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OF PRESIDENT LYNDON B. JOHNSON
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Without exception and operating under blanket intensity varying only in degree, each section and office of OEO, from the moments of their inception, contended with a cluster of common problems. Generally, these had to do with the swiftness of their organization, the lack of trained personnel, the complexity and variety of their tasks, and the vulnerability of the entire anti-poverty program to the actions of the Congress. There was no moment in the history of the organization when any section of it formalized its operation into a routine. Flux and change became the permanent atmosphere of the headquarters building at 1200 19th Street NW. Steps forward--and backward--derived from the demanding pressures of the moment, invariably marked each of the organizations constituent operations. Frequently, where a move forward proved to be a mistake, a different tack marked an entirely new course into

uncharted areas. There were moves as well, however, which quickly established precedent and procedure. Always, there was evaluation.

As an example of how the various resources of the OEO structure were brought to bear on a single instance, take the case of a grant application received from an Indian reservation.

The Rosebud Reservation Program

The Sioux of South Dakota were among the first to take advantage of the provisions of the 1964 Economic Opportunity Act. The reservation residents had, of course, been organized on a tribal basis long before the act's passage. The Tribal Council, traditionally, was the governing body or local "city hall." When the EOA was enacted, a variety of reservation groups and individuals organized to meet the challenge. There were religious groups, Federal employees, college graduates, interested Tribal Council members; representatives of all areas of reservation life who felt they had the expertise and perseverance necessary for dealings with Federal bureaucracies. According to a participant, the religious

communities were among those responsible for inspiring and motivating the community response. For this reason, the first "action" group was named the Christian Social Action Committee. This was an informal group, but an effective one. Through the efforts of the Committee, consultants were enlisted in the fields of education, industry, economic development and housing. Significantly, these outside consultants were selected and utilized by the CSAC. The CSAC, composed of reservation residents, was a self-help organization of a people notoriously subjected to Federal paternalism. The group, acting without a legal charter, but with the enthusiasm generated by the challenge implicit in Title IIA of the Poverty War, examined the program, reflected its various needs and drew up a grant application. Each item of the application and each proposal was the subject of intense discussion on the reservation during late 1964 and early 1965. The Committee had received a set of guidelines from OEO. It was its task to translate the expressed needs of the reservation to meet the demanding formulas received

from Washington and then to turn these formulas into programs.

The original grant application called for an administration component, a Head Start program, a Legal Services program, a Health Aid-Sanitation Aid program, a credit union, a Nelson Amendment program (employing the elderly in beautification projects), an adult basic education program and a VISTA program. While all of these programs would remain under the general direction of the local CAA, Head Start, Legal Services, Health Affairs, Older Persons and Manpower Programs would each receive special attention from a specific office at OEO Washington Headquarters. As time went on, the Rosebud CAA would be able to adapt such programs as Comprehensive Health Centers and Neighborhood Service Centers to their own special needs. Later developments included the working out of a plan for economic development and a research and development transitional housing program.

Some of these programs caused difficulties during and after the grant approval process, but the difficulties only contributed to the experience and effectiveness of the residents in dealing

with their own problems. The reservation had found an effective means of expressing its needs by meeting the challenge and not, as had been the pattern all too often, merely following directions. It was precisely that kind of experience which was the philosophic and pragmatic heart of the entire OEO concept.

The Rosebud grant application made its way to OEO Headquarters in Washington and to a CAP analyst. CAP wanted to know the overall objectives of the proposed Community Action Program on Rosebud. They wanted detailed statements of objectives to be accomplished in specific periods of time. The analyst had to make sure that the application corresponded to OEO's legal authority to grant funds. The first problem with the grant application was the status of the Christian Social Action Committee. The Committee had no legal standing since the only permissible legal entity on a Federal reservation is a Tribal Council. One of OEO's requirements was that the grantee be a legal entity. A series of discussions ensued. The group which had drawn up the application suggested that the Tribal Council be the grantee, but that the Christian

Social Action Committee be delegated as the operator of the CAP.

This compromise was rejected by OEO's General Counsel. In the end the Tribal Council became the grantee and the Christian Social Action Committee formally left the scene. Its members, however, were active in carrying out the grant.

The CAP analyst, after these and many other discussions, composed a "hi-lite" memo on the grant application. The memo contained a summary of the program components, an estimate of the numbers of professional and sub-professional people to be employed, a quick background piece on the organization sponsoring the application, a resume of the person proposed as the Director of the project, the amount of funds requested, the proposed method of accounting for the funds, and, finally, the CAP analyst's recommendation.

Before the application was sent on to the Indian Branch Chief (in this case the equivalent of the Regional CAP Manager in other applications), a review by the representatives of the Offices of Civil Rights, General Counsel, and Inspection took place. In this

particular case there was a civil rights complaint. The Office of Civil Rights investigated. Since the Tribal Council was to be the grantee, only enrolled tribal members would have a vote in the administration of the program. Although Indians made up 80 percent of the target population, there were a number of poor non-Indians on the reservation territory. However, non-Indians could not, by tribal law, have a place on the Tribal Council. The problem was resolved by having the Tribal Council create the Rosebud Economic Opportunity Commission and admit the non-Indian representatives to their sessions when discussing CAP business. Tribal affairs were handled by the members in their traditional role as Council. Even this concession on the part of the tribal leaders took a great deal of persuasion. Additional complaints of discrimination against whites in the program were resolved without the use of war-paint. There were no other major crises in the grant application and approval process. OEO's General Counsel insisted on special conditions for program components delegated to religious institutions to ensure compliance with statutory and Constitutional provisions. The

Office of Inspection did not raise any alarms at this time. The whole process of grant review tried to ensure that funds would be distributed in compliance with the provisions of the Economic Opportunity Act and other Federal guidelines and regulations. The applicants decided what program would be useful to them; OEO simply determined the legality and appropriateness of the use of Federal money. This process provided a discipline and focus for the applicant; it did not provide the initiative, energy or perseverance necessary to carry out the program.

When the Rosebud grant was approved, OEO's Office of Congressional Relations announced the grant to members of Congress and called one Senator--in this case a Senator of the State with a demonstrated interest in Indian affairs. At the same time, the Governor of the State was notified of the grant approval. While this was the first formal contact between OEO Headquarters and the Governor, he had been kept informed by the applicants and OEO of the contents and progress of the application. The Office of Public Affairs prepared

and released announcements to local and national press. CAP notified the Budget and Finance Division of OEO's Office of Administration of the grant approval. The Budget and Finance Division then released the funds to Rosebud through a voucher system.

Three problems quickly arose. One concerned the Legal Services Program. The Tribal Council, which acted as grantee, discovered somewhat painfully that Legal Services Program lawyers could provide counsel and assistance to an indigent member of the tribe if he wanted to sue the Tribal Council. This particular exercise of poor people's power did not appeal to the Council members. It had never been done before. The grant, however, had provided for a special Board of Directors for Legal Services and the wisdom of this provision became apparent. After some commotion, the Tribal Council adjusted its way of thinking and accepted the innovation in tribal folkways.

Another problem brought the Office of Inspection to the reservation. One of the difficulties in all local CAA's in having elections and in making appointments to positions was that people

lost elections or failed to get the appointments they wanted.

At Rosebud, one of these disappointed non-appointeds discovered a "scandal". He charged that Federal funds were not being used "in the best interests of the Federal government." Poverty program vehicles and personnel were being used to help different communities build "squaw coolers." (Squaw coolers are ceremonial dance arenas.) The complainant had written to Washington on other occasions without effect, but his allegations about "squaw coolers" proved intriguing to someone in the Office of Inspection. OEO's guiding principle of local initiative and the presence of former reservation residents in the Indian Branch of OEO Washington Headquarters guaranteed the "squaw coolers" a more sympathetic hearing than any other Federal agency could provide. When the investigators from Inspection learned of the importance of these dance arenas to community morale and also discovered the complainant's history of political enmity towards the Board Chairman, the CAA was allowed to continue its assistance to the "squaw cooler" renovations. If the complaint had

been centered on mishandling of funds rather than misuse, the Audit Division of the Office of Administration would have sent investigators to the scene.

The Head Start component of the CAA contributed a third set of problems. The Rosebud Head Start shared the universal success of Head Start in terms of the children and community involvement, but the program also shared in the usual difficulties with the local schools. In this case, the local schools were county-run. The single parochial school on the reservation, despite the concerns of the Office of General Counsel in the beginning, was not a significant problem for the Head Start coordinators at Rosebud. The issue was--who was to run the program? The Rosebud CAA decided that institutional change could not occur if the programs were run by the local school system. The issue was resolved by making and keeping Head Start a function of Community Action. A further problem, which Rosebud shared with the rest of the nation, was the question of Head Start salaries. In the Head Start program, sub-professional teacher's aides were being paid almost as much as the

teachers in the local schools. This was not appreciated by the local school boards. The historic resistance of educators to those "outside the field" persisted until the CAA was able to demonstrate its effectiveness in gaining Federal assistance for the local school system.

The community's success in organizing itself for action and, above all, its success in gaining a positive response from Washington, gave the residents of Rosebud confidence in their ability to take advantage of other Federal programs. In the past, the residents had been forced to wait for the Bureau of Indian Affairs to administer to the tribe's educational and economic needs. Now the residents could utilize the experience they had gained in applying for Community Action funds. They applied for and received Elementary and Secondary Education Act funds from HEW for their public schools.

This echo of the CAA experience was heard in the corridors of the Bureau of Indian Affairs in Washington. For some time, the Bureau had been trying to work out a plan for economic development

for the tribe. Now the emphasis shifted to planning with the tribe. The experience of self-help on the local level and the expertise developed in the process of proposing and implementing the Community Action Program could not be ignored. The local CAA personnel were not only sensitive to the needs of the reservation residents but had also demonstrated their ability to match these needs with Federal programs. The CAA, through surveys conducted by VISTA Volunteers, was able to pinpoint the needs of the reservation. The CAA staff, which had persevered through the long and complex OEO grant application process and, through OEO's Office of Interagency Relations (now Governmental Relations), had access to key points in the Federal poverty-related agencies, could develop a multi-agency, coordinated plan.

A housing program became a high priority program as a result of the VISTA survey and the decision of the CAA. Since OEO was not permitted by law to undertake "bricks and mortar" projects with ordinary Title II funds, the reservation CAA applied for a demonstration grant for a transitional housing program involving 400

units. When OEO received the application, it sent an outside consultant to inspect the situation. A further grant was made to a consulting institute for the purpose of determining the best type of housing for the needs of the reservation. The residents needed low-cost housing and the community would never develop sufficient funds for subsidies. A pre-fabrication shop, employing reservation residents, was decided upon. Only four areas were selected for such demonstration projects and Rosebud was one of them. Rosebud was selected because the local people had been able to demonstrate their need and, above all, show that they had developed indigenous leadership capable of handling and implementing such a program. The Office of Research , Plans, Programs and Evaluation would be responsible for determining the effectiveness of the pilot program.

The program of the "bricks and mortar" prohibition still remained, however. A coordinated plan was finally worked out. OEO contributed technical and training assistance, HUD provided some funds for material, the tribe provided the land, the U.S. Public

Health Service provided funds for water supply and the Bureau of Indian Affairs provided funds for the fabrication shop and equipment. Prior to the work of OEO's Information Center on the Catalog of Federal Assistance Programs, gathering pertinent information on the capabilities of these Federal agencies would have been an insurmountable task for the local CAA. The coordination of all these Federal agencies with their own special interests and operating procedures into a plan that would meet the needs of this one reservation would have been impossible without the community organization and community leadership developed by the CAA.

The areas of need, however, were scattered over 7500 square miles. The local CAA had to solve the physical problem of getting the units to the areas and resolve the more critical problem of who was to get the units. This problem was solved by using the CAP principle of local organization. The reservation was divided into 21 areas. The residents of each area decided which families would get the new units. A family that received a unit joined a local Home Improvement Association and contributed time, labor and funds

to local efforts at home renovation. The effect of the housing program went beyond the structures and physical improvement. These Home Improvement Associations became "little city halls", with organization and funds to do something about their housing problems and living conditions, particularly water supply.

This example of local need, local planning and Federal coordination illustrated an important effect of the Economic Opportunity Act. The sense of community organization, the experience and the local leadership instigated by the passage of the EOA would outlive OEO itself. The people of Rosebud Reservation and others like them around the country would demand responsive and coordinated action from Federal agencies in the future. The lessons were not lost on HEW, HUD, or the Bureau of Indian Affairs. OEO was not-- and was not intended to be--the entirety of the War on Poverty. But the Sioux of South Dakota had come to expect that future efforts to help them would be worked out by the Sioux themselves and coordinated with a minimum of conflict on the Federal level. The story of the Rosebud Economic Opportunity Commission is the story of the

Sioux nation responding to a challenge through a new approach
opened to them by the EOA.

* * * * *

The following section of the history describes the work and organization, office by office, of the OEO administrative, programmatic and operative machinery.

Office of Management

During the summer and early fall of 1964, the embryonic OEO operated on good will and "scrounging". There were no funds set aside for the OEO Task Force; it depended on the contingency fund of the President's Executive Office. Yarmolinsky and William P. Kelly, an AID official on loan to the Task Force, sent many an "Oliver Twist" memo to William Moyers, Special Assistant to the President. Equipment and personnel were borrowed from existing agencies. When HEW's appropriation bill insisted that Task Force employees could not be on the HEW payroll, Kelly was charged with finding sympathetic

Personnel Officers all through the government to take on almost 100 workers. Volunteers worked through the summer and fall without pay or certainty of being hired at the end. Throughout this chaotic time, Kelly, who was later appointed head of the Job Corps, managed the administrative birth of the new agency.

Over 400 contracts were negotiated between October 8, 1964, and June 30, 1965. This was accomplished by the hastily augmented Task Force group centered in Washington. The need for decentralization quickly became apparent. In April, 1965, seven regional offices were designated. By October, 1965, the Headquarters and Regional Offices, their various divisions and their functions were formalized, and the Office of Management established.

The Management Office was organized into six divisions: (1) Budget and Finance, (2) Personnel, (3) Audit--to fulfill the Dir-

ector's responsibilities of reviewing grantee applications as well as internal OEO operations (this gave Audit a policy voice which other sections of the Office of Administration did not have), (4) Contracts Division, (5) Management Analysis, (6) Management Support-- maintenance, etc. In late 1966, Robert D. Cassidy succeeded Kelly as head of Management. Cassidy transferred the Budget Division to RPP&E and changed the name of Office of Administration in December, 1967. The Office of Administration participated actively in the various reorganizations of OEO, especially the one prompted by the McKinsey study of CAP, and joined with other Federal agencies in expediting the process of local community applications for Federal Aid.

Three divisions of the Office of Administration deserve special attention: Audit, Personnel, and Management Analysis. The Audit division was set up and run in the early days by Nathan Cutler, a participant in the Task Force. It provided the Director and other OEO management officials with independent reviews and evaluations of

OEO's program operations; performance, costs, and financial reporting in connection with OEO's contracts, grants and loans awarded to outside organizations were subject to specially tailored audit coverage. The Audit division had representatives in the Regional Offices, but they are not under the direction of the Regional Director. The Personnel Division over the years had to cope with a high turnover of personnel. Contributing to this problem were Congressional limitations on super-grades, failure to vote OEO employees the general pay increase given to all other federal employees, and pay stoppages due to lack of appropriated funds. Nor, did threats of spin-off contribute to morale.

The fluid staffing situation endemic to the organization of a new agency and the involvement of OEO with the problems of poverty in which minority groups had a disproportionate share, gave OEO an unrivalled opportunity to employ minority group members. In grade levels GS 1-18 as of December, 1967, 30 percent of OEO employees were members of minority groups; about 12 percent of GS 13-15 positions were held by minority group members in December, 1967. In

fulfilling its commitment to equal employment opportunities through affirmative action methods, OEO continued its efforts to recruit and advance minority group persons into supervisory and policy-making positions.

An example of the implementation of OEO's policy was the Indian Affairs Branch. Since OEO employees in this division included former residents of Indian reservations, the reservation Indian, for the first time, had direct access to an office in Washington whose staff was empathetic rather than simply sympathetic with his problems.

The Management Analysis Division was once known as Shriver's Special Staff Office because of his propensity to use it as a troubleshooter. The Management Analysis Division was responsible for preparing responses to Congressional inquiries and for back-up material for Congressional presentations. This function was transferred later to RPP&E.

Headquarters (Chart I)

The Director's Office was composed of the Director, Deputy Director and Executive Secretary. Two councils, the Economic Opportunity Council and the National Advisory Council, had been established by the Economic Opportunity Act to assist and advise the Director. The EOC was composed of cabinet level government officials; the NAC was composed of representatives of the general public. The Director was responsible to the President for the administration and coordination of federal anti-poverty programs authorized under the EOA. He was to establish basic policies for the OEO, and OEO's organizational structure. The Executive Secretary was responsible for the administration of the Director's Office, for correspondence control and for liaison between the Director and various agencies and organizations.

Staff Offices

• Staff Offices included, in October 1965: Inspection; General Counsel; Congressional Relations; Interagency Relations; Private Groups; Research, Plans, Programs and Evaluation; Public Affairs;

and, Information Center.

Inspection was to conduct investigations covering the entire area of the Director's responsibility. At this time it operated much as the "eyes of the king." The idea of such an "early warning system" was drawn from Shriver's experience with a similar operation in the Peace Corps.

The Office of General Counsel was the Director's lawyer. It also provided legal assistance to the various program officials within OEO and to the delegate agencies on OEO matters.

The Office of Congressional Relations was to serve as the center of OEO relations with Congress and to develop and recommend policies on Congressional relationships, including strategy.

The Office of Interagency Relations acted to insure implementation of OEO policy in the operation of delegated programs and in establishing liaison with other Government agencies.

The Office of Private Groups established a program to stimulate and coordinate the activities of national and private groups

in anti-poverty activities, promote community relations for OEO's operational programs and provide executive secretarial services for the group Advisory Councils.

The Office of Research, Plans, Programs and Evaluation was to provide statistical data on poverty in the U.S. and, more importantly, to develop programs to meet the needs uncovered and evaluate the quality of the programs in terms of the need.

The Office of Public Affairs was to handle public relations for OEO, disseminate information about the programs, and coordinate the efforts of government officials in their public statements about OEO.

The Information Center was to collect, analyze, correlate and distribute information concerning the anti-poverty programs, develop a data processing system appropriate to OEO and maintain the OEO communications network.

Assistant Directorships

In October, 1965, there were four Assistant Directorships: Job Corps, Community Action Program, VISTA and Management. The

Job Corps Director was responsible for the implementation of the Job Corps program. The Director's Office included a Secretariat, a Plans Staff, and Operations Center (with 'round the clock staffing) and a Community Relations Staff. Under the Director and Deputy Director, there was an Office of Urban Centers, an Office of Conservation Centers and an Office of Enrollee Activities.

The Director of VISTA had under his direction an Office of Volunteer Recruitment and Community Relations, an Office of Projects and Volunteer Support and an Office of Selection and Training.

The CAP Director, in administering Title IIA, had an Office of Policy Planning, and Administrative Office, Office of Program Review, and an Operations Division. The Office of Program Planning was responsible for developing policy and guidelines for CA programs. The Administrative Office was responsible for compliance to CAP policy. The Office of Program Review was responsible for evaluation of policy, program and OEO administration. The Operations

Division was responsible for the coordination and processing of CAP grants through the Regional Offices or Special Project Managers.

In October, 1965, there were six Special Project Managers:

Head Start; Upward Bound; Legal Services; Demonstration, Training and Technical Assistance; Indians, Migrants and Territories; Other Special Projects.

The Assistant Director for Management was responsible for planning and direction of financial, administrative and management functions in support of anti-poverty programs. The Office included: a Budget and Finance Division, an Audit Division, a Contracts Division, a Personnel Division, a Management Analysis Division, and a Management Support Division.

Regional Offices (Chart II)

In October, 1965, the Regional Offices and their Directors were to represent the OEO Director, within certain limitations, in seven geographical regions. The regions were: I - Northeast, based in New York City; II - Mid-Atlantic, based in Washington, D.C.; III - Southeast, based in Atlanta; IV - Great Lakes, based in

Chicago; V - North Central, based in Kansas City, Mo.; VI - Southwest, based in Austin; VII - Western, based in San Francisco.

Each Regional Office was organized on the same basis as the OEO Headquarters with a Director, Deputy, a cluster of Staff Offices, and Divisions for Job Corps, CAP, VISTA and Management.

The Executive Secretariat

The Office of the Executive Secretariat was created with OEO's inception. It was to serve as the focal point for executive actions and communications from and to the Director, and to establish administrative policies and procedures to complement the efforts of the Director with respect to all phases of administration, program correlation and staff coordination.

Growing out of similar models in the Departments of State, Defense, the Peace Corps, and the Agency for International Development, the Executive Secretariat became the monitor and controller of the Director's communication flow and the key element toward establishing a more systematic decision-making procedure by winnowing

the flow of papers to senior officials and assuring their review by relevant units within OEO.

The Secretariat was also responsible for assisting the organization as a whole by providing a channel for conveying accurate information promptly and by protecting operating and staff units from those seeking to bring one-sided pressure on the decision-making process. The Executive Secretariat's hope was to bring together the work of various groups of the organization so that their total effectiveness became greater than the sum of their individual efforts.

The various aspirations proved--given the reality of the OEO environment--almost unrealizable. For example--the newness of the organization--with its rapid and splintered growth, proved almost unresponsive to an information control program. The rapid turnover in staff, and the concurrent problems of continual retraining, realignment and readjustment, made procedural standardization and communication flow exceedingly difficult. Additionally,

the complexity of the program with its many varied components, plus the smallness of the agency in relation to its influence, placed an enormous burden on the communications process. (An informal survey taken by Executive Secretary Harold Sims in January, 1968, indicated that OEO, which had approximately 3000 people, received a correspondence inflow equal to the Department of State with 47,000 people world-wide.

Another difficult factor was the initial emphasis on centralization and subsequent rapid movement towards decentralization or regionalization, both of which placed a heavy strain on the coordination process. Response to correspondence became excessively overdue and was the source of considerable Congressional and public complaint. The information control system reached its most critical level during the legislative battles of the summer and early fall of 1967. This represented the Executive Secretariat's lowest point.

Bertram Harding, then Deputy Director, had chaired a task force which studied OEO management. Among its most crucial areas for criticism and strengthening was the Executive Secretariat.

When its Executive Secretary, James M. Harkless, an attorney-at-law, left, Harding brought in Gail Garvey, a young executive who had served in the Atomic Energy Commission and VISTA. From the Engineer Center at Fort Belvoir, he obtained Major Harold R. Sims, a Regular Army officer who resigned his commission to join the ranks of the anti-poverty team. By the summer of 1968, OEO had the beginnings of a valid information system. Overdue correspondence had been reduced from a high of 6,000 in January to a few hundred in July. Support to the regions had been made orderly, informed information exchange had replaced the chaos of the past. A new communication analysis, staffing and control system was designed which economized in manpower costs and processing time. The regions had a central point in Washington--an advocate for the regional role in the Director's immediate office. Superfluous data had been decentralized to the appropriate level for the best response. The Director was no longer overwhelmed by minutiae. Coordination and follow-through were in effect on a daily basis for

the first time in the agency's history. And for the first time--
OEO fought for its appropriation on Capitol Hill without being
attacked for its nonresponsive communications system. The pulling
together of a disparate coordinative network--encompassing over
1,000 community action agencies, 120 Job Corps Centers, over 400
VISTA projects with about 5,000 volunteers, involving over six
major agencies, 50 State EEEO's, etc., had at last begun to display
results.

Office of Research, Plans, Programs and Evaluation*

Shortly after passage of the Economic Opportunity Act in 1964, Shriver initiated a search for experienced and imaginative people to staff the newly formed Office of Research, Plans, Programs and Evaluation (RPP&E). It was intended that the Office would make substantive program recommendations rather than play a purely coordinative role in its relationships with the various program offices. Its mission was to direct the planning, research, and evaluation necessary to (1) identify the total nature of poverty; (2) develop total program concepts needed to successfully combat poverty; and (3) make rapid and continuing evaluations of total or specific program conditions and accomplishments. This mission for the most part remained unchanged, with the addition of responsibility for the budgeting function which was transferred from the Office of Management (Administration) to RPP&E in December 1966.

* for a detailed, analytic, and interpretative survey of the functions and method of the RPP&E Office see Robert A. Levine's article "Evaluating the War on Poverty," October 1967 in Appendices volume.

The period of January through June of 1965 was a period of staffing buildup. During February and March, the nucleus staff participated in the preparation of the OEO Congressional presentation to explain the \$1.5 billion requested for OEO in the President's FY 1966 Budget. April 1965 marked the beginning of an active planning and programming role for the staff when Kermit Gordon, Director of the Bureau of the Budget, asked Shriver by letter to prepare (1) a program plan that would identify the OEO goals and objectives through FY 1970; (2) an analysis of the relative priority of program increases from FY1966 budget which were proposed for FY 1967; and (3) program issue papers exploring in depth certain areas requiring special attention. In June 1965, Shriver appointed Dr. Joseph A. Kershaw, the Provost of Williams College and formerly head of Rand Corporation's economic department, as the Assistant Director for Research, Plans, Programs, and Evaluation. At the time of the appointment, Shriver clearly spelled out some of his expectations for the Office:

As we wage the War on Poverty, it is imperative to develop standards for measuring the effectiveness of our programs, how they compare with each other and how they are affected by new anti-poverty methods as they are developed. We must measure effectiveness not only in dollars, but in human values as well. To our knowledge this marks the first time that any government or industrial organization has brought the precision of comparative analysis to bear on a program of such far-reaching human significance.

With Kershaw's arrival the tempo of RPP&E activities increased significantly. The framework for the FY 1967 National Anti-Poverty Plan was rapidly developed. In-depth reviews and analyses of aggregate demand, labor market structure, social programs at the Federal, State, and local levels, and transfer payments were conducted. Attempts were made to consciously ask the "right questions" about the causes and effects of poverty. An inventory of Federal, State, and local programs having an impact on the poverty population was conducted. By August, 1965, the shape of the FY 1967 National Anti-Poverty Plan had already been defined; gaps in anti-poverty programs had been identified; and hypotheses as to the treatment of the gaps had been stated. OEO's first National Anti-Poverty Plan was submitted to the Bureau of the Budget in October, 1965. This Plan was highly commended by the Budget Director as a sound beginning in putting together a five year program with alternatives.

It was also during October that formal OEO program/budgeting procedures were first established.

General goals for research programs were identified during the development of the first National Anti-Poverty Plan. These goals were to provide basic information on the target population of the anti-poverty programs and to develop techniques for analysis. Preliminary plans were made for the establishment of a Poverty Research Institute at the University of Wisconsin. The Institute was funded in March 1966. During November 1965, the staff conducted a detailed review of the evaluation efforts of all programs under the jurisdiction of OEO to identify areas where additional evaluation measures were needed and made recommendations to the Director of OEO.

Building on the experiences gained in developing the first National Anti-Poverty Plan, the RPP&E staff in February 1966 undertook the development of an anti-poverty plan for FY 1968 through FY 1972. This plan would lead ultimately to the preparation of the OEO FY 1968 Budget Estimates. All direct and delegated

Program Directors were involved in the preparation of this plan. Information on the anti-poverty programs of the other Federal agencies was obtained and reviewed. The second National Anti-Poverty Plan was submitted to the Bureau for the FY 1968 preview hearings in June 1966. This plan took as its explicit goal ending poverty in the United States by 1976. An income maintenance program (negative income tax) which over the long run substituted an incentive system for the welfare structure was among the instruments proposed. This proposal recognized that the negative income tax was a necessary instrument for the final removal of those persons from poverty who could not be reached by opportunity. As a whole, however, the plan depended more on economic growth, and on opportunity programs to maximize the anti-poverty effect of that growth, than it did on income maintenance. During July 1966 a revised planning-programming-budgeting system was implemented for the agency. The role of the Assistant Director for RPP&E was made explicit for the agency's planning-programming-budgeting system.

Kershaw returned to Williams College in July 1966 and was succeeded by Dr. Robert A. Levine, the Chief of RPP&E's Research and Plans Division. The new Assistant Director and his staff participated in the formal defense of the OEO FY 1968 Budget Estimates in BOB during November, 1966. The OEO FY 1968 budget submission was unique in that the Bureau used the design as an experiment for marrying plans and programs with the budget.

As a result of an earlier recommendation made in the Joint Management Survey of OEO in June, 1966, the budget function was transferred from the Office of Management (Administration) to RPP&E in December 1966. With the arrival of the budget function the Office became fully involved in the preparation and presentation of Congressional Justifications in support of the President's FY 1968 Budget during the period of January through December 1967.

Procedures were developed in March and April, 1967 for the involvement of the seven OEO Regional Directors in the OEO planning-programming-budgeting system. For the first time, Regional Directors

were requested to submit estimated requirements for FY 1968 program operations.

A separate Evaluation Division was created in RPP&E during July 1967 in recognition of the need for increased emphasis on program evaluation. The evaluation function had been performed earlier by the Program and Evaluation Division which was reconstituted as the Program Analysis Division.

In July and August, 1967, the staff began the preparation of its third National Anti-Poverty Plan for FY 1969 through FY 1973. Direct and delegated Program Directors and, for the first time, Regional Directors participated in the development of the Plan. The third Plan was submitted to the President in January 1968. This plan as with the earlier plans proposed courses of action that would wipe out poverty in the United States by 1976.

Requirements, responsibilities, and funding procedures for the evaluation of OEO programs were developed and published in March, 1968. Three major types of evaluations were identified.

The first was the overall assessment of program impact and effectiveness where the emphasis is on determining the extent to which programs are successful in achieving basic objectives. The second was the evaluation of the relative effectiveness of different program strategies and variables where the emphasis is on determining which of the alternative techniques for carrying out a program are most productive. The third was the evaluation of individual projects where the emphasis is on assessing managerial and operational efficiency. RPP&E was assigned responsibility for the first type and the program offices were responsible for both the second and third types. A decision was also made by the Director of OEO that a minimum of 1 percent of the OEO budget would be used to evaluate its programs.

Evaluation

At the conclusion of Levine's article (cited in footnote at beginning of this section), he points out that, with all the work done, much of it innovatory, OEO was still, "in terms of comprehensive

evaluation of the poverty program" not yet where it would like to be. But, he continued, "I think it is also fair to say that we are far ahead of any similar program past or present. At least, I think we know what evaluation means and we are trying to evaluate our programs as honestly as we can in their complexity." Levine continued:

We are able to do this because of a relatively simple unified objective like getting rid of poverty means that we at least are able to define what it is that we are evaluating for. Other programs which are cut functionally (e.g. manpower, housing) have more conceptual difficulty because the size of effects and distribution of effects among different groups of people are very difficult to compare against one another. In poverty, we assume away such distribution problems by defining a group of people--the poor--who are the only ones for whom program gains will count.

We have done more evaluation than other programs for the fortuitous reason that the beginning of the poverty program pretty much coincided with the beginning of the Federal Programming, Planning and Budgeting System so that we were able to start anew, without encountering so many of the encrusted "we know that our program is good, don't bother us" interests which encumber other programs and agencies.

Finally, we are able to evaluate our program because we know we must. The War on Poverty and OEO are in political trouble--political trouble which is beginning to seem perpetual. And a program which is in trouble is the easiest to evaluate because we know that there are many good things about it which, if they could be demonstrated by rigorous methods, aid in the perpetuation and political salvage of parts of the program. A politically popular program resists evaluation because everyone knows it's good and it would be a shame if an evaluation showed that the Emperor had no clothes after all. This is true of our attempts to evaluate popular parts of the poverty program as well as our ability to evaluate the whole program.

. . .it can be stated, although not proven, that evaluative results as they come in have a substantial effect on day-to-day planning and operational decisions. It would be difficult to show that the entire War on Poverty Program is directed by scientific use of evaluative methods or for that matter, by the program planning processes as a whole; it would be naive to think that it might be so directed. Policy decision in the United States is achieved through political processes, not scientific ones--fortunately. The role of evaluation and planning is to contribute to these processes not to overwhelm them. In the War on Poverty, this contribution is being made.

Office of Inspection

The OEO Office of Inspection has been a unique experiment in the Federal Government. Although based on a similar experiment by Sargent Shriver at the Peace Corps, it evolved quite differently.

The basic idea behind both offices was that the Director of a new and controversial program needed a quick, accurate and sophisticated source of information concerning events at the grass roots level. The technique employed was a somewhat revolutionary one, for federal agencies, of sending someone attached to the Office of the Director directly to the program site to see what was going on. Because the Inspector understands that his primary task is to supply accurate information to the Director, and because he has no personal stake in the controversies surrounding programs, the "filtering" which occurs when reports come up through the chain of command, and the attendant delays, are held to a minimum.

Sargent Shriver named as first Director of the Office of Inspection William F. Haddad, a prize-winning reporter (the Page

One Award of the New York Newspaper Guild for investigative reporting, among others), who had also been the first Inspector General of the Peace Corps. Haddad envisioned the primary role of the Office of Inspection as a kind of Early Warning system, which would enable the Director to detect, and take action on potential "hot spots," weaknesses, and scandals, That has remained one of the Office's main functions.

When OEO was established in August, 1964, it was given the task of making, and supervising, more than three-quarters of a billion dollars in grants and programs in the first nine months of its existence. The concepts, programs, and for the most part, the recipient agencies, were all new. Critics had said the poverty program was destined to become a massive pork barrel. Unique among federal agencies, OEO was empowered to deal directly with local non-governmental corporations to the exclusion of the traditional state agencies.

Haddad met the challenge of monitoring the rapidly expanding OEO in an imaginative way. Although he did not yet have a permanent

staff, he immediately needed enough trained interviewers and observers who could also write well to monitor programs throughout the country. He recruited a group of investigative reporters and lawyers, with a sprinkling of economists, professional investigators and social scientists as "consultants" on a part-time basis. "Give us four or five days a month," he said. He prevailed on Shriver to write to a dozen top Wall Street law firms, asking them to donate the time of a young lawyer to the poverty program for a month. They responded. A strike at a major metropolitan newspaper made available additional recruits. Within a month, reports were coming in from major cities, Appalachian "hollers" and remote southern counties. At the end of six months, more than 100 of these "consultants" were on the rolls.

They came from diverse backgrounds, but they developed one thing in common--a deep and demonstrated concern for the problems of the poor. Later, the increasing complexity of the problems of the poverty program would require the replacement of these consultants with a permanent staff, but in the first months of the

poverty program they were a brilliant solution to a difficult problem.

In the early days, the Office of Inspection emphasized two issues--potential domination of programs by the existing political powers--the "pork barrel" problem, and civil rights. The concern of the office with the problem of "maximum participation of the poor" came somewhat later.

The early reports of the Office of Inspection had a significant impact on agency policy, and, perhaps, on future legislation. A case in point, illustrating the concerns with civil rights and freedom from political control, was Birmingham, Alabama. A young, liberal Birmingham attorney had formed a non-profit corporation, with the tacit approval of Mayor Albert Boutwell, to receive OEO grants. The corporation had a bi-racial Board of Directors. Gov. George Wallace threatened to veto the grant unless Board changes were made to give Wallace supporters control of the program. The Office of Inspection recommended that the changes not be made. Shriver agree. The grant was made, and Wallace vetoed the

program, leaving Birmingham without a poverty program. This case was one of the principal reasons for the 1965 amendment which permitted the Director to override a Governor's veto.

In March of 1965, the President announced a massive Head Start program. The program provided the Office of Inspection with its opportunity for what was perhaps its

most significant and lasting contribution to the poverty program. Haddad established a special Head Start task force under the leadership of Jack Gonzales. Since Head Start, unlike Office of Education programs, was not compulsory, much greater possibilities existed for obtaining integration of programs. The task force began by conducting field inspections of complaints of discrimination, and routine telephone queries of all applicants where there was reason to believe that discrimination or segregation prevailed. These investigations resulted in the withdrawal of some applications, modifications of others, and establishment of a record for future actions against a third group. One inspection team organized the first local bi-racial committee that had ever been formed in Jackson, Mississippi, to run the local Head Start program.

The plethora of talent available to the Office of Inspection at this time resulted in the assignment to it of a number of unrelated tasks. (The fact that Haddad, and his Deputy, Robert H. Clampitt were basically innovators and idea men was not unrelated to this phenomenon.) The preparation and supervision of the first OEO Congressional presentation was the responsibility of Haddad. Much of the writing and editing was done by Office of Inspection

staff. The presentation set the pattern for subsequent OEO congressional presentations. Clampitt conceived and produced a record of instructions for Head Start staff members.

Haddad, acting upon his observation that traditional civil rights heroes were virtually unknown to the dropouts of the sixties, conceived and produced "It's What's Happening, Baby," a controversial television program featuring rock 'n roll bands and disk jockeys aimed at drop-outs and teenagers.

Haddad and Clampitt also played a substantial role in the funding of the Child Development Group of Mississippi (CDGM). At the time, the Governor of Mississippi had made it clear that he would veto any poverty program which included Negroes on its Board of Directors, or which proposed to run an integrated program. The only exception to the veto power provided in the EOA was institutions of higher learning, and Mary Holmes Junior College became the vehicle by which the poverty program came to Mississippi.

Concurrent with these activities, the Office of Inspection was beginning to develop an interest in "maximum feasible parti-

cipation." Reports coming in made it increasingly apparent that without meaningful representation of the poor themselves (color was not a comprehensive guide to poverty), the poverty program would degenerate into a traditional welfare program.

Shriver had established the "signoff" procedure for programs, largely as an expedient to meet the problems created by the necessity of carrying out the congressional mandate of funding \$778 million worth of programs with FY 1965 funds. He was unwilling to fund programs "blind"; consequently, he convened meetings of his principal advisors. Each was asked for information about the grant, and funding decisions were based on their comments. The Office of Inspection, to meet Shriver's requirement for accurate, up-to-date information on community problems, discovered, on the basis of field visits and telephone calls into communities, that a wide discrepancy existed between the representations of the applications and the facts in a large number of cases.

The discoveries made by these checks at first seemed incredible. Often, persons designated in the applications as representatives of the poor or minorities (if they were legitimate representatives) had never even heard they were members of the Board. Even where they knew of their membership, they were often not notified of meetings, and knew nothing of the application. Representatives were sometimes satraps of political leaders. The reports that came in showed clearly that the poor were definitely underrepresented, and sometimes not represented at all. The facts uncovered forced frequent and fundamental changes to applications.

The Office of Inspection also began to insist that "maximum feasible participation" meant the poor must have some voice in the selection of their representatives. Shriver backed this concept, but refused to commit himself to a figure as to what constituted "maximum feasible." The result was the beginning of the use of the elective process of selecting target area representatives.

In part, it was this signoff procedure which led admirers to call the Shriver administration of the poverty program "creative conflict," and detractors "administrative chaos." Signoff meetings often produced uninhibited exchanges between staffers. In fact, it was an imaginative device to provide the man responsible for hundreds of millions of dollars of federal funds with the best possible information on the grants for which he had ultimate responsibility.

In August, 1965, the formal signoff conference was abandoned in favor of circulating grant packages to interested offices for comments. Objections were usually compromised, and only in those cases where there was direct conflict between offices did the problem go to the Director. These were few. As a result of its on-site inspections and telephone checks the Office of Inspection began to discover other weaknesses in applications. Even where legitimate representatives of the poor had been appointed, they were few in number. While no set policy on how many target area repre-

representatives was ever established, it became well-known informally that except in very unusual circumstances, one-third target area representation was required to get an Office of Inspection "sign-off." This requirement was enacted into law in the 1967 EOA Amendments.

Procedural rules in the form of bylaws requiring that meetings be held at times and places convenient to the poor, that there be a 50% quorum requirement, adequate notice of meetings and authority in the full Board of Directors to review the decisions of committees, particularly the Executive Committee were also required by the Office

of Inspection. Committees of the Board were required to be as broadly representative as the Board itself. Most of these matters became a part of the law in the 1967 EOA Amendments.

The assumption of this task actually amounted to taking on a whole new function by the Office of Inspection. It became the vocal advocate of the rights of the poor to participate in the decision-making aspects of the poverty program. Using its signoff power, it was able to secure modifications of grants to assure that poor people would at least have a fair opportunity to participate in setting the direction of the program which was supposedly for their benefit.

Use of the signoff power inevitably brought the Office into conflict with some individuals within the line organizations, notably the Community Action Programs. These people, who had worked hard and long just to get communities to accept a poverty program felt that Inspection unfairly occupied the position of a "second guesser" who came in after the deal had been made and imposed new and arbitrary requirements. Many of them believed that the most important task was to get the money into the community,

and that procedural matters to bring the poor into the decision-making process could come later.

From the Inspectors' point of view, the time to insist upon procedural fairness was before the grant was made. They felt that once the staff was hired, and program direction set, the opportunities for meaningful participation by the poor would greatly diminish, if not disappear.

In this same period of mid-1965 and when OEO's involvement with compliance with guidelines (and especially the "maximum participation" of the poor themselves) was growing, the Office of Inspection established a Complaint Bureau. This group of Inspectors has the two-fold role of processing complaints by members of Congress and the public regarding alleged mismanagement and also the continuation of the signoff function on new grants.

The Complaint Bureau, with a staff of between eight and 15 persons, not including secretarial, continued through the close of 1965 when its operations were re-distributed among the staffs of the seven Regional Supervisors of Inspection.

In September, 1965, Edgar May replaced Haddad as Director of the Office of Inspection. Robert H. Clampitt, Haddad's Deputy served as acting Director for a brief interim period. May, a Pulitzer Prize Winner with the Buffalo, N.Y., Evening News, and author of The Wasted Americans, one of the pioneering books on the problems of poverty, had been with Shriver since Task Force days, and had been with OEO's Public Affairs Office, VISTA, and as a Special Assistant to the Director.

May's arrival brought a change of emphasis to the Office of Inspection. Up to that time Inspection had been preoccupied with who would control poverty funds, with the politics of governing bodies and with securing proper representation for minorities and the poor. By September of 1965, the vast majority of these Boards had been established. While this role continued for new programs, the emphasis shifted to evaluating how well programs already funded were serving the poor. Office of Inspection reports became increasingly in-depth program evaluations. Brief, "fire fighting" trips to communities and telephone checks were gradually phased out in favor of longer, more comprehensive team evaluations.

Staff responsibilities were also put on a more regular basis. While an effort at regionalization had been made by Haddad, lack of permanent staff, uneven development of programs in different sections of the county, and crash projects, such as the 1965 Summer Head Start Program had prevented full regional development. By the time May arrived, the staffing pattern was beginning to firm up, and consultants were being phased out, in favor of full-time staff. While a substantial number of consultants would remain for another year, the increasing complexity of programs, and reports, made it increasingly apparent that full-time staff was required to meet the increasing demands on the services of the office.

One of the first major problems faced by May was that of decentralization. In response to management surveys, many other OEO functions were being delegated during this period to Regional Offices.

It had early been decided that the Inspection operation should be Washington based and not dispersed into the Regions. Not only did this ensure its independence--so necessary for its watchdog role--but also the Office had rapidly become a central repository for a great deal of detailed information about programs

throughout the country and these files, with their ready access, proved to be extremely valuable to the Director of the Agency and other administrators both in Washington and among the Regions.

May's success in resisting the decentralization trend insofar as the Office of Inspection had significant impact on OEO's ability to react to crisis situations--both Congressional or local variety.

During the fall of 1965 and the winter of "65-66 the Inspection Office underwent a gradual transition, a shift of emphasis. With the "sign-off" function all but behind it, the Office turned to comprehensive project (or program) evaluations. These were "total effort" operations by Inspection involving all available manpower.

The first such all-out nationwide appraisal of a program was focused on VISTA. Inspectors fanned out across the country during November and December 1965 under a pre-arranged plan to look into every aspect of VISTA performance. Forty-nine separate VISTA projects were examined.

The several-volumed report which resulted painted a large canvas of VISTA operations and at the same time dug deeply into specific problems which, when assembled, pointed up certain common problems of the VISTA concept and its operational techniques.

Prepared with objectivity, the VISTA report became a precedent-setting evaluation which led to others on an equally in-depth scale.

Inspection turned its attention in January and February of 1966 to a wide examination of Title V (Work Experience) programs. Here was a program involving about 32,000 persons and \$58,622,000 in committed funds.

Again employing the concentrated investigative technique, Inspection interviewed approximately 1,000 persons, among them project staff members, participants, government officials, newsmen and interested parties in the affected communities.

From this intensive factfinding it was discovered that by no means was the Work Experience program living up to its expectations. Projects were slow in starting. Too often the participants

were engaged in menial work instead of learning a productive skill.

Job placement was weakly operated. Cooperation between local CAP's and Title V administrators was poor.

But these were mostly operational faults, Inspection found, and the overall investigation concluded that much could be done with Title V if the necessary "imagination and innovation" were to be used and if its administrators could shake loose from hidebound, archaic public assistance concepts.

In February, 1966, funds approved in late 1965 became available to Green Thumb, the first Nelson Amendment project funded by OEO. An OEO grant of \$768,000 was made to Green Thumb, Inc., a non-profit corporation set up under the National Farmers' Union. These funds were to be matched by \$683,000 in "in-kind" contributions from state highway departments and other state and local organizations in the four recipient states--Arkansas, Minnesota, Oregon and New Jersey.

Green Thumb was a demonstration project to provide highway beautification work that might not otherwise be undertaken, to determine if rural low-income males over 55 could perform such work and, to

determine whether these men could be trained effectively to continue such work after a year of work-training.

In the summer of 1966 the project was extensively evaluated in all four states.

Inspection found the demonstration project highly worthwhile and so advised the Director who, in turn, sought means of expanding the program. Green Thumb was later transferred to the Labor Department.

Job Corps Conservation Centers came under intensive scrutiny by Inspection in the fall-winter of 1966. The Conservation Centers had been delegated to various State and Federal agencies for administration and work programs but OEO and Job Corps maintained ultimate program responsibility. Accordingly, twenty Inspectors visited between November 1 and December 15, 1966, 17 of the 47 Centers operated by the Department of Agriculture, 20 of the 37 Centers operated by the Department of Interior and two of the four state-related Centers.

Once again, the objectivity of the many-sided survey was well received; in this case, as a matter of fact, William Kelly, Job Corps Director, and other OEO officials recommended that a permanent Job Corps division of the Office of Inspection be established. This was done and the office is still in being. During the period July 1, 1967 to May 20, 1968 the Job Corps Division of Inspection inspected the activities of four Men's Urban Centers, 9 Women's Corps Urban Centers, 14 Civilian Conservation Centers and five Job Corps/ YWCA Extension Programs.

Basic to such Job Corps inspections is ascertaining if the enrollees are receiving the benefits offered them

by the Economic Opportunity Act and to see if civilian contractors and the delegated agencies are fulfilling their contractual roles. The deficiencies encountered are reported to the Director of the Job Corps who is responsible for correcting any programmatic weaknesses which have come to light.

When William Crook became the Director of VISTA in November, 1966, a year had passed since Inspection's last hard look at the volunteer program. Crook, aware of the previous report, requested that Inspection again examine VISTA operations.

This time (early in 1967) the investigative technique was refined somewhat and the comprehensiveness of the survey was enhanced by the fact that the Inspectors included a number of specific questions that the VISTA staff itself wanted answered. All told, 155 VISTA communities were visited by 30 Inspectors and consultants.

Increasingly, during 1966 and 1967, the Office of Inspection began devoting a major amount of its effort to inspections arising from complaints about the operations of community action programs.

These complaints were funneled to Inspection from the Congress, the White House, local city and county authorities, directly from workers within the CAP's, from observant citizens and from the poor themselves in target areas. In many instances the Regional OEO Offices could get at the root of the problems outlined in the complaints. In other cases the Regions requested the assistance of the Office of Inspection and the Field Operations would assign Inspectors to the cases. In other cases the Office of Inspection acted independently on the specific complaint. In many instances, complete evaluations of a program developed.

Such troubleshooting continued to be a dominant effort of the Office in 1968.

No statistical record was kept of the exact results growing out of CAP inspections. But many boards of directors were restructured, many programs severely modified and some small and large CAP's discouraged from re-funding or actually shut down. Millions of dollars were diverted from weak or failing programs into more fruitful efforts.

Frequency of irregularities within CAP structures led in December 1965 to the formation within the Office of Inspection of a separate Special Investigation Section. This unit deals almost exclusively with criminal acts and their disposition through the proper law enforcement agencies either at a local or Federal level.

Some indication of the Office of Inspection workload is reflected in the following statistical tables covering the last half of Fiscal Year 1966 and Fiscal Years 1967 and 1968. No such records were kept earlier.

STATISTICAL REPORT

January-June 30, 1966 (FY '66)

In-depth Inspections:	322
Complaint Investigations:	474
Pre-grant Review:	1,500

FY 1967

In-depth Inspections:	817
Complaint Investigations:	1,143
Situation Reports:	310
Name Checks of Federal Records:	3,657

FY 1968

In-depth Inspections:	627
Complaint Investigations:	936
Situation Reports:	253
Name Checks of Federal Records:	5,449

To accomplish the preceding record, the Office of Inspection worked with a lean staff. In Fiscal 1966, the Office consisted, at peak, of 107 persons. With the exception of about a half dozen career Government employees, persons who had been transferred from elsewhere in Government, all were intermittent or full-time consultants pulled in from various fields. In FY 1967, the staff was stabilized with a ceiling of 62 persons, including secretarial and administrative slots, and this number was augmented by about 15 intermittent consultants. The same ceiling of 62 applied in FY 1968 and the intermittent consultants declined further, to about ten. In FY 1969, the staff ceiling was pegged at 56 and only three part-time consultants remained on the rolls.

Short-term programs, such as summer Head Start and summer youth programs, presented special problems to the Office of Inspection. Because of their brevity, full inspection would have been virtually impossible with regular staff. After the work of the special task force for Head Start Inspection had concluded its

work in the summer of 1965 (described elsewhere), it became apparent that further inspections would be needed to get the information needed for the enforcement of Head Start and Civil Rights guidelines.

Standards were established, largely at the insistence of the Office of Inspection, to prevent gerrymandered districts, to require recruitment of all children, white and black, in the target area, and to require greater parent participation (50% of the membership of advisory committees.)

These requirements, which have now become requirements of the Head Start application process, were aimed at preventing Head Start from becoming an all-black or all-white program, as it was in danger of becoming in many areas. The requirement that traditionally all-Negro sites not be used, where an alternate site was available, because white parents would not send their children to it, was another Office of Inspection innovation ultimately adopted.

In the spring of 1966, the Office of Inspection recruited 25

law students to become summer Head Start inspectors. In the course of the summer, they inspected more than 400 Head Start programs. The results of their work formed the basis, in 1967, for the denial of 59 applications for failure to comply with Civil Rights requirements. More important, hundreds of other programs were materially improved because of the data produced.

The summer of 1967 brought further refinements to the Head Start inspection. Again operating with specially trained law students, the unit inspected more than 400 programs. A special follow-up unit was established in Head Start so that corrections could be made while programs were in operation instead of waiting until the next year.

In the summer of 1968, the focus of the summer inspection team was changed from Head Start to summer youth involvement programs. Inspections were conducted in 45 of the 50 largest cities, and three smaller cities. This change was thought to be appropriate because the poverty fight was obviously shifting toward

youth in urban ghettos, and because the initial problems of Head Start seemed to be under control. This body of information will represent the first comprehensive survey of this type of program, just as the Head Start reports of 1965 did for that program.

Though not complete at this time, they will highlight the difficult task confronting cities involving alienated youth in urban areas, and the problems of devising fresh, innovative programs to serve their needs.

The summer of 1967 saw the most serious rioting in American cities experienced to the present time. Several public officials, most notably from Newark, New Jersey, accused the poverty program of encouraging, and fomenting the riots. Opponents of the program seized on these few comments in an attempt to break up the agency.

The Office of Inspection staff had been following the role of poverty workers in cities affected by disturbances and had already produced impressive statistical evidence to show that only a miniscule percentage of poverty workers had been arrested in connection

with civil disorders, that poverty program offices were not harmed by rioters, (leading to the conclusion that poor people recognized the program as their advocate) and that poverty workers had amassed an impressive record of assisting authorities and voluntarily working to cool the situation.

However, little was known about the attitudes of mayors and police chiefs toward the program. Inspectors were dispatched to 64 cities over a three-week period. Thirty-two had had civil disturbances; thirty-two had not. Unanimously, mayors and police officials said that the program had not caused disturbances. In nearly every case they stated positively that the program had helped keep order, or restore it. These reports were distilled into a document, "OEO and the Riots" which

enabled the agency to conclusively refute the claims of opponents that the poverty program had been, or was thought by public officials to be, a contributing cause to civil disorder.

Another area of Inspection exploration, undertaken in the summer of 1968 at the request of the Director, was that of so-called demonstration grants. These grants were funded and managed by OEO headquarters and were outside Regional jurisdiction. Primarily experimental and innovative, they were as a result prone to controversy and a few projects received unfavorable publicity.

Originally, 40 demonstration project inspections were scheduled but the pressures on manpower brought on by urban riots and the various presentations required for Congressional use led to a narrowing down to sixteen investigations.

As a result of these inspections, one grant was terminated because of mismanagement and fraud and several others were radically overhauled because of deficiencies which came to light during Inspection. However, not all of the Inspection Reports were derogatory and, in fact, Inspection reported that so successful were some of the programs that they could beneficially be repeated elsewhere in the country.

In the field of manpower projects, it was decided early in 1968 to inspect Opportunity Industrialization Centers (OIC) which OEO funded along with the Labor Department and the Department of Health, Education and Welfare. OICs were modeled after a Philadelphia prototype, begun independently by Reverend Leon Sullivan, which stressed a philosophy of self-help. It had achieved striking results in Philadelphia.

OEO and the other Federal agencies believed the OIC concept might work in other cities and had encouraged models elsewhere. At the time of Inspection, more than 20 other OICs either were in operation or had recently been funded. A representative five--Seattle, Los Angeles, Palo Alto, Erie and Roanoke--were inspected. The basic finding of the inspections was that OICs, while doing quite a bit of good, were not doing the job generally expected of them--reaching the hard-core unemployed male. They were extremely effective at helping those with some skills and experience to upgrade themselves.

The Palo Alto OIC, however, was found to be grossly mismanaged, a heavy majority of enrollees had high school degrees and an average family income of \$7,000. This disclosure led to the closing down of the Palo Alto project

Reorganization is being attempted.

The more general findings of the Inspections resulted in a tightening of OIC screening procedures and more emphasis on recruiting to reach hard-core unemployed.

From its very inception the Office of Economic Opportunity was destined to lead a controversial legislative and political life. From the outset, the Office of Inspection played a many-sided role in helping the Director stand off the sometimes brutal Congressional attacks on the Agency and, by providing him with a constant flow of information, aided him in his constant contacts with Federal, State and local officials.

The Director has had a variety of Congressional intelligence input--his Regional Directors, his Congressional Relations office and his own personal sources to name a few--but Inspection was uniquely suited because of its widespread sources to "smell out" situations and report them directly.

During the turbulent legislative months of 1967 and 1968, when the Economic Opportunities Act was extensively amended--

partly to the Agency's liking, partly not--the OEO Director was in constant contact with the Hill. Inspection contributed importantly to the Director's visits to the "Hill." One of the main instruments was the preparation of a series of "briefing papers" outlining all the Inspection staff knew about each Congressman's district, his problems, his relations with the press, the poverty program. These were not "canned" in advance because they had to be up-to-the-minute and were frequently prepared the night before the Director took off for an all-day round of appointments on the Hill or even the morning he left the headquarters building. These were no-holds-barred briefing papers and laid the facts on the line no matter how unpleasant they were in some situations. With the same direct liaison, background papers were prepared for the Director's many speaking engagements around the country.

Also, the Director made frequent use, especially during Congressional hearings, of an Inspection-prepared looseleaf book which contained up-to-date summaries isolating each individual program,

its virtues, faults, overall status. This compendium was specifically tailored for the Director's use and was kept under stringent control.

The Office of Inspection was a vital force during the troubled and chaotic months of 1968 when the future of the Agency hung constantly in the balance. Those agonizing legislative months led finally in Congress to "an improved Economic Act, to authorize funds for the continued operation of the economic opportunity programs," and was signed by the President at 10:25 a.m., December 23, 1967, Cam Ranh Bay, South Viet Nam.

The Civil Rights Office

In a civil rights report dated May 13, 1968, Dr. Maurice A. Dawkins, OEO's director of the Office of Civil Rights, said that OEO was "proud of the fact that, in states like Mississippi, Louisiana, Arkansas, Georgia, Alabama, etc., we have sponsored more bi-racial staffs and more student enrollment of children of all races than in any private or public agency in the history of the United States." The summation, in one specific area, could serve as a general--if not a consistently optimum--indicator of OEO's record in dealing with one of the most complex and vexatious problems to face America in the sixties. From a beginning which, necessarily, concentrated on policing the various federal regulations regarding civil rights to see that, at the very least, all elements of the OEO program conformed with stipulations, the Civil Rights Office proceeded to become importantly involved in programmatic aspects of the agency. In this, OEO once again, established precedent which could serve as a model for other federal departments and act as a

guide for other institutional handling of civil rights anywhere.

The Office of Civil Rights was established in accordance with the requirements of the Civil Rights Act of 1964 and the various Executive Orders which required all Federal agencies to assure that there would be no discrimination in hiring practices because of race, religion, color, national origin or sex. Operations were established in accordance with guidelines set by the Attorney General's Office, the Civil Rights Commission and the U.S. Commission on Civil Rights. In this sense, OEO was no different than any other government agency. What was decidedly different, however, was the degree of intense involvement in the question, an involvement which was not only inherent in the nature of the mandate of the OEA, but was representative of the spirit and intent of the agency itself.

In the spring of 1966, Samuel F. Yette, who was special assistant to Shriver for civil rights, began discussions with the Potomac Institute to explore the possibility of the Institute doing a comprehensive study of the OEO civil rights program. On April 1, 1966,

OEO sent a detailed memorandum to the Institute outlining suggestions for areas to be covered in the study, including: employment of minority personnel, civil rights implementation, interagency civil rights enforcement in delegated programs, contract compliance, research and information, review procedures, among other and more detailed suggestions. A series of discussions followed and, on June 9, 1966, the Institute agreed to undertake the study "of the civil rights functions, organization, and procedures of the Office of Economic Opportunity, with the objective of making recommendations to strengthen the OEO civil rights program in accordance with the requirements of the OEA of 1964, the Civil Rights Act of 1964, and Executive Order 11246."* Covered in the study, the memorandum went on to say:

. . .will be procedures and administrative control relating to employment (federal, contract, and local hiring); volunteer and enrollee recruitment and training; selection and composition of local boards and committees; delegated interagency civil rights enforcement; contract compliance; complaint procedures, and Title VI compliance. The study will encompass the several

* memorandum from Harold C. Fleming, Executive Vice President, the Potomac Institute, Inc., June 9, 1966, to Samuel F. Yette, Special Assistant to the Director, OEO.

OEO programs (Job Corps, Rural Poverty, NYC, VISTA, CAP, etc.) and their components (Head Start, Legal Services, Upward Bound, Neighborhood Centers, etc.), particularly as policies and procedures at the headquarters level effect community implementation.

The Potomac Institute would consult in depth with OEO personnel and examine pertinent files and records "as necessary to obtain a thorough understanding of and information about present OEO structure, organization, policies and procedures." And, the memorandum continued, "The Potomac Institute does not wish to be, and will not be, reimbursed in any way for this study or expenses incurred in connection with it, including staff time."

The study* was completed and submitted to OEO on February 1, 1967. Among its recommendations, and because the "primary" function of the Civil Rights Office was "that of intimate and continuing involvement in policy and program formulation and review, rather than conducting a separate, purely compliance-oriented operation," the study called for the Office of Civil Rights to be placed on a par with the various other main offices of OEO. Other recommendations

* The Civil Rights Function in the Office of Economic Opportunity, February 1, 1967, The Potomac Institute, Inc., 1501 Eighteenth Street, NW, Washington, D.C.

were for: all CAA applications to be reviewed to determine that there was no separation of minority groups; that the OEO Civil Rights Office establish regular coordination with civil rights staffs attached to secretaries of departments having programs of relevance to OEO, and that similar arrangements be made with state, county, municipal and private agencies having programs in the field of equal opportunity; that OEO provide direct program development and technical assistance in the form of staff and funds to rural areas to launch programs where none then existed and where the need was evident; and a number of recommendations having to do with increasing the staffing pattern of all component programs of OEO to include regular civil rights personnel.

"We believe," said a memorandum, dated July 29, 1968, from Walter Robbins, of the Office of Civil Rights to OEO Executive Secretary Harold Sims, "that the most significant event in the OEO Civil Rights Office history was the adoption by OEO of the major substantive recommendations of the Potomac Institute study of Feb-

ruary 1, 1967. That study pointed the way to a new direction in civil rights for the Agency and elevated the civil rights function to the level of Assistant Director of the Agency. The recognition that civil rights deserved higher status in the Agency was certainly a decisive point and a high spot. The national problems of poverty and race were building at an ever increasing rate which underscores the great significance of that decision."

On March 21, 1967, Shriver appointed Maurice A. Dawkins as OEO's first Assistant Director to head the Office of Civil Rights. Dawkins, at the time an Associate Director of VISTA, had been former West Coast Chairman of the NAACP. As minister and director of the People's Independent Church in Los Angeles for 10 years before joining OEO, Dawkins had been a leading figure in West Coast social action and civil rights movements.

Yette, who had worked closely with Shriver at the Peace Corps where he was an information officer and executive secretary, had resigned from OEO on February 18, 1967. There were reports that

Yette had become dissatisfied with OEO's lack of momentum in enforcing civil rights measures. In announcing his resignation, Shriver said OEO had, from the beginning, benefitted from his counsel. "We at OEO are indebted to him for his help in advancing civil rights in the anti-poverty program throughout the country. We will miss him, but wish him well in his new endeavors," Shriver said.

Upon taking over the newly organized office, Dawkins immediately began a series of meetings with various key OEO officials leading to memoranda of agreements concerning areas of authority in the fields of inspection, administration, public affairs and the general counsel's office.

As organized under Dawkins, the Office of Civil Rights had three main branches: Community Relations; Compliance and Evaluation; and Technical Assistance, Research and Training.

The compliance evaluation program of the office, the May 13 Report said, was "result-oriented," in that it called for "plans of action" to assure that qualified minority group members were

actively recruited and that, "when hired, they are given appropriate training and opportunities to advance in their line of work without regard to their race, religion or national origin." Areas of civil rights in which special measures might be required were listed as: recruitment, in service placement and promotion, training, and job security. "It is hoped," the report said, "that our current positive action will go beyond our early areas of interest in avoidance of overt discrimination in personnel actions and equitable adjudication of discrimination appeals."

Therefore, OEO activities will continue to give attention to supervised performance and practices in the area of equal employment opportunity. We know that we are dealing with a very sensitive area of human relations; thus, there is no intention to force anyone into compromising positions, however, all problems must be discussed and examined thoroughly, injustice must be voluntarily corrected or compliance will be enforced by withdrawal of funds. It's like brick-laying, how many bricks did you lay today?

The report, compiled by Dawkins, continued:

It has been our experience that the 1100 community action agencies in the 50 states provide opportunities for the development of affirmative action programs in civil rights which will serve as the means of guaranteed participation by minority group citizens on the paid staff and the volunteer board of directors. The 4 million citizens who have been involved in the community action program in Health Centers, Legal Services, Migrant, Indian Programs, Head Start, Upward Bound, Neighborhood Services, Rural-Elderly and Foster Grandparent Program, are all

guaranteed equal opportunities to share in every level of the program. . .It is our job to foster full participation of all minority group citizens in anti-poverty activities whether they are Mexican-American, Indian-American, Oriental-American or Afro-American, etc. Any infringement on the rights of these citizens must be corrected or the entire program is in jeopardy.

The three branches of the Civil Rights Office, the report said, were designed to "build into the total war on poverty agency a system of management whereby civil rights is a normal part of the everyday policy-making, decision-making and operations. We therefore expect to find the employees and the volunteers in OEO looking at civil rights as though it were baking powder in the cake rather than a few raisins in the cake or a thin layer of icing on the surface only." It continued:

. . .We feel confident that Federal agencies must convince American citizens that the government has the will and the commitment to see that equal opportunity and equal justice under the law are provided for all citizens, of all races, colors, creeds, and national origin.

This will and commitment must be made clear to both sides of the black-white confrontation or economic injustice against black citizens and poor white citizens. It also must be demonstrated to the Spanish-speaking population including Puerto-Rican-Americans, Mexican-American and Cuban-American citizens. It must be proven to the American Indian, yes and Oriental-Americans as well.

In summary, we are not a complaint-oriented civil rights program. We are rather a Management Systems Civil Rights Program designed to enlist the total participation of the total bureaucracy in the fulfillment of the rights that the Constitution of the United States says every American citizen is entitled to.

In this period of history in which the Civil Disorders Commission has identified the "separate but equal" trends,-- when we are witnessing polarization of the races, isolation of suburbs from Inner cities, alienation of haves and have nots--OEO's new dimension in Civil Rights may help the War on Poverty and its Director provide some creative alternatives to racial conflict--a light in the dark corners of the pockets of poverty in our communities.

In July, 1968, the Civil Rights Office listed, as some of its

more significant objectives, the following:

- the development of civil rights complaint system;
- issuance of an OEO plan for in-house Civil Service employment;
- the refinement of the minority statistics collection system;
- the development of affirmative action guidelines in all OEO program components;
- the compilation of an OEO handbook on civil rights policies and instructions;
- the development of a contract compliance review system;
- the development of a system for the evaluation of the total civil rights program for OEO;
- definition of the role and responsibility of civil rights liaison officers;
- refinement of the functional working relationship between the Office of Civil Rights and the regional offices;
- affirmative and preventative community relations programs for OEO components;
- the monitoring of existing OEO civil rights research contracts and the exploration of new areas of research;
- the development of civil rights components of OEO training and educational programs.

And, "considerable progress" was reported in a number of areas,

including:

- development of closer working relationships with minority group organizations;
- development of civil rights portions of various OEO directives;
- improvement of minority group statistics collection;
- assistance to program components in resolving difficult and sensitive community relations and compliance problems.

The General Counsel's Office*Personnel

The original lawyer for the poverty program was Stephen J. Pollak, who was detailed from the Department of Justice to do the legal chores for the President's Task Force on the War Against Poverty. He was joined in September by Donald M. Baker, counsel for the Senate Subcommittee on Labor, who was appointed counsel to the Senate Select Subcommittee on Poverty, which reviewed the Economic Opportunity Act of 1964. In October they were joined by Anthony Partridge, who came from the staff of the Special Subcommittee on State Taxation of Interstate Commerce of the House Judiciary Committee. Richard Werksman joined the staff from HEW, followed by Stanley Zimmerman from the Department of the Interior. In November, James Siena came on six month detail from Covington and Burling, a noted Washington law firm. This group was joined

* footnotes to this section are contained in the Volume of Appendices.

by Francine Temko, Fay Blackburn and Edith Fine. In December, Markham Ball also came over from Covington. On November 22, Mr. Baker had been selected as the General Counsel. Soon after, Stephen Pollak was selected as the Deputy General Counsel, and Anthony Partridge as Assistant General Counsel for the Community Action Program. Stanley Zimmerman was Assistant General Counsel for the Job Corps; Markham Ball was Assistant General Counsel for the VISTA program; and John Bell, who came from the Department of Labor in January 1965, was the Assistant General Counsel in charge of Legislation. The size of the General Counsel's Office remained about ten lawyers until May and June, when Milt Williams, Bob Golten, Bruce Terris, Jim Heller, Olga Boikess, Peter Clapman, and Peter Spruance were added to the staff.¹

During the seven months from October 1964 to May 1965, the General Counsel's Office had been badly understaffed. This was attributable at first to a competition for personnel slots within the agency and then later to the fact that almost by necessity

personnel problems were shoved aside by the day to day substantive questions which had to be resolved. The lawyers were so busy handling the numerous legal problems incident to organizing the agency and resolving the hundreds of minor crises that housekeeping matters, such as personnel, were neglected.² The personal challenge of participating in the development of a new agency, of providing legal advice and policy guidance to exciting new concepts of personal and community activity, and most of all, of developing new legal doctrine that could foreseeably be the harbinger of a vastly different society, brought forth several hundred applications from some of the brightest, most talented lawyers in America. The persons finally selected included a professor, a Rhodes Scholar, and several law review editors,³ which gave OEO a General Counsel's Office among the best in the District.

Immediate Task of the General Counsel's Office

During the fall of 1964 the small legal staff was immersed in the hundreds of legal questions and problems incident to putting into effect the programs provided for by the Economic Opportunity

Act of 1964.

In the legislative history of the Act, Congress had made known its intent that a number of the programs in the Act be delegated to other agencies which had developed substantial expertise in handling similar kinds of problems. The General Counsel's Office negotiated the orders for the delegation of authority, got Bureau of the Budget approval and prepared final drafts for the Federal Register.⁴ Also, it prepared explanatory memoranda and reviewed correspondence from the OEO Director to the Secretaries of the various Agencies and Departments and to the President.

Each of the three major programs still under the direct administration of the Office of Economic Opportunity--the Job Corps, Community Action Program and the VISTA program--all had to be implemented and their regulations and procedures had to be drafted and approved by the General Counsel's Office. A related task was the preparation and/or legal review of contracts to be used in the various OEO programs, especially the OEO procurement program,

which was anxious to get under way.⁵

Title VI of the Civil Rights Act of 1964 provided that no person could be denied the benefits of Federal financial assistance, nor could any person be subject to discrimination under any program receiving such assistance on the grounds of race or color. It also provided that all Government agencies and executive departments should draft and issue regulations for carrying out the provisions of Title VI. This task fell upon Mark Ball, who became, pro tempore, the Office's civil rights expert.⁶

Since Sections 104d and 616 of the Economic Opportunity Act provided for the execution of a loyalty oath, the General Counsel's Office had to prepare a legal opinion on the scope of those sections, especially their application to VISTA volunteers and consultants. A response had to be drafted to an inquiry of the American Council of Education as to the scope of the loyalty oath amendment. Another related problem that arose was the preparation of legal opinion laying down guidelines pursuant to Executive Order

No. 10450 for the designation of "sensitive" positions in the Office of Economic Opportunity, which would warrant completion of a full field investigation of persons considered for appointment to those positions.⁷

A memorandum had to be prepared laying down guidelines for determining which OEO rules and regulations had to be published in the Federal Register.⁸ The first item published was the Civil Rights Regulations drafted by Markham Ball and Stephen Pollak.

A number of tax questions arose. It was necessary to prepare legal opinions regarding the portion of payments and services provided Job Corps enrollees and VISTA volunteers to be considered as income for Income Tax and Social Security purposes. These opinions were supposed to be completed prior to the operational date of Job Corps and VISTA in order that OEO's accounting office could withhold the required amounts of payments to enrollees and volunteers. However, the discussions with IRS were to drag on for about six months and they were not completed on time.⁹

A major area of problems concerned relationships with other agencies. A legal opinion had to be prepared on OEO's right to contract with other agencies to carry out OEO functions; for example, the Job Corps contracts with the Department of Agriculture and the Interior Department to operate the rural centers. A legal opinion had to be prepared on the right of OEO to receive non-reimbursable assistance from other agencies.¹⁰ After this question was answered in the affirmative, an agreement was negotiated with the Department of Defense for non-reimbursable assistance.

Each of the individual areas gave rise to legal questions. Under the delegated programs, OEO had to get Bureau of Budget approval for the delegation orders within the delegate agencies. Interim procedures for administration of the delegated programs had to be devised and a legal memorandum had to be prepared on the question of the application of the Social Security laws to the delegated programs. A legal opinion was requested concerning the handling of title to equipment purchased by delegate agencies with

OEO funds. A procedure for applying Title VI of the 1964 Civil Rights Act to the delegated programs had to be devised.¹¹

In the Job Corps section, contract forms for the training center contracts had to be drafted. A memorandum had to be prepared exploring possible legal limitations on expenditure of funds under contracts for training centers which extended for two years. It was necessary to develop draft letters to be sent to Governors to obtain approval of Job Corps centers in their respective states.¹²

Rules and regulations for the Job Corps camp had to be devised.

In addition, a legal opinion on the extent of the Camp Directors' rights and duties as in-loco-parentis had to be prepared, for the Job Corp Director and his assistants are, in effect, parents of the enrollees during the time they are enrolled in the particular camp. Questions like the duty to find an enrollee who runs away or gets lost, the right of the Director to consent to medical procedure for enrollees, protection for enrollees, and procedure for dismissal of enrollees all had to be resolved.¹³

The General Counsel's Office also had to prepare opinions on legal questions concerning the Job Corps enrollees. The office had to review draft regulations for selection of enrollees. It was necessary to review and approve Job Corps pay plans and procedures. An opinion had to be prepared on the treatment of the readjustment allowance paid enrollees for purposes of public assistance and unemployment compensation. A legal opinion was prepared which concluded that the living and readjustment allowance of enrollees was not subject to garnishment by a prior employer.¹⁴ A memorandum had to be prepared on the scope of the requirement in Title I that enrollees be "permanent residents of the United States." It was concluded that the term did not include Cuban refugees, but did include resident aliens who took the loyalty oath prescribed in the Act.¹⁵

A legal opinion had to be prepared defining the extent of the liability of the Federal Government for criminal and negligent acts of Job Corps employees. The Job Corps lawyers also had to

engage in some public relations work--corresponding with local juvenile court judges, law enforcement officials, and other state officials; concerning the impact of the Job Corps camps on their official duties and the extent of local participation and counseling.

In the VISTA section, the first task of Mark Ball and Edith Fine was to convince Glenn W. Ferguson, the VISTA Director, and his staff that an "outside" lawyer could make a contribution to VISTA's efforts to devise programs and procedures. But Mr. Ball and Mrs. Fine gradually developed a close working relationship with the VISTA section. In the process they found a real need for legal counsel. In Ball's words, "it was like walking through a field of burrs. I'd walk through the VISTA offices and come out covered with legal problems to work on."¹⁶ The problems in the VISTA area included preparation of a legal opinion requested by VISTA on whether they should require that all volunteers be citizens. The form of contracts between VISTA and the sponsors had to be drafted and individual contracts had to be reviewed. Since the only written

agreement between VISTA and the sponsors was the one which assigned the VISTA's to them, the specific purposes and the terms of those assignments had to be spelled out. Since no contract ever was made between VISTA and the VISTA volunteers, the rules of conduct for the volunteers were provided for in guidelines and regulations written by VISTA with the assistance of the General Counsel's Office.¹⁷

In the Community Action section, it was necessary for Tony Partridge and James Siena to review and revise the CAP guidelines for the Community Action Program, which had been drafted by David Grossman. In addition, he had to review and comment upon Adult Basic Education draft regulations. Another task was the preparation of a legal opinion as to the scope of Title II powers with respect to construction and rehabilitation of housing. It was also necessary to prepare draft regulations on procedure for use in approach to Governors to secure their approval of a proposed CAA. It was necessary to prepare a legal opinion on the kinds of contri-

butions of services and funds which qualified under the Act as "contributions in kind," and on the circumstances where the Director may provide assistance beyond 90% of the cost of a particular program. A legal opinion had to be prepared on suggested general provisions for charters of non-public agencies which would be recipients of CAP grants. In the early days of the CAP section, they engaged in a 100% grant review of the CAP grants. Since most of the actual CAP reviewers were relatively inexperienced, many of the important policy decisions were made in the General Counsel's Office, which actually conducted the most careful review of the early CAP grants.¹⁸

In fact, in all three of the major program areas the function of the General Counsel's Office went far beyond that of technical advice on narrow legal problems. For the particular talent of the lawyers for critical and analytical thinking made them active examiners of program and policy, and made the Office the "forge and anvil" for implementing the broad language in the Economic Opportunity

Act. Donald Baker and the General Counsel's Office worked closely with Sargent Shriver as advisor, critic and counsel in the development and the defense of OEO. The Office quickly exceeded the role of an average law office to provide assistance in negotiations, public relations and as a liaison with Congress. In understanding the role of the Office, one has to look beyond any formal bureaucratic organizational chart. Shriver certainly did. He would look for individuals rather than formal titles, and those he chose to rely on were expected to provide advice on a broad spectrum of problems.¹⁹ Baker's legal expertise and astute sense of the art of the possible, Partridge's clear legal analysis, pollack's organizational ability and Bell's analytical examinations of proposed legislation, made them all part of Shriver's "kitchen cabinet."

Major Problems

The first problem of major concern that arose involved aid to church-related groups which were part of a CAP grant. The legislative history of the 1964 Act indicated that Congress had contem-

plated such aid; both the Senate and the House reports indicated that churches could be brought under a CAP "umbrella." In fact, the House report specifically stated this fact.²⁰ But, in the first round of CAP grants on November 8, 1964, Baker excluded all church-related groups, his rationale being that OEO should tread softly in this very delicate Constitutional area. But Shriver decided to go ahead and asked him to prepare a memo setting forth an OEO policy and justifying such aid both from a statutory and Constitutional viewpoint. The memo, called "Special Remedial and Other Non-Curricular Educational Assistance to Children and Institutions with Religious Affiliations", dated November 24, 1964, extensively covered the legal questions involved.²¹ The memo set forth a basic OEO policy to support components administered by parochial schools on the same basis as other private agencies where the parochial school was a "well conceived part of a community program designed to achieve the purposes of the Economic Opportunity Act." The memo relied on an earlier memo by the Department of Health, Education and Welfare for four tests of the Constitutionality of aid to

religious-affiliated educational institutions. First, public funds may not be used to support the religious aspects of the institution. Second, the assistance may not be provided in a manner that enables a religious institution to release its own funds for unrestricted purposes. Third, the class of students to benefit from the program must be limited, and the limitation designed to carry out a secular, public purpose. Fourth, assistance may not be extended if there is another reasonable alternative available to accomplish the legislative purpose. A short time later, supplemental grants were made to religious components of CAP grantees. However, these grants and all subsequent grants contained five conditions relating to the religious aspects of the grants. These were: that none of the grant funds be used for the teaching of religion or for religious worship; two, that there be no religious instruction, proselytization or worship in connection with any program supported by the grant; third, that admission to the program should not be based directly or indirectly on religious affiliation; fourth,

that participation in programs supported in whole or in part by this grant should not be used as a means of inducing participation in religious activities or of recruitment for religious institutions; fifth, the textbooks and other materials used in the program supported in whole or in part by the grant should be devoid of religious content.²²

The religious question also arose in relation to church services for Job Corps enrollees. It was decided that if a substantial number of enrollees wanted to go to church and nothing was available, the contractor could build inter-denominational chapels and bring clergymen to the camp, or provide transportation to a nearby town. It was also decided that Job Corps contractors could accept gifts of prayerbooks for their enrollees.²³

OEO/VISTA also had to face the church-state issue when several religious organizations requested VISTA's. The General Counsel's Office developed some guidelines in September, 1965, which all sponsors had to agree to comply with. First, volunteers could not

give religious instruction or engage in any other religious activity. Second, no religious instruction or other activity could be conducted as part of a program volunteers were assigned to. Third, the opportunity to receive the benefits of the program had to be open to all, regardless of their religion. Fourth, volunteers could not be used as replacements for regular personnel of the religious institutions.²⁴

Another major problem area was that of civil rights. The civil rights regulations published in the Federal Register, pursuant to Title VI of the 1964 Civil Rights Act, contained a broad prohibition against discrimination and required recipients of assistance to file assurances against discrimination before assistance was granted. Recipients were also required to keep records and make compliance reports to OEO, and OEO could conduct its own investigations of complaints.²⁵ The regulations applied to all CAP grantees and state agencies managing Job Corps centers or sponsoring VISTA programs. It was felt that private agencies would be

covered by provisions in the Government contracts.²⁶ Markham Ball drafted non-discrimination clauses for use in Job Corps Training and Recruiting and Screening Contracts.²⁷

The regulations also provided that aid could be given to an in-school program if the school or school system was complying with a court order for desegregation or with a plan of desegregation approved by the Commissioner of Education. The effect of the regulation was to fund some segregated programs under educational assistance grants.²⁸ This regulation had been the subject of a heated controversy within the General Counsel's Office. Jim Siena argued that the effect of this regulation would be to encourage some of the southern programs to move into the schools.²⁹ Mark Ball was generally opposed to segregation in any funded programs.³⁰ But Stephen Pollak argued that it was the policy of the Federal Government that agency requirements should not go beyond the integration requirements of any outstanding court order.³¹ This position ultimately triumphed.

The biggest civil rights story was the movement of OEO/CAP civil rights policy from a prohibition against segregation to an affirmative duty on the part of prospective grantees to recruit minority group personnel for the governing boards and to provide enrollment on an integrated basis.³² This policy development occurred simultaneously with a broadening interpretation in the Federal courts of the requirements of Brown v. Board of Education. The problem was de facto segregation in almost all of the cities in America. Head Start, Health Services, and Legal Services programs often served only one race even though no deliberate local policy of segregation existed.³³ The fact that CAA employees were often all white was caused both by the location of the CAA and the lack of black applicants. Tony Partridge, Jim Heller, and Dave Grossman hammered out a policy imposing broad duties to integrate CAA's and the programs of their delegate agencies. The policy was first manifested in "Supplemental Conditions" for certain Head Start grants. The same kinds of Supplemental Conditions

were later inserted in the other kinds of CAP grants where de facto segregation was an apparent possibility.³⁴ Jim Heller's proposal that the Supplemental Conditions be inserted into the General Conditions governing Title IIA grants or that they be printed on the back of the assurances of compliances was not implemented;³⁵ but this was more from a desire to maintain flexibility and the difficulty of drafting them as general conditions than from any retreat from the policy itself.³⁶

Where a grant was denied on the basis of non-compliance with the OEO civil rights policy, the applicant was encouraged to formulate a new proposal. If the applicant wanted a hearing on the decision to refuse the grant, the General Counsel's Office represented OEO at the hearing. Where a grantee was found to be operating a segregated program, OEO would notify him that he was violating OEO regulations and request that he cease the segregation practices.³⁷ The ultimate sanction of terminating the program was exercised in the case of a few Summer Head Start programs in the summers of

1965 and 1966.³⁸ The General Counsel's Office suggested in a memo to the Justice Department that the phrase "other means authorized by law" in Title VI of the 1964 Civil Rights Act included other remedies such as a suit to enforce the contract, injunction, and recovery of the money,³⁹ but Justice never substantiated this and none of these remedies was ever utilized.⁴⁰

The General Counsel's Office also participated in civil rights protection for OEO employees. OEO Instruction 76-1 concerning equal employment opportunity within OEO was approved by the General Counsel's Office. A memo was prepared on the action to be taken by OEO employees whose civil rights were infringed while they were traveling on official business.⁴¹

In 1965 Markham Ball worked with Christopher Weeks and Otis A. Singletary to prepare detailed instruction for Job Corps contractors to implement the OEO civil rights policies. The Job Corps policy developed was that all Job Corps centers had to be run on an integrated basis. Also the contractors were required to work

with representatives of surrounding communities to insure non-discrimination.⁴²

Another general problem area was the development of political activities regulations. By the spring of 1966 the CAP became a live political issue in many communities and embroiled CAP personnel in local politics, usually of a very partisan nature. In addition, the spring primaries in many states brought activist CAP personnel into partisan politics. Numerous alleged Hatch Act violations were reported to OEO and the Civil Service Commission.⁴³ Several CAP personnel wrote OEO for a clarification of the permissible political activity they could engage in,⁴⁴ for the one sentence restriction in the CAP conditions was not particularly illuminating. (CAP Guide Vol. 1, p. 38, #23, Conditions Governing Grants). Regulations were drafted but never promulgated, since Congress began considering a proposed political activity amendment to the Economic Opportunity Act.⁴⁵ Political activity problems were handled on an ad hoc basis through the summer and fall of 1966 until Congress passed the Political Activity Amendment on November 8.⁴⁶ OEO/CAP and the General

Counsel's Office immediately implemented the prohibitions in the Act with CAP memo 50A, which was published on December 1, 1966.

After OEO money, vis-a-vis the California Rural Legal Assistance Program (CRLA), was used to bring a successful injunction against a cutback in the Medi-Cal program in California by Governor Reagan, and a suit for an injunction against the Department of Labor to prevent them from importing strike-breaking Braceros into the Central Valley of California,⁴⁷ the criticism of the Legal Services Program arose. In a memorandum from Earl Johnson to George McCarthy, dated September 22, 1967, Johnson answered the critics by stating that there was nothing unique about Government money being used to finance two sides of a lawsuit. He said, "Perhaps the best example is the Criminal Justice Act of 1964 where the Government pays attorneys to represent defendants being prosecuted by the Government. Likewise, governmental agencies are often on different sides of controversies. A very recent example is a suit brought by the Justice Department challenging the

FCC's approval of the ITT-ABC merger," He went on to say, "To conclude, the representation of clients in suits against the government is perhaps one of the best services our programs can perform. In this age of big government, ever increasing in size, it is refreshing to know that some bureaucratic mistakes will not go unchallenged."⁴⁸

Another related problem was the Syracuse crisis of October, 1965. In Syracuse part of an OEO demonstration grant was used to pay the bail and legal fees for independent legal counsel for 11 persons arrested for refusing to leave the City Hall after having waited three hours to see a welfare commissioner who ignored them.⁴⁹ This use of OEO money was heavily criticized in Congress. The opinion of the General Counsel's Office argued that the budget item of "legal expenses" had contemplated bail and legal counsel. They went on to argue that no statute forbids such use of OEO grant funds. But the broader argument made, and perhaps the better one, was the fact that "The basis conception of the program involved

the creation of neighborhood organizations of the poor who would then identify for themselves the major problems in their daily lives and undertake their solution by grass-roots joint self help."⁵⁰

The project of attempting to work with the commissioner and then protesting against what they considered the city government's unreasonable response to their problems was contemplated under the purposes of that grant.⁵¹

Another major problem that arose in the summer of 1967 involved both Federal-state relations and alleged problems of national security. The problem involved a charge that the Southwest Alabama Farmers Cooperative Association, an OEO/CAP grantee, included Communist subversive elements and members of the SNCC militant Negro action group. The charge was first raised in a telegram from Joe T. Smitherman, Mayor of Selma, Alabama, to the Senator from Alabama, John J. Sparkman, who promptly notified OEO of the charges contained therein. The essence of the charge was that Smitherman had found a briefcase containing subversive documents and subversive pamph-

lets that had belonged to a member of the SWAFCA organization.⁵²

Malcolm Mason of the General Counsel's Office went to Selma, Alabama in person and investigated the charges and the contents of the briefcase. He found nothing to substantiate the charges.⁵³

In the VISTA area, several legal problems arose concerning VIATA volunteers. The General Counsel's Office provided legal advice and counselling in the two cases involving rapes of VISTA volunteers. Crisis arose when the first VISTA volunteer died while on duty, but soon orderly procedure was established for dealing with this kind of situation.⁵⁴ It was decided that OEO/VISTA would provide the funeral expenses for VISTA's who died while on duty and in certain hardship cases for VISTA's who died while on leave.⁵⁵ In the first year of the program Mark Ball and Robert Golten, then on part-time loan from the Tax Division of the Justice Department, later a full-time member of the General Counsel's Office, negotiated with the Internal Revenue Service for a ruling that volunteer living allowances were not taxable. When the ruling

was denied, they went to the Treasury Department for support for legislation to exempt these allowances from taxation. Again they were unsuccessful--the Treasury Department preferred to maintain the "symmetry" of the Code--despite the personal intervention of Shriver in a letter to Secretary Fowler.⁵⁶

Another major problem involved political activity by VISTA volunteers. In 1965 a group of New York VISTA's formed the VISTA's for Peace in Vietnam. They wrote letters, petitions, etc. and threatened to march on the White House. VISTA finally made a statement that they could not use the VISTA name while exercising their political rights as citizens. The General Counsel's Office assisted in drafting the statement as part of its general policy advice. There was a threat that many VISTA's would resign because of this stand taken by OEO. But OEO/VISTA had drawn the line, saying "if you step over, you will be discharged". Four stepped over and were discharged, but mass resignations did not take place.⁵⁷

A similar situation took place in February 1968 when 176 VISTA's signed a letter to President Johnson protesting the war in Vietnam and asking for a diversion of Vietnam money to the poverty program. They held a news conference in New York on February 13, 1968, which was reported in the New York Times on February 15 (page 26).⁵⁸ Although their conduct constituted a violation of the Hatch Act and Section 603(b) of the Economic Opportunity Act, as amended, the matter was handled quietly by OEO/VISTA and none of the people involved were discharged.⁵⁹ However, the incident provided an added impetus to the drafting of regulations on political activity, which were promulgated in May, 1968.

One of the continuing problems has been that of draft deferments for VISTA volunteers. The VISTA lawyers advised volunteers and potential volunteers that the II-A occupational deferments for VISTA's were not mandatory by statute, but subject to the discretion of the local board. The VISTA section also corresponded with local draft boards regarding individual volunteers and on at least

one occasion interceded with General Hershey on behalf of three volunteers who were considered to be doing an outstanding job.⁶⁰

One of the major problems which the Job Corps section spent a great deal of time with involved application or exemption from local and state laws. The kinds of laws usually at issue here involved mandatory education laws, drivers license and local criminal laws. Generally agreements were negotiated with local law enforcement officials as to which offenses should be reportable to local authorities and the local prosecutor.⁶¹ A related problem dealt with the education of Job Corps enrollees in local schools. Many local schools refused to take Job Corps enrollees. Their defense was that the Job Corps camps are located on Federal land and, therefore, the local schools are not required to take them, or that they were prohibited by local statutes from taking Job Corps enrollees in their local schools. Some states consented if the Federal Government paid them tuition for the Job Corps enrollees.⁶² But that gave rise to another question--is paying tuition, if the state

requires it, against the rule about not paying parents more than the statutory wages? Another question was whether Job Corps buses could be used to transport enrollees to local schools.

In 1967 the Labor Department ruled that Dorm Supervisors or counsellors fell within the minimum wage coverage of the Fair Labor Standards Act. At the same time they ruled that the "sleep time" exemption applied to these employees. OEO sent notice of this ruling to its center contractors. Since the ruling applied retroactively, it allowed claims for back wages from these employees. The problem was not so much low wages as that centers had not shown on their books that they were paying time and one-half for overtime. They just showed a lump sum per work week. The Labor Department calculations ignored the fact that the lump sum often adequately covered both straight and overtime work. The back wages claims were substantial. From the Kilmer Center alone, a claim totaling one million dollars was submitted. This was subsequently settled for about \$150,000. Accounting measures were subsequently changed

in effected centers and new Job Corps contracts clearly specified the wages and time limits.⁶³

Day-to-Day Activities

VISTA⁶⁴ -- The first kind of VISTA/General Counsel activities was handling volunteer problems, especially cases where volunteers broke a VISTA regulation or local law or were injured in some manner. Questions of legal assistance, bail, etc. had to be handled.

Another general area of VISTA/General Counsel responsibility was that of responding to legal questions from the VISTA staff. For example, could VISTA programs be operated separately from local sponsorship?

In the summer of 1968, VISTA and VISTA lawyers were engaged in the preparation of extensive policy guidelines for the VISTA program, including recruitment, selection criteria, selection and role of VISTA leaders, and policies on re-enrollment, assignments, transfer, termination, and underage. They were also formulating policy statements regarding financial support, including food and

lodging, cost of living, transportation, medical facilities and supplies, death, and VISTA financial responsibility. Other more general policies being formulated included policies on leave, political activity, riots, crimes and legal assistance, accidents, debts, and labor union participation in connection with the VISTA program. The VISTA lawyers were also aiding in the development of policy guidelines for VISTA projects, including procedures for project processing, policy for supervising grants, placement procedures of volunteers, and project approval.

CAP⁶⁵ -- The major functions of the CAP section of the General Counsel's Office included: guidance for the future, grant review, handling specific cases, review of audit reports, and liaison with the Department of Justice. The first major function was that of providing guidance in the form of regulations, CAP guidelines, standards, CAP memos and other publications to provide a general set of rules for Community Action Agencies. Current guidelines being formulated included policy guidelines for the programs under

Title II to conform with the 1967 amendments. These included policy guidelines for the Head Start, Legal Services, Upward Bound, and Health Services programs.

The CAP General Counsel section also reviewed certain proposed grants and contracts. For the first year of OEO all grants were reviewed in the General Counsel's Office, but later most grants were reviewed by the regional offices. However, Migrant, Indian, Health Service, Technical Assistance and Training, and the Research and Demonstration grants were still reviewed in the OEO headquarters, as were some of the Legal Services programs.

The third kind of problems handled were specific legal problems raised by the senior staff in the CAP section or disclosed by inspection reports, audit reports, newspaper stories, correspondence, and FBI reports. One kind of specific problem handled by the CAP section included political activity problems. CAP/General Counsel's Office served as liaison with the Civil Service Commission if a Hatch Act violation by an OEO/CAP employee occurred.

Job Corps⁶⁶ -- Activities of the Job Corps section of the

General Counsel's Office included: (1) writing or reviewing regulations to implement the Act; (2) reviewing all major policy issuances; the Job Corps section of the General Counsel's Office had prior concurrence on anything that came out of the agency that had legal implications; (3) liaison with other agencies, such as the Interior Department and the Agriculture Department, which ran the rural conservation centers; the Department of Justice and the Department of Education. The General Counsel's Office was negotiating with the Department of Education to convince them to accept the contention that Job Corps teachers were eligible for the 10% discount on Student National Defense Loans for each year they taught.

Another challenging problem had to do with enrollee support. \$400,000 was owed by ex-Job Corps enrollees who were paid off without deducting what they owed to the Job Corps and the Office of Economic Opportunity. The major question was whether OEO should attempt to collect.

Another current area in question involved search and seizure.

At issue was the right of the Job Corps to search an enrollee's person and locker. The doctrinal justification for such a search could be found by analogy to the military or by an extension of the doctrine of In-Loco-Parentis. Aside from the Constitutional questions of the enrollees' right to privacy under the Fourth Amendment, other policy questions were involved. One of the most important considerations was recruitment. Did OEO want to say to potential enrollees "Join the Job Corps and be searched"?

Another problem area had to do with release of Job Corps records. The question was when did OEO have the right to disclose and when did the agency have the right to withhold information.

Another group of Job Corps problems involved tort liability under the Federal Tort Claims Act. It was decided that the U.S. was not liable for the torts of Job Corps Center contractors. Other questions under the Act included the extent of Job Corps liability for acts of escaped enrollees and whether torts of deputy

sheriffs who came on the Job Corps camps per prior agreements fall within the Act. All these questions were still unanswered in 1968.

Other problems included the right to fire contractor employees, waiver of Government liability for personal injury by Job Corps enrollees, dismissal of homosexual enrollees, and the turnover problem with enrollees.

Legislative-Management -- The Legislation section⁶⁷ worked with the other sections in deciding what new legislation to propose. It drafted legislation and arranged for clearance through the Bureau of the Budget for submission to Congress. It also reviewed independently proposed poverty legislation and prepared reports approving, disapproving or suggesting amendments. It also reviewed other legislation and commented on how it would effect the poverty program. The Management section⁶⁸ reviewed and attempted to settle all tort claims filed against OEO under the Federal Tort Claims Act, 28 U.S.C. 2671-80, except for VISTA claims. The Management section was also in charge of the Federal Register, keeping the

regulations up to date, and keeping a record of OEO regulations in the Register. In addition, the Management section reviewed all property damage claims by Government employees. The Management section also held general reviews of OEO procurement contracts and Job Corps contracts. The Legislative-Management section maintained a general supervision of the delegated programs. The section also handled the legal problems regarding the delegations which arise occasionally.⁶⁹

Footnotes for Chapter Four

Section on General Counsel's Office

- 1 Personnel information gained from interviews with Anthony Partridge, Milt Williams, and Markham Ball.
- 2 Interview with Anthony Partridge, July 9, 1968.
- 3 Ibid.
- 4 See Federal Register, Nov. 1964 through May 1965, for the delegation orders.
- 5 1964 Cron File--memo from Stephen Pollak to Legal Staff on pending legal work--September 11, 1964.
- 6 Interview with Markham Ball, July 9, 1968.
- 7 Pollak memo, supra.
- 8 Ibid.
- 9 Ball interview, supra.
- 10 Pollak memo, supra.
- 11 Ibid.
- 12 Ibid.
- 13 Interview with Gordon Garrett, Job Corps Lawyer, July 8, 1968.
- 14 Memo from Stanley Zimmerman to E. Hunter Smith, Oct. 10, 1964.
- 15 Memo from Stephen Pollak to Nathan Cutler, Audit Department, Oct. 22, 1964.
- 16 Ball interview, supra.
- 17 Ibid.
- 18 Partridge interview, supra.
- 19 Interview with Donald Baker, OEO General Counsel, August 22, 1968.
- 20 House Rep. No. 1458, 88th Congress 2d Session, p. 11.
- 21 Memo from Baker to Shriver, Nov. 24, 1964.
- 22 Religious Conditions--Baker "Church-State" file.

- 23 Garrett interview, supra.
- 24 Interim VISTA Guidelines--Baker "VISTA General" file.
- 25 Published in Federal Register on Saturday, January 9, 1965.
- 26 Memo from Markham Ball to Shriver, December 29, 1964.
- 27 Memo from Markham Ball to Ralph Howard, January 4, 1965.
- 28 Memo from Markham Ball to Shriver, December 14, 1964.
- 29 Memo from James Siena to Stephen Pollak of December 4, 1964.
- 30 Memos from Ball to Shriver of December 14 and December 29, 1964.
- 31 Memo from Stephen Pollak to File, November 19, 1964.
- 32 Ball interview, supra.
- 33 Interview with Henry Schoenfeld, CAP attorney, August 5, 1968.
- 34 "Supplemental Non-Discrimination Conditions for Title IIA and IIIB Grants."--Baker "Civil Rights" file.
- 35 Memo from Jim Heller to Tony Partridge, Sam Yette and Dave Grossman, February 28, 1966.
- 36 Memo from Tony Partridge to Jim Heller, March 16, 1966.
- 37 OEO Civil Rights Regulations in the Federal Register.
- 38 Partridge interview, supra.
- 39 Memo from Roger Goldman to Richard K. Berg, June 8, 1965.
- 40 Statement by Don Baker on August 5, 1968.
- 41 Memo from Edith Fine to William Kelly, March 12, 1965.
- 42 Memo from Ball to Christopher Weeks and Otis Singletary, June 19, 1965.
- 43 Memo from Tony Partridge to Donald Baker, April 7, 1966.
- 44 See Baker "Political Activities" file.
- 45 Interview with Malcolm Mason, Asst. Gen. Counsel for CAP, August 8, 1968.
- 46 Economic Opportunity Act of 1964, as amended, Title VI, Sec. 603, 42, U.S.C. 2943.

- 47 Baker "CRLA" file.
- 48 Memo from Earl Johnson to George McCarthy, September 22, 1967.
- 49 Baker "Bail Bonds" file.
- 50 Memo from Donald Baker to Sargent Shriver, January 25, 1966.
- 51 Ibid.
- 52 Baker "SWAFCA" file.
- 53 Interview with Malcolm Mason, July 8, 1968.
- 54 Ball interview, supra.
- 55 Memo from Edith Fine to Glenn Ferguson, June 13, 1966.
- 56 Ball interview, supra.
- 57 Ibid.
- 58 Dick Doyle, Asst. General Counsel for VISTA, "Political Activity" file.
- 59 The decision to handle the matter quietly is found in a letter from Bill Crook to George Christian dated February 9, 1968. Why Mr. Crook made that decision I don't know.
- 60 Baker "VISTA" file.
- 61 Garrett interview, supra.
- 62 Ibid.
- 63 Interview with Edith Fierst, Job Corps lawyer, August 23, 1968.
- 64 Interview with Richard Doyle, Asst. General Counsel for VISTA, July 3, 1968.
- 65 Interview with Malcolm Mason, Asst. General Counsel for CAP, July 8, 1968.
- 66 Interview with Gordon Garrett, Job Corps Lawyer, July 8, 1968.
- 67 Interview with Milt Williams, Acting Asst. General Counsel for Legislation, June 28, 1968.
- 68 Interview with Robert Trachtenberg, Contracts and Claims Officer, June 28, 1968.
- 69 Williams interview, supra.

Office of Governmental Relations
(formerly Office of Interagency Relations)

Interagency Involvement in Poverty Task Force Days

In the earliest days of the program, even before OEO was formally established, interagency cooperation and coordination was immediately recognized to be essential. Many persons on the Task Force were in fact detailed from other Federal agencies and created the nucleus for the cooperative system which later followed.

The legislation itself had been drafted by an interagency team with employees of a variety of agencies coming together to determine what focus the new program should have. This involved considerable negotiation and compromise on many sides.

The degree to which the Federal establishment in general pitched in to help get the new program off the ground was unprecedented. And, there were piles and piles (literally roomfuls) of applications from people clamoring to become involved in the new program.

Establishment of the OEO Office for Interagency Relations

One of the most significant steps taken by OEO toward coordination was the creation in the Director's Office of the post of Assistant Director for Interagency Relations when OEO was first organized. It was the first such office in the history of the Executive branch. The role and name of the office were changed in the fall of 1967 to that of Governmental Relations, with the addition of responsibilities for dealing with the State Economic Opportunity Offices and with public officials at all levels.

Interagency Relations served as the right arm of the Director in Secretary-level dealings with other Federal agencies. It was instrumental in negotiating agreements for joint approaches between OEO and such departments as HUD, HEW, Commerce and Labor. Perhaps most important was its role in providing consistency in the dealings between OEO's various program and administrative offices and other agencies.

The Assistant Director and his staff frequently represented the agency on interagency task forces which required knowledge of the overall OEO mission. The Assistant Director also served as Executive Secretary of the Economic Opportunity Council.

After two years of experience, it became apparent that the interagency relations function was an essential part of the responsibility of the OEO regional offices. It also became apparent that there had to be an identifiable unit within the regional office dedicated to this activity as its basic responsibility. Part of the job was to remain as close as possible to the mainstream of program activity in the regional offices so that their coordinating activities were not conducted in a vacuum. OEO designated positions for interagency relations in the regional director's office.

Economic Opportunity Council

Section 604 of the Economic Opportunity Act of 1964 established an Economic Opportunity Council, which was to consult with and advise the Director of OEO in carrying out his functions, including

the coordination of antipoverty efforts by all segments of the Federal Government.

It specified that the EOC would consist of the OEO Director, the Secretary of Defense, the Attorney General, the Secretaries of Interior, Agriculture, Commerce, Labor, and Health, Education, and Welfare, the Housing and Home Finance Administrator, the Administrator of the Small Business Administration, the Chairman of the Council of Economic Advisors, the Director of Selective Service, and such other agency heads as the President might designate.

The Economic Opportunity Council was a major coordinating mechanism at Cabinet-level. The Council provided a forum within government for the highest ranking officials of the Executive Branch to discuss and become informed not only about OEO activities but other related antipoverty programs such as those being conducted under the new Elementary and Secondary Education Act, Economic Development Act, and Appalachian Regional Commission. The Council was supported by a sub-Cabinet level Working Group, which acted

as necessary to conduct preparatory discussions and staff agenda papers. The members of the Working Group also provided immediate access to the EOC members in the case of interagency matters relating to poverty.

At its first meeting, the President said that he looked to the Council as a domestic National Security Council for the War on Poverty. He charged the Council with four main tasks:

- (1) to review major policy issues that arise in conducting the war against poverty;
- (2) to weigh national priorities for program needs in the war on poverty, and to assess the ability of existing programs to meet those needs;
- (3) to support an information system which will provide local officials and private groups with the facts they need in this effort to eliminate poverty;
- (4) to make certain that the anti-poverty programs respond to local needs and encourage the full development of community action.

The regular meetings of the Council (20 between December 1964 and December 1967) focused on key inter-departmental questions. Discussions ranged from such specific issues as a minimum wage for poverty-related activities and problems of agricultural migrant workers to broad questions of interagency coordination, church-state relations, and governmental information systems. With the Vice-President's participation, the Council was able to turn its attention to the government-wide coordinative efforts.

The Council was not an unalloyed success, largely because of the lack of a full-time permanent staff and the reluctance of agencies and departments to commit problems to such a forum.

The 1967 Economic Opportunity Amendments proposed by the Administration expanded the role of the Economic Opportunity Council by giving it the responsibility of advising the President and the Director of OEO on matters of coordination of anti-poverty efforts by all segments of the government. It was to review and make recommendations with respect to major policy issues and questions of basic priorities involving the coordination of programs related to the Economic Opportunity Act, and initiate and recommend projects designed to improve coordination.

The House and Senate Committees considering the Amendments concurred in the view that the Council should have an expanded role. The Senate Labor and Public Welfare Committee was particularly concerned with the coordination of Federal programs. S. 2388, the bill they reported, rewrote part B of Title VI (Administration and Coordination) broadening the Economic Opportunity Council in order "to provide the President a more versatile tool which he can use in assuring that Federal anti-poverty efforts are well coordinated. . . ."* The measure passed by both Houses and signed into law (P.L. 90-222) provided for the recommended broadening of the Economic Opportunity Council. However, as of October, 1968, these changes had not been implemented.

While not used by the President in this latter fashion in 1968, the Council, operating 1964-1968, provided a forum for top-level exchange of ideas and information concerning activities in anti-poverty program areas; it also initiated action projects. Accomplishments of

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

this sort included a study of the differences between rich and poor counties in the degree to which they utilize Federal programs; a special project to increase the amount of anti-poverty resources going into the state of Mississippi; the initiation of a flow of program information on a county basis to OEO for the Federal Information Service reports; and the establishment of a subcommittee on poverty problems among American Indians.

National Advisory Council

The Economic Opportunity Act of 1964 also established a National Advisory Council within the Office of Economic Opportunity. Section 605, establishing the Council, stipulated also that it would be composed of 15 members, including OEO's Director, who would serve as chairman. The President was empowered to appoint persons "representative of the public in general and appropriate fields of endeavor related to the purposes of the Act." Upon request of the Director, the Council was to "review the operations and activities" of OEO, and make appropriate recommendations. The Act provided that the members

meet once a year, and on other occasions requested by the Director.

The 1966 Economic Opportunity Amendments made a major revision in the section on the National Advisory Council. The change was described in the Office of General Counsel's "Narrative Summary": "In effect, a new council was formed." The Director was no longer chairman, but was to participate with ex officio status. "The council's duties were broadened to include advice to the Director on policy questions, recommendations concerning the effect and quality of the programs, and submission of an annual report to the President and to Congress." Meetings were to be held not less than four times a year. "A final amendment in this section indicates that it is Congress' intent that private enterprise participate in poverty programs to a maximum feasible extent."*

* "Narrative Summary of the Economic Opportunity Amendments of 1966", OEO Publication prepared by the Office of General Counsel, January, 1967, p. 10.

Interagency Coordination

To some extent, probably, the proliferation of Federal programs and ever-heightening social problems would have forced greater attention to a more rational relationship between programs with resulting better use of available resources even without the example of initiative and effectiveness offered by OEO.

However, the very nature of the problems of OEO's clients, the poor, were such that multi-functional resource arrangements were a must if the agency was to do its job.

Agreements

One of the tools employed by OEO to attain a high degree of coordination toward common objectives were a series of formal agreements with individual departments and agencies. Examples of these formal agreements were: an agreement with the Department of Labor for the development of Youth Opportunity Centers in conjunction with local CAA's; an understanding leading to joint instructions with the Office of Education governing the appropriate use of resources available to pre-school programs under our respective

legislative authorities.

Some agreements covered the initiation and conduct of special programs such as the arrangements with the Administration on Aging of HEW for administering the Foster Grandparents program and with the Social Security Administration of that department in administering Medicare Alert projects in 1965. An overall umbrella agreement with HEW facilitated joint undertakings with the Public Health Service in developing Neighborhood Health Centers, in the training of Home Health Aides, and in providing health and dental care services for Head Start children.

Individual OEO programs had a variety of interagency arrangements for facilitating achievement of their program goals. For example, the Job Corps had many significant relationships with Federal agencies in the course of program operation. It worked very closely with the Department of Labor in the matter of recruiting, screening and placing enrollees, it received support and property

from the Department of Defense and the General Services Administration, medical services from the Public Health Service, and assistance from the Justice Department in effecting law enforcement arrangements on men's training center installations. Its Conservation Centers were administered by agencies of the Departments of Agriculture and Interior under a delegation of authority. A final interagency achievement was the agreement that provided for the payment of Job Corps enrollees through the Army Finance Center in Indianapolis--VISTA Volunteers were also paid through this channel.

Contributions to the Field of Program Coordination

At the Office of Economic Opportunity, "coordination" was a necessary fact of life. In the Federal bureaucracy, OEO had been something of an anomaly: it shunned the routine of the old-line agencies; it was the only part of the Executive Office of the President to operate programs; it maintained a measure of control over other programs which it had delegated to other departments; and it was assigned a government-wide coordinative role.

recognized from the outset that a "war against poverty," could not be conducted without utilizing resources already available elsewhere.

OEO's influence in this area was felt throughout the government. It acted not only as a spur to other departments to consider more effective uses of their own programs, It also awakened them to the need for coordination of the many new social welfare programs enacted by Congress. For example, the Department of Housing and Urban Development which has a major coordinative role, requested and received detailed information on OEO's experiences and devices, including the OEO developed "checkpoint" procedure. The OEO Community Action Agency was frequently recognized as the most effective conduit to carry Federal programs to the people who needed them.

In an effort to solve the problem of uncoordinated Federal activities at the community level, OEO developed a new "checkpoint" procedure. This was based on the assumption that all parties concerned wanted coordination. Given this, the only thing lacking in

its achievement was an agreed-upon and formalized mechanism which would provide the means for separate Federal departments or agencies, as well as for the administering State and local bodies, to get together and establish working relationships during both the planning and development of a project. They would also lead to a continuing awareness of the resources and needs of counterpart programs.

OEO developed, with several other Federal agencies (e.g. HUD, Welfare Administration, Office of Education, Labor), checkpoint procedures assuring mutual consultation between the local community action agencies and the local administering unit of several related Federal programs. These procedures went into operation in communities throughout the country.

Congress recognized the need to relate Federal programs to community action agencies and wrote such provisions into several Acts such as the Elementary and Secondary Education Act, Neighborhood Facilities, and Economic Development.

Under the checkpoint agreements, applications to an agency with programs related to the anti-poverty effort were accompanied by a check sheet indicating local CAP comments on the proposed project. Similarly, CAP proposals with components relating to the other Federal programs contained a check sheet indicating the support of the official who had local responsibility for the complementary program. Such checkpoint forms worked both ways-- on a strict quid pro quo basis. The omission of the check sheets served as an alert to reviewing officers to inquire about its omission. Negative comments lead to closer coordination between the two agencies, to seek resolution of disagreements.

The checkpoint certification did not constitute a veto. It merely ensured that the local units responsible for related programs in a community would engage in conversations at the planning stage, thereby opening the doors for maximum coordination and optimum use of available resources on both sides.

Public Officials Advisory Council

The Public Officials Advisory Council was created in January, 1966. The Council was formed to improve further the lines of communication between OEO and the nation's chief executives of states, counties, and cities. A need for such close communication was inherent in the nature of the poverty program.

The Economic Opportunity Act created new relationships between the Federal Government on one hand and state and local government on the other, including Gobernatorial veto, notification requirements, and matching funds. Effective anti-poverty programs at the local level required close coordination with on-going programs such as education, welfare, health, and housing.

Twenty-five officials comprised the membership of the original Council which included five governors, ten mayors, five county officials and five city managers. These officials represented every area of the country, with three or four from each of the seven OEO Regions. Also included as ex-officio members to the Council

were the executive directors of the major national organizations of public officials.

Members were appointed for a two-year period. They were expected to serve only as long as they continued to hold their respective positions, but it was the individual who served, not the city, county, or state. Meetings were held on a quarterly basis but the ex-officio members of the Advisory Council were in frequent contact with OEO. The Office of Governmental Relations served as a clearing house and point of referral not only for members of the POAC but for all state and local officials.

The 1967 amendments placed greater responsibility on the shoulders of local officials and the Council undertook a study of OEO guidelines and their implementation. This study was expected to be of value in future legislation.

The General Impact of OEO on the Federal Establishment in the Area of Coordination

As an example of OEO coordinative activities there was the informal day-to-day relationship which existed between a staff

manpower specialist in OEO and his counterpart in the Department of Labor. This led to such formal agreements as the stationing of employment service personnel in CAP centers. More importantly, however, the close collaboration between staff persons resulted, for example, in a better shaping of the MDTA program to meet the needs of disadvantaged persons for job training. MDTA slots were set aside for CAP participants, the nature of MDTA training was modified to accommodate more realistic entry criteria, literacy training, more appropriate locations for training classes, and routine involvement of OEO in the development of MDTA state plans. Formerly, only the employment service and vocational education personnel were involved in the process. Total integration of Employment Service services and staff were being achieved in 1968 with CAP, with programs being developed at the local level for mutual involvement through the various stages of the employment activity--intake, counseling, prevocational and vocational training, placement, follow-up, and evaluation.

Another example of informal coordination in the manpower area was Washington, D.C.'s United Planning Organization's computerized job referral system which combined job orders from UPO and the USES in one file. It was expected that all of the job orders of the District of Columbia government would be included as well. OEO involvement and pressure toward coordination in this area resulted in what was probably the first consolidated system of its kind.

The Information Center

In 1964, as the new OEO set off on its task, its mission had been stated clearly and ambiguously, explicitly and implicitly. Its planning arm, RPP&E, was supposed to devise new places for OEO to go and new things to do and to help ensure that the going and doing were done well. But other parts of the organism had their own concepts and could and did move alone. Job Corps, VISTA, and CAP had clear images of themselves and saw no need to be reminded of their purposes. Offshoots of CAP, such as Head Start, appeared to strike out on their own as well. Self-determination, internally and externally imposed pressures, and need for operational survival contributed to the behavior of each office to react, expedite and move without much hesitation or reflection.

A bit of magic was added to this cauldron when the Information Center, initially part of RPP&E, utilized a computer and printed a list of preliminary Head Start applications. Suddenly people involved in a major exercise were not running around in their own elipses

ignoring the elipses of others. The computer-printed word reeked with authority and finesse. The new Information Center had planted a maypole and the strands were picked up. Head Start, CAP and the staff offices became united in this loose way rather early. VISTA and Job Corps were holdouts because they had their own authority-generators--i.e., their own contracting teams of analysts and programmers with access to their own computers. It took more than a year for the Information Center to "centralize" the data processing activities for all of OEO.

In the early days the Information Center gathered decision makers and operators from other government agencies; cold professionals from industry--both consultants and contractors; eager idealists from colleges, churches and communities; graduates from the poor; volunteers from the interested; and cooperation from almost all of the other awestruck or bemused Governmental Departments and Agencies. Each person, function, pressure and performance associated with the task collectively established precedents that would become

history. The one ingredient that was common to everyone was enthusiasm. There was more to be done than was normally possible. Responsibilities which called for immediate solutions were thrust upon everyone. Action was the keyword. Everyone became a decision maker and an expediter.

In this atmosphere, the statistical and data processing professionals brought a discipline and a technology to bear on the war against poverty that was objective and removed from the subjective pressures and causes. Personnel of the various contractors used by the Information Center performed with the same dedication as did regular OEO employees.

The assistance from other government agencies was amazing at times. The publicized drama of OEO was attractive to the old-line bureaucrats. Being part of a fresh approach to problem-solving helped vent the frustrations of their own overly-structured organizations. It was not necessary to resort to the leverage that the Economic Opportunity Act gave the Information Center

(e.g., to perform "without regard to the provisions of any other law or regulation"); other agencies cooperated freely as if the Information Center and OEO were solving their problems. The Bureau of the Budget approved scores of forms and survey instruments in record time. The Bureau of the Census committed their overworked resources to doggedly collect and process millions of Head Start data forms.

Section 613 of the Economic Opportunity Act required the creation of an Information Center to collect, process and disseminate information on programs pertinent to the purposes of the Act. It was stated as simply as that. The form and structure were not prescribed; the functions to be performed were identified only in broad terms. Since Section 613 did not establish an operating program which would directly reduce the levels of poverty, implementation of the Section and creation of the Center was not given the same urgent attention that other sections of the Act received.

Nevertheless, the need was recognized early for data concerning the scope, the magnitude and the complexion of the problem of poverty and it soon became evident that the lack of organized information was a serious roadblock to addressing the poverty problem. It soon became obvious that it would be impossible to develop major national programs for an indeterminate population which was often defined in inaccurate terms. The original concept of the task of the Information Center was one of filling this void and providing a single standard set of statistical data on which the plans of the operating programs could be based.

Although early in 1965 the need for creation of an Information Center became more urgent, the organizational location of this activity remained a matter of discussion throughout most of that year. There were times when the discussions appeared to indicate a "hot potato" attitude, and there were other times when it appeared to be a "juicy plum" attitude. In a staid and bureaucratic government organization this kind of condition could easily result in a

delay of years in the implementation of the organization. In OEO this simply represented a problem to be solved. It is conceivable that the operating programs could have continued indefinitely utilizing their own resources to obtain the kind of information system development and processing that each independently desired. Had this been done the cost of the information gathering, processing and disseminating task would have increased dramatically, with each operating program building its own information empire. One point of agreement developed during the period of consideration for the creation of an Information Center: that was that the Center must operate as a staff organization responsive to the needs of all, but subject to none of the operating programs from the standpoint of direction of resources. Having established this point the question remained of where should such an organization belong on the staff level.

The question of location in this period alternated between the Office of Administration, under William Kelly, and Dr. Joseph Kershaw's Office of Research, Plans, Programs and Evaluation.

Both, as Assistant Directors of OEO, could establish some justification and right to control the information process. It was agreed that in some respects the function was traditionally an administrative type of operation; on the other hand RPP&E could justify its requirement for the information on the basis of its planning and programming mission. During this period the growing staff of the Information Center vacillated between allegiance to one or the other of these organizations.

The task was further complicated by the serious uncertainty as to potential staff size and the resources available for performance. In the summer of 1965 the nucleus of the organization was less than 15 government employees. In this period the staff was augmented by approximately 150 contract personnel who often became involved in the policy and decision making process to a degree unheard of in the usual contractor arrangement.

This situation persisted until, in the fall of 1965, Director Shriver designated the Information Center as a separate and inde-

pendent staff element and appointed Leon Gilgoff as Assistant Director of OEO responsible directly to him. The Center then began to achieve a degree of identity and independence.

At this time a staff of 90 civil servants was envisioned, to be divided between three staff elements and three operating divisions. Initial efforts during the formulation period had already resulted in preliminary staffing of the three operating divisions: (1) the Data processing Division; (2) the Communications Division; and (3) the Information Services Division. Recruiting continued at an accelerated pace so that by the beginning of the new year (1966) most allocated positions were staffed. The untimely death of Leon Gilgoff in the spring of 1966 slowed the forward movement of the organization only briefly. During an interim period John D. Johnson, serving as Acting Director of the Information Center maintained the goals defined by himself and Leon Gilgoff. Johnson was made Director in December, 1966.

The Center experienced the same phenomenon of zealous individuals, from professionals to the lowest clerical levels, as could

be found in other parts of the OEO structure. People worked long hours without extra pay, sometimes all night when the occasion warranted. Their weekends and holidays were frequently no different than regular workdays. The computers of the Data Processing Division ran continuously for 24 hours a day, 7 days a week. In July, 1966, one year after the installation of the original equipment, the capacity was doubled by the addition of a duplicate set of computers. The following year arrangements were made for replacement of these workhorse computers with faster, more sophisticated and more recently developed machines.

The Communications Division, later called the Telecommunications Division, installed teletype communication facilities between OEO Headquarters and the seven regional offices, and was assigned technical responsibility for teletype, short wave radio and intercom systems being used in Job Corps Centers. The Information Services Division improved its library facilities and operation by the addition of staff and advanced library techniques; this Division

also assumed the role originally envisioned for the Information Center of being the repository for statistical information in the War on Poverty.

The operating programs of OEO yielded to the logic of economy through centralized servicing of their data processing needs and came to rely on the Information Center for the satisfaction of their information requirements. The Center also provided the necessary systems to satisfy the administrative requirements of the finance and personnel departments of the Agency.

All of this was accomplished with a minimum of civil servants whose services were augmented by the continuing availability of a large number of contract employees. At the urging of the Congress and with the cooperation of the Bureau of the Budget, the civil service strength of the Center was increased sufficiently to provide for the ultimate elimination of most contract support. In July, 1968, this still remained a goal to be reached, although its accomplishment was planned during FY 1969.

In addition to providing service and assistance to the program and staff offices within OEO the Information Center became a leading publisher in its own right. In 1965, initially to aid the OEO staff in the planning and operation of new poverty programs, the Information Center collected information on existing aid programs administered by the government. This volume listed 263 programs and was disseminated under the title Catalog of Federal Programs for Individual and Community Improvement. For the first time this type of information could be retrieved from one document source and it was welcomed by the general public, local officials and other Federal Government operations. The Catalog and the machinery of dissemination were recognized as part of the broad goals laid down in Section 613 of the Act, and subsequent amendments to it. The Information Center then integrated the Catalog into a larger effort. It designed, developed and implemented a Federal Information Exchange System.

The Federal Information Exchange System collects data from

Federal agencies and other sources for several purposes. First, descriptive data is compiled on programs. In 1968, 459 programs were published in the official (retitled) Catalog of Federal Assistance Programs. Second, fiscal data concerning the outlays of Federal funds by program on a city, county and state basis were obtained to produce a Summary of Federal Programs. The Bureau of the Budget had published a circular in June 1967 which directed the participation of all Federal agencies to provide such information. Third, detailed statistical and characteristic data were assimilated from many sources for the Community Profile Project data-bank. 50-page Profiles were produced from the data-bank which described demographic, geographic and socio-economic information for each county in the United States.

Further, in an effort to pursue the President's goal of creative federalism, the Federal Information Exchange System developed a technical assistance program to aid states in achieving an information posture similar to that at the Federal level. By July,

1968, 37 states had indicated an interest in participating in the technical assistance program mentioned above. The general interest of Federal agencies, legislators, State Governors and their staffs and the private sector in the documents produced through the Federal Information Exchange System represented a clear mandate for the continuance of this innovative effort by the Federal Government and the States.

The Office of Rural Affairs

President Johnson, in his Executive Order 11306, to the National Advisory Commission on Rural Poverty, stated that "the problem of poverty in rural areas is so acute as to require immediate and special attention. The heavy migration from Rural America to the blighted areas of our major cities clearly shows how bad economic and social conditions are in rural areas."

Thus, Congress, in its 1967 OEO legislation, designated that the Office of Rural Affairs be created. James D. Templeton, former Director of the Northeast Kentucky Area Development Council, was sworn in as Assistant Director for Rural Affairs on July 1, 1968.

The findings of the President's Commission on Rural Poverty indicated that although rural and urban poverty were intertwined, the problems remained unique and required separate emphasis. The Office of Rural Affairs saw as its first priority the balancing of OEO emphasis on urban and rural problems in order to achieve the

goals which Congress had set to assure equitable funding for the rural poor and provide economic opportunity in rural areas.

As set forth in Sections 240 and 241 of the Economic Opportunity Amendments of 1967, the Assistant Director for Rural Affairs would be responsible for assuring that funds allotted for assistance to programs or projects designed to assist the rural poor were so expended, and that the Office of Rural Affairs would have as its responsibility: (1) the development of programs particularly responsive to special needs of rural areas; (2) the establishment of a program of research and pilot project activities specifically focused upon the problems of rural poverty; (3) the provision of technical assistance so as to afford a priority to agencies in rural communities and to aid those agencies, through such arrangements as may be appropriate in securing assistance under Federal programs which are related to this Title, but which are not generally utilized in rural areas; and (4) the development of special or simplified procedures, forms, guidelines, model components, and

model programs for use in rural areas.

Since the Office of Rural Affairs only began its operations in July of 1968, actual progress was difficult to document two months later, when this was written. However, the Assistant Director was involved in establishing criteria designed to achieve an equitable distribution of assistance. The Office was inquiring of other agencies of the government as to the rural implications of their work, and a study made of projects in Texas, Arkansas and Virginia. A projected study related to the comprehensive health planning program in Eastern Montana in collaboration with four other Federal departments.

In September, 1968, the Rural Affairs Office, according to an outline drawn up by its director, intended to:

- promote economic development programs that would attract new industries and train the poor for the new jobs these industries would provide;
- bring sound managerial and technical competence into those programs undertaken in rural areas in order that they exercised the maximum benefit for all;
- cooperate and coordinate with all Federal, State, and local agencies involved in assisting the rural population so that there would be an equitable distribution of services and facilities;
- foster an interchange of personnel and other methods of cooperation between urban and rural communities, with particular emphasis on employment opportunities;
- and, develop pilot and research projects especially focused on critical rural needs such as transportation, education, jobs and health care.

There were many private organizations, Templeton pointed out, which had developed special programs for the rural poor, including the Farmer's Union, the National Grange, the National Rural Electrification Cooperative Association, the Catholic Rural Life Conference, the National Council of Churches, the Sharecroppers Fund, the National Council of Negro Women, the Southern Rural Action Project of the Citizen's Crusade Against Poverty, and the labor unions. Also, he said, many state and local governments had added their efforts. The problem, however, had barely been touched. OEO had accepted the challenge in the more than 600 rural community action agencies it had developed throughout the country, most of them attempting new ideas in their attack on some of the chronic ills of rural poverty. The newly organized Rural Affairs Office was expected to provide both unity and intensity in OEO programs directed at rural poverty.

Office of National Councils and Organizations

More than any other Federal agency before--or since--OEO, by concept and design, involved the support and participation of labor and business organizations, social agencies, religious groups, civil rights organizations, women's and youth groups, farmer's organizations, veterans and patriotic societies--in summation, virtually every group representative of American society. Not only was their support and participation solicited but, in a decided departure from governmental programs, project after project was designed specifically to involve organizations outside the structure of government. The poverty program was to include as many of the nation's resources as it was possible to obtain through a coordinated and specific program. Shriver, more than any other man in government, had come to realize through his experience in gaining diverse support for the Peace Corps, the utility and strength which could be obtained through massive American organizational ability, merely by inviting the right people to join in. The method was to become popular with other government agencies, particularly those involved in manpower training programs. And, it was also to introduce to giant American industry and powerful American labor the concept of everyday, working involvement in at least some of the functions of government--specifically those having to do with how people lived in the United States. In size and intent the development of involvement of the private sector of America in its public

business was a distinct innovation. The expectation was, according to at least one importantly involved participant, that the next generation would see the need to organize an operational third force--the private one--in American society. Collective organizations, private non-profit institutions would do more and more of the public business and "OEO was a very, very useful bit of experience in how to get this done."*

Mission and Functions

The mission of the Office of National Councils and Organizations was defined by OEO as carrying out "a program to stimulate and coordinate participation of national and local groups in the War on Poverty," in part by servicing OEO Advisory Councils. Among its specific functions it was to:

- Provide executive secretarial services to advisory councils, including: National Advisory Council, Business Leadership Advisory Council, Labor Advisory Council, Public Officials Advisory Council, Community Representatives Advisory Council, and the Women's Advisory Council on Poverty;
- Publish a circular monthly newsletter;
- Provide a clearing-house for state and local public officials;
- Stimulate support of selected national and local groups for anti-poverty programs;
- Receive suggestions, inquiries, referrals and complaints about operating programs from involved groups;
- Provide written materials and speakers to groups on anti-poverty programs;
- Maintain records of national and local groups;

* Conversation, Hyman Bookbinder, former director Office of National Councils and Organizations, OEO, July 5, 1968.

- Provide assistance and advice to groups seeking to develop anti-poverty programs; and,
- Coordinate activities of community relations staffs in VISTA, CAP, and Job Corps.

The Councils for which the Office of National Councils served as a secretariat, were:

The National Advisory Council, specifically authorized by the EOA of 1964. Its members were selected by the President, and represented religious, ethnic, and racial groups; business and labor interests; social welfare agencies; educators; news media; and an economist, a pediatrician, and a specialist on problems of the aging. The Council met frequently to discuss, and to make recommendations, on problems and policies effecting the entire poverty program.

The Business Leadership Advisory Council, composed of 39 leading business and industry leaders with particular interests in training and employment programs.

The Labor Advisory Council, made up of thirteen executive-level trade union leaders whose particular knowledge served as a guide for all OEO programs related to job skills, employment and other basic programs. National area conferences, sponsored by the AFL-CIO, served to educate and inspire union members to participate in the poverty program. OEO established labor liaison officers in each of the regional offices to assure continuing labor involvement in all of its programs.

The Community Representatives Advisory Council, was an extension of the concept of maximum feasible participation of the resi-

dents of the areas served. Its 28 members, four from each of seven OEO Regional centers, were independent, informed individuals who participated actively in local programs.

The Public Officials Advisory Council, comprised of governors, mayors, county officials, and city managers. The council reflected OEO's interest in securing the cooperation, understanding, and support of local governments to coordinate its programs.

Other Advisory Groups

In addition to the agency-wide Advisory Councils, major OEO programs were conceived, developed, or implemented through a number of special advisory committees, including: the Legal Services Advisory Committee with members from bar associations, legal aid agencies, government, private groups, law schools, the judiciary, and private attorneys.

Women in Community Services (WICS), comprised of four leading national women's religious organizations, secured the unpaid services of thousands of their members in continuing programs to recruit and screen girls for the Job Corps, among other programs. The Community Funds and Councils of America helped its hundreds of affiliates to understand the nature and purpose of the Federal programs. And, among many others, there were supportive programs devised by such national organizations as the American Legion, the American Bar Association and the American National Red Cross.

Religious groups were a decisive factor. Their united support of Federal programs against poverty became a landmark of ecumenical

social action in the United States. The National Council of Churches of Christ, an organization of 34 Protestant, Greek Orthodox and Anglican denominations, praised the OEO programs, especially Community Action. To include the poor themselves in the planning, execution and evaluation of programs, the Council said, reflects "ethical insight" in the anti-poverty programs. The Council established an Anti-Poverty Task Force which created a field staff composed of trained personnel to rouse the support of local church groups.

The National Conference of Catholic Bishops issued a statement denoting the unfinished business of Catholics and the Christian duty to use our resources responsibly and generously in view of the urgent needs of the poor." Pledging continued cooperation in united efforts with the National Council of Churches, the Synagogue Council of America, and other religious groups, the statement continued:

We must encourage, support and identify with the efforts of the poor in their search for self-determination. It is chiefly through the attainment of control over one's personal and social destiny that destructive feelings of despair, frustration and helplessness can be eliminated.

The Council of Jewish Federations expressed the need to build public conviction and understanding of the problems of poverty and urged the most active participation of all congregations. And, the Interreligious Committee Against Poverty, with representatives of major Jewish, Protestant, and Catholic groups, organized for the purpose of rallying the full weight of their constituencies.

The sponsoring agencies were the Synagogue Council of America, representing Orthodox, Conservative, and Reform rabbis, and presidents of congregations; the National Council of the Churches of Christ; and the United States Catholic Conference, an association of approximately 300 American bishops.

Private Enterprise

In March, 1965, Harold S. Geneen, Chairman and President of the International Telephone and Telegraph Corporation, said some might wonder why a major, profit-making corporation wanted to join the War on Poverty. And he answered: "1) we in industry owe it to our society to use our resources to cure a social ill that has been with us too long; 2) we in industry must maintain for ourselves and the nation a trained labor force; and, 3) we in industry have the capital, the manpower, the skills, the technology, and the desire to get the job done."

Involvement of private enterprise had begun early in the program. The President's Task Force on Poverty at Shriver's invitation had the advice and guidance of 75 business executives in shaping the program. They included: IBM's Chairman Thomas Watson; Litton's Chairman Tex Thornton, and Vice President, John Rubel; Hotel Corporation of America's President, Roger Sonnebend; Cleveland Electric Illuminating's President, Ralph Besse; Olin Mathieson's Executive Committee Chairman, Thomas Nichols; Detroit Edison's Chairman, Walker Cisler; and Michigan Belle Telephone's Assistant General Counsel, William Patrick.

Women in the Anti-Poverty Program

The need for a permanent organization to coordinate all of the efforts in aid of the anti-poverty program volunteered by the women of the country became evident, and in May, 1967, the Conference on Women in the War on Poverty met in Washington, D.C. Its aim was to "obtain the broadest possible involvement of private organizations and individual citizens in the War on Poverty." Representatives from 110 national organizations and 40 State Commissions on the status of women attended. An Ad Hoc Advisory Committee recommended the establishment of the permanent Women's Advisory Council on Poverty. A year later, in May, 1968, the Second Annual Conference on Women in the War on Poverty convened and focused its attention on the recently issued Report of the National Advisory Commission on Civil Disorders and what women could do to implement priority programs in health, education, employment, welfare, housing and human relations.

It was to coordinate, support, and lead all of these organizations that the Office of National Councils and Organizations was included as an important part of the OEO headquarters organization.

Office of Public Affairs

Conducts programs to foster public understanding and support of OEO programs and policies, and serves the public information needs of OEO and its delegated programs.

Office of the Director

- Provides broad direction and supervision of all aspects of the OEO Public Affairs program.
- Directs and administers public affairs and promotional staff services to each program area of OEO, its component organizations, and its regional and field operations.
- Serves as the authorized spokesman for the OEO and its component organizations to all public media of communication and as the central point for handling queries from same. This includes radio and television networks, newspapers, magazines, professional organizations, advertising agencies, etc.

Administrative Staff

- Provides management planning and administrative program guidance to the Office of the Director and Public Affairs components insuring that all requirements as prescribed by Federal and Agency policies are met.
- Provides budget data and coordinates budgetary and fiscal matters with the Office of Administration.
- Schedules and organizes production of all press releases, general interest publications, program fact sheets, statements, and speeches.

- Maintains a system for control of all such materials with contract mailing houses for material storage, distribution, and maintenance of mailing lists.

Program and Evaluation Staff

- Plans and develops the annual overall program work plans for the Office for Public Affairs.
- Conducts quarterly review of all OEO program objectives and analyzes program accomplishments. Recommends additions, revisions and alternatives resulting from evaluation findings to the Director, Public Affairs.
- Directs and performs evaluations of specific projects and prepares summaries and reports for the Director, Public Affairs.
- Provides press monitoring and news clipping services to the OEO Director, senior staff, and public affairs program support areas.

Press Relations Staff

- Monitors and coordinates news stories of special and significant nature, especially those which are adverse, with the program support areas of public affairs in establishing and presenting OEO policy and reaction to the press.
- Arranges and conducts conferences, seminars, and special events for representatives of the press medium and segments of the public and other appropriate groups on behalf of broader understanding of OEO program and objectives and to obtain special coverage.
- Provides auxiliary assistance to public affairs program support areas in writing, editing, and researching including deadline assignments emanating from news flaps, Congressional hearings, White House

requests, etc.

- In the absence of the Director of Public Affairs and/or his Deputy, acts as spokesman for the Office of Public Affairs on special news items and inquiries which cross program lines.

Program Support Division (CAP, Job Corps, VISTA)

- Are responsible for the communication of each OEO program to the general public and specific interest groups.
- Produce news releases, articles, speeches, etc., dealing with their respective programs for use by program officials.
- Work with local and regional program people to maintain channels of communication between Headquarters and field.
- Keep responsible officials of the Program areas advised on all matters dealing with public awareness, and public acceptance of the programs. Analyzes public reaction and makes recommendations for special measures to meet adverse reactions.
- Assist in the planning of specialized information programs utilizing all of the news media on both national and local levels.

Media Services - Audio-Visual Division

- Creates and disseminates extensive audio-visual materials for the Agency and its component programs.
- Produces, administers, directs, and coordinates the planning, production, and distribution of Public Affairs OEO and OEO program films, tapes, slides and transcribed materials for national distribution through the use of all media.
- Compiles OEO related audio-visual materials and data for its dis-

tribution and use by the field offices, program offices, television, radio and general public.

- Plans and disseminates news, information and public affairs materials to public and commercial electronic media and is responsible for liaison with the local and national radio, television and film media for the Agency and its component programs.

Publications Division

- Acts as liaison for the Agency with editors of outstanding national magazines and book publishing firms for the purpose of developing and maintaining an interest in and placing stories on the overall war on poverty program in their publications.

- Devises and develops specialized informational materials for the purpose of encouraging interest in national magazines and book publishers for the war on poverty.

Speakers Bureau

- Schedules and provides all OEO speakers and supporting materials, arranges publicity, and works with regional offices in coordinating speaking engagements before local groups.

- Official OEO liaison with the National Archives for suggesting and providing OEO memorabilia to the President Johnson Library.

- Coordinates OEO convention participation with public, private, and professional organizations such as National Organization of Social Workers, labor unions, etc.

Graphic Arts Division

- Creates overall graphic image for OEO and all OEO programs.

- Designs visual materials including posters, pamphlets, brochures, periodicals, exhibits used in communicating information on all anti-poverty programs.
- Develops and reviews visual material used in OEO periodicals such as newsletters, magazines, brochures, etc.
- Prepares art work, illustrations and lettering and works with writers to incorporate text with visual materials.

Office of Congressional Relations

- Performs specialized Congressional liaison activities for the Director.
- Provides information to Members and Committees of the Congress on the purpose and operation of each OEO program area, how it fits into the master plan to defeat poverty, and with what effect it is operating in individual States, Congressional Districts, or other specific localities.
- Acknowledges receipt of Congressional inquiries by mail, including referrals to appropriate programs and divisions for reply, and provides prompt service in replying to Congressional inquiries by phone or personal contact; if desired information is not immediately available, causes proper research to be conducted, and assures timely reply by operation of a suspense file system.
- Develops and recommends policies for adoption by OEO, and issues directives and procedures relative to Congressional relationships.
- Advises the Director on proposed legislation bearing on poverty or programs otherwise related to Agency interests.
- Coordinates the providing of Agency personnel to work with Congressional committees and their staffs.
- Maintains continuing liaison with committees, committee staffs, and individual members in both Houses of Congress.
- Briefs OEO officials with respect to Agency testimony before Congressional committees.

- Alerts the Director, OEO, to problem areas in Congressional relations as well as to situations conducive to OEO interests.
- Maintains file, by individual Member, of Congressional correspondence.
- Maintains library of Congressional records and publications having any bearing on the operations of the Office of Economic Opportunity.
- Maintains coordination with Congressional liaison officers in each of the agency's seven Regional Offices for purposes of sharing appropriate information and expediting service to Congressional inquiries.
- Coordinates timely announcement of OEO grants to appropriate Members of Congress.
- Serves as the focal point of OEO in relations with the U.S. Congress.