

THE OFFICE OF ECONOMIC OPPORTUNITY DURING THE ADMINISTRATION
OF PRESIDENT LYNDON B. JOHNSON
November 1963 - January 1969

Volume I - Administrative History

Part II

Part IIChapter ThreeThe Programs

On April 5, 1968, the day after Martin Luther King was shot, Bertrand M. Harding, Acting Director of OEO, appeared before the Subcommittee for Labor, Health, Education, Welfare and Related agencies of the Senate Appropriations Committee and called upon it to approve the President's full OEO budget request for FY 1969 for \$2.18 billion.¹ It was "significant," Harding told the Committee, that the President had asked him to seek the full amount of the authorization and was clear "evidence of his (the President's) recognition that OEO dollars are not only producing results--but are doing it efficiently--with a minimum of waste and duplication." All OEO asked for, Harding said, "is the chance to maintain our momentum and to build on the

1 Harding had served as Acting Director since March 22, following Shriver's resignation. He had been Deputy Director of the agency since June 1966. On July 15, President Johnson announced his intention of nominating Harding, a career government service official, as OEO Director. The nomination was sent to the Senate. Harding had worked for the Budget Bureau, the Veterans Administration and the Atomic Energy Commission. In June, 1961, he had been appointed Deputy Commissioner of the Internal Revenue Service where, among other innovations, he was instrumental in instituting the IRS Automatic data processing system.

foundation already strongly established." The foundation: "Jobs, education, housing, health, justice."

The five-word summation was a lucid and concise exposition of the OEO charter to extend the availability of these basic needs to Americans deprived of them.

This section of the OEO history attempts to survey the programs directly administered by the Agency in the effort to implement that charter--the Community Action Program, the Job Corps, Volunteers in Service to America (VISTA)--their beginnings and development; their problems, failures, and their achievements.

Community Action
Program

Administrative History
Office of Economic
Opportunity

Vol. I, Part I, Chapter 3

Page 198 missing upon receipt at Johnson Library

Derivations of the Community Action Program²

The concept of a comprehensive, root-level community action system grew out of a series of disciplined and studied experimental attacks on social problems developed and financed by the Ford Foundation, President Kennedy's Committee on Juvenile Delinquency and Youth Crime, and the National Institutes of Mental Health in the early 1960's. In its most important sense it was the Committee on Juvenile Delinquency which was the seminal force for the concept of Community Action.

The Federal Government's first post-war expression of concern over juvenile delinquency was contained in a message to Congress by

² This section draws heavily on four chapters of a book (unpublished at this date) which grew out of the February, 1968, Seminar on Poverty organized by the American Academy of Arts and Sciences at Brookline Station, Boston. The chapters are: "The Beginnings of OEO," by Adam Yarmolinsky, a key Task Force member on loan at the time from the Defense Department, and presently teaching at the Harvard University School of Law; "The Community Action Program: Past, Present and Its Future," by Sanford Kravitz, also a Task Force member borrowed from the Justice Department and who later became Chief of the Research and Program Development section of CAP, now teaching at the Florence Heller Graduate School for Advanced Studies in Social Welfare, Brandeis University; "For the Poor, Opportunity," by James Sundquist, a Task Force member borrowed from the Agriculture Department and presently with the Brookings Institution; and, "Administering the Community Action Program: the Politics of Local Responsibility" by John G. Wofford, a Task Force member who became a Deputy Director of CAP, now Associate Director, Institute of Politics, Kennedy School of Government, Harvard University. Sundquist edited the book.

President Eisenhower on the subject of health.³ At that time juvenile delinquency was considered to be a deviation from the norm; to be diagnosed and treated just as any other sickness. By the time the Kennedy Administration took over the problem, however, an entirely different concept had evolved, one which looked upon the delinquent as a conformist to a stream of enforced social behavior over which he had no control and which was at violent odds with outer society. This view became the general principle of the Juvenile Delinquency task force, headed by David Hackett, a young attorney with the Justice Department who reported to the then Attorney General Robert F. Kennedy. The President's brother was to become the chairman of the Committee on Juvenile Delinquency and Youth Crime.

President Eisenhower included in his message a proposal for \$5 million a year to go to the states to assist them in combating the incidence of delinquency which had, in each year since World War II,

³ January 31, 1955, Public Papers of the Presidents, 1955, pp. 223-226.

risen faster than population growth. The proposal, supported by a previous series of hearings by a Senate Judiciary subcommittee headed by Democrat Estes Kefauver, was incorporated in a bill he submitted in 1955. A similar bill was introduced by Republican Senator Alexander Wiley. Despite the combined support of the Administration and leaders of both parties the bill encountered one difficulty after another involving jurisdictional, budgetary and inter-agency conflicts. It wasn't until 1961 that the Senate passed a bill based on a 1960 modification of the original proposal. President Kennedy had, in May, 1961, also submitted a bill on delinquency and created at the same time his own committee on Juvenile Delinquency. The emphasis of the new law was on federal assistance for research and demonstration projects, the proposal for state grants having been abandoned by that time.

The theme which inspired the Juvenile Delinquency Task Force had already been sounded, in 1956, by Saul Alinsky, executive-director of the Industrial Areas Foundation when he testified:

" . . . in the main, delinquency and crime arise out of inadequate, substandard housing, disease, economic insecurity, inadequate educational facilities, discrimination, and a series of social ills which combine to foster and relate to each other in a vicious circle with each feeding into the other so that frustration, demoralization, and delinquency mount. . . The job is one of community organization. . ." ⁴ There was other evidence of this line of thought.

In 1958 the Henry Street settlement in New York City, which had been seeking funds for a comprehensive approach to the problem of delinquency, had gone to the Columbia University School of Social Work for help in working out a program. Professors Richard Cloward and Lloyd Ohlin devised a research project based upon which the settlement and other neighborhood groups formed an organization called Mobilization for Youth. The National Institutes of Mental Health then gave the organization a two-year planning

4 Delinquent Children's Act of 1956, Senate Report 2765, p. 6.

grant.⁵ During that same period Cloward and Ohlin were completing a book which became the philosophical basis for the juvenile delinquency program of the Kennedy Administration.⁶ The sociologists insisted that delinquency was part of a community pathology and not, as had been stressed by the Eisenhower message, an individual affliction. The lower class youngsters have entirely conventional goals but are confronted with a disparity between what they "are led to want and what is actually available to them.

...Faced with limitations on legitimate avenues of access to these goals, and unable to revise their aspirations downward, they experience intense frustrations; the exploration of nonconformist alternatives may be the result."

The book's conclusion:

"...services extending to delinquent individuals or groups cannot prevent the rise of delinquency among others. For delin-

⁵ Sundquist cites "Dilemmas of Social Reform: Poverty and Community Action in the United States", Atherton, 1967, for this account.

⁶ "Delinquency and Opportunity, Free Press, 1960.

quency is not, in the final analysis, a property of individuals or even of subcultures; it is a property of social systems in which these individuals and groups are enmeshed. The pressures that produce delinquency originate in these structures, as do the forces that shape the content of specialized subcultural adaptations. The target for preventive action, then should be defined, not as the individual or group that exhibits the delinquent pattern, but as the social setting that gives rise to delinquency.

"It is our view, in other words, that the major effort of those who wish to eliminate delinquency should be directed to the reorganization of slum communities. Slum neighborhoods appear to us to be undergoing progressive disintegration. The old structures, which provided social control and avenues of social ascent, are breaking down. Legitimate but functional substitutes for these traditional structures must be developed if we are to stem the trend toward violence and retreatism among adolescents in urban slums."

One of the first things Hackett did was to call a conference of experts for March 16, 1960. Ohlin attended. "I quickly learned from the March meeting that you can't get consensus among professionals, so I had to pick one of the best and rely on his judgment," Hackett said, according to Sundquist. "He picked Ohlin."⁷

Beginning in 1959, and continuing concurrently with the work of the Juvenile Delinquency Committee, the Ford Foundation, through its "gray areas" (city slums) grants to selected cities, had been financing a number of coordinated social welfare approaches to urban problems which were forerunners for OEO's Community Action Program.

The Gray Areas program provided funds for experimental community programs working in the areas of employment, education and more effective community services. In 1962 the Ford Foundation gave grants in New Haven, Oakland, Boston, Philadelphia, Washington D.C., New York City, and Pittsburgh, and funded a state-wide program in North Carolina. With the exception of Oakland, where the city itself was the recipient, the grants were given to newly organized

⁷Sundquist, p. 120.

corporations which were to coordinate all agencies in the communities for combined programs to meet common problems. In New Haven, which became a model for the program, for example, the plan was developed by a group representing the city's redevelopment agency, the board of education and the private social agencies of the city. The city at the time was engaged in replacing one-third of its school buildings and under the program 10 of the new schools were to become community schools serving as centers on an all-day, evening, and year-round basis. Each school had a neighborhood services director "who would take a total approach to the social problems of the neighborhood and integrate the work of the public health, public welfare, social service, legal service, and related agencies. The director's staff would include community workers who would speak the language of the neighborhood and serve as a bridge between residents and service agencies."⁸

To coordinate activities there was a new corporation known as Community Progress, Inc., headed by a nine-man board representing the mayor, the redevelopment agency, the board of education, the

⁸ Sundquist, p. 124.

voluntary social agencies, a citizen's group, and Yale University.

All of the Gray Area programs emphasized education, but the range also included programmatic aspects keyed to the multiple problems of the poor.

In 1963, Paul Ylvisaker, head of the Ford Foundations Public Affairs section, and the man chiefly instrumental in developing the Gray Areas program, gave a number of examples of "social inventions," which he outlined as "procedural, physical, and mechanical":⁹

. . . building schools to double as neighborhood and social service centers, starting the education of Gray Area children at an earlier age, concentrating on improvement of speech, reading, and other communication skills among Negro children and other newcomers to the cities; adapting techniques borrowed from agricultural extension to the needs and circumstances of an urban clientele; involving health, family budgeting and home management, legal aid, credit use, and house repair and rehabilitation; combining work and study programs for school dropouts; relating (and even subordinating) physical to social planning; pooling local philanthropic funds for common programs. . . ; recruiting industry and gearing vocational education to projections of technology and local manpower supply; early identification of urban newcomers; use of lay persons in school, recreation, welfare, and other programs; correcting bad practices in arrest, bail, defense, and other links in the chains of administering justice; finding constructive alternatives to present systems of high-density public housing and permanent-dependency welfare payments; and widening residential and occupational choice as a way of releasing individuals from the chains of ethnic, racial, and other attachments not freely chosen. . . .

. . . There is some feeling that this decision to establish new instrumentalities is an attack on the present system of community health and welfare councils. If so, it came not by intent nor with malice, but as a commentary on the gap that exists between the job

⁹ cited by Sundquist, p. 125

to be done and the capacity of our urban communities as presently structured to accomplish it.

There was very little in Ylvisaker's concept, other than the basic stipulation for programmatic participation of the poor in community action agencies, which was not incorporated in OEO's community action program.

A third force leading to the comprehensive community action approach were the discoveries resulting from the implementation of the Labor Department's Manpower Development and Training Act. The problem was that the MDTA wasn't reaching its main targets, the chronically unemployed, because such large numbers of them were illiterate and unable to qualify for the training which was

to provide them with jobs. In various places the realization was becoming clearer that one effect of poverty led to another and that only a combined program, taking into account entire communities, could begin to meet the problem.

The Gray Areas program had helped to develop agencies designed to develop and coordinate programs in employment, education and community services. The Juvenile Delinquency and Youth Offenses Control Act of 1961 was able to provide "the staff with a broad mandate to attack the social antecedents of juvenile crime, i.e., youth employment, poor housing and alienation in lower class communities."¹⁰

Sanford Kravitz at that time served as Program Coordinator for President Kennedy's Committee on Juvenile Delinquency. "The staff," he wrote, "was small and tightly knit for a government operation and intensely loyal to both Hackett and Ohlin. We believed that the answers to lower class delinquency and poverty lay in a massive reform of institutional practices in schools, social welfare agencies, and employ-

¹⁰ Kravitz, p. 6.

ment services. We believed with fervor that a combination of refined intellectual understanding of problems, mixed with political 'clout' and new funds would be the magic ingredients in the war on delinquency. This same belief in rationality and money was to be carried later into the War on Poverty.¹¹

On the basis of recognition by various communities that a comprehensive, community approach was mandatory, the President's Committee funded planning programs in sixteen cities and gave action funds to Mobilization for Youth in New York City which had already completed its planning phase under the NIMH grant.

Some of the grants, said Kravitz, "were outright failures, others had mixed success, but the total experience threw a strong national spotlight on a number of revealing problems. These included the failure of many voluntary welfare programs to reach the poor and the inappropriateness of services when they did; the lack of realistic understanding by professional welfare and public leaders of the problems of the poor; the unrelatedness of

¹¹ Kravitz, ibid. p.7.

various programs closeted off from one another; and the virtual exclusion of residents of communities from the planning and implementation process of programs designed to aid them."

"The program contribution in each community of these two demonstration efforts was mixed," said Kravitz, "but the fact of their development and even the criticism and attacks they sustained--escalated long-festering problems into wide public view, so that discussion of them as critical national issues could no longer be avoided. The two programs had prepared the ground, through the discussions they had stimulated and the questions they had raised, for the Community Action Program, a major plank in the Economic Opportunity Act of 1964."¹²

When Walter Heller, Chairman of the President's Council of Economic Advisers (CEA) got the "green light" from President Kennedy in October, 1963, to "pull together a set of proposals for a 1964 attack on poverty"¹³ he and his assistant, William

¹² Ibid, pp. 10-12.

¹³ Quoted by Heller in a speech at Indiana State College, Indiana, Pa., March 25, 1965.

Capron, began a search of government agencies for specific anti-poverty proposals. They gathered 58 ideas, mainly from the departments of Labor and HEW. "Budget Bureau, CEA, and White House staff were in the midst of a review of the departmental responses when they were interrupted by the news from Dallas."¹⁴ The following day the new President made it clear to Heller, who had briefed him on the program, that he fully supported it and to "move full speed ahead."¹⁵ There remained the basic question of what the new legislation would contain. The need was to distinguish the program from a number of others. An entirely new and combined impetus was needed. It was provided by Hackett and his associate, Richard Boone who had had detailed experience with the Gray Areas Program. Hackett and Boone met with Heller and Cannon of the Budget Bureau. There followed inter-departmental meetings between CEA and the Budget Bureau, at that time importantly involved in the discussions as the coordinator of the President's programs. William B.

14 Sundquist, ibid., p. 137.

15 Heller, Pennsylvania speech.

Cannon, of the Budget Bureau seized on the community action approach and suggested in a memo that 10 demonstration areas be chosen and a "development corporation" be begun in each. The corporations would receive federal financing to institute a variety of programs. "In the course of a single week," said Sundquist, "in mid-December, aid to community organizations was transformed from an incidental weapon in the war on poverty into the entire arsenal." It was decided that an "action" program was better phraseology than "development corporation;" somebody put the word "community" in front and the name was born.¹⁶

The language and concept of Community Action as it appeared in the act were hammered out chiefly by Capron, Hackett, Boone, Harold Horowitz, at the time Associate General Counsel of HEW and presently a professor at the UCLA School of Law; and Frederick O'R Hayes, a Budget Bureau economist who became Deputy Director of CAP before going on to his present position as Budget Director of the City of New York.

¹⁶ Sundquist, ibid. p. 139.

The CAP Concept

Title II of the Economic Opportunity Act of 1964 defined CAP

as a program which:

- 1) . . . mobilizes and utilizes, in an attack on poverty, public and private resources. . . ;
- 2) . . . provides services, assistance, and other activities of sufficient variety, scope, and size to give promise of progress toward elimination of poverty through developing employment opportunities, improving human performance, motivation, and productivity, and bettering the conditions under which people live, learn, and work;
- 3) . . . is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups served. . . ; and,
- 4) . . . is conducted, administered, or coordinated by a public or private non-profit agency. . . which is broadly representative of the community."

The concept of community action, as diverse as its component parts were--and they included every facet of established social organization--was essentially a concentrative one. It sought to combine, in an interlocked system of cooperative endeavor, every governmental, public, private, civic, business and labor organization, as well as representatives of racial and ethnic groups. It sought to focus their resources through a single device--a community action agency (CAA)--on the manifold problems of the poor. The poor themselves were to be involved in the planning and the operation of the agency. They were to benefit from the operations of the agency but were also, in a direct sense of planning, to work for it as well.

Nothing before in terms of social welfare had approached the dynamism, the scope, and the aims of the program. The causes of poverty were complex; the cure had to be comprehensive. An illiterate adult, for example, had to learn to read and write before he could benefit from a work training program. A mother on welfare could not take a job to receive training unless there was a day care center

or community school program for her children. The teen-ager might not have dropped out of school if he had learned to read instead of being passed from grade to grade as a functional illiterate, or if there had been a work-study program available to him. OEO's first annual report, A Nation Aroused, put it this way:

Mobilization of community resources is the essence of Community Action, and OEO funds usually go to those local agencies which encompass all the separate groups--public and private, long established and newly created--that are working for the poor.

Traditionally, such organizations have tended to go their own ways, working in their own domains on their own special concerns. It has been convenient to see poverty as a set of unrelated social ills--lack of education, poor health, unemployment, bad housing, racial discrimination. And for each of these ills there was a cure; for every problem, an institutionalized answer:

- for health, the clinic and the public health agency;
- for unemployment, the employment office and the unions;
- public housing for the housing situation;
- civil rights organizations to work for equal opportunity.

But in poverty, no factor exists alone. The family living in a foul hovel most likely needs medical attention. They live in such conditions because the head of the family is unemployed; and he's probably unemployed because he's unskilled and uneducated. He was to be trained for a decent job, but poor health may keep him from such training--and so may his color.

Wherever you start in the poverty syndrome, you find a whole network of social and economic problems. And since there is no single problem standing as an entity, the CAP agency must go beyond single solutions. . . .The local CAP organization is responsible for seeing that poor people do not fall between agencies or get lost in the shuffle between one or the other. Its basic function is to help the poor make best use of existing agencies and to help those agencies best help the poor.

CAA's would be mandated to serve the poor of parts of a city, entire small cities, towns, single counties, multi-county rural areas, Indian reservations and among migrant workers. Although there were guidelines galore, special grants for planning CAA's and programs, and regionally based OEO officials to offer detailed help in getting started, OEO provided no blueprints for specific plans of attack. It took the position that the communities--if they were organized according to guidelines and controls which were specific--were best acquainted with their own problems and could, through a properly organized CAA, best meet those needs. It did not always work out that way. There was, however, a controlled system of checks and counter-checks exercised through the Washington headquarters of OEO; evaluations, reviews, inspections and always strong and final authority in the hands of the Director.¹⁷

17 A departure from OEO's administrative policy took place on December 8, 1966, when Shriver authorized OEO's seven regional directors to approve 90 percent of all CAP grant applications involving planning grants of up to \$75,000, administrative grants of up to \$500,000, and state agency grants of up to \$250,000.

While encouragement was given to new and varied programs, there were strict headquarters standards applying to the reasonableness and feasibility of the programs proposed and applied for. Unacceptable, for example, were programs that lacked support in organizations proposed as sponsors; programs that require staff not available in sufficient numbers to indicate success; programs with exorbitant per-capita costs, and ones which were opposed by the people they were proposed to help. To be avoided was a mandated, pre-packaged series of programs, since the emphasis was to be on the community's own ingenuity in dealing with its own problems.

A "building-block" process was envisaged as a model introduction to the process of community organization in which one key program would be instituted as a base on which to expand

programming. An example of the process given in an early set of criteria was the selection of an area of high need by a community which would start a Youth Employment Center. It might then add a health services program for youngsters who were found to be in ill health, move on to providing family services through a public welfare neighborhood center, and then institute housing and literacy programs. Uncovered would be deficiencies in high school counseling, remedial studies and curriculum programs; these would be reconsidered, through the focus brought to bear on them by the CAA, by the school system. Other organized federal services and

systems were to be involved in the comprehensive programming which would utilize them so that employment services would be aided by the local branch of the Labor Department's U.S. Employment Service; health programs through the apparatus of the Department of Health, Education and Welfare; urban renewal and community facilities programs through the Department of Housing and Urban Development and job training through programs developed by the Manpower Development and Training Act under the Department of Labor.

The program was so widespread and so complicated that difficulties began from the moment it was instituted. Repercussions followed immediately in what might be termed, accurately as it turned out, a ricochet effect. Of all the programs engendered by the EOA of 1964, the Community Action Program was consistently the most praised and the most damned. Undeniably the most far-seeing, the most experimental, the most difficult and the most irritating of OEO's programs--none of them simple in practice, no matter how clear in design--it was obvious from the start that it

would go hand in hand with conflict.

A good deal of the problem was political. It was a program which lent itself--indeed, provided fodder--for political rhetoric, condemnation and accusation. More fundamentally and importantly it was legitimate ground for serious political concern as well. Another factor which added to the problem was the intractability of entrenched interests and organizations which interpreted change and newly expressed views as challenges to prerogatives and established authorities, welfare agencies, lawyers, doctors, storekeepers and the police. Frequently, just the declared intention of beginning a Community Action Agency was considered to be a challenge. For the first time in the experience of many of the agencies dealing with the poor, their clients had a mechanism for evaluating their services in a way which demanded attention and could, in a manner which could not easily be ignored, demand improvement. The point was that, in almost any institutionalized field which dealt with the poor, there was a need for improvement; many times there weren't even any services to improve.

Other Voices

CAP gave a vocabulary, and then a language, and then a voice, to the poor. They did not, any longer, have to be silent.

There was criticism and complaint from every side of society with OEO frequently in the middle of the cross-fire. Militant civil-rights advocates charged that the program was deliberately excluding them from wide participation on policy-making levels. Such criticism ranged from cries of an "Uncle Tom" program designed as a "sop," to the more measured rhetoric of Herbert Hill, labor director of the National Association for the Advancement of Colored People, who, on June 28, 1965, at the NAACP convention, called the Administration program inadequate and an "extension of white welfare paternalism...We must rescue the antipoverty program from the social-work progression and from the politicians who want merely a sterile and ineffective program that will mean little or nothing for the Negro community...NAACP favors a real war on poverty, not a symbolic encounter." Nevertheless, the con-

vention supported the program in general and called for appropriations in fiscal 1966 of at least the amount requested by President Johnson.

Of all the difficulties, the chief one, the one from which derived the most bitter invective and the most prominent headlines, was the stipulation that the poor had to have maximum feasible participation in community programs. On this point there was no disagreement among any OEO officials; those who had instituted the proposal and those who later were engaged in interpreting it and making it operative. There was never any question that the requirement was to be implemented with firmness. In this they had Shriver's leadership and support.

By 1968, after the furor surrounding the mandate had subsided and the principle was established throughout the nation, Kravitz could say: "The concept of participation in program operation and decision making by the residents of the target areas, thought to be completely unworkable, has become an accomplished fact...Prior to this development, social welfare could be adequately charac-

terized as a noblesse'oblige responsibility of one group for the less fortunate. In the three years of operation of the Community Action Program, many communities have faced major changes in the leadership and power alignments which effect the coordination and distribution of social services."¹⁸ The path which led to that conclusion was a rocky one.

The Governors Veto

The issue of the Governor's Veto, considered by early observers to be a concession to state's rights advocates, received more verbal attention and press comments than it did official action. In September 1967, when OEO made a count, it added up to just 28 Gubernatorial vetos in 21,000 grants.

The original EOA had taken into account the sensibilities and concerns of state government machinery and provided Governors with a veto over projects involving VISTA, Job Corps, Work Training and Neighborhood Youth Corps; and Community Action. The prospect

¹⁸ Kravitz, ibid. p. 19.

of integrated Job Corps camps, VISTA Volunteers manning voter registration drives, and CAA's providing a funnel for Federal money into civil rights activities were obviously important considerations to be taken into account in passing the legislation.

The Governor's veto was exercised just five times in 1965.

The issue was brought up in the 1965 House hearings when the House Education and Labor Subcommittee made a tentative decision, on May 13, to repeal the veto power over community action and Neighborhood Youth Corps activities. The move was denied after a majority of the Governors from both parties strongly opposed it. A provision giving the OEO Director the right to override the veto was approved, however, on projects involving Work-Training and Neighborhood Youth Corps (Title 1B), and Community Action. The absolute veto on Job Corps and VISTA was retained, provided it was exercised within a 30-day period after the project had been submitted to a governor.

A resolution approved at July 1965 National Governor's Conference had expressed firm opposition "to any diminution of the power of a Governor to veto proposed projects and programs under the Economic

Opportunity Act." It requested Congress to "preserve intact the relevant provisions of the current law."

Earlier, Shriver had told the Conference that, "confronted with such unique opportunities for creating a new chance for millions of Americans, it seems paradoxical that there has been worry, even dismay or disgust in some quarters, over the amendment passed by the House of Representatives last week, the amendment which provided for overriding the Governor's veto under certain circumstances... Perhaps it would be well to remember that the Congress inserted the Governor's veto last year into this legislation on its own initiative...The veto is a symbolic question, but it may also be a misleading one. None of you, from the statistics, appear to have been particularly anxious to exercise the veto..."

In the question and answer period that followed, Gov. Scranton of Pennsylvania said: "Forgetting the veto...Our problem revolves around what participation the state government should or should not take in initiating or responding to community action programs..."

Shriver: "I would say in a sentence that we would look forward to the maximum initiative by states in getting community action programs inaugurated." For the most part, Shriver's expectations were realized. The real concern of the Governors, in the light of how infrequently the veto right was exercised subsequently, may have been expressed in Scranton's question; that the veto was relatively unimportant, except as a means of insuring that OEO confer with the Governors.

In an address to the Republican State Convention, in Anaheim, California, on September 23, 1967, California Governor Ronald Reagan, a strong opponent of the anti-poverty program, said that he had vetoed seven OEO approved projects within a period of several months. (He had come into office less than a year earlier.) But, he did not mention that, up until that time, California had approved 99.3 percent of all OEO grants at a cost of \$288 million, making it the largest state recipient of OEO funds. Nor did he mention that California was the first in the listing of states requesting OEO projects. It

had become clear that the states welcomed OEO projects whether their Governors were Republicans or Democrats.

State Technical Assistance Offices

The Economic Opportunity Act of 1964, Title II, Section 209 (b), authorized OEO to provide grants to States to enable them to provide technical assistance to communities in developing, conducting, and administering community action programs. In late 1964 many states applied for and received modest grants for small staffs.

These were approved hurriedly and without special guidelines from a one-man office in OEO Headquarters. Congress approved the programs to help assuage the feelings of the Governors because OEO/CAP is essentially a Federal to local community grants-in-aid program which bypasses the state governments--except for the veto authority.

In late 1964 and early 1965, OEO/CAP emphasis was on processing applications for Program Development grants to local community action agencies. Criteria for eligibility, standards and policy were continually changing and evolving and there was little time given to the state offices. There was little inclination to rely

on them for help because, in the view of Headquarters staff, the State Technical Assistance staff:

- 1) appeared to have little knowledge, competence or technical skill to be able to provide any substantial assistance;
- 2) when the governor was of opposite political persuasion, his state director would not always be understanding nor supportive of the basic ideas and concepts of an organized war on poverty fought by a Federal agency--especially without going through the states;
- 3) the STAs were also considered another roadblock which got in the way of direct communications and action between OEO/CAP and the local CAAs getting started.

In early 1965, when OEO was decentralized into seven regional offices, the authority to fund the STAs, as well as the responsibility to work with them and monitor their operations was delegated to the OEO/Regional Directors, and in turn to the CAP Regional Administrators, (at that time called "CAP Managers"). The CAP Manager, in turn, delegated this responsibility to each of his State District Supervisors--probably the busiest, most pressured

officials at the time in all of OEO. This new regionalization, however, did not help matters any. If anything they worsened because the STA Directors got even less attention from "the Feds" and they felt that now they had no point of contact in Washington OEO/Headquarters.

In June 1965, Shriver received a memorandum from his Inspection staff which commented on the results of a telephone survey made to all the 50 STA Directors. The survey was apparently made as a result of a number of complaints reaching Headquarters from the governors and the STA staffs. It showed there was much embitterment towards OEO, and was particularly critical of the lack of communication with the state offices plus the red tape and the delays in processing applications. The most galling thing to the STA Directors was their complaint that they were being ignored and bypassed by the Regional Offices. They also faulted OEO for not giving out sufficient information; for failing to give clear policy guidelines; for making it difficult to "reach the right person"; and for not getting enough money to do their job. Nothing much

appears to have been done officially by OEO in response to the survey results.

For at least another year there appears to have been no attempt in OEO Headquarters or the Regional Offices to better define the role of STA's and to improve their relationship with OEO. The situation varied greatly from state to state, and region to region. If the State STA staff was capable, and dedicated and had the personal backing of the governor, the Regional Office usually would begin to rely on them to do certain things and a generally good working relationship was thus established. The opposite situation also prevailed in certain states where the STA staff was so uninformed and/or incompetent that the Regional State District Supervisor felt compelled to ignore them, or the STA Director (and thus usually the Governor) was so antagonistic to the OEO programs, especially CAP, that the mutual distrust made the STA practically useless. The majority of the STA's, however, met none of these extreme descriptions, but ranged between them. Governor Brannigan of Indiana "solved this waste of taxpayer's money" by shutting down his STA. It has

not been opened to date--as of August, 1968, there were just 49 State Economic Opportunity Offices.

In the fall of 1966, the Training and Technical Assistance Branch of OEO/CAP Operations Division prepared a draft of a position paper on the functions of the State Technical Assistance Office which was circulated to the Regional Offices. At the same time some of the Regional Offices had been discussing the matter with the STAs within their Region and at least two had written independent drafts on what they considered the STA role to be. The Washington draft was revised several times and finally issued by CAP in March, 1967, in two papers: (1) "The Role of the State Technical Assistance Agency in the War on Poverty", and (2) "Guide to Grants to States for Providing Technical Assistance to Communities".

Either the distribution of the new policies did not satisfy the STA Directors, or perhaps their implementation by the Regional Offices of OEO left much to be desired. For at the NACD Conference (National Association for Community Development) in Phoenix in April, 1967, most of the STA Directors who attended wrote to

Shriver deploring OEO's failure to use the resources of the STAs and urging a meeting with him to discuss "our role and relationship to OEO."

On May 18, 1967, Elbert Jean (STA Director, Tennessee), serving as unofficial spokesman for the other STAs, wrote to Shriver summarizing the results of a questionnaire sent to all the STAs which showed that there was a concensus that there should be a national meeting to discuss and define the role of the STAs and to consider a permanent national organization. The meeting was tentatively planned for Chicago in July, 1967, and Shriver and his Senior Staff were invited. On June 3 Shriver replied that he could not attend their Conference. He noted the revised guidelines of March, 1967, and said that OEO was thinking of a national conference of the STAs in August.

As a result, the Chicago Conference was cancelled and the OEO-sponsored Conference was held in Washington at the Willard Hotel on August 14-15. While considered by many to be a "successful" conference, (43 states were represented) it was largely significant because it was the first national meeting of STA Directors to be

held and it was the beginning of an effort by OEO/Headquarters to repair relationships with the States and to recognize them as partners in the War on Poverty. The Conference proved to be a sort of catharsis for the STA Directors who presented their complaints and requests in a formal resolution (agreed on by all but two of them, Vermont and Kansas), entitled: "Position Paper of the National Council of the State Technical Assistance Directors", and dated August 14, 1967.

On August 18, Shriver sent Elbert Jean an "initial response" to the above Position Paper which responded rather positively to most of their complaints and suggestions. Probably the most significant concession he made was to state that a checkpoint procedure would be developed "so that the State Technical Assistance Office will have an opportunity to comment on Community Action application prior to submission to the Regional Offices". As a further follow-up, Robert Perrin, Assistant Director, Office of Interagency Relations, later to be appointed OEO Deputy Director, sent a memorandum on August 21 to the Regional Directors attaching Shriver's initial

responst to the STA paper and asking for their detailed comments by September 15, so that a more formal Agency position could be reached and implemented.

At this time, however, the Agency was in a virtual state of siege with Congress about to decide its destiny once again--with the outlook looking rather bleak. Little was done on the requests of the STAs in Washington, nor by the Regional Offices, in implementing what Shriver had agreed to. The EOA Amendments passed by Congress in December, 1967, authorized an enlarged role for the State agencies funded by OEO. Immediately after that Congressional action, the STA Directors requested another national meeting. OEO decided, however, that it did not want another meeting so soon after the last one, with so little implemented since the August meeting, and so little time to study the implications of the new legislation. OEO instead recommended that NACD sponsor a Washington Conference and OEO would participate to a limited degree.

Such a meeting sponsored by NACD was held in Washington, D.C., on December 18 and 19, 1967. Several senior level OEO officials

attended part of the conference and discussed, unofficially, the new OEO legislation, in particular the Green Amendment. It apparently came as a shock to some of the STA Directors that this amendment, according to OEO's interpretation, did not give the States priority to take over CAAs in their State if they so desired. The meeting ended in another, more strongly worded "position paper", dated December 19, 1967, entitled: "The Participation of the States in the Development of Policies and Guidelines for the FY 1968 OEO Legislation". OEO did not respond point by point to the demands outlined in this paper, but in a letter to Jean from Perrin, of January 3, 1968, the paper was acknowledged and it was stated that the STA requests would be considered by those drafting guidelines for the implementation of the new legislation.

In January, 1968, OEO's Office of Governmental Relations (formerly Interagency Relations), took responsibility for drafting an official, formal statement on the role of the STAs, using as a basis, the 1967 Economic Opportunity Act Amendments. The two position papers of the STAs were considered as well as the March 1967 CAP policies. In February a preliminary draft entitled "Enlarged

State Agency Functions" was distributed to states and local governments through the Advisory Commission on Intergovernmental Relations, pursuant to Bureau of the Budget Circular A-85. When these comments had come in and after the STAs had made many further suggestions, several more drafts were prepared until a satisfactory consensus emerged in April and a final draft was cleared and signed by Bertrand Harding, then Deputy OEO Director, in the form of OEO Instruction 72-10, dated April 30, 1968.

The Instruction entitled "Responsibilities and Functions of OEO-Funded State Agencies", became the official OEO guidelines on the role of the State Offices funded by OEO. In recognition of their changing role, their official OEO name was changed from "State Technical Assistance Agencies" (STAs) to "State Economic Opportunity Offices" (SEOOs). The Instruction recognized three main areas of responsibility: (1) coordination (including advising the governor); (2) technical assistance; and (3) operations. The latter meaning that they could administer anti-poverty programs if funds were available. A significant new coordination procedure

which the states had wanted was instituted by this Instruction: a checkpoint procedure system whereby all applicants for OEO funding for programs within a state must consult with the SEOO before the final proposal is put together and submitted to the OEO Regional Office. The effective date for the new procedure was July 1, 1968.

An OEO instruction assigned to the OEO Office of Governmental Relations the responsibility (previously vested in the Training & CAP Technical Assistance Division) for SEOO activities at the national level--while still reiterating the continued primary responsibility of the Regional Offices for the SEOOs.

The Instruction promised a national meeting of the SEOOs at least once annually and the Office of Governmental Relations sponsored and coordinated the July Conference. A planning meeting for this conference was held in May in Denver, attended by GR officials and the seven regional SEOO representatives (an SEOO Director is chosen, usually annually, to represent the other SEOOs within the region) in an effort to draw up an agenda responsive to the needs and interest of the majority of the SEOO Directors. Speakers included Harding, Perrin, and CAP Director Theodore Berry. Panel discussion

permitted extensive and effective participation on the part of the SEOO Directors. Attended by representatives from 43 of the 49 states, the conference was considered a great success.

Participation of the Poor

The issue of maximum feasible participation of the poor, according to Yarmolinsky, arose early in the Task Force meetings. It was brought up at the very first brainstorming session in connection with Community Action, when one of the participants, Richard Boone ". . .noted the danger that a local plan for community action 'might just be a plan among organization,' and it might not 'involve' the poor."¹⁹ At one point during the February 4 "brainstorming session, when Boone had used the phrase 'maximum feasible participation' several times, this writer," notes Yarmolinsky, "recalls saying to him, 'You have used that phrase four or

19 "The Beginnings of OEO," Seminar on Poverty, p. 19.

five times.' "How many times do I have to use it before it becomes part of the program?" "Oh, a couple of times more," was the reply. "He did, and it did."

Horowitz, who drafted Title II of the bill, says that the chief theoreticians of the participation of the poor provision were Kravitz and Boone and that he actually wrote the phrase "maximum feasible participation of residents of the area and members of the groups served," himself, "At one point," said Horowitz, "Kravitz said it represented 'a twenty-five year leap in the structure of public programs.'"

The first draft of the bill, dated February 19, 1964, and for internal Task Force use only, contained a requirement that community action organizations had to have on their governing body representatives of public and private agencies and "persons who are representative of community and neighborhood groups," Horowitz recalled. A second draft, dated February 24, refined the language to read that a community action organization is, among other criteria, "developed and conducted with the maximum feasible participation

of residents and members of the groups. . ." involved. There were precedents for the concept, if not the precise language, Horowitz said, in a

draft bill prepared by HEW dated February 2, 1964, and in a Labor Department draft bill dated February 1, 1964.

The ramifications of the requirement, according to Yarmolinsky, which were to become one of the most difficult problems involving the law, went beyond the expectations of the persons who envisaged it. "But there is an irony in the failure of the original Task Force--this author included--to anticipate the violent reaction of poor people and poor neighborhoods to the opportunity to affect their own lives through Community Action programs. In a community as sensitive to the problems of the distribution and transmission of power as Washington, the power potential--constructive and destructive--or the poor themselves was largely overlooked." 20

Kravitz says the requirement was "one of the outstanding innovations, with import beyond the hopes of the bill's drafters...During the short span of three years, Title II-A in its development of a new array of actions or at least a rearrangement, in its focus on problems, and in its precise emphasis on the poor, has wrought some changes in the

20 Poverty Seminar, ibid. p. 21.

interests, the power alignment, the leadership and the social welfare programs of most communities that have felt its impact."

During the Task Force period, Kravitz goes on to say, "Much of the emphasis on resident participation...centered around creation of new sub-professional job opportunities. During this period there was clearly a concern for their presence at the neighborhood advisory board level, but the issue of whether residents controlled a community action agency never arose and was never cited by those of us who were planning the program as a basic requirement. The clear intent was to substantially increase resident participation in program development and in the administration of programs at the neighborhood level. The inclusion of the requirement for maximum feasible participation brought little or no attention from the Congress during the 1964 hearings."

Kravitz quotes David Grossman, a former CAP official, "... the Civil Rights Act...opened up opportunities for Negroes and other minorities to claim long overdue rights... The Economic Opportunity Act had the potential effect of making...exercise of these rights more than a theoretical possibility for the vast proportion of the nation's minorities who were trapped in poverty. The civil rights

movement carried with it overtones of participatory democracy that had been dormant in much of American life for decades. This legislative combination clearly had much to do with the way the maximum feasible participation phrase was interpreted by Negroes, and to a lesser extent Puerto-Rican, Mexican-American and other minority groups."²¹

1967 Changes

The Community Action Program was drastically revised in 1967 with a series of amendments to the EOA²² which comprised a complex legislative change. Existing programs were altered and new ones devised. Stricter legislative control, both programmatically and structurally, was given to OEO programs with greater emphasis

²¹ Grossman, David, "The Community Action Program: Innovation in Local Government. 1966, mimeo, p. 16.

²² PL 90-222, Dec. 23, 1967

on local control.²³ The amendments rewrote the Act's title II provisions authorizing urban and rural community action programs; a community action agency was defined as a State or political subdivision of a state, or combination of such subdivisions, or a public or private non-profit agency designated by such a government entity or entities capable of conducting a comprehensive community action program.

Programs had to be administered by boards of not more than 51 members, one-third of whom were public officials, at least one-third representatives of the poor and the remainder representatives of major groups of interests in the community. Upward Bound, Head Start, Follow-Through and Family Planning programs, which had been

23 A 50-page handbook "Organizing Communities for Action" under the 1967 amendments was issued early in 1968 by OEO. It listed 12 major categories, each with up to 10 sub-sections, of mandatory requirements for a CAA to be able to fulfill the basic requirements of the revised EOA and the guidelines issued by OEO pursuant to the Act. On June 13, 1968, CAP Director Theodore M. Berry issued a memorandum covering and attached draft instruction which was a further refinement of the poor participation precept. "We expect," said Berry in his memorandum which was given the widest distribution, and asked for comment, "these comments to help us improve and strengthen the draft, so that the final policy issuance stands as testimony that the OEO and its grantees have renewed their dedication to involving poor people in the struggle to eliminate the barriers that have isolated them from the mainstream of American life. . . Experience testifies that the health and peace of the entire community is better served by open, honest, often heated discussion of controversial issues, with all the participants on an equal footing, then by suppressing debate and letting the issues smolder unattended. Communities in every part of the country are beginning to understand the necessity of active participation by the poor in the search for solutions to the problems and causes of poverty."

operating under general CAA authority were made statutory "special emphasis" programs, to which were added a new Health Career Program, an Emergency Food and Medical Services Program, and a Senior Opportunities and Services Program. The Legal Services Program was forbidden to defend persons formally charged with crimes, except in extraordinary circumstances.

The 1967 legislative hearings which ended with the passage of the amendments and funding authorization were the most difficult, the most conflicted and protracted and the most arduous of any OEO had encountered to date.²⁴ At the heart of the argument was the issue of local control by elected officials of government, a control which opponents of that amendment called a "pork-barrel" device and which its supporters insisted was essential to keep the program from floundering in administrative and unchecked chaos while offering community dissidents financial backing for disruptive activities. An opponent of the amendment, Rep. John Brademas, said it would turn

²⁴ A subsequent section on the "Crisis of 1967" will discuss the situation in detail

community action programs "over to politicians to be used as a patronage football." Its sponsor, Representative Edith Green insisted that CAA's "now have no responsibility, we just give them the money and they spend it as they see fit."

By that time, however, the concept of community action was firmly established throughout the entire nation (there were over 1,000 CAAs organized) even if there was still a great deal of bitter debate as to what, precisely, an acceptable definition of it was. Nevertheless, it was clear that the concept of community action, as it was formalized and implemented through OEO, had a profound, and continuing effect on community structure in American society.

Conflict on the Local Level: Mayors and Others

The stipulation for representation of the poor had gone through the legislative process, and was converted into law virtually without contention. The first sign of trouble to come, however, arose early in the life of OEO, in its first month of operation, according to an account by William F. Haddad, a former Assistant Director of OEO.²⁵

When the War on Poverty

²⁵ "Mr. Shriver and the Savage Politics of Poverty," Harpers, December, 1965.

was announced, says Haddad, Philadelphia's Mayor Tate organized a 13-man task force, 11 of them city officials, to direct the local program. He proceeded to ask for \$13 million in OEO funds and invited local civic groups to submit plans on how to use the money. "The operating agency was to be the Philadelphia Council for Community Advancement, a group financed by the Ford Foundation which was about to close up shop and had already been sharply criticized for its lack of grass-roots support." The Mayor and his program came under attack from Americans for Democratic Action, the Congress on Racial Equality and the NAACP. And, the criticism was well covered in the local press. Ignoring the protests, Mayor Tate took his proposals to Washington. "He was stunned," wrote Haddad, "when OEO coldly told him that not more than a third of his board could be made up of city officials. Tate pushed all the political buttons but no one jumped. By October, a month before the 1964 election, it was clear that Mayor Tate was coming home empty-handed, and his plight was intolerable. He had promised to help the poor. Now

he was charged with letting political and patronage considerations override his humanitarianism. Actually, Mayor Tate was only guilty of doing business as usual. No one told him the rules had been changed." The result was that an independent board was set up, including five Mayoral appointees, the Presiding Judge of the County Court, Twelve representatives of religious, racial, and labor organizations and social agencies, and twelve representatives of the poor.

That example ignited interest in city halls throughout the country. In June 1965, the U. S. Conference of Mayors came close to adopting a resolution accusing OEO, in effect, of trying to wreck local governments by setting the poor against the city halls. The resolution, introduced by Mayors Sam Yorty of Los Angeles and John F. Shelley of San Francisco said that, "...no responsible mayor can accept the implications in the Office of Economic Opportunity Workbook that the goals of this program can only be achieved by creating tensions between the poor and existing agencies and by fostering class struggle."

Yorty had also charged, on May 29, that "mayors all over the United States are being harrassed by agitation promoted by Sargent Shriver's speeches urging those he calls 'poor' to insist upon control of local poverty programs!" (Yorty, who had defeated Rep. James Roosevelt in the April 1965 mayoralty race was reportedly interested in running against California Gov. Edmund G. Brown in 1966.)

On August 17, after the devastating riots in Watts, Yorty charged, in a telegram to Sen. George Murphy, that OEO's objections to the local antipoverty program in Los Angeles constituted a "reckless effort to incite the poor for political reasons" and "was a factor in precipitating the Watts riot." He said the delay in approving funds resulted from "strong-arm tactics" and pressures from the Los Angeles Democratic delegation in the House of Representatives.

Shriver replied at a news conference the next day, calling Yorty's allegations "intemperate and unfortunate" and "untrue." Shriver said Los Angeles was the "only major city in the United States" which had failed to organize and acceptable central antipoverty organization. He charged that in Los Angeles "a few local officials have made it extremely difficult for the private agencies, minority

groups and the poor to join in the war on poverty."

OEO had granted about \$17 million to individual public and private agencies in Los Angeles but withheld about \$22 million from the city's "umbrella" agency favored by Yorty.

Undersecretary of Commerce LeRoy Collins had arrived in the city to advise on the racial situation on August 18, and by August 23, with his intervention, a compromise was worked out between OEO and Yorty under which a new Economic and Youth Opportunity Agency would be formed, including the minority group representation demanded by OEO.

The Mayors Conference resolution attacking OEO was not voted on, but went to the Executive Committee which in turn decided to establish a Special Continuing Committee to meet with Vice President Humphrey on the matter. The Vice President had been asked by President Johnson, in 1964, to help in the coordination of the anti-poverty program, especially in the area of reconciling differences.

A number of meetings involving the Vice President, members of

his staff, OEO officials (including Shriver), and various mayors followed. The Vice President acted as conciliator, assuring the mayors that they had an important role to play in the poverty program. But, he insisted that the legislation clearly mandated participation of the poor. Vice President Humphrey took the position throughout the controversy that in the great majority of cases it has been possible to work out programs involving the utilization of local machinery and participation of the poor. He did not think the components were incompatible. In a speech to the League of Cities organization in Detroit on July 27, 1965, the Vice President said that city government must "play a key role in Community Action programs. . .there have been some problems in this connection. But the fact is that we are happy in Washington that our nation's mayors have, by and large, helped lead development of local poverty programs. No sooner was the Economic Opportunity program enacted than many of you started mobilizing your cities for it. I have had numerous discussions with the mayors of America and with officials of the poverty program, and I cannot tell you that your important

role is assured--as it should be...There has been, and there will continue to be, flexibility in the administration of Community Action... The great bulk of all community funds are being routed through Community Action Agencies. And in the future this will be even more so...This is as it should be...This process is already started."

The chagrin of the mayors in 1965 may have been aggravated by their recollections of the 1964 hearings before the House Education and Labor Committee. On April 14, 1964, Mayor Richard Daley of Chicago had explained to the Committee that he would be satisfied if the same procedures for coordination at the local level would obtain under OEO programs as prevailed under existing demonstration programs in his city. This meant direct or indirect control of the programs. Rep. Peter H. Freylinghuysen commented "This is not what the bill would do Mayor --" Daley responded, "As far as we are concerned, Congressman, that is what it does." (1964 House Hearings, p. 767) Later, in May 1964, Adam Yarmolinsky assured Dr. Deaton Brook, Daley's Community Affairs representative, that it was OEO's firm intention to deal exclusively through the Mayor's

committee in Chicago and that the bypass provisions would be invoked only where there was no coordinated effort in the community.²⁶

In a speech to the American Bar Association in Miami Beach on August 11, 1965, Shriver said, "Our statute requires maximum feasible participation of the poor in all aspects of anti-poverty programs. We intend to carry out the mandate of Congress on this. But to do so does not require the imposition of inflexible and arbitrary quotas. We believe in flexibility. But flexibility cannot become a euphemism for evasion of our statutory duty."

On November 5, 1966, an article in the New York Times again drew national attention to the controversial stipulation, this time bringing the Bureau of the Budget into the situation. "The Budget Bureau," the article by Joseph Loftus said, "fiscal arm of the White House, has told the Office of Economic Opportunity that it would prefer less emphasis on policy-planning by the poor in planning community projects. . . . In the Bureau's view, this means primarily using the poor to carry out the program, not to design it. . . ." There

²⁶ Internal memo, Yarmolinsky, May 27, 1964.

Moreover, it seems to imply that such a policy has been enunciated by the White House. Frankly, no such change in OEO's policy has been directed or ordered by anyone in the Administration. Our policy is today and will remain exactly what it has been from the very beginning." While the help of the Budget Bureau had been "extraordinarily useful from the earliest days to the present," he said, "in this case, the Bureau. . . may well believe that we have stressed the statutory requirement too strongly. But the poor don't think so." And, while it was true that the statutory requirement of participation of the poor was subject to numerous interpretations, it was perhaps, for that very reason that it had not specified "precisely how" it was to be achieved. From the very beginning, Shriver said, OEO had acted in accordance with five fundamental principles:

First and foremost, we have maintained there can be no successful war on poverty without participation by the poor.

Second, a community action program where there is no participation by the poor cannot be viewed under any circumstances as fulfilling the legislative requirement.

Third, to carry out a new concept such as "maximum feasible participation of the residents of the areas and groups to be served" requires time--time for education and understanding, time for negotiation, time for experimentation, and time for total imple-

mentation. And as a consequence, the Office of Economic Opportunity has, in the past, and will continue in the future, to fund programs where at the start there may be little participation by the poor so long as there is a convincing showing of local intent to live up to the letter and spirit of the law.

Fourth, the concept of maximum feasible participation by the poor is an evolutionary one. Where there has been virtually no participation by the poor (or even minimal participation by minority groups) we have uniformly imposed conditions requiring that these defects be progressively overcome. Fortunately, our confidence in the honesty and effectiveness of local leadership has not been misplaced.

Over and over again community action programs have not been dominated by politicians or businessmen or labor leaders or religious groups or civil rights workers or by any other single group. These community action programs are controlled by the community. And that means all the people including the poor. Hundreds upon hundreds of communities have started community action programs in full compliance with the law. Ninety percent of the boards of all community action programs have representation from the persons or residents of the area to be served. And on those boards where there is such representation, they average thirty percent of the board.

Fifth, we do not interpret participation by the poor in a narrow or restricted manner. We do not limit ourselves to the single idea of membership on a board of directors or on advisory committees. Rigid, arbitrary percentage figures, magic formulas, and Federally-dictated blueprints are all unworthy of a nation which gave to the world a new concept of democracy, of revolution, of Federalism and of human rights. No single blueprint -- whether it be 33 percent or 99-44/100 percent -- can be dictated uniformly to a nation larger and more diverse than the Roman Empire at the height of its power. From the outset the Office of Economic Opportunity has maintained that there were a variety of ways by which the poor could be involved. Membership on the board of directors is one and only one. Others include:

- employment of the poor as members of the staff of community action programs;

- programs to educate and train the poor for leadership roles in their community;

- special job training, counselling and placement programs;

- carefully supervised work experience coupled with formal instruction and psychologic counselling;

- stimulation of self-help efforts by the poor;

-- encouragement of the formation of neighborhood groups in poverty areas.

All of these approaches -- and others -- can and are being used to involve the poor in all aspects of anti-poverty programs.

Therefore, it is a serious misunderstanding of fact and policy to conclude that there has been or will be a decreased emphasis on maximum feasible participation of the poor. There will be no retreat from our earlier policies and no slackening in our effort to press for vigorous and creative compliance with that requirement."

Again, on December 6, at an antipoverty conference in Chicago, after acknowledging the difficulty of implementing the requirement, Shriver tried to clarify the issue. He listed three principles as essential to its implementation: "First we say don't prejudge the poor. They have much to teach us all. Second, don't prejudge the so-called 'establishment.' It has the capacity to listen, to respond. And third, don't cry failure at the first sign of controversy." He went on to describe the relationship between officialdom and the poor in metaphorical terms: "Many well-meaning people say: 'Why ask the poor how to conquer poverty? If they knew they wouldn't be poor. It's alright for them to have jobs in the program -- but they shouldn't design the campaign.'" To which we reply: When a man goes to a doctor, the first thing the doctor usually does is ask: 'What's wrong? How

do you feel...?' That's what we are asking the poor. 'Where does it hurt?'...We have to ask these questions--and keep asking them. That's what involvement of the poor is all about."

The question had been an issue of considerable debate even within the OEO itself. To be weighed were, in addition to Shriver's ultimate opinion, the various interpretations of different officials as to definition and operation, and a number of guidelines and explanations contained in the Community Action Program Guide, issued in February 1965. This said explicitly:

A vital feature of every community action program is the involvement of the poor themselves--the residents of the areas and members of the groups to be served--in planning, policy-making, and operation of the program.

The Guide specified that CAA's had to have representation from the elected officials of the political jurisdiction involved, as well as representation from community, non-public leadership and the groups and area to be served. This tri-partite division was later to be formalized into law. The participation requirement was supplemented in a subsequent Workbook which spelled out that, "...involving the poor at the administrative level of CAA's is a condition

of funding. This condition cannot be satisfied by a mere symbolic act of placing a member, or members of the client population in the policy group of the organization. It is required that the poor and the advocates of the poor occupy positions of evident influence."

William Haddad, as Shriver's Inspector General, a position he had held under Shriver at the Peace Corps where he had been an Assistant Director, was a zealous advocate of representation of the poor. The author, Edgar May, who was to take over the Office of Inspection in September, 1965, about eight months after Haddad had set it up, recalls that what Haddad did principally "was to insure participation of the poor." The Office of Inspection worked assiduously at that time to emphasize that aspect of the program more than any other office in the organization. It got into programmatic matters which brought it into conflict with CAP. It would call up people and check to see if they were really poor. This was part of a pre-grant review process. The difficulty, even within the Agency, May said, was to "determine what was adequate representation." There were decidedly differing views on the matter. At one time the figure

of one-third was used but Shriver objected to being pinned down to a formula, insisting that flexibility was required to decide individual cases. But, May recalled, Shriver's reliance on the Inspection Office reports gave it a virtual veto on all early grants. Jack Conway, who had come from the AFL-CIO's Industrial Unions Department as a Task Force member and who became OEO's first CAP director, objected to the influence of Inspection Office reports on policy. He considered them to be an infringement of the CAP function and authority. There were a number of head-on clashes between Conway and Haddad over that issue. For a while, May said, field inspection reports concentrated heavily on board make-up. Every other problem was minor compared to that issue and its implications in those formative days. After a while, May said, the important question became not who was on the board but what was the program accomplishing in the community.

The 1966 amendments to the EOA, however, made it a statutory requirement that one-third of the members of governing boards of CAA's be representatives chosen by the poor. In 1966, Rep. Samuel

Gibbons of Florida, confessed before the House Rules Committee that in attempting to define the maximum feasible participation mandate, "I went back and tried to find out exactly what the administration meant by that law. I examined the testimony of Mr. Shriver at that time and he did not mention these words or even call attention to this section...To my knowledge, the only witness that even talked about these words, and then for only a couple lines, was the then Attorney-General of the United States, Mr. Kennedy. There is a great deal of difference as to what these words really mean. Some people say these are the revolutionary words of this statute, that this is something new that nobody ever dreamed of before. Other people say this is just sort of an amiable expression, that we meant these people would be employed and utilized as much as possible in these programs."²⁷

On June 15, 1966, the U.S. Conference of Mayors at its annual meeting in Dallas adopted a resolution which was a far cry from the resolution considered in 1965. It said:

²⁷ House of Representatives Hearings, 1966, p. 84.

"...be it resolved that the Conference calls upon the President and the Congress to expand the community action program through local umbrella-type agencies which should...have broadly representative governing boards including those affected by the program, representatives of local government and civic groups having an interest in the program..."

Testifying before the Subcommittee on Employment, Manpower and Poverty of the Senate Labor and Public Welfare Committee

on June 23rd, Mayor John V. Lindsay of New York City explained:

The resolution declares the enthusiastic support of the Nation's mayors for the community action program. Scattered doubts and disagreements during the early months of the program have given way to a clear endorsement of the community action program as a touchstone for the institutional changes that will permit our cities to deal more effectively with the blight of poverty. The Mayors of America have come to play a decisive role in this drive against impoverishment.²⁸

In dialogue with Sen. Jacob K. Javits, Lindsay developed the point:

Javits: Would you say, Mr. Mayor, that the conference of Mayors sees no objection to community action programs by virtue of whatever content of social action, after crystalization and refinement, they may still retain?

Lindsay: The answer is, 'Yes.'²⁹

The 1966 and 1967 amendments clarified the issue decisively.

By July, 1968, OEO records showed that in fewer than 10 percent of

²⁸ Senate Hearings, 1966, p. 232.

²⁹ Ibid. p. 242.

the cases did public officials move to take over existing private, non-profit CAA's even though they had the option to.

But, even as the conflict subsided between Washington and local officials OEO continued to stress the need for the direct involvement of the poor in making programmatic decisions. There was no question any longer as to participation of the poor but there remained a large one as to how much they had to say about the actual planning of programs. Nevertheless, the intent was clear and explicit. In a memorandum to the entire CAP organization on September 9, 1966, Shriver said, "...our insistence on participation of 'the residents of the area' has not been limited to, and will not be limited to, membership on CAP governing boards. That particular 'bone of contention' is for the most part now behind us." Shriver then quoted the "man from Watts who told me:

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

"We have no intention," he continued, "of course, of letting any one group, even the poor themselves, 'run the jobs' or 'run the

programs.' That's not Community Action. But it is crucial that all of us understand the intensity of poor people's determination to participate actively in programs designed specifically to help them help themselves.

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

As strong as its emphasis was on deep involvement of the poor OEO was, however, frequently the target of groups representing the poor themselves. In 1965, for example, The Woodlawn Organization (TWO) which was later to be funded by OEO in a highly and consistently controversial program, issued an 11-page "black paper," calling the antipoverty program a "war against the poor" in which Negroes were treated "like animals in a zoo... We are sick unto despair of having

rich whites and their carefully chosen black flunkies tell us what our problems are, make decisions for us and set our children's future," it said. TWO strongly objected to an OEO grant to the city's "umbrella" agency, the Chicago Committee on Urban Opportunity which was administered by two citywide committees appointed by Mayor Daley.

Achievement

In the summer of 1968, OEO brought together a report on its FY 1967 activities which could point to the establishment of over 1,000 Community Action Agencies. In addition, 61 others were serving 105 Indian tribes on reservations. With few exceptions, they had been started from scratch shortly after OEO was formed. "Despite their short existence," the report said, "these CAA's have become positive forces for constructive change. They have developed, through experiment, new attacks on poverty which are shaped by local people to meet local needs and circumstances and are tested on the pragmatic

question, 'What really works?' They have coordinated and integrated many related programs and activities to assure maximum efficiency and results from every dollar invested."

The report emphasized a number of innovatory planning, budgetary, managerial and training techniques designed to improve the program and emphasizing the exertion of local agency control. In planning, for example, a number of CAA's had helped prepare community proposals for the Department of Housing and Urban Development's Model Cities Program. Ten multi-purpose training centers and six urban training centers in Boston, Detroit, Los Angeles, St. Louis, San Francisco, and Cayey, Puerto Rico, were funded. The centers offered training in administration, personnel and fiscal management, health and manpower and basic OEO orientation. They were

designed for CAA and delegate agency directors, planners, supervisors, administrative staff, volunteers, neighborhood center directors and others involved in community action programming and operation. Other training programs included an Indian Training Consortium administered by the Universities of Arizona, South Dakota and Utah; internship programs to prepare college students for community action careers; and, legal service centers, to train lawyers in handling poverty problems.

The concept of the multi-purpose neighborhood center had been put into effect widely and was being expanded, the idea being to concentrate the entire range of services available to the poor and to utilize them fully. Three-fourths of all CAAs had planned to operate such centers in FY-1967 although many were postponed because of cutbacks in funds. Still, there were about 700 by the end of FY-1967. The report estimated that four million persons had obtained health, legal aid and other services through the centers. The center in Washington, D.C., offered job counseling and placement, legal, housing and social services and a credit union. The U.S.

Employment Service and the D.C. Departments of Welfare and Recreation had stationed personnel there to be available to people who needed their services. In the rural Jessie Cosby Neighborhood Center in Waterloo, Iowa, the activities of 17 different agencies had been drawn together. And that year saw the launching of the Federal Interagency Pilot Neighborhood Centers Program, in which four Federal agencies (OEO, HUD, HEW, and Labor) coordinated their efforts to provide funding for a multiplicity of services in pilot neighborhood centers in 14 cities.

In Manpower Development, one of the major advances had been the emergence of subprofessional roles for the poor within the CAA's. Efforts were made to hire more men and older persons, provide more and better training and to give greater attention to the possibility of lateral transfer to existing jobs in newly established public agencies. During FY 1967 some 85,000 poor persons were employed by CAA's in subprofessional jobs. By the end of 1967 the majority of CAA's were performing manpower and related services and were prime sponsors for 19 of the 21 concentrated employment pro-

grams started during the year. With the initiation of the Cooperative Area Manpower Planning System in the spring of 1967, many CAAs achieved a voice in the planning and implementation of Comprehensive Manpower Programs funded by the Departments of Labor, HEW, HUD, Commerce, and OEO, in each of the 50 states and the territories. Examples of effectiveness:

-- In the Spanish-speaking community of South Barelmas, outside Albuquerque, the local CAA hired a man from their own neighborhood as an employment counselor. In a three-month period he placed 56 unemployed in vocational training, 20 in vocational rehabilitation through HEW, and 197 in temporary and permanent jobs.

-- Almost 1,500 formerly jobless Detroiters, helped by an adult and youth employment project costing \$788,000 were earning some \$4 million a year and paying about \$650,000 a year in taxes.

-- Elsewhere: Some 900 jobs in San Francisco were created or newly opened for minority group members in three months; in Pittsburgh, more than 1,000 low-income people were placed in jobs within eight months; in Grand Rapids, 1,644 people received job training

and 835 were placed in jobs within a year. In Philadelphia the program, in three years, provided jobs for 3,000 persons, added \$8 million to the city's economy and saved the state \$2 million in welfare costs.

One of the most significant and productive advances in manpower development during FY 1967 had been the joint funding of 18 Opportunities Industrialization Centers as Community Action Programs by OEO, and the Departments of Labor and HEW. OIC's took the unemployed as well as the underemployed, gave them basic prevocational and vocational education, and classes designed to increase their motivation.

The 1967 report contained additional information and records of achievement in the fields of credit unions, housing, education, special summer programs and other activities involving the multifarious range of CAA's.

A tabulation of results concluded that benefits were transcending the boundaries of depressed neighborhoods to affect entire communities.

Examples:

-- St. Louis reported that in one area juvenile delinquency had been reduced by 60 percent since the introduction of CAA youth programs;

-- Of 693 high school dropouts enrolled in a Neighborhood Youth Corps project through the New Orleans CAA, 200 found employment, 54 returned to school, 65 were placed in the Job Corps, 40 entered Manpower Development and Training Act programs, 12 obtained positions in the state or Federal Civil Service, 15 were hired by their NYC supervisors for permanent jobs, five went to college, and 20 entered the armed forces.

Failures and Reviews

The expectation of failure was not one reserved for critics of the program. Built into the structure of OEO was an elaborate, and continually revised, system for ferreting it out. Many programs were only partially successful. Many were total failures. Internal OEO memoranda give some of the flavor and reasons for the termination of programs by OEO itself. Some of these are listed

below as representative examples.

The Reno County Community Action Program, Inc., of Hutchinson, Kansas, never got started because of lack of organization and direction. At the time of the report a board meeting hadn't been held for six months, both the director and assistant director had resigned the previous month, and a committee appointed to consider applications for a new director had never met. No programs were funded.

A total of \$155,000 was channeled into the Franklin County, Ill. CAA before the program was terminated by OEO for failure to comply with the stipulation to truly represent the poor. The picture in the county was one of high unemployment, steep relief rolls and general sub-standard housing. OEO found that an active and enthusiastic Board ignored representation from the community's most poverty stricken area, that the so-called low-income members were questionably so and that the advisory committee membership was linked with local politics. There were no low-income persons on the 30-man advisory committee at all.

In Nampa County, Idaho, bickering among board members held up

the entire program.

A lack of interest resulted in no CAP office, staff or programs in the Reno County Community Action Program of Hutchinson, Kansas.

It was closed.

The Ford County Community Action Committee, Dodge City, Kansas, with the exceptions of a Head Start program and a Neighborhood Youth Corps program, failed to get any of its programs operating. Closed.

The Northeast 4-County Development Corp., Wolf Point, Montana, couldn't engender enough interest to get any programs operating, and there was a similar situation in Rapid City, S.D., where a Rapid City Community Action agency had been formed.

A memorandum dated June 15, 1967, on the subject of failures reads:

"Here are a few of our more notable failures:

In East Boston, Mass., two years after the establishment of a community action agency, not a single program has been mounted; only four aides have been hired, and they are uncertain as to their function. The cause is an internal squabble in the East Boston community which has spilled over to the CAA board.

In King Ferry, N.Y., a program for migrant workers was a failure because of the concerted opposition of farmers, who refused to allow the migrants to take part in any programs during any hours during which bean-picking might conceivably be accomplished. The

farmers also refused implementation of a component which would assure the migrants of at least one good meal a day , largely because the farmers felt they could get more work from a hungry migrant than from an un-hungry one (and because the crew leaders profited from the food they sold to migrants at their canteens).

In the Bedford-Stuyvesant section of Brooklyn, N.Y., not a single 'community aide' has been trained and found employment in the private sector, despite a work program which contemplated as many as 1,300 such placements a year.

A review of the Givson-Posey Economic Opportunity Corporation,

Gibson-Posey Counties, Indiana, came up with the following evaluation:

ation:

Slow to move...Several in the area say the director is unimaginative and incompetent and responsible for the program's inaction. The director is unimaginative. Board of Directors is drowsy and lack-luster. A void of programs other than canned ones such as Head Start--and even that is substandard. CAP non-professionals, with exception of two part-timers, are not poor. By-laws are flawed. Board of Directors elect their own members. Rural poor have not been reached. CAP almost unknown in the area.

...For the 1966 Head Start program, the director, because of a slip-up in Chicago, was allowed to purchase expensive durable equipment (\$480 electric typewriter, \$480 worth of mimeographing equipment) which duplicates equipment in CAP office... In the proposal for refunding, the director again asked for \$1,963 in durable equipment (film projectors, screens and record player) duplicating items that he received for last summer's program. This was quickly knocked out by the Chicago analyst. Program terminated.

Such brief assessments represent the most minute distillation of the elaborate and detailed evaluation and inspection processes which were constantly employed by OEO to measure the value of its programs and the entire machinery used to put them into effect.

This process will be examined later, in the sections on the Offices

of Inspection and Research, Plans, Programs and Evaluation.

OEO had also periodically employed the services of a number of outside consulting firms to examine its programs and to recommend changes. One such report submitted in six sections over a period of months created a furor on the floor of the House of Representatives and in the newspapers. The action was touched off in the 1967 hearings on OEO legislation when Rep. Green, who had obtained a section of the report critical of some regional management procedures, demanded that the entire review be made public. The study, done by McKinsey and Company, Inc., was an exhaustive survey, with recommendations, of CAP's entire managerial system. One section found low morale and dissatisfaction among regional antipoverty workers reflected in a high personnel turnover rate. Shriver made the entire report available to House Education and Labor Committee Chairman Perkins, asked that it be shown to Mrs. Green and that it be treated with executive privilege.

Shortly afterward, on October 25, 1967, OEO made the entire study available in its library. The announcement of its availa-

bility was included in a release which made public a letter to Shriver from Bruce W. Rohrbacher, head of the Washington office of the consulting firm. In his letter Rohrbacher pointed out that, because the reports were for people already familiar with the organization, they were not designed to provide a full list of accomplishments, strengths and weaknesses, but rather to focus on opportunities for improvement. This is what OEO itself had retained the firm to do. "The full report," said Rohrbacher, "contained some 68 pages, and only a few of these were given to a recitation of the underlying problems; all others were focused on the improvement actions to be taken. And over the past four months, CAP in headquarters and in the regions has had a massive effort underway to act on those improvement recommendations."

As an outside and impartial evaluation of the CAP mechanism, Rohrbacher's letter is pertinent to any consideration of the program:

...In our view, CAP is to be congratulated on its accomplishments to date and, perhaps more importantly, on its unyielding desire to continually improve its efforts and accomplish its most

worthwhile goals. In each of its dimensions, the CAP mission is as difficult and complex as any we have seen in or out of government. For example, the task of 'defining the market' - i.e., identifying poor people and their needs - is just the starting point and by itself is extraordinarily complex. Nevertheless, in the face of such challenge, in an environment of almost constant criticism, and with inadequate staffing, CAP has made remarkable strides in:

- Gaining widespread public support for the need to aid the disadvantaged;

- Developing vital program concepts such as Neighborhood Service Centers, Foster Grandparents, Head Start, Legal Services, Upward Bound and many others;

- Building an extensive field organization, including 1,100 Community Action Agencies and seven regional offices;

- Attracting a nucleus of excellent talent;

- Developing working relationships at the national, state, and local levels where none had existed.

"These are examples of basic building blocks that any organization - public or private - must put into place before it can fully accomplish its mission. These building blocks, coupled with the management improvements now under way, will provide CAP with the sound administration needed for accomplishing its ultimate objectives...

"We sincerely regret that its critics do now view CAP in this perspective. It is particularly regretable that, despite CAP's many judgment of a few individuals in some far-flung reaches of the programs can bring severe criticism and even stinging indictment of the entire program.

"In sum, our analysis of the Community Action Program has been exhaustive and our recommendations have been or are being implemented. These steps, coupled with CAP's existing strengths, will provide a solid platform for successful operations. Given adequate support, we believe CAP will continue to be of substantial aid to the nation's disadvantaged."³⁰

30 Ltr. from Bruce W. Rohrbacher to Sargent Shriver, October 25, 1967

The institutional process of self-revision was a continuing one. In July, 1967, CAP announced a program to integrate and improve those management processes and systems which were primarily "information based." Crucial to this move was the establishment of a series of "program accounts." These 22 stipulations were the building blocks which described the total range of CAP programs carried out by grantees. They constituted a common language for planning, budgeting, grant application, accounting and reporting by grantees and began slowly to replace the variable component project systems used by CAP from the beginning. In June, 1968 CAP embarked on a program to improve the management capabilities of CAA's - their planning, organization, leadership, coordination, personnel, budgeting, accounting, reporting, etc. The first step involved grants to 30 CAAs with which they could contract with consulting firms for intensive assistance in assessing their management capabilities and setting out improvement plans. ✓

Other systems included the completion, in May 1968, of two new financial management manuals on grantee accounting and financial

control techniques; policies were issued to grantees on their non-Federal share requirements to assure acceptable non-Federal share and to reflect the amendment to the EOA of 1966 which increased the non-Federal share from 10 to 20 percent; in August 1967 a new system of program progress reports to give a definitive picture of results in relation to plans went into effect. And, in July 1968 a new grant application process was begun, to be implemented over a period of 15 months based on the timing of a program rather than a fiscal year. The new process required CAAs to present their overall strategy and plans for programs, including three-year projections of funding requirements, among other innovations.

A thoroughgoing review of community action program was issued by the National Advisory Council on Economic Opportunity in June, 1968.³¹ The Council, established by the EOA, and consisting of a distinguished group of persons representing every field of endeavor in the country, focused on the community action program, it said, because its programs accounted for half of OEO's fiscal-68 budget, "and also because the Council believes that this part of the total

31 "Focus on Community Action."

endeavor of the OEO is the least understood and the most challenging of all the programs of that office."

In its review the Council consulted 285 reports and documents and was in touch with nearly 2,600 governors, mayors, county officials, and national organizations "on the question of how anti-poverty programs are being administered in their communities."

"The OEO," the preface said, "in little more than 3 years has made significant progress. It spends less than 10 percent of the funds paid out by the Federal Government to help the poor, the aged, and the underprivileged, but its impact has been without precedent..."

The Council concluded that the OEO was an essential tool in the national effort to eradicate poverty; that it represented a unique governmental approach toward solving a major social problem; that its programs had been experimental and innovative, and that they "must remain so." Of OEO's different efforts the Council cited the community action program for special praise. It made a number of recommendations including the need for programs to remain flexible, experimental and multifaceted; the continuance and strengthening

of full participation by all elements of a community; that no reductions be made in appropriations and that, moreover, funds for community action be "substantially increased at the earliest possible moment;" that every effort be made to insure that OEO was "not disrupted by serious delays in annual appropriations" and, finally, that "the Nation maintain the integrity of the community action programs of the OEO for at least six years beyond 1968 in order to permit a full 10-year period of experience with community action programs."

The National Emphasis Programs

The initial Economic Opportunity Act did not specify any particular programs for mandatory institution. Its language dealt with areas of need and, with regard to these, it authorized Community Action programs "including, but not limited to, employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and special remedial and other non-curricular educational assistance for the benefit of low-income individuals

and families." This was in accord with the emphasis, strongly advocated by OEO, on the need for local option and flexibility in determining program priorities. Many communities, lacking administrative structure to handle the kinds of comprehensive programs envisaged by OEO took the easy way out and began haphazardly to meet what they considered to be reasonable need, or just to spend the money available to them. "...local bureaucracies with a capacity to spend Federal funds--such as school systems who needed more remedial teachers--obtained large amounts of money. Most community action proposals were little more than a number of separate 'component programs' put together in one binder. It was the rare community which developed those linkages among programs which community action was supposed to facilitate.³²

The need to provide at least some priorities in specific programming was realized very early at OEO, not only because too many communities were floundering in getting started but because of the distinct need to prove the value of the entire program to Congress

32 Wofford, p. 40.

and the country at large--with measurable results. What was needed was something to show, quantitatively, exactly how help was being provided and, at the same time, to provide help where it was critically needed and virtually unsupplied. Shriver decided to make available funds for specific purposes which could be obtained beyond established quotas but according to definitive guidelines--in short, pre-packaged programs. All the community had to do was to be willing to institute the program, after having shown a need for it. These National Emphasis Programs began with Head Start in the summer of 1965 and expanded afterward into a variety of legal service, manpower and health programs. Head Start proved to be so popular that in 1966 Congress began for the first time to earmark Community Action funds for specific programs. In the 1966-67 fiscal year, for example, Congress earmarked more funds for Head Start (\$352 million) than it made available for unrestricted use by communities in all other community action fields (\$323 million). This was seen by many close to OEO as a threat to the program as a whole. "As of July 1, 1967,"

said Wofford, "there was not enough unrestricted Community Action money left even to refund all existing Community Action projects."³³

³³ Wofford, ibid. p.41.

Project Head Start

Project Head Start

On February 12, 1965, the staff of the Community Action Program received a memorandum beginning, "OEO will be announcing this week-end the initiation of Project Head Start." It continued:

This program is focused on providing federal assistance to communities for the establishment of child development programs during this coming summer. These programs will involve health, social services and educational activities for children who are to enter school in the fall.

. . . Mr. Shriver is sending letters to community leaders throughout the nation which will call their attention to Project Head Start. His letter will include a registration card which can be returned to OEO indicating that the community is interested in the program. . . These applications will be processed by a special staff of analysts knowledgeable in the field of early childhood programs. . . Community action agencies will receive preference in funding the proposals, but there will be a determined effort to use this program as a first step toward community action in a number of hard-to-reach communities.

The memorandum, signed by Jule Sugarman, was in size (just one page), and in modesty of tone (as evidenced above), one of the shortest and most innocuous appearing pieces of paper ever to have circulated in an organization perpetually inundated by hurricanes of memoranda, a good deal of it written in tendentious desperation and much of it running to volume dimension. No one could have logically foreseen the outcome of the Sugarman memo, certainly not even the small group of people who, less than four months earlier, had set out to implement one of Shriver's plentiful requests.

OEO had been functionally operational only several weeks when word filtered down that Shriver was interested in something called the "kiddie corps," Sugarman recalled.¹ It was not, by any means,

¹ Conversation, July 16, 1968, in his office at HEW, where he was Associate Head of the Children's Bureau.

a new concern for Shriver who had been aware from the beginning days of the Task Force that something specific needed to be done for the children of the poor. The question was, of course, what. It was known, for example, that 17 percent of the nation's poor, or nearly six million, were below the age of six. The statistic, translated into the daily lives of children constituted one of the more appalling aspects of poverty in America.

Shriver asked Richard Boone to look into the question and Boone, acquainted with Shriver's method of operation, began immediately to identify and then to contact persons preeminent in the field. Boone appointed Sugarman, who later became Head Start's Associate Director, as his deputy. Sugarman, a public administrator and political scientist, had been one of the original members of the OEO Task Force. Boone and Sugarman got in touch with Dr. Robert Cooke, head of the Johns Hopkins Pediatrics Department, and Dr. Edward Davens, Deputy Medical Director of the Health Department of Maryland. An additional number of experts were consulted and after about six weeks of periodic meetings, during which time Sugarman was detailed full time to the project, a report containing the essential precepts of Head Start was prepared for Shriver. "No sooner had it hit his desk," Sugarman said, "than we were told, 'O.K., let's get it operational.'" Very shortly afterward "Shriver said, 'I want, by this afternoon, a budget and a program.' At that time we didn't even have a name for it. We had a brain-storming session and Judah Drob, who was on the training staff, said, 'How about Head Start.' And that became it."

It is not surprising that the name of Dr. Julius B. Richmond had been brought to Shriver's attention. Richmond, dean of the medical faculty at the State University Upstate Medical Center, Syracuse, was also vice president of the Child Welfare League of America and had served as chairman of the section on child development of the American Academy of Pediatrics. "He came down one Sunday afternoon in the midst of a snow storm," Sugarman said. "I went to Dulles Airport to pick him up and delivered him to Shriver's driver. Several hours later he emerged as Director of Head Start." Although there was a 14-member Head Start Steering Committee, headed by Dr. Cooke, and comprised of prominent pediatricians, educators, psychiatrists, social workers, nurses and psychologists, the actual staff of Head Start at the time consisted of Dr. Richmond, Sugarman and a secretary.

The Steering Committee had outlined the scope, the problems and the hopes of the program. An early report pointed out that many poor children ". . . never have used cut-out scissors, looked at a picture book, or scribbled with a crayon, been told a fairy story, been coaxed into completing a simple task successfully, or been talked to as human beings." It continued:

Thus they learn more slowly, speak later and less well, and have little curiosity and imagination. Because of this, they think of the outside world and school as threatening places.

And so these children of poverty will start building a foundation of failure--and thus a pattern of poverty--which will stretch throughout their lives.

It was clear that children of the poor needed special help to overcome part of their cluster of handicaps at the threshold of their first days in school. Head Start was not to be a kindergarten, nor was it to be a substitute for it. Like other OEO concepts, it was to be a new and comprehensive program drawing together the disciplines, the knowledge and the resources of a variety of interlocking fields. It was to be an attempt to meet the total needs of the poor child; emotional, medical, nutritional, societal. Their health was to be checked and they were to be given medical and dental care to make certain that they could begin classes. They were to be shown their future schools and introduced to their probable teachers, to reassure them that school would be an interesting place. They were to be introduced to policemen, firemen, storekeepers, health and welfare workers and others to prove to them that there were people in their community who were friendly and interested in them.

Members of the Original Steering Committee

Dr. Robert E. Cooke	Pediatrician-in-Chief of the Johns Hopkins Hospital and Given Foundation Professor of Pediatrics at Johns Hopkins University School of Medicine
Sister Jacqueline	President of Webster College, St. Louis, Mo.
Dr. Mamie Phipps Clark	Executive Director of the Northside Center for Child Development Inc., N.Y.C.
Dr. Mary King Kneedler	Assistant Professor at the Development Evaluation Center, Western Carolina College, Cullowhee, N.C.
Dr. George B. Brain	Dean of the School of Education, Washington State University at Pullman and former Superintendent of the Baltimore Public Schools
Dr. Urie Bronfenbrenner	Social Psychologist at Cornell University
Dr. Edward P. Crump	Professor of Pediatrics at Meharry Medical College, Nashville, Tenn.
Dr. Edward Davens	Acting Commissioner of the Maryland State Health Department
Mitchell I. Ginsberg	Associate Dean of the Columbia University School of Social Work
Dr. James L. Hymes Jr.	Professor of Education and Chairman of the Early Childhood Education Department at the University of Maryland
Dr. Reginald S. Lourie	Director of the Department of Psychiatry, Children's Hospital of Washington
John H. Niemeyer	President of the Bank Street College of Education
Dr. Myron E. Wegman	Dean of the University of Michigan School of Public Health, Ann Arbor
Dr. Edward Zigler	Associate Professor of Psychology at Yale and chairman of Yale University's Psychology Department's Child Development Program.

They were to become acquainted with the adult work-world in libraries, stores, farms, and factories; with the children's world of constructive play and learning in sandboxes, parks, zoos, museums and beaches. And, their parents were to be drawn into the framework of the entire process, as were volunteers from all fields of society.

In January Shriver wrote a letter to all the principals of schools and welfare agency heads throughout the country announcing that OEO was seeking 100,000 children in 300 counties to be included in a comprehensive preschool program. A week later a deluge of mail arrived in reply. "It quickly became apparent we were in for something much bigger than anything we had anticipated. In April we set a goal of 300,000, and in May it went up to 500,000 kids. What we actually got was 560,000 kids and 2,300 communities and we had no staff," Sugarman said. In a frantic month's time the staff went from three to 400 steadily employed persons.

Head Start made a determined effort to get into most of the poorest counties in the country. It gathered the services of more than 100 management interns from 40 government agencies and sent them on a

four-week barnstorming campaign of poor counties throughout the country explaining the program and helping groups write applications.

And so, in the first summer of Head Start, there were 240 of the 300 poorest counties of the United States involved in the program.

An early, and continuing problem was the shortage of people trained to work with children. A meeting was called at the University of Maryland the result of which was that contracts were signed with 140 universities to set up six-day training programs. That first summer Head Start trained about 42,000 persons in the program.

Dr. Keefe Osborne of the Merrill-Palmer Institute of Detroit, a Head Start advisor, then drew up a list of experts on the problems and psychology of early childhood. A letter was sent to 150 of them on a Monday asking them to appear the following Saturday for a conference in Washington. Only ten were unable to come. Aside from soliciting advice from them they were asked if they would travel throughout the country to set up programs and each of the 140 who attended the conference agreed to undertake the task. Support was also obtained from the American Academy of Pediatrics, the National

Association of Social Workers, the American Dental Association, the American Optometric Association and organizations of psychologists. Policy was being made every day as the deadline for beginning the program--that summer--drew nearer and one of the problems was of translating it to the 400 staff members who had themselves been drawn together under pressure. The largest number of the staff members were a group of substitute school teachers enlisted from the District of Columbia and nearby Maryland counties. Work began at 8a.m. and lasted until midnight seven days a week. Staff meetings were held at 10 every night.

After the grants were processed and even before the program was launched, Shriver gave a party for the staff and said the project would become a full-year process rather than just a summer one. This had been the recommendation of advisors right from the beginning. The build-up for a full year program began before the Summer program was under way.

Eventually the program grew to include, in addition to summer sessions for children 5 to 6, a full year program for 3, 4, and 5 year-olds; parent and child centers for children up to two years old, and a school follow-through program for children from 6 to 8.

Before the program began, based on his experience caring for an average of 50,000 poor children a year at his Johns Hopkins children's clinic, Dr. Cooke said that the medical review would turn up a large number of medical and mental defects. The startling facts went far beyond the estimate.

In Tampa, Florida, nearly 10 percent of the children enrolled had eye defects. About 50 percent suffered nutritional deficiencies. In Jacksonville, 52 percent were anemic. In Detroit, examination disclosed that out of 6,000 children examined, 80 percent needed dental care. In Prince Edward County, Virginia, where the public schools were closed for five years to avoid integration, children from share-cropper families could not understand even the simplest picture books. Children shown pictures of teddy bears identified them as rats. A nine year-old boy who had never been to school until the Federal Government forced Prince Edward to reopen public schools stared blankly at a picture in a book of a pair of galoshes. The

word was printed underneath. But he had never seen a pair of galoshes so neither the picture or the word had any meaning for him. And, a reporter wrote in the Detroit News of March 8, 1966: "A child who had never spoken a word, presumed to be mentally deficient, did not talk because he could not hear. And he did not hear because of massive deposits of wax in his ears. He had never been taken to a doctor, despite the suspicion of mental abnormality..." There were children by the thousands who had vocabularies of less than 100 words. There were many thousands more who had never been seen by a doctor. A sampling of 55,000 children enrolled in Head Start the first summer revealed that 70 percent were receiving their first medical or dental examinations; more than 44 percent had cavities; 60 percent had not been immunized against measles; 32 percent had not received smallpox vaccinations. A Boston study of 1,442 Head Start children made in 1965 found 31 percent suffering from major physical defects or emotional problems.

A count made in 1968 showed that of the 2,000,000 children who had participated in Head Start programs: 180,000 had failed vision

tests; 60,000 needed eyeglasses; another 60,000 had skin diseases; 180,000 suffered from anemia; 40,000 were either mentally retarded or had learning problems requiring specialized attention; 20,000 had bone or joint problems; 1,300,000 had dental problems; and, 1,200,000 had not been vaccinated against measles. The figures, as they emerged each summer, were successive shocks to Americans.

Head Start provided new and deep insight into the lives and outlook for the children of the poor. It had been known, of course, that children of 4, 5, and 6 started school with anything but an equal chance. But, the extent of the social and cultural and physical neglect was shocking, even to educators, and perhaps the medical neglect was the most shocking of all. By July, 1968, more than two-thirds of the children enrolled in Head Start had received the medical and dental services they needed.

It was the uncovering of such deficiencies in the lives of children, and the enthusiasm of parents, teachers and all other elements of community society in America for the program right from its earliest days, which accounted for the support it received from

Congress, and the President. An while there were difficulties encountered every day, some of them of major proportion as in the case of CDGM in Mississippi, and most of them in finding qualified persons to operate the program, the most enthusiastic people of all were the ones who administered Head Start in Washington.

In this they had the strong support of President Johnson even before the program had begun. Mrs. Johnson had been the honorary chairman of Head Start and had given a tea in the Rose Garden of the White House on May 18, 1965, to launch it. And, Luci Baines Nugent, the President's daughter, had been chairman of Volunteers for Vision, an auxiliary of the American Optometry Association, which examined the eyes of nearly 50,000 children in the first three months of the program.

The President's endorsement for Head Start, and the programs it engendered was unqualified and enthusiastic. The situation of poor children in the country was to him, as it was to anyone acquainted with the facts of their lives and the predictability of their futures, one for deep concern. And, the measurable effects on the lives of children in the program as it advanced, plus the response of virtually everyone

involved in it, from the children to their parents, from teachers to volunteers, obviously gave him a great deal of satisfaction. On May 18, in launching the program, the President had said:

I believe that this is one of the most constructive, and one of the most sensible, and also one of the most exciting programs that this nation has ever undertaken. I don't say that because the most ardent and most active and most enthusiastic supporter of this program happens to be Mrs. Johnson.

We are taking up the age-old challenge of poverty and we don't intend to lose generations of our children to this enemy of the human race...

The bread that is cast upon these waters will surely return many thousandfold.

What a sense of achievement, and what great pride, and how happy that will make all of us who love America feel about this undertaking.

Then, just three months later, on August 31, when the first astonishing results of the program had begun to come in, the President gave a reception, again in the Rose Garden of the White House, for Shriver, Dr. Richmond, and other Head Start officials and spoke of the hope which had entered the lives that summer of a half million poor children. The President said:

...But today, after the first trial of Project Headstart, these children are now ready to take their places beside their more fortunate classmates in regular school.

Through Headstart, children who had never spoken learned to talk. Parents who were suspicious of school authorities came to see the Centers and they stayed on to help the teachers. Volunteers gave millions of hours to children and proved to these children that somebody after all really cared...

Teachers tried new approaches and they learned new techniques. All the workers lived--lived time and again--through an infinitely rewarding moment seeing a child open his eyes and his mind to the wonders of this world in which we live; seeing a child who had never seen a book; a child who had never held a pencil; a child who had never tasted a banana; or one who had never heard a fairy tale.

...Project Headstart, which began as an experiment, is now battle tested and it has been proven worthy.

...And so today, we have reached a landmark--not just in education, but in the maturity of our own democracy. The success of this year's program and our plans for years to come are symbols of this nation's commitment to the goal that no American child shall be condemned to failure by the accident of his birth.

The President then congratulated Shriver, Dr. Richmond and the Head Start officials and offered his "thanks, and my very deep appreciation for what you have done for human beings."

In June 1966, as Head Start began its second summer Shriver sent a letter to Mrs. Johnson because, "I thought you might like to know where we are." In it he spoke of growing enthusiasm for the program, from the public, from various organizations and from "both sides of the (political) aisle." He reported that 680,000 children in 2,600 communities would be served in summer programs that year; that 180,000 children between the ages of three and five would participate in year-round programs; that over 140 universities were cooperating in running training programs on and off campus. Reports of the previous summer's operation, he said, showed generally that children entered school "better prepared and with greater self confidence and greater intellectual capacity than children from similar backgrounds who did not have a Head Start experience." He went on to enumerate that:

Dr. Leon Eisenberg, Professor of Child Psychology at John Hopkins University, evaluated the Head Start Program in Baltimore, and found a rise of 8-10 I.Q. points in the children who participated, bearing out his opinion that even a six-week project can produce significant intellectual gains in children from impoverished backgrounds.

Dr. Eisenberg adds that a year-long project in Tennessee was able to advance four-year-olds in a control group eight months further in mental age than those without the program. This is equivalent to a gain of 15-16 points in I.Q.

A program sponsored by the Staten Island Mental Health Society reported an intellectual gain by their children of 14 months in two months.

At the Montessori Schools in Clovia, Calif., children advanced from 4-12 months on intelligence test performance during the six-week Head Start program.

The progress of children who participated in the program was observed both by the teachers who conducted the summer classes and by others who have taught the children in first grade in the fall of 1965. Ninety percent of all summer teachers believed the impact on children they taught was significant enough to continue the program another summer; and 80 percent of the first-grade teachers interviewed saw a difference between those children who had participated in Head Start and those who had not.

Teachers were articulate in their enthusiasm for the benefits of Head Start. 'Though the Project,' wrote one, 'all of my children have acquired a surer grasp on their sometimes shaky heritage, which promises them the right to the pursuit of happiness...Project Head Start is making it possible for every American child to face the future with some confidence.'

Another teacher wrote, '...I see growth in social adjustment, the ability to work with others, both with children and adult friends. I see children becoming less fearful, less tearful, and more secure in the school environment. I see children learning that someone really likes them and accepts them.'

...School systems everywhere have learned the value of volunteers and paid teachers aides from the community. In Minneapolis, 200 mothers have been taken off welfare roles and out to work as teacher aides.

Nashville, Tenn., has instituted a city-wide follow-up summer project for last summer's Head Start children to be in special programs this coming summer. The parent participation program paid parent aides-- and parent involvement projects, such as a mother's reading corner to help

the mother know what reading can help her child.

In Clarksdale, Mississippi, Project Second Start is giving job training to the parents of Head Start children.

. . .I think that a statement in the NEA (National Educational Association) bulletin about Head Start will give you the kind of boost it has given me. That journal wrote--Head Start has shown us a new path--education will never be the same again."

As early in 1965, when various newspapers were writing review series of OEO's manifold activities, all of them, no matter how complimentary, were studded with criticism; but there were few words of condemnation for Head Start.

United Press International reporters, for example, conducting a nationwide survey in December 1965, heard high praise for Head Start in nearly every section of the country. The only exceptions were in some areas of the Deep South where there were some cases of controversy stemming from the nonsegregation policies rigidly enforced by OEO.

From Mobile, Alabama, came the report that "the project has left hard feelings among both whites and Negroes." OEO had held up funds for the Mobile project on grounds that local officials had not tried hard enough to desegregate the teaching staff. Head Start projects in Baton Rouge, Louisiana, and Gainesville, Florida, were canceled on similar grounds, with similar local repercussions. But, representative reports from UPI correspondents quoting local school officials and civic leaders said:

Philadelphia - "A tremendous success."

St. Louis - "This program was very favorably received and parents whose children took part in it were very happy with the results."

Ohio - "21,000 children were enrolled in 94 communities throughout the state. Reaction was very favorable."

Rhode Island - "By far the most successful of the anti-poverty programs."

Portland, Oregon - "The most successful anti-poverty effort here."

Dallas - "Got a good reception from the Dallas schools."

Tucson - "Quite successful."

The program continued to grow in popularity from the moment when, on August 31, 1965, President Johnson announced that Head Start had been "battle-tested" and proven "worthy." By fiscal 1967 Head Start made up nearly 45% of the total CAP budget. That year, for the first time, Congress earmarked funds within the Titles of the EOA and allocated \$352 million for Head Start activities. Its initial budget, for fiscal 1965, had come out of the CAP appropriation and had come to about \$103 million. For fiscal 1966 it received \$198 million. The appropriation for fiscal 1968 was for \$327 million, the \$25 million drop below 1967 reflecting a Congressional cutback of \$287 million from the overall Administration request for \$2.060 billion.

The Programs

In 1968 Summer programs were operating in about 1,400 communities at a cost of \$101 million. The programs averaged four hours a day five days a week for eight weeks at a cost of approximately \$110 per child per month. The first summer saw 561,000 children. In 1967 summer grants provided for about 465,000 children with the decrease representing community decisions to switch funds from summer to full-year programs.

Full-year programs were mounted to serve about 215,000 children in about 1,000 communities in 1968. There were both part- and full-day

full-year programs with the choice being made by the communities administering the programs. Part-day programs averaged four hours a day, nine months a year at a cost of \$104 per child per month. In fiscal 1966, 147,000 children were included in such programs and the figure rose to 161,000 the following year. In 1968 the figure remained approximately the same.

Full-day or day-care programs offered an extended day of Head Start activities and care for the children of parents who were working or otherwise unable to care for them. About 54,000 children participated in these programs in 1967, an increase of 41,000 over fiscal 1966. In 1968, 57,000 were included. The full-day programs averaged about 11 hours a day, 12 months a year, and cost about \$115 per child per month.

Does it work? . . . Follow-Through

Late in 1965 OEO financed a study by Professor Max Wolff and Mrs. Annie Stein of the Ferkauf Graduate School of Education, Yeshiva University, New York, to test the results of the Summer Head Start Experience on children six to eight months later, while they were in kindergarten. In the introduction to the study, submitted in August 1966,² the authors cited an earlier study³ which concluded that significant gains were made by Head Start children from June to September 1965, as compared with a control group which had not participated in

2 Six Months Later: A Comparison of Children who had Head Start, Summer, 1965, with their Classmates in Kindergarten: A Case Study of the Kindergartens in Four Public Elementary Schools, New York City.

3. L. Eisenberg and C.K. Connors, "The Effect of Head Start on Developmental Processes," presented at 1966 Joseph P. Kennedy, Jr., Foundation Scientific Symposium on Mental Retardation, Boston, April, 1966.

the program. And they quoted an opinion by Ivor Kraft of the Division of Research, Children's Bureau of HEW⁴ who asked:

4 "Are We Overselling the Preschool Idea," Saturday Review of Literature, December 18, 1965, p. 63.

"What will happen next...? That will depend on what takes place in the first grade, and the second grade - and so on throughout the ensuing school careers of those children who live in low-income and slum neighborhoods."

And answered:

"...We can easily predict that even the finest preschool experience for deprived and segregated children will wash out and disappear as these children pass through the grades."

A supplemental study to the Wolff Report included the intensive interviewing of 300 parents of children in the kindergarten classes observed, 150 who had had children in the Head Start program and the others who had not.

It quoted a Negro mother who said: "Head Start developed a thirst for knowledge in my child." And a Puerto Rican mother: "Head Start is one step forwards in terms of their whole life. You never come back."

Then it went on to say:

perhaps this Puerto Rican mother is right and there are permanent long-range gains the children have made. The warmth of the support given the program by the parents interviewed may indicate that her views are widely shared. The strong memories of Head Start retained by the children speak in support of her belief.

The finds of this Study show that, overall, the children who had Head Start still have greater readiness for learning than their classmates, six months later.

They also show that in the kindergartens studied, no educational gains had been made despite their greater "thirst for knowledge."

The report ended by categorically stating that "Head Start cannot

substitute for the long overdue improvement of education in the elementary schools which have failed the Negro and Puerto Rican children. It can only prepare them to reap the full benefits of better education when it is provided."

Based on these findings, the New York Times, on October 23, headlined a story, "Head Start Value Found Temporary." The story was picked up across the country and created considerable reaction elsewhere.

On November 18, 1966, Shriver presented a six-point challenge to educators to improve the benefits of their elementary grades to meet those initiated by Head Start. Addressing the opening session of the Great Cities Research Council annual meeting in Milwaukee, Shriver told the educators from the 15 largest cities in the United States that the present school system, particularly in urban areas, was "critically inadequate to meet the needs of children of poverty. This seems like a harsh judgment, but it is borne out by a recent follow-up study of Head Start children," he said. The study (by Professor Wolff) he said showed that Head Start gains were being nullified by the disappointment and discouragement of slum school classrooms. Many of the children, Shriver said, fall further behind their classmates who did not receive the Head Start experience, adding that "the readiness

and receptivity they had gained in Head Start has been crushed by the broken promises of first grade."

Shriver termed his six-point proposal Project Keep Moving. He suggested:

1 - An across the board reduction in pupil/teacher ratio, to correspond with that required by Project Head Start, namely one teacher to every 15 children;

2 - The ratio of adults to children in the classroom should be increased by using new sources of educational manpower, such as teacher aides, sub-professionals and volunteers;

3 - A program of tutorial assistance to be established, in which older students, from high school and college, would take part. They could also be drawn from the Neighborhood Youth Corps, Work Study groups, and VISTA;

4 - Parents should be involved in the activities of every public school. "This does not mean the traditional PTA meetings in the auditorium at night. Rather the establishment of neighborhood councils and community associations, which would find the schools open to them during the day.";

5 - The adequate supply of all necessary physical properties, equipment and supplies, such as books, toys, films, as well as the broad use of electronic learning aids. Electronic aides, he said, had already proved to be effective in Head Start classrooms; and,

6 - The initiation of training programs to open up a new educational career, that of the childhood development specialist. Such specialists would work exclusively in early primary grades, diagnosing obstacles to the individual child's progress; and prescribe the intervention of other professionals, such as psychologists, sociologists, and reading specialists.

Calling Project Head Start "a short term experience, and a shot of educational adrenalin whose effects can wear off in the grinding boredom and frustration of slum classrooms, "Shriver asked school systems to pick up the challenge of Project Keep Moving. "The results," he said, "would inevitably be a revolution in education from preschool through college.

Only if we maintain the pace of Head Start throughout the school system, can we create an educational process which will give every disadvantaged child in our Nation a chance to obtain the highest educational level in his power...I feel sure that if the pressure to effect this change is great enough, funds will be available from the Federal and state governments to make this revolution possible."

The Administration had already given a massive boost to education in the Elementary and Secondary Education Act of 1965, the emphasis of which, in Title I, was on increased services during early childhood years, and which was directly attributable to the Head Start experience.

Shriver undoubtedly had this in mind when he spoke of the possibility of more funds to improve the quality of early education. And, assuredly, he also had in mind a section of the Wolff study which said that the preschool inventory test results were uniformly lower for Head Start pupils in classes in which the teaching was poor and that, conversely, Head Start pupils scored consistently higher than their classmates in groups with good teachers. "This finding," the study said, "Indicates the hazards as well as the opportunities that are opened up by preschooling.

It reinforces the belief that Head Start advantages can be maintained only if the level of teaching and the curriculum in the kindergarten are strong.

It implies the opposite as well--that more damage is done to the child who looks forward eagerly to an educational program he has learned to enjoy than to the child who has had no previous knowledge of what to expect, if the later school experience is poor."

Soon after Shriver's Milwaukee speech, the President, in his 1967 State of the Union Message, said: "We should strengthen the Head Start program, begin it for children three years old, and maintain its educational momentum of following through in the early years."

Then, on February 8, 1967, the President sent a special message to the Congress on Children and Youth in which he announced the Follow Through program "during the first school grades for children in areas of acute poverty." For poor children, and their parents, the President said, "Head Start has replaced the conviction of failure with the hope of success." He continued:

The achievements of Head Start must not be allowed to fade. For we have learned another truth which should have been self-evident - that poverty's handicaps cannot be easily erased or ignored when the

door of first grade opens to the Head Start child.

Head Start occupies only part of a child's day and ends all too soon. He often returns home to conditions which breed despair. If these forces are not to engulf the child and wipe out the benefits of Head Start more is required. Follow Through is essential.

To fulfill the rights of America's children to equal educational opportunity the benefits of Head Start must be carried through to the early grades.

We must make special efforts to overcome the handicap of poverty by more individual attention, by creative courses, by more teachers trained in child development. This will not be easy. It will require careful planning and the full support of our communities, our schools and our teachers.

In addition to requesting authorization of funds for Follow Through, The President said he was also asking for funds from Congress, and directing Shriver to strengthen the full year Head Start program; to enlarge the number of three-year-olds participating in Head Start; and, to explore, through pilot programs, the effectiveness of the Head Start experience on even younger children.

On January 28, 1967, a strong letter on the Wolff report was sent by Dr. Urie Bronfenbrenner, to the editors of the N.Y. Times and the Washington Post. Bronfenbrenner, Professor of Psychology and Child Development at Cornell University, former President of the Division of Developmental Psychology of the American Psychological Association, and member of the National Advisory Council of the National Institutes of Child Health and Human Development, was formidable opponent. He had

also been a member of the Planning Committee of Project Head Start since its inception two years earlier. Bronfenbrenner's views deserve full consideration since they dealt with the most widely publicized study of Head Start to date. He was writing, Bronfenbrenner said, because the President's State of the Union Message, announcing upward and downward extensions of the Head Start program, gave added importance to the Wolff study. "This investigation of several hundred children," he said, ". . .has been described both by the authors and by the press as demonstrating that the effects of Head Start 'fade away' within six months of the child's entry into school." He continued:

Although widely reported in the press, the study itself has not been published. As a result, it has not received the independent scientific review which such publication would have entailed. This is especially regrettable since an evaluation of the actual data on which the report is based not only fails to justify the interpretations made, but actually points to an opposite conclusion.

The study, he said, compared the educational performances of over 100 children who had had Head Start with an equal number of their classmates who had not. The investigators reported that when the children were tested after six months in kindergarten, there were no significant

differences in score between the Head Start children and the others.

It was on this finding, Bronfenbrenner said, "that the conclusion of 'no educational gains' is based." But, he said, "such a conclusion necessarily implies that the two groups were comparable to start with. No direct evidence is offered on this score, since no tests were administered to the Head Start children or their controls at the beginning of either program. In other words, there was no real baseline from which actual gains or losses could have been calculated."

The assumption in the Wolff report of similarity in the backgrounds of the two groups of children was seriously open to question, Bronfenbrenner said. He pointed out, from tables in the Wolff report, that:

-- the proportion of Head Start families with incomes over \$5,000 a year was 27%; for the controls the figure was 41%;

--- there were twice as many families on welfare in the Head Start group;

-- among the Head Start families, the proportion with more than three children was 44%; the corresponding figure for the controls was 29%;

-- among fathers of the Head Start children, 38% had an eighth grade education or less, as against 24% for the controls; and,

-- among mothers of the Head Start children, 37% had a high school education or better as against 50% for the control group.

Then, Bronfenbrenner pointed out that the best established findings in research on child development was that children from smaller families,

with larger incomes, and higher levels of parental education do better in school. "This means," he said, "that before either program began, the children who ended up in Wolff's control group were more advanced in intellectual development than those who participated in Head Start, and that that the effect of Head Start was to enable the more deprived children to catch up with their less disadvantaged classmates. In short, contrary to the interpretation given by the authors, what Wolff's data seem to show is that children coming from underprivileged homes who participated in a Head Start program were enabled to hold their own with children from more favored backgrounds well into the first year of school."

Studies which compared Head Start children with others from "appropriately matched" and "truly similar" backgrounds, Bronfenbrenner said, had shown that the scores of the Head Start children at the end of kindergarten "were reliably higher than for children not participating in a preschool program." But, he went on, there were no grounds for complacency. In some instances the gain was not more than a few I.Q. points, and even when the gain was substantial, the Head Start child, even though ahead of children from similar homes who had not had Head Start, were still unable

to catch up with children from middle-class homes. "most sobering of all the rate of improvement of Head Start children after they enter kindergarten is uniformly lower than the rate of gain they exhibited while in the Head Start program itself, this differential being greatest when children find themselves in slum schools taught by poor teachers. In short, the benefits of Head Start cannot be realized if upon completion of the program the child is dumped into an inferior school environment," he said. He concluded by stating that "if we are to fulfill the rights of America's children to equal educational opportunity, the benefits of Head Start must be extended into the primary grades...to deny funds for Follow Through is to risk undoing most of what Head Start has accomplished in enhancing the competence of children and replacing for their parents, their teachers, and themselves the conviction of failure with the possibility of success."

On March 13, 1967, there was another Head Start ceremony at the White House, this time with a Follow-Through addition. Shriver gave another summation of the Head Start experience. The competence and devotedness of the people responsible for operating Head Start were certainly praiseworthy,

Shriver said. But, he asked, were they unique? "Is Head Start the only program so favored? Obviously not." The answer, he said, was simple:

"We let the American people do it themselves!"

Here Shriver touched on the spirit of voluntarism which had characterized the operation of Head Start from its inception; the willingness of people in every category of American life to give services, time, and facilities to aid the program dedicated to aiding children.

"Washington paid for it," Shriver said, "but the people ran it. And I don't mean educators, doctors, lawyers, merchants or chiefs--I mean the people; plain, ordinary American citizens.

"Today, for example, 55 percent of all Head Start children are attending classes in private, nonprofit institutions. They are not in public or parochial schools.

The American Optometric Association - Luci Baines Nugent's Volunteers for Vision, gave more than 100,000 free optical exams.

The American Academy of Pediatrics supplied more than 200 pediatricians as Consultants.

The American Dental Association mobilized its members, helped to write the guidelines and prepare special materials for dentists.

More than 250,000 private citizens worked for Head Start free of charge.

Shriver continued to speak of other innovatory aspects of the program; its effects on and expansion of civil rights and the microcosm it provided for the concept of community action in operation. With roughly 40 percent of the children participating in Head Start White; 40 percent Negro; and 20 percent Spanish-speaking, another point had been made.

"Poverty is color blind - a lesson of special meaning in the Deep South," he said. The state of Mississippi was to have 30,000 children in Head Start, all of them in bi-racial programs, the first bi-racial activities in the history of the state. Mississippi leaders, he said, working together through new, private nonprofit groups had accomplished what others had insisted couldn't be done. The point was, of course, to take care of children, but it was also to prove "once again to the American people that they can accomplish miracles - if they work together - poor and rich - educated and unlettered - amateurs and professionals. That's what we mean by Community Action, the national program of which Head Start is a part."

The Follow-Through program was designed to prevent the loss of progress noted after children had left Head Start. The objective of the program, developed jointly by OEO and the U. S. Office of Education of HEW, was to continue into the early school years the same kinds of specialized

and individualized attention and support for both the child and his family they had experienced in Head Start. Programs included special personnel to work with the teaching staff, health services, nutrition improvement, psychological and social services, and continuing parent activities--essential points made by Shriver in Milwaukee. The program was delegated for operation to the Office of Education, working closely with Head Start, CAA's and OEO. In 1967, its first year, Follow-Through was a pilot operation. Forty-one programs were begun in the 1967-68 school year and 61 additional programs were initiated in the 1968-69 school year.

Parent and Child Centers

Also launched in 1967, and developed in partnership with HEW, the Departments of Labor and HUD, was a project funding the organization of 36 Parent and Child Centers in urban slums. These were to serve families with children below the age of three with attention given to the needs of the entire family. The hope was to meet deficiencies in children before they got to the Head Start stage and also to support the entire family structure by making available the help of other Federal and local programs in the community. The project posed the question: Was it possible to take something like the manpower training program which was under Department of Labor jurisdiction, and use it in support of parent members of a Parent and Child Center? Was it possible to obtain the services of one of the Children's Bureau's Comprehensive Health Service Centers and make them available to all

of the children in a PCC. An interdepartmental group, acting as a steering committee was organized to develop that aspect of the program and personnel from all the agencies involved were dispatched to work directly with the communities to find out if the resources of all Federal agencies could be mobilized in support of a single comprehensive program.

Training, Impact, Research and Evaluation

Even more so than in other OEO programs, Head Start was working in uncharted territories. Training people, both professional and non-professional, to supervise and operate Head Start programs was a basically important part of the entire program as were efforts to determine its effect. In 1968, a survey showed that of 30,000 sub-professionals then employed in full-year Head Start programs, a substantial percentage, with supervision and continued training, would be able to assume professional responsibilities. Even among the professionals, relatively few had been trained to work with disadvantaged children. Special programs were designed

to increase their competence including: A Regional Training Officer in each state, working out of a university and able to draw on its resources to assist grantees with in-service training programs; five-day summer orientation for new summer staff members; eight-week training for 1900 full-year staff members; six-day training conferences for approximately 800 program directors; a supplementary education program of financial assistance for approximately 3,000 full-year staff members; and technical assistance provided by 500 experts in early childhood development, health psychology, social work, parent participation, nutrition and administration. Contracts were signed in 1967 with 13 universities to become Evaluation and Research Centers to organize evaluation processes, to encourage the development of more adequate tests to measure the effects of Head Start, and to involve the professional community in basic and applied research related to the development of disadvantaged children. The emphasis was on what kinds of programs work rather than on whether Head Start was being successful or not.

The enthusiasm which arose for the program brought with it great numbers of volunteers. In 1965, there were nearly 97,000 vol-

unteers; in 1966 the figure rose to nearly 130,000 and subsequent years leveled off to about 100,000.

There was a definite influence on the entire field of early childhood education. Universities and colleges, particularly in the South where the field had not been largely developed, began to establish new departments on early childhood education. The membership in the professional National Association for the Education of Young Children rose from 7,000 in 1965 to 11,000 in 1968. A third of the states began studies to determine the desirability of establishing certification standards for teachers in early childhood education.

Sugarman, and a number of other educators, sociologists and early childhood development experts, believe that the Head Start process -- from Parent and Child Center to Follow Through -- will become the pattern for all American education in the future. "This whole process focuses on poor kids," Sugarman said, "but it also might be desirable to use it across-the-board for all kids in the country." The chief flaw, Sugarman thought, was the failure of the greatest

majority of the programs to "carry out what we had in mind as a philosophy and as a policy at the beginning. Very few have yet learned to mesh all the constituent parts of the program together in a supportive fashion. Although almost all of the programs have the formality of parent involvement, they tend to concentrate more on the form rather than the substance of involvement and participation. There is not enough attention to real involvement of parent and child together. But, there has been decided growth. It's still a long, hard road to go."

On July 17, 1968, over the strong objections of OEO, the Office of Education, and the Department of Health, Education and Welfare, the Senate voted to transfer Head Start to the states under the supervision of the Office of Education. The action, said OEO Director Harding in a memorandum to all OEO employes, "taken without hearing of full discussion, does not provide the proper safeguarding to insure dedication of the program to the best interests of the poor. For this reason we will continue to oppose this action with all the means available to us."

If the House of Representatives agreed, the transfer was to take effect July 1, 1969. Senator Joseph S. Clark opposed the "shotgun wedding" transfer which, he said, neither Head Start or the Office of Education

wanted at the time. The transfer would commit the program "to the tender mercies of states that don't want it," he said.

The Head Start amendment was proposed by Senator Peter H. Dominick and was supported by Senator Wayne Morse, a continuing critic of OEO programs in Oregon. The amendment would begin the issuance of block grants to the states, effectively removing control from Head Start which examined and approved grants on an individual basis. The amendment would call for a state plan to be subject to approval by the Office of Education, but the Office could not finally disapprove a plan without the state being given an opportunity for a hearing. By removing control and discipline, as well as the elaborate inspection, evaluation and research apparatus from the jurisdiction of a central authority the amendment, if enacted into law, would effectively destroy the very nature of the program.

Upward Bound

Upward Bound

In its Second Annual Report, "The Quiet Revolution," OEO, with the combination of pride and enthusiasm which frequently--and most times justifiably--characterized its findings, pointed to more than 20,000 high school students of "diverse ethnic, racial and cultural backgrounds" who had spent a summer living and studying together in purposeful harmony under the aegis of a new program called Upward Bound. The OEO program had drawn on the experience of a handful of the nation's leading universities and colleges which had, in the summer of 1964, undertaken special educational programs for able high school students who for reasons peculiar to their backgrounds had not been able to achieve anything in classrooms consequent to their capabilities. During the summer of 1965, 18 Upward Bound pilot projects were funded by OEO to develop imaginative curricula for directing talented high school youngsters from poor families into college. At the time, there was no federal program capable of meeting the needs of the thousands

of young people who had no where to go after graduating from high school. Programs such as Neighborhood Youth Corps, Community Action, and Job Corps could not meet the specific needs of this large segment--estimated at about 600,000 in any given year--of young population of the country.

OEO's concern with the problem had been indicated in a memorandum by Richard Boone to Shriver on June 9, 1965, in which he said:

. . .the need to help these able teenagers is obviously great. The intellectual potential of a majority of the group has already been wasted, so heavily weighted, as it is, with the poor and members of minority groups. Yet, their readiness to be helped is equally great. An intensive talent recovery program in their last four years in high school could provide the key to a college education for thousands of them--and the opportunity to permanently break out of the cycle of poverty. . .

. . .We predict that unless there is a major attempt to build bridges between the low-income high school graduate and college and university opportunities that within several years--particularly in the slums--our major concern will be shifted from the drop-out to the high school graduate with nothing to do.

OEO's 18 pilot projects involving 2,061 students enrolled for between six and ten weeks in the summer of 1965, were predicated on the constructive experience with similar programs the previous summer at such schools as Yale, Dartmouth, Princeton, Brandeis, Reed, Swarthmore, Oberlin, Carnegie Tech, and the University of

California at Berkeley. In nearly all of these programs results exceeded expectations. Results had included a doubling of reading comprehension in many cases, IQ scores leaping as much as 60 percentiles, and other significant gains. The OEO pilot projects sought answers to a series of questions dealing primarily with instructional materials, classroom approaches, tolerance limits, transitional programs, and faculty and student selection criteria. Answers from each of the 18 projects provided material for the further development and expansion of Upward Bound.

Upward Bound was an attempt--a markedly successful one as it developed--to salvage the potential talents and academic abilities of youngsters from poor backgrounds who had been shut out from the world. The typical Upward Bound student had come from a background which stifled his talents and ability and nurtured apathy or hostility. His contact with school had been perfunctory and meaningless. Most such young people had no interest in continuing their educations. Many were potential drop-outs. And, a number of them had already experienced the stigmata, either in their individual exper-

iences or through their parents' lives, of poverty; jail, alcoholism, illegitimacy, desertion, hopelessness. By creating confidence in their abilities to succeed, by exposing them to an area of hope and possibility outside the moribund confines of their environments, Upward Bound hoped to stimulate the potential learning ability of its enrollees, to awaken them to the possibilities of their own development.

The Upward Bound pre-college program included, in addition to the summer residency at a college or university campus involving academic, cultural and recreational activities--all of them particularly devised--medical and dental care, psychological counseling when needed. Undergraduate students served as tutors and personal counselors, living in the dormitories with the Upward Bound students. A \$10 weekly stipend was given during the summer program, and a smaller one during the regular school year follow-up program.

Follow-up activities to maintain the motivation of the summer program were worked out by the Upward Bound directors and staff in cooperation with community Upward Bound advisory groups which included parents, public and parochial school officials and the local

CAAs. Activities might include special Saturday or evening classes, regular contact between students and undergraduate tutors, cultural events and return visits to the college for special activities.

In September, 1965, Shriver announced the appointment of Dr. Richard T. Frost, Vice President of Reed College, Portland, Oregon, as the first national Upward Bound Director. The following month OEO signed a contract with the Institute for Services to Education to develop and recommend guidelines for Upward Bound and to support projects selected by OEO from among applicant colleges and universities. ISE was an outgrowth of an ad hoc committee of the American Council of Education, and had operated several pre-college programs at pre-dominantly Negro colleges. Educational Projects, Inc., took over the ISE contract in July, 1966, and in July, 1967, a new company, Educational Associates, Inc., under the directorship of Dr. Robert E. Christin, who had been ^A associate ^f professor ^v and director of freshman English at Notre Dame, was awarded the OEO contract.

In the fall of 1965, a conference of educators met in Washington with OEO and ISE personnel to develop national guidelines for the program. By early 1966, 292 institutions of higher education had submitted proposals to conduct programs beginning that summer. Under the guidance of OEO and ISE, review panels of experienced educators met to evaluate project proposals during the early months of 1966. In March, Shriver announced the first 15 Upward Bound grants. In fiscal 1966, OEO spent almost \$28 million for projects at 218 colleges, universities, junior colleges and secondary schools for full 12-month Upward Bound programs, with over 20,000 secondary school students enrolled. At the end of Upward Bound's first summer as a national emphasis program a series of regional conferences were held to discuss, evaluate and exchange ideas on project operation and the future emphasis of the program. In April, 1967, Shriver announced the appointment of Dr. Thomas A. Billings as Deputy Director of Upward Bound. Dr. Billings had been director of the Western Washington State College Upward Bound

program, one of the original pilot projects. In the summer of 1967, when Dr. Frost returned to Reed College, Dr. Billings succeeded him as National Director.

Evaluation and Results

From the moment when Upward Bound became a national program in June, 1966, a comprehensive evaluation of its programs went into effect. The Youth Development Center of Syracuse University received the initial contract from the Office of Economic Opportunity to do the job.

Data collected by Syracuse provided Upward Bound with some clear indications of the direction of the national program and outlined major characteristics of its student population. The surveys served as the basis for instituting a broader data collection system. In September, 1967, a newer and more specialized system was put into operation by Educational Associates. The following profile and results of the Upward Bound experience are the product, for the most part, of this latter data collection effort.

The group of 10,000 Upward Bound students who were high

school graduates in June, 1968, averaged 17 years of age; the sex distribution was almost equal; and the racial backgrounds were about 50% Afro-Americans, 35% Caucasians, 7% Spanish speaking, 4% American Indians, and the remaining 4% other minority group members. The mean Grade Point Average of the students when they entered the program was 2.46; the model figures ranged from 2.00 to 2.99, on a 4.0 scale.

The criteria for student selection was based on a combination of factors which gave emphasis to both objective data such as grades and test scores, and to subjective evaluations which included personal interviews, recommendations from persons in the community and school, and the professional judgment of a member of the project staff.

Over 27,000 students had been enrolled in Upward Bound by the summer of 1968. Approximately 7,500 had graduated from high school; of these 5,988 entered two and four-year colleges and universities. Whereas only 250 institutions were supported by OEO to run Upward

Bound programs in 1967-68, 796 accredited colleges and universities in all 50 states, Puerto Rico, the Virgin Islands, Guam, and the Philippines admitted Upward Bound graduates in September, 1967.

Thus, almost 80% of all Upward Bound graduates went on to college (76% of them attained 'good standing' from 1967's freshman group) and entered college at a higher rate than the general population (80% versus 65% for all high school graduates). Former Upward Bound students also attained approximately the same grade averages and retention in college as their better prepared colleagues.

1967 - 79.5% admitted to college (3,861 of 4,855 graduates)
 92% of the 3,861 are still in college (the national average retention rate is 56%)
 76% were in good standing with better than average chances of continuing next year
 16% were on academic probation (20% of all freshmen in the U.S. are on probation)

1966 - 78% admitted to college
 71.7% are now sophomores - 866 students (75% nationally have continued in sophomore year)

1965 - 80% admitted to college
 57% are now college juniors - 1,262 students (62% of national college population go on to junior year)

During the first year of attendance, Upward Bound students show a very slight rate of attrition (117 or 7.8% of 1,504 surveyed in a February 1968 sample); the national attrition rate is about 36%. According to the same survey, Upward Bound enrollees, for the

most part, seek admission to and enter state supported colleges and universities (29 of the 39 institutions represented are under public control, including three junior colleges). A November, 1967 survey of three regions shows Upward Bound enrollment in 172 public institutions, as compared to 111 church-supported and 59 private institutions. A June 1968 survey of Upward Bound student enrollment patterns at 675 institutions found that well over half of the students (2,761 or 66%) are in public supported institutions (346 or 51%). These schools are intermediate sized institutions by and large with student population ranging from 1,000 to 5,000.

The impact of Upward Bound brought new approaches in college admissions standards, counseling practices, financial aid arrangements, and in many other affairs at the undergraduate level. It helped college administrations to identify a number of bright, talented young men and women throughout the country.

"Upward Bound has had a dramatic impact on admissions, coun-

seling, and financial assistance for the disadvantaged here," wrote Eugene B. Omev, Admissions Director of Western Washington State College, Bellingham, Washington, to OEO. "The program has generated a greater understanding and willingness on the part of both faculty and administration to go out of their way to help these youngsters. . . In addition, the college's Academic Council recently approved a revision in admissions policy which says that 'the Admissions Committee has the authority to waive normal requirements for culturally and economically deprived applicants.' When we first began admitting Upward Bound students, we operated under the principle that they were like everyone else once they were in. We made no special provisions for them other than those provided by the Upward Bound staff. Now we know better, and we have set up a special tutoring and counseling section for them. Here again this is the result of our experience with Upward Bound students." Finally, Omev wrote, "we are expanding our efforts greatly to raise financial assistance for them. In addition to

government and private support, nearly 100 members of our faculty and administration have pledged 1% of their annual salaries to provide financial assistance and help cover the costs of the tutorial and counseling program. Upward Bound has taught all of us a great deal about the problems of the disadvantaged and we are learning more all the time. . .we are putting into practice as quickly as possible what we learn."

Dean Allan F. Pflieger of Cleveland College, Case-Western Reserve University wrote: "We greatly appreciate the opportunity that Upward Bound has given us to sensitize our administration and faculty to the needs of economically and culturally deprived youngsters."

Coordination

A concerted effort was made to utilize the resources of other government departments and legislation to further the aims of Upward Bound. Prior to the funding of 1966 grants, meetings were held with officials of various programs of the Office of Education

involving Title IV of the Higher Education Act of 1965, Title I of the Elementary and Secondary Education Act, and the Work-Study program of the Vocational Education Act. Meetings were also held with representatives of the Neighborhood Youth Corps and Youth Opportunity Centers administered by the Labor Department.

Copies of the Upward Bound Guidelines and a covering letter outlining the program were sent to each HEW state coordinator. Because of the many types of supportive educational programs available under Title I of the ESEA, the state coordinators could be helpful in placing some Upward Bound students into local Title I compensatory programs. Upward Bound project directors were informed of Neighborhood Youth Corps projects in their areas. In many areas, Upward Bound students were given priority in obtaining NYC jobs. Many youngsters would not otherwise have been able to remain in the Upward Bound program without the opportunities that the NYC afforded them.

The most notable coordination efforts were with other parts of

the national War on Poverty. Beginning in 1966, active recruiting of Job Corps students was undertaken by project directors across the country resulting in the development, in 1967, of a definitive plan for the recruitment and enrollment of Job Corps students. It was estimated that the summer, 1968 program would result in about 400 Job Corps enrollments in Upward Bound. A liaison was established with VISTA in which VISTA Volunteers helped in recruitment and follow-up programs.

In the private voluntary field, Upward Bound began in 1966 to coordinate activities with the National Scholarship Service and Fund for Negro Students (NSSFNS). NSSFNS staff members, guidance counselors, and admissions officers visited Upward Bound programs as a first step in enrolling students in the NSSFNS College Advisory Service, at the same time making them eligible for supplementary scholarship assistance at college when enrolled. The American College Testing Service (ACT) was cooperative in providing reduced fees for testing Upward Bound students and was

retained to conduct a study of financial needs of Upward Bound students. Coordination with other private agencies included the American Personnel and Guidance Association, the College Entrance Examining Board, the Baldwin Music Company, and the Association of College Admissions Counselors.

Costs and Funding

Most of the 18 initial pilot projects were funded by OEO's Research and Demonstration office at a federal cost of \$2,479,168 for the summer component only. Later funds were authorized in fiscal 1965. Because most of the pilot projects were funded out of the R & D office, there was no non-federal share required.

In fiscal 1966, Upward Bound became a national emphasis program and the first Guidelines was published in December, 1965. About 30,000 copies were distributed across the country requesting proposals to be submitted to OEO no later than March, 1966. By that date, 292 proposals had been received by OEO. Of these, 218 were funded at a federal cost of \$24,928,281 and involved 20,333 students.

Because fiscal 1966 funds were awarded out of OEO's CAP - Conduct and Administration, OEO required a non-federal contribution of 10% of total cost of the program. Therefore an additional \$2,969,090 was added to Upward Bound. Total cost in fiscal 1966 amounted to \$27,898,090.

In fiscal 1967, 30,000 revised Upward Bound Guidelines were printed and distributed, requesting renewal and new Upward Bound proposals to be submitted to OEO by January 3, 1967. A total of 348 proposals were received, representing 215 renewal applications and 133 new applications. By April, 1967, 215 projects were renewed and 34 new projects were added, bringing the total number to 249, with at least one project in every state. Nationally the total cost of programs was \$31,290,793 with a 10% non-federal contribution of \$3,129,079 and a 90% federal share of \$28,161,714. The total number of funded students was 22,440.

In fiscal 1968, the Guidelines were again revised and distributed to schools throughout the country. Some 247 renewal applications and 148 new applications were received, bring the

number of proposals submitted to 395. By April 1968, 247 renewal applications and 38 new programs were funded, raising the total of Upward Bound programs to 285.

The increase in the non-federal share for all grantees in fiscal 1968 was raised from 10% to 20% of the total cost of the program. Total cost of programs came to \$36,720,132 with local shares of \$6,921,842 and a federal share of \$29,798,290. The number of Upward Bound students funded was 25,368.

In fiscal 1968, applications from 125 educational institutions had to be rejected because of limited funds.

Charges and Replies

Unlike many other CAP programs, Upward Bound experienced few assaults on it for either political or other reasons. But, on July 24 and 25, 1968, Representative Edith Green, on the floor of the House of Representatives, mounted a major offensive.¹

¹ Details of 1968 legislative action are given in final chapter.

During the summer session of 1968, both the House of Representatives and the Senate passed bills² which would transfer Upward Bound to the U.S. Office of Education. The House bill would also remove the authority of OEO to contract with private institutions, other than colleges and universities, to conduct Upward Bound activities of any sort.

² Sent to House-Senate Conference, but not yet acted on in September, 1968. Senate Bill S. 3769 would make the transfer effective July 1, 1970. House bill H.R. 10567 would make the transfer immediate. See final chapter for results of 1968 legislative hearings.

1864
FROGIDAM

The Legal Services Program

Within the first operational year of the anti-poverty war, the Office of Economic Opportunity incorporated a legal services program as part of the community action strategy. Indicative of a growing awareness in the nation that "the poor have been deprived of their just rights under the law and that effective, aggressive and competent legal services have not been readily available to them," OEO reinforced the numerous but inadequate private efforts to supply legal advice and representation for the poor.¹

"Long before the war was declared," wrote one observer, "the profession and individual lawyers had taken important steps towards the realization of a legal system in which inequalities in economic status would not preclude the attainment of equal justice for the poor as well as the rich." Prior to the 1964 Economic Opportunity Act, a legal aid movement had long been established, institutionalized into the Legal Aid and Defender Association. Individual and

¹ R. Sargent Shriver, "The OEO and Legal Services," American Bar Association Journal, November, 1965, p. 1064.

collective efforts were supported by leaders of local bar associations, immigrant aid organizations, and by charitable drives in local communities. In addition, such groups as the American Civil Liberties Union, the Committee on Law and Social Action of the American Jewish Congress, the Anti-Defamation League of the B'nai B'rith, and the NAACP Legal Defense and Educational Fund had extended legal services to low-income groups. But their concern with the poor as such was tangential, their method of operation the test case rather than comprehensive legal service, and their combined efforts failed to reach the majority of the nation's poor.²

Large areas of the country were bypassed by full-time and volunteer panels of legal aid attorneys. Legal Aid Societies frequently avoided certain types of representation, and legal agencies, located in downtown offices, were unable to reach the bulk of the urban poor, who were apprehensive about leaving their familiar neighborhoods and unable to recognize a legal problem

² A. Kenneth Pye, "The Role of Legal Services in the Antipoverty Program," 31 Law and Contemporary Problems, (1966) pp. 211-213.

when it existed. The poor, said Sargent Shriver at the 1965 Annual Meeting of the American Bar Association, "do not know their legal rights. . . local officials, who deal with the poor in relief and other programs, are too overworked or uninterested or uninformed to help." Moreover, the poor need help because "there are no lawyers or lawyers' assistants to help these destitute and pitiful Americans."³

The major effort undertaken by the Federal Government to extend legal services to indigents occurred with the 1964 Economic Opportunity Act. The heart of the war against poverty was embodied in Title II, the community action section, which proposed to mobilize the resources of the local community in a coordinated attack on the root causes of poverty. The Act omitted mention of a legal services program, but "it soon became apparent that lawyers would be useful in the poverty program, and several legal services programs were funded by OEO under Section 205 of the Act, which authorized grants for the conduct of 'research, training and

³ Shriver, "OEO and Legal Services," p. 1064.

demonstrations.⁴ The OEO put the need in the following terms:

The uneducated and uninformed poor are easy prey for the unscrupulous landlord, unfairly administered welfare regulations, racial discrimination. As accused offenders, they are more likely to wind up in jail for lack of money for bail or fines. The poor man seldom knows when he needs a lawyer or where to get legal counsel. He is prone to get into legal trouble, which in turn usually worsens his poverty-stricken circumstances. Timely legal counsel that could save his livelihood, his housing, his money and his freedom is rarely at hand.

The helplessness and vulnerability of the poor to legal problems have been ignored for too long. The poor too often see the law as an antagonist rather than a protector. A prosperous Nation's commitment to break poverty's grip on millions of its people presents a challenge and an opportunity to the legal profession. If the profession can turn the sharp edges of the law against the injustices that have long been visited upon the poor, it will have made a major contribution to the fight against poverty.⁵

In 1965, the Congressional Amendments made it clear that legal services programs were to be funded, and the Senate Report stated:

"The listing of activities in section 205(a) of course is not intended to exclude other types of activities related to the purpose of community action programs, such as legal services to the poor.

. . ." In 1965 the Legal Services Program was created as a separate division within OEO, and in fiscal 1966 more than \$27.5 million was

⁴ Daniel H. Lowenstein and Michael J. Waggoner, "Neighborhood Law Offices: The New Wave in Legal Services for the Poor," Harvard Law Review, Vol. 80, No. 4, February, 1967, p. 806; Pye, "Role of Legal Services," p. 213.

⁵ A Nation Aroused, First Annual Report, OEO, 1965, pp. 51-52.

committed for funding legal services throughout the country."⁶

The advantage of establishing the legal services program under Title II was that it would enable the community action concept to be embodied in the program. It would focus techniques of providing legal services which would aid the poor to help themselves break the cycle of poverty. As one commentator wrote, "underlying the Economic Opportunity Act and OEO policies is the belief that poverty is largely a psychological state, an apathetic unwillingness or inability to attempt to improve, caused by a lifelong history of pressure and frustration. When the neighborhood lawyer performs a service in behalf of a client, he may also be breaking into these habits of apathy and hopelessness. What distinguishes a legal services program from many other social agencies is that the lawyer works with his client for a concrete goal desired by the client rather than for the client for goals deemed desirable by the lawyer."⁷

⁶ Economic Opportunity Amendments #12, 79 Stat. 973.

⁷ Lowenstein and Waggoner, "New Wave," p. 811.

The Legal Services Program was oriented toward "advocacy" for the poor, involving the following:

- test cases and appeals to establish new interpretations of existing laws and court practices and to declare unconstitutional certain laws and procedures deemed in violation of the rights of citizens.
- aggressive advocacy against exploiters of the poor, e.g. consumer fraud, slum landlord exploitation.
- litigation against and negotiation with government bureaucracies to end unconstitutional or illegal practices.
- the drafting of model legislation to benefit the poor.
- community education to rights and responsibilities under the law.
- educate those who work with the poor to recognize legal problems and appreciate legal assistance.
- educate lawyers to recognize and discharge obligations to the poor.⁸

The method to be used was the Legal Services Project, designed and proposed by the local community in cooperation with the community action program. The project was expected to involve the use of neighborhood law offices which would be better located to reach the poor.

The neighborhood law office concept was based on the experience gained from the grey areas project of the Ford Foundation, its supplemental grant to Mobilization for Youth in New York City, and a New Haven, Connecticut, legal services demonstration. These projects,

⁸ Memorandum from Clint Bamberger to Ted Berry, Fred Hayes, Jule Sugarman, October 19, 1965.

plus a corpus of literature in the law journals, revealed that many of the poor's problems perversely stemmed from the public welfare bureaucracies, and that lawyers could contribute significantly to the legal rights of the poor. The transition from private to governmental action was given impetus by Edgar and Jean Cahn, who advocated the establishment of university-affiliated neighborhood law firms representing "persons and interests in the community with an eye toward making public officials, private service agencies, and local business interests more responsive to the needs and grievances of the neighborhood." The Cahns, in an influential article in the Yale Law Journal, described the theoretical function of the neighborhood law office as an aggressive advocate of, by, and for the poor.⁹

OEO Director Shriver asked Edgar Cahn to develop his proposals into a concrete program within the community action section.

⁹ See: Edgar S. and Jean C. Cahn, "The War on Poverty: A Civilian Perspective," The Yale Law Journal, Vol. 73, No. 8, July, 1964, pp. 1317-1352; Lowenstein and Waggoner, "New Wave," p. 805.

During the summer of 1964 the medium used was the Task Force Panel on Law and Poverty. In addition to the Cahns, the panel consisted of Abraham and Antonia Chayes, Gary Bellow, and James Lorenz. An outgrowth of their work was a conference at the National Institute of Mental Health on Law and Poverty, and the idea for the HEW Conference on the Extension of Legal Services to the Poor. In November, 1964, Shriver appointed Jean Cahn as a consultant to OEO, and for several months she prepared the groundwork for a national conference on Law and Poverty.

At the outset, there was disagreement over whether to utilize existing legal organizations and societies, supplemented by like organizations in cities where none existed. In November, the HEW Conference had assembled spokesmen with diverse points of view regarding the legal needs of the poor, new models for programs, the relationship of law schools with legal services and so forth. The Conference had been capped by Attorney General Katzenbach's statement that "we cannot translate our new concern into successful

action simply by providing more of the same. There must be new techniques, new services, and new forms of interprofessional cooperation to match our new interests."¹⁰

At early meetings with American Bar Association and National Legal Aid and Defenders Association leaders, however, it became clear that the organized bar had serious reservations about the program. Some frowned on group practices and were concerned about the effects on counsel-client relationships when organizations hired lawyers to serve their members. Others questioned whether neighborhood lawyers would be soliciting cases and thus violating the code of ethics. In particular, the HEW Conference had raised in their minds the spectre of unauthorized practice and socialization of the legal profession. In December, 1964, the National Legal Aid and Defender Association adopted the position that existing organizations could meet the needs, and creation of new agencies would be

¹⁰ HEW Conference Proceedings, 11.

less effective.¹¹

Recognizing that the success of the program depended on bar support, Jean Cahn devoted a large portion of her time to educating the bar about the proposal, and setting up a conference that would include major bar organizations and leaders. An Ad Hoc Committee composed of Task Force leaders, CAP and other OEO officials, leaders of the bar, interested academics, was created, and proceeded to work out plans for the conference.

On February 7, 1965, as a result of private agreements worked out by Jean Cahn and the ABA, a resolution was approved at the ABA midwinter House of Delegates meeting in New Orleans. Lewis Powell, President of the ABA, was instrumental in obtaining passage of the resolution, which said:

¹¹ Shriver diagnosed the objections in terms of the following: that the federal government was imposing a uniform blueprint for the rendition of legal services to the poor; that OEO would take paying customers away from private practitioners; that the program would subvert the Canons of Professional Ethics; that it would replace lawyers with laymen, turn legal aid into a patronage system, destroy the independence of the Bar and socialize the legal profession, and dictate to local legal aid organizations the precise composition of the boards of directors of the agencies. See: Shriver, "OEO and Legal Services," p. 1065; The First Step on a Long Journey, Congressional Presentation, April, 1965.

. . .the growing complexities of modern life, shifts of large portions of our population, and enlarged demands for legal services in many new fields of activity warrant increased concern for the unfilled need for (these) services, particularly as to persons of low income. . .The organized BAR has an urgent duty to extend and improve existing services and also to develop more effective means of assuring that legal services are in fact available at reasonable cost for all who need them. . . .¹²

Within OEO, noted one observer, "differences of opinion with reference to the status, importance and independence of the legal services program developed." By March, 1965, Mrs. Cahn resigned, ostensibly on the grounds of a conflict of interest ruling which prevented husbands and wives from working within the same agency. The responsibility for continuing the planning for the National Conference was given to the General Counsel's office. Donald Baker, Stephen Pollack, Bruce Terris, Anthony Partridge, and John Murphy all had roles in its construction. Unable to obtain White House backing or a vice-presidential appearance, they finally decided upon a joint OEO/Department of Justice sponsorship. On June 23 and 25, 1965, the National Conference was held, acquainting bar leaders with the new program.

¹² The First Step, p. 64.

Shortly thereafter, the program was placed in CAP, with B. Michael Rauh serving as Special Assistant for Legal Services under Theodore Berry. The ABA and NLADA, through Howard Westwood, recommended that Clinton Bamberger, Jr., an associate in a Baltimore firm and a lawyer with legal aid experience, be appointed Director of the Legal Services program. By late September, 1965, Bamberger became Director. Although the funds for legal service projects were to be obtained from the CAP budget, a greater degree of independence was provided with the assurances of a direct channel of communication to the Director of OEO, when needed. Bamberger chose as his Deputy Director Earl Johnson, Jr., whose background experience was 10 months of service in the Washington Neighborhood Legal Services Project.

Bamberger's initial task was to allay opposition from traditional Legal Aid groups opposed to the "upstart" program, and from local and state bar associations. The beginning phase of the program witnessed a few city bar associations passing resolutions condemning

the program, lawyers writing inflammatory articles attacking Legal Services projects, bringing anti-trust actions against them, challenging their creation in the courts, and threatened complaints before grievance committees.¹³ Bamberger's policy was to establish separate boards within each community action agency, consisting of a majority of lawyers--a necessary measure to ensure bar support. Moreover, the Legal Services Program in Washington would approve or disapprove applications. Regional offices would be staffed with LSP consultants, thereby creating a dual writeoff system. In effect, it meant that legal service applications would be approved at the regional and national level by legal service personnel, and that CAP approval would be a mere formality.

The development of OEO/CAP/LSP Guidelines for Legal Services demonstrated "a pattern of cooperation and understanding of the requirements of the legal profession."¹⁴ A document entitled

13 Lowenstein and Waggoner, "New Wave," p. 843.

14 Richard Pious, CAP History: Legal Services (unpublished), p. 8.

Tentative Guidelines for Legal Services Proposals to the OEO was

prepared in early spring, 1965. It adopted a flexible attitude toward the subsidization of existing legal aid organizations, stating, "whether the legal services program is run by legal aid, a bar association, an independent organization or by a combination of organizations is a matter for local determination." Proposals, it continued, "may extend or improve already existing services, such as legal aid, add new legal services through a new institution to those already existing, or provide a full range of services, as where no legal services are provided in the neighborhood."¹⁵

Legal Services were required to coordinate with community action groups, but be independent of organizations with which it might have a conflict of interest. Any proposal submitted for funding had to be eclectic in scope, from advice and counseling to appeals. Representation of the poor was emphasized. Suggested tasks were consideration of laws detrimental to the poor, education

¹⁵ Tentative Guidelines for Legal Services Proposals to the OEO, cited in Pye, "Legal Services," pp. 223-224.

of the poor in legal matters, and the maximum feasible participation of the poor in the development of legal services. By this guideline, "most legal aid organizations were required to change their structure, decentralize their offices, and expand the scope of their services" to qualify for federal funds.¹⁶

The Spring Guidelines caused some reaction. Leaders of the bar and of Legal Aid objected to the breach between OEO and traditional policies. OEO recognized the need for ABA support, as the charges of "socialization of the bar" began to be heard. In June, 1965 Theodore Berry, Director of CAP, stated, "the local community must decide what organization or organizations can best handle legal services for the poor. . . Such programs may be run by a legal aid society, a foundation, a university, or by a new nonprofit corporation. The sole standard is what group or groups is most dedicated and most competent to provide legal services for the poor and will receive the confidence and use of the poor." Berry reiterated the policy of the "poor on the board" in explicit terms: poor represen-

16 Ibid., pp. 223-224

tation was required, and a one-third percentage was set up as a suggested yardstick. Lawyers from minority groups had to participate in the forming of a legal services program and be represented on its governing board. Berry did not emphasize the role of legal services in law reform, except to encourage law schools to research areas of law affecting the poor.¹⁷

In August, 1965, Sargent Shriver recapitulated the OEO legal services policy in a speech before the ABA. "Our statute," he said, "requires maximum feasible participation of the poor in all aspects of anti-poverty programs. We intend to carry out the mandate of Congress on this. But to do so does not require the imposition of inflexible and arbitrary quotas. We have already financed legal services programs approaching this requirement in a variety of ways. We believe in flexibility. But flexibility cannot become a euphemism for evasion of our statutory duty."¹⁸

¹⁷ Address by T. Berry, Director, CAP, OEO, to the National Conference on Law and Poverty, June 25, 1965, reprinted in Law and Poverty, 127-128.

¹⁸ Shriver, "OEO and Legal Services," p. 1065.

In November, a new policy memorandum, An Introduction to the Development of Legal Services Program, was prepared. Five purposes were outlined, with only one significant alteration: in the Spring Guidelines independence of legal services from local community action groups had been tentatively stated; in June it was stressed; in November it was required. In the Spring Guidelines the desirability of providing representation for organizations of the poor such as credit unions in organization and litigation was stressed; in November, no mention of this was made. In the Spring Guidelines the task of educating the poor was allotted to social workers and lawyers; in November, it was constrained to lawyers only.¹⁹

In January, 1966, a new Guidelines for Legal Services made no mention of law reform or group representation. The criteria for eval-

¹⁹ November Guidelines, cited in Pye, "Legal Services," pp. 227-228; and p. 244: "It should be recognized that the consensus which forms the basis for bar support may be jeopardized if OEO requires local communities to allocate resources to activities aimed at institutional reform. Many lawyers will give steadfast support to organizations designed primarily to provide services to individual poor persons with middle-class legal problems but are either apathetic or opposed to organizations with substantial commitments to providing representation to groups contemplating civil rights demonstrations, economic boycotts, or rent strikes."

uating the program would be its contribution towards eliminating the causes and effects of poverty, but "it was not suggested how any long range effect could be accomplished without substantial involvement in law reform or group organization and representation." The February Guidelines contained language which considered the advocacy of reforms of statutes as a "traditional role of the lawyer that should be among the services afforded by the program." 20

Bamberger thus was able to win NLADA acceptance of the program, although it was lukewarm in the beginning. He refused to acquiesce in the suggestion that Legal Aid societies be funded automatically in existing community agencies, although in practice few areas saw competition between existing legal aid organizations and new legal services projects. The NLADA received approval for a grant application to provide technical assistance to Legal Aid organizations wishing to submit grant applications for Legal Service funds. Additional support from the Bar and NLADA resulted from the appointment of a National Advisory Council to Legal Services. Six of the

20 February Guidelines, cited in Pye, "Legal Services," pp. 229-230.

members were to be ABA or NLADA officials, on an informal ex officio basis. At the NLADA annual convention, in November, 1965, the membership approved formally the Legal Services Program.

Due to the efforts of Bamberger, ABA and NLADA leaders, and individual members of the bar, final guidelines were worked out, and by the end of the first year 132 programs had been funded, and over 100,000 clients had been aided. In only a few areas, such as Tennessee, El Paso, Florida, and North Carolina, had there been significant bar opposition. Elsewhere, the program had found widespread support. The bulk of the cases undertaken by legal services included housing, consumer protection, welfare, juvenile proceedings, and representation in misdemeanor cases. One measure of the scope of the Legal Services Program is to be found in its expenditure of more funds in its first year of operation than the traditional form of free legal services has expended in its entire 70-year history. The program's impact on universities was such that special courses were set up to train attorneys in the practice

of poverty law, a Journal of Urban Law was begun, and research was encouraged in the problems of the poor.²¹

In July, 1966, Bamberger resigned from OEO to run for Attorney General in Maryland. Earl Johnson, Bamberger's deputy director, became acting, then permanent Director, with the full endorsement of the ABA and NLADA.

Johnson's major innovation was to put the legal services concept of advocacy into an organizational reality. His vehicle for developing advocacy functions was the section on research, demonstration, and technical assistance grants. He brought in Gerald Caplan to expand these functions of the agency.

The Johnson-Caplan approach was to provide the new legal service projects with the tools they would need to operate aggressive programs. R.H. Smith Fellowship program was developed, which recruited young lawyers and graduating law students, and was designed to provide a cadre of lawyers which legal service projects could hire.

²¹ The Quiet Revolution, Second Annual Report, OEO publication, 1966, pp. 45-48.

Grants were also made to the Columbia University Project on Social Welfare Law, to the National Clearinghouse, and to other research groups which would provide and distribute to legal service projects the materials which they would need for litigation. The National Institute on Poverty Law and other regional and statewide training programs were developed so that lawyers in existing projects could be trained in new techniques. Project director meetings were held, and a project advisory group was established. For new projects a Technical Assistance Panel was created, composed of a dozen project directors, to offer assistance.²²

It was hoped that these developments would enable more of the projects to move into the areas of test cases, law reform, and neighborhood advocacy. Johnson continually emphasized that the resources of the program were limited, and that a "strategic approach to the use of resources was needed to maximize the benefits that could be obtained for the poor."

²² Pious, CAP History, p. 11.

In the first two years of Congressional supervision the agency escaped with relatively minor injuries. As stated before, there was no direct authorization for legal services in the 1964 EOA, and in 1965 the amendment to the act and Senate Hearings did not specifically authorize legal services, although they permitted it. In 1966 Representative Sam Gibbons of the House Committee on Education and Labor was determined to write in specific authorizing legislation. The 1966 language, worked out with ABA and NLADA consultation with the House committee, provided that Legal Services would be provided by the OEO in Title II. The 1966 Amendments also increase the dependence of all community action projects on local institutions, primarily by increasing the local-share requirement from ten to twenty percent.²³

During 1967 consideration of OEO legislation, there were two challenges for the Legal Services Program. The first challenge, the Ichord Amendment, would have provided for state and local bar association approval

23 Lowenstein and Waggoner, "New Wave," p. 834.

of projects before funding. The Murphy Amendment in the Senate would have prevented legal service projects from suing a state or local governmental agency, effectively taking the heart out of the program. Neither amendment was passed, although an amendment calling for consultation with the principal local bar association was passed.

In 1967 an amendment was passed which barred criminal representation, although counsel prior to arraignment in certain cases was permitted. Since much of the community rapport with legal service projects was based on the services these projects could provide in criminal matters, it was felt by Legal Service Program Director Johnson that the program had been crippled. It was a policy at the national level to work for a reversal of the Congressional action. An amendment calling for consultation with the principal state bar association was also passed.

The Appropriations Process was more significant in terms of legal service goals and prospects. On November 2, 1966, the LSP/CAP

submitted Budget Estimates to the Bureau of the Budget. These estimates indicated expenditures of \$25 million in 1967, of \$80 million in 1968, of \$104 million in 1969, and of \$123 million in 1970. While Legal Services was earmarked twenty-two million dollars in FY 1967 by the Appropriations Conference Committee, this was regarded by the Committee as a floor, not a ceiling, and in FY 1967 grants from CAP Versatile Funds gave Legal Services twenty-seven million dollars. But in 1968 the program was not able to spend anywhere near eighty million dollars. In actual fact the estimate of spending was contained in a forty-seven million dollar request in the President's budget, and about forty million dollars was actually spent. The prospect for future budget requests and Appropriations approvals was that funding would be substantially lower than originally called for in 1966.²⁴

Legal Service Program had attempted to achieve its original goals of funding even though CAP programs were not being substantially increased in 1966-68. The 1967 budget presentation was

24 Pious, CAP History, p. 11.

marked by testimony by the ABA-NLADA representatives calling for fifty-million dollars.

The speech of President Johnson in Syracuse, New York, in the summer of 1966, in which he called for the establishment of legal service centers in the slums, was cited by LSP in calling for the expenditure of ninety million dollars to upgrade legal services in the nation's largest fifty cities. However, neither the Bureau of the Budget nor the President would increase the requested 1967 figure, nor give the necessary political support to convince Congress to raise the level of funding.

In 1967 (FY 1968) Legal Service Project attempted to use the recommendation of the President's Commission on Civil Disorders, which recommended the establishment of legal aid centers in slums to gain increased appropriations. Again it was to no avail. And the request for 1969 from the Bureau of the Budget was cut from the sixty million dollars requested by CAP to only fifty million dollars, only a three million dollar increase over the forty-seven

million dollar request of FY 1968.²⁵

At the end of the second full year of operation, July 1, 1968, Earl Johnson resigned as Director to accept a Russell Sage Grant to write a book about the Legal Services Program. The number of programs had grown to 299, with over 800 offices. There were over 1,800 attorneys providing services. Programs were located in 49 of the 50 states, in D.C. and Puerto Rico, and in 45 of the largest cities. Before the program Legal Aid Societies had spent \$5.4 million dollars in 1964 on legal aid; in FY 1966 \$22 million was spent, in FY 1967 over \$30 million, and FY 1968 over \$40 million. In FY 1967 over 400,000 cases were handled, of which Legal Service attorneys had won three-quarters of their trials and two-thirds of their appeals. The backup programs had become a working reality, and many projects were able to devote more time to law reform and test cases, community education and group representation and guidance.

25 · Ibid., pp. 13-14.

Burt Griffin, formerly the director of the Legal Aid Society of Cleveland, was appointed Director on July 1, 1968. Griffin's appointment signaled a third stage in the agency development, during which additional facets would be emphasized. The first was economic development. As Griffin put it in a policy memo:

There is beginning to emerge a pattern of using legal service lawyers to help groups of poor people structure, secure resources for, and operate neighborhood corporations which create economic enterprises such as housing developments, retail stores, manufacturing concerns, and transportation services. . . .We recommend that the Legal Services Program increase its efforts in the field of economic development. . . .²⁶

Another area of concern was to be the way court systems worked. Griffin felt that overhaul of the judicial machinery in some areas might be needed, and hoped to make grants for reform. Grants to legislative bodies to enable them to create ad hoc study commissions to develop proposals for reshaping existing legislation was also contemplated.

Still other developments contemplated were in-depth legal services which would establish close lawyer client relationships.

²⁶ Ibid., p. 15.

Griffin felt that lawyers acting as champions and advisers for the poor on an individual basis could aid the poor to have the confidence needed to break the psychological barriers keeping them in poverty.

Finally, it was expected to complete the Johnson work of a comprehensive network of law reform efforts through:

- specialized national staffs in welfare, housing, consumer juvenile, and Indian law, community education, and economic development.
- state and regional law reform staffs functioning as general practice offices.
- local law reform staffs for larger programs, especially in urban areas, and
- a national program of recruitment, training, and career development of legal services lawyers so that good lawyers continue to enter the program and do not have their career development limited to their initial assignment or choice of operating programs.

It was also expected that the Legal Services Program would continue its major efforts to contain slum riots and eliminate the conditions that caused them. Legal Services Programs in Newark, Detroit, Washington D.C., New York City, and other cities played key roles in riot and potential riot situations in the summer of 1967. Acting as liaison with rioters and city officials, as counsel to arrested persons, and community leaders, the legal services personnel played a key role in preventing or ending violence in the

cities in 1967. As the prospects of violence continued in the summer of 1968, Legal Services conceived as a major priority the prevention of riots, and was preparing program proposals and techniques to aid in this effort.²⁷

Following are examples of some major cases brought by legal services attorneys. They cover the more important areas of consumer law, welfare law, and housing law.

Consumer

Consumer problems are extremely important. One case which was brought before the District of Columbia Court of General Sessions by a Washington Neighborhood Legal Services attorney not only changed a discriminatory consumer practice but also might change other harmful practices in other areas of the law affecting indigent persons.

A married couple who had paid \$1,619 for an automobile which cost

²⁷ See: "Legal Services Program Involvement in the Riots," OEO Publication; Law in Action, Vol. 2, No. 11, March, 1968, p. 1, 10: "The recent report of the National Advisory Commission on Civil Disorders. . .called for a substantial expansion of the OEO Legal Services Program through increased private and public funding. . .Although it recognized that OEO Legal Services had 'made a good beginning in providing legal assistance to the poor,' it found that too often lawyers were just not available to impoverished ghetto residents."

\$2,228 came to the legal services office because the credit company had repossessed the car when the couple fell two weeks behind in their payments. The payments had been delayed because the husband had lost his job. The couple did not ask the attorney to recover the money which had already been paid; they came to the office because the credit company was suing them for \$460. The attorney discovered that the sum allegedly owed included \$425 in inflated charges for "repairs," "Storage," and "repossession expenses." In court, the attorney argued that the repossession and the resale of the car violated a District of Columbia regulation in two particulars: first, the resale was held privately; and second, the clients had not been notified of the sale. The finance company admitted that the resale was improper but said that the fact was irrelevant to the case at bar because the regulation which had been violated was not designed to serve as a defense in a civil suit. The court, in a strongly worded and unequivocal opinion, held that an otherwise valid claim against a purchaser may be defeated in a case where

the seller has acted in violation of the law. The court further stated:

It is (the finance company) that is seeking the aid of the law and of the court. . . while blandly acknowledging that the claim is founded upon a violation of the criminal law. To grant to (the company) a . . . judgment which is predicated upon a breach of the penal law would be to assist it in reaping the fruits of that breach. . . This court is not prepared to take so self-defeating a view of the law.

The case is obviously extremely important. Finance companies and others who extend credit to the poor in the District of Columbia may no longer use illegal means for pursuing their claims. This kind of activity is rampant, not only in the Nation's Capitol but across the nation. It is hoped that this decision will be useful to attorneys in other jurisdictions who are litigating similar points of law.

Welfare

There have been several very important welfare cases handled by legal services attorneys. The most recent, and two of the most important, are the cases of Thompson v. Shapiro litigated by the Hartford Legal Services Project and Green v. Department of Public Welfare of the State of Delaware handled by the Community Legal

Services Program of Wilmington. The suits challenged the one year residency requirement imposed by the states for all persons coming into the states who applied for public welfare assistance. The courts, in finding for the plaintiffs represented by the legal services attorneys, held that the one year waiting period violated the Equal Protection Clause, the Privileges and Immunities Clauses and the right to travel with its concomitant right to establish residence. The plaintiff in the Connecticut case had returned to the state after a period of absence to be with her mother. The State of Connecticut is presently appealing the decision to the United States Supreme Court. In Delaware, the family with 8 children had moved to the jurisdiction where the husband had found a job as a construction worker. Bad weather and lay-offs had reduced the family's income and had thus forced them to apply for public assistance.

Another Connecticut legal services project, the Legal Assistance Association of New Haven, is presently contesting the adequacy of Aid to Dependent Children's assistance. The client in that

case is a woman with two children. She receives a monthly food allowance of \$92.40, which all indices show is from \$12 to \$22 too low per month. The case is pending before the Appellate Division of the Circuit Court where it will be argued that the Commissioner of Welfare has not performed his statutory obligation.

In Fulton County, Georgia, widows and children of Social Security beneficiaries may now obtain the full amount due to a deceased husband, as a result of a case represented by the Atlanta Legal Aid Society. The client, a widow, was told that the regulations prevented her from receiving the full amount of the Social Security benefits due her deceased husband. The Legal Aid lawyers, working with Social Security Administration officials, found a way to claim the full amount under the Georgia version of the common law practice of setting aside a share of the estate for the benefit of the widow and children. Under the new practice and procedures, even a wife living separately from her husband may obtain full benefits from Social Security. Obtaining these benefits often eliminates

the need for the family to go on public welfare.

Obtaining a change in procedures is often very difficult in this field as in others affecting the poor. One case reported by the Legal Services project in Cleveland illustrates the problem. The case involved a mother receiving Aid to Dependent Children. The father of the oldest child, an 18 year-old boy, died, entitling the boy to Social Security benefits. However, the case worker from the Cuyohoga County Welfare Department told the woman that the money accruing to the 18 year-old had to be used for the whole family. Thus, the family's ADC payments were to be reduced.

The legal aid attorney appealed the local welfare determination to the State Welfare Director's office. The Director allowed an exception in this particular case. Thus the client was satisfied, but the policy which is illegal had to stand because the rights of the client had been vindicated. Those who find themselves in similar circumstances and who do not avail themselves of counsel will be penalized. A similar case, however, was brought in New York by Mobilization for Youth. The State Department of Social Welfare

revised its regulations to exclude the income or other benefits available to a child as resources available to the family for the purposes of establishing the welfare budget for the family.

Housing

There have been many important cases litigated in the field of housing. One of the most important is the case of Habib v. Edwards, which is presently on appeal in the United States Court of Appeals. The primary issue involves a widespread practice in the District of Columbia and other major cities whereby landlords rather than repairing their houses evict tenants who report housing code violations to the proper governmental authorities. Most tenants rent their dwellings on a month to month lease which facilitates eviction proceedings for the landlord. A judge in Landlord-Tenant Court held that the enforcement of eviction under such a circumstance when the premises are in violation of the housing codes effectively deprives a tenant of the constitutional right to inform the government of violations of law.

Another aspect of this case involved the question of whether a poor tenant had to post the \$2,000 bond to stay the execution of the eviction order which had been obtained by a default judgment. The United States Court of Appeals recognized that an eviction would constitute irreparable injury to the client and that because of the individual's poverty, the legal remedy of posting the bond was insufficient. This established the precedent that a poor man should not be denied the right to appeal merely because he lacks sufficient funds to post a bond.

Mobilization for Youth funded through the OEO Legal Services Program is presently litigating two very important housing issues. The first involves a young couple and child seeking admission to public housing who were declared ineligible on the basis of the young man's record as a juvenile. His juvenile record included arrest without convictions as well as the offense of disorderly conduct and one misdemeanor conviction. The issues presented to the court were: whether behavior as a juvenile is a reasonable

and rational basis for denying admission to public housing especially in light of the fact that the man was now an adult, married and holding a steady job; whether in reviewing the past behavior of the person one may consider as part of a criminal record, adjudications of youthful offender and juvenile delinquency; and whether one may consider arrests not followed by convictions as evidence of bad character. The case has been appealed to the U.S. Supreme Court. The decision will have a wide impact on the class of persons eligible for public housing.

The second issue will also have a wide ramification. It challenges the methods by which persons are admitted to public housing. Mobilization for Youth is arguing that eligibility must be determined immediately upon application and that if the applicant is found not to be eligible he is entitled to be notified of this determination and given the reasons for his ineligibility. If the applicant is eligible, then the selection process should take place in some orderly and non-discriminatory manner.

Another important rule change has occurred in Jersey City by the actions taken by the legal services attorneys. Having obtained an adverse decision in a matter in which they challenged the housing authority's power to evict a tenant with 30-days notice and no reasons given, the attorney obtained an order to show cause for rehearing, wrote to the Department of Housing and Urban Development in Washington, D.C. and scheduled conferences with the local housing authority. As a result of these actions, the tenant remained in his home. But more importantly, the Department of Housing and Urban Development distributed a directive to all local housing authorities which made it imperative that tenants be given reasons for their eviction and also given an opportunity to reply or make explanation. This determination will affect the tenancy of thousands of people.

Another housing problem is nearing solution with the aid of the Legal Services Consumers Advocate in Philadelphia. Under his direction, a group of tenants in an old slum building known as The

Greystone has opposed an urban renewal plan which included the destruction of the Greystone and other buildings inhabited by low income people and which made no provision for new low income housing to replace the buildings to be destroyed. The first step was to have the tenant's building declared unfit for habitation. This declaration made it possible for the rents in the building to be placed in escrow and for a temporary receiver to be appointed to receive the rents, manage the property and place it in compliance with the Philadelphia Housing Code. The tenants' next step was to testify before the city council and to enlist the aid of others to oppose the renewal plan. As a result of this activity, the city council voted not to approve the renewal program and the renewal authority has agreed to place 300 units of low income housing in the Greystone area. In addition, the renewal authority is presently studying the feasibility of rehabilitating the Greystone. The Consumer's Advocate has continued his representation of the tenant's group and has asked the city's fine arts commission to declare the

Greystone a historical building because it is the oldest apartment building existant in Philadelphia and a classic of its kind.

Juvenile Matters

Legal Services attorneys have also brought many cases which seek to enforce the rights of juveniles. Prior to the Gault decision which applied many of the due process safeguards guaranteed by the Constitution to juvenile defenders, a Legal Services attorney in Washington, D.C., obtained a ruling from the District's Juvenile Court which applied the 4th Amendment's safeguards against illegal searches and seizures directly to the procedures of that Court. The Judge held that the evidence obtained by police officers who had entered the suspects house at the dead of night without a warrant, consent or need for haste could not be admitted at the trial of the two youths.

Another important case was brought in New York by Mobilization for Youth attorneys. A mother living on the East Side of New York was informed that her son was going to be suspended from high school

and that a hearing on the suspension would be held. The woman came to the MFY office and the director called the school officials to inform them that he had been requested to represent the son at the hearing. The school officials maintained that the hearing was an informal one and that no attorney would be allowed to attend. In the resulting case brought by the MFY attorney, Judge Constance Baker Motley ruled that in a hearing to determine the status of a student within the school system, if the parties involved wanted to be represented by counsel, such a request had to be honored by the school officials.

National Health
Affairs

National Health AffairsNew Beginnings

Between June 1965 and June 1967, a new effort to meet a major national health problem was begun. During this period OEO awarded grants for the development of 41 Comprehensive Health Services Programs. These Projects--known as Neighborhood Health Centers--were aimed at over-coming the serious obstacles that made it difficult for poor persons to obtain personal health care of quality.

The development of these pioneering projects in communities across the country marked significant advances in American medicine. Agencies concerned with health joined in the undertaking; community action agencies, hospitals, medical schools, medical societies, group practice plans, new non-profit organizations and health departments.

Poor people themselves, for the first time, became part of the endeavor. Residents of poverty areas helped to plan and develop health programs through participation in Neighborhood Health Councils and Boards of Directors of new non-profit organizations. Residents of the neighborhood served obtained new jobs and began careers as health workers on the Centers' staffs.

The experiences of the next few years would determine the progress and potential of the new programs and careers. The institution and individuals involved in these efforts would travel many different paths in their search for answers to complex needs. At this time, however, it is possible to describe the first steps of these important new ventures.

The Origin

Inadequacies in health services available to the poor in many communities of the nation received increasing attention in recent years as studies documented the scope and seriousness of the failures.

The ways that sickness and poverty reinforce each other were

repeatedly and dramatically documented. Health services for the poor were in many instances based on outmoded concepts of the poor law tradition, stripped of good relationships, fragmented in staffing and organization, inaccessible in time and place, offered in dismal settings, confusing in eligibility standards and insensitive to educational and cultural barriers. These problems resulted in avoidable illness and disability and made it impossible for many poor persons to take advantage of educational and employment opportunities.

The Economic Opportunity Act provided a stimulus and mechanism to seek ways of overcoming these problems. It focused attention on the unmet needs of the poor. It provided a new institution for bringing together those concerned with the overcoming of shortcomings of the past. It encouraged new experimentation and action.

A small staff in the Office of Program Planning of the Community Action Program of the Office of Economic Opportunity began in the spring of 1965 to address these health issues. Miss Lisbeth Bamberger, Acting Chief of Health Services, with the aid of Dr.

Sanford Kravitz, Chief of the Division of Research and Demonstrations, spearheaded this effort. They were aided by consultants from many agencies across the country. Most active in the early efforts were Dr. Julius Richmond of Syracuse, Dr. Howard Brown and Dr. Alonzo Yerby of New York, Drs. Count Gibson and Jack Geiger of Boston, Dr. E. Richard Weinerman of New Haven, and Mr. Avram Yedidia and Dr. Lester Breslow of California.

The Developing Concept

The initiators recognized that something significantly new was required to overcome obstacles. Modifications in the organization of services appeared essential. Improvements in primary health care seemed crucial. However, no ready formula was at hand. Rather there was a willingness and commitment to invest in approaches which were directed at meeting the identified problems and which presented innovative and imaginative ways of overcoming the traditional obstacles. OEO funds were available to encourage enterprise and experimentation. In the spring of

1965, Miss Bamberger and Kravitz worked with Drs. Gibson and Geiger of Tufts University Medical School in developing a proposal focused on these issues. A two-pronged approach was developed--one focused on urban conditions in the north and the other on rural conditions in the south. To help begin this experiment, a research and demonstration grant of \$1,168,099 was awarded in June 1965. The northern project was organized at the Columbia Point housing project in Boston; the southern one in North Bolivar County in Mississippi.

Across the country in Colorado, members of the Denver Department of Health and Hospitals had been developing another distinctive, but related, approach since the fall of 1964. Dr. Samuel Johnson of the Health Department led the effort. OEO consultants assisted the development of the program; in August 1965, \$805,567 was granted from the funds available to the city for local allocation. Grants from the Children's Bureau also assisted this ambitious undertaking.

In New York City, the Beth Israel Medical Center had undertaken

in 1961 to develop a high quality care ambulatory care program for the poor in the former Gouverneur Hospital in the Lower East Side of Manhattan. A contract with the City of New York provided funds for this effort. Dr. Howard Brown gave leadership to this effort. In December, 1965, an OEO grant of \$661,551 provided funds to strengthen the program by creating seven "caring" units and opening night clinics.

Another renowned New York hospital, Montefiore, also joined this effort, extending its long-term concern with community medicine. Dr. Harold Wise, Dr. George Silver, and Dr. Martin Cherkasky formulated a proposal to serve 35,000 poor persons in the East Bronx. The project proposed to link two neighborhood storefronts with the main center. A research and demonstration grant of \$1,971,271 was awarded for this project in June 1966.

In Chicago, the Board of Health and the Chicago Committee for Urban Opportunity, the local community action agency, had been considering ways of improving the health care available to the poverty

population of the city. With the aid of OEO, a study of the problem was undertaken; a report in November, 1965, set forth a proposed health program for the medically indigent. Drs. Mark Lepper and Joyce Lashoff had key roles in this endeavor. An Office of Medical Care Research, Development and Demonstration was established by the Chicago Board of Health to implement these recommendations. In June, 1966, grants of \$1,197,538 and \$719,644 were made to develop programs in the Mile Square area under the administration of the Presbyterian-St. Luke's Hospital and in the North Lawndale area under the administration of the Mt. Sinai Hospital. The Sears, Roebuck Foundation donated land and financed the construction of a new facility for the latter program; a Children's Bureau grant also helped this project.

In Los Angeles, planning to improve health services in the Watts area had begun in 1962. These efforts were intensified in 1965, with leadership from Drs. Roger Egeberg, Robert Tranquanda and Elsie Georgi. In June 1966, a grant of \$2,382,677 to the University

of Southern California was approved to develop this project.

From the negotiations which occurred in the development of these plans and projects and from discussions with community groups and health professionals, there began to emerge a concept of comprehensive health care which might overcome the serious obstacles of the past. A staff paper prepared by Dr. E. Richard Weinerman of the Yale-New Haven Hospital and Mr. Avram Yedidia, on the basis of the contract with OEO, helped formalize the emerging ideas.

In April 1966, Miss Bamberger described the essential elements of the evolving concept in a talk to the New York Academy of Medicine.

- (1) A "one-door" facility in which virtually all ambulatory health services are available;
- (2) close coordination with other community resources;
- (3) professional staff of high quality;
- (4) intensive participation by and involvement of the population to be served.

This approach was addressed to a series of key issues in the improvement of medical care services for the poor:

- (1) To provide a response to the question of how new public funds could be spent with assurance of quality, continuity and comprehensiveness;
- (2) to provide a workable means of reaching poor people with high quality health care by designing a new institution in line with the special needs of its consumers;
- (3) to offer a setting conducive to restructuring of health service jobs so new career ladders could be developed for trained members of the poverty population;

- (4) to provide one of the many openings needed for a broad-scale attack against poverty;
- (5) to develop new relationships between health professionals and their clients;
- (6) to offer physicians and other health professionals opportunities to serve people in great need in a setting that encourages high quality care.
- (7) to help meet the national goal of equal opportunity for all.

By June 1966, 8 diverse efforts, supported by over \$9 million in OEO funds, were underway. A variety of related, but distinctive, approaches had been started to accumulate experiences in dealing with some of the most complex questions of poverty and health services.

The Legislative Basis

The first OEO awards for these programs were expressions of the Agency's mandate (under the then "Section 207") "for the conduct of research and demonstration." Their start led to a more specific legislative mandate to move ahead. During consideration of proposed amendments to the Economic Opportunity Act by the Senate Committee on Labor and Public Welfare in September 1966, Senator Edward Kennedy of Massachusetts proposed an amendment to add Section 211-2,

authorizing grants specifically for comprehensive health services programs. The Senator proposed to include \$100,000,000 for approximately 50 new centers. The Senate Committee approved the Kennedy amendment, and included it in the bill reported on September 29.

The Committee Report included lengthy discussion of the new provision. It observed, "We have found that for the poor, health care is emergency care. Health is not a continuous and integral part of their life. Moreover, the care they have received has typically been devoid of a patient-physician relationship."

The Report further explained that in the Neighborhood Health Center Program, "instead of simply buying whatever services can be found, efforts are made to organize all of the health services needed for a community in a coherent, efficient, and personalized fashion, and 'deliver' them to the poor." The Report continued: "The integration of funds and services--regardless of the government agency from which the funds to support health services may come--to form a comprehensive, and integrated approach whereby

health services reach the individual or family for whom they are intended, is an excellent example of governmental cooperation and essential to the success of this program."

The bill reported by the House and Senate conferees on October 17 included Section 211-2, and identified \$50 million for Neighborhood Health Centers. The Act became effective November 8, 1966.

The Guidelines

The enactment of the new legislation led to intensive work to prepare formal "Guidelines for Comprehensive Health Services Programs." Issued in February 1967, they listed eleven "central elements":

- (1) Broad Scope of services - to insure comprehensive health and health-related services.
- (2) Acceptability and accessibility - to deal effectively with all barriers to services.
- (3) Size of population to be served - between 10,000 to 30,000 persons.
- (4) Auspices - to be operated by qualified professionals and involve neighborhood residents.
- (5) Community involvement - to be broadly based, involving residents of the neighborhood, professional associations and State and local agencies.
- (6) Integration of Major Services of Health funds and Services - to involve all publicly supported health services.
- (7) Eligibility Criteria - to be administered in ways consistent with program objectives and OEO and local criteria.
- (8) Personal Relationships Between Patient and Health Personnel - to achieve personal and continuous care.

- (9) New Roles for Health Workers - to demonstrate new methods of utilizing support staff and developing new careers for residents of poverty neighborhoods.
- (10) Narcotics programs - to be included, when appropriate.
- (11) Reporting and Evaluation - to be undertaken in all cases to determine problems and progress.

The Guidelines also listed five "Requirements," for obtaining OEO support: (1) focus on the needs of the poor, (2) involvement of the poor, (3) maintenance of effort, (4) non-discrimination, and (5) eligibility for reimbursement under related programs. The development of arrangements for reimbursements to these projects under Title XIX of the Social Security Act and other programs of the Department of Health, Education and Welfare was facilitated by a joint statement on "coordination of Funding of Health Services" signed in March, 1966, by Secretary John Gardner and Shriver. Agreement in principle on this issue had been reached in December 1965, by Under Secretary Wilbur Cohen and Shriver; this feature was recognized as critical to the long-term development and impact of the new program.

The Busy Spring

Meanwhile, it had become evident to Shriver that the problems

of health care for the poor were intrinsically related to many of OEO's new programs. VISTA Volunteers were becoming involved in health programs, the Job Corps and Head Start programs had major medical efforts developing within them. To facilitate OEO's response to these problems and opportunities and to increase its capacity to respond, the Director established in April 1966 the OEO Office for Health Affairs. Dr. Julius Richmond was named Assistant Director of the Office of Economic Opportunity for Health Affairs and Dr. Joseph English was designated his deputy. (Mrs. Lisbeth Bamberger Schorr became Chief of Program Planning and Evaluation of this office in January 1967.)

In July 1966, Dr. John Frankel was detailed from the Office for Health Affairs to head an expanded Health Division in the Community Action Program with Miss Bamberger as the Deputy Director, and with Mrs. Ruth Hanft, formerly with the Social Security Administration, who joined the Division in June, 1966. (The Division became a separate project office, the CAP Health Services Office, in July 1967). Similar offices were simultaneously set up with medical

personnel from the Office for Health Affairs in the Job Corps and VISTA programs.

A group of non-Federal consultants from many health agencies around the nation also gave critical help to the development of the Comprehensive Health Services Program by consulting with potential applicants and reviewing grant requests. Groundwork for this participation had been laid in training sessions held in June 1965, May and August 1966.

A basis had also been set for evaluation activities. In June 1966, a contract with staff of the Department of Community Medicine of the Mount Sinai Medical School in New York financed the development of a utilization reporting system. A conference at Brookings Institute on November 30 and December 1, 1966, focused on this subject. In line with the provisions of the new law, a joint evaluation effort was undertaken in early 1967 with staff of the Department of Health, Education and Welfare.

Between January and June 1967, about 70 proposals for funding, 40 additional letters of intent, and over 200 other inquiries were

received. The task of responding to these communications and reviewing funding applications imposed a tremendous workload during the spring months. Between January and June, 1967, grants were made to help develop 33 additional programs. Thus, by the end of the year, OEO was helping support 41 comprehensive health services programs.

Awards for the 33 new programs amounted to \$42,051,821; 2 grants (\$96,995) were for planning and 30 (\$41,954,830) were for operations. In addition, 2 other planning grants (\$103,455) were made for projects still being developed at the end of the year.

Also, 6 of the previously funded programs received supplementary support during the year. These grants amounted to \$8,464,762.

Thus, during fiscal year 1967, \$50,620,042 was awarded to Comprehensive Health Services Programs. A number of related grants and contracts for supporting activities amounted to \$199,976. Altogether \$50,820,018 was expended by the OEO for these purposes in fiscal year 1967. (Table 1, contained in Supplementary Documentation)

Program Characteristics

Analysis of characteristics of the funded programs showed the variety of different approaches evaluated and demonstrated. It also evidenced the consistency of a number of major themes, in line with the general thrust and objectives of the program concept. Of the agencies administering the approved projects, about one-fourth were hospitals and another fifth health departments. Medical schools and new health corporations each administered 6 projects. Other projects were administered by group practice plans, medical societies and community agencies (Table II, contained in Supplementary Documentation)

Most grants were made first to the local Community Action Agency. Contractual arrangements were made, in line with an approved plan, between the CAA and the health care institution, which normally administered the program as the "delegate agency." The few exceptions to this pattern were largely due to commitments made at the time of funding the initial demonstration projects and to unusual local conditions. (Table III, contained in Supplementary Documentation)

A review of the backgrounds of the Project Directors reveals a diversity of interests and approaches similar to those of the administering agencies. About one-quarter came from hospital staffs, another quarter from medical school faculties and a third quarter from health department positions. The remaining were formerly in the private practice of medicine or other positions.

Assistance and support was also given by various health groups and institutions in addition to those with formal administrative responsibilities. For example, numerous other health departments, medical societies and other health professional groups participated in planning and initiating programs. Of particular note is the involvement of medical school personnel; in addition to the 6 schools that were administering agencies, 16 others were participating in the approved projects in other ways and about 30 others were part of projects under development or consideration - these 52 schools account for about 60% of the nation's medical schools.

While firm data was not yet available on the cost of providing comprehensive health services to poverty populations, preliminary

data suggested the annual costs of ambulatory care might approximate \$130-140. Initial information indicated costs might be distributed generally along the following lines:

Medical Care	60%
Dental Care	15%
Health Education, Community Organization, and Social Work	10%
Training	3%
Evaluation	2%
Administration	10%

The geographical distribution of the 41 programs shows considerable dispersion:

East	16
South	9
Mid-West	8
Far West	8

An urban-rural division is also apparent:

Largest SMSA's	20
Other SMSA's	11
Rural	10

The 41 programs included about 900,000 persons in their service areas. The population served by a Center ranged from about 5,000 to over 40,000. These different conditions also held promise of providing a series of important experiences and new knowledge.

Neighborhood Participation

The extensive and active participation of residents of the poverty neighborhood was a critical element in both community action programs in general and in Neighborhood Health Centers in particular. This participation was most evident in the development of major roles for Neighborhood Health Councils in the planning and administration of programs and in the employment of neighborhood residents in their execution.

Information on the 41 programs indicated that Health Councils or similar bodies had been established or planned in 35 cases (85%) prior to the submission of the initial application. In 8 instances, Boards of Directors of new corporations had been organized. The Councils included generally 10-20 members. Neighborhood residents made up between one-third and two-thirds of the group. In a few cases, largely in New York City, the Council was made up entirely of consumers. In about half the cases, consumers constituted a majority.

The roles and responsibilities of the Councils were still evolving, as were other features of the new programs. The representatives of the neighborhood and the administrators of the projects were undertaking new relationships and responsibilities. Staff of local community action agencies were often involved in such discussions. Initial information indicated the Councils were tending first to be involved in matters relating to the location and hours of service and the selection of staff. They usually had a major voice in selecting residents of the neighborhood who were to receive training and jobs at the Center.

The budgets of the approved projects indicated that 1/3-1/2 members of the staffs of the Centers were to be residents of the neighborhoods. Approximately 1700 such positions were budgeted in 1968. They included a variety of positions - about 50% would fill new positions, such as community family health workers, and community health aides; about 10% were in social service activities; about 10% assisted in dental, laboratory, pharmacy and other technical fields; the remainder were in administrative and other sup-

porting positions. Since the innovative and flexible nature of these projects provided opportunities for experimentation and the intense interests of the neighborhood representatives provided a continuing impetus for action, the development of new jobs and new careers was likely to be one of the most important features of the evolving experience.

Specifics

By March 1968, 15 projects were providing comprehensive services to their neighborhoods; 7 had been in operation for 6 months or more. Staffs of the other projects were busy recruiting and training staff, arranging facilities and developing community relationships; 9 of these projects were providing limited services and many others were getting ready to do so.

A brief review of some of the key early developments indicated the following highlights:

- In Alviso, California, residents of the community were helping build outlying stations. The Ford Foundation had given financial help.
- The King City project, an extension of on-going group practice, began providing services in July, 1967, shortly after approval of the OEO grant.

- The East Palo Alto project was making arrangements with the local Veterans Administration hospital to provide support in beginning limited services.
- The South Central Multi-purpose Health Center in Watts was dedicated in September, 1967, and began full services in October. Five local construction companies cooperated to help build the new facility; maximum use was made of local labor. Residents of the neighborhood had been trained for a multiplicity of jobs at the Center.
- A new non-profit corporation was formed to administer the San Francisco project, bringing together neighborhood residents and health agencies.
- The first Denver Center, which opened in March, 1966, in the Curtis Park area, was immediately crowded by the great demand; over 50% of the population were served the first year. A second Center opened in the spring of 1968 and 11 neighborhood stations were being planned. The neighborhood councils were active, particularly in the training and employment of local residents; about 150 persons were trained.
- The Miami project began providing limited services early, utilizing former Head Start resources.
- In Atlanta, the Community Action Agency, the County Medical Society and Emory University Medical School were working together in an unprecedented fashion.
- Mt. Sinai Hospital in Chicago began providing services in a temporary facility in February, 1967. The new Center was completed in the spring of 1968. Mayor Richard Daley described the projects' four sources of support as "constructive federalism," involving the federal government, enlightened private enterprise, a progressive medical center and a city agency.
- Presbyterian-St. Luke's Hospital initiated services in February, 1967, in the Mile Square area, the city's greatest concentration of poverty. Registration exceeded expectations, requiring modified plans for staffing and facilities. Community health aides played a key role in extending services.
- In Leslie County, Kentucky, outreach services were providing wide home care services.
- The Louisville project, located in housing project, was part of the Model Cities program and was enlisting a broad base of interest and support.
- The Columbia Point Project, in Boston, administered by Tufts University, began services in December, 1965. About 90% of the residents of the housing project had been served by the summer of 1968.
- In Baldwin, a new corporation was uniting the efforts of the community action agency, the State health department and the State University College of Human Medicine.

- The Tribal Council in Red Lake, Minnesota, provided leadership in developing services supplementing the existing Public Health Service program.
- In Mound Bayou, Mississippi, limited services were given from a parsonage while arrangements proceeded for a new facility to be completed in 1968.
- The Gouverneur Health Service Program opened a satellite center, the Judson Health Center. In 1967, over 250,000 patient visits were handled, aiding more than 40,000 persons. Closer coordination with the Medical Center was being developed, improving continuity of care; the project's impact was seen in the reorganization of the hospital's ambulatory care program.
- Services began in the Riverside Health Center on the west side of Manhattan in December, 1967, under the guidance of the St. Luke's Hospital and in a City Health Department facility.
- The Bathgate Health Center, administered by the Montefiore Hospital in South Bronx, New York City, had been providing services in a storefront since June, 1967. An intensive training program prepared family health workers to assist the nursing staff and medical assistants to aid physicians. The main Center was to open in the summer of 1968.
- Poverty residents of Belmont County, Ohio, received services from the Bellaire Medical Group. The existing group practice plan was being extended to poor people in the small towns and back country; special transportation arrangements were made.
- The Hough area of Cleveland and portions of the Goodrich-Norwood area were being served by the new Neighborhood Health Center. The project was located in a health department facility and was also aided by Western Reserve University School of Medicine. The delegate agency was a new corporation established to administer community comprehensive health services.
- The Kaiser Foundation Health Plan in Portland, Oregon, pre-paid group practice plan, was extended to include 2,500 poor families from 5 areas designated as priority by the local community action agency.
- The Nashville Center, administered by Meharry Medical College, was working closely with the Mid-South Regional Medical Program. A church was to be used as a temporary facility until a new building was constructed.
- The Mountaineer Health Plan, a new non-profit corporation, administered the project in Raleigh County, West Virginia. Services will be provided through the main center located on the grounds of the Appalachian Regional Hospital in Beckley and seven stations dispersed throughout 600 square mile area. Community residents helped build the district stations.

1968 Chapter

The Economic Opportunity Amendments of 1967 continued the comprehensive health services program with only minor changes. The language of the new law, which was not enacted until December 23, included new references to specific interests in family planning, alcoholism and narcotics control activities and authorized assistance to less comprehensive projects in rural areas where elemental health services and personnel are lacking.

Limited funds for the support of anti-poverty activities were likely to restrict the program essentially to the existing level. About 20 of the 41 projects required refunding during fiscal year 1968.

During the year, increased attention was to be focused on measuring and evaluating progress. A new financial report was expected to indicate developments being made in realizing reimbursements; consultation and technical assistance were planned to help implement the established policies. Statistical reporting was to provide data

on utilization and a baseline for further evaluation. In addition, site visits were being made to projects in operation as part of the evaluation protocol. The visits included review of the quality of medical care and the nature of program operations and management.

The Emergency Food and Medical Services Program

An emergency program for food and medical services was established in an amendment to the EOA in 1967¹ with \$10 million allocated for 1968. The legislation called on the Director of OEO, working in conjunction with the Secretaries of Agriculture and HEW, to insure the availability of foodstuffs and medical services through a community action agency where feasible, or other local agencies or organizations. The Office for Health Affairs of OEO was designated as OEO's focal point for planning and coordinating the program, and the Health Services Office of the CAP program was designated as the operational focus within CAP for implementation. An interagency committee was also established.

¹ Section 222(a) (6)

On June 10, 1968, Dr. Joseph T. English, OEO Assistant Director for Health Affairs, appeared before the House Education and Labor Subcommittee to describe the program which, he said, "stems from Congressional awareness of the grim fact of hunger and malnutrition among America's poor people, and the urgent need for basic food and medical service to meet this shameful situation." He continued:

Although we are just beginning to define accurately the extent, degree, and geographic distribution of hunger and malnutrition in this country, we are fully aware that this is a major national problem. The effects of hunger and malnutrition are manifold but their most damaging aspects are their effects on the capability of the individual to function fully or efficiently in our society. Hunger and malnutrition can be responsible for such crippling disabilities as mental retardation, anemia, chronic lethargy and heightened susceptibility to illness.

When added to a myriad of other misfortunes, hunger and poor nutrition are likely to assure that the poor have neither the strength nor capability to break out of the poverty cycle.

Dr. English then outlined the OEO program. Realizing, he said, that \$10 million could not begin to fulfill national needs, it was decided to break the program into several components, "each designed to afford sufficient food and medical assistance to meet as much of the need as possible." Five million dollars was allocated for use in 256 priority counties designated because of the high concentration

of poverty, hunger and malnutrition; \$2.6 million was transferred to the Agriculture Department to expand the food stamp program and to assure that some 104 counties that did not have such programs would be better able to meet needs; \$1 million was set aside for geographic areas outside the 256 priority counties because of the realization that there were pockets of need in the midst of prosperous areas; and, \$1.4 million was set aside to permit demonstration and testing of innovative approaches to meeting food and nutritional needs of the poor.

The total population of the 256 OEO counties, Dr. English said, was approximately 6 million. "Their total poverty population is approximately 3.6 million. Total participation in current food assistance programs in these counties is 775,000. This to us would indicate that food and nutrition assistance must be made available to many more individuals."

As of June 6, 1968, Dr. English said OEO had received applications for food and medical assistance totaling \$18 million, as against \$7.4 million available for use (the \$10 million less the \$2.6 million transferred to the Agriculture Department). To meet the need, OEO

reappraised its overall priorities and reprogrammed \$3 million to be added to the Emergency program. In addition, two of OEO's regional offices reprogrammed \$150,000 of their funds, making a total of \$13.5 million. The money was to be used both to meet urgent needs in addition counties and to supplement many grants already funded at minimal levels.

This, said Dr. English, "is what OEO has done with the legislation you have written to meet one of America's most pressing problems-- the shameful hunger and malnutrition of far too many of its citizens. We hope you will consider this program as significant as we do, and will approve the direction in which we are moving."

Family Planning Services

In an area as continually controversial as family planning, and particularly federal funding of birth control through public agencies, OEO was, inevitably, caught in the middle of opposing views.

When Sargent Shriver appeared on NBC's "Meet the Press" on March 22, 1964, one of the questions was directed toward the issue:

Mr. Rowen: Mr. Shriver, many sociologists and educators are convinced that any poverty program that doesn't come to grips with the birth control problem is doomed to failure. Is there a place in your program for handling this problem?

Shriver's reply emphasized the importance of local choice of such a program operated in conjunction with the total community program.

Mr. Shriver: I have noticed that as education improves among people, the size of the family tends to go down. You have probably noticed the same thing. Statistics show that. I believe that as we improve education and knowledge among our people all kinds of information, including information about proper family planning will become available to people. We are not going to be running that from Washington. I have emphasized here and in testimony before Congress that this is a program that depends upon local initiative, local ideas and local solutions.

The issue of birth control programs funded under Title II of the Economic Opportunity Act, the Community Action Program, was raised again during Congressional consideration of the anti-poverty legislation. Sargent Shriver, testifying before the Subcommittee on the War on Poverty Program of the House Committee on Education and Labor, repeated the opinion he had given on the "Meet the Press," appearance: funding of a family planning program was possible under the terms of the legislation. He further stated, in response to the

query of Congressman Alphonzo Bell (R-Calif.), that he would approve such a program application if it were chosen by the community and if it conformed to the other necessary guidelines. He cited New York City as one city where the residents had already indicated an interest in the operation of a family planning program.

Shriver's response was countered by Bell, who based his opinion on the statement of one of the bill's sponsors, Congressman Phil M. Landrum (D-Ga.), that it was "fantastic" to say that birth control programs were possible as part of the community action program.²

The matter was raised again on the floor of the House during 1964 debate on the Economic Opportunity Act, by Congressman Frelinghuysen, who referred to the statement Shriver had made at the hearings. His subsequent exchanges with Congressmen Goodell, Bell and Carey (D-N.Y.) only served to point out that the dispute centered on the possibility vs. the probability that family planning grants would be made under

² Hearings before the Subcommittee on War on Poverty Program of the Education and Labor Committee, U.S. House of Representatives. 89th Congress, 2nd Session, on H.R. 10440, p. 1539.

Title II. Goodell favored a clarification of the language to prohibit the funding of such activities under community action.

After the bill was passed and signed by the President, OEO, in spite of the pressure to be expected from some Congressmen and religious groups, funded family planning services as part of community action agencies as early as fiscal 1965. However, the guidelines for these services were quite conservative, presumably in anticipation of the objections of groups which would oppose this government invasion of the personal lives of people served by the poverty program.

OEO guidelines for family planning prohibited the use of OEO money for advertising birth control aids, from promoting contraceptive devices as better than the "rhythm" method, from supplying a married woman with more than \$12 in birth control devices for one year, and--most importantly--from supplying unmarried women and women not living with their husbands with contraceptives.

In May, 1966, the amount of money available to married women was increased to \$20 per patient, per year. The increase was contained as one of ten points in a memo issued May 13, 1966, "Special Conditions Applicable to the use of OEO grant Funds for Family Planning Programs." The Conditions strongly re-iterated that:

1) Participation in the family planning component of this program must be entirely voluntary. No coercion or compulsion shall be employed to induce persons to use the family planning services funded by this OEO grant.

2) Use of the family planning services cannot be a prerequisite to receipt of the benefits of or participation in any other program or activity whether or not funded by this grant.

In spite of the fact that the guidelines were sharply drawn to preclude any form of coercion, OEO was one of those agencies attacked in a statement issued by the National Conference of Catholic Bishops in November, 1966. At the conclusion of a conference in Washington, D.C., the Bishops condemned all government dissemination of birth control information issued in conjunction with domestic public welfare and foreign aid programs. "Freedom," the statement said, is "endangered when persons or agencies outside the family unit particularly persons who control welfare benefits or represent

public authority, presume to influence the decision as to the number of children or the frequency of births in a family." The bishops also contended that some welfare programs coerced poor families into practicing birth control.

Director Shriver replied to the Bishops' charges, stressing the voluntary nature of the program and the specific prohibition against participation in a family planning program as a pre-condition for receipt of any other services under a CAA. He continued:

Any allegation that any OEO grant for family planning has been used to force information or service on any person, or as a prerequisite for other services, will be immediately investigated. If found true, prompt remedial action will be taken.

To my knowledge, no such allegation has ever been made and substantiated with regard to any of the 72 Community Action components for family planning OEO has funded to date.

The New York Times responded to the Bishops' statement with an editorial saying that no one would be more surprised than government officials to learn that they were coercing poor families to practice birth control. "Every grant concerning family planning made by the Office of Economic Opportunity," the editorial said, ". . . explicitly stipulated the condition that there shall be no coercion. Local or-

ganizations get no grants unless they first ask for assistance."

The editorial continued: "Unless or until the Roman Catholic hierarchy can pinpoint what localities, states or Government offices are using coercion in this country, it will have to be presumed that a straw man was created to be knocked down."

OEO's guidelines were criticized from the other side too. In August, 1966, the American Civil Liberties Union attacked OEO for barring the use of poverty funds to provide birth control aid to unmarried women or women separated from their husbands. The ACLU statement quoted a letter from Shriver to its Executive Director, John de J. Pemberton, saying that "unrestricted family planning aid might defeat its own purpose by arousing local resentment which would lead to termination of all such aid." OEO's guidelines, the ACLU said, violated the principle of equal treatment because they denied services to the poor "to which others in society have access."

An action taken early in 1966 by United Planning Organization, Washington, D.C.'s CAA, dramatized community objections to OEO's

moderate guidelines. The UPO trustees had voted 7-4 to reject a \$79,000 family planning grant on the grounds that the stipulation that it could be used only for married women living with their husbands was unacceptable.

Shriver had been caught between intensive opponents like the Bishops and some Congressmen, and other public officials and organizations who wished for a more positive OEO role. In June of 1966, he had contacted OEO Regional Directors to "clear the air" on his alleged "hesitation" to approve family planning grants.

It has been alleged that there is substantial restraint or diffidence on the part of Regional Directors and CAP Analysts to propose family planning components in Community Action Programs based on a belief that I or others in Washington oppose or take a dim view of such requests.

This message will, I hope, suffice to clear the air on this issue.

There is absolutely no hesitation on my part or, as far as I know, on anyone's part in Washington to approve family planning grants. As far as I know I have signed every such grant which has come to my desk. I shall continue to do so.

Therefore, if anyone under your direction is laboring under the impression that Washington, or the Director, is opposed to such programs, it might be well to explain to them that it was OEO which first created these programs.

In spite of the number of OEO approved family planning grants, Shriver was pressed to do more, and Congressional proponents of

family planning and population control compared OEO's modest accomplishments with the larger and less conservative programs promoted by the Department of Health, Education, and Welfare. During his testimony before the Senate Subcommittee on Employment, Manpower and Poverty, Senator Clark pressed the Director to liberalize the conditions for provision of birth control materials to the poor. Clark "suggested" that OEO was "lagging" behind other agencies of the Federal government.³

Although as knowledgeable observers of the guidelines controversy pointed out at the time, the 10% local funding arrangement and concurrent grants from other agencies allowed many administrators of community programs including family planning to wink at the restrictions and provide birth control assistance to all who requested it through a juggling of books, Congress itself did take action to broaden the family planning programs operating under OEO. The Economic

³ Joseph A. Loftus, "Shriver Demurs at a Proposal to Widen Birth Control Drugs," New York Times, June 22, 1966, p. 36.

Opportunity Amendments passed in late 1966 added ten new subsections to Section 205 of Title II of the Economic Opportunity Act. The new legislative directives regarding family planning removed the married-women-living-with-their-husbands-only restriction and wrote into law the OEO operating regulations on freedom from coercion.

Sub-section (o) stated:

In making grants for programs in the field of family planning the Director shall assure that family planning services, including dissemination of family planning information and medical assistance and supplies, are made available to all individuals who meet the criteria for eligibility for assistance under this part which have been established by the community action agency and who desire such information, assistance, or supplies.⁴

The Public Law took great care to stipulate that:

(2) No such grant shall be approved unless it contains and is supported by reasonable assurances that in carrying out any program assisted by any such grant, the applicant will establish and follow procedures designed to insure that--

(A) no individual will be provided with any information, medical supervision or supplies which such individual states to be inconsistent with his or her moral, philosophical, or religious beliefs; and

(B) no individual will be provided with any medical supervision or supplies unless such individual has voluntarily requested such medical supervision or supplies.

(3) The use of family planning services provided by the applicant under such grant shall not be a prerequisite to the receipt of services from or participation in any other programs under this Act.⁵

Following passage of the 1966 legislation, OEO issued new guidelines for family planning grants on February 6, 1967.

⁴ p. 23 of Economic Opportunity Act of 1964 as Amended - amendments included through December 1, 1966.

⁵ Ibid.

Continued and increased Congressional interest in family planning programs within the Office of Economic Opportunity was again demonstrated during the Senate's hearings on the 1967 Economic Opportunity Amendments. The Committee Report on the bill stated that the members had found family planning one of the most promising measures for combatting poverty, and S. 2388 as reported designated Family Planning one of the two new national emphasis programs added to Community Action.

Family Planning is made a national emphasis program in the committee's bill (sec. 221(b)(7)). Since 1960, no progress has been made in reducing the numbers of poor persons in large families. The committee has gathered sufficient data from government and private sources to conclude that (1) family planning has one of the highest cost-benefit ratios among all the various anti-poverty measures; (2) poor families with small numbers of children have a greater probability of moving out of poverty than those with greater numbers; (3) children born in poor families with small numbers of children have a greater chance to become nonpoor adults than those born in poor families with greater numbers; (4) the vast majority of poor persons desires family planning assistance but in many instances they do not know how to avoid the "unwanted" child; and (5) such a program is feasible. Since the beginning of OEO, the agency has gradually increased its support of locally initiated family planning projects but in relation to the total need the current effort is miniscule. The agency has only recently employed one full-time professional staff worker for this purpose. By citing such a program as among the national emphasis programs to be highlighted under OEO's community action the committee believes it will result in more concentrated staff recognition on the part of more local community action agencies that voluntary family planning is an indispensable element in any effective combination of measures to combat poverty (sec. 221(b)(7))⁶

⁶ Economic Opportunity Amendments of 1967. Report of the Committee on Labor and Public Welfare, United States Senate on S. 2388. September 12, 1967. p. 56.

OFFICE OF ECONOMIC OPPORTUNITY

PUBLIC AFFAIRS

WASHINGTON, D.C. 20506

Telephone: 296-2980

FOR RELEASE
MONDAY, FEBRUARY 6, 1967

OEO ISSUES NEW GUIDELINES FOR FAMILY PLANNING GRANTS

New guidelines issued by the Office of Economic Opportunity in a CAP Memo February 3, (No. 37-A) give local communities the option of setting their own eligibility criteria for family planning programs, providing participants meet the poverty standard set by OEO and the program conforms to local and State law.

The income criteria set by OEO ranges from \$1,500 for a family of one to \$6,000 for a family of 10 in non-farm households; and from \$1,050 for a family of one to \$4,200 for family of 10 in farm households.

The new guidelines, which were required by 1966 Congressional amendments to the Economic Opportunity Act, ask grantee agencies to submit by February 28, 1967, a statement describing the eligibility criteria that each individual sponsoring or delegate agency will determine locally.

In addition, applicant agencies for family planning projects must agree to post visibly and in the languages of the community a statement emphasizing that any participation in family planning programs is completely voluntary, should not in any way conflict with religious beliefs or restrictions, and is not a pre-requisite to participation in any other anti-poverty program.

One of the six items in the statement declares: "No one is allowed to force you in any way to participate in a family planning program. No one can tell you 'Unless you take part in the family planning program, you won't be allowed to receive welfare, or get job training, or put your child in the Head Start class.'"

Also included in the 10 special conditions applied to OEO family planning grants is a prohibition against the promotion of any particular philosophy or technique, including a declaration of preference on the part of the administrators of the project.

A limitation of \$20.00 per patient per year is set on the amount that can be spent for contraceptives, devices or drugs.

Project funds also cannot be used to promote through mass media the availability of the family planning program.

The Report of the House Committee on Education and Labor devoted less space to family planning, but did designate it as one of the four new special emphasis programs added to community action.

Finally, the committee had added family planning to the roster of special programs. Although OEO has supported local family planning programs in the past, the committee believes that additional emphasis on this aspect of the poverty program is desirable.⁷

The Economic Opportunity Amendments which became Public Law 90-222 on December 23, 1967, when signed by the President designated Family Planning a Special Program under Title II--Urban and Rural Community Action Programs. Sub-section (7) of Sec. 222 provided:

A "Family Planning" program to provide assistance and services to low-income persons in the field of voluntary family planning, including the provision of information, medical assistance, and supplies. The Director and the Secretary of Health, Education, and Welfare shall coordinate, and assure a full exchange of information concerning family planning projects within their respective jurisdictions in order to assure the maximum availability of services and in order best to meet the varying needs of different communities. The Secretary of Health, Education, and Welfare shall make the services of Public Health Service officers available to the Director in carrying out this program.⁸

OEO had begun to move into family planning in a larger way even before the signing of the 1967 amendments designating this effort a

7 Economic Opportunity Amendments of 1967 Report of the House Education and Labor Committee on S. 2388, October 27, 1968, p. 26.

8 Economic Opportunity Act of 1964, as amended. Amendments included through December 23, 1967. (OEO publication), p. 40.

special program. On April 14, 1967, OEO had announced a one-year grant to the New Orleans Family Planning Demonstration Program, operated by Total Community Action, Inc., and widely supported by community, religious, professional city and State welfare and health officials. The release on the program indicated that "the project will identify, contact, educate, and offer family services to approximately 18,500 immediately post-partum and 'high risk' indigent women in Orleans Parish, Louisiana."

When considering the 1967 Economic Opportunity Amendments, the Senate Subcommittee on Employment, Manpower and Poverty studied the operation of family planning services, and prepared a staff report on the subject. That report contained statistics on the relationships between family size and income, and found "on an overall basis. . . poor persons tend to have more children than persons with higher incomes."⁹ Throughout, the report stressed the "proposition that higher birth rates among the poor are not merely the result of poverty; they

⁹ Examination of the War on Poverty, Staff and Consultant Reports. Prepared for the Subcommittee on Employment, Manpower and Poverty of the Committee on Labor and Public Welfare. United States Senate, 90th Congress, 2nd session. Volume III, September, 1967, p. 717.

are also a cause of poverty." Further, the report pointed out that family planning services were a popular program under CAA's; the poor indicated interest in receiving such information and assistance.

In light of Senator Clark's 1966 criticism that OEO was "lagging behind" other government agencies in birth control programs, one of the most interesting aspects of the Staff Report is that it finds that OEO has the most noteworthy record in efforts to provide family planning assistance.

The agency which has been indulging in the most enunciations--the Department of Health, Education and Welfare--has apparently done the least to carry out programs. . .At best, the Department seems to have taken the position that the emphasis should be on "comprehensive health services," of which family planning may be a part. But family planning apparently will not be given any special attention or priority--despite the Department's own estimates concerning the higher cost effectiveness of family planning in the area of health, apart from its potentials for the reduction and prevention of poverty.¹⁰

The Report continued:

Within the Office of Economic Opportunity, the picture has been more promising. Once again the presence of local community action agencies has resulted in the surfacing of individual and social needs that, for one reason or another, were not being met by previously existing programs, whether public or private, local, State or Federal--with family planning being one of these needs.¹¹

10 Ibid., p. 732.

11 Ibid., p. 733.

The Report emphasized the need for specifically designated funds for family planning programs. "Under 'comprehensive health programs,'" the report observed, "the Department (of Health, Education and Welfare) in practice does not mean comprehensive, but rather whatever State and local health departments care to provide." The emphasis must necessarily be, therefore, a blend of Congressional directive (such as the 1967 amendments making family planning a special program), and earmarking of funds for the family planning program.

Overall authorizations and appropriations cuts hinder the continuation of existing programs, and the development of new ones. The Report indicated the obvious, that OEO had been the victim of these debilitating cuts. For instance, the report states, despite "OEO's own calculations that family planning was perhaps the single most cost-effective approach to the problem of poverty"¹² in 1967 they were forced to curtail family planning projects already in existence, and

¹² Ibid., p. 734.

were not able to fund some 20 proposed projects due to reduced appropriations. In spite of these difficulties, the Senate Subcommittee on Employment, Manpower and Poverty found that "The concrete measurable commitment of OEO to family planning has grown significantly over the past 2 years, in comparison with HEW. At the present time, OEO makes possible the most direct delivery of family services for the poor. This fact alone militates against the otherwise plausible argument of 'spinning off' OEO functions to old-line agencies."¹³

The increased OEO activity had begun with the establishment of an Office of Family Planning, and the appointment of Dr. Gary D. London as its Chief, in January, 1967. Family planning commitments were enlarged, and efforts at coordination were increasingly successful. For example, on September 17th, 1968, OEO announced an omnibus Family Planning program in Los Angeles:

A new and unique effort in the War on Poverty has been launched by an alliance of 10 agencies in Los Angeles County. Their

¹³ Ibid.

joint endeavor, funded by nearly one-half million dollars from the Office of Economic Opportunity, will bring fully comprehensive family planning services to the area's poor who desire such services but can't afford to get them privately.

For the first time since the U. S. Congress declared that family planning activities should receive special emphasis among anti-poverty measures, the several separate and independent agencies performing services in a single urban area have united to establish a single coordinated program.

In addition to the efforts of the separate agencies that joined together the new project was made possible by the combined efforts of the U. S. Congressmen from California whose districts will be served...

Late in 1968, OEO had funded 158 programs in urban and rural areas, providing a substantial increase in the assistance available to the poor.

At the time, the FY 1968 OEO expenditure on family planning programs was \$9 million.

Given this type of progress, coordinated efforts, combined with increased Congressional interest and acceptance, and favorable public and recipient response, it seemed clear in late 1968 that OEO's commitment to providing family planning assistance would be continued and expanded.