I would bet of these 1,050 communities with which we are dealing as much as 60 or 70 percent of these local governments are Republican controlled. So, I am not making any great appeal on a partisan government bases, but I happen to trust local officials.

These are men who have to go before the electorate every 2 or 4 years and they must put their record before the voters and get re-elected.

Mr. GARDNER. May I commend the gentleman from Illinois. He sounds like a Republican.

Mr. PUCINSKI. That one-third rule was forced through. They bit their nose to spite their face. They came in here and thought they were going to hurt the big cities so they came in with this one-third doctrine of theirs and they got it through the Congress and now we have come full cycle.

Now they are complaining and they are trying to blame the OEO and blame Mr. Shriver and a lot of other people for things which are happening over which they have no control.

Mr. QUIE. Would the gentleman yield?

Mr. PUCINSKI. Sure, I yield.

Mr. QUIE. The gentleman is putting words in my mouth when he says I am criticizing it and when he says I came up with a second conclusion that it is poor.

I think involvement of the user population is really a Republican philosophy. I want the government as close to home as possible.

Mr. PUCINSKI. Ask yourself how many of your people voted for the poverty program in 1964, how many of your people voted for the amendments, and how many of your people will vote for this time. Don't tell me about your philosophy.

Mr. QUIE. We supported the amendment the last time.

Mr. SHRIVER. The only reason why I brought it up, Congressman Gardner, a part of the turnover this past year is occasioned in many cases by, let's say they were 25 percent poverty representation. In those places somebody had to get off in order to bring the proportion up or poor people had to be added.

I am not trying to make a big deal out of it but there are factors involved other than dissatisfaction.

Mr. GARDNER. I would be interested in knowing the percentage.

Mr. SHRIVER. We will try to find out what it is.

Mr. QUIE. If the poor truly select their own representatives, we would be interested in knowing what it was in the future.

Mr. SHRIVER. I wrote you a letter this morning in reply to your letter about two places. It was straightened out beforehand.

Mr. QUIE. Do you mean they gave wrong information?

Mr. SHRIVER. I don't remember the letter in detail but it is in your office. If the board selects the members rather than the poor selecting the poor, they are satisfied with the selection.

We put out a memorandum explaining what we thought were four or five alternative ways in which the representatives of the poor could be chosen legitimately and democratically in keeping with the intent of your amendment.

That was issued sometime ago. There were about five different ways. The places that you were concerned about chose one way that maybe you don't like—I don't know—but it was not an illegal or immoral or duplicitous arrangement and people under that scheme are chosen to the extent of 33 or 35 percent.

If the Congress wants to modify the law to say they must be chosen in one way that is your prerogative. We feel there are alternative ways and the alternatives that we outlined are on the record.

Mr. PUCINSKI. If my colleague will yield—they keep talking about the poor but tell us how you want these people to be chosen, do you want them elected? Do you want them selected at the townhall meetings? How do you want them selected? They always run for cover and say we don't want to tell anybody how to do it and then they come back and criticize saying we have the wrong people on the board.

Sometimes it is very hard to keep up with just what the devil they want.

Mr. QUIE. Is it acceptable for the people of the poor in the neighborhood to only dominate representatives and then the board themselves actually do the selecting or the mayor actually do the selecting? Is that acceptable under your guidelines?

Mr. SHRIVER. We have said that a convention method rather than a direct balloting system would be agreeable provided that in a neighborhood all of the organizations and people in the neighborhood were genuinely reached by advertising, word of mouth, meetings and so on.

So we do require and we try to police it to be sure that is actually done so if all of the residents of the area have really been genuinely informed, and if then in a series of conventions or gathers if they then nominate all people who are poor and all of whom live in that area and they have 30 nominees for 10 openings, we have a rule that it was not a violation of them being residents of the area—your amendment—if 10 out of the 30 were chosen by the mayor or the board itself because all of them had to be residents of the area to begin with and they were all nominated by people from the area.

Therefore, none could be construed to be chosen from above. They were nominated from below and somebody chose out of the 30. I am not trying to claim it is perfect but we were looking for alternative ways and it seems to me that it is not undemocratic.

Mr. QUIE. I think it is. I think the poor should be able to select their representatives and the rest of the people should be required to serve with them.

Mr. SHRIVER. What we have is a matter of public record. If somebody does not like what we have done they can say it is illegal or change it. All I am trying to say is we are not trying to do it wrong.

One of the things I have learned in this job is a terrific appreciation for the variety, the differences among communities across this country in all ways, about how city government, county government and all that works.

It is just not a monolith anywhere; they are all different. We have tried to be responsive to those differences and we have tried to avoid

sitting here in Washington and saying everybody has to do it our way. That is why we have five or six different ways.

Mr. QUIE. One of the things people have objections to is that other people affluent in the neighborhood can't take their right of representation away from them. As long as there is some money involved we should put out guidelines protecting this.

Mr. SHRIVER. We have put out guidelines. You can obviously change the guidelines if you feel they are wrong. I take it, Congressman Gardner and Congressman Pucinski, may feel they should go the other way.

Mr. QUIE. I may have some boards who prefer to be self-perpetuating.

Mr. SHRIVER. Under the bill pending before you for about 5 months it is spelled out they can't be self-perpetuating. They have to be staggered terms. That is all in the bill. Roughly, the bill before you represents an honest attempt to deal with these problems that we are now discussing here. I honestly believe if you enact that bill you would find lots of the things you worried about would disappear.

Mr. PUCINSKI. Would the gentleman yield?

Mr. QUIE. Yes, I yield.

Mr. PUCINSKI. The concept I have advocated ever since this program was started is that you have an elected official who must come before the electorate and account for his stewardship. Either he has done a good job or a bad job and if he does a bad job he gets defeated.

My colleagues have discussed this one-third rule not out of conviction but of spite that they were going to hurt somebody in the big cities.

Actually what they have done is create a great deal of unnecessary dissension in communities.

Mr. QUIE. This is the smokescreen you throw up when you want to deny some people have a right in their own program.

Mr. PUCINSKI. I don't want to deny anybody a right of anything but I think whenever public funds are concerned there ought to be an accounting.

The basis of this Republic is the ballot box and I think the voters have a right to come and say you have done a good job or bad job.

I am amazed to see my great colleague who holds himself as a defender of the public does not want to go the route of the ballot box in the spending of huge sums of taxpayers' money.

They are coming and going and they can't quite make up their minds on the program.

Mr. QUIE. There have been mistakes in a number of programs that have been financed by the Federal Government. Housing is a good example. The people who were to be involved were not involved in raising and planning their own expectations.

To me this is a failing. As I have looked at the poverty program, the one thing that I felt that stood out as an ingenious device that I believed in and as I have seen it operate, even though there has been controversy about it and I believe in it, and that is the participation by the poor.

I have always felt the director should have the statutory backing. That is the reason for my amendment to make sure there was one-third representation of the poor. You have not found me critical of that in the past and until it has proven to be a failure, I shall not change my opinion.

Chairman PERKINS. Mr. Shriver, I take it from your statement that you do not have any neighborhood health centers in any States that have failed to take advantage of title XIX of the Social Security Act. Am I correct?

Dr. ENGLISH. No, Mr. Chairman, but we have centers where title XIX has not been implemented.

Mr. SHRIVER. The answer is we do have them in States where title XIX has been implemented.

Chairman PERKINS. Would you supply that information for the record.

Dr. ENGLISH. Mississippi would be one, Mr. Chairman.

Mr. SHRIVER. How about Alabama? Did you see Governor Wallace OK'd our neighborhood health center for Alabama in advance?

Mr. PUCINSKI. That must have been cause for good celebration in your shop.

Chairman PERKINS. Let's talk about eligibility a little. Who are the beneficiaries other than the various categories set out under title XIX that are eligible for assistance and for the States participating? Do you have the local people who make the determination or just who makes the determination about other groups of the poor who will receive assistance other than the specific various categories of public assistance?

Dr. ENGLISH. The guidelines advised the local community that is beginning a program like this that anyone in the area who would be eligible for help from the poverty program would fit within the poverty indicia in effect applicable to that area would be eligible for medical care at that center.

That would mean in a State that has implemented title XIX some people being taken care of at that center would be reimbursed and there would be many others that would not be covered by title XIX but we could pay the total cost of their care.

Chairman PERKINS. Your operating costs would cover the costs of the others?

Dr. ENGLISH. Yes, sir.

Mr. QUITE. You do, however, have an income level higher than either your poverty guidelines under other programs or title XIX income levels; isn't that right?

Take for instance Denver. I keep hearing about a pretty high income group of people who are receiving the medical benefits at the health center. It seems to me there was some rebuttal saying 65 percent of the people are below the poverty line which means 35 percent are above the poverty line.

Dr. ENGLISH. Denver is a good example, Mr. Congressman, because in the area where the Denver center is operating—and we could get this completely for the record—80 percent of the people meet the criteria for poverty as defined in the guidelines. We have talked to Dr. Johnson repeatedly about this issue. There is a simple eligibility determination made in the course of a family's contact with that center during the year that assures that there is no exception to the fact that they are within the poverty criteria, but we are not aware of any abuse of that on the basis of our site visits and examination of that program operation.

Mr. QUITE. Do you use the \$3,000 income with graduations up and below for that?

Dr. ENGLISH. They would have the eligibility guidelines which we would be glad to submit for the record. For example, in a family of six people it would be \$4,000 for a year total family income.

Mr. QUIE. This is Denver?

Dr. ENGLISH. As far as I know I could check that out for you but I think these are the criteria used at that center.

Mr. QUIE. The information that is printed in the press shows there is considerably higher than that. Of course, that does not mean it is true.

Dr. ENGLISH. We would rather check it with Dr. Johnson for you.

Mr. QUIE. Would you supply that for the record please?

(The information follows:)

DENVER DEPARTMENT OF HEALTH AND HOSPITALS,  
MAXIMUM FAMILY INCOME FOR ELIGIBILITY TO  
RECEIVE BENEFITS UNDER CHILDRENS BUREAU (HEW)  
AND NEIGHBORHOOD HEALTH CENTER (OEO) PROGRAMS

| FAMILY INCOME      |                     |                    | NUMBER OF PERSONS IN THE HOUSEHOLD |   |   |   |   |   |   |   |   |
|--------------------|---------------------|--------------------|------------------------------------|---|---|---|---|---|---|---|---|
| ANNUAL<br>RGN - To | MONTHLY<br>FAM - To | WEEKLY<br>FAM - To | 1                                  | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1/ONE 1199         | \$NONE-99           | \$NONE 23.03       |                                    |   |   |   |   |   |   |   |   |
| 1200-1499          | 100-124             | 23.04-28.84        |                                    |   |   |   |   |   |   |   |   |
| 1500-1799          | 125-149             | 28.85-34.61        |                                    |   |   |   |   |   |   |   |   |
| 1800-2099          | 150-174             | 34.62-40.33        |                                    |   |   |   |   |   |   |   |   |
| 2100-2399          | 175-199             | 40.39-46.14        |                                    |   |   |   |   |   |   |   |   |
| 2400-2699          | 200-224             | 46.15-51.91        |                                    |   |   |   |   |   |   |   |   |
| 2700-2999          | 225-249             | 51.92-57.68        |                                    |   |   |   |   |   |   |   |   |
| 3000-3299          | 250-274             | 57.69-63.45        |                                    |   |   |   |   |   |   |   |   |
| 3300-3599          | 275-299             | 63.46-69.22        |                                    |   |   |   |   |   |   |   |   |
| 3600-3899          | 300-324             | 69.23-74.99        |                                    |   |   |   |   |   |   |   |   |
| 3900-4199          | 325-349             | 75.00-80.76        |                                    |   |   |   |   |   |   |   |   |
| 4200-4499          | 350-374             | 80.77-86.53        |                                    |   |   |   |   |   |   |   |   |
| 4500-4799          | 375-399             | 86.54-92.30        |                                    |   |   |   |   |   |   |   |   |
| 4800-5099          | 400-424             | 92.31-98.07        |                                    |   |   |   |   |   |   |   |   |
| 5100-5399          | 425-449             | 98.08-103.84       |                                    |   |   |   |   |   |   |   |   |
| 5400-5699          | 450-474             | 103.85-109.61      |                                    |   |   |   |   |   |   |   |   |
| 5700-5999          | 475-499             | 109.62-115.37      |                                    |   |   |   |   |   |   |   |   |
| 6000-6299          | 500-524             | 115.38-121.14      |                                    |   |   |   |   |   |   |   |   |
| 6300-6599          | 525-549             | 121.15-126.91      |                                    |   |   |   |   |   |   |   |   |
| 6600-6899          | 550-574             | 126.92-132.68      |                                    |   |   |   |   |   |   |   |   |
| 6900-7199          | 575-599             | 132.69-138.45      |                                    |   |   |   |   |   |   |   |   |
| 7200-7499          | 600-624             | 138.46-144.22      |                                    |   |   |   |   |   |   |   |   |
| 7500-7799          | 625-649             | 144.23-149.99      |                                    |   |   |   |   |   |   |   |   |
| 7800-8099          | 650-674             | 150.00-155.76      |                                    |   |   |   |   |   |   |   |   |
| 8100-8399          | 675-699             | 155.77-161.53      |                                    |   |   |   |   |   |   |   |   |
| 8400-8699          | 700-724             | 161.54-167.30      |                                    |   |   |   |   |   |   |   |   |
| 8700-8999          | 725-749             | 167.31-173.07      |                                    |   |   |   |   |   |   |   |   |
| 9000-9299          | 750-774             | 173.08-178.84      |                                    |   |   |   |   |   |   |   |   |

ELIGIBLE FOR SERVICES

INELIGIBLE FOR SERVICES



Mr. QUIE. You said on page 6 of your statement that you consider those who would mock our laws, shatter our peace, burn our homes, kill our people to be enemies of our country. Now, it is true that in all cases anyone who would burn homes or kill people would be enemies of our country. But do you believe in all cases that the local poverty workers out to abide by any local law? Is that what you are saying, that they should never in any cases refuse to accept local laws?

Mr. SHRIVER. I am hesitating just to try to figure out what kind of a law that you would be considering. I think it is true—

Mr. QUIE. Civil rights people are quite upset about the number of local laws.

Mr. SHRIVER. Where a local law is in opposition or opposed to the laws of the United States, I would not say that, no.

Mr. QUIE. Let us take as our example, the local housing ordinances at times where it is not a matter of straight discrimination. The civil rights people would take action not only in strictly civil rights requests of discrimination but also if the effect tended to be discriminatory.

My question would be then, Would you require that any Community Action agency which is funded would not be able to take action, say political action, to protest against local laws to try to get the local city council to change their laws and to get the legislatures to change their laws?

Mr. SHRIVER. No, I never intended to imply that. Maybe the expression "mock our laws" is not a strong enough expression. Our position has been the poor, in fact everybody, has a right to express their opinion about the laws in one way or the other and that the poor should not be estopped from expressing their opinion about a law which they find harmful to them any more than anybody else. I did not mean to imply that they did not have the right of protest. That is in the Constitution and we certainly are not trying to take away the constitutional rights of American citizens.

What I was trying to get at in this paragraph here was that as it says there "mock our laws." Maybe that is not the right word. What I was trying to say was hold the law up to ridicule as such, the law itself.

The other thing is quite obvious, as you said. So with respect to the law we could not possibly put ourselves in the position of taking away a civil right like the right to protest which is in the Constitution or to have assembly, as they call it, in the Constitution and the other provisions of the Bill of Rights.

Needless to say we support those.

Mr. GARDNER. Would the gentleman yield one second? I would like to explore this.

Mr. QUIE. I yield.

Mr. GARDNER. Let's use a hypothetical case. If a city wanted to build a hospital in a certain location and they were going to have a bond issue, do you think it would be the responsibility of your poverty workers if they were opposed to this, if they felt in some way it affected the people living in the poverty area, to go out and actively march in protest in front of city hall, in front of a board meeting and disrupt what was going on?

Would this be within their rights?

Mr. SHRIVER. Let me say, like most hypothetical cases, it is not a very easy thing to speculate about. That is why the Supreme Court never takes hypothetical cases or gives declaratory judgments.

Mr. GARDNER. Let's use the exact case of Newark.

Mr. SHRIVER. Or the one in Durham where the people object to the location of an urban renewal project or to a housing project.

Mr. GARDNER. I am speaking now of your paid poverty workers, not the average citizen on the street who has a right to do it. I want to know what your ruling is concerning the paid workers.

Mr. SHRIVER. I think the paid workers do not lose their rights simply because they are paid workers any more than a soldier who is a paid soldier. He still has a right to express his personal viewpoints.

Mr. GARDNER. Would this be along the lines of protesting "police brutality"?

Mr. SHRIVER. What I am trying to say in those sentences there is anyone who can encourage or excuse violence, who is against anything we stand for—I read to you the guidelines we have before. It is not a question, Congressman, where I can sit up here in Washington and say it is wrong to protest police brutality or any other kind of brutality because if there is genuinely brutality then it would be right not wrong as an American citizen to protest it. It would be right to protest brutality of a bureaucrat.

If I were brutal and work for the Federal Government, that does not mean I become above criticism for brutality.

Mr. GARDNER. So you would condone poverty workers marching against city hall and rioting and picketing.

Who determines if it is a genuine situation?

Mr. SHRIVER. That is what citizens in this country do, I think.

Mr. O'HARA. As I understand the law, the restrictions of the Hatch Act are applied to employees of local community action agencies since the salaries are paid in whole or in part by Federal funds.

In other words, the same restrictions upon political activity are applied to community action people as are applied to any other Federal employee. I believe that uniformity is the correct policy. Certainly we should not require one standard for postal employees, Internal Revenue employees, Park Service employees and then exact a different and higher standard from employees of local community agencies.

In each case we have the problem of whether or not the person is exercising his right of free speech.

The scope of free speech has troubled the courts for a long time. Of course a person cannot shout "fire" in a theater because that goes beyond the realm of free speech. But we cannot constitutionally restrict the right of freedom of speech or protest or expression. Therefore I don't see any point to our talking about doing it.

It is not within our power to change that rule and happily that is so. That right of protest is just as strong when you are wrong as it is when you are right. It has never been required that a person be right in order to exercise his freedom of speech and I do not think Mr. Shriver intended to imply that.

All they need believe is that they are right.

Mr. GARDNER. Would the gentleman yield?

Mr. O'HARA. Yes, I will be happy to yield.

Mr. SHRIVER. Thank you for clarifying me on that.

Mr. PUCINSKI. Mr. Shriver, earlier the lady from Oregon raised some questions about the Job Corps and Headstart in particular. Because of the limitation on time I do not think we received a complete answer from you and your colleagues. I was wondering if you would care to elaborate at this time on why the school superintendents are so insistent on transferring this program to the Office of Education.

It seems to me that the program is working very well. I do not know of anything that the country has uniformly agreed on as the success of the Headstart program. It just seems to me that if you start fooling around with this program now that it is working so well would be a great mistake.

Perhaps you can offer some suggestion of why there is this concerted drive to spin it off into the Office of Education.

Mr. SHRIVER. I join with Jule Sugarman who earlier testified that it is sort of a natural thing that many people who are in the business of education professionally conclude that if something has an educational component, an important educational component, that therefore it ought to be in the Office of Education. That goes for anything.

Mr. PUCINSKI. Headstart is really more than just the educational process of the youngsters. Doesn't this involve parents and the community and everybody else as well?

Mr. SHRIVER. That is right, and Mrs. Green and others know there is an interest in some parts for superintendents to do the things we are doing in Headstart. There are many other things where this is not so. You yourself have seen this in a variety of places and so have I.

This is not to condemn anybody but it is a fact that educators, that is the professional public school educators, naturally think that anything to do with education where public money is used ought to be strictly within the jurisdiction of the Office of Education.

Actually that is not altogether true. We don't do things that way. For example, the Defense Department has a large educational program that is not within the Office of Education. The State Department has a large educational program that is not there. The former Commissioner of Education, Frank Keppel, took the position as a matter of philosophy that he rejoiced in the fact that many, many different agencies in the Government were involved in education because he saw this as beneficial.

I think the current commissioner, Harold Lowe, feels the same way but that does not mean everybody in the educational establishment in the United States feel that way. Some people feel when a Headstart program originates in their area that it constitutes some sort of a threat to their monopoly over the total educational process in their community, so they are recently full of that.

They see, or some of them see, Federal money coming in to operate a program which has an educational part over which they don't have control, so they don't like that.

Now, in addition to that, the idea of Headstart as being a community action device is foreign to most Americans. They don't understand what we mean by that.

What we actually mean is that Headstart has proved to be the

best catalyst for bringing people together, bringing the rich and poor together, bringing the races together, bringing different religious groups together to focus on the problems of these children, so it actually is creating communities where communities did not exist before.

This is particularly true in some of the States in the deep South and elsewhere, so we see Headstart as a community action program, not as an education program. But the very idea of community action is novel. It is very new in this country. Therefore, you can't expect lawyers automatically to see legal services as a community action program.

They are beginning to see it more and more but at the beginning it was not quite that clear. You don't expect to see all of the doctors understand that these neighborhood health centers are community action programs right at the beginning.

A large proportion of brightees, sort of most imaginative of them, do see it that way and they do not object, but others do object.

That goes for all of our programs. When we start a program, any program in any field, if it is a manpower program, an educational program, a health program, a justice program, there is always somebody already in existence who says, "Well, I ought to run that program." What they don't see frequently is the community action of it is more important than their little piece of it. We have a tough time explaining that.

I am confident myself that it has not penetrated enough people yet to make it advisable to turn it over to anybody else, especially to a group which looks upon it primarily as being an education rather than a human renewal program as Bill Kelly sometimes talks about the Job Corps.

Jules Sugarman said he would like to make a few more points on that issue and perhaps with that permission we could give him a minute or two to do that.

MR. SUGARMAN. As I said earlier in my testimony there are many excellent Headstart programs that are run by school systems. But taken as a whole the typical school system has difficulty with at least three of our concepts.

No. 1 is the involvement of parents. Most school systems have yet to really understand and feel the need for involving the parents in the process of child development.

No. 2 is—and this is limited to certain parts of the country largely—the school systems have been unable or unwilling to operate in accordance with the requirements of the Federal law. The existence of an alternative system which would operate within the requirements of Federal law has been a constant thorn in their side and I think much of the opposition has come from that particular group.

Thirdly, I think too many school systems have been more or less closed societies, not only closed to the parents but closed to volunteers, closed to nonprofessionals, closed to many other kinds of people who could make an effective contribution to the program. This is changing. We have seen some changes in the city of Chicago in the last year and I think it is changing in many communities in the country, but it is only changing because OEO exists as an alternative, and OEO has the ability to insist that certain kinds of things be done in a program.

This leads to disagreement, to friction and to opposition.

Mr. PUCINSKI. Mr. Shriver, I have listened to you for 5½ hours here and you have made a fantastic presentation. You know this subject. I don't know of any man who is more honestly and sincerely dedicated toward the success of his program than you are.

You said earlier this afternoon that perhaps a substitute bill is designed to get you out of it. I say here and now, and I think the American people are sooner or later going to agree with me, it would be a tragic day when you leave this program, because I don't know of any man who have been better qualified, who has the grasp of the problem that you have. This program for the most part is successful and it is a tribute to you and the people whom you have assembled around you.

I hope at this crucial time in America we can join hands with our colleagues on the other side and look at this program. If there are shortcomings, let's correct them. Then let's get on with the business of removing the causes that are really hurting the country today. I want to congratulate you for your impressive testimony before this committee today.

Mr. SHRIVER. Thank you, Congressman Pucinski, I appreciate that.

Chairman PERKINS. I too want to join in those remarks. I think you have just accomplished so much at this stage of the game. I feel that Congress would not want to commit such a grave error as that and lose all of the experience gained and have you pass that experience along to some agencies at some future time if programs are spun off at some time in the future.

As chairman, I have a note from Mr. Goodell, who says that he cannot possibly get away from a meeting this evening, I am going to let Mr. Quie finish his group of questions and that will only leave Charles Goodell, so at your convenience either today or tomorrow, we will have you return tomorrow at 2 or 3 o'clock.

Mr. SHRIVER. I haven't any idea what my schedule is but I will be glad to come back whenever you want me back here.

Chairman PERKINS. Let's agree on 2 o'clock tomorrow afternoon.

Mr. O'HARA. May I ask a few questions after Mr. Quie has finished?

Chairman PERKINS. Yes.

Mr. QUIE. I would like to go into the Community Action agencies a little bit more.

I guess you know my views on the representation of the poor; they ought to be able to select their own representatives there.

The other two-thirds or less than two-thirds made up of other groups—I know some Community Action boards are made up of one-third of the welfare agencies where each of the agencies selects a member for the board and they can replace them any time they want to and then the governing bodies can do this, although some of them, it seems to me, are self-perpetuating agencies and it seems no one selects them outside of the board, itself.

They came in there at the selection of the board and they stay on there year after year. I think in this area there is just criticism from Mr. Pucinski and Mrs. Green has raised those questions but where they really represent no one in the community, have you given this consideration in terms of any changes that need to be made in Com-

munity Action boards in order that everybody on the board at least represents some group or groups in the community?

Mr. SHRIVER. Yes, we have, and we have attempted to cover that in the bill before you. That is our bill before you that has been pending here, lo, these 5 months.

In that bill we attempt to spell out exactly the kind of thing you are talking about so that the people on the board do represent specific areas in the community, that they do have to rotate, they just can't get on there perpetually and then perpetuate themselves.

The law that we drafted was our best effort to deal with the problem you brought up. Therefore, Congressman, I think all I can do is commend to you the bill which has been proposed. This is the bill which we have proposed. We think it covers the question which you have raised.

Mr. QUIE. At the present time, some Community Action boards actually select the representatives on the board. Would this no longer be permitted?

Mr. SHRIVER. That is right. That is what the proposal proposes.

Mr. QUIE. Another question I have, which is away from the board, and that is your summer youth program, for which \$75 million was appropriated by the Congress. As I recall there was little criticism of doing that and Congress went along quite willingly. The only criticism I have is, it was a crash program, the plans had to be drawn up in a hurry, and many programs didn't get started right after school as they should.

There are two things I hear. One is that they should have another crash program next year and do the planning early and, second, don't we need something year round as a program rather than just a summer program?

Mr. SHRIVER. I agree with both of them.

Mr. QUIE. Do you have in H.R. 8311 a proposal for the summer funds and for the year-round program where, if that bill were enacted and fully funded, of \$3,060 million that that criticism could not be made by community people?

Mr. SHRIVER. No, it is not in the bill because in the bill we attempted again not to earmark things and it is possible under the bill the communities would not finance those things and then in some communities the conditions you have described as bad and with which I agree would occur.

So to answer your question, we do not have an ironclad way in the bill which we propose to make sure that there are (a) year-round programs of recreation or (b) summer programs of recreation. It is left up to the locality.

Mr. QUIE. Then in that program I have heard some criticism here in the District of Columbia that where the community had some violence occur, they now have some swimming pools and they actually have made some headway whereas in some communities where no violence occurred they do not have much more than they had before.

The question was raised when it was reported in the newspapers that in Newark shortly after the first night of riot or the second or third day \$3,350,000 of funds was released from OEO even though undoubtedly it was in the works for a long time before that.

It looks like those are rewards for violence. What is your reaction to those charges?

Mr. SHRIVER. First of all, I maintain we should never reward violence.

Second, in the case of Newark, those grants actually had been made before the 30th of June. We had so many grants in June that although the grants were made we didn't get through the process of drawing up the press release and getting it out. So in fact although it appears at that time the money had been available back into June. The local people knew that.

Mr. QUIE. Was the press release rewritten after the riots began?

Mr. SHRIVER. I am sorry to say it takes us longer when you have a great swarm of these things come through at one time we just don't have the public affairs people, since we are accused of having so many public affairs people, to grind out all of the press releases we have to grind out.

In fact, grants are issued but we don't get the publicity out about it until later.

The second thing you have to understand is that every agency has a program year. We tried to stagger them throughout the year but there will be some, for example, expiring today, on the 31st.

Some cities have program years that expire today. So we will be announcing in some cases new grants in the first week of August for those agencies.

Now, it will be just our tough luck maybe to come out with a big new program, for example, and maybe the day after some ruckus and occurs and they will say we did it on account of that. We did it because the program year happened to occur at that time and we will do it in September and October and November.

We at OEO have never taken any step or made any grant in response to violence.

With respect to Washington here, where the pools are located is a decision again of the UPO, the local community action. If they did allocate them the way you describe I would agree it looks as though there was a mistake.

They probably put them there because they didn't have enough money to put them in all of the places, so it put them in the places where there seems to be the most difficulty, which is regrettable. I am not defending it. Don't misunderstand me but I am not trying to condemn them for doing the best they could with what they had.

Mr. QUIE. If you were on the verge of making an announcement and violence occurred, would you wait or would you go ahead if you planned it the day before even though you had a chance of holding it up?

Wasn't that about the case in Newark, and also the first time in Watts?

Mr. SHRIVER. I suppose if I had it all in front of me at one moment I would try to think about what you are talking about. The truth is these grants are made out in the regions, as you know.

Most of those decisions such as the one you are talking about are not even made in Washington. So it would not actually come to me in the normal course of events today. It would be decided in San Fran-

cisco for Los Angeles. Now, you say to me should the fellow out there think about that. I suppose he should. We hope to get this thing to the point where it is not a supercolossal decision every time a grant is released that it goes forward systematically.

Consequently, I really don't feel that I can give you a very good answer to that question.

Mr. QUIE. Even if violence occurs—

Mr. SHRIVER. In other words, you are saying if violence occurs we should take a punitive position.

Mr. QUIE. If violence occurs are you in contact with the regional office? Are the regional personnel required to make any contact with you or do they still go ahead with full jurisdiction in the community?

Mr. SHRIVER. They have full jurisdiction in the community. What they are admonished in all cases to do is this. They are advised if there is a grant to be made about which they see there could be potential difficulty, political difficulties, problematical difficulties involving programing or something like that they are supposed to refer those to Washington.

Now, this could be one of those.

Mr. QUIE. So undoubtedly they would be referred here?

Mr. SHRIVER. I would not say undoubtedly. I would say it is a question of judgment on the part of the regional director and I rely on his judgment.

But I don't think that it would be too smart to say that if a riot occurs and if a grant were to go to that community the next day and the grant was all ready to go and the people in the community knew it was coming, which they usually do, that you would hold it up in order to, as I say, be somewhat punitive to the community. I say that, Congressman, not because I want to condone riots because I don't, but it seems to me that the grants go to thousands of people, we hope, who are not involved in riots at all. It does seem like a shame not to permit them to go ahead with their work simply because somebody else has done something wrong. I don't say, therefore, the withholding of community action moneys would be a proper disciplinary method of dealing with rioters. I think rioters deserve something a lot more than that and the innocent should not suffer simply because there have been guilty rioters.

Mr. QUIE. Remembering that OEO is to be the command post and you are the general of the war on poverty, suppose you pretty well decentralize the operation and Washington ceases to be a command post as it once was and the community action centers seem to be more of a command post now.

What would you say to that?

Mr. SHRIVER. No, I don't think that is a fair conclusion.

We have attempted to establish guidelines for our programs. When the guidelines become perfected so that it is then possible to put the authority over the program into the region we attempt to do that. We don't do it in all cases but we have done it with respect to community action programs. We have done it now because we have enough trained people especially in the regional directors and I have enough confidence in their judgment that we are willing to make them make those decisions.



Two years ago we could not have done that. No. 1, we didn't know enough about it when we started to know the conditions under which the delegation should be made.

Secondly, this has not been done in the Federal Government domestically before. The regional director for HUD out there in San Francisco, for example, does not have final authority but we have been following the good Republican philosophy you described a few moments ago.

In the structure of this agency, we put it as far out and as close to the community as we can get it commensurate with good administration.

The result has worked out to be very good so far.

Mr. QUIE. Except putting it in a regional office in some cases by a telephone call or the mails, air travel sometimes is as close to Washington as it is to the regional office. San Francisco is a little bit farther away.

Mr. SHRIVER. I did not get that.

Mr. QUIE. When the regional projects are sent in by mail, Washington is just about as close by mail or air as San Francisco.

Mr. SHRIVER. We could have kept everybody here and made everybody come here. That would mean, let's say, the mayor of Raleigh would have to come up here to Washington about something or the mayor of Miami would have to come up here or the mayor of New Orleans or people from that town would have to come up here.

I felt to concentrate all of this in Washington was not particularly wise. You can say we were wrong. All I am trying to say is that by delegating it out to the region and putting authority out there to act and the money to act we have definitely improved the administration of the agency.

Bert Harding sitting next to me is the Deputy Director of the Agency. He went through a decentralization process like this when he was the Deputy Director of the Internal Revenue Service. One of the reasons I was very happy he came with us about a year ago was he could help us decentralize this process and let me say it is not easy. I think it is fair to say now in the judgment of people in public administration that this is the way that nearly all of the agencies are trying to go.

In fact, I think we have gone further faster than most.

Mr. HARDING. It is not really just the physical distance but the availability of personnel, for example, which you can't concentrate here. I think we have a much superior structure under the decentralized system.

Mr. QUIE. Do you mean it is easier to secure adequate and competent personnel if you get away from Washington?

Mr. HARDING. That is a good part of it; yes, sir.

Mr. QUIE. At least it is a valuable experiment for the other departments to look at to see if they want to follow it.

Mr. HARDING. It is not really unique in Federal establishments. I think the degree of authority which we have given the regional directors is a little unique, but the idea of the decentralized operation of a national program, I think, is fundamental and completely accepted.

Mr. SHRIVER. Let me say one of the reason we were able to do this

was we were able to get at least three of these regional directors established at the GS-18 level. It sounds like pure rank and that sort of stuff but it does make a difference in the quality of the man you can get to take the job out there.

If you decide that you are going to delegate this kind of final authority you have to be sure there is really a good man out there. We have been very lucky in my judgment in the quality of the men and women we have had in the region.

Mr. QUIE. Let me ask a question on the Job Corps and then I will quit for the night. Looking at the men's urban centers, I note that there is quite a difference in the cost per enrollee in the various centers that have been open more than 24 months.

I imagine we had better use that because there can be various reasons for the differences in cost for at least those open less than 9 months. The average cost per enrollee at Camp Atterberry was \$8,995 and Camp Parks was higher, Gary was way down to \$5,266, and Kilmer was \$7,988.

Why were Atterberry, Parks, and Kilmer so much more expensive to operate than Gary?

Mr. KELLY. Gary is the largest center and when you start comparing Atterberry with Gary you are comparing a center with 3,000 at Gary to a center with 1,500 youngsters at Atterberry. At Gary you are spreading your costs over a larger number of units and that is one of the things that accounts for the cost.

I might also say that in terms of Gary, there are some wage differentials when you start comparing Gary to a place like Camp Parks in California it has an impact here.

Mr. QUIE. Why is it that you expect this next fiscal year that Parks will be down to \$6,500 but Gary will be up to \$6,100?

Mr. KELLY. In the case of Parks, the management of that center has instituted a number of things at our behest in terms of cutting costs.

The \$6,500 and the \$6,700 and the \$5,266 are based on the renegotiated contract estimates, Congressman, for this next figure and those are hard figures. What was necessary to do was to cut out some frills and to make adjustments based on experience.

Mr. QUIE. Do you expect that next year all of the Job Corps centers will be operating at a cost below the level which is specified in the law?

Mr. KELLY. Let me say that based on the congressional definition we think that all those centers that are open more than 9 months will be within the \$7,500 ball park.

Our 1968 financial plan that I am working against now, even though I do not have an appropriation and I am sure you understand this, makes planning extremely difficult when you get this far into the fiscal year—we are working against a \$6,700 average across the board.

That means that centers will be more than \$6,700; some of our smaller women's centers will be more than \$6,700 but our larger centers will be less than \$6,700.

Mr. QUIE. What about keeping them under the \$7,500 with your accounting—which is different from the amount of costs that go into this figure in your booklet—different from that in the law; is that right?

Mr. KELLY. No, sir, that is based on the congressional definition. If you look on page 40 you will see on the side we quote the congressional definition.

Mr. QUIE. As you interpret the law, the average is only expected to be below \$7,500 for the center?

Mr. KELLY. That is right, for the average.

Mr. GARDNER. Would the gentleman yield for a moment?

Mr. QUIE. I yield.

Mr. GARDNER. I would like to go back to the community action center when the gentleman from Michigan was talking about the rights of individuals to be able to participate in demonstrations.

I think it ties into some extent with the problem I have had in my own State with the regional office of OEO in Atlanta furnishing vehicles at an explosive situation.

I believe you later reprimanded the Atlanta office and the head of Operation Breakthrough in Durham. Yet, I think it is a very prime example when you have your agencies and allow them to become involved in these protests and this is what I was discussing a moment ago not as individuals but as a poverty unit to go on record as opposing a certain activity—a civic project—such as something else they might disagree with.

You were talking about and discussing your regional setup. I think this is the prime example of where you had a breakdown in it in Durham and it could have led to an explosive situation. It led to the national Guard being brought out. Do you want to comment on this?

Mr. SHRIVER. Over there in the Defense Department they have five people, the Joint Chiefs of Staff, the Secretary of Defense, a Secretary of the Army, Navy, Air Force, Marines, and everything else.

They do delegate to people out in the field what they call "operational responsibility."

The result of that is occasionally somebody in the field makes a mistake.

Mr. GARDNER. Why do you think they made a mistake in the Durham situation I just mentioned?

Mr. SHRIVER. If anyone including all of us knew why we made mistakes we would not make them.

As somebody once said, the way to be sure you don't commit an error is never to leave the dugout—just stay there and you won't make any errors.

If you are in the ball game you are going to make some errors, I don't care who you are—if you are Willy Mays. My colleague behind me was present when Willy Mays dropped a fly ball. Why did he do it? Stupid, wasn't it?

Mr. GARDNER. I thought your man in Atlanta was operating under OEO directives.

Mr. SHRIVER. I got through testifying a minute ago that you have to place responsibility in the regional directors and you don't do it until you get people out there who are very well qualified.

Mr. GARDNER. The point I am driving at to which we don't seem to be able to get an answer, do you approve of an agency going on record and approving a community bond project or any civic project, any local project?

Is it the job and the responsibility of your local community agency program to oppose this as a group?

Mr. SHRIVER. I have already answered that two or three times today and Congressman O'Hara helped to clarify my answer.

I don't really see that I can add anything more to what I have already said.

Mr. GARDNER. I think there is a vast difference between an individual going out on his own time regardless of where he may work and a community action program doing it is a sponsored program.

Chairman PERKINS. I think we have just about carried this far enough.

Mr. GARDNER. It is a strange thing we have been here 2½ hours and I am sure Mr. Pucinski and others have been very honest in their appraisal of Mr. Shriver and I think he has done a fine job but I do think these are areas we should look into.

Is it not the purpose of this committee to pinpoint the weak areas as well as the strong areas?

Chairman PERKINS. You have every opportunity to bring in any witness you care to. You can bring in your witnesses tomorrow and we will hear them.

Mr. SHRIVER. I have not been here for 6 weeks and we have not controlled the witnesses who were here praising the program.

There have been witnesses here from, I think, both political parties. There have been mayors and Governors—I guess maybe Governors; they have been here many time before.

There have been all kinds of people testifying here. If they have all been praising the program, maybe that means something.

Mr. GARDNER. I would like to have the opportunity of having a week, Mr. Shriver, to bring in a few people who do not agree with them.

Chairman PERKINS. The gentleman knows we have been operating here on a timetable for weeks and week and weeks and then the last day or so he comes along here and asks for witnesses.

You can bring in witnesses tomorrow if you want to and we can sit here until midnight.

Mr. PUCINSKI. I want to go to the floor with the record showing the fact that the chairman has afforded the minority Members every single opportunity to bring in their witnesses and we did not select these witnesses.

The minority Members selected their own witnesses and brought them before this committee. I think the record should make this crystal clear so there is no question about that.

Mr. GARDNER. The developments that have taken place in Newark are current events; they just happened. They didn't happen 6 or 8 weeks ago and I think you expressed it so well a few minutes ago that if we have a witness we ought to bring him in.

Mr. PUCINSKI. If you have any information, I am one who wants to see it and will hear it and I want all of this brought out. The chairman has said to the gentleman on several occasions that he is welcome to bring his witnesses in tomorrow.

Mr. GARDNER. We have a witness appearing right now that I was attempting to question.

Mr. O'HARA. If the gentleman will yield for a moment.

About this Newark matter, I want to be sure I have this straight. As I understood the gentleman from North Carolina, he indicated that a gentleman named Spina—

Mr. GARDNER. He is the police director of the city of Newark.

Mr. O'HARA. He had told you when you were in Newark that a Mr. Wheeler had made some statements at some sort of public meeting in June which amounted to inciting a riot.

Is that correct?

Mr. GARDNER. The police director during my 3½-hour conversation at which time I was accompanied by the minority investigator, discussed at length the activities of the local community action program in Newark.

In his opinion, they had done numerous things that he felt helped lead to a very touchy situation. He never at any time actually said they were involved in the actual rioting nor have I ever said this but he did say they led protest marches. They called the meeting in front of precinct four the night the riot started and they were actively leading, protesting, what they call police brutality.

Mr. O'HARA. As we discussed earlier in our colloquy, there is a line that has to be drawn between legitimate expression of opinion protected by the freedom of speech and the same sort of word uttered in a different context and in a different tone and in a different atmosphere so that it would amount to the crime of incitement to riot.

Now, that is a judgment that law officers have to make initially. If the police commissioner of the city of Newark honestly believed that those expressions, those acts under those circumstances amounted to a violation of law in the form of a call for civil disorder and incitement to riot, it seems to me it was that local police official who had the responsibility to seek an indictment under the laws of the State of New Jersey and under the laws of the city of Newark for that offense.

It does not seem to me that Sargent Shriver, 300 miles away, without any representatives from his investigators' office on the scene assessing the situation, is in any position to override the action of the local law officials were Mr. Shriver to take action against these people while local law officers remained inactive would require just such an overriding of the local police decision.

If Mr. Spina feels these are incitements to riot, he should have brought prosecution just as the people in the State of Maryland did with respect to Stokely Carmichael.

Mr. PUCINSKI. Do I understand the gentleman is going to try to bring in Mr. Spina? Perhaps at that time Mr. Spina might want to explain why he did not take certain steps. Perhaps if the police official had taken the decisive action at that time to get these people out of circulation the riot could have been avoided. So, I think we should give him a chance to explain that.

Mr. GARDNER. It is quite interesting to note the night that I happened to be in Newark the local community action program was holding a meeting.

This was after the riots. They decided that the purpose and the reason behind the riots was because of police brutality.

Mr. PUCINSKI. I am sorry. I didn't get that.

Mr. GARDNER. The incitement that these various agency people had been doing leading up to the riots was reportedly because of police brutality.

We have the pamphlet they passed out asking the people to come to the meeting. I think our colleague from Michigan has brought out a very fine point.

There is a fine line between an individual operating—as he certainly can as a citizen of the United States—but I also think there is a very fine difference between an agency of the Federal Government going into local communities, upsetting the routine of the local communities and agitating these people to go out and protest in various ways.

Mr. PUCINSKI. I presume Mr. Spina will be prepared to identify these people?

Mr. GARDNER. He already has.

I will again go back and refer to his telegram. I did not send the telegram, he did. He certainly did not mince any words.

Mr. PUCINSKI. The telegram made clear that there was a telegram sent last May to Mr. Shriver and adequately answered this question.

The question that I want to know now and I am presuming if Mr. Spina is called by the gentleman as a witness he will be prepared to tell us if any poverty people actually participated in the riot.

I think Mr. Shriver made clear what happened last May. I want to know if any agency people were involved now.

Mr. GARDNER. I think we should clear this up for the record. Mr. Spina never said and I have never heard anyone say people participated in the riots. He said they did damaging things that lead up to an explosive situation.

Mr. PUCINSKI. As I said earlier, I don't want anything to be concealed here. I want to go to the floor with this bill and I want everything there.

Mr. GARDNER. I hope Mr. Spina will be here tomorrow.

Mr. PUCINSKI. This committee has a responsibility to look at all of the facts and I want those facts.

Mr. GARDNER. I agree with you.

Mr. PUCINSKI. The impression I got from the earlier exchange was that Mr. Spina had indicated that there were people who were passing out literature at the time of the riot.

Mr. GARDNER. It was just prior to the riots.

Mr. PUCINSKI. Now it is my understanding that you are saying all of this occurred some time before and Mr. Spina never said that there were OEO people actually participating in the rioting itself.

Now what the the facts?

Mr. GARDNER. What they did, for many many months they made inflammatory statements and I quote Mr. Spina on that, that led up to the dangerous situation. The community action program in Newark called a mass meeting in front of a precinct station and passed out literature protesting police brutality on the day the riots broke out that night.

From this mass meeting the riots started.

Mr. PUCINSKI. Is our colleague going to try to have this witness here?

Mr. GARDNER. Yes, plus two city councilmen from the city of Newark.

Mr. O'HARA. I for one do not intend to credit or even listen to any testimony charging Mr. Shriver with failing to make a decision about incitement to riot which the local officials themselves were unwilling to make.

I hope he will refrain from those statements. If there was something improper, why didn't the local police make arrests immediately?

Mr. GARDNER. If you would allow me, I do hope the gentleman from Michigan will be here if Mr. Spina does come from Newark and will keep an open mind and listen to a man who has first-hand knowledge of what transpired in the city of Newark.

Mr. O'HARA. If I am tied up in preparations for a press conference, I will come back the next day.

Chairman PERKINS. Let me say that we all have confidence in the law enforcement agencies and if there is anything wrong; it would appear to me that the local authorities in the city of Newark would certainly do something about a situation and not be derelict in their responsibilities.

I just cannot believe that any police chief would be derelict in his responsibilities. That is the reason I feel the statements that you have made are largely hearsay. I hope your witness comes so we can put him on the stand.

Mr. O'HARA. I had some time left. May I use it now?

Chairman PERKINS. Yes.

Mr. O'HARA. It appears to me that the problem is that we are failing to praise your program enough. I think we are directing our inquiries into the piddling details of the administration of this program.

I am afraid that we are directing our attention to things which are on the fringes instead of concentrating on the really important questions we ought to face especially after the disturbances in Detroit, South Bend, Grand Rapids, Milwaukee, and other communities around the country.

I represent a suburban district. We have a problem with poverty but not an insurmountable problem, not a problem that defies the resources of our community to deal with.

We have poverty programs going in many rural communities where there are problems of poverty but I do not believe the problems defy the local resources there either.

At the same time, Mr. Shriver, we have situations existing in certain cities of our great metropolitan centers where all of us can admit the problems of poverty are beyond the resources of the cities and beyond the resources given to poverty program at present.

It seems to me if we want to direct our attention to the problems of the poverty program in light of what we may have learned from the riots this summer, that question is, Should we reorient our entire program?

Wouldn't it be better to draw attention to the central cities of the major metropolitan areas of this country? Indeed, shouldn't we be directing almost our entire effort to the central cities of the major metropolitan areas?

Is that not where the really grave and urgent problems exist in America?

I suggest these are the sorts of questions to which we should direct ourselves.

Mr. PUCINSKI. I would certainly like to associate myself with that suggestion. In view of the many things we have heard here, especially from our colleague from Minnesota and various others, why not direct this program on a massive effort to the large urban inner cities that are experiencing the greatest difficulties and remove the causes.

I think the gentleman from Michigan makes an excellent suggestion. Certainly I would like to get behind it and let's give these big cities the kind of massive help they need to meet the problems confronting their communities.

Chairman PERKINS. I want to state that I agree with the great need in the metropolitan areas of the country but we are going to come forth with about \$3 or \$4 million extra because the rural areas of the country cannot be neglected.

We have to pass some legislation here and if we direct it only where we have the problems, the immediate problems that we say have been because of the riots, we will go on the floor with the charge that we are rewarding those areas where we have riots and which, of course, we cannot do.

I do not believe in discriminating against a metropolitan area or rural area. The rural areas have their problems to the same extent that the metropolitan areas, but in many areas of the country people starve to death.

We have certain conditions that brought about this and contributed to it and I want to make every contribution possible to help alleviate those conditions, but if we are going to concentrate \$2 billion solely in the metropolitan areas, I think it would be a sad mistake, unless we increased this authorization by about another \$2 billion to take care of the rural areas where we have about 50 percent of the poverty in the Nation.

Mr. QUIE. Would the gentleman yield?

Mr. PUCINSKI. I yield.

Mr. QUIE. I come from a rural area and the tendency is for me to joint with the chairman but I do think we have a more severe problem in the center city and I am frank to admit that.

When people live together, close together, piled up on top of each other, where 15 people live in an area of space in which a family of three should live, you have more problems.

These rural people have moved to the center city, many of them lived in a shack and the Negroes in the cotton country, but there is an altogether different problem, more severe when they are congregated together in a ghetto or in a slum.

At least they got out of the rural area. The thing that disturbs me about the ghetto is the hopelessness that they feel they can't get out of there.

I think that is the most severe social problem that faces the Nation.

Mr. O'HARA. I thank the gentleman. I obviously agree with him. I do not propose that we now completely neglect the rural areas or the suburban areas of the kind I represent, but comparing urban and problems I think there is a difference in the seriousness of the problem in the urban areas.

I think that we are now dealing with the social dynamite that Dr. Conant described. We have seen the explosion of some of that social



dynamite. Some of that dynamite existed in the cities before the poverty program began.

I think that what we need to do is to direct the efforts of Congress and the poverty program toward putting just about all, certainly the vast majority of our effort, into these central cities and get at this social cancer which is such a problem.

I am mixing my metaphors. Let's say diffuse the social dynamite.

Chairman PERKINS. Sargent Shriver does not have the tools at his command to go in and do something about the housing situation on a massive scale. All of these other social problems—but he does not have that type of program. He can operate only to a limited degree so far as his social problems affect the metropolitan areas and the programs by and large have been concentrated in the metropolitan areas considering the resources that he has had at his command.

I think the record bears that out, and if the gentleman from Michigan will examine the record I think he will find that is a true statement.

The problem is we just do not have the resources in this bill to touch the real causes that brought about this social dynamite situation.

Mr. O'HARA. Now that I hope I have thoroughly prejudiced the case and have gotten out all of my points, I think maybe we ought to let Mr. Shriver answer briefly.

Mr. SHRIVER. As I think my original statement indicated, we are not even close to meeting the problems of the central cities, the big metropolitan areas as you have described them even with the programs that we now have.

The programs that we have now could be much bigger and the President asked they be 25 percent bigger. The projections we have shown to show you they would be 50-percent bigger if we get the \$2 billion.

If as the Chairman said a minute ago, we could get a lot more than \$2 billion, then we could do a lot more in the central cities and at the same time do something in the rural areas but you men know better than I what the prospects are for that.

From a practical point of view, I don't see how we can just forget the rural poor, let us say, in Mississippi, or the rural poor on the Indian reservation or the rural poor up in Alaska where I saw poverty which is worse than anything I have seen elsewhere in the United States.

In parts of West Virginia where I was in 1960 and 1961—and I have been down in Kentucky with the Chairman several times—the rural poor are in a bad sense. Somebody said we should not reward violence.

If we put all of the money in the metropolitan areas where we have the most violence, the most probability of violence, we would in a sense be rewarding violence at the expense of the rural people who have not been as violent.

The poor from Mississippi end up in Chicago and Detroit, too. Poverty does not respect State lines. I have said many times before that poverty is a commodity in interstate commerce and that is why we have to have a national program dealing with it.

It really is in interstate commerce; so the poverty problem of De-

troit or Chicago or some other place was born and bred and nurtured down in some other place.

The Puerto Ricans which are having trouble in Spanish Harlem, some of them were not born there. They are citizens of the United States, however, so we have a pretty good antipoverty program down in Puerto Rico.

It could be better obviously. Therefore, I can only conclude that it would be extremely difficult to decide which poverty takes priority. That is No. 1.

Within the amount of money we are asking the Congress to give us, it is just impossible to stretch that effectively to deal with the problems we are talking about, because in the 20 cities for which we computed here, the needs of community action alone could gobble up the whole appropriation.

This is not something that just happened yesterday. I will revert to my own time when we were on the board of education in Chicago. We had a budget of \$350 million. I testified in Illinois that we could have used a budget of \$600 or \$700 million in Chicago alone just for schools, but there was not a chance of getting that with the property taxes out of Illinois.

Let's take Durham, Raleigh, Charlotte, other cities in your State—maybe they don't need the poverty program as much as the rural areas of Mississippi or the big cities, but I find that it is very difficult to say that to the mayor of Charlotte who thinks the antipoverty program in Charlotte is pretty good or to the mayor of Little Rock who thinks it is very good there in Little Rock.

Little Rock is not on that list, thank God, but Little Rock just a few years ago was the scene of a lot of trouble. I don't think there is anybody smart enough really who knows enough to say that we are not to have any more trouble in Little Rock or Columbia, S.C., or some place like that, that has not shown up on that chart.

As I said a moment ago, I think it is indivisible. Poverty is a disease permeating the social structure of this Nation.

Mr. O'HARA. Mr. Shriver, that is a very eloquent defense of your policy but I persist in believing that you are facing a new expression of an old problem, to wit, the allocation of scarce resources. I just happen to believe that we should allocate more of those resources to the central cities where the social dynamite is already in the explosion process.

Maybe we can let some of the other areas slide a little bit while we do it.

Mr. SHRIVER. You start on the assumption that the resources are scarce.

Mr. O'HARA. As a practical matter they are.

Mr. SHRIVER. I believe the people of the United States have always responded to the challenge provided it is explained to them properly, provided they understand what it is that they are being asked to do. And when they do understand this, they will do anything.

I feel, if I may be presumptuous, that the Congress and the executive branch of which I am a small part, I think we have a big job to explain to the people of the United States, and that goes for the people in the smaller towns and in the rural areas, just what it is that we are attempting to do and why it is essential.

It seems to me now is a pivotal time. Everybody is suddenly alerted to it. Now is the time to say we have the program, at least we have some of the program; we are ready to go.

All we need, as I said before, is to let us out of the box here and go to work with some money.

Mr. PUCINSKI. Mr. Shriver, I would not expect you to comment on this obviously, but I think there is some merit to the statements made over the weekend that there is something wrong with our order of priorities when we have vast expenditures for the space program and as Mrs. Green said, for the development of supersonic transport program and the GSA report showing all of the great wastes in the practices of the Defense Department, it seems to me that we ought to take another look at these priorities to see whether or not the eloquent testimony that you offered today should not give us some insight to a redirection of those of these priorities to get at the problems.

We are all concerned about what happens in India and various other parts of the world but right now it is happening in America and I think the American people would support a reappraisal of these priorities.

Mr. SHRIVER. You are right.

I don't think there is any question about it. For 2 years I have been going around the United States saying that the soft underbelly of this country is here at home. I have said this in Chicago, in Washington, in New York, in Atlanta, in New Orleans, Houston, Larado, Watts, and Alaska.

I have no worry myself as I have said many times that the Green Berets are going to defect out there in Vietnam. If this Nation is weak at all it is weak right here. That is why I think this program is so important and why sometimes a little bit frustrating not to be able to get on with it.

Mr. PUCINSKI. We are going to try to help you.

Chairman PERKINS. Are there any further questions, statements, or observations?

Thank you, Mr. Shriver.

Would you identify yourself for the record?

Mr. ODHAM. I am Brailey Odham from Orlando, Fla.

I am president of Orange County Economic Opportunity, Inc., a CAP agency serving Orlando and Orange County, Fla.

Chairman PERKINS. I want to take this opportunity to welcome you and your family which has been so patient here today.

I know I treated you so badly since you are on a vacation and holding you here to this late hour but I promised you this morning that we would hear you and I am delighted to recognize you at this time.

You desired to testify, as I recall, about the matter discussed by the Orange County witness that we had here last week. I know it is impossible for Congressman Gibbons to be here at this point but we delayed putting you on this morning because we thought Congressman Gurney would be here today but he evidently has not come around and has not arrived back in town.

Any statement that you care to make, you may proceed with in your own way.

Mr. ODHAM. Thank you.

**STATEMENT OF BRAILEY ODHAM, PRESIDENT, ORANGE COUNTY  
ECONOMIC OPPORTUNITY, INC., ORLANDO, FLA.**

Mr. ODHAM. I appreciate and more than you know I have appreciated and enjoyed today the fine work that this committee is doing in trying to get at the root problem of poverty and how to deal with the explosive situation that does exist in America.

My interest, in addition to a general interest in America, is in the community action program in Orange County, Orlando, Fla.

Last week Dr. Douglass of Rollins College was brought here at the invitation of Congressman Guernsey and testified to this committee many things which I think are untrue, and I felt that it was my responsibility as president of that committee to give you the honest picture in Orange County.

First of all, Orlando is a conservative area and I think that Congressman Guernsey truly reflects a political attitude of our community.

The OEO is not an outstanding success in Orange County in the sense that it does not have the support of the power structure or some of the organizations like the dental society and the medical society, and we do have critics.

We have one fellow named Jake Braswell who is a professional griper and I have brought with me a copy of an editorial that appeared on TV.

It shows just how unreasonable some of these people can be.

We have a good Headstart program. I was glad to hear today the testimony about Headstart. We have 600 children. I have heard much testimony about the need for additional funds.

We could have handled 3,600 children in a full-time Headstart program. We have 650 in a summer Headstart program in addition to our full-year program.

We did get one of the summer youth employment programs just recently for the city of Orlando. It is employing 125 youths. One month after the mayor asked our local committee for help, the regional office in Orlando had funded the program for \$73,000 and the program was in effect within 30 days after the little incident there that brought attention from the city that maybe they had better look out to the Negro community and get a program underway and it was funded through the Orlando office in 30 days.

It is for a small amount. I think it should have been for as many as 500, but hearing here today how little is being done for Detroit and some of the other areas, it has given me a better understanding of just how big and broad this program really is.

We do not have in our community the cooperation of the dental society which presents somewhat of a problem. They are a conservative organization, but I did hear some comment here today about the one-third poverty people and one-third of our board is from the poverty area, the Negro citizens, and I want to go on record as saying they are the bright spot in our whole board organization and in our whole community program as far as I am concerned.

They are very interested in the problem. They have an intimate knowledge of the conditions in the neighborhoods, of the poverty conditions, and they have made a great contribution to our program.

They are well represented on every one of our standing committees exceeding one-third or more of the membership on those committees.

If I had any comment to make that I thought might be worthwhile, it would be amidst all of the other problems and programs you have to consider here in guiding the affairs of our Nation, I don't think riots ought to be rewarded, but I think the OEO, through its programs, have opened the eyes of the needs of the poor.

I think the riots serve as an alarm clock to wake us up all into a sense of the urgency of the situation and I think it will take a whole lot more than we have scheduled to begin to do the job.

We are doing a fraction of the work. The frustration in Orange County is that we are doing a fraction of the work, but in Orange County we have 19 local churches that are participating in Headstart and we have over 200 volunteers that have contributed over 20,000 hours of their time to our program so far.

Although it is not reaching the power structure, 70 percent of our poor in our county are Negro. Any time any programs are working there, the old southern attitude, they are a little bit dubious about it, but we have made great progress, it will work, it is needed, and I just wish you good luck with your judgments as you consider this program.

I do appreciate the opportunity you have afforded me in coming before this committee to say these few words.

Chairman PERKINS. You have made a good statement and I do appreciate your statement.

Mr. Gardner, any questions?

Mr. GARDNER. I have several questions. I am sorry Mr. Gurney is not here because he is more familiar with this.

In talking with his administrative assistant he brings up several things which I am sure were administrative problems but as Mrs. Zorn—are you familiar with her?

Mr. ODHAM. She is a person who along with 50 other people applied for a job. She was considered along with the other 50 and was not hired. She is white and she filed charges with the Civil Rights Commission or someone, or Fair Employment Practices Act, and that is in the process of being investigated by the appropriate agency.

This is just one applicant for a job and you have one person to be employed and there are 50 or 60 applicants.

I looked at her application after the fact, not before, although it was on a table at a meeting which I attended.

Mr. GARDNER. What was the particular job she applied for?

Mr. ODHAM. Assistant director or director of Headstart in our full-year program but it is just one individual's right to complain.

I don't think she is right but I think she has the right to complain.

Mr. GARDNER. In looking quickly through the information, I believe she had a master's degree—

Mr. ODHAM. I don't believe from a licensed institution that she had any degree.

Mr. GARDNER. Did the man who was hired for the job have any degree?

Mr. ODHAM. No; he did not. He was hired for another purpose. He was hired for the purpose that we had of problems with getting the school buses routed, getting the food to children, the assistant administrative functions in the Headstart program, and we put him in to fill that job and he did a very good job.

Incidentally, he is the one who within 1 month worked through and helped fund this whole program for the city of Orlando in the youth training program. We have moved him in now to another program to a neighborhood community center development program.

We have a \$14 million grant and we want to build a \$1 million facility there in the Negro area with \$250,000 more in funds.

Mr. GARDNER. Do you feel it is the responsibility of your local poverty agency to become involved in demonstrations and various other forms of protest against something that is happening in your individual city?

Mr. ODHAM. There have been none in which we have been involved. I am not one much for demonstrations myself.

Mr. GARDNER. You are not using this as a means for your activities?

Mr. ODHAM. No, sir; we are not in that area at all and I think the guidelines pretty well prohibit that.

I have read that somewhere in the guidelines.

Mr. GARDNER. In your interpretation of the OEO guidelines; this type of activity would be prohibited?

Mr. ODHAM. That is the way I have read it.

You are supposed to use lawful means and you are not supposed to be out rioting and be out in violent protest and we don't have any of that in my area.

Mr. GARDNER. I do not have any other questions, Mr. Chairman.

Mr. ODHAM. I did neglect to bring out one thing. Dr. Douglass said in his statement here that this organization was a politically controlled organization.

Chairman PERKINS. That was the question I was going to ask you, Mr. Odham.

Mr. ODHAM. That is absolutely untrue. The former Governor of Florida was Burns and he puts all of the blame on the local program of the Burns patronage committee.

I did not go into this program until the 1st of January and I was elected president, a board member, and then president, but I did not support Kirk who was the Republican Governor.

I supported Bob Hye who was beaten, so if it is the Burns organization, how did I end up getting the votes to be president?

Mr. GARDNER. Would the gentleman yield 1 second?

This would not be controlled by the State organization but by the local organization which could still be a very democrat organization.

Mr. ODHAM. I would say our organization's political structure—we have some Republicans on the board—they are difficult to deal with but we have some—

Mr. GARDNER. If my memory serves me correctly the majority of you are still Democrats but I am delighted you have a Republican Governor.

Mr. ODHAM. The county I live in runs 2 to 2½.

Mr. GARDNER. Is the city government controlled by the Republicans?

Mr. ODHAM. All of the legislative forces were swept in. They are coming in to hold all of the offices before it is over; unfortunately.

Chairman PERKINS. The local directors of the community action program in Orange County selected you as their director?

Mr. ODHAM. No; I am not their director. I am the president, I am nonpaid.

I am president of the CAP organization and I am nonpaid.

Chairman PERKINS. You are telling the members of this committee that that happened in a Republican county even though you happen to be a Democrat?

Mr. ODHAM. This is true, but I ran against Senator Holland 2 years ago and was defeated 2 to 1, but I think the people gave me credit for being sincere and honest and very much interested in any program that concerned the problems of the poor people or of the indigent people and that is why I think I was selected.

Chairman PERKINS. As president of the county board of directors in Orange County, you are denying the charges and telling this committee that there is not any politics being played?

Mr. ODHAM. I am telling you, sir, that it is absolutely untrue and there are not any politics being played.

I have made it my own purpose to not know any of the employees of the organization other than those who are in the headquarters office. I couldn't name you but maybe five of that 125 people that we employ.

It is not politically controlled.

Chairman PERKINS. Is the core represented—I should say are the poor represented on your council?

Mr. ODHAM. One-third of them are and they are the brightest thing in the whole program. They are so very much interested in this. They come to all of the meetings, they come to all of the committee meetings, and they are doing an outstanding job.

They understand the problems. They give you insight to these problems, they know how to communicate with the poor people.

Seventy percent of the poor in our country are Negro and they render invaluable contributions to our committee. They are the most encouraging thing I have seen really in this whole program.

Chairman PERKINS. So the statement before this committee that it was nothing more or less than a political portion of an organization is untrue?

Mr. ODHAM. It is absolutely untrue. In the last mayor's race which took place this fall, I do not know how a single employee voted in the local mayor's race. It was not even discussed.

Chairman PERKINS. Your employees have not gone out there and participated in elections?

Mr. ODHAM. No, sir; the Hatch Act prohibits it—not since I have been president, anyway.

Chairman PERKINS. How long have you been president of that organization?

Mr. ODHAM. Since January and they had city, county, and State elections since January.

Chairman PERKINS. Since January of 1967?

Mr. ODHAM. Yes, sir.

Chairman PERKINS. Are there any further questions?

Thank you very much. We certainly do appreciate the hardship that we have imposed on you, Mr. Odham. Thank you for being so patient with us.

You have been most helpful to the committee.

The committee is now recessed until 9 a.m. tomorrow morning.

(Whereupon, at 8:55 p.m., the hearing was recessed to reconvene at 9 a.m., Tuesday, August 1, 1967.)





# ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1967

TUESDAY, AUGUST 1, 1967

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

The committee met at 9:07 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, Thompson, Dent, Pucinski, Daniels, O'Hara, Carey, Hawkins, Mink, Scheuer, Ayers, Quie, Goodell, Ashbrook, Reid, Gurney, Erlenborn, Scherle, Dellenback, Esch, Eshleman, Gardner, and Steiger.

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

Chairman PERKINS. The committee will come to order.

We have Congressman Pollock from Alaska. You responded to our call to come before the committee. You came on your own violation. I have invited all Members of Congress who wanted to make a statement to come before the committee. Go ahead.

Mr. DELLENBACK. Mr. Chairman, may I say just a word?

Chairman PERKINS. Yes.

Mr. DELLENBACK. Mr. Chairman, I personally would like on the record to welcome Congressman Pollock, who is appearing before our committee.

In our 6 or 7 brief months of service together in the 90th Congress, I have been very favorably impressed by Congressman Pollock whom I consider to be one of the outstanding new Members of this Congress. Welcome this morning.

## STATEMENT OF HON. HOWARD W. POLLOCK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALASKA

Mr. POLLOCK. Mr. Chairman, I thank the gentleman from Oregon.

Mr. Chairman and members of the committee, my name is Howard W. Pollock, the Congressman from Alaska. I appreciate the opportunity to appear before you today and to express my views on H.R. 8311, the proposed 1967 amendments to the Equal Opportunity Act.

I will limit my comments to one section of the bill that affects my State, section 244, which deals with the salary limitations placed on

employees of community action programs. At present \$15,000 is the maximum that can be paid. No additional amount can be paid with Federal funds nor will local funds be counted toward the local share.

In Alaska this limitation prohibits the employment of top personnel. The cost of living is such that \$15,000 is totally inadequate for such employees in Alaska. A case in point is the legal services program.

Alaska received a large grant for the establishment of a statewide legal aid program to the poor. It was, of course, absolutely necessary to have a highly qualified attorney to head the program. None could be found for \$15,000. As a result Legal Services floundered until the State contributed \$5,000, boosting the total salary to \$20,000.

Cost of living differentials are recognized in other Federal employment in high-cost areas. Federal employees in Alaska and Hawaii are given tax-free allowances to compensate for the high cost of living. In Alaska this cost of living differential or allowance is 25 percent of the base salary, the maximum allowed under the law.

Section 244 of H.R. 8311 would allow the Director of the Office of Economic Opportunity to waive the \$15,000 limitation by regulation for areas where qualified personnel cannot be recruited at that level.

I think this is a good provision, Mr. Chairman. The overall limitation except for these areas would remain. Thus areas such as Alaska would be covered properly and the ability to hire competent people there greatly enhanced.

For this reason, Mr. Chairman, I support the concept of the new section 244, and strongly urge the committee to retain this language in the bill and to favorably report it.

Thank you for your consideration.

Chairman PERKINS. You are supporting, I take it from your statement, H.R. 8311, the so-called Administration bill?

Mr. POLLOCK. I didn't understand your question.

Chairman PERKINS. I say I take it you are supporting the Administration bill.

Mr. POLLOCK. Mr. Chairman, I support some aspects of it. I think there are some good aspects to the Quie bill which has been proposed. I must candidly say that there are members of the State government in Alaska who look with great favor upon the concept of keeping the poverty program under one agency, such as your bill provides.

Whichever bill or measure comes out of the committee, I would want very much for the Director to have the opportunity, administratively, where the situation warrants, to raise the limitation on salaries.

Chairman PERKINS. In other words, the bill as reported, you hope will keep a separate agency as presently constituted, such as the Office of Economic Opportunity?

Mr. POLLOCK. Mr. Chairman, I would visualize that even if all these existing aspects of the program were put in separate departments, there would still have to be some coordinator at the State level. I can't conceive this program could continue without a coordinator.

As provided in H.R. 8311—

Chairman PERKINS. Don't you think in times like these, if we should change a program that is being administered in an efficient manner with a view to trying to improve it that we would lose all the valuable experience we have gained under the present operation?

Mr. POLLOCK. I think that is certainly possible, Mr. Chairman.

I know in the case of the Maritime Commission, for example, I don't happen to think that should be under any other department or program, but should be a separate agency, which bears out the point you are making.

Chairman PERKINS. Your people feel that the Office of Economic Opportunity has done a good job?

Mr. POLLOCK. I think many problems have been found in the way it has been administered, but I would have to be honest and say that I think generally it is a very valuable program, that there are ways the program could be improved, and that it is vital and important to the State of Alaska.

Chairman PERKINS. Don't you think from your experience in government that these problems would multiply if we shift these programs to the various governmental agencies and fragment the program?

Mr. POLLOCK. Mr. Chairman, I think that probably is correct. There are some portions of the so-called Quie bill that I think are very good. I think the training program for qualifications for people who don't qualify for the military, for instance, is a very good idea, and I think there are some aspects of that bill, that concept, that could be integrated into the bill that is here. I haven't heard all the testimony, so I don't know what all has gone on.

I think there are some very good portions in both programs.

Mr. DELLENBACK. Mr. Pollock, you have been subjected to some very expert cross-examination from our very competent chairman, who is seeking to get an expression from you that I personally don't read into your testimony.

Mr. POLLOCK. I do understand what the chairman is trying to do.

Mr. DELLENBACK. Do I understand from your testimony, Congressman Pollock, that you really mean to confine your comments on this subject which is before us to this section 244 of H.R. 8311?

Mr. POLLOCK. I do, sir, and I indicated this earlier in my testimony that I would limit the comments to the one section of the bill that affects my State, and that is that section.

Mr. DELLENBACK. As I understand your testimony, you have indicated that you don't mean to speak for or against either bill?

Mr. POLLOCK. That is right. I think there are good points and merit to both bills and concepts.

Mr. DELLENBACK. May I ask a couple of questions on this 244 idea? Do you feel the section as set forth in 8311 would accomplish what needs to be accomplished in Alaska?

Mr. POLLOCK. Yes, I do. The new material on the bottom of page 65 of the printed bill on the top of page 70 is the particular portion that I think should be in the bill, and it says after a semicolon, "The Director may, however, provide in those rules or regulations for exceptions covering cases where, because of the need for specialized or professional skills or prevailing local wage levels, application of the foregoing restrictions would greatly impair program achievement," and so forth.

In Alaska, where the cost of living is much higher than anywhere else in the Nation, we cannot acquire competent people to do the jobs.

All Civil Service employees in Alaska get a 25-percent differential, which is untaxable, incidentally, over and above the GS scale.

There is no point in trying to conduct a program with incompetent people, or someone with less than the competence that would be available if adequate salaries were paid.

Mr. DELLENBACK. Would it be adequate if local funds added to Federal moneys would be counted as part of the local contribution?

Mr. POLLOCK. That certainly would be a help. However, I would not like to see the provision stricken which would give the Director authority in special cases, which I believe Alaska to be, to waive the limitation. Incidentally, I don't think this should be used everywhere to simply raise the salary level, but I do believe we have a unique and difficult situation in Alaska.

Mr. DELLENBACK. Without commenting on the other States, now this is something that is necessary in Alaska?

Mr. POLLOCK. I not only know it, the United States Government has recognized it by authorizing a living differential on Federal salaries in Alaska.

Mr. DELLENBACK. I appreciate the testimony, because to the best of my recollection, in the 6 weeks of hearings we have this, this is the only comment made on this feature outside of the OEO —

Mr. POLLOCK. I don't believe this one section would be one that would affect the country as a whole.

Mr. DELLENBACK. For those areas that are affected by it, that certainly doesn't lessen its importance.

Mr. POLLOCK. That is correct.

Mr. DELLENBACK. I don't mean to speak in anywise in the direction of saying this section is not important because no one else has commented on it. I think the fact that you have called it to the committee's attention is very helpful in our deliberations and you have made the point of how important it is in such States as your own. Thank you again, Mr. Pollock, for testifying.

Mr. POLLOCK. Thank you.

Chairman PERKINS. Let me thank you, Congressman Pollock, for your appearance here. We appreciate your coming.

Mr. POLLOCK. Thank you, sir.

Chairman PERKINS. The committee will recess until 2 p.m. this afternoon when we shall hear Mr. Shriver again.

(Whereupon, at 9:20 a.m., the committee recessed, to reconvene at 2 p.m., on the same day.)

#### AFTERNOON SESSION

Chairman PERKINS. The committee will come to order.

A quorum is present.

I want to ask unanimous consent that I be permitted to insert in the record a letter received from the Office of Economic Opportunity addressed to me, signed by Mr. Kelly, Director of the Job Corps, concerning qualifications for Job Corps enrollees.

(The letter referred to follows:)

OFFICE OF ECONOMIC OPPORTUNITY,  
Washington, D.C., July 26, 1967.

HON. CARL PERKINS,  
Chairman, House Education and Labor Committee,  
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your inquiry concerning the conditions under which Job Corps will admit youths who are still in school and youths who are working at the time of application.

#### SCHOOL STATUS

Job Corps' school status requirement states that "an applicant must have dropped out of school and have been out at least three months at the time of application." Normally speaking, therefore, youths who are still in school or have been out less than three months are not eligible for the program.

Under exceptional circumstances the screener may request a waiver of this requirement. The waiver request must be accompanied by a statement from a responsible school official, e.g., principal or guidance counselor, that the applicant can no longer benefit from conventional schooling.

The regional Job Corps office determines whether the request for the waiver is to be granted. The following are examples of circumstances which are considered acceptable:

1. The youth lives in a State where school attendance is required beyond age 16 and the youth is complying with the law by participating in a special educational program not leading to a high school diploma or that is merely custodial in nature.
2. The youth's school attendance is so irregular as to negate the possibility of normal progress.
3. The youth left school and can't or won't return.
4. The youth attends school in an institution for dependent or neglected children.
5. The youth is well overage for grade and cannot adjust socially.

The National Education Association is in full support of our criteria to increase the opportunities for potential and actual dropouts to continue their education and training through the Job Corps program. Further, it is disposed toward an "open door opportunity" for youths trained by Job Corps who wish to reenter the public school system in order to continue their education.

Less than 10% of the males and 13% of the females enrolled in the Job Corps in 1967 were enrolled directly from school. In the same year, 4,792 Corps-members returned to school after Job Corps training.

#### EMPLOYMENT STATUS

The employability requirement is that "the applicant must need training in order to get and hold a decent job." Three factors are used in determining eligibility under this criterion. Each factor is given a numerical score which, when totalled, may not exceed 7 for the youth to be considered eligible.

| 1. Job skill level:                                                    | Score |   |
|------------------------------------------------------------------------|-------|---|
| Unskilled .....                                                        |       | 0 |
| Semiskilled .....                                                      |       | 4 |
| Skilled .....                                                          |       | 7 |
| 2. Labor force status:                                                 |       |   |
| Unemployed .....                                                       |       | 0 |
| Employed parttime or seasonally .....                                  |       | 2 |
| Employed fulltime .....                                                |       | 5 |
| 3. If not working full time, number of weeks since employed full time: |       |   |
| Never worked full time .....                                           |       | 0 |
| 53 weeks and over .....                                                |       | 0 |
| 27-52 weeks .....                                                      |       | 1 |
| 15-26 weeks .....                                                      |       | 3 |
| 1-14 weeks .....                                                       |       | 5 |

A youth who is working full-time is eligible if the job he is doing, or the job he is qualified for, is classified as "unskilled."

A youth who is working part-time or seasonally is eligible if:

1. The job he is doing, or is qualified for, is classified as "unskilled" and regardless of how long it has been since he worked full-time.

2. The job he is doing, or is qualified for, is classified as "semi-skilled," providing it has been at least 27 weeks since he has been employed full-time.

A youth who is working part-time or seasonally is not eligible if the job he is doing, or is qualified for, is classified as "skilled."

A youth who is working or qualified for a job classified as "skilled" is not eligible unless he is now unemployed and never worked full-time, or has been out of full-time work 53 weeks or more.

Under exceptional circumstances, the screener may request a waiver of this requirement. Very few such waivers have been granted. An example of a circumstance under which a waiver may be granted is a case where a youth working part-time at a job classified as "semi-skilled" has no prospects for a full-time job.

Job Corps has carefully examined the pre-employment characteristics of Job Corps youth. The most meaningful measure of pre-Job Corps employment is analyses we have made from reported Social Security earnings. These indicate the highly unsatisfactory work experience of Job Corps trainees prior to their entry. While six out of ten have worked at one time or another, their average annual income is \$639 and they are employed slightly more than one-half time at average wages of \$1.15 to \$1.20 an hour.

Other information developed by survey shows that at the moment new enrollees enter Job Corps, only 49% are employed and most of these jobs appear to be temporary or holding jobs while the youth is awaiting assignment. We are not aware of any instances in which youth holding meaningful jobs at reasonable wages were admitted into Job Corps. Any such instance, unless there were extenuating circumstances, would indeed be an error on the part of the screener or vocational counselor.

I hope this information will be of help to you. If I can provide you with any further information, please let me know.

With best wishes.

Sincerely,

W. P. KELLY, *Director, Job Corps.*

Mr. PERKINS. This afternoon session will conclude the hearings on H.R. 8311 and H.R. 1068 and other measures relating to the extension of the Economic Opportunity Act of 1964.

I have pursued a policy of giving all the members all the way along an opportunity to bring in any witnesses that they so desire.

I likewise have ordered the opportunity especially to the minority and I want to state at the insistence of Mr. Quie, Mr. Goodell, and Mr. Gardner, that they could have the opportunity this afternoon to bring in witnesses they wanted to bring before the committee with the understanding that we conclude the hearings some time today or tonight.

I have likewise called the Office of Economic Opportunity to tell them if they wanted an opportunity to rebut any statements they would have the opportunity to do so immediately at the conclusion of the statements of the witnesses before the committee.

I think without exception almost all of the witnesses have acclaimed their positiveness in getting results under the Economic Opportunity Act.

All of them have expressed the fact that the act should be continued and all have stated that additional funds should be provided to strengthen ongoing programs.

I look forward to the contribution that the witnesses have provided to enable this committee to write legislation which I hope will clear this committee in the very near future.

Let me welcome all of you gentlemen before the committee.

I will yield to Mr. Ayres.

Mr. AYRES. Thank you, Mr. Chairman, for arranging for the committee to meet so that these gentlemen could come down from Newark and tell us firsthand some of their observations and views.

As you know, the situation there has been very serious and these gentlemen are very familiar with the problem with which the committee has been faced.

Our colleague, the gentleman from North Carolina, Mr. Gardner, is the one who is directly responsible for our witnesses being here, although I know it is of interest to all the members of the committee to have them here.

I think it would be proper and probably to the advantage of everyone, including the press, for Congressman Gardner to explain just how this panel which will be answering our questions came to be here.

I yield to the Congressman from North Carolina.

Mr. GARDNER. First of all, I would like to express my appreciation to the chairman for allowing these men to come and I would like to express my appreciation to the committee for waiting over 1 hour for these witnesses. I might mention that part of the delay was caused by two of the witnesses having to drive all the way down from Boston.

Through my contacts with the Newark Police Department, I have had an opportunity to meet the other gentlemen. They expressed an interest in coming down and testifying before our committee on a nonpartisan basis over various difficulties they actually saw happening in Newark.

On my far left we have Mr. William Mallard, a police intelligence officer from the Newark Police Department.

Beside him Mr. Tony DeFino, area board chairman No. 9, United Community Corp. of Newark; Mr. Frank Addonizio, city councilman, Newark, N.J., and Mr. Leo Bernstein, also a city councilman from Newark.

Mr. Chairman, they have not had an opportunity to sit down and work up a formal statement. With your permission, I would hope that each would be able to give an introductory statement and then possibly we would go into questions and answers.

Chairman PERKINS. Unless there is objection, that will be the procedure.

Mr. GARDNER. May we start out with Mr. Frank Addonizio, the city councilman?

Chairman PERKINS. Let me state that I hope we can carry on this hearing. We have had it on a real high plane all along and I know that the gentleman from North Carolina is not a supporter of the program.

Nevertheless, he is entitled to call any witnesses. It would be the height of folly for us to think the workers throughout the country have been involved in politics. There may be some instances where some members of local community action agency boards have gone overboard and acted in a political manner but he should not have so acted.

We have the local law enforcement agencies and other investigative and judicial systems to handle such matter. I would hate to see us get into an investigation that took us beyond the scope of these hearings.

If the witnesses can make a contribution on the writing of the legislation, fine, but so far as an investigation is concerned, especially concerning the Newark rioting, I think that we should leave that to a bipartisan commission that could not be questioned or could not even be accused of in any manner playing politics.

I just hope that we can leave politics completely out of this hearing.

Mr. PUCINSKI. Mr. Chairman, I would like the record to show that this committee does not have permission to sit this afternoon. I shall not raise it as a point of order and I hope no other member will raise a point of order. I point this out merely to show that we on this side, and I was one of those who supported bringing these witnesses here today, yesterday, when this matter was brought up because we want to give the minority every opportunity to bring in their witnesses before this committee.

When we do go to the floor with this bill I would like the record to show every opportunity was afforded for that purpose to every member of this committee.

If there is something wrong with the antipoverty bill we should try to improve it, straighten it out, make it effective as an instrument so as to benefit the Nation.

I think the record should show that a point of order would lie if somebody wanted to be malicious.

Chairman PERKINS. Go ahead and make your statement.

**STATEMENT OF FRANK ADDONIZIO, CITY COUNCILMAN,  
NEWARK, N.J.**

Mr. ADDONIZIO. Mr. Chairman and gentlemen: Thank you very much for affording me this opportunity.

Mr. Chairman, I believe in the antipoverty legislation. I feel that properly used it will certainly offer the poor people of this country a new vision and a new avenue for them to extricate themselves from their poverty.

However, I feel that it would be far better if the committee would ask specific questions of certainly myself—I don't know about the others—so that at least we could answer those questions that are of interest to you.

I can assure you, Congressmen, that I am here only because I feel that this legislation that offered such a great hope for so many people has not been administered properly and if it is administered properly it will open up avenues unforeseen in the United States.

Rather than make a formal statement, I would prefer having any of you ask me questions and I will try to give you the benefit of my experiences in that line.

**STATEMENT OF LEO BERNSTEIN, CITY COUNCILMAN,  
NEWARK, N.J.**

Mr. BERNSTEIN. Mr. Chairman, I first would like to thank you for affording me the opportunity to appear before this committee today.

I thought it important enough to drive directly down to Newark and then fly down here directly at the last moment because I think



my colleagues and I on the city council in Newark and also those in the police department have something to contribute.

First of all, I would like to go on record by saying that the community action programs in the city of Newark have definitely played an important part in setting off the riots in the city of Newark.

Basically, the situation must go back about 4 years when a group of people called the Students for Democratic Society came into Newark primarily to help in the ghetto areas by training people.

As soon as they got there, this became the last thing that they wanted to do. Instead, they started to try to organize in the poor community and tried to set off incidents—mind you, we are talking about 4 years ago—which could then have started a riot, such as picketing a police station over something very small, picketing the Hoegard Home for Children who have no parents, and picketing some of our major department stores.

These are instances that happened 3 or 4 years ago. Now, how does this tie into the antipoverty program?

When the program came to Newark and the community or the poverty boards were formed, this group of Students for Democratic Society, who at this time also called themselves the Newark Community Union Project, took over one of the poverty boards.

This was Area Board 3. It is one of the boards in the area that I represent in the city of Newark on the city council. Through their means and methods they were able to contribute both directly and indirectly to the causes of the riots in the city of Newark.

We have had instances where they have picketed merchants. As a matter of fact, not too long before the riots started through their area board, and I don't say necessarily that the particular paid staff was on the picket line, but certainly their influence was there and they were standing nearby and the police department can verify those who were arrested.

They put a merchant who employed eight Negroes and supported his own business out of business. This merchant ran a grocery store in the shopping area in the Clinton Hills section which was hit very badly by the riots and I don't think it was the intent of the poverty program to destroy the small businessmen of this country.

They threatened to put this man out of business and they threatened to put other businessmen out of business, too.

The programs funded for this area sent representatives around trying to collect a \$10 membership from merchants to belong. I don't think this was the intent of the poverty program in trying to black-mail merchants but this has happened in the city of Newark.

This area board was the leader amongst the other eight area boards in setting off or helping to set off the incident that happened on the Thursday night, I think it was the 13th of July, that set off the actual riot in the city of Newark.

Actually, it was Area Boards 2 and 3. A fellow by the name of Kennedy for Area Board 2 called a meeting—what we called a peaceful meeting—in front of the fourth precinct. When he was advised—and I think this was on the television—or questioned that this might cause some problems he said no it was to be a peaceful meeting and to calm people down.

As you know, people were not calmed down. The police precinct was stoned and the riots in Newark had officially started.

We have a number of incidents that happened prior to the starting of the riots—the appointment or attempted appointment of a secretary to the board of education which was opposed by some in the community and again led by antipoverty people in opposing this person.

We have had a number of other incidents that happened.

The medical center in the city of Newark which again the area boards played an important part in trying to stop this intimating that they represented the people in the area who did not want the medical center but contrary to this three surveys were run, one by an independent survey group which showed that 75 percent of the people did want the medical center.

Yet, under the leadership of the United Community Corp., the legwork being done by the area boards, specifically numbers 2 and 3, they ran their own surveys and they also found that the people in the area wanted the medical center.

But yet the United Community Corp. persisted in fighting this and saying the people opposed it and loaded the meetings to protest this.

But ironically, the people they loaded the meetings with did not live in this area. As a matter of fact, they loaded the meetings with people not only from outside the area but rabblers from other States—New York and Washington.

So you can see from these few brief remarks and I hope to be able to elaborate more if I am questioned that my conviction really is the community action program through its area boards played an important part in setting off the riots in the city of Newark.

Mr. GARDNER. The next gentleman is Mr. Tony DeFino, chairman of Area Board No. 9.

#### **STATEMENT OF TONY DEFINO, CHAIRMAN, AREA BOARD 9, NEWARK, N.J.**

Mr. DEFINO. I represent Area Board 9. At the inception of the poverty program the people in the area felt we did not need this Area Board 9 because people in Area Board 9 were able to keep up their homes and better themselves without the help of the poverty program.

Now the community action program came into our area and said you must have an area board. They would load the meetings with people who didn't live in Area Board 9 and say "well, you must have an area board: we have to have nine boards; this is the way we want it."

We would give the vote and this particular area board did not want to have it and yet they would override us. The fact that we were for the poverty program, we said put it where the program would be of use to the people who need it.

Of course, a few responsible citizens and myself in the area, if we had not taken over the board, we would have been taken over by radical boards that have taken over this particular poverty program.

Here you have a community action program, as Councilman Bernstein said, where there is a medical college site. We would go to a meet-

ing and go in there and say we are going to do this, present it to the city fathers, this is the way we want it, but this was not the people of the poverty program speaking.

It was a certain element that took control of this Area Boards 2 and 3 and outsiders saying this is the way it is going to be.

If we made a decision next meeting they would turn it around. So, we had no control because the average good citizen felt that he was wasting his time, that this particular poverty program is good for only a certain few people and so forth.

This is as much as I will elaborate now and I would be free to answer any questions that you may care to ask.

Mr. GARDNER. Mr. William Mallard, a police intelligence officer from the Newark City Police Department.

**STATEMENT OF WILLIAM MALLARD, POLICE INTELLIGENCE OFFICER, POLICE DEPARTMENT OF THE CITY OF NEWARK, N.J.**

Mr. MALLARD. Mr. Chairman and gentlemen, the Police Department of Newark is not anti-antipoverty programs. The police department welcomes it and Chief Spina has initiated one of the first police cadet programs in the Nation.

The police department feels that this program has contributed quite a bit to the community.

We have a community union project. We dealt with them on June 29, 1964. This was one of the first times when they picketed the fifth precinct in the city of Newark.

Of course, this was under the banner of CORE, but many of the people who later became what we call NCUP and still are NCUP participated in this demonstration when they had over 50 pickets, white and Negro, and they carried signs and they picketed the fifth precinct and this is one of the first times we have had a demonstration of this kind.

They wanted the police—there was a reference to some police officers parked on the sidewalk and they were giving tickets, and they wanted the tickets stopped and they distributed leaflets demanding immediate ticketing of illegally parked cars.

This picketing was over parking conditions. There were some members of the Newark community project who were involved in some various demonstrations throughout the city of Newark.

During the recent controversy in the city of Newark, Mayor Adonizio was allegedly appointing a Mr. Callahan to the position of secretary to the board of education.

Concerning the medical school situation, we know that many of these people contributed to the disruption of the meetings, stomping their feet and hollering, that type of disruption. As you all know, we had a riot.

I want to say again that the Newark Police Department is 100 percent for the poverty program. Thank you.

Chairman PERKINS. Mr. Mallard, do you recommend the continuation and extension of the Economic Opportunity Act?

Mr. MALLARD. Absolutely.

Chairman PERKINS. Do you think it has been more helpful in keep-

ing down riots than any other act that we have passed in the Congress?

Mr. MALLARD. I would not know whether it has been helpful in keeping down riots.

Mr. THOMPSON. I have some questions but perhaps Mr. Gardner would like to lead off and develop this.

So far we have four witnesses in favor of the poverty program, as I gather, so I would like to hear more from them before I question.

Mr. GARDNER. Thank you very much.

The chairman said I was opposed to the poverty program. I don't know that I have ever stated at any time that I was opposed to the poverty program. The purpose for these witnesses being here today and my concern is the fact that I think a certain amount of agitation in areas outside the realm of the poverty program are being carried on by poverty employees which in my opinion actually hurts the poverty program.

I would like to lead off with a question to each of these gentlemen and the city of Newark and I am sure this is the only one with which you are familiar.

In your opinion, were employees of the United Community Corporation there involved in any way in any incidents prior to the riots that actually caused or helped the situation that developed on the night of the stoning of the police precinct?

Mr. ADDONIZIO. Congressman, there is no question—

Mr. CAREY. Would the gentleman yield at this point? I am seeking classification of the gentleman's question. Did the gentleman ask in your opinion were poverty workers involved?

Mr. GARDNER. To your knowledge.

I will rephrase it.

Mr. CAREY. Strike the word "opinion."

Mr. GARDNER. Yes; to your knowledge.

Mr. ADDONIZIO. Yes, sir; Congressman. Many of the members are on the paid staff at the present time and those that are active in the area boards caused a tremendous upheaval in the community because of their inflammatory remarks such as at the hearing of the secretary of the board of education, and I quote—

Mr. GARDNER. Would you describe the meeting?

Mr. ADDONIZIO. I don't know, Congressman Perkins, but I assure you if any of us acted in that fashion there is no question in my mind that we would have been arrested, not thrown out, but arrested.

It became so boisterous that the entire hearing had to be terminated.

Certainly, this goes way beyond what is considered civil or in the avenue of anybody's right.

I don't feel that it is anybody's right to come in and disrupt any meeting, and the tapes of those hearings will certainly indicate beyond any doubt that this is so.

One of the inflammatory remarks that was made was that "blood will be running in the streets."

Mr. GARDNER. Was this made by an antipoverty worker?

Mr. ADDONIZIO. He is on the payroll at the present time.

Mr. GARDNER. Then he is an antipoverty worker?

Mr. ADDONIZIO. Yes.

As a matter of fact, we have a copy of the entire text, lest someone

say I am taking this out of context. I am here to try to straighten this out if I can. I am not here in criticism of the entire program because there are many, many good points to this, but certainly, if I did not come here and try to express what I know to be so I would not be acting in the best interests of my own conscience.

This is the speech given by a Mr. Harry Wheeler at the special board meeting held on June 26 of 1967. It goes on and makes many, many statements but the statement that I alluded to—I am simply saying to you—

Mr. PUCINSKI. Would the witness identify Mr. Wheeler?

Mr. ADDONIZIO. Mr. Harry Wheeler is a teacher in our school system. He was a teacher at one time and he is on the PAL agency now which is an agency funded through the UCC.

I assume everyone knows the UCC in the city of Newark—it is the umbrella agency from which all of the moneys flow to the different subagencies.

Mr. Harry Wheeler is employed by the PAL program. I believe his title is program evaluator for UCC.

Chairman PERKINS. It was a local board that approved him—a local board of the UCC—that approved the appointment of this gentleman that you referred to?

Mr. ADDONIZIO. He is appointed by UCC.

Mr. DEFINO. That was the one appointment that UCC had to make and those chose Mr. Wheeler and the other positions had to be filled by the board, but you are correct, that was the only position.

Mr. ADDONIZIO. It is two pages and I just want to read the type of statement that certainly does not lend to the tranquillity of a community.

"I am simply saying to you that when blood runs thick don't come to Harry Wheeler and ask him why because the reasons will be the actions you take in concert on tomorrow night"—which was supposed to be the vote taken for the secretaryship of the board of education which never really came off because they couldn't contain the crowd or anything else.

I think that this type of statement and others such as—"We will stop the bulldozers in the medical center and laying down in front of them and giving our lives if need be."

The constant jumping up and down and agitating and bringing about a fervor in the audience which was certainly not conducive to harmony.

Mr. DENT. You say that this Wheeler was a schoolteacher at one time?

Mr. ADDONIZIO. Yes; he is. I believe he is on leave of absence.

Mr. DENT. Do you know whether or not he was personally interested in the person who was named or was about to be named as secretary of the school board?

Did he know him to your knowledge or have any relationship with him in any way?

Mr. ADDONIZIO. This would have to be his judgment. I couldn't make a decision as to what he had in mind.

Mr. DENT. Was he acting as an individual protesting this appointment because of his connection with the school system or did he come

in there as a representative of the poor in protest or as an employee, as it were, of OEO?

Mr. ADDONIZIO. Mr. Wheeler never indicated that he was an employee of OEO and coming in and stating that as a policy of the OEO.

Mr. DENT. He did not do that?

Mr. ADDONIZIO. No.

Mr. DENT. He was protesting and while it is true that he was employed by the OEO in one capacity or another he was acting as an individual who had a gripe as I understand it?

Mr. O'HARA. Would the gentleman yield?

Mr. DENT. I would be happy to yield.

Mr. O'HARA. I believe at the time of the statement, Mr. Wheeler was not an employee of the OEO or any OEO-related agency.

Rather he was an employee of the Newark Board of Education.

Chairman PERKINS. Is that correct?

Mr. ADDONIZIO. I would say that is correct.

Mr. PUCINSKI. When was that statement made?

Mr. ADDONIZIO. June 26, 1967, and the committee is certainly welcome to a copy of it.

Mr. GARDNER. I would like permission to insert the statement into the record.

Chairman PERKINS. Without objection—

Mr. DENT. Reserving the right to object, Mr. Chairman.

Mr. THOMPSON. Reserving the right to object, Mr. Chairman. This statement by Mr. Wheeler was made on the 26th of June at a meeting which was to be followed, as I understand it, by the prospective appointment of a person whom Mr. Wheeler and others felt not as well qualified as someone else for that position.

It is my understanding that you said that appointment was not made.

Mr. ADDONIZIO. Yes; that is true.

Mr. THOMPSON. Do you have some evidence of Mr. Wheeler being active in the riots in Newark during July?

Mr. ADDONIZIO. I would say that I don't have any personal knowledge—let me say this—

Mr. GARDNER. Would the gentleman yield 1 second?

May I add to your statement?

Do you have any other knowledge of this same Mr. Wheeler, after he became an employee of the OEO-funded agency, being involved in any demonstrations other than the one you have described?

I would like to ask this question of Mr. Mallard of the Newark Police Department and can you positively identify him?

Mr. DENT. May I have a point of order, Mr. Chairman?

The point of order is that we are now working on an objection by the gentleman from—

Mr. THOMPSON. I reserved the objection on the question of the gentleman from North Carolina to insert this statement into the record at this time.

Mr. DENT. Before we go on to any other topic, we ought to resolve whether this should become a part of the record and then the gentleman from North Carolina may bring in other instances which may or may not be part of the record.

Mr. THOMPSON. I reserve and I will withdraw when I have finished saying this:

As far as I am concerned, anything can be put in the record and weighed by those who read the record. I am not trying to suppress any evidence in the record. I did want to establish what I have now established: That this statement was in May and it was an objection to a prospective event which did not take place. I withdraw my objection.

Mr. DENT. I reserve the right but I will not object if the gentleman would allow the statement to follow the insertion in the record that at the time the statement was made Mr. Wheeler was not a part of any OEO-oriented program.

Mr. GARDNER. I think it should be in there.

Mr. PUCINSKI. As I understood the witness, he said that these statements were made while this Mr. Wheeler was an employee of the poverty program?

Am I correct in understanding that he did not have anything to do with it?

Mr. ADDONIZIO. No.

Mr. PUCINSKI. What is the point of this statement going into the record and what is the point of the testimony?

I agree with the gentleman that the action of this particular individual was apparently very obnoxious but what connection does this have with the poverty program?

That is what I would like to know.

Mr. ADDONIZIO. The point I am trying to make, Congressman, is simply this: Any member of any antipoverty agency that uses his position or, in the case of Mr. Wheeler, being a leader in the community before he received this position and making this allegation at a public meeting which is taped certainly was not conducive to harmony in the community.

Mr. PUCINSKI. I am trying to find out before I act on my reservation—

Mr. GARDNER. Would the gentleman yield for 1 second?

Mr. PUCINSKI. In just 1 second.

I want to find out from the witness what is the connection between the statements made by Mr. Wheeler, obnoxious as they were, and the poverty program.

What is the connection?

Mr. GARDNER. Would the gentleman yield 1 second?

Mr. PUCINSKI. I want the witness to answer if he can.

Mr. BERNSTEIN. Would someone yield to the witness?

I think we should have a little history of what is behind this and it is political.

You have had a number of people who are involved with the poverty program either as trustees or heads of committees or even paid staff.

A number of these people ran for office in 1966 against the mayor, against myself, and against Councilman Turner. Let's not kid anybody that is what is behind this. It is political. It is an attempt by this outside political group to gain power in the city of Newark.

When the poverty program was first formed they got involved with it as a means of creating a forum. Now, whether you like it or not, this is just what happened.

Mr. THOMPSON. Would the gentleman yield at this point?

Mr. ESHLEMAN. Can the witness continue talking without being rudely interrupted?

Chairman PERKINS. Everyone will have a chance to question the witness.

Mr. BERNSTEIN. This is nonpartisan. As a matter of fact you might like to know that Councilman Addonizio is a Democrat and I am a Republican and we are both for the poverty program but we have criticisms on the way the Community Action program phase of it is run.

We are trying to show you now and trying to develop this.

Now, what has happened here as these political ones stayed out, they did not win. They were in the poverty program, or involved in the program prior the election.

Those that ran for office temporarily took a leave of absence, one was a vice president, Mr. Gibson; Mr. Harris was a trustee. There was a Mr. Kervin, head of the personnel committee.

These represent what I would call now the radical faction that is trying to take over the political structure in the city of Newark come 1970.

Mr. PUCINSKI. What has all of this got to do with the poverty program?

Mr. BERNSTEIN. Give me a chance to tell you. I can't do it in two words. I have to develop it for you. They need issues to stay in front of the public just like an elected official needs issues or newspaper copy for projection to show the people what he is doing. These people are trying to show what they are trying to do and they are willing to go as far as almost destroying the city of Newark to accomplish this.

Now, what has happened is that they have looked for those issues and they have found a number of them in the last few months.

They found the medical center thing and they found the board of education appointment. As pictured here and we can submit this as evidence, and Mr. Wheeler is not in this picture but his shoulder is and the other one is Mr. Gibson—sometimes the truth is funny but it is here.

Mr. Richardson is in this picture, Mr. Gibson, Mr. Higgins, an employee. They were at the front of the council chambers where the hearing was held and they were directing this thing.

Chairman PERKINS. Let's have order. This all evolves around the statement that Wheeler made here. As I understand, Mr. Addonizio, you stated he was not an employee of the poverty board at the time the statement was made and furthermore, you stated that he was representing—he was very much interested in a certain secretary for the local school board—

Mr. ASHBROOK. Male or female?

Chairman PERKINS. The man he was interested in was not approved for the local school board; is that correct?

I am addressing that question to Mr. Addonizio because that is the way I understood his response, that the gentleman who made the statement that you inserted in the record was not an employee of the local poverty board or not an employee at all of the poverty program and that he was interested in a candidate or an applicant for the secretaryship of the local school board and that did not come about.



Is that correct?

Mr. ADDONIZIO. That is true.

Chairman PERKINS. That is the way I understand the statement so that I cannot understand the relevancy of these other statements.

Mr. THOMPSON. A parliamentary inquiry, Mr. Chairman.

The gentleman from Illinois has withdrawn his objection.

May I now be recognized?

Chairman PERKINS. Yes, go ahead.

Mr. THOMPSON. Mr. Bernstein, this borders on the hilarious.

You say that the problem is essentially one of politics, that these people are trying to position themselves for political power in 1970.

It would follow, I suppose, that their ambitions are a threat to whatever ambitions you might have in 1970. Is that a reasonable assertion?

Mr. BERNSTEIN. Mr. Thompson, I have no political ambitions in 1970 except to go back into the business world. I think I have had my fill of politics.

Mr. THOMPSON. You are not going to run again?

Mr. BERNSTEIN. I have no intention of running again and I would like to say something else, if I may.

I took my stand on this community action program in the poverty program before I ran for reelection, knowing that I was going to run for reelection and that it could destroy me because I felt an obligation to bring the truth to the people.

Mr. THOMPSON. I admire you for that.

Mr. ERLBORN. Parliamentary inquiry.

I understood Congressman Gardner had the floor at the time the objections were made. I did not understand he yielded. May I inquire how the gentleman lost the floor without yielding it?

Chairman PERKINS. The gentleman from New Jersey has the floor.

Mr. QUIE. Could we let Mr. Bernstein finish his statement to find out what he is trying to develop?

Chairman PERKINS. Do we want to operate under the 5-minute rule or 10-minute rule?

What is the sense of the committee?

Mr. GOODELL. I think we could save a lot of time without batting this back and forth if we could set some ground rules. I think what this committee is interested in on both sides of the aisle is any verified or documented facts that you gentlemen can testify to as to involvement of poverty employees in inciting riots, involvement in the riots themselves, or involvement in a way that directly contributed to those riots.

We are not interested in statements about people who are not paid with poverty money and we get way off in right field if we get into this type of thing.

We went through with a statement here, and after a great deal of exchange finally decided, apparently, that the man is not or was not in the poverty program. Perhaps the reason you brought this up is that he has some connection with the poverty program now.

If so, I think it ought to be on the record. Is he or has he ever been in the poverty program?

Mr. ADDONIZIO. He is now.

Mr. GOODELL. Subsequent to this speech, he was hired by the poverty group?

Mr. ADDONIZIO. It is my understanding that he was involved in another program last year.

Mr. GOODELL. But he was not at the time he made the speech and subsequently he was appointed to what?

Mr. ADDONIZIO. He is with the PAL program.

Mr. GOODELL. That occurred after he made the speech?

Mr. ADDONIZIO. Shortly thereafter, a week later or so.

Mr. GOODELL. In other words, it is your allegation that this speech contributed to the riot atmosphere, the tinder box, if you will, in Newark and subsequently the man who made the speech was hired by the poverty organization?

Mr. ADDONIZIO. Congressman, I am saying this, and I don't mean to play on words or get involved in semantics because I realize that there are politics in this. There is just no question about that, but if all of us, regardless of our party affiliation, are interested in strengthening this program, we must admit to ourselves that you as a Congressman making a statement cannot make the statement and then say no, Mr. Goodell, made it.

Mr. Goodell is a Congressman or he is involved. Now, Mr. Wheeler has always been involved in the antipoverty program in Newark. Many of his friends are involved in the program and speeches of this type—and I wish that you would take the time to read it—by many, many people set the climate, set the atmosphere, set the catalyst in motion that at the proper time explodes.

Mr. THOMPSON. Mr. Chairman, a parliamentary inquiry.

Mr. Goodell asked for recognition to ask what ground rules we were going to have, and now he is proceeding with a line of questioning.

I ask, Mr. Chairman, whether you yielded your time; if not, I would appreciate your using it under a 5-minute rule and then each of us can have an opportunity to address ourselves to this problem.

Mr. GOODELL. Would the gentleman yield?

I agree and I do apologize. I got interested and tried to get the facts straight. But do we agree, I think we do, on both sides that this is what we are after. On the ground rules, too, they ought to limit themselves to statements that do tie into the poverty program?

Mr. SCHEUER. Were the poverty people on the program directly involved?

Chairman PERKINS. We will operate under the 5-minute rule.

The Chair recognizes Mr. Thompson.

Mr. THOMPSON. Do you, Mr. Addonizio, or Mr. Bernstein, think because a person is employed under the poverty program he loses his constitutional right to speak, or his constitutional right to object, or his constitutional right to peacefully protest?

Mr. ADDONIZIO. Of course not, Congressman. I don't believe that anyone is a second-class citizen. However, all of us must be mindful of the fact that if we hold a certain position in our community, the remarks that we make do bear directly on the responsibilities we hold.

If an individual has a position in an antipoverty agency and he makes remarks which others will look up to because of his position in a community, I think this is not quite right.

Mr. THOMPSON. Must that person agree with your position?

Mr. ADDONIZIO. Of course not.

Mr. THOMPSON. Was there any violence involved in the meeting in May? There were incendiary words. I have a copy of it.

Mr. ADDONIZIO. It was a June meeting, Mr. Congressman—June 26.

Mr. THOMPSON. Was there any physical violence involved there, Mr. Mallard?

Mr. MALLARD. It was not that night.

Mr. ADDONIZIO. There was no physical violence on that night.

Mr. THOMPSON. There was great dissension, wasn't there?

Mr. ADDONIZIO. Exceedingly so.

Mr. THOMPSON. This man took a very strong position and he used what one might consider intemperate language, but there was no violence?

Mr. ADDONIZIO. There was no physical violence, no.

Mr. THOMPSON. Mr. Bernstein referred to the political situation and you say, Mr. Addonizio, that there is a lot of politics in this.

I am from New Jersey and I know something of Newark. Mr. Bernstein says 4 years ago Students for Democratic Society—SDS—entered the scene and "took over Area Boards 2 and 3."

Now, that being the case, that having been known for a long period of time, I would like to ask two questions of you.

First, what did you do about this, if you didn't believe in it; and second, who specifically, from those boards, participated in the riots in Newark?

Mr. BERNSTEIN. We advised the police department, we advised the FBI and had meetings with them. They were aware of the backgrounds of many of these people and also many of these people who used their influence in bringing the Students for Democratic Society into Newark.

Mr. THOMPSON. What sort of backgrounds did these people have? Was it criminal?

Mr. BERNSTEIN. I would say Communist backgrounds.

Mr. THOMPSON. Communist?

Mr. BERNSTEIN. That is right.

Mr. THOMPSON. Card-carrying Communist members?

Mr. BERNSTEIN. Not the students but the people who brought them in were.

Mr. THOMPSON. Who were these people?

Mr. BERNSTEIN. I would prefer not to mention their names.

Mr. THOMPSON. You have immunity here.

Mr. BERNSTEIN. I would prefer not to mention the names. You can contact the FBI and if they want to reveal that to you they have it in their files and let them do it because we worked with the FBI on this for 3, 3½, or even 4 years.

Mr. THOMPSON. During those years what did you do about the involvement of "Communists" whom you won't name?

Did you make this public knowledge?

Mr. BERNSTEIN. I advised the police department, I advised the FBI, and the FBI told us that they were aware of what the situation was and the people who supposedly were backing these students who were in our city and that all they could do was watch and report back to the director.

Mr. THOMPSON. Do you know the names of any of these people whom you allege are Communists or were any of those whom you say you know to have been Communists—

Mr. BERNSTEIN. Communists or Communist-affiliated.

Mr. THOMPSON. What is a Communist affiliate?

Mr. BERNSTEIN. Leans in that direction. People are laughing but this is very, very serious business to me.

Mr. THOMPSON. It is to me too, and I want to know if any of these Communists or Communist-affiliated people are on the poverty rolls.

Mr. BERNSTEIN. People with a very strong left-wing leaning are involved directly with the poverty program.

Mr. THOMPSON. Left-wing leaning is a relative term. To some people I have that distinction and to others I am to the right.

Chairman PERKINS. Mr. Ayres.

Mr. DENT. I might inform the committee that the yeas and nays on the Military Construction bill are now being taken on the floor. I would suggest we recess for the rollcall.

Chairman PERKINS. We will wait for the second bell and then we will recess for 15 minutes.

Go ahead, Mr. Ayres.

Mr. AYRES. Mr. Chairman, I think it is important that the evidence be documented that these people did participate in the riots.

We have the gentleman here from the police department who could probably answer yes or no with the documentary evidence he has before him.

I don't think he brought those pictures here to look at them himself.

Mr. MALLARD. As far as any of these poverty workers actually being involved in the riots, first of all, I would like to say that I came back to Newark that Friday on the week of the riot so I missed the first race, but if we knew any of these poverty workers were involved in the riots, I probably would not be here now.

I would still be slaving because we are certainly locking them up. I have to show you some of the poverty workers in the city of Newark that have been involved in demonstrations leading up to the riot.

Chairman PERKINS. Would the gentleman from Ohio yield? His question was whether these people were involved in these riots.

Mr. AYRES. He had no pictures of the poverty workers actually throwing Molotovs. He said he did not have those pictures.

Chairman PERKINS. Mr. Goodell?

Mr. GOODELL. Mr. Chairman, can't we let the witnesses speak for themselves?

I don't think it helps at all for anybody on either side to try to put words in their mouths. Let's let them speak out.

Mr. AYRES. Let the gentleman proceed. I understood this attempt was to show that the remarks and actions taken by the poverty workers helped lead to the riots and created a lot of emotion.

Now, if the gentleman will proceed as to these people that he has pictures of in the poverty program attending these demonstrations. Just what part did they play in this, if any, prior to the riots?

That is what I am asking the gentleman.

Mr. MALLARD. I have here a picture of June 24, 1967, in front of the Newark city hall, Jesse Allen, who is an organizer, Area Board 3,

which is called People's Action Group. It is also under the Community Union Project.

This is all one project. You call it Area Board 3 or NCUP. The same people are in NCUP and the same people are in the poverty board.

Chairman PERKINS. Was he a paid employee?

Mr. MALLARD. Mr. Allen is a organizer.

Mr. AYRES. Would the gentleman proceed?

Mr. MALLARD. Also, I have a picture of Dean Harrison. He is a paid worker. He is a community action director. I have a picture—

Mr. THOMPSON. Is this his high-school graduation picture?

Mr. GOODELL. Would the gentleman be quiet and let the witness speak?

Mr. THOMPSON. I want to know what the picture is. It could be his Bar Mitzvah picture.

Chairman PERKINS. The witness will identify the picture, when it was made, on what occasion.

Mr. MALLARD. The demonstration in front of city hall on June 24, 1967, and the reference to the controversial issues, the board of education appointment; yes, sir.

Mr. AYRES. Those people were being paid by poverty funds?

Mr. MALLARD. To the best of my knowledge they were, yes, sir.

Mr. AYRES. Does any other witness know definitely that they were on the poverty payroll?

Mr. DEFINO. There are four and right here you have the SDS man, Tom Hayden, who went to China. His face is here in the picture as plain as day.

Mr. THOMPSON. That was before he went to China?

Mr. DEFINO. I am sorry, I meant Vietnam, not China.

Mr. AYRES. So the record is clear, you have identified these people in the picture as paid poverty workers.

Now, was this the demonstration that occurred to prevent the destruction of the medical building?

Chairman PERKINS. That is the school board appointment he is talking about now.

Mr. MALLARD. The demonstration here was in reference to the medical school situation and the board of education appointment also.

Mr. AYRES. Is it the opinion of anyone on the panel that this friction that occurred over the attempt to stop the construction of the medical center aroused the community to a point where there was a lot of dissension built up which in your observations, and I say this to the gentleman from the police department particularly, put the place in such a frenzy that anything could happen?

Mr. MALLARD. This did not raise the community to any point but these people are just about the same people you will find at every demonstration.

Most of the people were at home. This picture is May 19, 1967, at the Oliver Street School. It is in reference to a complaint against a school teacher. The Black Liberation Party, the black man's party in northern New Jersey, they have a colonel, a captain, and a lieutenant.

This is a poverty worker here, Donald Tucker, who is at the school. This is a demonstration at the school. At this same demonstration is James Walker—

Mrs. GREEN. Might I interrupt here?

The pictures which you have shown are pictures which were taken of paid poverty employees in May and June; is that correct?

Mr. MALLARD. Yes, ma'am.

Mrs. GREEN. The most serious riots in Newark were on what dates, please?

Mr. MALLARD. July 13.

Mrs. GREEN. Then the pictures which you are showing—will you please make more clear the connection which they have with the actual riots?

Mr. MALLARD. I am showing the poverty workers' activities and demonstrations.

Mrs. GREEN. Then you are really making two statements today as I understand it. I am not yielding to anybody except the witnesses.

Mr. PUCINSKI. A point of order.

Chairman PERKINS. Would the gentleman state it?

Mr. PUCINSKI. I think it is accepted procedure in a proceeding such as this where a witness is producing evidence that the witness give us the names and addresses of the people he is identifying so that we can ascertain as to whether or not they are on some poverty program payroll.

All I see is a photograph of people. I haven't the slightest idea who these people are.

Mrs. GREEN. Since this is my time, I would make a point of order here that he is not making a point of order.

If I may proceed with my 5 minutes—if I understood what you are trying to say to the members of this committee, the poverty workers were involved in two things, one is the actual helping to incite the riot, that this is the allegation that some of you people are making, and the allegation that you are making now with those people in those pictures is that they were participating in activities that you feel are prohibited by the war on poverty.

Mr. MALLARD. I am not saying that.

Mrs. GREEN. Then just what is the purpose?

Mr. MALLARD. I am saying that these poverty workers have been active in demonstrations in the city of Newark prior to the riots.

Mrs. GREEN. They were active in demonstrations which helped to create the climate leading to the riots?

Mr. MALLARD. They were active in demonstrations leading up to the riot. You could hear all of this testimony. I know that investigators have talked to us and gotten a lot of the names and you can put it together.

Mrs. GREEN. Would you proceed with the additional evidence that you have?

Mr. PUCINSKI. Mr. Chairman, there has been no ruling on the point of order.

Chairman PERKINS. The Chair overrules you. You will have an opportunity to ask the witness questions.

Mrs. GREEN. May I say that I am interested in having an opportunity for you to present your testimony and then we can evaluate it and not have you interrupted.

Mr. MALLARD. This is one of the last board of education meetings in

the city of Newark around June 28. We have Mr. Higgins here—

Chairman PERKINS. What date was that?

Mr. MALLARD. I believe that was the 28th of June. I am not certain of the date, however. It was the last meeting of the board of education.

This was a meeting taken over by Mr. Higgins and a few other people.

They prevented the board of education from holding the meeting. They came in and elected their own board of education.

The board of education could not function that night, that is, the board couldn't function because Mr. Higgins, the poverty worker, was there with these people and prevented it.

Chairman PERKINS. We will recess for 15 minutes.

Chairman PERKINS. The committee will come to order.

Mrs. Green?

Mrs. GREEN. Mr. Mallard, for the committee, not now but before you leave today, would you identify every picture which you have presented to the committee? Would you write on the back of it the name of the individuals, why you have presented it, and what demonstration these people appeared at and of what date, so we have this for the record?

I assume you are leaving these with the committee.

Mr. MALLARD. Yes, m'am, I will.

Mrs. GREEN. You are a member of the police force, is that right?

Mr. MALLARD. That's right.

Mrs. GREEN. To your own knowledge, were any of the antipoverty people arrested during the time of the riots or prior to the riots at any of the demonstrations to which you have referred in the last few minutes?

Mr. MALLARD. To my knowledge as far as I know now—of course, I have not had a chance really to really cross-check, but the arrests of the people in the record and the people in the poverty program—I intend to do this pretty soon. There were several hundred people arrested.

I have some records here of some poverty workers who were arrested in the demonstration on Clinton Avenue, which resulted in the merchant going out of business.

I have the records here and I will submit them.

Mrs. GREEN. At what time was this? Was this prior to the July 16 serious riots?

Mr. MALLARD. Yes, m'am.

Mrs. GREEN. On what date do you have that?

Do you have other police files in the voluminous papers that you have in front of you—do you have other police files on poverty workers where violations of law were concerned?

Mr. MALLARD. No, I do not.

Mrs. GREEN. In terms of the actual riot which occurred and I am speaking now of the most serious days of the riot, to your knowledge

was there involvement of the paid poverty employees in the riot or in incidents that incited others to riot?

Mr. MALLARD. Not to my knowledge.

Chairman PERKINS. Mr. Quie.

Mr. QUIE. I think that, in the time that I have I would just as soon have Mr. Bernstein, if you would, finish the statement you were making. I think you were trying to develop that some of the poverty workers were involved in inciting people prior to the riots and leading up to the time.

I would just as soon have you bring that to a head, if you would.

Mr. BERNSTEIN. We are discussing the involvement of the poverty workers and the political implications, and I described to you where some of the so-called political outs who had run for office and had lost and were involved in the poverty program were using this in my estimation as a stepping stone for obtaining political power.

In this picture here before the board of education taken in the city council chambers, you have this demonstrated where you have Mr. Richardson and Mr. Gibson, both former candidates that were leading, and Mr. Wheeler is up here, that were leading this demonstration in the city council chambers before the board of education against the appointment of Mr. Callahan to the position of secretary.

Also in the picture you have Mr. Melvin Higgins, who is an employee, paid employee of the community action programs.

Mr. QUIE. For whom do Mr. Richardson and Mr. Gibson work?

Mr. BERNSTEIN. Mr. Richardson is a member of the Trustee Board of the Poverty Program. He is not a paid employee, but he has an awful lot of power in that sense.

Mr. Gibson is the president of the united community organization. Again he is not a paid employee, but he has a lot of power within the organization. I think we should concern ourselves not only with the paid employees, but those who are not paid who are involved.

Mr. QUIE. Who appointed these two individuals to their present positions?

Mr. BERNSTEIN. They were elected through the structure of the United Community Corp.

When this was formed, it was very hard to get the average citizen involved and the people who became involved initially were the civic leaders, so called, and the so-called civic civil rights leaders.

The poor did not become involved, so the control of the United Community Corp. went in the direction of these people who took the time because they were politically motivated to become interested, and, as I say, to use it as a stepping stone.

Mr. QUIE. Did you see these individuals other than that one, at the time the question of the appointment of the secretary came up before a council meeting where they incited people?

Mr. BERNSTEIN. We had an ordinance on rent control that came before us and a number of these individuals, and I think your staff is in Newark now studying the tapes of the meeting, to get the names and the speeches that were made by these individuals who appeared before the city council at these hearings to speak up.

A number of these individuals, both paid and unpaid, appeared before the city council when the city council had an emergency meeting



had to approve the request of the urban renewal agency in the city of Newark to apply for Federal funds for the medical center.

It was an emergency meeting and the request was being handled by resolution, which normally does not allow for speakers. The city council president broke the rule to keep the peace and quiet, you might say, and allowed, I think, 23 of these individuals to speak.

Once again your staff is up in Newark now and they have been advised of this and they are checking into those tapes. We have verbatim tapes of what was said. Some of the remarks were what you might call threatening. I think Mr. Curvin, who is a trustee, head of the personnel committee, and you can understand how important a position this is, unpaid, making statements they will not allow under any circumstances regardless of what has to be done to allow this medical center to be built.

If I recall correctly, bloodshed was once again threatened. It seems to be the same basic core of individuals who are involved in any incident or any situation that could create an incident in the city of Newark.

Chairman PERKINS. Mr. Thompson?

Mr. THOMPSON. Mr. Bernstein, on what date was this meeting before the city council where the president allowed the 23 people to speak?

Mr. BERNSTEIN. I don't recall the date offhand. It was before the riots.

Mr. THOMPSON. Before the riots?

Mr. BERNSTEIN. That is right.

Mr. THOMPSON. Was there any violence at this meeting?

Mr. BERNSTEIN. There was a gathering of a crowd before the speaker's rostrum when the city clerk objected to the fact that they should speak because they legally did not have the right to speak. How far they would have gone if the council—Mr. Valvanni did not tell them to speak, I do not know.

Mr. THOMPSON. But he allowed them to speak?

Mr. BERNSTEIN. Yes, he violated our rules and allowed them to speak, to keep peace.

Mr. THOMPSON. Mr. Mallard, as I understand it, you are the human relations man for Director Spina; is that correct?

Mr. MALLARD. No, sir.

Mr. THOMPSON. You are a detective?

Mr. MALLARD. Yes, sir.

Mr. THOMPSON. You displayed some photographs earlier taken in June and in May before the riots. What did you take these pictures for?

Mr. MALLARD. These pictures were taken by our records bureau. We take pictures of all demonstrations. This has been our policy with Director Spina, for the police department to photograph demonstrations.

Mr. THOMPSON. That is reasonable enough.

Now, in the June 24 incident when a picture was taken and in the May 1 meeting, was there any physical violence in either of those demonstrations?

Mr. MALLARD. No, sir.

Mr. THOMPSON. Did these pictures serve in any way to indicate to you that there might be some trouble brewing?

Mr. MALLARD. Yes, sir.

Mr. THOMPSON. What did you do on the basis of that judgment?

Mr. MALLARD. The Oliver Street situation was only for a few hours 1 day and it was adjusted. There was a complaint against a school-teacher and that was adjusted by the school authorities.

Mr. THOMPSON. And the other was the medical school?

Mr. MALLARD. The medical school picture—we just added that to the rest of the other pictures that were taken and try to keep a close observation on different points throughout the city.

Mr. THOMPSON. For the background of the committee, New Jersey for many, many years had no medical school. One was eventually established in Jersey City.

It encountered numerous difficulties and the legislature finally decided to make a medical school a part of the State university and chose as its site Newark among a number of competing areas because of the availability of clinical facilities and the number of people.

It was decided that it would be on a site in the city of Newark—which would require the demolition of housing occupied by predominantly Negro citizens of Newark; is that correct?

Mr. MALLARD. That is correct.

Mr. THOMPSON. Those citizens of Newark do not want to be displaced?

Mr. MALLARD. That is a question.

Mr. BERNSTEIN. That is not true.

Mr. THOMPSON. I am trying to elicit the cause of the friction from the point of view of the city officials in Newark.

Mr. BERNSTEIN. May I answer that?

Mr. THOMPSON. Certainly.

Mr. BERNSTEIN. I think I stated earlier that there had been three surveys taken. One was an independent survey taken of every person living in that area and 75 percent—and these records are available if this committee wants them—75 percent of them wanted to leave the area and were for the medical center.

Then the United Community Corp. ran a survey. I sort of got the impression they were looking to come up with just the opposite results, because there was feeling in the United Community Corp. that this would be something that they could oppose, at least the facts we have been discussing, and their survey showed, I think, about 60 percent wanted to leave the area and the United Community—

Mr. GOODELL. I ask unanimous consent that the gentleman be permitted to continue.

Mr. THOMPSON. Thank you.

Mr. BERNSTEIN. They ran a second survey and I got the impression they were looking to come up with the reverse, but the second survey showed the majority of the people wanted to leave the area.

Mr. DENT. May I ask unanimous that my 5 minutes be given to the gentleman from New Jersey.

Chairman PERKINS. Unless there is objection. All right, go ahead.

Mr. THOMPSON. I don't have copies of those surveys and I have not seen them, but I have read about them.

The fact is there are a number of Negro citizens of Newark in the area where the medical school will be placed who are unhappy about it. Is that a reasonable statement?

Mr. BERNSTEIN. I don't think anything is unanimous, including your election and mine. There are always people against, but these are not the vocal people in this particular instance.

Mr. THOMPSON. That was not my question.

Back to Mr. Mallard. Mr. Mallard, do you consider that these demonstrations with respect to the school board problem, the placement of the medical school, and the Oliver School incident were part of a creation of the climate for the riot?

Mr. MALLARD. I do.

Mr. THOMPSON. You do?

Mr. MALLARD. Yes, sir; I do.

Mr. THOMPSON. You have named some persons whom you say are poverty workers, whether they were when those pictures were taken or not is not relevant at the moment, but who are identifiable at the three instances I mentioned—the board of education, the Oliver School, and the city hall.

Do you know of your own knowledge or from the police records that any of these persons were active participants in the riot?

Mr. MALLARD. No, sir.

Mr. THOMPSON. You do not?

Mr. MALLARD. No, sir.

Mr. THOMPSON. To your knowledge, again from your police records, do you have any evidence that any federally paid antipoverty worker was arrested for rioting or looting or otherwise breaking the law in Newark during the riots?

Mr. MALLARD. No, sir.

Mr. THOMPSON. Mr. Addonizio, you have heard the testimony of your colleagues. Do you know of any of the antipoverty employees who were directly involved not in the earlier demonstrations, but in the riots?

Mr. ADDONIZIO. No.

Mr. THOMPSON. Do you believe, Mr. Addonizio, that persons employed in the poverty program should not have the right to protest or object politically if they do so peacefully even though they are intemperate?

Mr. ADDONIZIO. They definitely should have the right.

Mr. THOMPSON. They should have?

Mr. ADDONIZIO. They should have the right.

Mr. THOMPSON. Do you feel the protest before the board of education at the Oliver School or anywhere else was part of the creation of the riots?

Mr. ADDONIZIO. I believe it created a part of the catalyst that brought it about.

If I may, Congressman, I would like to read a short paragraph of the prefix to our investigational report which I as chairman and Councilman Bernstein as vice chairman submitted —

Mr. THOMPSON. Chairman of what?

Mr. ADDONIZIO. The antipoverty committee in Newark when it was being created. I must mention the fact that this entire report was sent to Sargent Shriver's office and a letter that we sit down and discuss with him at that time some of the pertinent facts. I would just read part of the prefix.

We of this committee support this endeavor.

Which is the UCC antipoverty program.

On the other hand, we are mindful of the dangers implicit in the program and unless these dangers are anticipated and provided for, this program can end in disaster and frustration for the thousands of Newarkers who are in need of its promise.

We speak of the financial scandals that can follow from the use of free and easy money. We speak of the jealousies and antagonisms that can embitter the outs for the ins, the senseless rivalries engendered by salary discrepancies. We speak of the hostilities generated by the new bureaucracy in striving for recognition.

Chairman PERKINS. Mr. Goodell.

Mr. GOODELL. May I ask that the gentleman be permitted to complete his statement.

Mr. ADDONIZIO (continues reading) :

We refer to the lack of communication and understanding when there is communication and, most important, we talk of the striving and seeking for political power financed with Federal funds which can stir up house against house and neighbor against neighbor.

This report was written in December of 1965. Many of the things that we mention in our report—and again I can't reemphasize this too much—it is certainly my intention to strengthen this legislation so that certain problems which were created in the past cannot come about.

One of the areas that I think you gentlemen should certainly look into is the creation of a Hatch Act so that those that become involved in this program are like Caesar's wife, beyond reproach. Once they become involved, they know that certain of their remarks and so on must be controlled.

Chairman PERKINS. Mr. Goodell?

Mr. GOODELL. I think what this committee is interested in is evidence of what we would consider to be illegal action by people who are on the poverty payroll or activities by them that contribute significantly to the conditions that lead to a riot.

I personally feel, that if the person on the poverty payroll urges or encourages rioting or violence at any time, that this is wrong.

I think, if such an individual, who has urged people to solve their problems by rioting and violence, is hired by the poverty program, within a short time after making those statements, this is wrong.

You had pictures there. It is obvious to me there has been a very great controversy swirling around two or three local issues which pitted the poverty agency, UCC, against the administration of the city of Newark. Pictures of poverty employees at what Mr. Mallard called demonstrations are not necessarily indicative that they were doing anything wrong. They could be there to cool the situation. They could be there to heat the situation.

I would like your comments. Apparently you feel they were there heating the situation, contributing to something that led to the riot in Newark, but it has not come through very clearly. Just the fact that they help people demonstrate against something they felt was wrong does not move very many of us very far.

Can you clarify this at all?

Mr. ADDONIZIO. Congressman, your investigators, both those that came to Newark when Congressman Clayton Powell was the chairman

and those that are in Newark now, have elicited from us many, many hours of testimony and questions in depth, because your investigators in my opinion are doing a very good job.

I would say that all of you should become informative in their reports because many of the things that we alluded to over a period of an hour or an hour and a half which was personalized from the point of view that many of the statements that we have to make today we must hold back.

We are in the position of being boxers in a ring, who have to hold back our remarks, because the press is present. In the remarks of your investigators this was not done and they have the unabridged statements.

These are your men and you can read these reports and based on their deduction not only from what I have said or from what Councilman Bernstein or anyone on this panel, but as a composite from everyone in the city of Newark draw your own conclusions.

Mr. GOODELL. I would like for you gentlemen to have an opportunity to document it further, but let me ask each of you to answer this question yes or no, and then offer any other qualifications you want to give.

Is it your opinion that poverty workers contributed significantly to the riots in Newark?

Mr. ADDONIZIO. I say "Yes" for myself. They can answer the question as they deem necessary.

Mr. BERNSTEIN. I would say "Yes," too.

Mr. GOODELL. I come back for documentation. If you have a qualification to your "Yes," go ahead.

Mr. BERNSTEIN. For instance, I would expect people who work for me on my staff as city councilmen to be loyal to me. If I were to ask them to do something, I would expect that they would do it because they might be fearful of keeping their job otherwise. I say to you this is why some of these people, it is my opinion, are on this picket line, because they have been ordered to picket.

I raise a very serious question here, whether a person working for the poverty program should have the right to picket, because you have a situation here, and there are a number of individuals I can identify on these photographs as I look at them—there is a Mr. Donald Dyer, who is picketing out in front of city hall, who is making over \$10,000 a year with the poverty program.

Mr. GOODELL. I would like to ask unanimous consent to have a fast answer from these other gentlemen. We will come back to you for expansion of your answers.

Mr. THOMPSON. I would like to reciprocate by asking that Mr. Goodell have 3 additional minutes.

Chairman PERKINS. There is no objection.

Mr. DEFINO. I feel the poverty program helped bring about the conditions we face in Newark. I felt they could have played a mediating role, and do something good for the city while actually some of the people who are either employees and/or trustees in very important positions in the program, use it to create the position that we are in today.

Mr. GOODELL. So your answer is basically yes?

Mr. DEFINO. Wholeheartedly.

Mr. MALLARD. Yes.

Mr. GOODELL. Let me ask one other question in this connection.

I think, Mr. Mallard, you indicated that so far, you have named no more than one of the actual poverty workers who were arrested.

Mr. MALLARD. None.

Mr. GOODELL. It is my understanding that you have all indicated that as far as the involvement in the rioting and violence itself is concerned, that you have no evidence that any poverty workers were actually directly involved in the rioting; is that correct?

Mr. ADDONIZIO. Congressman, I must reiterate, your staff has documentation. They have asked us your question. This is privileged and this information will be made available to you, so it serves no good purpose for us to mention names, and so on and so forth, because in all fairness to the individuals that we may name, they may have justifiable reasons, and so on and so forth, based on what others may say about them.

Just let me say one other thing, if I may. There is nothing that creates or stimulates you, or brings you to a full realization of what problems are entailed as being shot at. Councilman Bernstein and I were in the streets with the police department, being shot at many times and going to the funerals of those unfortunates on both sides who were innocent victims.

Mr. GOODELL. Are you talking about the period subsequent to the riots now?

Mr. ADDONIZIO. Yes. Having lived with this problem over a long period of time, we have deduced certain facts. There is no question that legalistically and so on and so forth, many of them cannot be documented, no more than a man can document the fact that his wife loves him. He has to take her word for it. So we know certain things because of our day-to-day activity in the field. I say to you, once you receive your reports and you analyze them, I hope that the legislation is made stronger, so as to alleviate many of the ills we have encountered that are current.

Mr. GOODELL. By making that statement, you imply that there is a big fat file coming, full of investigative evidence that will support the allegation, that they were involved in the rioting and violence, but you don't want to involve individuals without having the evidence right here before us.

I think you ought to understand that is the implication of your answer. I presume what it means is that, in your opinion, having seen a good deal of this evidence, yes, they were involved in the rioting; is that correct?

Mr. ADDONIZIO. I would say that based on dialog which was transmitted between your investigators and those of myself, Councilman Bernstein, and others and myself who gave information to your investigators, I would say yes, you are going to have quite a file.

Chairman PERKINS. Mr. Pucinski?

Mr. PUCINSKI. On that last point you made, the majority on this committee voted last week to have a very thorough professional study made of the situation in Newark and I can assure you as one member of this committee, I am going to look at that report. If there were

any people directly or indirectly involved in any CAP agencies that were involved in the riot, and I am sure my colleagues would join me in requesting that they be removed forthwith if our investigation shows that.

Mr. GOODELL. Would the gentleman yield for a clarification?

I am sure you would not want to the record to imply that just one side wanted the thorough investigation.

Mr. PUCINSKI. If you want that understanding, it is alright with me.

The CAP agency in Newark is the United Community Corporation. How many members are there on the board of that corporation?

Mr. BERNSTEIN. The trustees? They keep expanding it and I think the employees are now up around 105.

Mr. PUCINSKI. How are these trustees appointed?

Mr. BERNSTEIN. I think there were certain regulations that came down from OEO which called for more government people being involved, so members of the city council were offered the opportunity—

Mr. PUCINSKI. Are you a member?

Mr. BERNSTEIN. I am a trustee.

Mr. PUCINSKI. Is Mr. Addonizio a trustee and do you have one-third of that board representing the poor in that area—representing the poor you serve?

Mr. BERNSTEIN. Do one-third actually represent the poor?

Mr. PUCINSKI. Yes.

Mr. BERNSTEIN. I would have to ask you what you define as "poor."

Mr. PUCINSKI. Just answer me.

Mr. BERNSTEIN. I don't think so.

Mr. PUCINSKI. You know the law.

Mr. BERNSTEIN. I know what the law is. We have here a picture and we have Willie Wright in the picture, who claims he represents the poor, but I think he makes in excess of \$130 a week, so, does he actually represent the poor?

Mr. PUCINSKI. I don't know.

Mr. BERNSTEIN. I don't know either.

Mr. PUCINSKI. The question I want to find out is how do you get the one-third poor on this board of trustees? How do you go about finding these people and how do you select them and how are they brought to the board?

Mr. BERNSTEIN. This is the problem that we have. I think you will find that it is very hard to get the poor involved in civic activities or antipoverty activities.

I have many poor people come in to my office, and I maintain a ward office in the area I represent and I tried to get them involved in different programs and it is very hard to do.

Mr. PUCINSKI. How many community action boards do you have in the city of Newark, how many community action centers and boards?

Mr. BERNSTEIN. Believe it or not, we have eight community action boards and we almost had nine, which means in essence the city is poverty-stricken.

Mr. PUCINSKI. How are these local people appointed to these boards?

Mr. BERNSTEIN. A notice is sent out initially when the board is being

formed by the United Community Corporation, the staff, inviting people to come out to a meeting. Then those who come out decide what they are going to do and who the officers are going to be.

They may send out hundreds or thousands of letters and maybe you will get 30 or 40 people to come out.

Mr. PUCINSKI. Is this a good way of doing it, in your judgment?

Mr. BERNSTEIN. No. In my judgment, I would not have poverty boards.

Mr. PUCINSKI. Would you support an action or an amendment that these poverty programs be fundamentally controlled by the responsible elected public officials in a community?

Mr. BERNSTEIN. Yes.

Mr. PUCINSKI. Why would you do that?

Mr. BERNSTEIN. Because somebody has to answer to the people. You cannot put money and power in the hands of groups and we are seeing it happen in Newark now, who are not directly responsible to the people.

Mr. PUCINSKI. As I understood your testimony, you say poverty people did not participate in the riots, but they helped create a climate that led to the riots?

Mr. BERNSTEIN. I assume you meant throwing the Molotov cocktails and stones. No, they did not do that, to my knowledge. They were smart enough not to.

Mr. PUCINSKI. As I understood your testimony—I ask unanimous consent to proceed for a few more minutes.

Chairman PERKINS. Without objection you may proceed.

Mr. PUCINSKI. For instance, the Students for Democratic Action took over two local boards and the ones they took—once they took over these boards, you literally lost control and the elected officials of that community.

Mr. BERNSTEIN. The elected officials never had control. The people of the area never had a chance to get control when they took over and they did it in a very well-planned manner, because I attended the initial meetings. They would put their people in the audience and spread them out a few here and there—

Mr. PUCINSKI. In other words, what you are saying is under the procedures now being operated in Newark, it is very difficult for the responsible elected officials, who have to respond to the people at election time for their stewardship, to have any effective control over these actions. Is that what you are saying?

Mr. BERNSTEIN. They have no control over the community action programs.

Mr. PUCINSKI. I want to congratulate you for your good sense and I would just like you to know, that this is one Member of Congress who has been trying to tell my colleague just what you said here.

I think that one of the weaknesses of the program and one reason why we have had the difficulties, is the responsible elected officials too often have no control over the programs.

Mr. ADDONIZIO. Mr. Chairman, may I make an observation to highlight a glaring problem in the area boards?

Chairman PERKINS. Yes, you may.

Mr. ADDONIZIO. To show you how ridiculous the total poverty board



situation is in the city of Newark is this. The area I represent, fortunately for those people, there is not any that would be categorized as area-struck. The area board sent out letters to my area asking people to come to a meeting to organize an area board.

The people in the area categorically said, no, we do not want an area board. The UCC again said, you must have an area board. At that point I said, "Look, it does not make sense for the central ward of the city of Newark," which is a ghetto situation, to have one area board for 100,000 people and this area that has approximately 45,000 people does not have any poverty program to have an area board.

Doesn't it make sense to put the area board that you want to put in Balesburg in the central ward, thereby giving the people in that area more direct representation.

Mr. PUCINSKI. The amendment before the committee, the recommendation by Mr. Shriver and the OEO to this Congress is that we indeed amend the act to bring the mayor and the public officials more directly into the participation and the management of these programs.

Would you suggest you could support that?

Mr. ADDONIZIO. There is no question in my mind. Again, I know all of you looking inward as elected officials and campaigning for office want to be in a position that when you run for office, that you are elected or defeated based on what you do, not what other agencies of government do in your name that you have no control over.

Mr. PUCINSKI. I subscribe to what you say.

Chairman PERKINS. Mr. Gurney?

Mr. GURNEY. Speaking as one member of this committee, I can assure my colleague from Illinois we want no part of the way the poverty program is being run by some of these local organizations. In my county of Orange, Fla., we have had the same experience. There is a political struggle to see who is going to control this thing with very little poverty work being done.

The Republican position is, of course, to change the poverty war programs and put them into agencies of government that have been fairly successful in dealing with this problem, and that is what we are hoping for.

I did not intend to question you this afternoon, because I had another committee meeting. But while I was out, I saw a press wire, dated today, from Newark, that a Negro volunteer group led by a Newark poverty worker is being urged to prowl city streets at night and look for evidence of police brutality.

This man said in an interview, "What I am advocating around town is get yourself a piece of gun, put it in the bottom drawer fully loaded and if some joker breaks into your house like they did at Plainfield, let them have it. The next time those cats come into our community with that kind of stuff, we are going to be prepared."

This man's name is someone called Willie Wright, a member of the board of directors of the United Community Corp., the official anti-poverty agency in Newark.

Could you tell us a little bit about Willie Wright and his participation in the poverty program?

Mr. BERNSTEIN. Think of the most militant person you can think of, and he is worse. I think Detective Mallard might be able to say some-

thing—incidentally, he is the one we entered into the record in that picture over there.

Mr. GURNEY. Could you give us some indication of his participation in the poverty war program prior to the riots and if you have any evidence of his participation in the riots in Newark?

Mr. MALLARD. No evidence of participation in the riots.

Mr. GURNEY. Did you see him at all during the riots?

Mr. MALLARD. Most of these people that we were trying to find during the riots evidently went underground. Two or three days after it was secured, then they all popped up.

Mr. GURNEY. Let's pursue that a little bit. These people who were referred to during the course of the testimony here as well as, well, let's call them the militant troublemakers. There was no evidence of these people at all during the riot? They just disappeared from the scene?

Mr. MALLARD. In fact, Jessie Allen came to a city hall meeting on that Saturday and was assisting in getting volunteers to go up into the community with armbands to see if they could get the people to go back to into their houses.

Willie Wright is a very militant person. By that I mean he teaches hatred of the white man.

Mr. GURNEY. Where does he preach this?

Mr. MALLARD. Anywhere, anybody on the street that will listen to him.

Mr. GURNEY. How many instances are recorded in the department?

Mr. MALLARD. Nothing is recorded. This is what we get from informants. He just recently organized a community black man's patrol. They are to patrol the city of Newark with a black helmet on and today he was in Newark, I understand—I didn't see him—somebody called me—he had on a black helmet and stenciled on the helmet was "Committee Black National Patrol."

Mr. GURNEY. This is apparently a news release that talks about this patrol. What does he do in the poverty war program?

Mr. MALLARD. He is a former vice president. I don't know if he is a paid worker.

Mr. GURNEY. Do any of the other gentlemen know what his job is or was?

Mr. BERNSTEIN. He was a vice president and he was also a chairman of the board of the area board, representing the area boards in the UCC. At the time he also was president of Area Board 2. He was just defeated here approximately 2 or 3 months ago.

Chairman PERKINS. The time of the gentleman has expired.

Mr. DeFINO. Some gentleman asked a question if Willie Wright said anything at a meeting. I am an area president for Area Board 9. I was present at a meeting on a Saturday morning at approximately 11 o'clock. He said that the Negro police in Newark should not participate in any duties to enforce law and order to his brother Negro citizens in Newark.

If they needed the money so bad they would take a collection amongst themselves and this was at a meeting of area board chairmen.

Chairman PERKINS. Mr. Daniels?

Mr. DANIELS. Are you members of the council trustees of the United Community Corp.?

Mr. ADDONIZIO. Now we are, yes.

Mr. DANIELS. Both of you?

Mr. ADDONIZIO. Yes.

Mr. DANIELS. You have testified so far that you have officers heading your community action program. There has been reference to a president, vice president. What other officers do you have?

Mr. ADDONIZIO. I think, you know, when you hear trustees——

Mr. DANIELS. I didn't say anything about trustees. I want to know who the officers are.

Mr. ADDONIZIO. You have a president and you have several vice presidents and secretary and secretary-treasurer—the regular table of organization.

Mr. DANIELS. Are they paid officers?

Mr. ADDONIZIO. No, they are not paid.

Mr. DANIELS. You have a board of directors. I believe you testified, Mr. Bernstein, there are 105 members on the board of directors?

Mr. BERNSTEIN. On the board of trustees. It has been expanded to try to get Government more involved. I think they have started to see what the problems are.

Mr. DANIELS. How many members of that board are poverty people?

Mr. BERNSTEIN. Do you mean how many members of the board are poor?

Mr. DANIELS. Yes.

Mr. BERNSTEIN. By the definition I don't think anybody is.

Mr. DANIELS. Or is a representative of the poor.

Mr. BERNSTEIN. You say "representatives of the poor." I represent the poor. I am an elected official. In fact, the only people who represent the poor are the city councilmen and the mayor. Nobody else represents the poor. They were not elected by anybody.

Mr. DANIELS. Do you know a man by the name of Mal Davis?

Mr. BERNSTEIN. Yes, president of a bank.

Mr. DANIELS. Does this board get together?

Mr. BERNSTEIN. Yes.

Mr. DANIELS. How often?

Mr. BERNSTEIN. I think they get together once a month.

Mr. DANIELS. Do you attend the meetings?

Mr. BERNSTEIN. I attend as many as I can.

Mr. DANIELS. Do you attend them regularly?

Mr. BERNSTEIN. As many as I can. I get bounced around so much I get discouraged.

Mr. DANIELS. Mal Davis is the president of one of the larger banks in the State of New Jersey——

Mr. BERNSTEIN. He is president of the National & Union Trust Co.

Mr. DANIELS. Do you know the editor and publisher of the Newark News?

Mr. BERNSTEIN. I have met him.

Mr. DANIELS. Is he a member of the board?

Mr. BERNSTEIN. He may have been at one time. I know what you are alluding to——

Mr. DANIELS. You don't know what I am alluding to. I will have reference to it in a few minutes. Is Mr. Scutter a member of the board?

Mr. BERNSTEIN. At this time I would not know.

Mr. DANIELS. Have you ever seen him at a board meeting?

Mr. BERNSTEIN. I don't think so.

Mr. DEFINO. I am a member of the board and I have never seen Mr. Scutter or Mr. Davis there. As far as their names, yes, they are members.

Mr. DANIELS. Do you participate in moneys?

Mr. BERNSTEIN. Only if there are fairs where there are bows to be taken, but we in the back seat just take the wrath.

Mr. DANIELS. Do you know if the gentlemen whose names I mentioned approve of the poverty program?

Mr. BERNSTEIN. I would say initially they did, but at the present time I couldn't say.

Mr. DANIELS. For your information, I can tell you that those two gentlemen plus a number of other businessmen who represent themselves to be members of the board came to Washington several months ago to endorse this poverty program.

Mr. BERNSTEIN. They may have voted to endorse it, to try to get more money in the city of Newark, but I say to you if they endorsed the community action program as it is now constituted, then I would say they are doing it because they are misinformed and don't have the information.

Initially when these gentlemen became involved——

Mr. DANIELS. I don't want any speeches from you. I am asking the questions.

Reference has been made to the fact that a number of poverty employees have been motivated by political power and there has been some testimony, too, that you date this back to 1964. I believe reference was made to the fact that picketing started as far back as 1964 when they picketed the police station.

Mr. MALLARD. I did not say the poverty people. I said the North Community Union Project people were instrumental in creating that demonstration around the precinct.

Mr. DANIELS. You came here to tell this committee there was involvement of the poverty workers in the picketing and demonstration.

Mr. MALLARD. I had to tell you that to bring you up to date.

Mr. DANIELS. Specifically what the demonstrations and what meetings did these poverty workers attend where they demonstrated and built up an air which gave rise or contributed to the rioting on July 13?

Mr. MALLARD. I would say all of the planned board hearings and all of the board of education hearings.

Mr. DANIELS. How many people are involved in those area boards?

Mr. MALLARD. I am not familiar with the totals of the area.

Mr. DEFINO. Congressman, if I may, understand one thing about an area board. They are supposed to be the people who live in the area board that it represents. If one is in a certain area, fortunately the people who would take over Area Board No. 1 would run it under the ruse of being for Area Board No. 1.

Some people don't live in it, but they have control of Area Board No. 1. This happened in three instances. It is a strong area board. People do live there, but they jump up all over. They seem to control the whole UCC program.

Mr. DANIELS. I ask unanimous consent to proceed for 3 more minutes. Chairman PERKINS. You may, without objection.

Mr. DANIELS. Can you name specifically the names of persons on the payroll of the United Community Corp. who contributed in any manner or fashion to building up an atmosphere that tipped off the riots on July 13?

Mr. BERNSTEIN. We mentioned Mr. Kennedy, who arranged for the mass meeting in front of the fourth precinct. I could mention to you a Mr. Bernard Dyer who is picketing here in front of City Hall concerning a school incident down in the next section of the city.

Mr. DANIELS. Would you specify the date that this took place?

Mr. BERNSTEIN. The date of the photograph is June 24.

Mr. GARDNER. Would the gentleman yield 1 second?

Mr. DANIELS. I will be glad to yield.

Mr. GARDNER. Could you give us the time of day this picture was taken?

Mr. BERNSTEIN. I would have to ask the detective.

Mr. GARDNER. Was it during working hours?

Mr. BERNSTEIN. Yes.

Mr. GARDNER. So this man was picketing at a time they were on a UCC poverty?

Mr. BERNSTEIN. They probably covered it by saying he had compensatory time off or was on leave or his lunch hour. There is also a Mamie Rollins and Lucille Capriano, and this information has been given to your staff, incidentally, and—now, some of these signs here I would say are very inciting and I would say they did lead to the eventual troubles we have had.

Mr. DANIELS. Are you taking the six or seven people you have named have created the atmosphere for the riots?

Mr. BERNSTEIN. These are just the ones we have pictures of.

Mr. DANIELS. Who are the others?

Mr. BERNSTEIN. Mr. S. A.—Mr. Walker who was involved, a Thurman Smith who is involved and there are others whose names I don't recall offhand.

Mr. DANIELS. The riot started on June 13. How long did it continue?

Mr. BERNSTEIN. Maybe 4 days.

Mr. DANIELS. Have you talked to 1,400 police officers?

Mr. BERNSTEIN. The 1,400 includes other people working in the department. It does not put 1,400 policemen on the street.

Mr. DANIELS. Could you tell us how many police officers are included, Detective Mallard?

Mr. MALLARD. I don't have the figures.

Mr. DANIELS. During these 4 days of rioting, how many were arrested?

Mr. MALLARD. 1,400.

Mr. DANIELS. And no poverty workers were arrested?

Mr. BERNSTEIN. I would give them credit enough not to be out there when the firing started. They set the situation and then went underground.

Chairman PERKINS. Mr. Scherle?

Mr. SCHERLE. Mr. Bernstein, on May 25 a telegram was sent to Mr. Shriver by Newark Police Director Dominick H. Spina, demanding

that such practices be ordered to desist immediately. This was in regard to the antipoverty workers agitating the poor.

To continue, in his telegram to Mr. Shriver, Mr. Spina said:

I strongly protest the use of resources and manpower from the United Community Corporation, an agency of the Office of Economic Opportunity, for the purpose of fomenting and agitating against the order and democratic government of the City of Newark. Some UCC employees have told us they have been threatened with loss of their jobs if they do not participate in picketing and demonstrations against agencies of the government for the City of Newark.

Yesterday, Mr. Shriver was here in person and gave testimony and in his testimony he mentioned that during the worst days and nights 30 Neighborhood Youth Corps cadets worked 12 hours a day, manning communications systems, and so forth.

The remark made by Police Commissioner Dominick Spina was that they were magnificent. How on May 25 could he find such danger involved in regard to the activities of OEO workers and in regard to their participating in agitating the poor and then turn around a short time later, about a month and a half later, and commend these people for help?

Mr. BERNSTEIN. The police cadet program we have is perhaps funded through the UCC umbrella organization, but is run by the city, just as the Neighborhood Youth Corps and the Headstart and the preschool program is run independently. We are talking about the community action program, the neighborhood board, and central staff, so this could be very much so.

Mr. SCHERLE. Mr. Chairman, I would like to yield the remaining portion of my time to my colleague from North Carolina, Mr. Gardner.

Mr. GARDNER. I would like to address my remarks to all four of the gentlemen and go back up and pick up a point my colleague from New Jersey, Mr. Thompson, dwelled on at some length and, that is, individuals employed in the poverty program or any other Government agency have the right as any American citizen has to go out and demonstrate. This has been brought up repeatedly before this committee and I think it needs to be thoroughly investigated.

It is my understanding in talking with Director Spina and others in Newark that the employees of the UCC program there actually went a great deal beyond actual participation in demonstrations, and I cite examples, that at UCC meetings, areas of protests were actively discussed by the leadership of the UCC.

Then they not only participated in the demonstrations, but they were actually talking at community meetings sponsored by the UCC, telling people in these slum areas that they needed to go out and protest the hospital example.

Also I think it is quite interesting to follow the pattern of events that we have been discussing here at some length, the protest movement that was going on of the hospital and the selection of a secretary to a school board and various other meetings.

I think it is most interesting that the riots actually started from a UCC-called meeting. I would like verification from you gentlemen also that the riots were actually sparked off at a UCC meeting called on the night of July 12, at which pamphlets were distributed throughout the area asking people to attend a mass meeting to protest police brutality.

I see a chain of events led by the UCC, the poverty workers, that led up to this situation on July 12 that actually got out of hand and developed into a riot the next day.

I would like your comments if you agree or disagree with that.

Mr. BERNSTEIN. I agree with you. I would like to add the night before the Wednesday night that the taxi driver was arrested—

Mr. GARDNER. What was this taxi driver arrested for?

Mr. BERNSTEIN. He was following very closely to a police radio car, as I understand it. When the police pulled him over, he became very abusive. As it so turned out, he was on the revoked list and he couldn't even drive. But what is interesting to note that night—

Mr. GARDNER. Do you mean he actually had no license to drive a cab?

Mr. BERNSTEIN. That is correct.

Mr. GARDNER. I ask unanimous consent for the witness to finish.

Mr. HAWKINS. Mr. Chairman, I am not going to object to this extension of time, but I will object to the next one because some of us are not going to have an opportunity to even ask a question if we continue to do this. We have been here for 2 hours.

Chairman PERKINS. The time of the gentleman has expired.

Mr. AYRES. Can't the gentleman answer the question?

Mr. HAWKINS. I have objected to the extension of time.

Chairman PERKINS. You may proceed.

Mr. BERNSTEIN. It is interesting to note—

Mr. O'HARA. Is my time beginning, Mr. Chairman?

Mr. AYRES. I asked unanimous time that the gentleman be permitted to answer the question.

Chairman PERKINS. Objection is heard. Proceed, Mr. O'Hara.

Mr. O'HARA. I would like to try to sum up the events to this point. First, as I gather from the testimony of the witnesses there is no direct evidence which is sufficient basis for arrest of paid poverty workers for involvement in the actual rioting.

Second, the complaints of the witnesses have to do with activities preceding the rioting, which they believe created a climate in which the rioting occurred. Is that correct?

Third, there is some intimation that Sargent Shriver, in connection with Mr. Spina's telegram, was derelict in not requiring the dismissal of persons involved in the statements that you believe created the climate that lead up to the riot.

I would like to cite to you gentlemen, and to the committee, provisions of the Federal law applicable to this situation. The poverty employees, through an amendment adopted last year, are subject in whole or in part (depending on the agency employing them) to the Hatch Act—which governs the political activities of Federal employees.

What does the Hatch Act say that is pertinent to this situation? The Hatch Act says that employees, such as those involved here, shall retain the right to vote as they choose and to express their opinions on all political subjects and candidates. The Hatch Act further states that nothing contained in it shall be construed to prevent or prohibit any persons subject to the provisions of the act from engaging in any political act—any political activity—in connection with any question which is not specifically identified with any national or State political party.

Now, under Newark's nonpartisan form of government, I think that clearly any political activity on the part of Federal employees would not be a violation of the Hatch Act. And the Director of OEO has no authority to require the dismissal of anyone for political activity unless it is a violation of the Hatch Act. Certainly the Director could not be derelict for failing to exercise authority he does not, in fact, have.

Mr. GARDNER. Would the gentleman yield for one brief question?

Mr. O'HARA. I would like to continue; unless the gentleman could get me some extra time, in which case I would be delighted to yield to him.

Furthermore, the testimony has indicated that some of them were not employees at the time of the incidents described and that some others are not employees of the delegate agency, but, indeed, are people elected to the governing board under the provisions of last year's Republican amendment to the poverty legislation and neither Sargent Shriver or anyone else has any authority to dismiss them.

But getting down to the key question, since this was not a violation of the Hatch Act, we must rely upon the judgment of the people directing the program locally to decide who should be hired or fired and who should not be hired or fired. It seems to me if the expressions of these people went beyond legitimate political expression, to the area of inciting, then the local people would be justified in terminating their employment.

But I would gather the opinion of the law enforcement officials of Newark is that these statements did not go beyond political statements to incite to riot. Under New Jersey law—and I call your attention to section 2(A) 148-10—if they were involved in inciting perjury, violence, or destruction of property they should have been arrested and prosecuted. Similarly, if they publicly circulated propaganda inciting perjury, violence, or destruction of property, they should have been arrested and prosecuted under section 148-10 of volume II-A of the New Jersey statutes. The mere fact that they were not, after all the surveillance which we have heard described, seems to me to be a pretty firm indication, in the opinion of the New Jersey authorities, their actions did not take on that coloration.

So, we rely on the local poverty agency to use their discretion concerning hiring and firing. We have had one case where a man was hired after he had made inflammatory statements, but he was hired by the delegate agency for the block program. It was the block program?

Mr. BERNSTEIN. That is right.

Mr. O'HARA. This hiring had to be passed on by the board, did it not?

Mr. BERNSTEIN. By the personnel committee which to my knowledge is still chaired by Mr. Kevin.

Mr. O'HARA. And on that personnel committee were representatives of one of the delegate agencies involved, to wit, the police athletic league?

Mr. DEFINO. He votes on that, eight against—

Mr. BERNSTEIN. Mr. Congressman, to correct the record, what you say is so, but the personnel committee of the block program did not have any control over this program evaluator job. This was decided by the personnel committee of the United Community Corporation.



Chairman PERKINS. Mr. Dellenback?

Mr. DELLENBACK. I yield my time to my colleague, Mr. Gardner.

Mr. GARDNER. I do thank my colleague from Oregon.

It is true in the Hatch Act that it says an individual cannot do certain things, but I think we have a clear-cut case here of a very different situation where we have a Government organization, not an individual but a Government organization, a community action program actually putting the entire weight of this organization behind certain events that led up to a dangerous situation in the city of Newark.

In my mind there is a very vast difference between one individual who might during his lunch hour or after hours go out and protest the hiring of a secretary as opposed to the entire community action program as we had in Newark, the UCC actively opposing the situation.

I think the crux of the problem we are faced with today is just this. I would be alarmed to think Congress was committing large sums of funds for organizations to go out to 150,000 communities throughout the United States for the sole purpose in mind of trying to oppose the local democratic form of government, be it partisan or nonpartisan, and yet they are doing just this.

They did it in Newark, and they did it in Durham, N.C., and we feel they are doing it in very many other cases, too.

I am afraid that it has been brought out before this committee. I think it is our responsibility to look into this situation and if indeed there is a loophole in the law which allows a Government agency such as OEO to get around the law, I then think it is our responsibility to plug that hole up.

Mr. DENT. Would the gentleman yield for an observation?

Mr. GARDNER. No, not at the present time.

My colleague from Florida mentioned an individual, Willy Wright, and I would like to explore this a little bit more. It is my understanding that he serves on the local board of trustees or whatever it is called of the UCC in Newark.

Mr. DEFINO. He did.

Mr. GARDNER. Does he at the present time?

Mr. DEFINO. No, he does not; no.

Mr. GARDNER. Do you know, and I will ask this of Detective Mallard, at any time prior to the riots did this one Willy Wright get involved in any protest movement or protest demonstrations either at the hospital or the meeting for the purpose of hiring the secretary or at the police station to protest police brutality?

Mr. MALLARD. At the city hall demonstrations Willy Wright was one of the leaders in disrupting hearings.

Mr. GARDNER. Do you have documentary proof of this?

Mr. MALLARD. He even spoke at the meeting.

Mr. GARDNER. This is on public record?

Mr. MALLARD. You can get the minutes of these meetings and they are being documented now.

Mr. GARDNER. Going back and picking up briefly the comment of my colleague from New Jersey, Mr. Daniels, he made the point during his cross-examination that we had a number of leading people on the board of trustees and certainly we have seen OEO do a very effective

job in bringing in a number of citizens, not only Dr. Billy Graham and others who I think are very conscientiously seeking an answer and certainly everyone wants to see poverty eliminated in America but I think it should also be made quite clear that the statement in the record that these people you mentioned are not involved in the program.

They know very little about what is going on. Yesterday I asked Mr. Shriver about the turnover in the local board of directors made up of these key business people.

I would like to ask you, to your knowledge, in the city of Newark has there been a constant turnover of people involved in the program and do you know of any specific cases where leading business people became disenchanted with the whole program and wanted out?

Mr. BERNSTEIN. To answer that question, I would have to ask you to enter this into the record. Mr. George Hainey, a businessman in the city of Newark, a stockbroker-manager of Auchincloss, Parker & Redpath quit the UCC with a very torrid statement.

Likewise, the president of the poverty program, and this is my opinion. Dean Heckel, seeing—

Mr. GARDNER. Would you please identify Dean Heckel?

Mr. BERNSTEIN. He is the head of the Rutgers University Law School and was president of the United Community Corp. It is my observation from meetings I have attended that he got to the point where he got disgusted and he bowed out using the excuse that he was busy at Rutgers.

Likewise, there is a Rabbi Prinz who was active initially as vice president and he bowed out saying he took a job in New York but I think he, too, got a little disgusted.

These are my observations.

Chairman PERKINS. Mr. Hawkins?

Mr. HAWKINS. First, I would like to ask how many members of the city council do you have?

Mr. BERNSTEIN. Nine.

Mr. HAWKINS. How many are Negroes?

Mr. BERNSTEIN. Two.

Mr. HAWKINS. How many members of the board of education do you have?

Mr. BERNSTEIN. Nine.

Mr. HAWKINS. How many are Negroes?

Mr. BERNSTEIN. Three.

Mr. HAWKINS. Are they appointed by the mayor?

Mr. BERNSTEIN. Yes.

Mr. HAWKINS. What is the mayor's racial, national, or ethnic group?

Mr. ADDONIZIO. I don't think this has any relevance.

Mr. HAWKINS. I am asking the questions here.

Mr. BERNSTEIN. He is Italian.

Mr. ADDONIZIO. He is an American.

Mr. BERNSTEIN. I stand corrected.

Mr. ADDONIZIO. I would like to think that you represent all America.

Mr. HAWKINS. I would like to restrict the answer to those relevant.

Mr. ADDONIZIO. I can give you one back, too.

Mr. HAWKINS. I can see why you are having trouble.

Mr. Mallard, how many members do you have on the police force in Newark?

Mr. MALLARD. I could not give you the exact figure.

Mr. HAWKINS. Just give me a rough figure, please.

Mr. MALLARD. 1,300 or 1,400.

Mr. HAWKINS. How many of these are Negroes?

Mr. MALLARD. I wouldn't know because we don't make any account of how many are Negroes, how many are white.

Mr. HAWKINS. You have no regard to race, creed, or nationality in Newark at all?

Mr. MALLARD. No.

Mr. HAWKINS. It just so happens that about a majority of the total citizens are Negro, are they not?

Do you know whether or not a majority or less than a majority of your city is Negro?

Mr. MALLARD. I wouldn't have any idea. It is rumored to be 50 percent or a little better.

Mr. HAWKINS. You are on the police force yourself, I assume?

Mr. MALLARD. Yes, sir.

Mr. HAWKINS. Mr. Chairman, I see it is a waste of time to interrogate witnesses because it seems to me this hearing itself is typical of why people are rioting.

It seems that while there are distinct problems in cities, individuals are not talking about the problems, they are not talking about the unemployment rate and the slums, and I have seen them in Newark myself and they are not talking about the fact that the city is changing in its composition and yet apparently the city officials do not reflect this change in condition.

It seems to me——

Mr. BERNSTEIN. Do I have the right of personal privilege to ask the Congressman to explain that?

Mr. HAWKINS. I have time——

Chairman PERKINS. The gentleman from California has the floor.

Mr. HAWKINS. It seems that while we have distinct problems in the area of race relations there are individuals who are more concerned about trying to keep those—whom I assume in this instance are Negroes in their city—out of the real representation of their city government and then while they have problems in those schools, the fact that de facto segregation is just as bad in Newark as any place in America and nobody is talking about that and yet we have individuals coming down here to Washington to talk about a few people expressing their constitutional rights and opposing this, and it does seem to me that while we do have these conditions developing and certainly of an explosive nature, there are individuals who want to fiddle around with the poverty program. Yet, they wonder why people do become disturbed or are in despair.

Just for the sake of the record, may I offer a document which was circulated in my own area by what is called the neighborhood adult participation project, which is one of the projects financed under the poverty program of a group which this last weekend in the area of Venice, in the city of Los Angeles, was called on by the police in a situation which might have erupted into a riot.

They called on this antipoverty group to quell a crowd of about 500 and they did an excellent job. I think the record should indicate a very excellent example of what some of the people in the poverty program are actually doing.

I would like for the sake of the record to have this included as a part of our record today because I think it is a wholesome contrast to the attitude of some of the things that have gone on in another American city where apparently the people are not aware of what is happening in their own city.

I think it is most unfortunate that we don't have a hearing on the poverty bill and get that out of the House as soon as possible and not fiddle around listening to some of the complaints that I and the others have heard today of individuals who apparently don't know the causes for riots and disturbances in our American cities.

Chairman PERKINS. We will insert into our record at this point, without objection, the document to which Mr. Hawkins has just referred.

(The document referred to follows:)

#### WHAT WILL WE GAIN FROM A RIOT?

Ten points why NAPP says keep "cool" this summer

1. Many black persons will be shot down in the streets.
2. Many persons will lose their jobs.
3. Parents will not be able to move about freely going and coming from work.
4. Homes will be searched and ransacked.
5. Helicopters tear gas, and bullets will be used to disperse crowds.
6. A vast number of persons will be jailed and convicted of crimes.
7. Businesses will not be open to provide food and other necessary items.
8. Soldiers will be called in to occupy our neighborhoods.
9. Many mothers and fathers will be hurt or killed in an effort to protect their children.
10. The damage that will be done in a riot will be done to you, your family, and your neighborhood.

JULY 25, 1967.

DEAR FRIEND: As an adult and a responsible person the Neighborhood Adult Participation Project feels that you share, along with the rest of us, an enormous concern for maintaining a cool summer and lessening the possibility of a riot; therefore, we are asking you to join us in a mouth to mouth conversation with your neighbors and the many persons that frequent your business.

The effects of a riot would be disastrous for our community. Many innocent persons would be the victim of violence, most of it would be inflicted upon community people. Persons would lose the freedom to come in and out of the community. In many cases people would lose access to their own homes. Our community would become a battle field arrayed with tanks and guns, and occupied by policemen and National Guardsmen.

We realize the frustrations, restlessness, and weariness of the people in our community. We are all searching for a way out but the way out must not be that of a suicide. We must explain to our friends and neighbors that law enforcement agencies are prepared to do whatever is necessary to prevent another August 1965. We know that law enforcement officers will not hesitate to "shoot to kill". Regardless of what depth our frustrations might run we are powerless in the face of tanks and machine guns in a riotous situation; Hiding behind boxes or on roof tops with pea shooters and gas filled bottles.

We must exert every effort to inform the community of what the true picture really is and ask members of our community not to bring this holocaust and disaster down upon our heads. We are asking you to "make it a point" to talk to your customers and friends. "Tell em like it is."

Chairman PERKINS. Mr. Hawkins, your time has expired. Mr. Esch?

Mr. ESCH. I hope the individuals representing the city government of Newark will have time later in the testimony to refute any adverse comments about their city.

I think that we ought to preface this by placing this particular hearing in the context of the total hearings of this committee and the war on poverty.

As such, it is my understanding that OEO was developed to stimulate social change, that is, to give the poverty stricken an opportunity that they would not otherwise have. I would like to ask the witnesses—Have the OEO programs offered and said they have made promises to the poverty stricken that they could not fulfill?

Mr. BERNSTEIN. Basically speaking, I don't think that the programs have gotten down to the grassroots poor.

Mr. ESCH. This is my concern—the individual human beings involved in Newark. There has been suggestions made that the individuals have not been helped but have been offered promises until unrest arises. You are suggesting that the OEO has been used to attempt to change political structures in a given city environment?

Mr. ADDONIZIO. If I may, I would like to throw a statistic at you.

Mr. ESCH. Would you just answer the question, please?

Mr. ADDONIZIO. In the last 5 years the Federal Government has pumped \$45 million in various antipoverty programs into the city of Newark.

Those of us who work with the grassroots of all nationalities realize what their problems are more than some who may not be involved.

Mr. ESCH. You are suggesting, however, that the present OEO individuals or certain individuals in the OEO programs have been trying to change the political structure of Newark; is that correct?

Mr. ADDONIZIO. There is just no question about that.

Mr. ESCH. You are suggesting also that because they have not been effective through normal political structures they have become more militant in their activity?

Mr. ADDONIZIO. Some of them have but not all.

Mr. ESCH. What we are attempting to determine is whether or not some individuals have become more militant in their attempt to change the structure.

You are suggesting the present structure is adequate to meet all of the needs of the citizens of Newark?

Mr. ADDONIZIO. Which structure?

Mr. ESCH. The present council and the present school board.

Mr. ADDONIZIO. There is no question about it—since they were elected by the majority of the people.

Mr. ESCH. You accept the right of lawful protest?

Mr. ADDONIZIO. There is no question about that at all.

I should also mention and I am put in the position to possibly reiterate some of the statements of our mayor—he has done more for civil rights, he has given more of his time to try to solve problems with all ethnic groups than any other mayor in the city of Newark and he brings to that higher office as mayor a background of having served in the Congress of the United States for 14 years and I can assure you that the very day the riots occurred he was talking to so-called civil rights groups to try to help adjust it.

As a matter of fact he has been accused by the white community as having gone overboard in helping the Negro community.

Mr. ESCH. What you are suggesting is in spite of this there were some individuals—

Mr. ADDONIZIO. That could never be placated, of course.

Mr. ESCH. You have identified people with the OEO program as those who have attempted to create unrest and you have also directed your attention to the fact that there were individuals involved in this from far extremes in terms of political philosophy.

Chairman PERKINS. The time of the gentleman has expired.

Mrs. Mink?

Mrs. MINK. Thank you very much, Mr. Chairman.

These are questions which I feel need to be answered in order for this committee to have an adequate understanding of the administration of the poverty program in Newark. I would appreciate it if you would confine your remarks to as brief a response as possible.

First of all, how does a person become a member of the UCC in your city?

Mr. BERNSTEIN. Just by joining.

Mrs. MINK. Who determines whether a person shall be a member of this 105-member organization?

Mr. BERNSTEIN. The trustees are established by OEO regulations and are elected by the membership at large which meets once a year and there are some 10,000 members at large.

When we call a meeting I think maybe we get out 150 people and they elect.

Mrs. MINK. The 10,000 members that you mention—how are these people selected for membership? You said they just join?

Mr. BERNSTEIN. Anybody who works or lives in the city of Newark is eligible to be a member by filling out a simple application. There is no cost.

Mrs. MINK. Without regard to whether they are poor or live in the poor districts?

Mr. BERNSTEIN. Right.

Mrs. MINK. What efforts are made by the organization to make sure that the 10,000 people who do join actually do participate in the election of the trustees?

Mr. BERNSTEIN. Prior to a meeting they receive a card or a letter informing them that there is going to be a meeting and what topics of discussion will be on the agenda.

I think this is a yearly meeting.

Mr. DEFINO. And also telephone calls are made for the same purpose.

Mrs. MINK. Of your 105-member board to which you refer as trustees on the board, is this number determined by the organization itself or is this specified by the office in Washington?

Mr. BERNSTEIN. I think originally it was determined by guidelines from the OEO by the UCC and then the OEO stepped in to get it more representative of government and the poor and expanded it.

Mrs. MINK. Once the 105-member board has been elected by the membership, what quorum requirements are in effect in order for the board to meet and to take legal action?

Mr. BERNSTEIN. Twenty-six.

Mrs. MINK. Twenty-six members out of 105?

Mr. BERNSTEIN. That is right.

Mrs. MINK. Going back to your response to questions involving Harry Wheeler, you testified that he made certain inflammatory remarks at a June 26 meeting but at that time he was not a poverty employee.

My question, then, is: When did he become an employee?

Mr. BERNSTEIN. To correct the record, he was a poverty employee last year and his employment was renewed in the same capacity this year and I think it was shortly—I am trying to get the time in my mind—I think at the very beginning of July.

Mrs. MINK. Were you in attendance at the meeting where his appointment was discussed?

Mr. BERNSTEIN. I was in attendance at the meeting of the personnel committee of the play street program which endorsed him, although they had no legal right to endorse him and they endorsed him without looking at anybody's application, including his and they sent the letter to the personnel committee of the UCC.

That meeting I did not attend and he was hired for whatever good reasons they chose to hire him.

Mrs. MINK. When did this hiring become authorized by the personnel committee?

Mr. BERNSTEIN. When the play street program was funded.

Mrs. MINK. Which would be what date?

Mr. BERNSTEIN. I wouldn't know the date on that.

Mrs. MINK. What role did the PAL program have in recommending the appointment?

Mr. BERNSTEIN. I understand the director of PAL was opposed to it.

Mrs. MINK. Did he submit a letter in opposition to this appointment?

Mr. BERNSTEIN. I don't know what the form of opposition was but he made his voice heard.

Mrs. MINK. Your second comment about the poor not being represented on the area board, my question is: How does a person become a member of an area board?

Mr. BERNSTEIN. Fill out a simple application and that is it.

Mrs. MINK. How many members are elected to each area board?

Mr. BERNSTEIN. I have a chairman, a vice president, a secretary, and a treasurer who has no function.

Mrs. MINK. Those are the four elected officials to an area board?

Mr. DEFINO. It is approximately six or seven.

Mrs. MINK. It has been discussed several times in this committee in various ways that the poor ought to be given a more ample opportunity to be represented in these area organization.

One suggestion that was discussed several times was that the matter of providing a regular election so that the poor within a community could, through a regular election procedure much the same as you are elected to the city council, elect their members on the area boards.

Would either of you two gentlemen who serve on the city council care to comment on such a suggestion?

Mr. BERNSTEIN. If the area board has been forced upon a particular section of the city of Newark as it has, then I think everybody should have the right to vote for the officers of it.

I don't know how you would define poor. As I understand it there are certain OEO guidelines of \$3,000 for so many in the family. I think this would be very hard to prove except if you limited your membership to people on public welfare.

Mrs. MINK. Do you have anything to add to that, Mr. Addonizio?

Mr. ADDONIZIO. One of the problems, you as an elected official for office campaign among your constituency, going around, meeting many people, and some of the people whom you may meet are not aware who their representative is and some, unfortunately—and they have this right not to be concerned—during the recent riots in Newark, I rode in the lead car with Councilman Bernstein, Director Spina, his chauffeur, and the following car was Governor Hughes touring the area to ascertain exactly what the damages were.

Time after time our car was stopped by the chauffeur and we got out to stop the looting—the looting was going on while the Governor was watching it happen.

Mrs. MINK. If you would respond to my question, I would appreciate it.

Mr. ADDONIZIO. Unfortunately, many of these problems don't lend themselves to easy answers and certainly the Congress of the United States cannot solve today's problems with yesterday's solutions, so you must have a background of what the situation is.

This is the point I want to make. In one of the stores that we blocked because of the number of looters in it, there were numbers of people that I spoke to asking them why did they do this. They couldn't tell us who the mayor of the city of Newark was or who their councilman was—

Mrs. MINK. I am sorry to interrupt but I would like to reiterate my question to you: Would you support or oppose a suggestion that provided for the regular elections of legal residents in poor communities to the area boards?

Mr. ADDONIZIO. Only if orientation courses were given and actual door-to-door solicitation was made to these poor people to indicate to them just what their rights are—

Mrs. MINK. Would you make that same requirement for your own election?

Mr. ADDONIZIO. In my own election I have my own canvassers that go out and do this and I am sure you do, too, but many of these people are fearful. Many of them have come up from down South and they are afraid.

Whenever they hear Government or police or so on they walk away. Now, how to get these people involved from a practical point of view is the problem.

It is not an easy problem.

Mr. THOMPSON. We have learned some very interesting things from these gentlemen today and I thank them. I understand their purpose was to demonstrate to us participation in the riots—

Mr. ESHLEMAN. The chairman informs me these remarks are on my time. I have sat here patiently. I have 5 minutes and I would like to use them.



I am a freshman in the Congress. I am not sure if this is correct or not, but I would like—since aspersions that have been cast on these gentlemen who have come here at our invitation, and aspersions have been cast on them as officials of the city of Newark, both elected and appointed—I would like to yield to them my 5 minutes.

I would like to yield them my 5 minutes so that they may get on record whatever they desire.

Mr. BERNSTEIN. Mr. Chairman, if I may, I would like to have this entered into the record because I made a comment earlier in this hearing about a left-wing group and this Students for Democratic Society admits to being such.

One of their ardent workers has published a book "Studies on the Left".

Mr. MALLARD. I brought the book down. I will give you copies but I have to keep that one.

Mr. BERNSTEIN. The detective said he would make copies available to you. I think you will find it very interesting reading. It is kind of discouraging the way our democracy is going.

Mr. MALLARD. I am told this goes to anyone who works on an area board and works on a staff. This book was previously the property of James H. Blair. He was second in command. One of the editors of this book is Tom Hayden, who recently went to Vietnam.

Mr. BERNSTEIN. Against the United States.

Mr. ESHLEMAN. Would you please give the title of the book?

Mr. MALLARD. "Studies on the Left."

Mr. BERNSTEIN. In winding up, I would like to say that all of us believe there is a need to eliminate the poverty situation in this country.

I think the discussion here today is certainly the best way of going about it. I feel that the responsibility lies in the hands of the elected officials because they answer directly to the people.

There are some who feel that it should be left to the poor people or to those outside of the Government and keep politics out of it.

I don't necessarily feel by having elected officials involved that you necessarily have politics as we know it getting involved.

You have direct representation of the people involved. I think this is the most serious thing that faces us and I would like to feel this country is that great that there will never be an outside power that could defeat us but I am very much concerned about the undercurrent of an inside power that could some day possibly destroy this great democracy of ours.

Mrs. GREEN. I agree with the statement you have just made and how the Hatch Act has been quoted from in its legalistic terms.

While I have no question about any individual having a constitutional right to speak or to protest or to participate in demonstrations, I have a very serious question, in fact, I would heartily disapprove of the expenditure of Federal funds to finance people who are outside of Government and who would be working for the express purpose of changing the political structure and changing the democratic process and upsetting or overturning the decisions which are made by mayors of duly elected city officials or council people or anyone else that has been chosen by the majority of the people through the democratic process.

I couldn't agree with you more that if this is being done and if it is being done in a lot of places, then Congress most certainly—and when the bill gets to the Floor—I would think they would certainly want to take a look at it.

I can't imagine the representatives of the city of Chicago approving of a bill that would finance with Federal funds those groups of people who would be working outside of Government and outside of the democratic process to upset the decisions that are made by the duly elected officials of that city.

I may say that as you gentlemen have sat here today, I have thought of the duly elected officials of my city of Portland and of my county of Multnomah, and I want you to know that I would not approve of one dime of Federal funding being paid to anybody for the purpose of going out to upset the democratic process, and I would certainly agree that we ought to have a greater involvement.

I would hope more people would turn out at the ballot box at the elections and that they would use the ballot box instead of bullets.

If there is any program that the Federal Government is financing that in any way contributes to this upsetting of the democratic process, then I want you to know that I am going to vote against it. I don't see a single thing here in the community action program that was ever designed by this committee or by this Congress that was for the purpose of doing the things you outlined.

Mr. DENT. If the gentlelady will yield, we find ourselves with an agency without authority, the elected officials in a community with responsibilities without authority.

So long as that condition exists we cannot approve of the situation as we now find it whether it has broken out in Newark or Detroit or wherever.

In fact, it must come home clearly that you cannot have authority without responsibility and responsibility without authority.

Mrs. GREEN. I might ask you gentlemen how many women serve on the council in Newark, or how many women serve on the school board or when last you had a woman mayor.

I would not draw from that conclusion, and I suspect there will be very few such women, I would not assume that because they did not serve that the women of Newark are not represented in the government as well as the men. Neither would I assume that because no women serve in these positions that it gives us the right to go out with guns or broomsticks or whatever women are supposed to use, and I suppose that some members of the committee would say broomsticks, or any weapons to turn over the Government that has been elected and that has been charged with the responsibility of carrying out the Government.

If this committee or this Congress follows this procedure, can I predict we are going to have real anarchy in this country?

Chairman PERKINS. Mr. Gardner.

Mr. GARDNER. I would like to associate myself entirely with the remarks of my colleague from Oregon. I think she has quite a way of being able to cut through all of the conversation and put her finger right on the problem.

I don't think I could add anything else to this testimony today that

would in any way more eloquently express my feelings than she has just done.

Before I yield to my colleague from New York as a member of the committee, I want to express my deep appreciation to these gentlemen who have come down here to Washington at great expense, their own personal expense may I say, to testify as witnesses.

I think for the first time we have had an opportunity to really see what the grassroots of this program feels. In the past we have only had an opportunity to see the top echelon. Now we are talking to the gentlemen who have been involved in this program on a grassroots level and I commend you for your testimony today.

I think the committee on both sides of the aisle appreciates your coming down here, also.

I yield the balance of my time to my colleague from New York, Mr. Goodell.

Mr. GOODELL. I thank the gentlelady from Oregon—and I agree basically with many of the things she has said, but I don't know that the analogy of women in our society here is quite apt.

I have a feeling that women have a great deal more power in our society than maybe she implies. It is frequently indirect, but if I had to choose between men and women as to which ones have the greatest influence over our society I would say it is the women who do.

Gentlemen, there is just one point that has not come through very clearly. I think it is important and I don't know if you have any evidence on it or not.

It is asked frequently with reference to the riots—and that is the question of people from outside your area who come in who in any way organize or contribute to the matrix that produces a riot—now, do you have an indication of this in Newark?

Mr. ADDONIZIO. Yes, Congressman, definitely so. Your investigators have the names and addresses and so on of those out-of-towners who came to Newark to cause the trouble.

Through your chairman I would like to express to all of you our gratitude for coming here today and I say this because Councilman Bernstein and I were attending a conference in Boston and we had to leave Boston at 5 o'clock this morning and drive all night to get to Newark and at that time I was wondering in my own mind whether or not this committee would be receptive to new ideas and approach it with an open mind.

I am very elated and happy to say that I feel that the majority of you will evaluate the remarks we have made, study the reports as submitted by your staffs and certainly take a long hard look at this program with the thought in mind of making it a better program for all.

So, I personally would like to thank you, Mr. Perkins, for your forbearance in many cases and also the members of your committee for the courtesy they have extended to us.

For a minute or two I thought I was at a city council meeting in Newark so I can well appreciate your position as chairman.

Mr. GOODELL. Do any of the rest of you have comments with reference to this question?

Mr. MALLARD. I would like to state in reference to race relations in

the city of Newark, as far as the Newark police department is concerned, we enjoy a very good relationship with the community.

We have a program on Wednesday evenings in the director's office where any of the citizens of the city of Newark or out of the city can come up and sit down with the police director himself and make a complaint in any direction.

We have human relations courses that police officers go through and the chief of police and the whole city of Newark are pleased with this program.

We do believe in a person's right to demonstrate and dissent. The Newark police department recognizes everybody's right, and as far as the Negro population in the city of Newark is concerned, they have expressed time and time again in letters to the police department their appreciation for the fine work the police department is doing and the good relationship that there is in the city of Newark.

Chairman PERKINS. Mr. Thompson.

Mr. THOMPSON. Mr. Chairman, I would like to associate myself with the remarks of the gentlewoman from Oregon to the extent that I too oppose Federal funding of the equivalent of anarchy.

I don't think that because a person is employed directly or indirectly by the Federal Government he should in any way be prohibited from an absolutely free expression in a peaceful manner of his or her views.

The right to dissent and even the right to say incendiary things, subject of course, to Justice Holmes' admonition that one does not have a right to cry fire in a crowded theater without justification, is a precious thing.

If a program is designed in a manner which would prohibit absolutely legitimate demonstrations as these photographs show and as this testimony indicates, then I would be opposed to it.

I don't think the mere fact of employment in the poverty program should in any way restrict any person's right of political activity, right of dissent, or right to peacefully, without violating the law, conduct himself or herself.

May I say to these witnesses today, thank you for your sacrifices, particularly the two who drove from Boston. These witnesses have come forward with some interesting and challenging ideas.

They have left a lot of things unexplained. They have not produced the single name of a person paid by the poverty program who participated actively in the riots.

They established apparently that some people associated with the poverty program participated in three earlier demonstrations which might be considered in a sense inflammatory.

With respect to the detective and his statements concerning the relations of the police and the people in Newark, I just can't understand how this business was touched off by the arrest of a cabdriver if the recitations which I have heard are accurate.

It was alleged in the area that the cabdriver had been killed by the police. I don't understand what climate exists in Newark which would have led so many hundreds of people to believe that to be the fact.

I think that is a question which must be answered. I think it might

be indicative of not quite so much faith in the police among some of the citizens in Newark as the detective would indicate.

That is a tragedy. That is something which none of the gentleman before us I believe to be responsible for.

In conclusion, I thank them again and restate my conviction that there has been nothing here to indicate any participation by the poverty workers in the dissension and the actual rioting in Newark.

Mr. HOLLAND. Mr. Chairman, it seems to me that the testimony and the discussions we have had in the past few days in this committee have been characterized by efforts to prove that the poverty program is "responsible for the riots" and the argument to back up this contention rests on one very simple premise.

That argument seems to me to be summed up in the view that the poverty program stirs up the poor, that it makes them aware of their poverty by making them aware of their hopes for breaking out of it; that it encourages them to vote, and encourages them to criticize public officials; that the poverty program says to the poor, "This community belongs to you as well as to the bank presidents and the editors, and you have as much right as they to demand change in it." The argument then goes on to suggest that once you break this news to the poor, it is only a short step down the road to a riot. Once you tell the poor, the argument implies, that they, too, are human beings and full members of a community you are, in effect, encouraging them to make violent change, because, we are told, the community has no intention of allowing change under any other stimulus.

Mr. Chairman, by this same reasoning, the Christian Gospel and the Constitution of the United States are "dangerous, inflammatory documents." If bringing hope to the hopeless and freedom to those who have for years been locked in prisons of poverty and discrimination are conducive to riots and violence, then this country is sick indeed. If keeping the promises of the Constitution and spreading the good news of human equality were revolutionary, then I would say hooray for the revolution.

Mr. Chairman, this hearing has proven one thing to me beyond any doubt, that the poverty workers—paid and unpaid—may in fact be a stronger defense against violent revolution than those who want to abolish the poverty program in order to avoid "making the natives restless."

Mr. PUCINSKI. I would like to thank the gentlemen for the contribution they have made here today and I am very pleased that I was among those who called yesterday for them to be given a chance to appear before this committee today.

I am not sure if we were in a court of law that one would conclude decisively that they have made any case here that OEO personnel either precipitated the rioting in Newark or participated in it but this is one of the things which our staff, when the staff report is brought before us, will certainly help us to conclude.

I think what these gentlemen have demonstrated here today by their testimony is the extent to which local responsible elected officials lose control of a program like this.

Mr. Shriver has sent out directive after directive calling upon the immediate dismissal of people employed under the poverty program

who in any way participate or contribute to rioting or any disturbance in a community and the record here is complete with statements that have been made and the directives and memoranda that have been sent out by Mr. Shriver.

The problem I see here is when a group like the Students for Democratic Action take over two of their local boards, the local officials, the UCC here is almost literally helpless in carrying out the directives sent out by the Director of the OEO himself.

I think that the main thrust of these gentlemen's testimony—and I am pleased at the suggestion of our colleague from North Carolina—is the need for tightening up this whole program.

Mr. Shriver has come before the committee. He has asked that we amend the act to make the responsible elected officials part of this program and to give them greater authority. I do think that the committee will probably want to go beyond what Mr. Shriver has suggested.

I am delighted to see the gentlewoman from Oregon make the statement she did. It has been kind of lonely around here for a long time when I try to tell my colleagues that you are not going to have an effective antipoverty program when you take away complete control of these programs from the men and women and the elected officials who have to go before their electorate either 2 years or every 4 years and account for their stewardship.

May I again congratulate you gentlemen for the contribution you have made here today. I think you have definitely focused on the need for strengthening this program.

But I am most impressed with one thing: Every one of you has come before this committee and has said renew this program and continue with this program because this is the only way that we can meet the problems that make people such easy prey for the authors of the book you have cited here and for all of the other agitators and the outsiders who come into our communities and tear up our communities.

I am glad I voted for the antiriot bill. I do think that is another step in the right direction.

With your testimony added to the record of our committee, I think if the Democrats and Republicans on this committee will sit down and take a long hard look at this bill we can come forward with legislation that will strengthen this war on poverty and will help us remove those elements which have made us easy prey for the agitators.

As I said, Mr. Chairman, I think this has been a very instructional, educational, and enlightening testimony this afternoon from these gentlemen.

These gentlemen have made a very significant contribution.

Mr. ESCH. I would like to thank the individuals for coming before the committee and I would also like to associate myself with the remarks of the gentlewoman from Oregon. I think the larger question is how can we bring about orderly social change within our cities.

As a committee and as a Congress and as a people we need to re-examine more effective ways of developing local initiative of breaking through the old political structures without creating an anarchy and move ahead, on social change programs in cooperative programs

between Federal, State, and local levels and the public and the private sectors as well.

The incidents of the last month have occurred with OEO present.

However, there is no real casual relationship shown, I think, except that it does illustrate that OEO to this date, either because of improper structure or because of a lack of funds, has not been totally effective in curing the problem facing us to date.

This committee needs to continue to look at a very definite way of more involvement of the local individuals.

Perhaps this point should be considered more than anything else to determine the funding to some from the Federal Government and the responsibilities of elected public officials in State and local governments.

Again, Mr. Chairman, I would like to add my appreciation and thanks to these gentlemen for coming down here to Washington to give us the benefit of their testimony today.

Chairman PERKINS. I think at this point I will insert into our record that document which aroused so much concern among my colleagues today. It is that statement made by Harry Wheeler at a special board meeting held June 26, 1967.

Without objection, the document will be placed in our hearing record at this point.

(The document referred to follows:)

STATEMENT BY HARRY WHEELER, SECRETARY, NEWARK, N.J. BOARD OF EDUCATION,  
AT A SPECIAL BOARD MEETING HELD JUNE 26, 1967

Now I would like to address myself to what I consider is the most serious aspect of all of this business at hand. You are about to engage in the worst kind of political deal, even worse than the whole land medal land scandal when I was a youngster in the City of Newark and the difference is that now you are playing with the present and future lives of the future citizens of Newark and it all revolves itself around a person having the gall to dictate to the policy making body how this should be done. It is a simple matter of unmitigated gall that is being foisted on the citizens of Newark and you gentlemen find yourselves party to this ungodly situation. Now it is worse than an unholy alliance because it carries with it the threat of the kind of human unrest that none of you will ever be free from for as long as you are alive and awake on this earth because as sure as your name is McCune, Cervase, DeFilippo, Ashby, Moran, Stolarski and Krim, the actions that have already been arrived at, because all of this is again about the Callaghan appointment is going to be the catalyst for blood running in the streets of the City of Newark like there has never been anywhere else in America.

The matter is of such a sensitive nature that people all over this city are saying that if they do, if they usurp our rights after we have lived up to the rules of the game, then we have no other choice than to move to take the situation in our hands; and I simply want to say to you that your action tomorrow night will make other instrumentality for the worse holocaust that this nation has ever seen and I am not going to beg with you or plead with you as previous speakers have done, I am simply going to say to you that the blood will be on your hands. You will pay the supreme price and the city, the state and the nation will know that in Newark, New Jersey, six supposedly upright citizens became the instrumentality for the worst kind of blood bath that America has ever seen, it is going to put the pogroms of Poland, the destruction of free thought in many of the European countries by the Russians to shame because the matter has reached the point where there is no turning back and I simply want to leave with you, and purposely, because I want you to pay the supreme price because you are going into it with your eyes wide open, you know that your actions are wrong, you know that you are perpetrating the worst kind of fraud, human fraud that is conceivable and yet you're hell bent on doing it, so I'm simply saying to you that when the blood runs thick don't come to Harry Wheeler and ask him why, because the reasons for it will be the action that you take in concert on tomorrow night.

Chairman PERKINS. Are there any further comments?

Mr. O'HARA. The witnesses have put the Newark situation in perspective. They were brought here following charges, which appeared on segments of the press and elsewhere, that employees of the poverty program in Newark participated in the riots in Newark and/or participated in inciting the riots in Newark.

It is clear from their testimony that they make no such charge. Their charge is that——

Mr. GARDNER. Would the gentleman yield at this point?

Mr. O'HARA. Yes.

Mr. GARDNER. I would have to disagree with the gentleman. I think your first statement is absolutely right. I know of no one who has ever made a public statement that poverty employees were directly involved in the actual rioting, but I think each of these gentlemen, when asked the question, "In your opinion, do you think that the poverty workers were involved in a situation that led to the riots," each of them answered yes.

Mr. O'HARA. I didn't get to that point. Let's be specific. Do any of you gentlemen contend that any person employed by the poverty program incited the people of Newark to riot?

Mr. ADDONIZIO. It is never any one person.

Mr. GARDNER. Again, would you yield for one brief question?

Mr. O'HARA. Has any individual or group of individuals employed by the poverty program incited the people of Newark to riot?

Mr. GARDNER. Will the gentleman yield?

Mr. O'HARA. I want an answer.

Chairman PERKINS. You asked a question, didn't you?

Mr. O'HARA. I asked a question.

Chairman PERKINS. The gentleman will answer.

Mr. ADDONIZIO. The response to that question——

Chairman PERKINS. Answer from your own personal knowledge, Mr. Addonizio.

Mr. ADDONIZIO. Would the Congressman please restate the question?

Mr. O'HARA. I asked if any of you gentlemen are accusing any person employed by the Newark Community Action Agency with inciting the people of Newark to riot.

Mr. ADDONIZIO. No, I'm not.

Mr. BERNSTEIN. No.

Mr. MALLARD. No.

Mr. O'HARA. I thank you. That bears out my statement.

I think you have, however, indicated that some of the demonstrations and protests and some of the statements made by various people—one or two specifically employed by the poverty program, others elected to governing boards of the poverty program, and others who later became employees of the poverty program, helped to create a climate in which the riots occurred. Is that right?

Mr. ADDONIZIO. Yes.

Mr. MALLARD. That is correct.

Mr. O'HARA. I have been attempting to clarify just what the opinion of the witnesses was.

I would like at this point to reiterate the fact that to the extent these people were engaged in legally protected freedom of expression,



that the Office of Economic Opportunity has been powerless to cause or demand their dismissal, and so I don't think that anyone could suggest that the Office of Economic Opportunity has been derelict in its responsibilities under the act for not doing so, and would anyone wish to take exception to that statement?

Mr. ESCH. Mr. Chairman, I think that the purpose of this committee is not to—is to investigate only insofar as future legislation is concerned. In this particular case, I hope we will look carefully at this question for future legislation.

Mr. O'HARA. I think the gentleman is correct, but he would not take exception to that statement I have made, would he?

Mr. GOODELL. Well, Mr. Chairman [laughter], I don't know who you are questioning here.

Mr. O'HARA. I asked the member from New York if he would take exception to that statement.

Mr. GOODELL. Make your statement again, then, if you are going to have us on the witness stand.

Mr. O'HARA. That the Office of Economic Opportunity has been without power under the statute to demand the resignation or the termination of the employment of persons engaged in the sorts of activities these witnesses have just described.

Mr. GOODELL. Yes, I take exception.

Mr. O'HARA. In what way?

Mr. GOODELL. I take exception. If the testimony of these witnesses is true pertaining to some of the activities poverty workers were engaged in, some of the statements they made, and the making of contributions at meetings, and the speech of the one gentleman calling for a blood bath, or suggesting there was going to be a blood bath, I think OEO has full authority to insist these people be dismissed if these are the true facts.

I think the local Community Action Agency has the power. We haven't got our full report, and apparently you want to give a complete whitewash to the situation before we get the report. I don't want to deal on inadequate facts.

Mr. O'HARA. My question is not concerned with what the later report will establish, but under the law, on the basis of what we have heard today, would the gentleman suggest that the Office of Economic Opportunity has the authority to require the—

Mr. ESCH. Would the gentleman yield?

Mr. O'HARA. I would like to ask the gentleman a question.

Mr. ESCH. I would like—

MTS. GREEN. Would the gentleman yield?

Mr. O'HARA. I would be happy to to yield—

Mr. GOODELL. Mr. O'Hara—

Mr. O'HARA. Can you tell me under what provision of law they have that authority?

Mr. GOODELL. Under the poverty law, I know of no guarantee of employment given to any employee of the poverty program. If OEO or a local Community Action Agency feel that an employee has dealt irresponsibly in terms of his authority or responsibility, they may have him dismissed. We do not require this. You are saying the law should say that whenever somebody does something of this nature

he be dismissed? I would like for you to cite the provision of law that guarantees these people a job with OEO when the local Community Action Agency says they will no longer be on the payroll.

Mr. PUCINSKI. What you are saying is correct, as far as you are saying it, but look at this situation, and this Congress wrote these things into the act.

You have set up certain limitations and certain regulations on these Community Action Boards. The Congress wrote in the regulations on what kind of boards you should have and the various participation. The Congress took away the very thing that I have been saying here for a long time. You took away from the elected officials the right to institute discipline and the right to manage these programs, and you gave them to a lot of people who had no responsibility to anyone except themselves—just a second—and as these four witnesses testified—just a minute—

Mr. GOODELL. I have heard this speech.

Mr. PUCINSKI. The Students for Democratic—

Mr. DEFINO. The Students for a Democratic Society.

Mr. PUCINSKI. Nobody had anything to say about it except this renegade outfit that took over these two boards.

Mr. GOODELL. I don't think we are serving any particular purpose in—

Mr. PUCINSKI. You asked for an answer and I gave you an answer.

Chairman PERKINS. Will the gentleman yield?

Mrs. GREEN. I would like to have somebody point out where in the act the Office of Economy Opportunity has had the authority to give Federal funds to any CAP Agency for the purpose of putting people on the payroll who would be demonstrating and who would be trying to overturn the political structure, or who would be trying to have different decisions made by the duly elected officials. I think this is the problem.

Mr. PUCINSKI. I will show you where.

Mrs. GREEN. There is nothing in the bill that says that or in the law which say this, and surely the Office of Economic Opportunity, in its guidelines doesn't give them the authority to carry on these kinds of procedures.

Mr. GOODELL. I would put it the other way. The gentleman from Michigan put it very cleverly as to what requirement there was to dismiss them, and what authority do they have under the law to dismiss them. I would like to ask the gentleman from Michigan what in the law guarantees these people a job. They can be dismissed at any time, and the OEO can refuse to fund it, and the local Community Action Agency can refuse to fund.

The gentleman is saying, I am afraid, that no matter what a poverty employee says or does, we are powerless, and OEO is powerless to do anything about it. I don't believe that.

I don't know whether or not what these poverty workers said and did was sufficient justification under the circumstances for dismissing them, but I am sure the authority was there to do it.

Mr. O'HARA. May I respond?

Mr. GOODELL. Absolutely.

Mr. O'HARA. I refuse to accuse the gentleman of being clever

[laughter] but I would suggest that the gentleman knows that there is no statute guaranteeing funds for anything or guaranteeing jobs to anyone. But it is clear, from numerous decisions of the Supreme Court, that employees may not be dismissed by the Federal Government because of their political activities or their political views or the manner in which they express them, unless those activities or views pass beyond the limits of permissible freedom of thought and expression.

The State of New Jersey has similar laws, and they also have laws specifically prohibiting activities designed to destroy our system of government, activities designed to incite to riot, and activities designed to create a disorderly assemblage.

I think the fact that none of these employees have been accused in the courts of New Jersey of such offenses would suggest that perhaps their activities did not exceed the limits of freedom of expression. I don't think that it is the case that the failure to prosecute these employees suggests a lack of diligence on the part of the police. I am willing to accept the judgment of the police and law enforcement agencies of New Jersey.

I don't approve of the actions of these employees, you understand, but I think that to imply from any of the proceedings today that the Office of Economic Opportunity has been derelict in its responsibilities under the act would be a mistake.

Mr. GODDELL. I would say that I reserve judgment on whether OEO itself had any responsibility or has been derelict. As far as I know the gentleman from Michigan is the first one to raise the question here this afternoon, as to whether OEO was derelict. I think he has brought up a straw man at this point.

We haven't drawn any conclusions on that line, and I would hope we would reserve judgment on that until we get the facts.

Mr. PUCINSKI. I would like to ask Mr. Addonizio, the members of the United Organization Trustees—you have a photograph here of what you allege to be employees of a CAP agency demonstrating and creating what you call the climate that ultimately erupted into a disturbance.

Mr. Bernstein and Mr. Addonizio, why wasn't some disciplinary action taken against these people? Why weren't they dismissed, why weren't they fired, why weren't they severed from the program?

You had these pictures a month or 2 months before that, you said. Why wasn't action taken against them?

Mr. BERNSTEIN. The board of trustees, even though it numbers 105, I think you would find in an average meeting you have 35 or 40 people out.

The so-called dedicated citizen did not take enough interest to come out to these meetings. The meetings that he went to, he found long talkathons that went late into the night, and the group I was referring to that controlled the UCC planned these talkathons so that the average interested citizen who had an interest at the outset would get disgusted and go home, and I have seen it happen many, many times, and these agitators, as I like to call them, they could put through anything they want.

Mr. PUCINSKI. Who does the hiring and the firing?

Mr. BERNSTEIN. The personnel committee, and the director has the

right to dismiss, from what I understand, and he tried to cut back on one program, the Blazer program in Newark, and he claimed he went a little too far. He claimed the Blazer program was costing about \$9,000, and he tried to cut back on this program, and he found out he went into a situation where he ended up getting fired, even though the papers said he resigned, and I am talking about Mr. Wolf.

Mr. PUCINSKI. Fired by whom?

Mr. BERNSTEIN. The militant part of the board of trustees.

Mr. PUCINSKI. And these trustees are elected—

Mr. BERNSTEIN. From the membership at large, and the membership at large once again, although it numbers 10,000, you find maybe 150 that come out to the meeting and again it is the agitators who get the people to the meeting and they control it on that basis.

Mr. PUCINSKI. And these 10,000 are just people who sign up, they don't have to be poor, or from a poor neighborhood or anything; is that right?

Mr. ADDONIZIO. In reference to your question as to why these people are continued on the payroll, each area board has seven employees, and each area board hires its own people, and each area board has the people that they employ. They make sure they express the same philosophy they have, so consequently they do not take any remedial action against those people.

Mr. PUCINSKI. And these two boards taken over by the student group, they could go ahead and hire whoever they wanted to and the mayor of that city and the city council and the responsible city officials had nothing to say about this?

Mr. BERNSTEIN. That is right.

Mr. PUCINSKI. This is in essence the doctrine that my good friend from New York, and I am sorry my friend from Minnesota is not here, have been trying to persuade the Congress this is the best way to run this program.

Mr. GOODELL. Would the gentleman yield?

Mr. PUCINSKI. Yes.

Mr. GOODELL. I am not going to engage in a debate with you and distort the philosophy involved with the poor helping themselves.

I would not claim full credit, but I am glad to be classified with those who I believe in this involvement, believe very sincerely in it. I know the gentleman from California believes very seriously in it, and I know a great many others on both sides of the aisle believe in it, but we don't accept your distorted description—

Mr. PUCINSKI. This is the first time you have had witnesses come down here and tell you what—

Mr. GOODELL. In many areas, it is inspiring. I am glad to see the results.

Mr. GARDNER. Would the gentleman yield?

I think it should be brought up at this time that OEO was properly warned of the situation in the telegram of May 25. They were also sent a copy of the report Mr. Addonizio mentioned earlier in his testimony, and so far as I know and so far as the director of police in the city of Newark knows, no OEO investigator came in to ask why he complained.

Mr. PUCINSKI. Mr. Shriver testified they had investigators there.

Mr. GARDNER. They never seemed to go to the heart of the problem.

Chairman PERKINS. I think I have been very patient sitting here—

Mr. GOODELL. I think you have, too.

Chairman PERKINS. We are not getting anywhere at this stage of the game.

Mr. HAWKINS. I have been listening to this dialog, but you never seem to get around to this side.

Chairman PERKINS. It has been open here. Go ahead, Mr. Hawkins.

Mr. HAWKINS. I think you should at least look down this side of the aisle.

Chairman PERKINS. I will make a public apology to you off the record. [Laughter.]

Mr. HAWKINS. Thank you.

I would like to make a comment, because I don't know who started this hearing, but I would like to go on record as saying that I think the hearing has been a waste of time. I think that if we were going to have a hearing that both sides should have been heard from.

I think this has been a waste of time because some names have been abused today, Mr. Harry Wheeler, for example—I have read through this statement several times, and I think I made statements more militant this afternoon on the record than Mr. Wheeler made, merely suggesting that something might happen if things did not occur.

I don't know Mr. Harry Wheeler, and I don't know what he was advocating, but it seems to me this goes to the issue of whether or not individuals who in good conscience and honesty make statements about improving conditions of their neighborhoods are to be considered anarchists and Communists, I assume, also, and are not to be heard from at all.

It seems to me what we are listening to is a profile of what is wrong in many American cities, that they are not responding to the needs of the people, and it seems to me that we have heard nothing but a lot of testimony to the effect that people who are poor must be more honest than anyone else, more honest than public officials who are elected and paid, and they must be more moral than anyone else, I think the expression "like Caesar's wife" was used. "The poor must be above suspicion."

If people who are poor must not express themselves on public questions, about their schools, for example or if they have a dirty street, they are not supposed to do anything about it, or if they walk up and down this street and see the garbage in the street, they should say nothing, and if the poverty program awakens them out of their lethargy and indifference to what is going on so that they try to become self-sustaining and take care of themselves that is bad, then there is something wrong about what some of us consider the program to be.

It seems to me that what we are saying here is that poor people must just climb in a cave or get in a ditch and go to sleep. and I would suggest that if this is what the poverty program is all about, I think we should be honest and tell the people, but I don't think that we should sit by and wonder why people are engaging in disorders. I don't think that we should assume that, because some people in some of the cities engage in conduct that certainly we don't condone, and we certainly don't like, that merely our expressing ourselves as being

against violence is sufficient, and I think that it ill-behooves individuals who represent officially a city to tell us these things that we have been listening to today and to not bring to us the problems of their city, and tell us what we can do to help the people get jobs and get better schools, what we can do to help mothers who have problems with their children and who are trying to take care of them on aid to families with dependent children, and discuss these things honestly and forthrightly.

I think it is most unfortunate that the gentlelady from Oregon sought to take an exception to my trying to find out to what extent minority groups in cities have a voice in the Government.

I think nobody in the Congress has fought more for the rights of women than the gentlelady from Oregon. She has sought to bring them into the mainstream, and I want to see people, black or white, brought into the mainstream, and for people to tell us that they are so colorblind today that they don't know how many Negroes are on the police force, in the schools, and in the other areas, I think that is most unfortunate or dishonest.

I think they well know, and I simply suggest we had better hurry up and try to represent these people and not condemn them, and we had better hurry up and get a poverty bill out of this session and some of the other legislation, that is now being filibustered to death and killed, if people—if we intend to do something, to bring hope and not despair, and support responsible leadership to prevent the disorders in American cities that have had them, and prevent them—

Mr. BERNSTEIN. Can I answer him?

Chairman PERKINS. Go ahead.

Mr. BERNSTEIN. Congressman, I sat back and listened, and I wasn't going to answer you, but I think you, in your own way, have raised a very serious question in our democracy here.

I think what you have intimated—at least this is the way I understood it—that since I represent a district that is 65 percent Negro that I should step down and let a Negro take my place because there are 65 percent Negroes, and likewise, to go one step further, if a district has 65 percent Catholics, and it is represented by a Protestant, then you should step down, and I think this is a direct violation of our Constitution, and I dare sit here and say to you that if your formula were followed then such a fine Senator as Senator Brooke would not be sitting in the Senate today, because he is a Negro and there are less than 5 percent Negroes in the State of Massachusetts, and I am sure there are many other such similar situations across this land of ours.

I like to feel that the people who are most qualified get elected regardless of race, color, or creed.

You cannot say we should have equal rights, or we should have a representation that one part of the city has to be one way and go into the suburbs and say, "You have to hire a Negro." Because we have a majority in one area, the rule shouldn't fall that way, and if that same group is the minority in the other area, they should be accepted.

I think you are bigoted in your thinking. I don't think this great country of ours was ever designated to be judged by how many Catholics we have, or how many Jews. I like to feel that the people

who aspire to political office put their name in nomination and they run for it and the people pick the person they like best based upon qualifications and I would like to enter into the record that I resent your statements.

Mr. HAWKINS. I would like to respond them.

Chairman PERKINS. Go ahead, and then we will stop.

Mr. HAWKINS. Certainly I am not suggesting any of the things that the witness apparently drew conclusions on, but I see Newark is in such trouble, I can see why at the end of the term of the present councilman, his district might be better off if he does retire.

I did not indicate in any way that a Negro has to serve Negroes or a white cannot serve Negroes, nor drag the Catholic issue into anything I said.

I merely said that anyone who represents a district today in a city such as Newark, who is not out in the forefront advocating better schools, integrated schools, who is not giving support to a poverty program, certainly with the involvement of the people in a poverty program, is not representing Negroes, because half of them are in the poverty classification, and certainly I don't think that the views that have been expressed today by the individuals who apparently are trying to represent their districts represent at all the needs of disadvantaged people. And I certainly think, if this is called bigotry, that certainly it is a distortion of the meaning, and certainly I feel that the gentleman has certainly misunderstood the whole essence of our democratic government, and really, I think, is just completely ignorant of the changing times in which we live.

Mr. PUCINSKI. Mr. Chairman, a point of order? I think that Mr. Bernstein probably would agree that he would want to strike from the record his accusation of our colleague as bigoted. If any Member in this Congress is not bigoted, it is Gus Hawkins. He has worked closely with all these bills.

I would like to give the witness an opportunity to correct the record.

Mr. BERNSTEIN. I would like to withdraw that statement.

Mr. GARDNER. I would hope my colleague from California would withdraw his statement.

Mr. HAWKINS. If there is a statement I made that reflects on the personal honesty or integrity of the individual, I certainly did not intend that, but I did say that his views did not really correspond with the needs of the people in his district.

Mr. GARDNER. Are you familiar with his district?

Mr. HAWKINS. Yes; I am. I was in Newark just a year and a half ago. I am not as familiar as he is himself, but I do know this, that anybody who in any way weakens the fight for an antipoverty bill is certainly not reflecting the views of Negro people.

Mr. GARDNER. May I say this in comment to my colleague from California, and I do not in any way doubt your sincerity in this situation, but I do think we should at all times be openminded and want to hear any criticism of the program in order that we in some way may strengthen the program and in the end result the poor will have a better and more effective program. This is the purpose of this committee.

Mr. HAWKINS. I am very glad to know that you are supporting the program.

Mrs. GREEN. I move the committee go on record for the reelection of Gus Hawkins and Mr. Bernstein, and that we adjourn.

Mr. HAWKINS. If Mr. Bernstein thought I made a statement that reflected on his personal integrity, I would like to go on record that anything I said in the heat of the debate that might have reflected on his personal integrity or in any way reflected on his individual honesty, I would like to indicate that I did not mean it in that sense.

I only meant it in the physical way of issues, and not as a personal indictment of his character, his integrity, or any implication along that line.

Chairman PERKINS. I ask unanimous consent that Congressman Hawkins be permitted to revise and extend his remarks on this point.

Mr. GOODELL. Mr. Chairman, I would just like to say for the record that I want to commend the chairman for his handling of the hearings and his fairness throughout.

In spite of some moments when people wanted to cut down on the witnesses in the hearings, the chairman has had an even gavel throughout. He has been extremely fair on all matters, and I think we all appreciate it, both Democrats and Republicans.

Chairman PERKINS. I had said if OEO wanted to respond briefly, if they have a witness here, that I would like to give them the opportunity.

(Statement of Timothy Still, president of United Community Corp., Newark, N.J., and documents submitted by UCC follows:)

STATEMENT OF TIMOTHY STILL, PRESIDENT, UNITED COMMUNITY CORP.,  
NEWARK, N.J.

My name is Timothy Still. I reside at 45 17th Avenue, Newark, New Jersey. I am President of the United Community Corporation, Newark's anti-poverty agency. This statement, on behalf of our corporation, is respectfully submitted to the Committee on Health Education and Labor of the House of Representatives for their consideration and deliberation on H.R. 8311 relating to the Office of Economic Opportunity.

I have been a resident of the City of Newark for 44 years and have been active in the affairs of our community for an extended period of time. I have served as President of Hayes Homes Tenants League, President of the Joint Council of Public Housing Tenants Association, Vice President of Fuld Neighborhood House, member of the Board of the Urban League, Director of the Dukers Athletic Club, and have been active in other community organizations. I am presently employed as a consultant to the Newark Public Housing Authority.

In addition, I have the honor to serve as home secretary to Congressman Joseph G. Minish (N.J. 11th District). I have also served as vice chairman of the Hugh J. Addonizio Association and as the central ward chairman for Mayor Hugh J. Addonizio, Mayor of Newark.

While my personal history may not appear to have any direct relevance to the issues under consideration by this Honorable Committee, this is part of my credentials which establishes my competence to inform you about our city, some of its problems, and the role our anti-poverty agency has played in dealing with them. Mine is not the voice of the ghetto, but it is a voice from the ghetto.

Among the many pieces of constructive legislation adopted by Congress, the Economic Opportunity Act of 1964 as amended, has been most meaningful to that sector of our nation described as "the poor or the disadvantaged". It has given a new dimension to the lives of many and has been the vehicle through which the hopes and aspirations of my people may yet be attained. In my



humble view, the concepts enunciated in this law make it possible to meet and solve the great challenge of this decade. The Economic Opportunity Act is an instrumentality for good, its precepts enhance the dignity of man and in our struggle for fulfillment of its ideals is reflective of the broad strength in American Life. It can survive and it must survive!

The United Community Corporation was organized in September, 1964. At the call of Mayor Addonizio, representative citizens of our community met and established our corporation as the community action agency for the City of Newark. This group included representatives of the poor, the business community, social agencies, the clergy (representing the three major faiths), organized labor and elected officials of the City of Newark.

At the outset, we devoted ourselves to the task of organizing the poverty community in our city to enable them to share in the total development of the attack upon poverty in the city. We accepted with utmost seriousness the touchstone of the statute to assure "maximum feasible participation of the poor."

The problems of our city were considered from the point of view of the city as a whole and it was, and is, our intent to involve the entire community to combat the evils of poverty. Naturally, this includes men and women from all stations and walks of life. The city was divided into various areas and local neighborhood groups were established which we called "area boards".

Our corporation simultaneously proceeded to design and develop a series of proposals to bring meaningful programs into the community to assure maximum utilization of the Economic Opportunity Act for our city's poor. This included the cooperation of and reliance upon existing agencies and institutions and the development of innovative concepts which led to the formation of new corporate structures to meet the previously unmet needs of the poor. Through this medium, we sought to effectuate the Congressional intent expressed in the Economic Opportunity Act of 1964.

Through the direction given by our corporation, more than 10,000 people of diverse backgrounds and interests who live or work in Newark have become members of the UCC. We have organized and now have functioning eight area boards which, except for one area, encompass the entire city. Since 1965, programs have been developed and have been operational on a city-wide basis to bring into reality the development of new and expanded educational, employment and social opportunities in our city.

We developed a full-year pre-school program on a city-wide basis. This was the first such program in the history of our country. The purpose of this program is to provide children with an introduction to the educational process and give them an experience in group activities to aid in preparing them for entry into the school system. The most significant feature of this program is the fact that it was designed, organized, and has been and is currently being administered by community people. Most of the staff including teachers, teachers-in-training, and teacher assistants, have come from the community. This program has three primary tasks: (1) community involvement; (2) training opportunities for prospective new teachers who are desperately needed; and (3) direct services to the children. This program supplements and complements the summer Head Start Program operated by the Newark Board of Education. We also have established specialized pre-school programs through the Fuld Neighborhood House, the Hilary School, and the Child Services Association. The total number of enrollees served in our community to date by the pre-school and head start programs is approximately 15,000.

The foregoing operational projects are in the nature of pre-school development which is geared to a "head start". We have also sponsored educational projects designed to assist in the development of youth in the school systems such as Upward Bound, College Work Study, High School Head Start, and Queen of Angels tutorial programs which include remedial education. In attempting to ameliorate some of the social pathology in our community, we have sponsored programs conducted by the Urban League and the Family Service Bureau such as Project Enable which deals with family structure, and FOCUS which is directed specifically to the Hispanic community and is operated by said community. The leaguers, a long established interracial, volunteer agency, working with Negro youth in our community has been funded through UCC for a program which is designed

(1) to provide remedial and tutorial services; (2) to provide special training in self-improvement such as grooming, speech, etc., and cultural advancement through such things as minority history and other structured activities.

Our corporation has also been concerned with the problems of senior citizens among the poor. The city originally submitted a program proposal which contemplated a budget of \$75,000. Upon study and review by our staff, it was felt that such a limited proposal could not begin to meet the needs of our older citizens. A new proposal (Senior Citizens Commission "Golden Age Plan") was prepared with the assistance and guidance of the United Community Corporation staff which program has been funded by the Office of Economic Opportunity for approximately \$1 million for its nine months of operation. This program is designed to do several things: (1) provide employment opportunities for our older poor; (2) to serve the special needs of the elderly through food distribution centers, health services, social services, planned recreational activities, and under a special grant for Operation Medicare Alert, with the assistance of the staff of the Golden Age Plan (Senior Citizens Commission), over 26,000 elderly citizens have been enrolled in Medicare. The Senior Citizens Commission which is established by law is complemented by 45 representatives from the area boards who play a role in formulating the policy and guiding the administrators of this important project. It should be noted that this program is administered by the City of Newark through the Senior Citizens Commission.

In bringing employment opportunities to the poor, several work training programs have been sponsored by the United Community Corporation: The Blazer Work Training Program is designed by community people, is run by community people, and has served many hundreds of the poor and prepared them for employment in the open labor market. COPE (Career Orientation Preparation for Employment) has served over 1,200 of our youth as a combined Neighborhood Youth Corps and OEO project. The On-the-Job Training project directed and administered by the United Community Corporation has to date consummated 132 training contracts with different employers of varying size throughout the city. In addition, the United Community Corporation is a co-sponsor with the City of Newark in the Concentrated Employment Project. It is anticipated this program will serve approximately 2,000 people through its first year of operation. We have also cooperated on a functional basis with the Business and Industrial Coordinating Council, State Employment Service, Youth Opportunity Center, Urban League, Project Head Start, Job Corps, the City of Newark, and other agencies in providing new employment opportunities for many thousands of youth and adults of our city.

Our city was one of the first in the country to establish a legal services project. This agency, created by our corporation, has brought a sense of reassurance to the impoverished community of Newark that the law as a process is available to help and not to hinder the people of the community. Our Newark Legal Services Project has established community offices in six of the local area boards which are staffed by practicing lawyers working on a full-time basis to serve the previously unmet legal needs of the poor in our community. It should be noted that on the board of trustees of our legal services project we have representatives of the local Bar Association, the Legal Aid Society, other professionals, as well as substantial representation of the poor of the community. In point of fact, one-third of the board of trustees of our legal services project is composed of the poor, one-third is composed of community people who are serving for the entire community and one-third are representatives of the legal profession.

The foregoing are but some of the positive accomplishments of our corporation which have been made possible by our effectuation and implementation of the purposes and objectives of the Economic Opportunity Act.

It is my firm conviction that the productive efforts of the United Community Corporation has helped to organize the poor of our community and to give our entire community a sense of hope for the future. This is not to suggest that our efforts have overcome all of the problems within our community. To the contrary, because of the enormity of the problems, this is but a mere beginning of what must be done. The root causes of discontent and disillusionment that have evolved over decades and have plagued the poor cannot be eradicated in a comparatively short period of time.

The basic problems of unemployment, inadequate housing, inferior educational facilities, discrimination (in all its aspects), the exploitation of the poor, the

patterns of segregation that exist and the inability of the law enforcement authorities to truly relate to the poor in our community and the resultant grossly insensitive attitude of the police and other official agencies in the community can no longer be ignored.

In the winter and spring of 1967, the basic failure to overcome the foregoing problems were accentuated by other factors. There was increased concern of many in the community about claims of acts of police brutality. The decision to establish a medical school in the heart of the central ward of the city, which has the largest concentration of Negroes and poor in the city, without involvement of the community in reaching such decision, produced substantial resentment. The proposed appointment of a white political leader as a replacement for the secretary to the Board of Education which completely ignored a Negro from Newark who was unquestionably the most qualified candidate for the position, likewise, caused deep resentment. These problems aroused many persons of the community, both black and white, and increased the tensions and undercurrents within the city.

However, these concerns of the citizens in the community were substantially ignored. The problem of the appointment of a successor to the Secretary of the Board of Education is a glaring example of what aroused the community. The refusal to appoint Mr. Parker, then employed as Budget Director of the City, the first Negro to become a Certified Public Accountant in the state of New Jersey, an honor graduate of Cornell University School of Business Administration and the holder of a Master's Degree was viewed as a rejection of opportunity for Negroes to advance. The white person under consideration and completed high school, and his work experience was in no way comparable to Mr. Parker's except that he was a member of the City Council. Both the Negro community and many representatives of the white community expressed gross dissatisfaction and indignation with the adamant position taken in refusing to recognize the best qualified candidate for this important and vital post. Moreover, the leading newspaper of our state also joined in the condemnation of the refusal to select the best qualified individual. This conduct caused many Negroes in the community to charge that the promises and assurances that a better life would be theirs if they pursued their education were in truth meaningless and empty phrases. It was said again and again throughout the black ghetto that even where the Negroes of our community had the superior qualifications, there was a different test applied.

It is my firm conviction that this rejection of Mr. Parker was one of the contributing factors in inciting community people to express their hostilities in such a dramatic fashion in mid-July.

It has been said that UCC contributed to the outbreak in Newark because it aroused people over this appointment. I categorically deny this. UCC did not take any position on the appointment of the School Board Secretary. No one spoke on behalf of, or as a representative of UCC at any of the Board meetings when this issue was being considered.

Individuals and other groups did protest the School Board's actions, some of whom were members of UCC. However they spoke out as individuals or representing other groups and not UCC. As heretofore noted, we have more than 10,000 members of our corporation representing diverse views in the community. UCC cannot and should not be charged with responsibility for the conduct of its members or staff except when they are acting on behalf of the corporation.

The history of the medical school controversy, likewise, reflects that any charge that UCC contributed to the Newark outbreak by its conduct in this regard is without merit and fact.

Our corporation endorsed the advantages to the community of establishing a new medical and dental school in the City of Newark.

However, our Board of Trustees passed a resolution objecting to the construction of a medical school on the selected site, (consisting of 150 acres in the heart of the Negro community of the city) without advance adequate provisions for relocation of the persons to be displaced.

It was the position of our Board that the land sought was grossly in excess of any reasonable needs, taking into account the much more limited acreage utilized by the State University in the establishment of a new Law Center, the expansion of the Newark Rutgers Campus, and the rebuilding of the Newark College of Engineering. No effort was made to truly consider the concerns expressed by the community with respect to the excessive demand of 150 acres

in the heart of the Negro community to be used for the medical school. It is indeed regrettable that it was not until after the incidents of mid-July that any effort was made officially on the part of the City, to meet with the Board of the Medical School urging that they reconsider the need of such acreage and that a special program for relocation and redevelopment be pursued. I am hopeful that such discussions which have been initiated since the Newark outbreak may result in a limitation of the acreage to be given for the medical school and also the development of a modern urban complex which will provide adequate housing that the people of this area can afford, increased jobs and employment opportunities as well as facilities for the social improvement of the community within this area of the city. Had these discussions been undertaken before the city exploded the explosion might not have occurred.

In the face of the foregoing problems, tensions in the city were heightened as a result of the feeling of lack of concern with the problems already referred to.

It should be made abundantly clear that these problems were not created by the United Community Corporation. Nor did we create or precipitate the incident which triggered the events of mid-July. To the contrary our entire course of conduct was designed to relieve community tensions and we did within our power to prevent the outbreak.

The outburst in Newark was precipitated by a charge of police brutality against a Negro taxi driver. Immediately upon our being informed that a group of people had gathered at the police precinct where the brutality was charged to have occurred, I, as president of this corporation, in the company of our acting director and one of our vice presidents went to the scene. We found an angry, hostile crowd vocally expressing its discontent. We sought to disperse the crowd, assuring them that this grievance would be lodged with the appropriate authorities of the city to prevent any recurrence of such alleged misconduct.

Despite our efforts to urge the crowd to disperse and go home, they were so enraged by the time we arrived that we were unable to persuade them to do so. We then sought to channelize the hostility of the crowd away from the precinct and attempted to organize a peaceful demonstration moving away from the precinct. At one point it appeared that we would be successful in our efforts but, unfortunately, because of the precipitous action and indiscretion on the part of the police, the course we had pursued was nullified.

Once the outburst started, our corporation, through its Board members, officers, and staff, took every reasonable measure to restore peace and order to the community. We had meetings with the Mayor of the City and the Governor designed to explore measures which would enable us to restore normalcy to the community. Members of our staff, our Board, and our officers spoke over the radio and through other media of communication urging the community to return to a state of normalcy. In addition, we helped organize a group of community leaders to work throughout the affected area with specially designed armbands with the endorsement of the governor in a further attempt to calm the community. Furthermore, when it became apparent that there would be a great need for food, medicine, and other essentials for the innocent victims of the disturbance, we organized an emergency relief operation which distributed 200 tons of food (dispersed at 13 different centers in the affected parts of the city) and provided other direct assistance through an Emergency Relief Committee for those in need.

I responded to a request of the Governor, to plead with a sniper at Scudder Homes, to cease his firing when the lights were out in the project. I responded to this request with full knowledge of personal danger that I would be facing. I was deeply concerned that many innocent people had been injured and killed inside their homes from ricocheting bullets and to prevent this from recurring I responded to the governor's request.

The UCC office became the headquarters for Negro leaders and people from the ghetto who were seeking to restore order. We established contact with the Governor and his staff and Oliver Lofton, Director of our Legal Services Project was designated by the Governor as spokesman for various community groups. Through this medium the Governor was able to keep in touch with the people inside the ghetto. We responded to the Governor's request to provide attorneys for the hundreds of persons arrested. Our Newark Legal Services Project attorneys worked in cooperation with the Public Defenders Staff to expedite the processing of all prisoners.

In summary, UCC, through its staff, officers and Board members were in the forefront of efforts to prevent the outburst as it was starting. We were in the forefront of efforts in conjunction with the Mayor, the Governor, and their staff to bring an end to the hostilities as they progressed. These actions were at great personal risk to all of us and in a sincere and genuine effort to preserve order in the community. Our leaders took to the radio and in the streets in an effort to end the hostilities. It is my firm belief that UCC's record in the community helped to restore order to Newark.

On August 1, 1967, two members of the Newark City Council, Councilmen Bernstein and Addonizio, accompanied by Detective Mallare and Anthony DeFino appeared before your Committee and testified with regard to the alleged involvement of representatives of our corporation in the riots in Newark or the conduct which allegedly precipitated the riots.

The testimony of each of these gentlemen was replete with inaccuracies, assumptions, and reflected the dismal lack of awareness they had of the concerns of the people of our city. Their statements were unpardonable acts of irresponsibility and contained outlandish charges that were not supported by facts in their appearance before this Committee. I hesitate to respond to what they said lest it lend a color of dignity to their reprehensible remarks.

However, I do respond to certain statements made by them so that there will be no question in the minds of any members of this Committee as to the conduct of this corporation its staff, its board members, and officers.

I categorically deny that the conduct of our corporation can in any way be labeled as "communist" or tainted with "communists". Though this charge was made by Councilman Bernstein, when pressed for supporting evidence, he conceded he had none.

Councilman Bernstein charged that the community action programs in the City of Newark played an important part in setting off the riots in our city (TR 4377). This is grossly untrue.

We have heretofore set forth the kinds of programs developed by our corporation which have sought to bring about stability in the community. The councilman alluded to the conduct of the Newark Community Union Project (NCUP) which he said contributed to the riots. It should be made clear that the Newark Community Union Project is not affiliated or associated with the United Community Corporation and, as a matter of fact, on numerous occasions some persons who have been affiliated with NCUP and have been members of UCC have differed most vigorously with some of the policy positions taken by the Board of Trustees of this corporation. I make no comment on the conduct of NCUP since any allegations levelled against them should be answered by their representatives. The councilman charges that several of the area boards helped to set off the incident that happened on July 13 which precipitated the riot. We categorically deny this. To the contrary, as heretofore indicated, the officials of our corporation took every reasonable measure to calm the anger and hostility of the crowd when it appeared that there might be an outburst.

It is charged that opposition of the appointment of the secretary to the Board of Education was led by anti-poverty people (TR 4379). We have already indicated to the Committee the community issue involved in the appointment to this position. However, the corporation took no official position on the appointment nor did anyone speak in any meetings in regard to this issue, as an authorized representative or on behalf of UCC.

It is charged that UCC opposed the medical center in Newark and that among other things UCC loaded the meetings with people from the outside area and outside the city of Newark. We also categorically deny this. To the contrary the only person who spoke on behalf of UCC was the then executive director who addressed one of the blight hearings dealing with this problem, whose testimony is part of the official record of that meeting for examination.

It was charged that inflammatory remarks were made by Mr. Wheeler who was then allegedly an employee of UCC (TR 4386-4390). We likewise deny that at the time Mr. Wheeler was alleged to have made the statement referred to he was an employee of UCC. We also note for the Committee that Councilman Addonizio subsequently conceded in response to a question by Congressman O'Hara and Chairman Perkins that during the time period referred to, Mr. Wheeler was an employee of the Newark Board of Education and not of UCC.

Moreover, Councilman Addonizio conceded that he had no knowledge of Mr. Wheeler's being active in the riots in Newark during July (TR 4394).

Councilman Bernstein charged that UCC was an "outside political group" attempting to gain political power in the City of Newark (TR 4394). It is patently untrue that our corporation is a political group. We are the local community action agency who seek to alter the course of our community and to improve our community, through the types of programs referred to in effectuating the purposes and policies of the Economic Opportunity Act. Moreover, a long time ago, our Board adopted a policy that anyone who became a candidate for office was required to take a leave of absence from the Board to assure that there would be no utilization of the corporation for political purposes. In passing, I note that all nine councilmen, including Councilmen Addonizio and Bernstein, are members of the Board of Trustees and serve by virtue of their elected position. They have never been requested to absent themselves from participation in the affairs of UCC because they are elected officials of the community, but, to the contrary, we seek their active participation which, regrettably, we have never had on a constant basis.

Despite the irresponsible statements and lack of foundation for the assertions by the witnesses referred to who appeared before the Committee, when pressed by members of the Committee they had to concede that they had no knowledge of any involvement of any particular employees of UCC who engaged "in the riot or in incidents that incited others to riot" (TR 4414, 4421, 4422, 4433, etc.).

The lack of informed and factual data on the part of the witnesses is reflected by the absurd contention that the former president of our corporation, Dean C. Willard Heckel, and former vice president, Rabbi Jonathan J. Prinz, resigned because they were "disgusted with the conduct of the affairs of the corporation" (TR 4437). Attached hereto is a copy of a newspaper interview with Dean Heckel, following his retirement as president, in which he clearly expressed his intent to remain active in the corporation (he presently serves as a vice president of the corporation), and in which he asserted his confidence in the corporation and its goals. Attached hereto is a letter concerning a sermon delivered by Rabbi Prinz in which he reaffirmed his belief in the design, purpose, and function of the corporation.

It is apparent that the distress of Councilmen Bernstein and Addonizio with the activities of the UCC is because they reject the fundamental philosophy of the Economic Opportunity Act which urges maximum feasible participation of the poor. They resent the involvement of the community because it impinges upon the control they seek to exercise in the affairs of the corporation. It is their contention, as testified before this committee, and as earlier asserted in their own inquiry two years ago, that the anti-poverty program should be run by the elected officials of the city and not by the people of the community. It is this very distinction, the guarantee of involvement of the poor which makes the Economic Opportunity Act unique and in the ultimate is the assurance that its objectives will be achieved.

The tangible results of the riot in Newark in terms of death, property damage, and injury to the people of our city is horrible to behold. Resultant attitudes can bring about disaster to the social structure we have been working to improve. Our corporation does not agree with or condone resorting to violence as the answer to the social evils we have sought to overcome by our activities in our communities. Neither do we condone or agree with resorting to violence by those charged with maintaining order. It is our view that it is the responsibility of our entire community to address itself to the creation of a new and social, economic and political climate which will eradicate the ghetto and all of the personal indignities and deprivations associated with this type of life. It is through active and sympathetic and sensitive support by the private and public sectors of our community that this war against the social evils of our time can be won.

The solution to our problems does not lie in rejection of the concepts of Congress which gave birth to the Economic Opportunity Act. We cannot abandon those whose hopes and ambitions have been stimulated by this law. The same creative thinking and action that spawned the War on Poverty must be continued and expanded by discovery and devising new methods and techniques to eliminate poverty from American life.

It is my fervent hope that God will give our elected officials and other leaders in our community, divine counsel to enable them to recognize that they do an

injustice to themselves when they separate themselves from the community in dealing with the problems of the community. It is only when the entire community can truly unite to deal with the problems that beset the community that there can be any hope of bringing about an end to poverty, disease, human degradation and those evils that are the true enemy of America. It was never more true that "united we stand, divided we fall." The Economic Opportunity Act provides the vehicle for uniting the entire community, including those who suffer the most, in achieving our goal of the best life for all the citizens of our country.

UNITED STATES R. & D. CORP.,  
New York, N.Y., August 10, 1967.

Mr. TIMOTHY STILL,  
President, United Community Corp.,  
Newark, N.J.

DEAR TIM: I have been shocked beyond words by the recent attacks on the UCC in connection with the tragic riots of Newark. As a member of the Board of Trustees and founder of the Agency, I know that the allegations against our organization are completely unfounded. It is reprehensible of people to point a finger at community action agencies and most particularly at ours.

What disturbs me even more is the suggestion, that I understand was made that Willard Heckel and I are no longer in top positions because of any unhappiness with the agency. In the first place Willard remains a major officer so that any suggestion about his role is silly. As for myself, I have already told you in letter and in personal conversation, that one of the most difficult things about leaving Newark is my inability to continue serving the UCC. I was so sorry that it was impossible for me to seek a fourth term as Vice President. I wish that I could be in office at this time.

Let me for the record state clearly that I continue to support the United Community Corporation. I am pleased with its leadership and its integrity. To my mind the UCC is one of the most positive and creative forces ever to evolve in Newark. It continues to be a corporation of which all of us are very proud.

I hope that this letter makes my position clear. When I move to New York at the end of this month I will be sending you my resignation from the Board. When I do, however, it will be with the greatest possible regret.

With warm personal regards.

Sincerely,

JONATHAN J. PRINZ.

STATEMENT OF TIMOTHY STILL, PRESIDENT, UNITED COMMUNITY CORP., BEFORE  
THE MEETING OF THE BOARD OF TRUSTEES, UNITED COMMUNITY CORP., JULY 20,  
1967

At our last board meeting, when I was elected president, I indicated that I would have some remarks to make later in the meeting. Because our meeting ran so long, I postponed that statement and would like to make it at this time.

First of all I want to state that I consider my election to this extremely important post a great honor and privilege and I would like to take this opportunity to thank the board of trustees for enabling me to be of further service to the community and to the corporation.

Our corporation has faced many problems in the past and because of recent events will be facing many new problems in the future. We shall continue to make every effort to meet such problems in a forthright manner.

One of the problems that confronts any community action agency which honestly attempts to establish a broad-based board representing various groups within the community is to insure that differences can be aired and resolved in a democratic manner, and that all involved will have an opportunity to play a vital role in the affairs and administration of the community action agency. I have decided as one of my first acts as president to establish within our committee structure representation from various points of view, to that end I will be appointing cochairmen to standing committees of the corporation to insure that this procedure is followed at every level.

Hopefully this kind of structure will provide an opportunity for various viewpoints to be presented, and be fully examined on the basis of merit before presentation of recommendations to the board of trustees.

My second area of concern which is shared by everyone who supports the poverty program has been the serious curtailment of funds from the Office of

Economic Opportunity. As a consequence, I have instructed our executive staff to immediately seek out alternative sources of funds for the many programs and projects this community desperately needs. As a result they will be in contact with both private and public funding sources, including but not limited to private foundations, other departments of the Federal Government, the Community Affairs Department of the State of New Jersey, and other agencies, institutions, and corporations within our community. It is anticipated that with a more vigorous attempt on our part to take advantage of resources heretofore untapped, that we will be able to reinforce worthwhile existing programs and also provide moneys for new projects.

The first four vital needs that I will ask this corporation to look at are—

1. Housing,
2. Social action,
3. Employment, and
4. Drug addiction, with other vital needs to follow.

I am therefore recommending that the board establish or reactivate the committees outlined above.

1. Housing committee to be chaired by Dean C. Willard Heckel, and to be responsible initially for convening a meeting of members of the UCC and the financial leaders of the city of Newark, community groups who are striving to form nonprofit corporations to build better housing in the city of Newark, and whoever else the chairman feels will be helpful to explore the possibilities of private industries sponsoring private housing through existing Government programs, and any new imaginative and innovating approaches that will provide decent, safe, and sanitary housing for the low- and middle-income families without eroding the city's tax base.

2. Social action committee to be chaired by Mr. Oliver Lofton. The initial task of this committee will be to present to the corporation a practical plan of action whereby persons with criminal records may be assured opportunity of employment in the public sector, particularly. In cooperation with others this committee will seek to obtain changes in laws or regulations which do not allow such persons to be hired in civil service positions. There has also been brought to our attention the fact that former drug users are required by law in New Jersey to carry cards identifying themselves as drug users. The social action committee will be requested to investigate the legality of this procedure.

3. I am recommending that the employment committee chairman be Mr. Kenneth Gibson. This committee will have two major functions:

(1) To evaluate and ascertain the effectiveness of all job training programs operating in the city of Newark and Essex County. The evaluation to include but not be limited to (a) numbers of persons who have been and are currently receiving training, and the type of positions trained for; (b) numbers of persons who have been placed on jobs; and (c) numbers of individuals who have dropped out of programs, and what followup provisions are made in this category.

(2) To make a concentrated effort to open up the building trade industry apprenticeship programs to minority group members.

4. Narcotics committee. The corporation has been instrumental in establishing the Essex County Narcotic Council which we have asked Monsignor Dooling to chair. It is our expectation that in the near future the council will be incorporated and elect its own officers and serve as a delegate agency to conduct and administer programs to treat drug addicts, and will actively involve former drug users in helping to develop and administer programs.

Because of the current critical state of our community, we are adding the following two committees:

5. Consumer education. I am moving to appoint Mrs. Marie Gonzalez as chairman of the committee on consumer education. Every year thousands of families are unduly charged for merchandise they purchase. Hopefully this committee can work with the area boards and legal services and save the community thousands of dollars per year.

6. UCC emergency relief fund and project. I have asked Mrs. Grace Malone to chair this committee, and am asking the following persons to be among those who serve on it: Mary Smith, Marie Gonzalez, Marion Kidd, Esta Williams, George Malone, Bernice Scott, Richard Debevoise, Duke E. Moore as board coordinator, Francis Quillan, and myself.



The chairmen that I have recommended for other than standing committees are all vice presidents of the corporation, with the exception of Mrs. Malone. In terms of strengthening UCC, it is my firm intention to see that the vice presidents play a greater role in the affairs of the corporation.

In my opening remarks I made mention of the fact that the corporation will undoubtedly face problems in the future, as it has in the past, but I am confident with the support of the board of trustees of the UCC, the staff of the corporation, our delegate agencies, and the community that the UCC can continue to make a positive contribution to the community at large and be an instrument for social advancement and the common good.

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[From the Newark Sunday News]

#### HECKEL REVIEWS ANTIPOVERTY BATTLE

(By Douglas Eldridge)

The front line of Newark's war on poverty is a good place to strain the nerves but stir the mind.

That is one of many impressions gained by C. Willard Heckel during three hectic years as president of the United Community Corp., the city's antipoverty agency.

The 53-year-old civic leader retired last week to devote more time to his job as dean of Rutgers Law School. He has turned over the presidential gavel—a well-worn one—to Timothy Still, a Central Ward leader.

As he unwound in his Rutgers office—a cool, quiet contrast to the meeting halls where he has referred many of UCC's battles—Heckel expressed relief his task is over, but few regrets about the last three years.

"If I had it to do all over again, I still would have gotten into it," he said.

#### HAILS ELECTION

He also voiced excitement and satisfaction about the election of his successor. "This is what has to happen in the city," said the dean, "a fairly rapid transition from white to Negro leadership."

Heckel did not comment on the outcome of the vote, but said the fact the three candidates were all very able Negroes proves UCC is developing the leadership Newark needs.

Heckel said he is proud of many UCC programs, but considers them less important than the opportunity it gives many people "to become seasoned leaders \* \* \* to develop, to mature."

Heckel said the UCC has been for him "a great seminar in human relations and city life. And the veteran educator, lawyer and churchman said many UCC debates were "better than 50 per cent of what goes on in the life of a university."

But he conceded the rough-and-tumble arguments tested his stamina as well as his legal skills. He said he knew when feelings threatened to explode at recent meetings, that he could not call in the police.

"That would have been contrary to the whole philosophy of the corporation," said the dean. "I had to enforce things by just standing there and looking at people."

Since the founding of UCC in 1964, Heckel has been criticized by militant groups for being too rigid in following the rules, and by city officials for being too lenient in giving the floor to malcontents. But both sides have generally respected him, and conceded he has worked hard to keep the agency in business.

Heckel agrees he tried, as a lawyer, to adhere to the rules. And he takes issue with those who think UCC has to forsake formal procedures to be effective or militant.

But he also disputes those who want to clamp down on dissident forces that could damage or destroy UCC. "That is always the calculated risk of democracy," he said.

UCC may always have trouble transacting corporate business while providing an open forum for anyone, he said. But this must be done "in a city full of tensions," he added.

Heckel said it is hard, too, to give poor people a real role in antipoverty decisions that are extremely complex. (The dean confesses he never had time to study some of the inch-thick proposals that passed through the board.)

But Heckel also believes the biggest dangers to Newark's antipoverty effort are not local but national. Cuts in federal aid have forced community groups "to fight with each other for what little flesh is on the bones," he said, and further reductions could be fatal.

In Heckel's view, the biggest challenge facing still is to persuade the city government to give major moral and financial support to the UCC.

Heckel aims his sharpest barbs at elected local officials, and says their "non-involvement" has hampered UCC efforts to develop a dialogue among elements in the community.

"We've never had real fiscal support from the city," he said. "Members of the City Council have refused to even try to understand what the corporation is all about."

Looking back, he sees a parallel between the antipoverty effort and the city charter reform drive he led in 1953-54. Both movements reflected widespread sentiments, he said, and both were underestimated by professional politicians.

#### TO REMAIN ACTIVE

And both were based on hope in the rebirth of the city. It is the kind of hope reflected in Heckel's determination to play "a completely active role" in his new position as czar one of five vice presidents of UCC.

Heckel is convinced white liberals must now accept subordinate roles in civic affairs, but continue to give strong support to the Negroes who take over top positions. This is one reason he refused to seek a fourth year as UCC president, but agreed to run for a vice president.

And Heckel said the best reward he could receive for his service to UCC were his 58 votes in the vice presidential contest. All but a half-dozen members of the predominantly Negro board voted for Heckel. "This was worth more to me than a check for \$100,000," he said.

#### TURNER REBUTS CRITICISM OF NEWARK POVERTY AGENCY

Newark Councilman Irvine I. Turner yesterday rose to the defense of the United Community Corporation in its role as the city's administrative arm in the war against poverty.

Turner issued a 15-page minority report in which he challenged a report critical of the UCC prepared by Councilmen Frank Addonizio and Lee Bernstein and said he wished to disassociate himself from the majority thinking.

#### TURNER'S STATEMENT

For the last three months, the three councilmen have conducted a series of public hearings and private conferences into the workings of the UCC in Newark's anti-poverty program.

In a covering letter to Council President Ralph A. Villani, who appointed the special committee, Turner declared:

"I regret the necessity for filing a minority report as a member of the special committee to study the antipoverty program. However, my deep concern with the problems of Newark and the problems of the poor make this step necessary."

Addonizio, committee chairman, and Bernstein had attacked what they called "pork barrel" aspects of the UCC and were extremely critical of out-of-town residents holding key jobs, high salaries, lack of "poor" residents in advisory posts and the shelving of programs they believed were needed in Newark.

This past week, Addonizio and Bernstein informed the federal office of Economic Opportunity they were prepared to push an ordinance creating a nine-member committee to take over a share of UCC work.

The committee would consist of the mayor, four councilmen and four Newark residents with an income of \$3,000 or less. In addition, a 25-member advisory committee would be created.

Turner defended the structure of the UCC and its director, Cyril D. Tyson, whom he called a "highly skilled technician, imaginative, creative and a man of substantial experience and training in dealing with problems of poverty."

## TURNER CONCERNED

Turner, who has advocated council representation on the UCC, said it has "been a source of deep concern and even sadness to me that more Newarkers were not found to assist Tyson as top level staff members.

"In the selection of a staff," Turner asserted, "I am certain efforts were made to get the best person possible for each job to be done \* \* \* I do not consider that Tyson is running a one-man show or that he is autocratic."

As to the tabling of programs such as neighborhood rehabilitation, teacher aids and to senior citizens as charged by Addonizio and Bernstein, Turner declared:

"There is no evidence that Tyson has prevented any program from being considered, nor did I see any concrete evidence submitted during this investigation that Tyson or his staff prevented a program from being enacted."

Turner said he could not "concur that any pork barrel or grab bag has been created by UCC."

The Central Ward councilman also challenged the majority's contention that the city could not legally contribute 10 per cent of the antipoverty funds (the federal government grants 90 per cent) to the UCC because it is not an official governing body.

Turner said he had been informed City Corporation Counsel Norman Schiff has prepared a legal opinion contrary to the contention of Addonizio and Bernstein.

"I rely upon the legal opinion of the corporation counsel and reject the claimed legal bar to the council contributing the necessary 10 per cent.

"The majority report," he added, "charges that the UCC has taken many of the aspects of a political-action pressure group. From my experience on the streets I have not observed the UCC to be a political force."

## VOCAL CRITIC

Informed of the minority report, Addonizio and Bernstein said they were "amazed because Turner had been kept abreast of our report and concurred with it."

Addonizio said that when the three councilmen were quizzed by staff members of Rep. Adam Clayton Powell, who is investigating the use of federal funds in anti-poverty programs. "Turner was most vocal in his criticism of Tyson."

"In fact," Addonizio said, "Turner wanted our report to concentrate on Tyson and the fact Newark Negroes have been excluded from top posts with the UCC."

"It is obvious," he added, "the tremendous pressure put on Turner by the UCC caused him to buckle."

A spokesman for the mayor said he is seeking common grounds for both parties in the hope a solution can be reached this week.

The mayor has conferred with members of the council and UCC officials in regard to both criticism and support of the city's war against poverty.

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MINORITY REPORT OF COUNCILMAN IRVINE I. TURNER, MEMBER COUNCIL COMMITTEE TO STUDY THE ANTIPOVERTY PROGRAM FOR THE CITY OF NEWARK, N.J., TO RALPH A. VILLANI, PRESIDENT OF THE COUNCIL, AND MEMBERS OF THE NEWARK CITY COUNCIL

I regret the necessity for filing a minority report as a member of the special committee to study the Anti-Poverty Program for the City of Newark. However, my deep concern with the problems of the City of Newark and the problems of the poor make this step necessary.

Unfortunately, I did not see a copy of the proposed report as released by Councilman Addonizio prior to its issuance. I was unable to attend the press conference convened for the purpose of releasing this report because of a prior commitment to meet with the Governor on State and Local problems.

Because of my recent illness, I was unable to attend all of the hearings and conferences relating to the investigation, and I was unable to participate in the private investigations conducted by other members of the committee. Nevertheless, I have kept abreast of the development of the Anti-Poverty Program in the city of Newark as an interested citizen and responsible elected official.

I have carefully read the report issued in the name of the special committee and have considered the exhibit as annexed thereto. I herewith disassociate

myself from the report as released, and submit herewith this minority report, upon the ground that I do not agree with many of the assumptions stated in the report, nor do I agree with the recommendations or conclusions contained in the report.

Perhaps my view can be best understood by reflecting some of the areas in which I am in disagreement with the report.

The preface of the report suggests that poverty is " \* \* \* a state of mind \* \* \* an abstraction \* \* \* an idea \* \* \* " I cannot accept this thesis. To me, poverty is a reality which is much more accurately described in the Annual Report, 1965, of the New Jersey Office of Economic Opportunity, as submitted to Governor Richard J. Hughes by John C. Bullitt, the Director, in which he stated:

"Poverty in New Jersey has many faces. It is a mother with six children living in one small room with no heat or running water—and therefore no toilets; it is a man who hasn't held a job in three years; it is an eighteen year old who doesn't know how to give change for a one dollar bill; it is the young mother sitting up at night with a broom handle to keep the rats from biting her children; it is a middle-aged couple who can neither read nor write; it is a child with rickets; it is a sense of hopelessness and alienation and despair."

Representing the people of the Central Ward of Newark I know that this reflects poverty as it is in our community. These are the problems of my people.

I agree with the fundamental principles expressed in the "Economic Opportunity Act of 1964":

"The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United States to eliminate the paradox of poverty . . . by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity."

I agree with the basic philosophy of the United Community Corporation as reflected in the words of Dean Willard Heckel, President of the UCC, when he appeared at the first hearing of the committee and stated the belief of UCC to be:

" \* \* \* the right of the poor to participate in Anti-Poverty Programs, not only as recipients of a service, but as program developers, employees, and policy makers.":

I endorse the concept that the War on Poverty must be waged by a total community effort which should include the poor, the elected city officials, the heads of appropriate city departments, and community people representative of all forces in the community. It is my belief that no ally can or should be overlooked. Indispensable to any community action program is that portion of Title II of the Economic Opportunity Act which defines a "Community Action Program" as one,

" \* \* \* which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups served \* \* \* "

Based upon the foregoing, I cannot agree with that portion of the report which urges that the Mayor and Council should "exercise substantial administrative and financial control over the community action agencies." That kind of a conclusion rejects the poor as participants in the development and administration of programs, is contrary to the basic philosophy of the Economic Opportunity Act and the United Community Corporation by rejecting the War on Poverty as a total community efforts and substituting for it an effort to be *controlled* by political leaders. I believe we as political leaders have a right and a duty to share in the direction of the War on Poverty, but I reject the thesis that we alone are to control it.

The report attacks Mr. Cyril D. Tyson, the Executive Director of UCC as having "singular and exclusive control . . . detrimental to the best interest of the community", and whose status is conceived of as "autocratic."

Tyson is a highly skilled technician, imaginative and creative and a man of substantial experience and training in dealing with problems of poverty. Many of the approaches he evolved in his experiences in New York City in developing the Haryou Program found their way into the concepts enunciated in the Economic Opportunity Act. Based upon his outstanding records and experience, he was selected as the best man to head the Newark program. Further evidence of his outstanding qualities as a technician and leader in the War on Poverty is reflected by his designation by the Mayor-elect of New York to participate as a volunteer with leading figures from all over the country to help New York review its

approach to the War on Poverty. This in itself is a testimonial to the wisdom and judgment of the Newark community in selecting Tyson to direct our Community Action Program as part of our War on Poverty in the city of Newark.

It is well known that from time to time I have been critical of specific actions taken by Tyson and the UCC. For example, I have always felt that more city officials, including my fellow councilmen, should have been members of the UCC Board. It has been a source of deep concern and even sadness to me that more Newarkers were not found to assist Tyson as top level staff members. Nevertheless, these criticisms were made in the spirit of helping not hindering the program. I feel it is my obligation as an elected representative to keep a watchful eye on any program that affects my people. It is my deep concern for them that evokes me to react now.

It is my belief that our prime concern at the outset must be devoted to the development of programs in this tremendous battle against poverty. To achieve this objective required that we get the best man possible to lead us. I believe this has been done in securing Tyson as the Executive Director of UCC.

In the selection of staff, I am certain efforts were made to get the best person possible for each job to be done. I also recognize that as the programs develop, we will have an opportunity to examine earlier personnel decisions. I expect that there will be a review of personnel selections to maximize the all-out effort we have emarked upon in Newark to eliminate poverty. In this process, I look for increased participation of local people at all levels of the staff and in all areas of program participation.

I do not consider that Tyson is running a one-man show or that he is "autocratic". Moreover, the question is not whether Newark has good capable of serving in the War against Poverty, but rather in the selection of the number one staff professional person, the duty was to find the best man available anyplace for the job. I believe Tyson is the best man available for the job.

I am an honorary Vice President of UCC and one of the two councilmen originally asked to serve on the Board of Trustees as a full board member. I have received copies of the minutes of the Executive Committee of UCC and of the monthly meetings of the Board of Trustees. In addition, I have talked with men and women who are active participants in the operations of UCC. I am advised, and the minutes so reflect, that Tyson reports weekly to the Executive Committee who counsel and advise with him and assist in directing him in the performance of his duties as the Chief Executive person in the operations of UCC in carrying out the policy set by the Board. Moreover, through the devices of the Program Committee and Task Forces, the community does in fact, determine the destiny of programs. Tyson and his staff perform as technicians in assisting in the development of programs. There is no evidence that Tyson has prevented any program from being considered, nor did I see any concrete evidence submitted during this investigation that Tyson or his staff prevented a program from being considered. In addition to the foregoing committee structures, among other committees are Personnel Committee, which has conducted frequent meetings and participated fully in all personnel matters.

Though I was unable to attend all of the hearings, I am satisfied from my reading the minutes of the Executive Committee and Board of Trustees meetings, my examination of the By-Laws of UCC, and data submitted to this special committee that there are reasonable checks and balances which establish adequate controls over the conduct of the Executive Director.

The report asserts "that the program pursued by the UCC lacks essential fiscal controls \* \* \*" I find no evidence in the transcript of the hearings before the committee nor any of the documentary material submitted to the committee, to substantiate such an assertion. To the contrary, during the period in question, the comptroller of UCC has been Fleming Jones, a former employee of the City of Newark. In addition, the UCC auditors, I am informed, are Puder & Puder, recognized as one of the most outstanding reliable auditing firms in the city. I am sure that these people would not stand by idly in the face of inadequate fiscal controls, which would jeopardize the monies handled by UCC. Moreover, an accountability is required to the Federal Government, which is also in a position to make an audit where it deems it necessary.

I cannot concur that any "pork barrel" or "grab bag" has been created by UCC.

The report refers to an alleged question "concerning the propriety of former Board of Trustee members creating and taking high salary positions on the UCC programs. It is suggested that this is a technique of "logrolling, back-

scratching, featherbedding". I do not agree that the evidence warrants these conclusions, nor are there any facts offered in support thereof.

Apparently, these comments are intended to refer to the Pre-School Council Program and the Blazer Youth Council Program and more specifically, the employment of Mrs. Rebecca Andrade, by the Pre-School Council and Mr. Walter Dawkins by the Blazer Youth Council in executive positions.

It should be noted that these two programs have been singled out as classic examples of Community Action Programs conceived and developed within the philosophy of the Economic Opportunity Act.

From the information reported in the press, and commonly known in the community, Mrs. Andrade played a leading role in conceiving the Pre-School Council Program as did Mr. Dawkins in developing and creating the Blazer Youth Council Program. Both of these programs present new concepts in waging the War against Poverty. It is appropriate that those persons who participate in the planning and development of the program should not be excluded from carrying on the program when it becomes a reality, particularly where they are of the poor and so long as they are qualified to administer the program. There is not suggestion that either Mrs. Andrade or Mr. Dawkins are unqualified. Moreover, there is no evidence or indication of any impropriety in their selection to head these programs or that their participation in the planning or development had any but the highest motives.

It is contended that there are legal bars, based upon provisions of the New Jersey Constitution, which preclude the City Council from continuing to contribute the necessary 10% to enable the UCC and its programs to be funded by the Federal Government under the Equal Opportunity Act. No court decision or substantial authority is included in the report in support of such contention. None of the members of the committee are lawyers, I am advised that an extensive legal memorandum has been prepared by the Corporation Counsel of the city of Newark which disagrees with the legal contention asserted as a bar in the report. I rely upon the legal opinion of the Corporation Counsel of the city as the Chief Legal Officer in the city and reject the claimed legal bar to the council contributing the necessary 10%. I respect the opinion of the Corporation Counsel and in reliance upon it, feel there is no legal barrier to doing what I did before, voting in favor of contributing the necessary 10% to the United Community Corporation.

The report also contends that serious financial problems may face the city in the event it becomes necessary, after a two year period, to enter into a 50-50 contribution with the Federal Government for continuation of programs. I am no less concerned about maintaining the city's financial stability than my colleagues. However, at the moment, the contributions are 10% by the local community and 90% by the Federal Government. I feel that this ratio should be retained and pledge myself to urge upon our Congressmen and Senators that no change be made in this portion of the law which will in any way increase the obligation of the local community.

The report charges that "the UCC has taken many of the aspects of a political-action pressure group." I concur in the view expressed by Mayor Hugh Addonizio that the United Community Corporation as such should not be involved in politics. I am pleased to note that the Board of Trustees of UCC adopted a motion to require any member of the Board who becomes a candidate for public office to take a leave of absence from the Board during his candidacy. I believe that this action was consistent with the view that United Community Corporation as such should not become a political instrumentality in the city. Moreover, from my experience on the streets I have not observed the UCC to be a political force.

I endorse the Area Board concept which was approved by the New Jersey Office of Economic Opportunity as a method of obtaining maximum feasible participation of the poor. I am pleased by the UCC's policy restraining area boards from endorsing political candidates. I have also been impressed by the praiseworthy comments from representatives of the Office of Economic Opportunity regarding the utilization of area boards as a means of involving the poor. I urge all citizens of Newark to participate in the area board activities. This is the medium through which the poor may freely express themselves. This new concept is beginning to work and is involving the poor with all segments of the total community in the planning and development of programs as conceived by the Economic Opportunity Act.

I do not agree with that portion of the report which criticizes the community for its appearance and conduct at the first hearing of the committee on September 9. I am at a loss to fully comprehend the criticism of the community's participation, in light of the statement of Chairman Addonizio at the conclusion of the first hearing when he stated:

"The committee at this time takes the opportunity to thank those in the audience for demonstrating their interest in this vital area and also for their good conduct. I would especially like to thank the members of the United Community Corporation that are present and have participated this evening \* \* \*"

I am no less concerned than my colleagues about the tax rate of the city of Newark. I have put my beliefs and convictions into action in many ways to help protect the tax payers of our city. When the Blazer Youth Council Program was announced I endorsed the program because I believed in its principles. I moved the City Council to contribute the necessary 10% (\$37,000.) to the Blazer Program. I did this because I believed in the program and also because I believed that an expenditure of \$37,000 by the city, which would result in a saving to the city of approximately \$600,000 by reducing Welfare costs was good sound economics and would help to reduce the tax rate. I regret that this motion did not succeed before the City Council. I commend the devotion and dedication of the Blazer Youth Council, those associated with them, and the business community which contributed the in-kind share to permit the program to proceed in the City of Newark.

The population of the city of Newark is in a state of flux. Today our city is 50% non-White. As the only Negro elected official in the City of Newark, I wish to publicly state that without the programs developed, and being developed by the United Community Corporation and those agencies working with them I see a dim, bleak future for our city. Being black and having grown up poor, I have a special commitment to the Anti-Poverty program. I reject any attempt to defeat the needs of the people of our city because of a lack of understanding.

I reject and refuse to join in the recommendation of the report to withdraw support from the United Community Corporation because of a dispute over control of the Anti-Poverty program in our city. I support President Johnson and his administration which has breathed life into the War against Poverty as part of the development of our Great Society. I support President Johnson, the philosophy of the Equal Opportunity Act, and the UCC in urging involvement of the poor as part of a total community effort in waging the War against Poverty.

I am informed that recommendations are about to be submitted to the UCC membership to amend the By-Laws of UCC by expanding the Board of Trustees to include additional representatives of the poor from the Area Boards and at the same time, to expand the involvement of elected city officials and heads of appropriate city departments which will insure a maximum total community involvement in the direction of the affairs of the UCC. Based upon my convictions what I've said above, and the proposed changes in the UCC By-Laws to result in total community involvement in the direction of UCC, I recommend that the City Council approve the continuance of UCC and express their confidence in the programs necessary to elimination of poverty in our city by contributing whatever funds are necessary to the functioning of UCC as the Community Action agency in the city of Newark.

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STATEMENT OF UNITED COMMUNITY CORP. TO THE CITY OF NEWARK RELATING TO THE HISTORICAL DEVELOPMENT AND PERFORMANCE OF THE UCC AND IN RESPONSE TO THE REPORT OF THE NEWARK MUNICIPAL COUNCIL COMMITTEE TO STUDY THE ANTIPOVERTY PROGRAM FOR THE CITY OF NEWARK, N.J.

To: Hon. Hugh J. Addonizio, Mayor of the City of Newark, Hon. Ralph A. Villani, President, Newark Municipal Council, and Members of the Newark Municipal Council.

On August 10, 1964, Mayor Hugh J. Addonizio, other public officials, and representatives of all segments of life in the City of Newark caused the United Community Corporation (hereinafter referred to as UCC) to be organized as a private non-profit corporation under Title 15 of the New Jersey Revised Statutes. UCC was created as the Community Action Program Agency in the City of Newark to effectuate the purposes and policies of the Community Action Pro-

gram section of the Economic Opportunity Act of 1964. Approximately one year later, on August 4, 1965, in response to a request for municipal matching funds, as contemplated by the Economic Opportunity Act, a special three member sub-committee (hereinafter referred to as the Committee) of the Newark Municipal Council was appointed to study "The Federal Anti-Poverty Program as it existed and as it was evolving in the City of Newark."

Approximately four months later, on December 8, 1965, the Committee issued a report on its investigation in which it made certain recommendations relating to implementation of the Federal Anti-Poverty Program in and for the City of Newark. A minority report was also filed.

The UCC welcomed the investigation and the opportunity this presented to inform the City Council of its history, philosophy, accomplishments and problems. Regrettably, this did not happen.

The UCC reaction was clearly stated by Dean C. Willard Heckel, President, when he appeared before the Committee on September 9, 1965, and stated:

"The United Community Corporation welcomes the opportunity afforded by an interested Newark Municipal Council, to report on the development of our city's Anti-Poverty Program."

We view this paper as a factual presentation designed to answer the recommendation in the Committee Report: to respond to its unsupported, unwarranted and unfair allegations; to correct the erroneous conclusions and false impressions created before, during and following the Committee's investigation; and as a positive comprehensive statement of the Corporation's objectives, activities and contributions to the well-being of the people of Newark, which was never adequately developed by the Committee in the hearings or its report.

#### HISTORY, DEVELOPMENT AND PHILOSOPHY OF UCC

This statement would not be complete without first returning in time for a glimpse of the events that led to the formation of UCC and the manner in which it was created. In 1962, the year of genesis for the Corporation, an attempt was made to formulate a program known as the South Side Project, a plan to utilize all community resources dealing with the problems of increasing school drop-outs and unemployment, particularly among the Negro population of the city which represents some 50 percent of a total population of 405,000.

Focus was on the 1960 census and on the shocking picture it painted of conditions in Newark—so much so that the Federal Government declared that the city was badly in need of programs and funds to prevent it from being completely engulfed by blight and impoverishment (See letter of August 17, 1965, Federal Area Redevelopment Administration to Newark Redevelopment Corporation, confirming declaration of Newark as a depressed area).

In addition to an appalling rate of unemployment among its Negro citizens, running something in the area of 9 percent, studies found that infant mortality ran at better than 45 percent, and that 52 percent of Newark's Negroes living in rented units were living in substandard dwellings. (U.S. Census of Population: 1960 Final Report PC (1)-32C General Social and Economic Characteristics, New Jersey. Published by U.S. Department of Commerce, Bureau of the Census, p 32-266. Supplemental Statistics on Negro Living Conditions in Newark, by Urban Studies Center, Rutgers, The State University, December 1, 1964. Abstracted from Urban League Report based on U.S. Census of Housing; 1960. Series HC (3)-252 published by U.S. Department of Commerce, Bureau of the Census).

The advent of the Economic Opportunity Act provided the stimulus and direction needed to move the city closer to the ideals and objectives of the South Side Project, and to provide expansion of this massive approach to the problems created by poverty.

Mayor Hugh J. Addonizio recognized the significance and the potential of this revolutionary legislation that sprung from the combined vision of the late John F. Kennedy and of President Lyndon B. Johnson. The Mayor convened a meeting of community leaders that led directly to the creation of the United Community Corporation, in the summer of 1964.

To UCC came other men of vision dedicated to the cause of building and rebuilding human resources. The ranks of the 15 incorporators expanded to form an original board of 53 members representing government, business and industry, educators, labor, social welfare agencies, civil rights, religious and community



leaders. They, in fact, represented a unique and true partnership between the municipal government and all of the organizations and interests that exists in the large urban complex of Newark. This board has been further expanded since its inception and its composition will always be flexible to meet the needs of the community it serves. Historically, this proved to be the first time that so many diverse groups had come together dedicated to drastically changing the lives of the poor in the City of Newark.

The Corporation then moved rapidly into its next phase of development with Dean C. Willard Heckel, of the Rutgers Law School, installed as President. The Personnel Committee of the UCC conducted an intensive country-wide search for an Executive Director that finally resulted in the selection of Cyril D. Tyson, recognized as one of the most creative, imaginative social planners, and administrators in the country.

This search for the kind of Executive we sought, and found, was described by Dean Heckel in the Committee hearing as follows:

"When we undertook the responsibility for developing anti-poverty programs we were faced with the need for professional leadership. From the beginning, we came to the conclusion that the problems facing this city relative to poverty were so immense that only the most experienced leadership would do. Altogether we adhere to the philosophy that Newark deserves the best. As we see it, these are critical years in our Nation's history and Newark itself is, like other major cities, deep in crises. Nevertheless, we have deep faith in our community and its future. We set up a Personnel Committee under the Chairmanship of the late Peter V. R. Schuyler, Jr. an early UCC supporter and leader. That committee searched this community, it searched the entire country. Numerous men with varying qualifications were heard from. Finally, after several months we were fortunate to convince one of the Nation's most talented and creative men, Cyril D. Tyson, to come here. Having had experience in one of the forerunners of the Anti-Poverty Programs, HARYOU, where he was Project Director of a study of Central Harlem which produced the publication "Youth in the Ghetto" and Acting Director of HARYOU-ACT, the implementing agency, Cyril D. Tyson was uniquely qualified to guide the program. In the short time that he has been here he has been able to create, out of nothing, a Community Action Program which many cities envy. No one active in this city could deny the impact of Mr. Tyson's work."

Today, one year after its incorporation, the UCC is made up of over 7,000 members who live in, work in, or perform a direct service to Newark. The Board of Directors meets monthly to govern the affairs of the agency, and an Executive Committee of the Board, comprising the officers of the Corporation and standing committee chairmen, meets weekly.

The Honorary President of the Corporation is Mayor Hugh J. Addonizio. Two members of the City Council are Honorary Vice Presidents. Dean C. Willard Heckel is President. The Vice Presidents are Msgr. Joseph J. Dooling, Rabbi Jonathan J. Prinz, Mr. Timothy Still, Mr. Willie Wright, and Mr. Kenneth Gibson. Secretary is Mr. Edward Kirk, Assistant Secretaries are Andrew Washington and Miss Hilda Hildago. Treasurer is Mr. Francis Quillan. Assistant Treasurers are Mr. Irving Rosenberg and Mrs. Estelle Pierce. Chairman of the standing committees are Dr. Thomas Reynolds, Rev. B. F. Johnson, Mr. Robert Curvin, Mrs. Ceil Arons and Mr. Walter Chambers.

The committees represented are budget and finance, membership, nominating, personnel and program, which coordinates and directs the activities of the Task Forces.

The complex organizational process involves still another very important step the formation of units known as Task Forces for each area of program concern—Community Action, Education, Employment, Housing and Special Projects. Each Task Force, composed primarily of residents of Newark who are members of the Corporation, evaluates proposals and recommends to the Board of Trustees courses of action. Each is chaired by members of the Corporation who usually are not members of the Board.

The role of the Task Force, each numbering from 35 to 100 in membership, is to provide a vital link in the relationship between the Board of Trustees and the Corporation membership. This design insures broad-based participation in a decision-making process affecting the substance and quality of program proposals to meet the pressing needs of Newark's residents.

In Newark, the vehicle for implementation of the philosophy of rebuilding

our cities in terms of human as well as physical needs—as expressed in the Economic Opportunity Act of 1964—is the unique Area Board. To understand fully and appreciate the concept of the Area Board it is essential first to dwell on two other facets of the war on poverty:

(1) The philosophy of the Economic Opportunity Act with emphasis on Title II of Community Action; and

(2) The objectives and role of the United Community Corporation.

The Economic Opportunity Act of 1964 is an expression of the nation's concern for the poor and impoverished, for the ill-housed, undernourished, unemployed and uneducated. It is a credit to our Chief Executive and the Congress, for it is imaginative and cuts through to the core of many ills that beset our domestic economy; at the same time it is a sweeping indictment of our society and our failure to meet realistically emerging problems before they reach mammoth proportions.

The Act essentially seeks to stimulate a program that will better the conditions under which some 30 million people live, work and learn. It was the spark to unite for the first time all the forces that fight poverty, and to bolster these efforts with new resources, programs and ideas.

Seven sections or "titles" of the Act touch upon every segment of the American culture. *Title I* pertains to programs such as the Job Corps and the Neighborhood Youth Corps to provide work training and experience to unemployed youth in order to increase their employability or to increase their chances of resuming or continuing their education. *Title II* relates to community action, program development, conduct and administration, research training institutes, and adult education programs. *Title III* is aimed at dealing with some of the special problems of rural poverty. *Title IV* deals with government assistance in the area of establishing, preserving and strengthening small business concerns. *Title V* is designed to aid in the expansion of opportunities for constructive work experience and other needed training available for persons unable to support themselves or their families. *Title VI* and *VII* deal with Volunteers in Service to America (VISTA) and a number of administrative matters pertaining to the conduct of War on Poverty, and income from these programs as it relates to those persons receiving public assistance.

The UCC derives its guidelines and direction from *Title II* of the Act—Urban and Rural Community Action Programs.

In a sense, the local Community Action Program, such as that developed and promulgated by the UCC, is central to the War on Poverty. The Program is designed to fight poverty in the community through local initiative aimed at mobilizing public and private resources, using techniques and activities that give promise of eliminating the causes of poverty; and to involve the poor in the development and operation of these activities.

The UCC envisions the foregoing program as a total city-wide community effort involving all levels of the community in its development and administration. To further insure such total community commitment, the UCC membership will soon act upon recommendations to amend the By-Laws to further expand the Board of Trustees to include additional representatives from the Area Boards in the community and additional representatives from the elected and administrative levels of the City Government.

The major goal of community action is to help individuals help themselves and inherent in this approach is the conviction that the poor should play an active part in helping to develop, manage and work in community action programs.

The concept of wider involvement of the poor is no longer a new one. Under direction of the Federal Government, through the President's Committee on Juvenile Delinquency and Youth Crime, some 17 studies were conducted in major urban centers throughout the country, dating back to 1961. The first of these to produce a major theoretical document was Mobilization for Youth, Inc. MFY conducted a study on New York's lower East Side, an experimental project sponsored by the Ford Foundation and The President's Committee and produced the document entitled *A Proposal for the Prevention and Control of Delinquency by Expanding Opportunities*. It was in the MFY document that serious attention was given to the concept of involvement of the people to be affected—in this case, the poor. In the section dealing with the community, the Mobilization study on page 126 indicated:

"What we have said thus far suggests that we must increase the willingness and ability of local residents to participate in the social and political life of their community. Participation by adults in decision making matters that affect their interests, increase their sense of identification with the community and the larger social order. People who identify with their neighborhood and share common values are more likely to control juvenile misbehavior. A well integrated community can provide learning experiences for adults and interpreters of community life for the young. In short, there is an inverse relationship between community integration and the rates of juvenile misbehavior."

(See Also: "Community Integration and the Social Control of Delinquency," *Journal of Social Issues*, Vol. 14, No. 3 (1958) pp 38-51—W. G. Mather, "Income and Social Participation," *American Sociological Review*, Vol. 6, No. 3 (June, 1947)—Morris Axelrod, "Urban Structure and Social Participation", *American Sociological Review*, Vol. 21, No. 1 (Feb., 1956) pp 13-18)

The Programs which the UCC will administer and sub-contract are not to be perceived as separate entities. These are viewed rather as interrelated programs designed to bring about specific social and economic changes in the City of Newark. Services, for instance, are perceived as vehicles through which citizens will express concern for the problems, the tools, techniques and skills required to overcome them, and in the process become full participants in an expanding democratic process.

This, as the United Community Corporation views it, is a comprehensive, coordinated approach to the problems that create poverty and their effects, recognizing the fact that people in the ghetto have no power and cannot achieve unless the programs developed lead to securing such power and result in involvement in improving life in the community.

How then does one achieve this participation, stimulation around concerns, and direct action; or, as the Economic Opportunity Act puts it: "... maximum feasible participation of the poor . . ."

The law itself calls for involvement in the development, conduct and administration of community action programs, and in terms of the Newark program, *develop* means program planning; *conduct* means implementation and possible employment opportunities; and *administered* implies involvement of those to be served on the policy level of such programs.

The dimensions of this involvement of the poor, we begin to see, transcends the usual argument of how many will sit on a governing board of trustees. The concept of this total thrust reflects an attempt to secure for the impoverished full participation on all levels of the process that determine how their needs can best be met. In fact, the Economic Opportunity Act funds are allocated to the poor—CAP agencies and staff, therefore, are the custodians of the monies of the poor. It is their money and the determination of its use should reside within a body in which they are more than adequately represented.

The essence and foundation, therefore, of Newark's anti-poverty drive is the concept of involvement of those to be served either by expanded programs developed by established agencies or programs set up by newly created groups or agencies.

The Area Boards are essential building blocks in this process. Each of the nine boards, covering the entire City of Newark, from border to border, will focus attention on community action to meet both local and city-wide needs, and hasten movement away from mere dependence on traditional social services.

In this regard it should be noted that we envision the War on Poverty in Newark as a total city-wide effort, recognizing that some sections of the city have more poverty than others. There still remain pockets of poverty, or persons on the fringe of poverty, even in the more fortunate sections of the city. It is not indispensable that the entire area to be served by an Area Board be a poverty stricken area. The Federal Area Redevelopment Administration similarly treated the City of Newark as an entity when it declared Newark a depressed area, thereby making ARA funds available to the City.

In the Area Board Concept is the mechanism for involvement of the citizenry of the community, residents of every area should be encouraged to participate in the development of the Area Boards. The Area Board will provide the mechanism through which all citizens may participate in the rebuilding of the city.

While they are independent and free to establish their own programs, without interference from the UCC, the Area Boards rely on paid staff, generally persons who reside within the Area Board boundaries. The size of staff organiza-

tion will vary with the needs of the area to be served. Organization at the "grass roots" level, a process that requires considerable time and effort, is nevertheless necessary if we are to increase the chances of the poor for participation in responsible social action, that will in turn result in meaningful programs and services that benefit those involved.

Further, Area Board members, all of whom are required to become members of the United Community Corporation, are then in a position to effect program movement and direction through Task Force participation and election of the UCC Board of Trustees which is the body responsible for final approval of all programs.

Finally, the counsel of Area Boards is sought in a wide range of activities all related to the War on Poverty, in Newark.

It is less than a year since the United Community Corporation received its initial grant of \$184,000 from the Federal Government, and during that time it has had two responsibilities:

1. To organize the community, generally, and the Area Boards specifically; and

2. To help stimulate creative approaches to solving complex, socio-economic problems.

The interlocking design of the program provides a real, working plan evident even during the initial stages of Area Board organization. Area Board members are asked to serve on various boards and committees planning local and city-wide programs, such as Project Head Start, Newark Pre-School Council, summer programs sponsored by Seton Hall University and Queen of Angels Church, and the Plazer Community Employment Program, which provides work training experience for some 200 welfare recipients at a savings of some \$600,000 to the City of Newark.

When enumerated, the myriad of program planning and development in which Area Board representatives participate provides a more striking picture of the philosophy of UCC, as well as a formidable record of accomplishment in its first year.

In addition to the aforementioned programs, Area Board representatives are making significant contributions to such program plans as Newark's Legal Services Project, the Small Business Development Center and the Senior Citizens Program, sponsored by the City of Newark to effect professional movement.

We feel that the foregoing overview of the historical development of UCC and the perception of its mission in Newark reflects the dedication to the principles conceived in adoption of the Economic Opportunity Act of 1964. We believe that this is the mechanism through which we can and will make good "the promise of America" as envisioned by President Johnson.

#### INTERNAL STRUCTURE AND OPERATION OF UCC

Membership in UCC is available to "any citizen 15 years of age or over who is a resident, works in, or performs a service to the City of Newark". . . (UCC constitution, Article I, Sec. 1, Exhibit # 3 annexed to Committee report. For simplification, exhibits annexed to the Committee report will be referred to by their designated Arabic number. Annexed to this statement is an appendix. Exhibits therein will be identified by their designated Roman numeral. The membership elect the Board of Trustees, who conduct the business of the Corporation. (Exh. # 3, Article II, Sec. 1). The officers and chairmen of standing committees constitute the Executive Committee, which is responsible to the Board of Trustees. The Executive Committee may not initiate new policy, but may recommend policy to the Board of Trustees, and it functions to facilitate the operation of the Corporation between Board of Trustee meetings. (Exh. #3, Article III, Sec. 9.) The standing committees include nominating, program, budget and finance, personnel, and membership. (Exh. # 3, Article III, Sec. 10).

In terms of day-to-day operations, the personnel, budget and finance, and program committees are responsible to the Board in their respective areas of concern. In addition, Task Forces for purposes of program planning, coordination, research and community relations are appointed by the Board. (Ex. # 3, Article VII.)

#### *Personnel Policies And Procedures*

At a meeting of the original incorporators on July 29, 1964, Mayor Addonizio appointed a committee on personnel and finance under the chairmanship of the

late Peter V. R. Schuyler, Jr., Executive Director of the Welfare Federation. This committee was charged with the responsibility of securing an Executive Director for the Corporation. In September of 1964, the committee was expanded to include newly-elected members of the Board of Trustees. Dean Heckel, President Pro-Tem of UCC at that time, gave any interested board member the opportunity to join the committee. This portion of the task of the committee was accomplished on November 2, 1964, with the Board's approval of Cyril D. Tyson as Executive Director, effective January 1, 1965.

At the meeting of the Board of Trustees on December 21, 1964, the President of UCC appointed a permanent Personnel Committee, of which Walter Chambers of the New Jersey Bell Telephone Co. was named Chairman and Peter Schuyler was named Co-Chairman.

At this same meeting the Board of Trustees unanimously adopted a recommendation on the hiring of top staff of the UCC as presented by the Personnel Committee—this resolution stated:

"The Personnel Committee will select the member, in concert with Mr. Tyson, who will be satisfactory for top staff. However, the choice among the Personnel Committee's approved candidates will be Mr. Tyson's."

A Resolution on Philosophy of Employment Practices and Purchasing was also adopted on December 21, 1964. This resolution stated in part that: "... wherever possible, preference will be given to residents of Newark in the hiring of personnel for the United Community Corporation".

Utilizing these two resolutions as its directives, the Personnel Committee proceeded with its immediate objective of recruitment and selection of top staff members and establishment of personnel practices and policies. The Committee was divided into three sub-committees—Personnel Practices, Job Descriptions and Specification, and Screening and Selection. These sub-committees were appointed in January of 1965.

The Sub-Committee on Personnel Practices, under the chairmanship of James Pawley, Executive Director of the Urban League of Essex County, drafted the manual on personnel practices which covers such areas as working hours, salary administration, vacation and leave policy, health and welfare benefits and other matters of concern to staff members of the UCC. An Employee Handbook, setting forth these policies was adopted by the Board of Trustees at its meeting of July 15, 1965. (Ex. # 4).

The sub-committee on Job Descriptions and Specifications, under the chairmanship of Ralph Geller, District Supervisor, New Jersey State Employment Service, drafted the jobs summary and prerequisites for the various top staff positions in the UCC which established the guidelines utilized for the evaluation of job candidates.

The sub-committee on Screening and Selection, under the chairmanship of Francis Quillan, Senior Vice President, Prudential Insurance Company, has screened and interviewed candidates for the department head positions in UCC and recommended qualified candidates to the Executive Director to make the final selection from such recommendations, according to the procedure approved by the Board of Trustees. The sub-committee on Screening and Selection has always been guided by the resolution stating, "Wherever possible preference will be given to Newark residents in the hiring of personnel." Its major responsibility however, has been to find the most qualified people available for the top staff positions in the United Community Corporation.

The Personnel Committee has carried out its objectives efficiently and expeditiously. It has recruited a staff of the best people available to launch Newark's War on Poverty; it has facilitated the administration of personnel practices through the Employee Handbook and Job Descriptions and Specifications; and has recommended sound personnel practices and procedures which have been adopted by the Board in administering the internal personnel affairs of the UCC.

A copy of the Employee Handbook was made available to the Committee, and as heretofore indicated, was attached to the Committee Report as Exhibit #4. In addition, a copy of the Job Summaries prepared by the Personnel Committee was made available to the Committee, but not attached to its report. A copy of these summaries is incorporated in the appendix as Exhibit XIV. To further facilitate comprehension of UCC Personnel Practices a statement of hiring procedures was prepared by the Personnel Department, under the guidance of the Personnel Committee, and is incorporated in the appendix as Exhibit XV.

*Program Development.*—Programs for consideration by UCC may originate through the Area Boards hereinbefore referred to, the City Government, internal bodies established within UCC or in different community agencies. Program proposals are first submitted to the Executive Director for professional evaluation through his staff. Upon completion of such review the program proposal proceeds to the Program Committee of which Mrs. Ceil Arons, former member of the Newark Board of Education and Mr. Timothy Still, of the Newark Tenants Association are Co-Chairmen. Further evaluation and review is the role of their committee, with participation of members of UCC appointed by the President as contemplated by Article III Sec. 10 of the By-Laws. Thereafter, the Program Committee will refer the professional evaluation of the Executive Director, and its evaluation to the appropriate Task Force, i.e. Education Task Force, Employment Task Force, Community Action Task Force, Special Projects Task Force, and Housing Task Force. It is further scrutinized, studied, and evaluated, and a final recommendation prepared for submission to the Board of Trustees, pursuant to Article VI, Sec. 2 of the By Laws.

The role of the Executive Director and staff is that of the professional to assist in consideration of programs by the Program Committee, Task Force, and the Board. The professional staff is also available to assist in the preparation of program proposals.

Proponents of proposals will sit with the staff, the Program Committee and the Task Force to share in the development of the final proposal to be acted upon by the Board of Trustees.

Thereafter the program proposals are forwarded to the Office of Economic Opportunity in Washington for their approval.

It should be noted that various professional services are furnished by the Executive Director and his staff in the process. In addition to the philosophical, economic and social concerns, budgetary matters and involvement of programs in development of the overall community design are of great significance.

#### *Fiscal responsibility*

The Budget and Finance Committee is charged with the preparation of the budget and consideration of fiscal matters affecting the Corporation. The Treasurer, the fiscal officer created by the By-Laws, is accountable to the Board of Trustees and is required to render reports as to the financial affairs of the Corporation to the Board.

UCC employs a Comptroller and an accounting department responsible for maintaining the financial books and records of UCC. The Comptroller and the books of account are regularly audited by Puder and Puder, one of the largest and most highly respected certified public accounting firms in the City of Newark and in the nation.

Moreover, upon approval of a grant by the OEO Office in Washington, the fiscal responsibility of UCC is outlined under the procedural guidelines promulgated by the OEO under the caption of Community Action Program Guide, Volume II, Financial Instructions.

Also procedures must be rigidly adhered to as a condition of grant.

The foregoing guidelines require that each grantee, whether public or private, is required to maintain an accounting system adequate to meet the purposes of the grant and particularizes the criteria to be met. Prior to the release of any grant fund we are required to submit to the OEO office in Washington a certification from our certified public accountants stating that the grantee has established an accounting system adequate to comply with the financial instructions referred to. Moreover, assurance must be given the OEO Office in Washington that arrangements have been made for the appropriate bonding of grantee officials. UCC has secured blanket bond coverage in the sum of \$250,000.00 for all UCC employees.

Thus, with the establishment of the Comptroller and his office, the fiscal accounting procedures he pursues, subject to audit and review by the outside auditing firm and the Federal Government, and the involvement of the Budget and Finance Committee, adequate safeguards exist to assure maximum fiscal responsibility.

With this background as an overview on the development and operation of UCC, we now address ourselves to the Committee Report.

## THE UCC EVALUATION AND RESPONSE TO THE REPORT

*The conduct of the investigation*

As heretofore indicated, when it was announced that the City Council appointed a sub-committee to study the Federal Anti-Poverty Program in Newark, UCC welcomed the opportunity to report on its activities and to communicate its organization, operations, and needs to the City Council.

UCC conspicuously avoided any public controversy with the Committee during the course of the investigation to prevent any suggestion of interference or lack of cooperation with the Committee in its investigative processes. It is regrettable that the Committee did not approach its task with the sense of objectivity such an important undertaking required. This unfortunate circumstance is reflected in the manner in which the investigation proceeded and in the content of the report itself.

Following designation of the Committee on August 4, 1965, repeated requests were made by UCC throughout the month of August to talk with the Committee about our activities, plans and needs to facilitate the inquiry and to proceed to the issue at hand, waging an effective War against Poverty in Newark. A meeting was sought to ascertain the nature of the information sought in order that UCC be fully responsive to the Committee and to set out procedural guidelines for the investigation. Despite assurances that such meetings would be arranged, in fact, these requests were ignored.

Finally, on September 3, 1965, the Friday of the Labor Day Weekend, without any advance notice, a letter was received from the Committee requesting extensive data and materials to be provided by 10:00 A.M. of Wednesday, September 8th, for a hearing to be held on Thursday, September 9th, 1965. (Exhibit II, Appendix) Such request was without consideration of the personal needs of the UCC staff or of the regular normal operations of the agency. No explanation or reason was given for failure to meet with us at a reasonable time regarding the information required, the delay in requesting the information, or the short time provided over the holiday week-end for its preparation.

Nevertheless, a UCC devoted staff worked around the clock on the holiday week-end to assemble and duplicate all the detailed records requested, which were hand delivered to the Committee on September 8th with a written request for a conference on procedures. (Exhibit III, Appendix). No such conference was provided.

The first hearing held on September 9, at 8:00 P.M. City Hall, was well attended by the concerned Newark community, Dean Heckel, President, and Msgr. Dooling, a Vice President of UCC were invited and appeared as witnesses. Dean Heckel read a prepared statement into the record, copy of which was supposed to have been made a part of the transcript of the testimony. (Exhibit #12, page 3). This statement was neither printed in the record nor was it appended to the transcript; Exhibit #12 annexed to the report. Included in the appendix and marked Exhibit #1 is a copy of the prepared statement read into the record by Dean Heckel.

Despite the depth and detail in which Dean Heckel's testimony and prepared statement described the operations of UCC, both were completely ignored by the Committee in its report.

During the course of the September 9th hearing Dean Heckel and Msgr. Dooling were questioned on certain aspects of personnel and other matters which were not within their personal knowledge. The Committee investigators announced at the hearing that they would call the Chairman of the Personnel Committee, the Executive Director and other UCC staff people, and some of the Pre-School Council People, as witnesses at the next hearing, since they had the information desired. (Exhibit #12, pp. 34-38). None of the foregoing were called to testify, nor were they requested to provide the information sought.

Additional documentary data requested by the Committee was made available by UCC, but only after protest regarding the conduct of Councilman Bernstein in improperly using material submitted to the Committee for personal political purposes, and assurances that there would be no further improper utilization of material provided the Committee. (Exhibit IV, V, VI, Appendix)

The cooperative spirit of UCC was noted and complimented by the Chairman of the Committee at the outset and conclusion of the September 9th hearing. (Exhibit #12, pages 2 and 51.)

A second hearing was convened on November 9th at 5:30 P.M. without prior notice to UCC (Exhibit #13). The selection of the normal dinner hour to con-

vene a public hearing was indeed unfortunate. It had the desired effect of limiting attendance of community people interested in the inquiry.

Except for a request on November 30, 1965, for information concerning applicants for employment who were not hired by UCC, there has been no other communication with the UCC by the Committee or its investigating staff. It is regrettable that none of the UCC staff were called to testify. Since much of the report relates to Mr. Tyson and his relationship to and control over UCC, it appears most logical that he should have been called to testify on these matters to provide the Committee with direct evidence in the areas of their concern. Failure to call Mr. Tyson, in particular, casts a shadow of doubt and uncertainty on those portions of the report that deal with his relationship to and alleged control over UCC policies and conduct.

It is both unfortunate and improper that some members of the Committee found it necessary, prior to and during the period covering the investigation, to make public statements that "the entire UCC program must get a new base of operation" . . . "some of the revelations we will make will be very startling" . . . and to allege that UCC was dominated by "militant left-wing groups." (*Newark Sunday News*, August 22, 1965). These comments were made before any hearings were convened or evidence assembled. No facts have been offered to support these claims.

The conduct of the Committee members precipitated the fear expressed by the Very Rev. Ledlie I. Laughlin, Jr. Dean of Trinity Episcopal Cathedral and Co-Chairman of the Newark Citizens for Community Action, that the Committee was biased and hostile. (*Newark Evening News*, September 8, 1965). This bias and hostility is borne out by the conduct of the Committee referred to above, and the intemperance reflected in the report.

Despite the statement in the report (page 1) that "the purpose of the investigation was not to impugn the integrity of the men and women who have organized the present private Anti-Poverty Agencies now operating in the City of Newark," the preamble of the text of the report established the contrary. It is replete with unsupported statements of "Financial scandals . . . uncontrolled use of free and easy money . . . jealousies and antagonisms that can embitter the outs for the ins . . . and seeking for political power financed by federal funds . . ." etc. Nowhere in the report is there factual substantiation of such claims. Rather, the report is nonfactual and speculative, replete with claims of we "understand", "surmise" and the like.

The Committee was supplied detailed factual information and data in response to its requests. No effort was made to analyse these documents regarding hiring practices and procedures, salary and related financial information, schedules, program summaries, etc., or to attach them to the report.

Similarly, no effort was made to analyze the testimony of Dean Heckel and Msgr. Dooling, which dealt with the role of the Executive Director, hiring practices, and the conclusions set forth in the report.

The report attached two purported sets of by-laws (Exhibits # 2 and # 3). Exhibit # 2 was a working draft of the by-laws from which the first set of by-laws was adopted by the Corporation in Nov. 1964. Exhibit # 3 had originally been submitted to the Committee on September 8, 1965 pursuant to the Committee's request. However, the Committee was thereafter informed that Exhibit #3 contained errors, and a corrected copy of the by-laws then in effect was provided. (Exhibit VI, Appendix). The Committee report failed to annex the corrected copy of the by-laws to the Appendix herein as Exhibit VII. Moreover, when the Committee published Exhibit #3, it failed to publish the entire last page of the by-laws as submitted on September 8 and predicated part of its case regarding the alleged autocratic authority of the Executive Director upon a document it knew, or should have known, was incorrect. We have annexed to our Appendix, as Exhibit VIII a copy of the last page of the by-laws as originally submitted to the Committee.

These are but some examples of the lack of responsibility demonstrated by the report. It is against this background, against this evident bias and prejudice that we deal with the specific claims in the report.

#### *Synopsis of the committee report*

The Committee report concludes ". . . because of the facts, the law, the economics, and general policy considerations" UCC should no longer receive support from the City of Newark, and the "municipality should immediately undertake its own Anti-Poverty Programs."



The report fails to delineate with precision the factual findings upon which it relies for its conclusions. Accordingly, it is difficult to synopsise what has been covered in a rambling excursion into the field of speculation, assumption, inference and innuendo for the major portion of 11 pages. Nevertheless, the report, as we read it, presents the following claims:

1. The municipality is precluded from providing UCC matching funds under the Economic Opportunity Act because of alleged legal barriers to wit:

(a) constitutional prohibitions

(b) Derivative contractual imponderables.

2. The alleged singular and exclusive control over hiring and programs by Cyril D. Tyson, Executive Director, constitutes an autocracy which is detrimental to the best interests of the City of Newark.

3. UCC has systematically excluded Newark residents from employment on its staff.

4. There is a lack of relationship between salaries paid, background of employees and services to be performed; and excessively high salaries are paid employees of UCC.

5. UCC programs lack essential fiscal controls to prevent them from becoming a source of political patronage.

6. UCC functions as a political pressure group.

7. UCC espouses a philosophy of maximum involvement of the poor which is rejected by the Committee as in conflict with its philosophy that substantial administrative and financial control of CAP agencies should repose in elected officials of the City.

8. Contribution of matching funds by the City to UCC will increase the budget and tax rate of the City.

We regret the extent to which the report resorted to invective and vituperation, failed to support its conclusions by facts, and disclosed the bias and prejudice of the Committee.

Perhaps the original purpose of the Committee became blurred because of the philosophical conflict over "control".

#### *The alleged legal complexities*

The Council Committee Report asserts two basic legal barriers to the municipality providing UCC with matching funds. Firstly, it is contended that under provisions of Article VIII, of the New Jersey Constitution, the City of Newark is prohibited from participating in such financing. Secondly, it poses a series of contractual and derivative questions arising out of such participation.

The questions raised have no legal sufficiency; are asserted merely as "legal ramifications that should be considered"; are unsupported by careful legal research; and reject the premise upon which funds were provided to the UCC by City Council action on two prior occasions. This is a smoke screen designed to obfuscate the real issue and a weak attempt to provide some colorable stature to the unwillingness of the authors of the report to participate with UCC in the War on Poverty in the City of Newark.

It is contended that by reason of Article VIII, Section III, paragraphs 2 and 3 of the New Jersey Constitution any contribution of matching funds to UCC would be unconstitutional. The constitutional provisions are as follows:

"Section III, Par. 2 No county, city, borough, town township or village shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association or corporation, or become security for, or be directly or indirectly the owner of, any stock or bonds of any association or corporation.

"Par. 3 No donation of land or appropriation of money shall be made by the state or any county or municipal corporation to or for the use of any society, association or corporation whatever."

In adopting the Economic Opportunity Act of 1964, Congress stated its findings and declared the purpose of the law as follows:

"Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United

States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy."

The statute outlines various programs as the mechanism to eliminate "the paradox of poverty". One program is under Title II of the law, the community action section. The purpose of the community action section was described by Congress, as follows:

"The purpose of this part is to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community action programs."

Title II, sec. 202(a), sec. 204, and sec. 205(a) envisions that community action programs may be "conducted, administered or coordinated by a public or private non-profit agency". Pursuant thereto UCC was organized as a private non-profit corporation under Title 15 of the New Jersey Revised Statutes. (Exhibit No. 1). UCC was conceived for the purpose of serving the City of Newark as the CAP agency through which Title II programs would proceed. Among its original incorporators were Mayor Hugh Addonizio and other officials of the City of Newark. Similarly, members of the City Council were included on the Board of Trustees of the corporation. (Exhibits No. 2, 3 and 6).

Thus, on November 4, 1964, as revised on December 2, 1964, the City Council adopted an emergency resolution appropriating \$15,000 "to provide funds to enable the United Community Corporation to initiate local anti-poverty programs." On a subsequent occasion a similar resolution was adopted in a different amount. These monies were appropriated for the precise purpose contemplated by the federal statute referred to and to enable mobilization of resources of the City of Newark to combat poverty through community action programs. By such action the City Council recognized that UCC was performing a public service, function, or purpose—working towards the elimination of poverty.

It is respectfully submitted that the constitutional issue posed by the committee report was considered and answered by our New Jersey Supreme Court in 1964 in *Roe v. Kervick* 42 N.J. 191, 207, 212, 214, 217 (S. Ct. April 20, 1964). The issue there involved the right of the State to contribute money to area redevelopment agencies to assist in financing of redevelopment projects. This involved contributions from the Federal and State governments under the Area Redevelopment Assistance Act. It was contended that State contributions were barred by Article VIII, section III, pars. 2 and 3 of the New Jersey Constitution.

Speaking for the Court in rejecting this contention Mr. Justice Francis reviewed the historical development of the constitutional provisions and concluded: "The strictures of Article VIII, which were adopted in 1875, were simply the retreat to a fundamental doctrine of government, i.e., that public money should be raised and used only for public purposes."

The Court then described what was meant by a public purpose.

"The concept of a public purpose is a broad one. Generally speaking, it connotes an activity which serves as a benefit to the community as a whole, and which at the same time is related to the functions of government. Moreover, it cannot be static in its implications. To be serviceable it must expand when necessary to encompass changing public needs of a modern dynamic society. Thus it is incapable of exact or perduring definition. In each instance where the test is to be applied the decision must be reached with reference to the object sought to be accomplished and the manner in which the object affects the public welfare."

With respect to the specific objectives under consideration herein, Mr. Justice Francis, speaking for the Court, said:

"Relief of the poor has been considered an obligation of government since the organization of our State. Such relief has been regarded as a direct charge on the body politic for its own preservation and protection, standing very much in the same position as the preservation of law and order. Expenditure of money for that purpose by the State or a sub-division of local government pursuant to legislative authority is looked upon as the performance of a governmental function . . . (citations omitted) . . . No one suggests use of public funds to sustain the impoverished constitutes a donation or gift transgressive of Article VIII of the Constitution.

"... The prohibition against lending of credit or money does not mean that the State and its political sub-divisions cannot buy and pay for what they need to achieve public purposes. Nor do they signify that governmental units cannot employ the services of a third person or corporation to do any lawful act which they have the right to have done, and to pay for it."

In *Whelan v. New Jersey Power and Light Co.*, 45 N.J. 237 (S. Ct., Decided June 28, 1965), Chief Justice Weintraub, speaking for the Court, reaffirmed the view expressed in the *Roe* case that the constitutional prohibition did not bar the State or municipality from arranging with private persons to perform a public or quasi-public function. It is interesting to note that the constitutional provision did not preclude an arrangement with a private corporation where the corporation was engaged in a business for profit.

The Court said: "... If the government decides there is a need which it should meet in the interest of its citizens, the amendments do not deny government the power to meet those needs through contracts with private companies merely because the companies are attracted by the prospect of profit."

In commenting upon the *Roe* Case, Chief Justice Weintraub said:

"There we sustained a statute under which the Legislature, recognizing a public duty to relieve the poor, undertook to meet that duty under a program whereby the Federal Government, the State and the municipality loaned monies to finance redevelopment projects, privately owned and operated for private profit, which would provide job opportunities in economically distressed areas. The public purpose being to deal with poverty, we accepted the legislative decision that its program was a suitable and desirable approach to the problem".

This question is not novel to the City of Newark. In *Simon v. O'Toole*, 108 N.J.L. 32 (S. Ct. 1932), affirmed 108 N.J.L. 549 (E. & A. 1932), the City of Newark made certain contributions available to the Prudential Insurance Company to facilitate the construction of housing to alleviate inadequate housing facilities in the Ironbound section of the City. The right of the City to cooperate with the Prudential Insurance Company was sustained because of the public purpose to be served by alleviating inadequate housing conditions in the City. The same issue was raised and similarly affirmed in *Redfern v. Jersey City*, 137 N.J.L. 356 (E. & A. 1948).

It should also be noted that when this constitutional question was under discussion with Mr. Reichenstein at the November 1st hearing of the Committee he acknowledged that questions of law "... would finally have to be determined by the Corporation Counsel". (Exhibit 3, page 4.) We are informed that Corporation Counsel for the City rendered an extensive opinion on the constitutional question raised in the Committee report in which he holds that the bar urged does not exist. Although the Committee did not see fit to annex a copy of said opinion to its report, or to comment upon it, we deem the Corporation Counsel's opinion most pertinent. We have withheld annexing a copy of that opinion to this statement because we view it as a communication from one municipal official to other municipal officials which should be released by the municipal officials involved.

Accordingly, the constitutional question is an unreal issue, and is in fact the smoke screen we heretofore suggested.

We submit, the constitutional limitation does not preclude the contribution twice heretofore made by the City Council to the United Community Corporation, where its purpose is so clearly a public service and function designed "to provide stimulation and incentive ... to mobilize ... resources to combat poverty through community action programs."

The question of other legal ramifications posed on Page 8 of the report is purely imaginary and without substance. None of these questions were raised on the two earlier occasions when the City made the necessary contributions; have never been discussed with representatives of the United Community Corporation; were not raised during the course of the hearings when an opportunity should have been afforded to respond to these questions if they were of serious import; and in the Committee report are raised for the first time.

If these issues are of serious concern to the Committee, should not the report have attempted to answer the questions raised? Did the Committee seek the advice of the Corporation Counsel, or other counsel on these matters? Is it expected that by raising these issues uncertainty will be created as to the duties and obligations of the City in continuing to provide matching funds?

We urge the Council to summarily reject these questions as not providing any serious "legal ramifications".

The nature of the municipal contractual liability is limited by the appropriation sought. No one has sought an open and blank check. No municipal contractual liability exists to the employees of the funded agencies or creditors and none has been sought to be established by UCC. Neither does any tort liability exist to persons associated with funded agencies, since the sole involvement of the City as a legal entity providing a limited amount of money is to make possible the contributing of substantial Federal funds under like circumstances. There is no delegation of police powers at issue herein. Neither does the UCC in any manner seek to control, or determine municipal budgetary requirements, although we firmly believe that success of the UCC and programs developed through its operations will substantially help the City's fiscal problems, as evidenced by the savings to be effected in welfare costs through the Blazer Youth Council Program. The issue of a private agency is not a legal one at all, but rather one of philosophy in development of programs designed to eliminate poverty. Similarly the Hatch Act issue has no bearing on the legal right of the City to contribute matching funds, nor is the question posed a legal question relating to the War against Poverty.

It should be noted that there are currently twenty-six community action programs operating in the State of New Jersey today. Twelve of these programs are independent corporations which receive grants from the applicable city or county without interposition of the constitutional or alleged legal ramifications or complexities referred to in the Council Committee's report.

We submit that the alleged legal complexities raised in the Committee Report are without merit or foundation; they are contrary to existing judicial opinion in the State of New Jersey; they are contra to the opinion of the City Corporation Counsel; they reject the concept of total community effort as envisioned by the framers of the Economic Opportunity Act; and we respectfully urge that these considerations be disregarded by the Council in deciding whether to contribute the matching funds required by the United Community Corporation.

*The alleged control of the executive director over hiring and programs*

Dean Heckel's prepared statement, (Exhibit # I, Appendix) set forth the extensive search made for an Executive Director and the confidence expressed by the UCC Board in its selection of ——— D. Tyson. The wisdom of this choice is reflected in Mr. Tyson's performance in Newark and the comments of Mr. Theodore M. Berry, National Director of Community Action Programs of the OEO when he said "... UCC has a good program and a good Director. We think highly of Tyson." Similar commendations have come from civic leaders of Newark and other communities and also other national leaders. The Mayor-Elect of New York City recently designated a special Task Force to study the New York Anti-Poverty Program. Mr. Tyson's selection to serve on this Task Force with other outstanding government and community people from various sections of our country is further evidence of the high regard in which he is held as one of our nation's leaders in this form of social planning.

The Committee report, pages 2 and 3, charge UCC with an abdication of responsibility in giving Mr. Tyson "full control of all Executive Personnel", citing in support thereof its "understanding" of his employment contract and an alleged amendment to the by-laws. This is a distortion of the facts and contrary to the evidence submitted to the Committee.

At the outset it should be noted that the Executive Committee meets weekly and the Board meets monthly. A full report is made of the Executive Director's activities during the preceding period with ample opportunity for discussion and review of his stewardship. This has of course included consideration of personnel and program matters.

At the request of the Committee, a copy of Mr. Tyson's agreement was provided. It was not annexed as an exhibit to the Committee report. A copy of the hiring agreement submitted to the Council is annexed to the Appendix as Exhibit X. Nowhere in said agreement is there any reference to arrangements regarding hiring as alleged in the Committee report.

As heretofore noted, the Committee failed to annex to its report the corrected current by-laws as submitted to the Committee. It failed to properly print the last page of the by-laws as originally submitted (Exhibit 3). The notation on the bottom of that page stated that Article V, relied upon by the Committee as the claimed amendment granting unusual powers to the Executive, had not yet been submitted to the membership and therefore was not properly part of the by-laws.

Moreover, this misconception and misconstruction of the powers of the Executive was clarified in the testimony of Dean Heckel (pages 28 through 31, Exhibit 12). It was made explicitly clear that the Executive Director's right to the selection of top staff was not "exclusive". Why the Committee ignored this is not explained in the report.

In point of fact, the decision with respect to the involvement of the Executive Director in the selection of "top staff" is contained in a recommendation to the Board of Trustees of UCC from the Personnel Committee. Mr. Tyson is permitted to elect his preference for staff from a list of qualified candidates selected by the Personnel Committee. A copy of this recommendation was also submitted to the Council Committee with Mr. Tyson's hiring agreement, but not annexed to the Committee Report as an exhibit. A copy of said recommendation is incorporated in the Appendix as Exhibit IX.

Perhaps it is even more significant that the foregoing recommendations to the Board of Trustees from the Personnel Committee was adopted at a Board of Trustees meeting on Monday, December 21, 1964, attended by both Councilman Addonizio and Councilman Bernstein neither of whom interposed any objection or comment to such recommendation.

Annexed to the Appendix Exhibit XI is an extract of pertinent portions of minutes of the Board of Trustees meeting of Monday, December 21, 1964, reflecting the attendance of Committee members and adoption of the recommendation.

Moreover, detailed procedures to be followed in hiring personnel were outlined at the UCC membership meeting of February 1, 1965, likewise attended by Councilmen Addonizio and Bernstein, neither of whom is recorded as objecting thereto. Pertinent portions of said minutes reflecting the foregoing are included in the Appendix Exhibit XII.

The recommendations adopted by the Board of Trustees, with respect to the hiring procedure to be followed did not constitute an abdication of responsibility of the Trustees of UCC. Neither did this vest "special, singular and exclusive control" in Mr. Tyson with regard to hiring. It gave Mr. Tyson a role to play in hiring, after the Personnel Committee made the selection of qualified people. The Trustees, through the Personnel Committee, were involved in the selection of personnel. The hiring procedures were sensible and sound.

However, included in this charge of the Committee is the claim that Mr. Tyson's authority, whatever it may have been, was "detrimental to the best interest of the community". There is not a scintilla of evidence to support this allegation. No witnesses were called to demonstrate that the method of selection of personnel was detrimental to the best interest of the community. To the contrary, leaders in the world of industry in Newark joined with others in the community in making selections. Perhaps this is best reflected by the care and devotion to duty reflected in a communication from the Chairman of the Personnel Committee, Mr. Chambers, to Mr. Tyson, regarding the selection to be made of Comptroller. (Exhibit XIII, Appendix). As further evidence of the care and concern pursued to seek out Newark residents for "key" jobs the communication stated:

"Not having had any success in getting a Personnel Director from the first three interviews it is obvious that we need to secure more applicants. On this point of recruitment, it was the consensus of the sub-committee on Screening and Selection that we need to get more applicants for each position, especially from residents of Newark." The report also alleges that the Committee "understands" Mr. Tyson's employment agreement "provided in part . . . that the Director would have the final say on all Anti-Poverty programs initiated and undertaken in the municipality". In addition, it is contended that this is similarly reflected in the by-laws.

An examination of the hiring agreement reflects that it is totally silent on program matters. Similarly the by-laws do not reflect final authority in the Executive on programs. Article VI of the by-laws provides for the appointment of Task Forces for the purposes of program planning, coordination, etc. The suggestions of the Task Forces are to be considered by the Board of Trustees.

At the Board of Trustees meeting of December 21, 1964, (Exhibit X, Appendix) attended by the members of the Council Committee, including Councilmen Addonizio, Bernstein, and Turner, the Program Committee submitted a detailed report setting forth the procedure to be followed in the submission of program proposals to UCC. This contemplated that "final action" on program proposals would be left to the Board of Trustees.

Subsequently, a document entitled "Procedural Guidelines for All United Community Corporation Task Forces", copy of which was annexed to the Council Committee Report as Exhibit # 5, specifically provided for final action to be taken by the Board of Trustees. Page 3 of the document, paragraph D, reads as follows:

"The Board of Trustees shall consider the proposals and recommendations as submitted by the Task Force with the changes, if any, and take final action."

The foregoing procedure provides for program proposals to go through the Executive Director and his staff in the first instance for professional evaluation and then through the remaining procedures without veto power in the Executive. This was explicitly testified to by Dean Heckel at the September 9th hearing, page 27 of the testimony, Exhibit # 12, as follows:

Mr. BREITKOPF. Now, it would appear from that document (Procedural Guidelines for Task Forces) that the Executive Director shall study and make the initial evaluation of the proposal.

Dean HECKEL. Right.

Mr. BREITKOPF. Now, if his initial evaluation is that the proposal is something he thinks is not valuable?

Dean HECKEL. It would still go on to the Task Force for its valuation.

Mr. BREITKOPF. Would it come to the Board of Directors?

Dean HECKEL. Yes, it would go on through the procedure. In other words, the Executive Director doesn't have a veto power. In other words it is in the discretion of the Board of Professional Staff. They cannot block a program. It must move on with their either favorable or adverse recommendation. That is the professional evaluation. It then goes through the Task Force to get a community evaluation. Evaluated by the non-professionals."

The procedural guidelines for program formulation and approval clearly delineates the responsibility of the Executive and his staff. They serve to provide professional evaluation. They may not prevent any program from proceeding through the process established by the by-laws and the guidelines referred to, which contemplate that final authority for acceptance or rejection of any program rests solely with the Board of Trustees and no other body or individual.

It is beyond our comprehension to determine how the Committee could have been confused on the responsibility and function of the Executive Director with respect to programs. Suffice it to say, the testimony presented to the Committee, and the documents they considered are in fact diametrically opposed to the conclusion in the Committee's report.

Furthermore, no evidence was submitted to the Committee, nor is there any evidence in the exhibits annexed to the Committee report, that suggests directly or indirectly that the Executive Director has ever prevented any program proposal from proceeding through the process outlined above.

Accordingly, we contend that the Committee conclusion that "singular and exclusive control" over hiring policies and programs is vested in the Executive Director, is without substance. It is contrary to the facts, as reflected in the policy determinations made by the UCC at public meetings attended by the authors of the Committee report, and documents made available to the Committee.

*The alleged systematic exclusion of Newark residents from UCC staff*

The report, page 4, states that "The UCC has systematically excluded Newark residents from key positions on its staff and from other important positions." Such contention is predicated on an extrapolation by a committee member from a list of employees UCC provided the committee at its request (such extrapolation hereinafter referred to as the Bernstein list), and upon a letter from one job applicant who was not hired.

Upon close scrutiny, neither the Bernstein list nor the letter supports the conclusion of systematic exclusion.

In response to the committee's request for factual information prior to the September 9 meeting, UCC prepared and provided the council meeting with a list of employees, as of September 7, 1965, their salaries, and place of residence. This roster was not annexed to the committee report as an exhibit, although it was provided on September 8, along with other documents requested. A copy of said personnel roster is included in the Appendix as Exhibit XVI.

The personnel roster reflects that 35 persons were employed by the UCC as of September 7, 1965, of whom 27 resided in Newark, 5 outside of Newark but in Essex County, one outside of Newark but in Union County, and two from New

York City. Thus, 77% of the persons then employed were residents of the City of Newark, 17% were residents of Essex County or its environs, and 6% were New York City residents.

More recent statistics disclose that as of December 12, 1965 there were 55 persons employed by the UCC, of whom 44, or 80%, reside in the City of Newark; 5, or 9%, reside in Essex County; 4, or 7½%, reside in the metropolitan area of New Jersey; and 2, or 3½%, reside in New York City.

An examination of the Bernstein list, Exhibit #10 appendix to the committee report, reflects that it is not confined to employees of the UCC. The list contains 36 names, of which 12 are employees of UCC, and the remaining 24 are employees of the Pre-School Council.

In addition, there are several errors in the addresses as they appear on the Bernstein list. For example, Emil Hirschhoff is listed as residing in Valley Forge, Pennsylvania; Malachi D. Rountree is listed as residing in East Orange; Dominick Pitrelli is listed as residing in Bloomfield, New Jersey; Donald Wendell is listed as residing in New Haven, Connecticut. The personnel roster provided the council lists each of these men as residing in Newark, New Jersey. Each employee was available to the committee as a witness. None of them was called. Attached to the Appendix as Exhibits XVII, XVIII, XIX and XX are statements from each man certifying to his residence in Newark, New Jersey. With respect to Wendell, it should be noted that the Bernstein list is dated September 13, 1965. While Wendell previously resided in New Haven, Connecticut at the time of the exhibit and of the hearing and for some time prior thereto, he has resided in the City of Newark.

The report states that the list relied upon is a "partial listing" of employees of UCC. No explanation is offered as to why the Committee relied upon a "partial list" when a complete list of UCC employees had been made available. It seems strange to rely upon such an obviously inadequate and incomplete document to support a "factual determination" that a systematic plan to exclude Newark residents from employment with UCC had been put into effect, when the entire list of UCC employees was provided.

Of similar interest is the failure of the report to indicate why the "partial listing" was confined to the combination of some UCC and some Pre-School Council employees. Included in the same material provided the council committee, and enjoying the same relationship to UCC as did the Pre-School Council, was a list of persons employed in the Queen of Angels Remediation Project. Project Pre-High School Head Start (Seton Hall University), Project Head Start (Newark Board of Education), and Youth Chance (Mt. Carmel Guild). In the lists of employees for each of these agencies we find persons in key jobs from cities other than Newark, such as Irvington, Maplewood, Livingston, Hillside, Nutley, Bloomfield, other New Jersey cities, and Potsdam, N.Y.

Part of the data provided the council committee included material prepared by the Newark Board of Education with respect to the Project Head Start in which approximately 18%, 10 out of 55 of the cafeteria workers employed were non-residents of Newark. No less significant with respect to hiring of non-residents of Newark was the testimony of Dr. Mildred Groder, Administrator of Project Head Start (Newark Board of Education) when she was questioned as to the utilization of Newark people in this program (exhibits 13, pp. 28-39):

"Mr. GOODMAN. As I understand it this was a municipally operated program?"

"Dr. GRODER. Board of Education sponsored."

"Mr. GOODMAN. In other words, administered and handled by Newark employees?"

"Dr. GRODER. That's correct."

"Mr. GOODMAN. And you feel that such a program as you conducted this summer should be handled by professionals?"

"Dr. GRODER. Well, I certainly think if we are going to give the proper education to our boys and girls we should have as many highly qualified people in our schools as we can."

"Mr. GOODMAN. Do you feel that such qualified people, if there are such qualified people in Newark, can handle such programs?"

"Dr. GRODER. Employed by Newark?"

"Mr. GOODMAN. Employed by Newark and who live in Newark as well, and who can handle such programs."

"Dr. GRODER. Well, all of our teachers don't live in Newark. You realize that we can't do this by state law you know."

"Mr. GOODMAN. There are qualified people to handle this who do live in Newark?"

"Dr. GRODER. There wouldn't be enough of those who applied who live in Newark."

Since a question has been raised concerning the Pre-School Council employees, it should be noted that as of December 15, 1965, there are a total of 245 employees in the Pre-School Council, of whom 207, or 84.5% are residents of Newark. Of the 38 non-Newark residents, 35 reside in Union and Essex Counties, New Jersey, and 3 are from out of the state.

It might also be of interest to note that from a residence survey of employees of the Newark Board of Education as of December 15, 1965, there are 566 high school teachers employed, of whom 214, or 37.8% are residents of Newark, and 352 reside out of Newark.

The foregoing statistics are not submitted for purposes of adversely reflecting upon employment policies of the Board of Education or the Pre-School Council, but merely to demonstrate how their employment statistics compare to UCC, and to indicate that there has been no systematic plan or move to exclude Newark residents from employment with UCC.

Substantial effort was in fact made to provide preference for Newark residence in the hiring of employees. This was consistent with the policy of UCC, enunciated at the Board of Trustees Meeting of December 21, 1964, attended by members of the council committee as heretofore noted. A resolution on philosophy with employment practices and purchasing was unanimously adopted, which in part stated:

"Therefore, be it Resolved: 1. That, wherever possible preference will be given to residents of Newark in the hiring of personnel for the United Community Corporation."

Thereafter, the procedure to be followed by UCC in the hiring of staff was presented by the Personnel Committee to the membership meeting of February 1, 1965, which emphasized preference to be given Newark residents in hiring. Likewise, this concept was emphasized in subsequent communications from the Personnel Committee to Mr. Tyson.

The claim of a systematic plan to exclude Newarkers from UCC jobs was also refuted by the testimony of Msgr. Dooling and Dean Heckel. Msgr. Dooling testified on pages 17-18 of the minutes of the September 9 hearing (exhibit 12) as follows:

"Councilman BERNSTEIN. Monsignor, to the best of your knowledge, what efforts were made to hire bona fide Newark residents at the exemption level?"

"Monsignor DOOLING. I think every effort was made. As a matter of fact . . . I was chairman of the Policy and Philosophy Committee of the United Community Corporation and this is one of the things that was incorporated in the statement that wherever possible people from Newark would be employed . . .

\* \* \* \* \*

"I really think that a conscientious effort was made to follow the philosophy of UCC in the hiring of employees, but I think you must also consider the quality of the people that had to be hired for these positions and their availability. In other words, you have to go by supply and demand and the various programs that started at the same time really drained the available people who could be qualified for these positions . . . I mean in the various cities and states. So that you would have a lot of programs in New York and have a lot of programs operating in our own state."

Dean Heckel also testified (Pages 34 and 35 of Exhibit 12) that extensive efforts were made to seek Newark people for positions, but that the prime consideration at the outset was to get the best qualified people for the executive jobs so vital to the functioning of the corporation.

UCC records disclose that as of September 7, 1965, there were a limited number of Newark applicants for the "key" jobs at issue. As of September 7, excluding the Executive Director, there were four key jobs, of which, three went to New Jersey applicants, one of whom was a resident of Newark, one a resident of Montclair, and the other a resident of New Providence.

It is regrettable that the council committee did not pursue its intent to call representatives of the UCC Personnel Committee and the Pre-School Council as witnesses. Had they been called and interrogated regarding UCC employment



policies and Pre-School Council employment policies, they would have shown the success in hiring Newark people for employment. More than 80% of the employees come from Newark.

If all of the foregoing information had been considered we seriously doubt that the council committee report would have charged an attempt to systematically exclude Newarkers from jobs within UCC.

In each instance, the screening and selection sub-committee of the personnel committee, headed by Mr. Francis S. Quillan, Senior Vice-President of the Prudential Insurance Company, interviewed and did the screening of the applicants. The sub-committee through the personnel committee then submitted the list to the Executive Director who made the selection from such list pursuant to the procedure earlier described.

It should be noted that there is no OEO or other agency regulation or directive requiring that key personnel come from the city to be served. Many top staff positions in the municipal government including the Board of Education in the City of Newark and elsewhere go to people outside of Newark, the objective being to get the best man for the job.

It is no different in CAP agencies. For example, the Executive Director of the Community Action Program in Paterson is headed by a resident of New York. We recently noted that Mr. Ralph Zinn, a resident of the City of Newark, formerly Assistant Executive Director of the Human Relations Commission, had been selected as Executive Director of the Community Action Program for Plainfield.

It is apparent from the foregoing that the claim of a systematic plan to exclude Newarkers from jobs is without foundation; it is contrary to the facts, and contrary to the declared UCC policy which has been carried out in the selection of employees. The committee conclusion in this regard is erroneous because it was based upon an inaccurate, partial listing of employees prepared by one of the members of the committee and it failed to duly consider the available evidence.

*The alleged lack of relationship between salaries, background of employees and services to be performed; and claim of excessive salaries*

The committee report, page 5, referring to the Bernstein list, Exhibit 10, contends that this document demonstrates a "lack of correlation between salaries paid, background of recipients and services to be performed". An examination of the document discloses four headings, to wit, "Name—Position—Address—Salary". Nowhere does this document reflect the "background" of any of the people named, or the "nature of the services to be performed". While one may speculate as to the services to be performed by an "Executive Director" or a "Community Action Director" or any of the other job titles referred to, this would only be speculation and should not be relied upon to support a charge of "lack of correlation".

The committee report contended that "... your Committee obtained factual information of great import ..." and continued, "We will explain these facts before we examine the paramount legal and economic questions involved" (page 4). What were the facts available before the Committee to support the charge of lack of correlation? What efforts did the Committee take to ascertain the background of the persons hired by UCC, or the job requirements, or comparable salaries paid for comparable services?

We respectfully submit that the Committee did not seek any facts in this area of their apparent concern, and even to the extent that they became indirectly available, the Committee chose to ignore them, and instead, to rely upon unsupported speculation. Only the Committee can answer why it proceeded in this fashion. We know, and the hiring procedures hereinbefore described prove the precautions taken to assure the best possible men for the jobs to be filled. We know, and the facts prove the close relationship between background of the employees hired and the duties required in the jobs they were hired to fill.

Among the documents given the Council Committee on September 8 was a list of job summaries, explaining in brief the requirements for various jobs with UCC. The Committee ignored this document and did not annex it to the report. We incorporated a copy of the job summaries in the Appendix as Exhibit XIV.

Had the Committee called a representative of the Personnel Committee of UCC, information on background of each person was available and would have

been provided. Why no such witness was called, although committee representatives said they would be called, only the Committee can answer.

Nevertheless, to set the record straight, the following is the background of some of the people hired by UCC in "key" jobs. We have already reviewed Mr. Tyson's background and his obvious outstanding qualifications require no repetition. Mr. Wendell, Associate Director, had served as Executive Director of an agency and was Program Associate of CPI, the New Haven, Connecticut Community Action Program Agency; Mr. Blair, Community Action Director, had been a senior probation officer with the Essex County Probation Department, with extensive knowledge of Newark and its problems and experience in community action work; Mr. Alba, Personnel Director, was formerly Manager of the Personnel Department of two plants of Pittsburgh Plate Glass Co., located in Michigan and New Jersey. Why the Bernstein list saw fit to exclude Fleming Jones, Comptroller of UCC, we cannot explain. Perhaps this was because he resided in Newark when hired. Prior to becoming Comptroller of UCC, he was employed in the Finance Department of the City of Newark and a graduate accountant. The foregoing discloses that in each instance, and without exception, men were selected for employment with UCC based upon their prior experience and suitability for the position in question.

And now to the salaries paid UCC employees and the question of whether they are excessive. We contend that the salaries paid by UCC are not excessive, are comparable, and in some instances, lower rated than salaries paid in similar municipal positions or other organizations engaged in Anti-Poverty work in the metropolitan area. It is regrettable that the Committee did not publish the salary information they gathered, if any, as the basis for comparison. This might have disclosed the error in the conclusion presented that UCC salaries are "out of line".

Attached to the Appendix are five graphs which pictorially demonstrate how UCC salaries compare with comparable jobs in comparable Anti-Poverty Agencies and with comparable jobs in the City Administration. Haryou Act and Mobilization for Youth were selected because it was felt that the areas each of them serve bear a close resemblance to the City of Newark, the area served by UCC.

Exhibit XXI is an executive group salary comparison chart between UCC and Haryou Act. The median of salary ranges was used for the comparison. In every instance UCC salaries are lower. Since moment has been made of the Executive's salary, it should be noted that Haryou Act's Executive receives \$27,000, in contrast to UCC's Executive who receives \$23,000 now, or \$24,000 in 1966.

Exhibit XXII is the same type of chart, except that it compares UCC executives to Mobilization for Youth executives. Without exception, the same fact appears, UCC salaries are lower. The MFY Executive Director receives \$27,500.

Exhibit XXIII is a comparison of Executive Group salaries actually paid, comparing UCC to the City of Newark in related jobs. While job titles are not identical we have compared jobs with similar job content to each other. Except for the Executive Director, and here the difference is limited to \$500, all UCC jobs are scaled lower than the City jobs. It should also be noted that, while much moment has been made of the Executive Director's salary in comparison to the Mayor's salary, the Superintendent of Schools and Executive Director of the Newark Housing Authority each receive salaries substantially in excess of the UCC executive, and also larger than the Mayor's. This is not intended as criticism of salaries paid to either of these men who have outstanding reputations and abilities. It merely reflects the need for fitting the man to the job and then paying what is necessary to procure the best services for the community.

Exhibit XXIV is a sample group of Administrative-Clerical jobs, based upon median of salary ranges, comparing UCC to Haryou Act and MFY. Once again, it is clearly demonstrated that UCC people are paid less.

Exhibit XXV is the last chart. It compares administrative clerical jobs, based upon median salary ranges, as paid UCC and City of Newark employees. When the 30-hour week and overtime premium for City employees is compared to the 35-hour week and no overtime premium to UCC employees, the differential is widened even further, depressing UCC salaries lower again than those paid City of Newark employees.

Thus, when the facts are disclosed the glitter removed and UCC salaries are by no means excessive, or out of line with other comparable positions, and in point of fact are uniformly lower. In addition to thinking of the dollars paid for

each job we should not lose sight of the tremendous demands made upon UCC employees in terms of excessive hours of work required because of the nature of the problem that confronts us and the dedication of the UCC employees to the task ahead. A comparison of hours worked would further demonstrate that UCC employees and the jobs they hold face greater demands than persons employed in City Government.

From the foregoing it can hardly be seriously argued that salaries paid and hours worked "demean the long standing Civil Service program activated by the Municipality". Moreover, there is no evidence that UCC salaries have caused "serious morale problems among City employees". To the contrary, the only evidence is that Fleming Jones, the UCC Comptroller has decided to return to work for the City, at a reported lower rate of pay.

The attack upon salaries and the employees of UCC is without merit. No facts have been presented to support the claim of excessive salaries or the claim that there was no rational basis for determining salaries. The evidence available, and which the Committee chose to ignore, is to the contrary, and further reflects the prudent judgment exercised by the UCC Trustees in discharging their community responsibility.

#### *UCC as a political instrumentality*

The report (page 4) charges UCC with functioning as "a political action pressure group" because of its hiring policies and procedures, its alleged excessive salary scales, and alleged utilization of "log rolling, and feather bedding" techniques in providing jobs for a select few.

Nothing could be further from the world of reality than to make such charges. The contention that UCC has been used as a political instrumentality is diametrically opposed to the conclusions of Congressman Adam Clayton Powell of the House Education and Labor Committee. Congressman Powell's representatives spent some time in Newark talking with people at all levels of the community, including members of the Council Committee. As reported in the press on December 9, Congressman Powell said that UCC is "politically pure" and even suggested that perhaps it has been too politically pure.

We have abundantly demonstrated the care devoted to development of sound hiring practices and procedures. It is difficult to believe that the Committee intended to impugn the integrity of such outstanding community leaders as the Dean of the Rutgers Law School, a Senior Vice President of the Prudential Insurance Company, an executive of the New Jersey Bell Telephone Company, religious leaders of all faiths, and community leaders of all levels, by suggesting that UCC has been permitted by them to assume the image of a political instrumentality that warranted a resort to the adjectives used in the report to describe its activities. UCC has studiously sought to avoid becoming a political instrument or vehicle. At a meeting of the Board of Trustees on February 1, 1965, attended by Councilman Bernstein, a resolution was adopted to "lay aside any political differences . . . and unite together for the common goal of eliminating the poverty and misery suffered by thousands of Newark Citizens." Thereafter, at a meeting of the Board of Trustees on August 19, a resolution on political activity was adopted by the Board requiring an elected Trustee to take a leave of absence from the Board during any period he or she was an "avowed candidate for public office" and permitting cancellation of membership in the Corporation if any Trustee "uses, attempts to use, or threatens to use the Corporation for political purposes." (Exhibit XXVI, Appendix)

Once again we must examine the facts. The report (page 4) charges a lack of fiscal controls sufficient to prevent UCC from becoming a source for "a political grab bag or pork barrel". Such contention relies upon the testimony of the September 9th hearing, without in any way identifying the portion of the testimony relied upon, and, strangely enough; a "proposed budget which may not be available at this time"; centralization of control in Mr. Tyson; the Mrs. Berger letter; and excessive salaries.

It should be noted that the Committee never sought any information with respect to the fiscal controls in effect in the UCC operations. Nor was there any interrogation of witnesses with respect to fiscal accountability of UCC. In the letter of September 2, 1965 requesting information for the first hearing, the

Committee asked for a statement of "funds appropriated, expended and proposed . . ." This information was provided in detail as requested. Subsequently, under date of September 10th, the Committee requested "bids submitted for office furniture and equipment". It was likewise provided. The report does not comment on either item.

The concerns expressed in the report about the September 9th hearing (pages 6 and 7) and the political significance attached to the fact that "the Council Chambers were packed with patrons and beneficiaries of UCC" attribute a different motive or purpose than in fact existed. The Council Committee convened a hearing on a matter of vital concern to the community. There is no evidence that UCC exercised any influence or brought pressure to bear upon individuals or groups to attend and participate. The public expressions at the hearing were not the result of any UCC actions designed to "pack" the Council chamber. Community participation in the hearing was a positive expression of an awakening and a new and healthy vigor and spirit in the City of Newark.

At the conclusion of the September 9th meeting Councilman Addonizio thanked the members of the UCC who were present and participated, reflecting the spirit in which UCC and its representatives sought to assist the Council Committee in its investigation. The Chairman stated (exhibit 12; p. 51.) :

"The Committee at this time takes the opportunity to thank those in the audience for their demonstrating their interest in this vital area and also for their good conduct. I would like to thank the members of the United Community Corporation that are present and have participated this evening . . .".

Such pronouncement reflecting the course and conduct of the hearing does not call for characterization of UCC participation as "packing the hall" or being "politically motivated" or "venturing to any extreme" to espouse a particular philosophy.

The report refers to Mrs. Berger's letter (Ex. 11) as reflecting an "obnoxious employment practice" predicated on political loyalty as an indispensable ingredient. We deny the facts recited in the Berger letter as they relate to "loyalty" and suggest that she may have misunderstood or misheard the statement she repeated. However, in light of the details we have set forth as to the hiring practices and policies pursued by UCC, the characterization of her "experience" as an employment practice is unwarranted.

The report questions the "propriety of former Board of Trustees members creating and taking high salaried positions on the UCC Programs". Presumably the Committee members had reference to selection of personnel in the Pre-School Council and Blazer Programs.

Once again, the facts belie the claim. No UCC Board of Trustee members have been given positions in either of these two programs. People who participated in conceiving these programs were hired by the Board of Trustees of these separate agencies to share in running these programs. Both the Pre-School Council and Blazer Youth Council are autonomous bodies not subject to control of UCC. They have their own Board of Trustees, Officers, hiring practices, etc.

We agree, the Anti-Poverty Program should not be for political patronage, and are pleased to see the Committee report shares this concern. We also agree that "capability and need" are the factors to be utilized in hiring employees. The selection of personnel for key jobs by Pre-School and Blazer has offered opportunity to those who conceived of the program to participate in its further development and has provided expression to the concept of "maximum feasible participation of the poor".

The charge that high salaries, centralized control in the Executive, and questionable fiscal responsibilities as evidences of the political structure of UCC are totally without merit. The evidence presented, evidence available but not considered by the Committee, and evidence it failed to seek, clearly establish that UCC has been administered and functioned outside the arena of political involvement.

#### *The impact of UCC operations upon the budget and tax rate*

Much moment is made in the Committee report that contribution of matching funds to UCC will seriously impair the city's fiscal structure (pages 8-10). However, once again no substantial facts are offered to support such conclusion.

We trust that disclosure of the following facts will generate a little more light and less heat to enable a more careful consideration of this question.

In the first year of UCC existence, OEO grants and local contributions reflect the following summary :

|                                            |                    |
|--------------------------------------------|--------------------|
| Received from OEO grants.....              | \$3, 420, 771      |
| Head Start grant.....                      | 602, 940           |
| Total OEO funds to Newark through UCC..... | <u>4, 023, 711</u> |

Contributions received :

Cash :

|                               |                 |
|-------------------------------|-----------------|
| State .....                   | 60, 000         |
| City (initial).....           | 15, 000         |
| Board of education.....       | 15, 000         |
| Welfare federation (UCF)..... | 15, 000         |
| City (supplement).....        | 13, 503         |
| Total cash.....               | <u>118, 503</u> |

In-kind :

|                                         |                 |
|-----------------------------------------|-----------------|
| City (Block proposal).....              | 17, 733         |
| City (Senior citizens).....             | 1, 250          |
| Community pledge (Blazer Council).....  | 37, 640         |
| Community and full-year pre-school..... | 192, 969        |
| Seton Hall.....                         | 6, 800          |
| Queen of Angel Church.....              | 3, 025          |
| Board of education.....                 | 60, 300         |
| Total in-kind.....                      | <u>319, 734</u> |

|                                                                         |                 |
|-------------------------------------------------------------------------|-----------------|
| Total in-kind contributions (Cash and for facilities and service) ..... | <u>438, 237</u> |
|-------------------------------------------------------------------------|-----------------|

|                         |             |
|-------------------------|-------------|
| Net gain to Newark..... | 3, 585, 490 |
|-------------------------|-------------|

While every dollar brought into the community does not have an immediate direct impact upon the tax structure, the end product of these programs will be economically beneficial to the city. For example, the City of Newark contributed \$28,503.00 in cash to UCC during the first year of its existence. During this same period over \$4,000,000 came into the community for community programs which will have an ultimate effect upon education cost, welfare costs, etc.

Perhaps of most significance is the impact that the Blazer Youth Council Program will have, economically, in removing 200 welfare recipients from the relief roles, for a saving of \$600,000 to the City. This one program will have an immediate effect on the city's economic concerns and is but a forecast of how ingenuity in program development can fulfill the objectives of the Economic Opportunity Act in helping to eliminate poverty, bring about an improved social order in the city and, during this process, release city welfare and related funds to other city needs, thereby helping to stabilize the city's economy.

There is nothing in the UCC programs that would place an undue burden on city finances. The evidence to date reflects that monies brought into the city were utilized in the organizational phase, plus interesting programs such as Pre-School, Blazer Youth Council, Head Start, Neighborhood Block Program, and the myriad of other programs regularly reported in the public press. The present budget which would bring well over \$1,000,000 for which the city would be involved in a cost outlay of \$33,000. This expenditure can hardly be conceived as seriously impairing the city's fiscal image.

*The conflict in philosophy between the council committee and UCC*

The Committee report (page 3) presents this conflict as one of "control" over Community Action agencies. Point three on page four of the Report charges, in part, that UCC "has espoused a philosophy which your Committee rejects."

We have, heretofore, outlined our philosophy and how we feel we have pursued the objective of maximum feasible participation of the poor. Mr. Frederick O. Hayes, Chief of Field Operations in the Community Action Program Division of the Office of Economic Opportunity was reported in the Newark Evening News of Tuesday, November 9, 1965 as having "... cited the UCC's neighborhood Anti-

Poverty Boards, the Newark Pre-School Council and the Blazer Youth Council as outstanding efforts to involve ordinary citizens in the planning and operation of Poverty Programs".

We do not seek the exclusion of the City Government from development of the UCC program. We have, heretofore, outlined our adherence to the concept of the total city-wide effort that must be pursued. We stand by this view and seek the cooperation of all segments of the city in the fulfillment of our mission.

#### CONCLUSIONS

We respectfully submit that the recommendations of the Council Committee majority report not be accepted. We concur in the recommendation of the minority report and urge adoption by the Council. We have gone into considerable detail to outline the past and our vision for the future in waging the war on Poverty in Newark.

It is unfortunate that many statements were made that were not factually supportable. We felt that the community had to know what the real facts are so that no erroneous presumptions be permitted to continue.

It is our sincere hope that we can now jointly proceed to produce the imaginative creative program so sorely needed in our community to bring hope to those who seek to eliminate poverty from our midst. This can only be achieved through a total community-wide effort in which we earnestly seek the cooperation and assistance of the Mayor and City Council.

Respectfully submitted,

C. WILLARD HECKEL,  
*President, United Community Corporation.*

#### APPENDIX I

PREPARED STATEMENT OF DEAN C. WILLARD HECKEL, PRESIDENT OF THE UNITED COMMUNITY CORPORATION, SUBMITTED TO THE NEWARK MUNICIPAL COUNCIL COMMITTEE TO STUDY THE ANTI-POVERTY PROGRAM—THURSDAY, SEPTEMBER 9, 1965

The United Community Corporation welcomes the opportunity, afforded by an interested Newark Municipal Council, to report on the development of our City's Anti-Poverty Program. The study is well timed for it comes just about one year after the United Community Corporation was formed, as the invitation of the Mayor, by a group of civic minded citizens who represented many walks of life and community interests. The United Community Corporation as constituted today is made up of over five thousand members who live in, work in, or perform a direct service to Newark. Its members include government officials, business leaders, professionals, teachers, clergymen, social agency personnel and supporters, civic and group relations leaders.

The Corporation's governing body is a Board of Trustees which reflects in its composition the community, including Mayor Addonizio and representatives of the Council who sit on the Board which meets monthly. It is important to note that the United Community Corporation Board is more than 50% non-white. This in itself is unique in American life, for it is rare that our minority groups have the opportunity to share so fully in any major decision making body. Of course, it is also a sad commentary in our society that poverty is so closely tied to the color of a man's skin or the fact that he may be an American of Hispanic Origin. The Board is headed by Officers which they elect annually. These men and women together with Standing Committee Chairmen make up an Executive Committee which has been meeting at least once a week since the inception of the United Community Corporation.

When we undertook the responsibility for developing anti-poverty programs we were faced with the need for professional leadership. From the beginning, we came to the conclusion that the problems facing this City relative to poverty were so immense that only the most experienced leadership would do. Altogether we adhere to the philosophy that Newark deserves the best. As we see it, these are critical years in our Nation's history, and Newark itself is, like other major cities, deep in crisis. Nevertheless, we have deep faith in our community and its future. We set up a Personnel Committee under the Chairmanship of the

late Peter V. R. Schuyler, Jr., an early UCC supporter and leader. That Committee searched this community, it searched the entire country. Numerous men with varying qualifications were heard from. Finally, after several months we were fortunate to convince one of the nation's most talented and creative men to come here.

Having had experience in one of the forerunners of the Anti-Poverty Programs, Haryou, where he was Project Director of a study of Central Harlem which produced "Youth in the Ghetto" and Acting Director of HARYOU-ACT, the implementing agency, Cyril D. Tyson was uniquely qualified to guide the program. In the short time that he has been here he has been able to create, out of nothing, and Community Action Program which many cities envy. No one active in this City could deny the impact of Tyson's work.

#### THE DEVELOPMENT OF THE UNITED COMMUNITY CORPORATION

It should be pointed out that the development of the United Community Corporation also involved growing pains. This is understandable in light of the fact that we started with no real guidelines. The Economic Opportunity Act itself was new and revolutionary. Everybody was feeling his way in uncharted waters, even the Federal Government was not quite certain of its course. These difficulties included making up a Board. As we look back today, we discover that there are still many inadequacies. Perhaps there ought to be a wider range of community and governmental representatives to help in dealing with the Anti-Poverty battle. Most important, while the ratio of poor has improved on the Board due to an increase in number and an effort to add poor to the nominated slate, we are still not satisfied with their share.

In addition to these problems, we faced many others. During our early days when the staff was small, we were being pressed into immediate action and the need for programs. This made it impossible for us to study every initial undertaking as carefully as some Board Members would have liked. This was, at times, somewhat frustrating. Nevertheless, the programs that were approved and subsequently funded, seem to be working quite well and effectively. Finally, in spite of a concentrated effort it has grieved us that we have not as yet found enough local talent for all staff positions. This is unfortunate, but we still believe that we are obligated to bring Newark the best. It should also be noted that of thirty-four employees, twenty-six reside in Newark, five in Metropolitan Essex County, one in Union County and two in New York.

#### PROGRAM DEVELOPMENT

The United Community Corporation received its first program development grant of \$184,122.00 in February of this year. Approximately one-third of the funds or \$56,700.00 was allocated for the development of the first three of the nine area boards that would be the organizing and community action vehicles for the impoverished of Newark.

The first three area boards are: Area #1, Project; Concern—Area #2, "Operation We Care"—Area #3, Peoples' Action Group, all located in the Central Part of the City. They have trustees elected by the residents of their particular geographical area and are in various stages of program development and refining of their organizational structure. The United Community Corporation has received an additional grant that provides for the development of three more area boards. Preliminary organizing meetings were held last week in two areas; Northeast Newark and Ironbound and the organizing meeting for Dayton will be held this week. Within the next two months the Corporation will apply for funds to organize the poor in the last three areas of the City; Northwest Newark, Weequahic and Vailsburg. At the completion of this process the City of Newark, which has been declared a depressed area by the Federal Government, will be completely organized as part of the process of providing full participation by the poor in anti-poverty programming.

#### AREA BOARD REPRESENTATIVES IN PROGRAM DEVELOPMENT AND POLICY

It has been necessary, because of the urgent needs of the City, to collapse time and work on a number of levels at the same time, in order to insure that programs were funded even while the systematic involvement of the poor in program development was being organized. An explanation of the various levels

of program development may enhance your understanding of the aims and goals of the United Community Corporation.

At the same time that the communities were in the process of developing area boards, the Corporation was requesting those same communities to elect temporary representatives to various program development committees that were planning city-wide programs. As a result of this process, the poor participated in the development of the *Newark Pre-School Council* and are represented on the Council's Board of Trustees. The Council is the delegate agency for the development of year-round pre-school programs in churches and social agencies that have had no prior experience in the field of child care. Area Board representatives were part of the *Personnel Committee established by the Board of Education* to recruit and screen individuals who applied for positions as Teacher Aide and Teacher In Training, in the Operation "Head Start" Program that provided nearly 3,000 children with a summer pre-school experience. More than 300 community residents were employed in this program.

Area Board representatives participated as an *Advisory Committee to the Police Athletic League*, in their administration of the Summer Neighborhood Block Recreational Program, and a sub-committee was part of the Personnel Committee that recruited and screened community residents for employment in the program. Area Board Representatives are provided for in the Constitution of the *Blazer Community Employment Training Program* which has received approval by the Office of Economic Opportunity to administer a work training program for 200 welfare recipients. Area Board representatives participated in the development of the *Small Business Development Center Proposal* and will be members of the governing body. This program to be funded under Title IV of the Economic Opportunity Act, is now pending in Washington. Another program pending approval in Washington is a proposal to provide *Legal Services to the Poor*. Area Board representatives participated in the planning of this proposal and will be represented on the Board of the Administering Corporation. Area Board representatives constitute an *Advisory Committee to the Senior Citizens Commission*, which has a sub-contract to develop a city-wide Senior Citizens Program to be presented to the Office of Economic Opportunity for funding. In addition, there are two programs in various stages of planning; *City-wide Remedial and Tutorial Program*, and *City-Wide Arts and Culture Programs* which have area board representatives. There are positions available on the Policy Boards of these programs for Area Boards that are not yet developed. What the Corporation is articulating here, gentlemen, is the right of the poor to participate in anti-poverty programs, not only as recipients of a service, but as program developers, employees and policy makers.

#### THE ROLE OF TASK FORCES

While the process of developing community organizations was proceeding, and while temporary representation in all areas of city-wide program development was secured from the developing area boards, the United Community Corporation was entertaining proposals that were approved by the relevant Task Force which is a sub-committee of the Program Committee of the Corporation. These Task Forces, composed of residents of Newark who are members and non-members of the Corporation evaluate proposals and recommend to the Board of Trustees courses of action. The Task Forces are usually chaired by members of the Corporation. The Education Task Force approved "Operation Head Start," administered by the Board of Education, The Queen of Angels' Summer Remediation Program; the Seton Hall High School Head Start Summer Program; the Newark Pre-School Council Program and the Mount Carmel Guild Pre-School Readiness Opportunity Project (PROP). The Employment Task Force approved the Jewish Vocational Service Career Oriented Preparation for Employment Proposal (COP), The Blazer Council Work Experience Proposal; and the Mount Carmel Guild Youth Chance Proposal. The Community Action Task Force approved the proposals for the development of the area boards and their boundaries; and the Summer Neighborhood Block Recreational Program sponsored by the Police Athletic League.

All programs which have received funds from the government, did not go through this process. Approval of the Corporation was not required in all instances of programs emanating from Metropolitan Newark. However, where such approval was required or requested by the Office of Economic Opportunity, it was provided by the Corporation. These programs included: The Housing Authority Neighborhood Youth Corp Proposal, the Board of Education Work



Study Proposal, the City Administration's Neighborhood Youth Corp Proposal, the Welfare Title V Work Experience Proposal and the Bureau of Employment Service Youth Opportunity Center Proposal.

#### RESTRUCTURING THE BOARD OF TRUSTEES

The Third process going on simultaneously was the restructuring of the Board of Trustees of the Corporation. As you are aware, the United Community Corporation is an open membership organization. Anyone living, working or having a major interest in Newark can become a member of the Corporation by simply filling out a membership blank. It is the membership that elects the Board of Trustees.

At the first annual meeting the membership expressed their desire to allow for voting at large for some members of the Board of Trustees, along with the approval or disapproval of a slate of Board Members arrived at through open meetings provided by the Nominating Committee as a vehicle for expansion of Board Membership. As indicated earlier, the Corporation is presently considering recommendations to the membership that will further expand the Board to provide specific representation from all area boards and increased representation from city agencies, commissions and departments. It seems quite clear to me that as the Corporation organizes the poor on a city-wide basis to attack poverty, that the membership of the Board of Trustees must reflect this larger commitment. Therefore the need for systematic representation by the area boards and the city on the Board of Trustees.

It was also recognized that many of the programs would touch on the lives of youth under twenty-one and the Corporation thought that young people of high school age should have the opportunity to be involved in the decision making process concerning programs that affect the city in which they live. In addition, it would provide the basis for participating in the democratic process while exposing the adults to insights on the needs of youth. To meet this objective, the age for membership in the Corporation was lowered from twenty-one to fifteen.

#### THE DELINEATION OF PRIORITIES

Finally, the Corporation perceived that the *real* challenge was in utilizing the funds available in a creative way. This required an over-all plan, and priorities that related to the amount of monies available and the needs of the City.

The beginning approach utilized by the Corporation recognized the need for as many *Neighborhood Youth Corp Programs* as possible as long as they were not conflicting with one another. The City Administration had taken the initiative, and received the first Neighborhood Youth Corp grant in the country. The Housing Authority has a similar grant training youth in their facilities and Mount Carmel Guild will be training youth under this program in affiliated institutions. The Jewish Vocational Service Program in this area will provide training in social work and recreational agencies. However, plans had to be made to create the additional steps needed to make the under twenty-one youth employable. Where would he go after the training program ended? The present plan is to move to expand the social service programs of various agencies in Newark with pre-professional and sub-professional jobs allocated in the expanded budget. In addition, the Corporation will move for expanded On-Job-Training Programs. Both of these approaches allow for the involvement of Neighborhood Youth Corp individuals after graduation or at any time that the Counsellors shall determine a youth has the aptitude for such areas of employment. Of course, the regular labor market is available but has not been adequate for the needs of Newark especially for minority group youth which constitute a clear majority of the youth unemployed.

The second priority was in the area of preventative programming. The Corporation allocated in the first fiscal year its Title II funds to Education. We have set in motion year round pre-school education, which has since been recommended to all communities by the Federal Government. We are also working closely with the Board of Education to link the anti-poverty act with the Education Act for the benefit of the City.

We have now moved to the third priority level, the Expansion of Social Agency Services. In our first meeting with representatives of all the agencies in Newark, the Corporation outlined aims and goals. Of course, some of the organizations are represented on our Board of Trustees and most of them are affiliated with Welfare Federation which is represented on our Board of Trus-

tees. We shared with them the need to plan expansion of programs and requested that they involve representation from the area board, in which they are located, to participate in the planning. In addition, we requested that they reconsider the criteria by which they determine eligibles to their Board of Trustees to allow for greater participation of the poor in a policy level position. All of these processes have been going on in seven short months since Federal Funds were received. We will continue to be sensitive to the needs to evolve a Corporation that represents the interests of the poor for we are, in fact, custodians of their monies.

#### PARTICIPATION OF MUNICIPAL AGENCIES

Upon recommendation of the Executive Committee of the United Community Corporation, the Mayor established a Coordinating Committee for the development of human resources under the Business Administrator. This Committee, composed of representatives from agencies and organizations that receive or could receive anti-poverty funds, or funds through other relevant legislation meets bi-weekly. It is a vehicle for keeping the Mayor informed on all matters relating to program activities.

The Corporation has contracted with the Senior Citizens Commission of Newark to prepare a city-wide proposal for programs for the elderly. The Board of Education administered the "Head Start" Program and has participated in the planning of Educational Programs by our delegate agencies. The City Museum is participating along with the Mayor's Office in the development of a proposal for a city-wide Arts and Culture Program. The Department of Welfare is screening welfare recipients as prospective trainees in the Blazer Council Work Training Program. The Police Department, through the Police Athletic League, was the delegate agency which administered the Summer Neighborhood Block Recreation Improvement Program, which provided recreation, camp experience, and work training opportunities for Newark youth.

Finally, the Bureau of Employment Service, Division of Employment Security have provided counselling and guidance services for various Neighborhood Youth Corp Projects and has been utilized as a source of staff recruitment, screening and evaluating candidates for this Corporation.

The late President John F. Kennedy in his inaugural address stated that the torch has been passed on to a new generation and implored communities to begin the reconstruction of democracy. We have begun in the City of Newark. The United Community Corporation has dedicated itself to creating a better day for citizens, some of whom have suffered for generations from the ravages of inequality and poverty. With the help of the City Council, the Mayor and the community itself, we will win this fight.

#### APPENDIX II

NEWARK MUNICIPAL COUNCIL,  
Newark, N.J., September 2, 1965.

Dean WILLARD C. HECKEL,  
President, United Community Corporation,  
Newark, N.J.

DEAR DEAN HECKEL: Pursuant to a motion made, seconded and duly adopted at the Newark Municipal Council meeting, President Villani appointed Councilmen Addonizio, Bernsten and Turner a Council Committee to Study the Anti-Poverty Program.

This is to advise you that the committee has started the study of this program and will hold its first public hearing at 8 p.m., Thursday, September 9, 1965 in the Council Chamber, City Hall, Newark. You are invited to appear before the committee at that time.

It is requested that a list of all Anti-Poverty Programs, proposed programs, complete personnel file on all employees, a list of employees by name, title, duties, salary and residence; and funds appropriated, expended and proposed be made available to the committee by 10 a.m., Wednesday, September 8, 1965.

A staff member of this committee will be in touch with you to personally expedite delivery of this information.

Sincerely yours,

FRANK ADDONIZIO,  
Chairman, Committee to Study Anti-Poverty Program.

## APPENDIX III

UNITED COMMUNITY CORPORATION,  
Newark, N.J., September 8, 1965.

Hon. FRANK ADDONIZIO,  
Chairman, Committee to Study Anti-Poverty Program,  
Newark Municipal Council, Newark, N.J.

DEAR COUNCILMAN ADDONIZIO: This will acknowledge receipt of your letter dated September 2, 1965, addressed to me as President of the United Community Corporation, received at the corporation office on September 3, 1965.

Despite the intervening Labor Day national holiday and the short notice of the information you requested, I arranged with the Executive Director of the corporation to have the staff prepare all of the material you requested for your Council Committee relating to the study of the Anti-Poverty Program you are undertaking.

This will also acknowledge your invitation to appear before the Council Committee at its first public hearing to be held on Thursday, September 9, 1965, at 8:00 p.m.

Enclosed herewith please find the following documents requested:

1. List of all Anti-Poverty programs in the City of Newark indicating those funded through our corporation as the OEO agency in Newark, and those otherwise funded.
2. List of all presently proposed programs, including programs awaiting approval of Washington, and programs in the process of formulation.
3. Personnel roster of employees of the corporation by name, residence, title and salary.
4. Statement of job summaries for each job title.
5. Financial report showing all funds appropriated, expended, and proposed, including funds channeled through our corporation or, to our knowledge, otherwise funded, as it relates to the Anti-Poverty program in the City of Newark.

Our complete personnel files on all employees are in our office and available for inspection by you or any member of your committee or your authorized staff representative. I suggest you communicate with Sidney Reitman of Kapelsohn, Lerner, Leuchter & Reitman, legal counsel to the corporation, to arrange for such inspection as you desire and is appropriate.

We regret that we have not had the opportunity to meet with you and your legal counsel to discuss procedures to be followed at the proposed hearings. It was and still is our view that such a conference is proper, would clarify procedural problems that will otherwise arise, and would avoid unnecessary delay or confusion in the conduct of the hearings. Under the circumstances, we are prepared to participate in the manner in which we assume the hearing should be conducted, with appropriate opportunity to be afforded us to fully and properly disclose the participation of our corporation in the War on Poverty in Newark.

We renew our request for a conference on procedure and await your response. You may communicate directly with my office at the Law School for such purpose or may make arrangements to meet through legal counsel, as you propose.

Sincerely yours,

C. WILLARD HECKEL,  
President.

## APPENDIX IV

NEWARK MUNICIPAL COUNCIL,  
Newark, N.J., September 10, 1965.

Dean C. WILLARD HECKEL,  
President, United Community Corporation,  
Newark, N.J.

DEAR DEAN HECKEL: Will you please furnish the Council Committee to Study the Anti-Poverty Program a copy of the following:

1. Contract with Mr. Tyson.
2. All amendments to the By-Laws.
3. Bids submitted for office furniture and equipment.
4. Records of minutes of meeting approving By-Laws.
5. Original application of every employee on the U.C.C. payroll.

6. List of members of the Personnel Committee; number in attendance at these meetings, whether in person or by proxy and how often the committee meets.

Sincerely yours,

FRANK ADDONIZIO,  
Chairman, Committee to Study the Anti-Poverty Program.

#### APPENDIX V

UNITED COMMUNITY CORPORATION,  
Newark, N.J., September 29, 1965.

Councilman FRANK J. ADDONIZIO,  
City of Newark,  
City Hall, Newark, N.J.

DEAR COUNCILMAN ADDONIZIO: The United Community Corporation has in good faith been furnishing to your investigating committee of the City Council information requested bearing on the Corporation. We certainly have every intention of fully informing the Council. We of the Executive Committee of the Corporation were, therefore, very much shocked to learn of the way in which Councilman Bernstein is using the information supplied to him in his official capacity as a member of the committee.

I am enclosing a copy of a leaflet that I understand was distributed by Councilman Bernstein. We consider this to be a very improper use of the information furnished the Council. It is also extremely unfair to the individuals involved and subjects them to possible harassment. We certainly concede the issue of whether the Corporation is or is not hiring too many non-residents to be a legitimate issue over which people can be in disagreement. We also consider that the matter of salaries is a legitimate issue. We do not consider that personalities have any place in the matter.

The Executive Committee has therefore asked me to request a meeting in the immediate future to discuss the handling of future material to be given to your committee of the Council. We must respectfully decline to furnish additional information until such a conference is held.

Sincerely yours,

C. WILLARD HECKEL, President.

#### APPENDIX VI

OCTOBER 20, 1965.

HON. FRANK ADDONIZIO,  
Chairman, Committee To Study Antipoverty Program,  
Newark Municipal Council, Newark, N.J.

DEAR COUNCILMAN ADDONIZIO: In response to your letter of September 10th and following our conference of October 7th, enclosed herewith please find the following documents requested of our Corporation:

1. Employment Contract between Cyril D. Tyson, Executive Director, and the Corporation, dated December 21, 1964.
2. Amendments to By-Laws indicating original language, amendments, and dates of amendments.
3. Bids submitted for office furniture and equipment from Brenner Desk Co., dated March 24, 1965; Max Blau & Sons, Inc., dated April 12, 1965, letter to Max Blau advising him that contract was given to another firm whose bid was lower; Amical Television Co., for air conditioners, dated May 12, 1965; and Olivetti Underwood Corporation for typewriters dated May 5, 1965.
4. Copies of minutes of Board of Trustees meeting of November 2, 1964 approving By-Laws; notice and minutes of Special Membership Meeting of February 1, 1965 adopting amendments to By-Laws; and notice and minutes of Annual Membership Meeting of May 27, 1965, adopting amendments to By-Laws.
5. Copies of original application for employment of all persons currently employed by the Corporation.
6. List of members of Personnel Committee, including Sub-Committee meeting dates, and statement regarding attendance and proxies.

In addition to the foregoing, we are enclosing herewith a current copy of the

By-Laws of the Corporation, corrected because of some minor errors in transcription in the copy of the By-Laws submitted to you at the hearing of September 9, 1965.

We also wish to call to your attention that a bid on the air conditioners was submitted by Fedders Corporation. Such bid was higher than Amical and therefore rejected. Copy of the Fedders bid was misplaced. We have attempted to obtain a duplicate from Fedders but they advise their copy was destroyed. If you desire verification of this, I suggest you communicate with Bedford Air Conditioning, 675 Springfield Avenue, Newark, New Jersey.

With respect to the typewriters, we also had a verbal bid from IBM on electric typewriters, which was lower on the electric machines than Olivetti, based upon the specifications. Accordingly, electric machines were purchased through IBM. Manual machines were purchased from Olivetti Underwood because their price was the lowest, based upon the specifications.

We trust that the enclosures will assist you in your deliberations and that your inquiry will soon be concluded. You indicated at the meeting of September 9th that additional witnesses might be called. In such event, we would appreciate as much advance notice as possible to avoid unnecessary conflicts in schedules.

Very truly yours,

C. WILLARD HECKEL, *President.*

#### APPENDIX VII

#### UNITED COMMUNITY CORPORATION BY-LAWS, AS AMENDED BY MEMBERSHIP MEETING, MAY 27, 1965

##### ARTICLE I. MEMBERS

SECTION 1. Any citizen 15 years of age or over who is a resident, or works in, or performs a service to the City of Newark, is eligible to become a member upon written application to the Secretary of the Corporation. The membership of the Corporation shall consist of a minimum of 75 persons, with no limitation on maximum number, and a member shall participate solely as a person and not as a representative of any organization. Membership shall continue for four years or until terminated by death, resignation, and at the end of four years shall be renewed upon application in writing to the Secretary of the Corporation.

SECTION 2. No member requesting or admitted to membership less than three months prior to the annual meeting shall be eligible to vote at said annual meeting. No member shall be allowed to cast a proxy ballot for any officer or Trustee of the Corporation.

SECTION 3. The procedure for becoming a member of the Corporation shall be well publicized in the leading local papers of the Newark area four months prior to each annual meeting of the Corporation.

SECTION 4. The functions of the membership body shall be to elect the Board of Trustees and the officers of the Corporation and to receive and review the annual program and financial reports of the Corporation, and to approve such major actions of the Corporation as the Board of Trustees deem advisable to submit to the consideration of the entire membership. Members shall be encouraged to serve on various task forces of the Corporation and they may attend as observers all meetings of the Board of Trustees.

SECTION 5. The Board of Trustees shall be authorized to establish a procedure for cancelling the membership of a person for cause and for reinstatement as a member of the Corporation when cause for removal has been cured.

##### ARTICLE II. BOARD OF TRUSTEES

SECTION 1. The business of the Corporation shall be conducted, subject to these by-laws, by a Board of Trustees, the majority of whom shall be residents of Newark, and all of whom shall be directly concerned with the welfare of the City of Newark.

SECTION 2. The Board shall be composed of the Mayor, two members of the City Council, the President of the Board of Education, the Superintendent of Schools and the following number of persons to be elected by the members of the Corporation: forty-eight until the annual meeting of members in 1965; fifty-

three thereafter until the annual meeting of members in 1966; fifty-eight thereafter until the annual meeting of members in 1967; and sixty-three thereafter. The seven remaining members of the City Council shall be honorary members of the Board of Trustees. Trustees elected by the members of the Corporation shall not represent but should be representative of government, social agencies, business and labor, religious and ethnic groups, and youth as well as those in the community who are to benefit from the work of the Corporation. Elected Trustees shall serve a three year term and shall be divided into three classes so that one-third shall be elected each year. Elected Trustees may serve only two successive terms.

SECTION 2a. At the end of the first year, May 1965, the term of office of one-third of original 48 elected Trustees (16) shall terminate. Similarly, the term of office of 16 original elected Trustees shall terminate at the end of the second and third year. Elected Trustees whose term of office terminates in the first three years will be eligible for only one successive term even if they have only served one or two years. Five Trustees shall be added to the number of Trustees to be elected each year until the year 1967 when the elected Trustees shall number 63.

SECTION 3. The Board of Trustees shall submit at each annual meeting of the members of the Corporation a full report of the condition and finances of the Corporation, together with a review of the activities of the Corporation during the preceding year.

SECTION 4. If the office of any Trustee becomes vacant, the remaining Trustees, by a majority vote, may elect a successor who shall hold office for the unexpired term.

SECTION 5. The Trustees shall have power to provide for the appointment of committees.

SECTION 6. A Trustee, may in writing, at the time of the meeting or prior thereto, file with the President or the Secretary the name of a person of his choosing to vote his proxy at any of the meetings of the Board of Trustees, except for the election of officers and the expenditure of funds. Such authorization may be revoked by said Trustee in writing at the meeting or prior thereto.

SECTION 7. An elected Trustee who is physically absent from three consecutive meetings of the Board, and whose absences are not justified, will be dropped from the Board.

#### ARTICLE III. OFFICERS AND COMMITTEES

SECTION 1. The officers of the Corporation who must be 21 years of age or older, shall be a President, not more than five Vice Presidents, a Secretary, not more than two Assistant Secretaries, a Treasurer, and not more than two Assistant Treasurers. An Honorary President and not more than two Honorary Vice Presidents may also be elected. The officers shall be elected annually by the Board of Trustees at its first meeting following the annual membership meeting. The officers shall be elected from amongst the members of the Board of Trustees elected at the same annual meeting.

SECTION 2. The term of office of each officer shall be from the time of his election until the election of his successor. In the case of the absence of any officer and of any person herein authorized to act in his place, the Board of Trustees from time to time may delegate the powers and duties of such officer to any other officers or to any Trustee whom it may select. The Board of Trustees shall have the power to fill any vacancy in any office at any time for the unexpired term.

SECTION 3. The President shall preside at all meetings of the members of the Corporation and at all meetings of the Board of Trustees and its Executive Committee. He shall have the powers and perform the duties incident to his office. He shall also have such other powers and perform such other duties as may be assigned to him by the Board of Trustees and the membership. He shall sign all warrants drawn on the treasurer in accordance with any authorization of the Board of Trustees.

SECTION 4. During the absence of the President, the Vice Presidents, in the order designated by the President, shall have the powers and perform the duties of the President. They shall also have such other powers and perform such other duties as may be assigned to them by the Board of Trustees or the President.

SECTION 5. The Secretary shall cause all minutes and records of the Corporation to be made and kept in proper order. He shall also have such other powers and perform such other duties as may be incident to his office or may be assigned to him by the Board of Trustees or the President.

SECTION 6. The Assistant Secretaries, during the absence of the Secretary, in the order designated by the Secretary, shall have the powers and perform the duties of the Secretary. Each Assistant Secretary shall also have such other powers and perform such other duties as may be assigned to him by the Board of Trustees, the President or the Secretary.

SECTION 7. The Treasurer shall cause all monies belonging to the Corporation to be deposited and disbursed in accordance with the directions of the Board of Trustees. No monies shall be disbursed by him except on warrant signed by the President, a Vice President or the Executive of the Corporation. He shall keep account of the financial affairs of the Corporation and render such statements in such forms and at such times as the Board of Trustees from time to time may prescribe. He shall also have such other powers and perform such other duties as may be incident to his office or may be assigned to him by the Board of Trustees or the President.

SECTION 8. The Assistant Treasurers, during the absence of the Treasurer, in the order designated by the Treasurer, shall have the powers and perform the duties of the Treasurer. Each Assistant Treasurer shall also have such other powers and perform such other duties as may be assigned to him by the Board of Trustees, the President or the Treasurer.

SECTION 9. The officers of the Corporation and the Chairmen of the Standing Committees shall constitute the Executive Committee. The President of the Corporation shall be the Chairman of the Executive Committee. It shall meet at regular intervals between Board meetings. The Executive Committee shall be directly responsible to the Board. It may rule on questions relating to policy already taken. It may not initiate new policy, but it may recommend policy to the Board. Its function is to facilitate the operation of the Corporation.

SECTION 10. The Standing Committees to be appointed by the President from among the members of the Corporation are the Nominating Committee, the Program Committee, the Budget and Finance Committee, the Personnel Committee and the Membership Committee.

#### ARTICLE IV. NOMINATIONS AND ELECTIONS \*

SECTION 1. Nominations for Trustees and officers shall be submitted to the membership by a Nominating Committee. This Committee shall consist of 4 members of the Board of Trustees and 5 members of the Corporation who are not Trustees. The Chairman of the Nominating Committee shall be one of the 4 Trustees.

SECTION 2. The Nominating Committee shall hold an open meeting at least six weeks prior to the annual meeting when they shall receive suggestions, written and oral from the membership for nominations. Due notice of the open meeting shall be given to the membership. They shall thereafter meet to consider a slate of Trustees and officers. The Committee shall use as its guide line the stated purpose of the Corporation that members of the Trustees "shall not represent but should be representative of government, social agencies, business and labor, religious and ethnic groups, and youth as well as those in the community who are to benefit from the work of the Corporation." A balance of these groups shall always be maintained within the Board of Trustees.

SECTION 3. The Nominating Committee shall report to the Secretary no later than one month prior to the date of the annual meeting its slate of 16 (out of the 21) Trustees for election at such annual meeting. These names shall be included in the written notice of the annual meeting sent to all members of the Corporation.

SECTION 4. The membership shall elect 21 Trustees at the annual meeting. In addition to the slate of 16 proposed by the Nominating Committee, 5 shall be nominated from the floor at the annual meeting. From among those nominated from the floor, those who receive the 5 highest number of votes shall be elected.

\*The above Article IV was a new article adopted as an amendment at the membership meeting of May 27, 1965, not intended to be a substitute for the Article IV theretofore in effect. The May 27, 1965 membership meeting was unable to complete consideration of all amendments set forth in the notice of meeting because of the lateness of the hour resulting from the election of Trustees. No action was taken to alter the old Article IV which is therefore carried in the within By-Laws as an additional Article IV which will be submitted for revision to read Article V and the subsequent Articles advanced one in number, with such amendments as may be proposed, at the membership meeting to be convened to complete consideration of proposed amendments to the By-Laws. As herein-after noted, action was taken with respect to the old Article VII renumbering it Article VIII and adopting amendment thereto. This will not require renumbering Article VIII at the membership meeting to be convened for the purpose of completing action on the proposed amendments.

The manner of election, whether by paper ballot or voting machine, shall be determined by the Board of Trustees.

APPENDIX VIII. EXTRACT, BYLAWS OF UCC, AS SUBMITTED TO CITY COUNCIL COMMITTEE

\* \* \* \* \*

ARTICLE IV. OTHER PERSONNEL

SECTION 1. The Board of Trustees shall employ an Executive Director who shall be responsible for all operations of the Corporation, subject to the direction of the Board of Trustees. The Board of Trustees may also employ such other office and professional personnel, and retain such consultants, or subcontract with existing community agencies, as may seem necessary or desirable to the Board of Trustees in order to attain the proper performance of the purposes of the Corporation.

SECTION 2. Educational institutions, or individuals designated by the Board of Trustees may be the agent of the Trustees responsible to the Board of Trustees for evaluating research associated with the Corporation, and for designing and carrying out research, for the administration of projects proposed by the Board of Trustees and shall have the authority necessary to execute these responsibilities.

ARTICLE V. MEETINGS

SECTION 1. The annual meeting of the members of the Corporation shall be held on the fourth Thursday in May, in each year, at such time and place in Newark as shall be designated by the Board of Trustees and stated in the notice of the meeting. If in any year the fourth Thursday in May shall fall on a legal holiday, the annual meeting of the members of the Corporation shall be held on the following Wednesday. At least 20 days' written notice of each annual meeting shall be given to each member of the Corporation.

SECTION 2. Other meetings of the members of the Corporation may be called at any time by the President and shall be called by the President upon the written request of a majority of the Board of Trustees or upon the written request of one-fourth in number of the members of the Corporation. Each special meeting shall be held at such time and such place as shall be designated by the President. At least ten days' written notice of each special meeting shall be given to the members of the Corporation, which notice shall contain a statement of the purpose of the meeting.

SECTION 3. Seventy-five members shall constitute a quorum for the transaction of business at any annual, regular or special meeting of the members of the Corporation, unless the representation of a larger number shall be required by law, and in such case the representation of the number so required shall constitute a quorum. If no quorum shall be present at any meeting, the meeting may be adjourned from time to time until a quorum is obtained.

SECTION 4. Regular meetings of the Board of Trustees shall be held at such times and such places as the Board of Trustees may determine. At least ten days' written notice of each regular meeting shall be given to each member of the Board of Trustees.

SECTION 5. Special meetings of the Board of Trustees may be called at any time by the President and shall be called by him upon the written request of 15 members of the Board of Trustees. Each special meeting shall be held at such time and place as shall be designated by the President. At least ten days' written notice of each special meeting of the Board of Trustees shall be given to each member of the Board of Trustees, which notice shall contain a statement of the purpose of the meeting.

SECTION 6. A majority of the Trustees in office shall constitute a quorum for the transaction of business at any regular or special meeting of the Board of Trustees. If no quorum shall be present at any meeting, the meeting may be adjourned from time to time until a quorum is obtained.

SECTION 7. Any notice of any meeting required to be given under these By-Laws may be waived in writing by the person entitled thereto, either before or after the holding of the meeting.

ARTICLE VI. TASK FORCES

SECTION 1. The Board of Trustees shall appoint task forces and chairman thereof from amongst the membership for the purposes of program planning, coordination, research, community relations and for such other activity as will best effectuate the purposes of the Corporation.

SECTION 2. The suggestions of the task forces, to be made in writing, are not



binding on the Board of Trustees, but shall be given serious consideration by the Trustees in their deliberations.

SECTION 3. The Chairman of a task force shall preside at the meetings and appoint a secretary of the group to take the minutes.

SECTION 4. The secretary shall provide all members of the task force with notice of each meeting and designate the time and place of such meeting.

SECTION 5. The costs incurred for such meetings and other duly authorized activities of the task forces shall be, if approved by the Board of Trustees, paid by the Treasurer of the Corporation.

#### ARTICLE VII. NON-LIABILITY OF MEMBERS AND CONTRIBUTORS\*

SECTION 1. No member of the Corporation and no contributor to the Corporation shall be liable for the acts or debts of the Corporation, its Board of Trustees, its agents or its representatives.

#### ARTICLE VIII. DISPOSITION OF ASSETS UPON TERMINATION OF EXISTENCE

SECTION 1. In the event of the liquidation, dissolution or winding up of the Corporation, whether voluntary, involuntary, or by operation of law, the Trustees of the Corporation shall dispose of the assets of the Corporation by gifts to charitable or educational institutions located in the City of Newark, New Jersey, which qualify for exemption from taxation under Section 501(c)(3) of the Internal Revenue Code of 1954 or similar provisions of future laws.

#### ARTICLE IX. SEAL

SECTION 1. The seal of the Corporation shall contain the name thereof, the State of its incorporation, and the year of its incorporation.

#### ARTICLE X. AMENDMENTS

SECTION 1. These By-Laws may be amended, revised or repealed by two-thirds of those present at any annual, regular or special meeting of the members of the Corporation, provided written notice of the proposed action shall have been given by mail to each member at least ten days prior to the date of the meeting at which it is proposed to take such action.

#### ARTICLE IX. DISPOSITION OF ASSETS UPON TERMINATION OF EXISTENCE

SECTION 1. In the event of liquidation, dissolution or winding up of the Corporation, whether voluntary, involuntary or by operation of law, the Trustees of the Corporation shall dispose of the assets of the Corporation by gifts to charitable or educational institutions located in the City of Newark, New Jersey, which qualify for exemption from taxation under Section 501(c)(3) of the Internal Revenue Code of 1954 or similar provisions of future laws.

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### APPENDIX IX

#### UNITED COMMUNITY CORP. RECOMMENDATION TO BOARD OF TRUSTEES FROM THE PERSONNEL COMMITTEE

The Personnel Committee will select the members in concert with Mr. Tyson who will be satisfactory for top staff.† However, the choice among the Personnel Committee's approved candidates will be Mr. Tyson's.

This recommendation was approved by the committee with Dr. Edward F. Kennedy voting no in principle.

\*See footnote on Page 3639.

†Department Heads, Comptroller, Assistant Director, Legal Counsel and Personnel Director.

## APPENDIX X

## AGREEMENT

*Agreement* made this 21st day of December 1964 between United Community Corporation, Newark, New Jersey (hereinafter called the "Employer") and Cyril Tyson, presently residing at 5700 Arlington Avenue, Bronx, New York (hereinafter called the "Employee").

Whereas, the Employer desires to secure the services of the Employee, and the Employee desires to work for the Employer, upon the terms and conditions hereinafter set forth,

Now, Therefore, in consideration of the mutual covenants hereinafter contained, the parties hereto agree as follows:

1. *Employment.*—The Employer employs the Employee in an executive capacity to serve as Executive Director of the Employer.

2. *Duties.*—The Employee accepts such employment and agrees to devote his best efforts and his entire time to perform his duties hereunder which shall include such executive services on behalf of the Employer as are of a character required by his executive position in the Employer.

3. *Term.*—The term of employment hereunder shall commence on January 1, 1965, and shall terminate on December 31, 1965 if either party serves ninety days advance written notice of cancellation; in the absence of such notice, the term shall renew automatically for one year under the same terms and conditions unless otherwise mutually agreed, and such renewal shall be repeated in subsequent years in the absence of said notice. However this contract may be terminated for just cause by the Employer with ninety days written notice at any time during the duration of contract.

4. *Compensation.*—The Employer shall pay to the Employee for his services a salary payable on alternate Fridays at the rate of twenty-three thousand (\$23,000) dollars per year during the calendar year 1965, and twenty-four thousand (\$24,000) dollars per year during the subsequent calendar years.

5. *Expenses.*—The Employee shall be entitled to reimbursement from the Employer for all travel and other expenses incurred by him on behalf of the Employer or in connection with his duties hereunder and which in the opinion of the properly designated officials of the Employer seem reasonable and proper.

The Employer shall reimburse the Employee in an amount not in excess of five hundred (\$500) dollars for out-of-pocket moving expenses not exceeding that amount incurred by the Employee in moving his residence from New York to Newark, New Jersey in order to assume his duties hereunder.

6. It is understood that the arrangement for vacation, retirement, disability and sick leave as developed in the manual for all employees, will apply to Mr. Tyson.

7. *Blue Cross-Blue Shield.*—The Employer will arrange for and pay Blue Cross and Blue Shield protection for the Employee.

8. *Entire Agreement.*—This Agreement and the incorporated by laws contain the entire agreement between the parties hereto, and cannot be changed or terminated orally.

9. *Situs.*—This Agreement shall be governed and construed according to the laws of the State of New Jersey.

10. *Bindery Effect.*—This Agreement shall inure to the benefit of and be binding upon the Employer and its successors and assigns, and the Employee and his personal representatives.

*In Witness Whereof*, the parties hereto have executed this Agreement on the day and year first above written.

UNITED COMMUNITY CORP.,  
By: C. WILLARD HECKEL,  
CYRIL D. TYSON,

## APPENDIX XI

UNITED COMMUNITY CORP. BOARD OF TRUSTEES, DECEMBER 21, 1964, NEWARK, N.J.

Present: Herbert Tate, Msgr. Joseph Dooling, Ralph Geller, Irving Rosenberg, Dr. Thomas Flagg (Proxy Mayor Addonizio), Zain Matos, Dr. Thomas Reynolds, Charles W. Garrison, Rev. B. F. Johnson, Miss Hilda Hidalgo, Marshall Stalley, Francis S. Quillan, C. Willard Heckel, Rabbi Jonathan Prinz, Miss Dorothy

Gould, Peter V. R. Schuyler, Jr., Kenneth A. Gibson, Thomas F. Edwards, Abe L. Sudran, Lee Bernstein (Honorary), Frank Addonizio (Honorary), William D. Payne, Rev. John Green, Mrs. Helen Hoffman (Proxy Mrs. Arons), George C. Richardson, Walter Chambers, Irvine Turner, Rev. Earl Huff, Frank Loria, Mrs. Grace Malone.

Presiding: C. Willard Heckel, President.

Personnel Committee Report: Mr. Schuyler reported for the Personnel Committee which had been charged with the responsibility of working out the arrangements with Mr. Tyson. (A copy of the contract signed by Mr. Tyson and Mr. Heckel is attached to and becomes a part of the original minutes of this meeting.)

Mr. Schuyler further reported that the following policy was recommended by the Personnel Committee to the Board of Trustees.

#### RECOMMENDED TO THE BOARD OF TRUSTEES FROM THE PERSONNEL COMMITTEE

"The Personnel Committee will select the members in concert with Mr. Tyson who will be satisfactory for top staff.\* However, the choice among the Personnel Committee's approved candidates will be Mr. Tyson's."

\*Department Heads, Comptroller, Assistant Director, Legal Counsel and Personnel Director.

On motion properly made, seconded and unanimously voted, the policy for authority to hire staff as recommended by the Personnel Committee was adopted.

#### RESOLUTION ON PHILOSOPHY WITH EMPLOYMENT PRACTICES AND PURCHASING

"Therefore be it resolved: That, wherever possible preference will be given to residents of Newark in the hiring of personnel for the United Community Corporation."

Program Committee report: Miss Hilda Hidalgo reported for the Program Committee as follows:

The Program Committee has held only one meeting but it was very fruitful.

The basic philosophy of the United Community Corporation is the guideline that the Program Committee and its Task Force will use in developing, evaluating and implementing programs. This basic philosophy calls for a unified coordinated approach in defeating poverty, an approach that relates to the rates of social pathology in Newark so that poverty can be corrected and arrested. As a way of work, U.C.C.'s basic philosophy demands that the victims of poverty be involved in the planning and the process.

It was decided that the procedure to follow in submitting program proposals to the Corporation will be as follows:

1. All proposals will be directed to the Executive Director of the Corporation.
2. The Executive Director will study and make an initial evaluation of the proposal. As the staff of U.C.C. expands, the Executive Director will delegate the proposal to the appropriate staff person.
3. After study and staff evaluation the proposal will be sent to the appropriate sub-committee with the staff evaluation and recommendation.
4. The sub-committee will study and will make a report to the Program Committee with its recommendations.
5. The Program Committee will consider the proposal and make a final recommendation to the Board of Trustees or the Executive Committee for final action.

The report of the Program Committee was approved after being properly moved, seconded and unanimously voted.

Attest:

PETER V. R. SCHUYLER, Jr.,  
Secretary.

#### APPENDIX XII

##### NOTICE OF SPECIAL MEETING

To: Members United Community Corporation.

From: Peter V. R. Schuyler, Jr., Secretary.

Mr. Willard Heckel, President of the United Community Corporation has asked me to inform you that there will be a special meeting of the members of the

United Community Corporation on Monday, February 1, 8 p.m. at the Quitman School Auditorium, 21 Quitman Street, Newark, N.J.

The meeting has two objectives:

1. To get your reaction of the following amendment to the By-Laws:

"Article II, Section 2, to read as follows:

"The Board shall be composed of the Mayor, two members of the City Council, the President of the Board of Education, the Superintendent of Schools and forty-eight members at large, (plus the seven remaining members of the City Council who shall be honorary members of the Board of Trustees.) These members shall not represent but should be representative of government, social agencies, business and labor, religious and ethnic groups, as well as those in the community who are to benefit from the work of the Corporation.

"Trustees shall serve a three year term. They may serve only two successive terms. At the end of the first year, May 1965, one third of the forty-eight members at large (16) shall be subject to rotation off the Board. This process shall be repeated during the second and third years so that sixteen Trustees shall begin a new term each year. Those who are rotated in the first three-years will be eligible for only one successive term even if they have only served one or two years." The part in parenthesis would be added.

2. The second will be to give you a full report on the activities of the Corporation to date by the president of the Corporation, various committee chairmen and the executive director.

UNITED COMMUNITY CORP., MEMBERSHIP MEETING, FEBRUARY 1, 1965, NEWARK, N.J.

#### ATTENDANCE

Newark, N.J.

Peter Schuyler  
Ralph L. Sims  
Gloria Bridges  
Beatrice C. Slaten  
Bernice H. Webber  
Mrs. W. Scott Young  
James P. Nelson  
Mrs. Alexzina W. Brown  
Timothy Still  
John Green  
Howard Goeringer  
Thomas J. Reynolds  
George C. Richardson  
Robert W. Harvey  
B. F. Johnson  
Rabbi Israel E. Turner  
Tom Hayden  
Duke E. Moore, Sr.  
Ralph Zinn  
Fred Ewing  
Marjorie T. Van Dyke  
Ulysses Blakely  
Emil Hirschhoff  
Hilda Hidalgo  
Lee Bernstein  
Frank Addonizio  
Kenneth A. Gibson  
William A. Mercer  
Mary Smith  
Harry P. Wheeler  
Earl Harris  
Rev. Thomas J. Carey  
Mrs. Esta Williams  
Miss Dorothy Gould  
Richard D. Marshall  
Thomas F. Edwards  
Jack Tracy  
Grace E. Malone  
Joy C. Smith  
Douglas Amos

Walter Dawkins  
Fredericka Ingham  
Irvine I. Turner  
Mrs. Charles O'Flaherty  
Mr. & Mrs. Gilbert Hunsinger  
Mrs. Ethel M. Moore  
James Eastman  
Rev. John Collier  
Monsignor Joseph Dooling  
Oscar Coxson  
Harry Van Dyke  
J. Thomas Flagg  
Ruth Fisher  
Charles W. Garrison  
Ralph T. Geller  
James A. Pawley  
Herbert H. Tate  
Kim Jefferson  
Mrs. Sylvia Woodson  
Mrs. Yvonne Pogue  
Mrs. Sylvia Josephson  
Irving Rosenberg  
Belle Rosenberg  
Rabbi Jonathan J. Prinz  
Myron Redford  
William D. Payne  
Phillip Thigpen  
C. Willard Heckel  
Cyril D. Tyson  
Walter Chambers  
Carolyn Kelley  
Derek T. Winans  
Rufus W. Cooper  
Horace Hunt  
Harold Story  
Irvin L. Solondz  
Norman Steinlauf  
Jimmy Rell  
Mary L. Williams  
Jim Rospel.

Presiding: Mr. Heckel, President, presided.

Welcome: Welcome was given by Mr. Heckel to the first Membership meeting of the United Community Corporation.

#### REPORT ON MEMBERSHIP

Miss Hidalgo read that section of the By-Laws which dealt with membership and discussed it with the members present.

In the discussion which followed Mr. Wheeler, Rabbi Turner, Rev. Johnson, and Dr. Blakely discussed membership and urged appointment of a membership committee.

#### PROGRAM COMMITTEE

Vice President, Timothy Still, reported that the Program Committee was set up to clear all programs that would be presented under the Economic Opportunities Act. Mr. Still further reported that the purposes of the programs would be to reach the people who are existing in a state of poverty.

#### CHANGE IN BY-LAWS

Mr. Tate presented the proposed change in the By-Laws as follows:

"The Board shall be composed of the Mayor, two members of the City Council, the President of the Board of Education, the Superintendent of Schools and forty-eight members at large, (plus the seven remaining members of the City Council who shall be honorary members of the Board of Trustees.) These members shall not represent but should be representative of government, social agencies, business and labor, religious and ethnic groups, as well as those in the community who are to benefit from the work of the Corporation."

"The part in brackets would be added."

It was moved and properly seconded, and by two-thirds vote, voted that the By-Laws be amended as proposed.

Mr. Frank Addonizio reported that some of the Councilmen did not want to be honorary trustees because they did not have a vote.

#### REPORT ON STAFF

Mr. Chambers made the following report. (A copy of which is attached to and becomes a part of the original minutes of this meeting.)

#### DRAWING BOARD ROTATION

The following named people were drawn to be eligible for rotation the first year:

Charles W. Garrison  
Mrs. Grace Malone  
Frank Loria  
Eulis Ward  
Very Rev. Ledlie Laughlin  
Ralph Geller  
Marshall Stalley  
Charles A. Matthews

Kenneth Carberry  
Irving Rosenberg  
Herbert Tate  
Kenneth A. Gibson  
Mrs. Ethel M. Moore  
Zain Matos  
Rev. John Green  
Duke E. Moore, Sr.

The following named people were drawn to be eligible for rotation after the first two years:

Raymond Proctor  
Louis R. Quad  
Dr. Thomas Reynolds  
Albert Saldutti  
Miss Dorothy Gould  
Peter V. R. Schuyler, Jr.  
Rev. Earl Huff  
Francis A. Quillan

C. Willard Heckel  
Franklin Roberts  
Louis Danzing  
George Haney  
Rt. Rev. Msgr. Joseph A. Dooling  
Frederick Ewing  
Miss Hilda Hidalgo  
Rabbi Jonathan J. Prinz

The following named people were drawn to be eligible for rotation after the first three years:

Very Rev. Msgr. Thomas J. Carey  
Mrs. Louis Patterson  
Rev. B. F. Johnson  
Timothy Still  
Robert W. Harvey  
Abe L. Sudran  
George C. Richardson  
James Williams

Mrs. Ceil Arons  
James A. Pawley  
William D. Payne  
Thomas F. Edwards  
Walter Chambers  
James Brown  
Mrs. Reynold Burch  
Rev. Boyd Cantrell

#### QUESTIONS AND ANSWERS

During the question and answer period emphasis was placed upon the fact that individual salaries were listed at the top of the range and that this did not mean that everyone would be hired at that level.

The geographic area of the three Area Boards was described and the indication was made that work would start immediately on settling up these Area Boards.

#### ADJOURNMENT

There being no further business the membership meeting was closed at 9:50 p.m.

Respectfully submitted.

PETER V. R. SCHUYLER, JR.,  
*Secretary.*

UNITED COMMUNITY CORP.,  
Newark, N.J., February 1, 1965.

#### REPORT OF PERSONNEL COMMITTEE

The Personnel Committee is composed of the following members.

Walter D. Chambers, Chairman; Peter V. R. Schuyler, Co-Chairman; Mrs. Ceil Arons; James Brown; Frederick Ewing; Ralph Geller; Kenneth A. Gibson; Reverend John Green; Reverend Earl Huff; Dr. Edward F. Kennelly; Duke E. Moore, Sr.; William D. Payne; James A. Pawley; Francis S. Quillan; George C. Richardson; Irving Rosenberg; Abe L. Sudran.

This Committee, appointed at the Board meeting of December 21, 1964, met on January 18 and 28, 1965.

The Personnel Committee agreed that its immediate objective is the recruitment and selection of top staff members. This objective is spelled out in a recommendation adopted by the Board of Trustees on December 21, 1964. In addition to staff selection, the Committee accepted a second objective—the establishment of personnel practices and policy.

To accomplish these objectives the Committee was divided into three Subcommittees—Personnel Practices, Job Descriptions and Specifications and Screening and Selection. (See attached list for the Subcommittee assignments.)

The Subcommittee on Personnel Practices—James Pawley, Chairman—will draft the manual on Personnel Practices which will cover such areas as working hours, salary administration, vacation and leave policy, health and welfare benefits and other matters of concern to staff members of United Community Corporation.

The Subcommittee on Job Descriptions and Specifications—Ralph Geller, Chairman—will draft the job summary and prerequisites for the various top staff positions in the UCC.

The Subcommittee on Screening and Selection—Francis Quillan, Chairman—will publicize all pertinent information on current job openings in the Corporation and make applications available to the interested public. In addition, this Committee will process the applications and make appropriate recommendations to the Executive Director, who will make the final selection.

These Subcommittees immediately functioned to carry out their purpose in order that the process of hiring might proceed as quickly as possible. At a meet-

ing of the full Personnel Committee the following reports of progress were received:

*Personnel Practices.*—This Subcommittee is compiling the material to be included in the manual. Expects to complete the job by February 15.

*Job Descriptions and Specifications.*—Subcommittee has drafted the descriptions and specifications for the positions of Associate Director, Comptroller, Personnel Director, Legal Counsel, Employment Training Director and Community Action Director. These are the top staff positions included in the Revised Operating Budget.

*Screening and Selection.*—Subcommittee established the procedure by which applications will be received and processed. First, information on all job openings will be made available to the public through all possible sources. Secondly, applications will be received and screened by the Executive Director. The applications of qualified candidates will be reviewed by the Subcommittee which will select those persons to be invited for an interview. All members of the Personnel Committee may participate in the interview sessions. Members of the Board of Trustees will also be invited to attend as observers. Following the interviews the list of approved candidates will be submitted to the Executive Director who will make the final selection.

Throughout its deliberations the Subcommittee on Screening and Selection and the entire Personnel Committee will be guided by the resolution adopted by the Board on December 21, 1964 which stated in part, "wherever possible preference will be given to residents of Newark in the hiring of personnel for the United Community Corporation."

After the immediate objective of the selection of top staff has been achieved the Personnel Committee will continue to work with these staffers in the establishment and implementation of the personnel practices and policy of the Corporation.

Respectfully submitted.

WALTER D. CHAMBERS,  
Chairman.  
PETER V. R. SCHUYLER, Jr.,  
Cochairman.

UNITED COMMUNITY CORP., PERSONNEL COMMITTEE, SUBCOMMITTEE ASSIGNMENTS,  
JANUARY 28, 1965

1. PERSONNEL PRACTICES

James Pawley, Chairman; George Richardson; Samuel Warrence.

2. JOB DESCRIPTIONS AND SPECIFICATIONS

Ralph Geller, Chairman; Dr. Edward Kennelly; Kenneth Gibson; Abe Sudran; Rev. Earl Huff; Fred Ewing.

3. SELECTION

Francis Quillan, Chairman; William Payne; Mrs. Ceil Arons; Irving Rosenberg; James Brown; Duke Moore, Sr.; Rev. John Green.

APPENDIX XIII

MEMORANDUM, MARCH 22, 1965

To: Cyril D. Tyson, Executive Director, United Community Corporation.  
From: Walter D. Chambers, Chairman, Personnel Committee.  
Subject: Recommendations for Position of Comptroller.

On March 19, 1965 the Subcommittee on Screening and Selection interviewed four candidates for the position of Comptroller in the United Community Corporation. One other person was not contacted for an interview since he lives in Indianapolis, Indiana.

Based on this interview session and the application submitted by each applicant the Subcommittee unanimously recommends the following two men listed below as being acceptable for appointment to the position of Comptroller:

Fleming Jones, Jr., 811 South 13th Street, Newark, New Jersey.

Howard J. Bitz, 61 Hicks Street, Valley Stream, Long Island, New York.

Additional information on Mr. Jones not included on his application is the fact that he has been assigned by the City of Newark to set up accounting procedures for the Neighborhood Youth Corps under Dr. Flagg. He is also a member of the Public Accountant's Association of New Jersey and the National Public Accountant's Association.

I am returning their applications and resumes in the folder which you forwarded to the Subcommittee. The other applications are also returned.

There was one other candidate for the Comptroller's position who impressed the members of the Subcommittee with his background and experience. This man told us that he prefers a more general administrative position than that of Comptroller. It was the consensus of the Subcommittee that he might be considered for some other administrative job. This candidate is: Raymond E. Rath, 145 Charlotte Terrace, Roselle Park, New Jersey.

We also interviewed three applicants for the position of Personnel Director—not one of these applicants was acceptable or available. However, two of the candidates might be considered for other staff positions.

At the beginning of his interview Melvin L. Berger, 13 Sunset Avenue, Bayonne, admitted that he was not qualified for the job of Personnel Director but would be interested in a lesser position. Members of the Subcommittee were impressed with his honesty and qualifications.

George B. Warren, Jr., 16 Nishuane Road, Montclair, New Jersey, was most impressive but will not be available for employment until July 1, 1965, because of a present commitment. Mr. Warren might be considered for an opening at that time.

Not having had any success in getting a Personnel Director from the first three interviews it is obvious that we need to secure more applicants. On this point of recruitment, it was the consensus of the Subcommittee on Screening and Selection that we need to get more applicants for each position, especially from residents of Newark.

Interviewing will continue on March 23 for the positions of Employment Director and Education Director. Other recommendations will be forwarded to you as soon as possible.

WALTER D. CHAMBERS.

#### APPENDIX XIV

##### UNITED COMMUNITY CORP., NEWARK, N.J., JOB SUMMARIES

1. *Executive Director*: Responsible for all agency activities, personnel and fiscal control.
2. *Associate Director*: Assists the Executive Director in all agency operations with primary responsibility for administrative functions.
3. *Personnel Director*: Under the supervision of the Executive Director is responsible for the hiring of personnel and related functions.
4. *Comptroller*: Under the supervision of the Executive Director is responsible for the fiscal management of the agency and all other related functions.
5. *Community Action Director*: Under the supervision of the Associate Director is responsible for the formation of Area Boards and the development of Community Action Programs.
6. *Education Director*: Under the general supervision of the Associate Director is responsible for the administration of all programs and personnel involving community education.



7. *Employment Director*: Under the general supervision of the Associate Director is responsible for the development of community on-the-job training programs and the placement of trainees in business and industry.

8. *Community Information Specialist*: Under the direction of the Executive Director is responsible for the dissemination of information to the public and interested organizations with regard to the agency goals, policies and activities.

9. *Community Action Coordinator*: Assists the Community Action Director in the formation and implementation of Area Board activities.

10. *Community Researcher*: (Area Boards I-VI) Under the supervision of the Community Organizer secures, tabulates, and arranges demographic information concerning the area to which assigned for presentation so as to provide a base for program development.

11. *Community Organizers*: (Area Boards I-VI) As an agency employee renders technical assistance to Area Board officers and personnel in their activities and program development in addition to supervising other assigned agency personnel.

12. *Community Workers*: (Area Boards I-VI) Under the supervision of the Community Organizer makes contact with residents of the community to which assigned to stimulate participation and involvement and assists in program development and other related activities.

13. *Community Organizers—Spanish Speaking*: Acts in same capacity as Community Organizers assigned to Area Boards but primarily in reference to the Spanish speaking residents of total Newark. Advises and makes recommendations to Community Action and Area Board personnel with regard to this specific group.

14. *Office Manager*: Under the supervision of the Associate Director supervises and controls the flow of clerical and administrative duties of the main offices. Acts as purchasing agent in the securing of consumable supplies and office equipment.

15. *Assistant Personnel Director*: Under the direction of the Personnel Director screens, tests, and interviews applicants for positions with the agency.

16. *Associate Community Information Specialists*: Works with and under the direct supervision of the Community Information Specialist in the preparation of information for dissemination to the general public and other interested organizations concerning the agency and its activities.

17. *Pre-school Coordinator*: Under the supervision of the Education Director acts as liaison between the agency and the Pre-school Council in the administration of that program. Evaluates and makes recommendations concerning the programs.

18. *After School Tutorial and Remediation Coordinator*: Under the general supervision of the Education Director organizes and administers a broad base program of tutoring and remediation for the community as needs are determined and defined.

19. *Vocational Education Administrator*: Works with and under the supervision of the Employment Director in the development of on-the-job training programs and assists in their evaluation.

20. *Accountants*: Work under the direct supervision of the Comptroller in the agency's fiscal management.

21. *Administrative Assistant*: Under the direct supervision of the Executive Director serves in an administrative and liaison capacity to the Agency's officers, the Board of Trustees and all Committees and task forces.

22. *Executive Secretary*: Under the direct supervision of the Executive Director serves in the capacity of secretary performing all functions as required and needed.

23. *Steno-Secretaries*: Perform all secretarial duties for department managers.

24. *Clerk Typists*: Perform all typing and clerical functions as assigned. (One for each area board as well as other assignments in central offices.)

25. *Receptionist-Typist*: Handles all incoming telephone calls as well as directs business visitors to the various departments. Performs typing work as time permits.

26. *Office Clerks*: Under the direct supervision of the Office Manager performs all functions as directed and needed such as internal mail delivery, running of office duplicating machines, special errands into the community etc.

27. *Clerk-Typist (Bi-lingual)*: Under the supervision of the Spanish speaking Community Organizers performs all typing tasks required. Types from Spanish to English and vice versa.

#### APPENDIX XV

#### UNITED COMMUNITY CORP., NEWARK, N.J., HIRING PROCEDURES

##### I. GENERAL POLICY

Applications for open positions will be received by the Agency at its offices, 124 Branford Place, Newark, New Jersey, through the Personnel Department. All candidates will be considered on the basis of qualifications to perform the work and without regard to race, creed, color, national origin, sex or age. Preference will be given to qualified applicants who reside in the City of Newark. In addition consideration will be given those qualified applicants who are unemployed or underemployed.

##### II. DEPARTMENT HEAD POSITIONS

(a) The Personnel Director will upon request furnish all applications for Department Head positions to the Personnel Committee of the Board of Trustees. After screening the Personnel Committee will interview the basically qualified candidates to determine suitability to meet the requirements of the vacant position.

(b) The Personnel Committee will refer the applications of one or more of the candidates it deems qualified to the Executive Director with recommendations. The Executive Director may select one of the candidates for assignment to the position. If none are selected he may request the Personnel Committee to furnish him with a new list for consideration.

##### III. OTHER VACANCIES

(a) All applications will be filed with the Personnel Director.

(b) Where possible and practical all candidates will be interviewed and tested.

(c) The applications of those candidates who meet the minimum requirements for a given vacancy will be referred to the manager of the department in which that vacancy exists with recommendations from the Personnel Director.

(d) The department manager will interview the qualified applicants.

(e) After consultation with the Personnel Director and/or Executive Director a selection will be made by the department head.

(f) If a selection is not made from the referred candidates further screening, interviews and tests will be conducted in order to furnish a new list of candidates for the department manager's consideration.

#### APPENDIX XVI

#### UNITED COMMUNITY CORP., PERSONNEL ROSTER

1. James Andrew Alexander, Newark, New Jersey; Community Researcher, Area III; Administrative Classification. Salary: \$5,225.

2. Mrs. Jessie Mae Alexander, Newark, New Jersey; Receptionist-Typist, Area III; Clerical Classification. Salary: \$4,000.

3. James Henry Blair, Montclair, New Jersey; Community Action Director; Executive Classification. Salary: \$12,000.

4. Joseph Anthony Befumo, Newark, New Jersey; Arts and Culture Consultant; Professional Classification. Salary: \$25.00 per day, two days per week.

5. Mrs. Anne Calloway, Newark, New Jersey; Clerk Typist; Clerical Classification. Salary: \$3,800.

6. Mrs. June Childs, Newark, New Jersey; Steno-Secretary; Administrative Classification. Salary: \$5,000.

7. William Daniels, Newark, New Jersey; Community Worker, Area I; Administrative Classification. Salary: \$5,800.

8. Mrs. Beatrice Easley, Newark, New Jersey; Administrative Assistant; Executive Classification. Salary: \$7,000.
9. Mrs. Doris Folkes, East Orange, New Jersey; Steno-Secretary; Administrative Classification. Salary: \$4,500.
10. Mrs. Josephine Gaudious, Newark, New Jersey; Clerk Typist; Clerical Classification. Salary: \$3,200.
11. Miss Sarah Goss, Newark, New Jersey; Clerk Typist; Clerical Classification. Salary: \$3,200.
12. Dean Harrison, New York, New York; Community Action Coordinator; Professional Classification. Salary: \$9,000.
13. Emil Hirschoff, Newark, New Jersey; Community Organizer, Area I; Executive Classification. Salary: \$7,200.
14. Fleming Jones, Newark, New Jersey; Comptroller; Executive Classification. Salary: \$10,000.
15. Mrs. Ruth Levey, East Orange, New Jersey; Steno-Secretary, Administrative Classification. Salary: \$5,000.
16. Rafael Lozada, Newark, New Jersey; Community Organizer; Executive Classification. Salary: \$6,375.
17. Abdulla Najeed, Newark, New Jersey; Accountant; Professional Classification. Salary: \$6,400.
18. Miss Mary Louise Mayse, Newark, New Jersey; Clerk Typist; Clerical Classification. Salary: \$3,200.
19. Miss Betty Jean Miller, New Jersey; Clerk Typist, Area II; Clerical Classification. Salary: \$3,200.
20. Perseverando Miranda, Newark, New Jersey; Community Organizer; Executive Classification. Salary: \$6,375.
21. Mrs. Franceine McCray, Newark, New Jersey; Clerk Typist, Area I; Clerical Classification. Salary: \$3,400.
22. Mrs. Bess Norman, Maplewood, New Jersey; Pre-school Coordinator; Professional. Salary: \$9,000.
23. Mrs. Rebecca Owens, Newark, New Jersey; Community Organizer; Executive Classification. Salary: \$6,800.
24. Mrs. Virginia M. Pelosi, East Orange, New Jersey; Executive Secretary; Executive Classification. Salary: \$6,000.
25. Domenic Pitrelli, Newark, New Jersey, Formerly of Bloomfield, New Jersey; Office Manager; Executive Classification. Salary: \$5,500.
26. Mrs. Lucile A. Puryear, Newark, New Jersey; Steno-Secretary; Administrative Classification. Salary: \$4,500.
27. Malachi Rountree, Newark, New Jersey; Community Organizer, Area II; Executive Classification. Salary: \$7,100.
28. Charles D. Settle, Newark, New Jersey; Accountant; Professional Classification. Salary: \$7,300.
29. Mrs. Mary Smith, Newark, New Jersey; Community Worker; Administrative Classification. Salary: \$5,225.
30. Mr. Emory Tinley, Newark, New Jersey; Office Clerk; Clerical Classification. Salary: \$4,000.
31. Cyril DeGrasse Tyson, Bronx, New York; Executive Director; Executive Classification. Salary: \$23,000.
32. Donald M. Wendell, Newark, New Jersey; Associate Director; Executive Classification. Salary: \$14,500.
33. Miss Imogene Whitaker, Newark, New Jersey; Steno-Secretary; Administrative Classification. Salary: \$4,250.
34. Mrs. Laddie Wyatt, Newark, New Jersey; Receptionist-Typist; Clerical Classification. Salary: \$4,275.
35. Albert E. Tlba, New Providence, New Jersey; Personnel Director; Executive Classification. Salary: \$12,000.

## APPENDIX XVII

## AFFIDAVIT

STATE OF NEW JERSEY,  
County of Essex, ss.:

Emil Hirschoff, of full age, being duly sworn according to law upon my oath depose and say:

I now reside at 131 Clifton Avenue, Newark, New Jersey, and have resided at said address since September 1965.

I deny that I have ever resided in Valley Forge, Pennsylvania.

I resided at 75 Park Avenue, Newark, New Jersey, from May 1946 to September of 1965.

EMIL C. HIRSCHOFF.

Sworn and subscribed to before me this 20th day of December, 1965.

VIRGINIA M. CARPENTER,  
Notary Public.

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APPENDIX XVIII

AFFIDAVIT

STATE OF NEW JERSEY,  
County of Essex, ss.:

Malachi Rountree, of full age, being duly sworn according to law upon my oath depose and say:

I now reside at 79 Treacy Avenue, Newark, New Jersey, and have resided at said address since 1955.

I deny that on September 13, 1965, I resided in East Orange, New Jersey.

MALACHI D. ROUNTREE.

Sworn and subscribed to before me this 20th day of December, 1965.

VIRGINIA M. CARPENTER,  
Notary Public.

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APPENDIX XIX

AFFIDAVIT

STATE OF NEW JERSEY,  
County of Essex, ss.:

Domenic Pitrelli, of full age, being duly sworn according to law upon my oath depose and say:

I now reside at 306 Grafton Avenue, Newark, New Jersey, which premises I rented as of August 1, 1965. Prior to renting said premises, I lived in Bloomfield, New Jersey, for approximately 19 years.

I commenced occupancy of my Newark apartment on said premises on September 12, 1965.

I deny that as of September 13, 1965, I resided in Bloomfield, New Jersey.

DOMENIC P. PITRELLI.

Sworn and subscribed to before me this 20th day of December, 1965.

VIRGINIA M. CARPENTER,  
Notary Public.

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APPENDIX XX

AFFIDAVIT

STATE OF NEW JERSEY,  
County of Essex, ss.:

Donald Wendell, of full age, being duly sworn according to law upon my oath depose and say:

I now reside at 445 Elizabeth Avenue, Newark, New Jersey, and have resided at said address since August 1, 1965. I resided at 595 High Street, Newark, from April 15 to August 1, 1965. Prior to this, I lived in New Haven, Connecticut, for approximately two years.

I deny that as of September 13, 1965, I resided in New Haven, Connecticut.

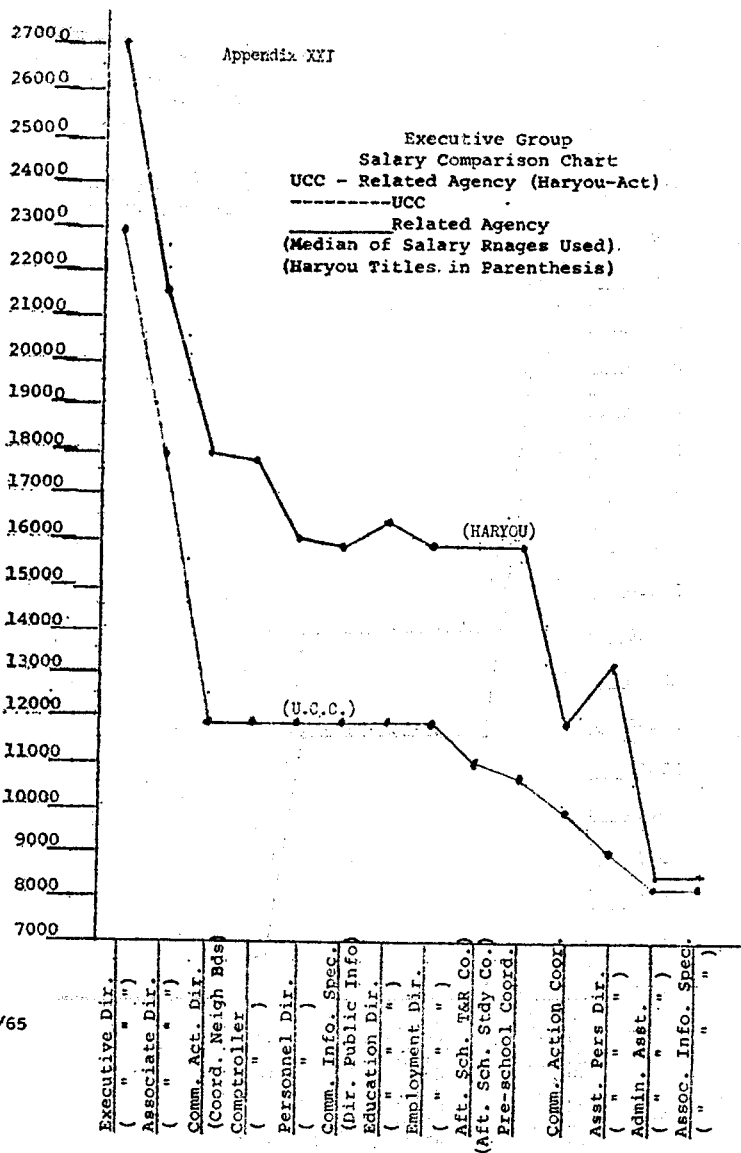
DONALD WENDELL.

Sworn and subscribed to before me this 20th day of December, 1965.

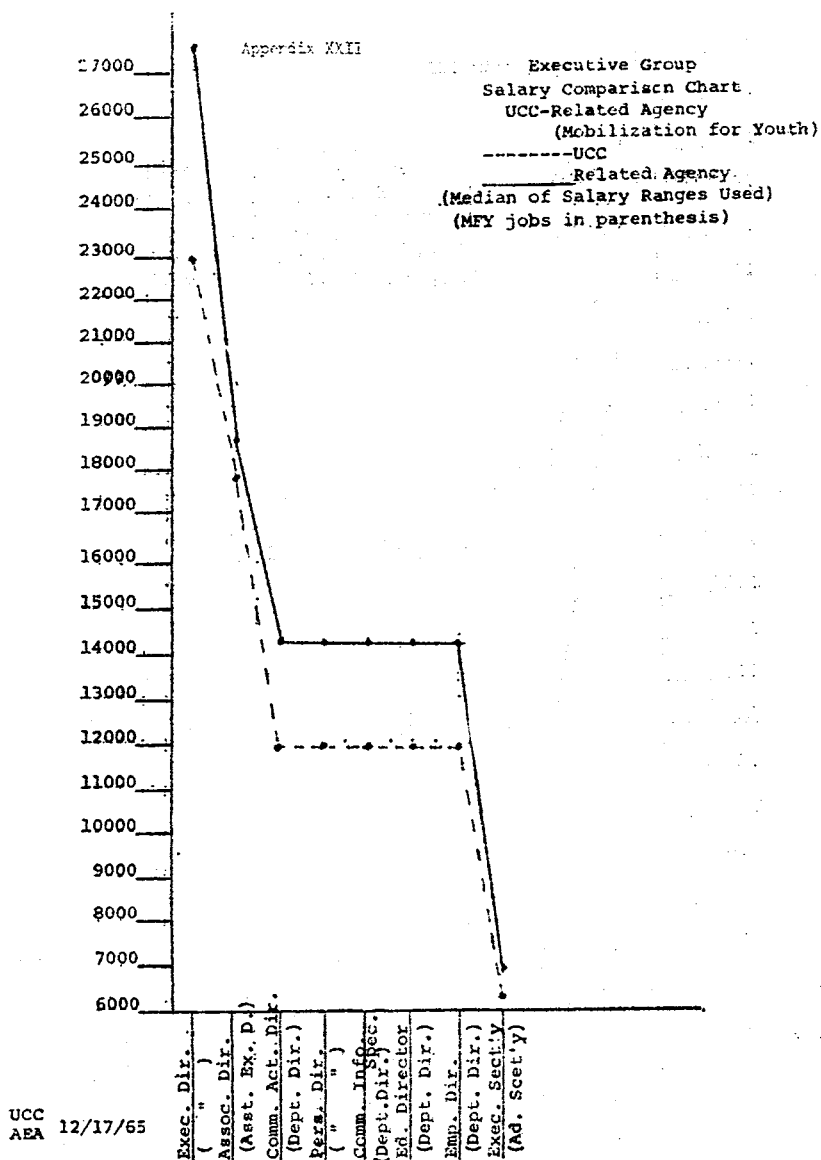
VIRGINIA M. CARPENTER,  
Notary Public.

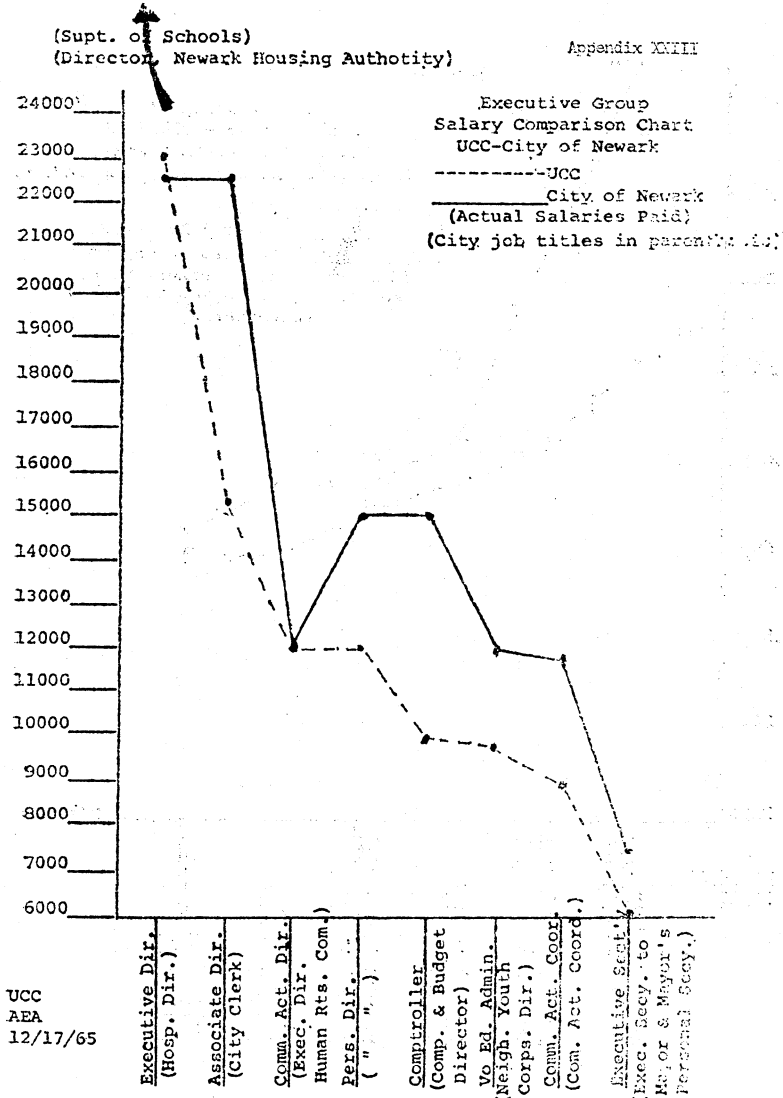
Appendix XII

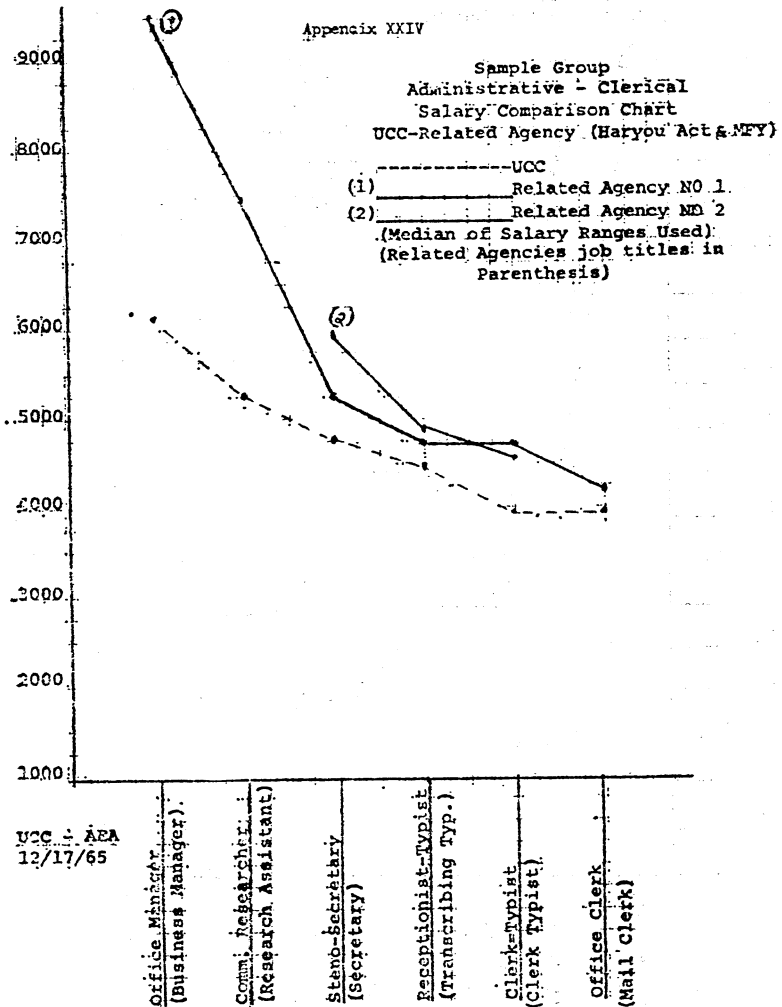
Executive Group  
Salary Comparison Chart  
UCC - Related Agency (Haryou-Act)  
-----UCC  
-----Related Agency  
(Median of Salary Ranges Used)  
(Haryou Titles in Parenthesis)



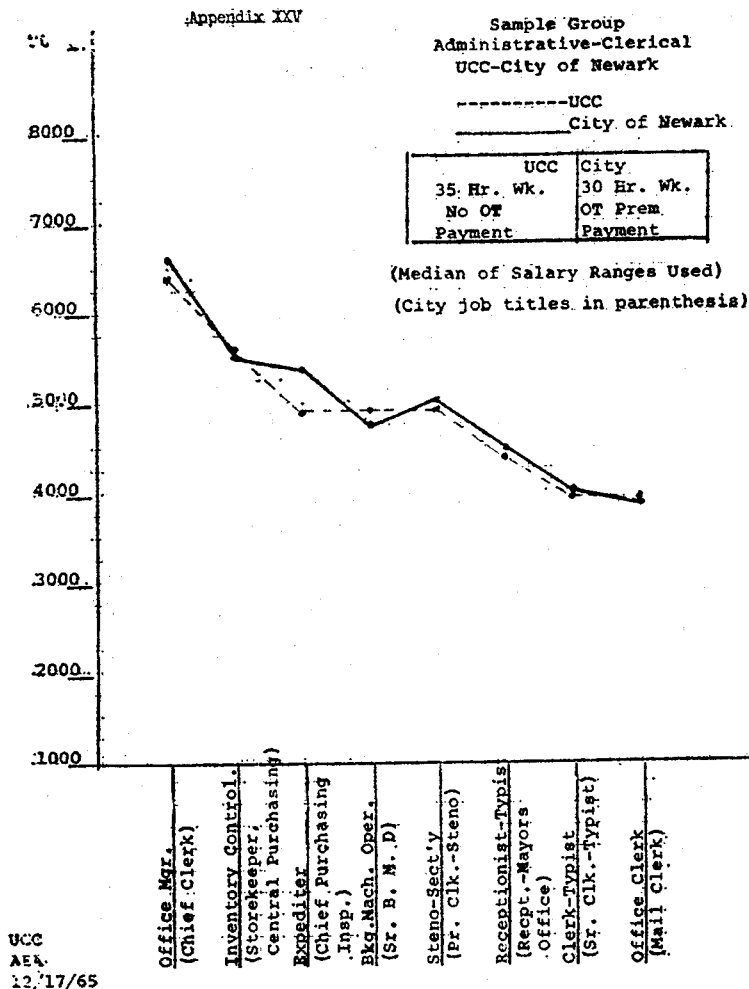
UCC  
AEA  
12/16/65











# APPENDIX XXVI

## RESOLUTION ON POLITICAL ACTIVITY OF UNITED COMMUNITY CORP. BOARD MEMBERS

(Adopted August 19, 1965)

Resolved by the Board of Trustees of the United Community Corporation:

That any member of the Board of Trustees shall be free to be active in any political campaign or for any cause, provided that he does not use, attempt to use, or threaten to use the Corporation for political purposes. If any elected member of the Board of Trustees becomes an avowed candidate for public office, he or she shall be required to take a leave of absence for the duration of the campaign. If any member of the Board of Trustees uses, attempts to use, or threatens to use the Corporation for political purposes, this shall be cause for canceling his membership in the Corporation and his membership on the Board of Trustees which shall be determined by a two-thirds majority vote of the Board of Trustees after due hearing before a committee of the Board of Trustees and the committee shall submit its report, after prior notification, to the Board of Trustees within ten days.

Chairman PERKINS. How many poverty workers did I understand you had in Newark?

Mr. ADDONIZIO. I am sorry, what was that?

Chairman PERKINS. How many poverty workers—

Mr. ADDONIZIO. Thirteen who had been arrested during the riot.

Mr. DEFINO. 150 poverty workers.

Chairman PERKINS. You are not considering the Neighborhood Youth Corps?

Mr. DEFINO. No, Community Action and executive staff down in there.

Chairman PERKINS. I think your Neighborhood Youth Corps youth have been highly complimented for their stand in the prevention of riots. Am I correct in that statement?

Mr. DEFINO. They have worked. They worked.

Chairman PERKINS. Do you all concur in that statement? How many Neighborhood Youth Corps do you have in the city?

Mr. DEFINO. Nine hundred.

Chairman PERKINS. Nine hundred. And you would strongly recommend the continuation of that program and all the programs, sir?

Mr. BERNSTEIN. We would suggest that that program be expanded.

Chairman PERKINS. What?

Mr. BERNSTEIN. We would suggest that the Neighborhood Youth Corps program be expanded. We also bring to your attention that it is run by the city.

Mr. GOODELL. Be careful, gentlemen. You are in the hands of a master.

Chairman PERKINS. Let me ask you a couple of other questions.

If I understood—at the protest meetings, that is—protesting the location of the medical building and the secretary being employed by the local school board, that you have identified some six or seven anti-poverty workers in those pictures.

Mr. BERNSTEIN. I would say at least that.

Chairman PERKINS. Well, I thought I had counted it at six or seven.

But you likewise further stated that you had no knowledge of any poverty worker, these six or seven, or any other worker inciting the people to riot. You all said no to that?

Mr. MALLARD. That's right.

Mr. BERNSTEIN. Wait a minute. It depends on your definition.

Chairman PERKINS. I was asking you if you said "no" before.

Mr. BERNSTEIN. I did not answer that question. I would like to know what you mean by "incite."

Chairman PERKINS. You have no knowledge of any poverty workers causing anybody to riot? I am asking your personal knowledge.

Mr. BERNSTEIN. Directly, no; but I feel Mr. Wheeler's remarks were inciting.

Chairman PERKINS. That is all I am asking you. You can guess, but I am asking you if you have any knowledge.

Now you have never taken any action, you have never taken any action under New Jersey law to even go and swear out a warrant or make any charges against these six or seven that you have identified in the protest meetings, have you, sir? You just have not taken any action?

Mr. BERNSTEIN. Yes, but I would like to give you a reason.

Chairman PERKINS. But you have not taken action?

Mr. BERNSTEIN. No. But there is a reason we haven't. We didn't want to incite a situation.

Chairman PERKINS. If you thought it was a violation of law it was your duty to do something about it.

Mr. DEFINO. Stokely Carmichael speaks, and nobody stops him. It is open to the press of the United States. It is not fair.

Chairman PERKINS. I would hate to see the day arrive—we think people are irresponsible, and I think I am talking to responsible people—but you have not taken any action insofar as preferring charges, have you?

Mr. BERNSTEIN. We have enforced the law loosely.

When Cornell Hussein—

Chairman PERKINS. One concluding question. Do you favor the Republican approach, the Opportunity Crusade, or do you favor the bill—

Mr. GARDNER. Would the gentleman yield at this point—

Chairman PERKINS. We brought them here to get some information from them.

Mr. GARDNER. I wish you would allow them to answer your questions.

Chairman PERKINS. You believe in a Community Action program, and you are not recommending to this committee that we transfer and dismantle the Office of Economic Opportunity, are you?

Mr. BERNSTEIN. Well, to give you my personal observation, first of all, as far as the Community Action programs it is not run by the duly elected officials—I am talking about the Community Action programs. I would say abolish it.

Chairman PERKINS. You would say abolish it if the local public officials are not in control?

Mr. BERNSTEIN. That is right.

Chairman PERKINS. And that is the breach between the poverty workers that seem to be disgruntled against the public official up there, and you have a breach between you and the poverty workers along that line.

Mr. BERNSTEIN. Well, it is my feeling that all of these programs should be run by Government, because somebody has to answer to the people.

Chairman PERKINS. Well, do you believe they should all be run by State law, Mr. Addonizio?

Mr. ADDONIZIO. Mr. Congressman, the Congress of the United States in their wisdom voted into the act proportionate shares to be borne by the municipalities and by the Federal Government, and each year the percentage that must be raised by the municipality is increased.

Now the elected officials are those who are directly responsible for the tax rates, et cetera, et cetera.

Chairman PERKINS. I don't want to take that line.

Mr. ADDONIZIO. Since the elected officials have a direct responsibility to their constituencies.

Chairman PERKINS. Just give me a "yes" or "no."

Mr. ADDONIZIO. Yes, I believe the area boards should be abolished, because they have created more problems than they have solved. I would also like to just mention this, that I was under the impression that this hearing was to discuss the antipoverty program, because certainly I would be very happy to enumerate those considerations that I would like to have, not only for the city of Newark, but also every other city that we need—I would like to have the Congress immediately pass funds for the demonstration grants to the municipalities, because this is something that is sorely needed in another area that is before them now.

Chairman PERKINS. Do you have any further questions?

Mrs. GREEN. No.

Chairman PERKINS. The motion is before the committee that we adjourn and the hearings be concluded.

It is agreed to.

Thank you all for your appearance here.

(Whereupon, at 7:20 p.m., the subcommittee adjourned.)