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Let me make it crystal clear that I advocate the phasing out, and eventual termination, of this present Bureau.

That is my proposal briefly stated. I suggest that the larger problem must, and can, be solved concurrently with the educational dilemma.

I have one final comment. And it involves the right of the American Indian to be an American Indian.

To the common heritage we, as Americans, all share, certainly the American Indian has contributed substantially. He asks now the right to live the kind of life he chooses to live, and no other kind of life. Each and every American has that right. It is characteristically American. And it is on this logic, this constitutional logic, that the Indian rests his case with the Federal Government.

In a pluralistic society, surely we are not about to require everyone to be the same. Surely there is nothing wrong with living on a reservation, or in a remote village, if that is the kind of life one wants to live. But there is something wrong when that is the only kind of life an Indian can live. When he is not free to choose.

It is our duty to provide the opportunity for that choice, that free choice. And I believe we can restructure our Federal effort, and make it responsive to regional groups. And I believe the first effort we should make, is to share responsible leadership with Indians.

Secondly, if we really want to free the Indian, we must lay down criteria which encourage economic well-being, self-sufficiency, and mobility. Under the plan I envision, this is possible, and I would hope that this committee in particular would see it as desirable.

#### THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. MONDALE. Mr. President, we have learned much about the nature of poverty in the last 8 years. We have learned it means deprivation—a lack of income, of services, of hope.

Many agencies and individuals have been involved in teaching us these lessons. But no single agency has been more important than has the Office of Economic Opportunity.

I am pleased to see that President Nixon has recognized the essential role OEO programs have played. And I am encouraged to see his specific endorsement of several of the programs in the message sent to the Congress last week. I look forward to having an opportunity to review with others the proposals he announces he will submit to the Congress. Certainly there is no more important issue than the organization of the anti-poverty effort.

But as we address the issues his message raises—the role of the community action program, the location of Headstart and health services programs, among others—I believe we also should address with equal vigor a program not specifically mentioned in the Nixon message, the legal services program of the Office of Economic Opportunity.

The legal services program of OEO is one of the most important, least controversial, and most widely supported of all the OEO programs. The 265 OEO legal service local projects located in 49 States, and in the 50 largest cities, currently are providing services through 1,600 full-time attorneys to over 1 million poor people who so desperately need their help.

To the poor, legal service programs promise hope—the hope of escaping some of the daily tragedies of their lives. The efforts of legal services lawyers to prevent evictions, to deal with consumer frauds, to secure welfare payments for eligible clients mean the basics of life to the poor—housing, income, a chance to live in dignity and peace. Through dedicated effort and hard work, legal services attorneys give the poor the hope that the American way of life and the accompanying rule of law is responsive to their needs. The poor now recognize the law as something not to fear, but to trust—not as someone or something which will deprive them of their property or liberty, but as something and someone who is concerned about their problems and will help settle their grievances.

To the lawyers participating in the program, legal services means a chance to do something direct to end the double standard of justice now existing in the land, one for the rich, another for the poor, separate and unequal.

Mr. President, recent articles appearing in the New York Times and in the St. Louis Dispatch have highlighted the central and crucial role legal services have to play. A recent letter to President Nixon by a lawyer in New York State reflect the overwhelming support given the program not only by the poor, but by members of the private bar as well.

Mr. President, I agree with the St. Louis Dispatch that the “momentum” of the lawyers of the legal services program must not cease. And I agree with the New York Times that the innovative efforts of the legal services program need expansion and specific, concrete endorsement. I plan to provide that endorsement through legislation to be introduced in the near future, hopefully next week.

As a prelude to that effort, however, I ask unanimous consent to the inclusion in the RECORD of the editorial from the New York Times, the articles from the St. Louis Post Dispatch, and a letter from Irwin Birnbaum of Syracuse, N.Y.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times]

#### LEGAL INEQUITIES

The pioneering support given to the legally disadvantaged through the Office of Economic Opportunity's legal services division needs expansion and specific legislative endorsement. If the storefront law operations across the country are cut off by the Federal Government and the legal profession, these daring programs to provide equality in the courts will cease.

It has long been a shameful fact that in both civil and criminal courts there is a law for the rich and a law for the poor. Equal justice under law simply does not work unless people who cannot afford legal representation are considered as clients instead of charity cases. For the past three years almost every state has had at least one community law office operating because of Federal help.

Associate Justice William J. Brennan Jr. of the Supreme Court underscored the great but silent need in his recent talk at Notre Dame. “The social and legal problems of the disadvantaged and outcast groups and individuals are novel and complex for the

practicing bar,” he said, “not the least because they involve precisely those in our society who traditionally have not been the clients of the legal profession.”

The bench and bar must realign attitudes toward poor clients. The Legal Aid Societies in New York and other cities and public defender attorneys have contributed much toward this noble goal. Now the O.E.O. legal services program has blazed new trails in this direction by staffing 350 law offices in 255 projects with 1,800 full-time lawyers. Unless O.E.O. continues and expands, the “legal inequities” Justice Brennan has warned against will be perpetuated.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 11, 1969]

#### LAWYERS TURNING TO AID TO POOR

(By James C. Millstone)

WASHINGTON, February 11.—From New England to California, America's young lawyers and law students are building the momentum that is driving their slow-moving profession toward the empty but beckoning arms of the unrepresented poor.

Only in recent years has the legal profession acknowledged that it never really has served the needs of vast numbers of persons who have little money and multiple problems. And only in recent years have newcomers to the profession begun to protest against that omission.

Law professors, private practitioners, recent graduates and others close to the situation now have become increasingly aware of a growing trend: More and more good young lawyers not only want—but are demanding—a chance to work with the poor.

One man who has seen it is William Klaus, a partner in Pepper, Hamilton and Scheetz, one of Philadelphia's largest law firms.

“Fifteen years ago,” he said, “the best thing that could happen to a Harvard Law School graduate was to get into one of the top 10 firms. Now these young men will bargain with you. They want to know how much free time you'll give them to work with the poor.”

The old-line Wall Street firms are feeling the pinch. Traditionally the mecca for the nation's top law students, Wall Street has been forced to recruit intensively to keep young blood flowing. Even a 50 per cent increase in starting salaries—from \$10,000 to \$15,000—has not solved the problems of Wall Street firms in re-establishing themselves with the graduates.

John M. Ferren was graduated from Harvard Law School in 1962. He quickly accepted a position with Chicago's largest law firm.

“It wouldn't have occurred to me to do anything else,” Ferren said. “But after a year and a half. I began to feel very empty. I was cranking out loan agreements and stock registration statements. I couldn't find any real interest in what I was doing, helping the giant corporations.

“I began to think, ‘What am I doing here?’”

Today, Ferren is director of the Harvard Legal Services Program, a law office staffed by four full-time lawyers and 120 law students to help the poor in the Cambridge, Mass., area. It is funded by the Office of Economic Opportunity.

The OEO program, founded four years ago has been a major catalyst in the movement of the law toward the poor. For the first time, resources were provided to enable the legal profession to work with poor people where they lived. And, at the same time, the OEO opened new employment opportunities for the new breed of socially aware young lawyers.

The appeal of the OEO program to law students cannot be overstated. In effect, it has given the private law firms a run for their money in attracting the best young legal brains in the nation.

E. Clinton Bamberger, the first director of the Legal Services Program and now a partner in Baltimore's biggest law firm, Piper and Marbury, said that the kind of lawyer who used to apply for a job at the firm was precisely the kind now going into antipoverty work.

"He buttons his collar down," Bamberger said. "His ties are striped. He went to Harvard and made Law Review. But he didn't apply to us. He went to OEO."

Ferren told how the program captured the imaginations of Harvard students from the very beginning.

"When this program opened up in the fall of 1966," he related, "I scheduled an explanatory meeting and signed up for a room big enough to seat 100 students. I thought maybe I was too optimistic. Well, I had to get another room because 300 students showed up. There is a fantastic interest in this program, and it has increased since it started. We can't accommodate all the students who want to work in the program."

The latest piece of evidence showing the wellspring of interest among law students in antipoverty work was the response to a modest OEO recruiting campaign for applicants for the Reginald Heber Smith fellowship program. For Smith Fellows, the Government takes outstanding law graduates or young practitioners, gives them five weeks of special training in poverty law and sends them to work for a year in a neighborhood law office. Fellows are paid at least \$9500 a year.

In the first year, 250 persons applied for Smith fellowships. Last year there were 600 applications. This year, 1200 applications came in, meaning that about one of every 15 new law graduates in the United States wanted to get into the antipoverty program. Harvard had 72 applicants, more than 10 per cent of its graduating class. Yale University had 38, the University of Chicago 29, the University of Michigan 43, and Stanford University 25.

The quality of the applicants was uniformly high. One third were in the top quarter of their class and 160 of them were in the upper tenth. Twenty-two applicants were either first or second in their class. Several law professors and one assistant dean applied. So did law clerks for three judges of the Mississippi Supreme Court.

Michael J. Davis, 26 years old, was graduated from the University of Michigan Law School in 1967. The Smith fellowship program turned out to be exactly what he was looking for.

"There weren't very many channels available for poverty work, and that's what an awful lot of us want to do," Davis said. "Most of the jobs were as staff attorneys in legal aid offices. That meant very low salaries and pretty dull work."

"This program trained you well, paid you well and assured you of a chance to get into a lot of the more interesting aspects of the law."

Davis was one of the first 50 Smith fellows. He spent a year working with the poor in Kansas City and now has graduated into a post with the Legal Services Program in OEO headquarters here. He said that even those involved in the Smith fellowship program were surprised by the tremendous response from law students this year. Because only 250 fellowships can be given, Burt Griffin, Legal Services program director, is trying to find a way to use the talents of most of the other applicants in neighborhood law offices.

Peter L. Wolff, assistant to the executive director of the Association of American Law Schools, said that OEO officials "shouldn't have been surprised" at the big response.

"Anybody connected with legal education wouldn't be surprised," he said. "Students have provided the impetus for the whole de-

velopment of poverty law. They don't care about going to the big, fancy law firms any more. They are concerned with doing a different kind of work."

One result, Wolff said, is that poverty courses in law schools have increased by 10 times in the last two years. This development is portending important changes in legal education, he said.

"You don't really have to learn commercial law the standard way," Wolff said. "The type of thinking we are trying to instill is valid if clients are rich or poor."

In fact, Wolff said, the "sense of involvement in society" being demonstrated by so many of today's students "will make them better lawyers."

Not just the law schools are reacting to the demands of youth. The competition for the best young men is forcing the established private law firms to re-examine their policies in serving the poor. The bait of higher starting salaries is one response. Another is the increasing willingness of the firms to give young associates the time to work on projects and cases that generate no fees and bring in no business.

Students at Stanford University Law School voted overwhelmingly a few months ago to find out in advance what prospective employers had to offer in the way of free time for work with the poor.

In a referendum, the students approved by a 4-to-1 margin the concept of sending questionnaires to all law firms scheduling campus interviews with members of the graduating class. Among the questions: "What opportunities are open to a young associate in your firm to become involved in activities related to racial and urban problems? Do you encourage such involvement? How many associates and partners participate in such activities?"

Jack Friedenthal, professor of law at the school, said that to his knowledge this was "the first time anything like this was ever done." The questionnaires went out last October. Friedenthal said that most firms responded that they encouraged participation in such activities and tried to give specific examples.

There is nothing new about the most prominent lawyers in a city serving on boards of charitable agencies or holding other civic positions. What is new is the beginning of a movement by the best law firms into the slums, where their facilities are made available to the poorest element in the community.

For the most part, that movement is represented by the willingness of firms in some cities to backstop OEO neighborhood offices. A few firms have gone beyond that. Two Philadelphia firms—Pepper, Hamilton and Scheetz together with Morgan, Lewis and Bockius, with a combined total of 120 lawyers—are manning a slum law office that was opened last summer. Klaus said that half of his company's lawyers work at the office at night, on a voluntary basis, and the firm gives them whatever time they need for the work.

In Baltimore, Marbury and Piper is planning to open a slum branch office by the end of the year, a development that is being watched closely by other firms in other cities.

Explained Bamberger, "If a law firm like this is going to do more than just mouth its commitment to the community, it has to go where the poor can find it. You can't do much for the poor on the ninth floor or the downtown bank building."

Some lawyers dispute the thesis that young people are the driving force in the painfully slow effort to swing legal practice in the direction of the ghetto. Ferren and Klaus are not among them.

"The response of the law firms would never have happened had not the law students

made this a demand of their employment," Ferren said.

Said Klaus, who as board president of Philadelphia's Community Legal Services spends half his time on the antipoverty program, "This generation itself has a greater sense of social awareness. A goodly number of really competent young lawyers are going into this field. Every major firm in this city has some kind of structure to permit men to do this kind of work."

Klaus views the upsurge of interest among young lawyers in working with the poor as having a significance far beyond its effect on legal practice.

"These people are going to be a tremendously effective force some day," he said. "They are going to rise to the top of their profession. They'll be the heads of law firms; they'll be corporate presidents; they'll be in public office."

"Their exposure to the ills of America won't rub off. Nobody who goes to work in a storefront (law) office in the slums is going to come out unscathed, and they're not going to forget what they've seen."

"When these men rise to positions of power in this country, as they inevitably will—say 10 years from now—they're going to have a tremendous impact on the nation."

JANUARY 27, 1969.

RICHARD NIXON,  
*President of the United States,*  
*The White House,*  
*Washington, D.C.*

DEAR MR. PRESIDENT: As you undertake your reappraisal of OEO activities throughout the Country, I hope that you will consult with the American Bar Association, the Lawyers Committee for Civil Rights and various Bar Associations throughout the Country before making any decision with regard to the OEO sponsored neighborhood legal services program.

The legal services program in Onondaga County, New York, has been one of the most effective weapons against both crime and poverty which the OEO has maintained in this area.

Respectfully,

IRWIN BIRNBAUM.

EUGENE L. VIDAL

Mr. MUNDT, Mr. President, it is with deep regret that I invite attention to the death of a great American who is regarded as one of the outstanding sons of South Dakota. I refer to the passing of Eugene L. Vidal, former Director of Air Commerce in the Department of Commerce, and one of America's early, persistent, and effective advocates for the development of an outstanding civilian aviation service.

Eugene Vidal was also one of the outstanding athletes produced by the State of South Dakota, having represented the United States in the Olympics and having served for a time as a coach at West Point Military Academy. Eugene Vidal was born in my hometown of Madison, S. Dak. One of my boyhood thrills was to watch and applaud his athletic prowess. His brother, retired Air Force Gen. F. L. "Pick" Vidal, now lives in Washington, D.C.

I ask unanimous consent to have printed in the RECORD the obituary notices as published in the New York Times and the Washington Post.

There being no objection, the items were ordered to be printed in the RECORD, as follows: