about the matter. I was intending to call up a matter myself. Is this a conference report?

Mr. LONG. Mr. President, we accepted the amendment of the Senator from Iowa (Mr. MILLER). This amendment provided that you could have a 3-year carryback and a 5-year carryover of Federal income tax in excess of the 3-year carryback feature for purposes of the minimum tax.

I understand that the Treasury Department contends that the 3-year carryback feature would pose the problems of reviewing previously filed tax returns and making tax refunds. This would be borne with respect to the carryover feature.

Accordingly, the House has removed the 3-year carryback feature; but in lieu of the 5-year carryover feature has provided for a 7-year carryover.

All of this means that taxpayers would have an 8-year period—counting the taxable year—for averaging out tax preferences and Federal income tax instead of 9 years as provided by my amendment.

This represents a fair compromise, and I believe the Senate should agree with the House amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The PRESIDING OFFICER. The question recurs on the resolution of the Senator from Connecticut, continuing for 1 month certain authority for investigations by the Committee on Government Operations into the efficiency and economy of operations of all branches of Government.

Mr. RIBICOFF. Mr. President, I move the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE NOMINATION OF FRANK CARLUCCI

Mr. CRANSTON. Mr. President, the junior Senator from California knows full well why the senior Senator from California felt it necessary to take the floor and make the statement that I have been denied the right to have printed at this point in the RECORD certain other documents in relation to the documents that I have been denied the right to have printed in the RECORD by the senior Senator from California.

Mr. CRANSTON. Mr. President, rather than having printed in the RECORD the material that I have been denied the right to have printed in the RECORD, I will read the closing statement I made yesterday which makes very plain the position I took in the committee yesterday. I will later seek, if I can be obtained, unanimous consent to have printed in the RECORD certain other documents in relation to the documents that will be printed in the RECORD by the senior Senator from California.

Mr. GRIFFIN. Mr. President, if I can get unanimous consent that I can be recognized for 5 minutes following this, I will withdraw my objection.

Mr. CRANSTON. Without objection, the Senator from Michigan will be recognized after the Senator from California.

The PRESIDING OFFICER. The question is whether this will be the pending business after the conclusion of the resolution of the Senator from Connecticut.

Mr. LONG. Mr. President, I believe we should act on the bill now.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG. Mr. President, I move that the Senate agree to the House amendment.

The motion was agreed to.

ORDER FOR RECESS UNTIL 12 NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

SENATE RESOLUTION 504—CONTINUING FOR 1 MONTH CERTAIN AUTHORITY FOR INVESTIGATIONS BY THE COMMITTEE ON GOVERNMENT OPERATIONS

The PRESIDING OFFICER. The question recurs on the resolution of the Senator from Connecticut, continuing for 1 month certain authority for investigations by the Committee on Government Operations into the efficiency and economy of operations of all branches of Government.

Mr. RIBICOFF. Mr. President, I move the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE NOMINATION OF FRANK CARLUCCI

Mr. CRANSTON. Mr. President, the junior Senator from California knows full well why the senior Senator from California felt it necessary to take the floor and make the statement that I have been denied the right to have printed in the RECORD the material that I have been denied the right to have printed in the RECORD by the senior Senator from Connecticut, continuing for 1 month certain authority for investigations by the Committee on Government Operations into the efficiency and economy of operations of all branches of Government.

The senior Senator has exercised his customary restraint—a restraint that has marked the relations between both of us who have differed. I will exercise the same restraint.

Mr. CRANSTON. Mr. President, rather than having printed in the RECORD the material that I have been denied the right to have printed in the RECORD, I will read the closing statement I made yesterday which makes very plain the position I took in the committee yesterday. I will later seek, if I can be obtained, unanimous consent to have printed in the RECORD certain other documents in relation to the documents that will be printed in the RECORD by the senior Senator from California.

Mr. GRIFFIN. Mr. President, if I can get unanimous consent that I can be recognized for 5 minutes following this, I will withdraw my objection.

The PRESIDING OFFICER. Without objection, the Senator from Michigan will be recognized after the Senator from California.

Mr. CRANSTON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point my closing statement at the Carlucci confirmation hearing.

There being no objection, the closing statement of the Senator from California at the Carlucci confirmation hearing was ordered to be printed in the RECORD, as follows:
CLOSING STATEMENT

After extremely careful consideration, I have decided to do what I can to see that any Senate approval of Mr. Carlucci as the new director of O.E.O. is withheld until such time as Mr. Carlucci indicates what action he will take regarding Governor Reagan's veto of the $1.8 million California Rural Legal Assistance Grant. I wish to say briefly why I have decided to do so.

Governor Reagan, upon a patently specious investigation, has attempted to discredit what everybody who has studied C.R.L.A. has declared to be the finest legal services program in the United States. Although Mr. Carlucci has the power to override that veto, he has stated this morning that he is unwilling to tell us today, or tomorrow, of his decision; whether Mr. Carlucci overrides the veto of C.R.L.A. and whether he does so in time to prevent disruption of the program and a disservice to its present clients, is in my opinion, will be a crucial indication of what kind of director of O.E.O. he would be, were he to be confirmed by the Senate.

If the Economic Opportunity Act means anything, it means that the poor must be able to speak for themselves and to guide their own destinies Americans are proud that through the O.E.O. program they have had access to a courthouse. It has made them unpopular with Governor Reagan; it is that same dedication that has given them credibility with the poor.

We know what happened to C.R.L.A. What happens to C.R.L.A. is far more important than what happens to one program. If the finest legal services program is lost to the poor, if any program the poor have faith in, any program that truly represents their interests—is subject to the death penalty for purely political reasons.

The legal services program is generally conceded to be the most important part of the War on Poverty. If C.R.L.A. can be canceled out, or can be subjected to harassment and expulsion, I think we are on the basis of isolated charges which are deliberately raised at the eleventh hour, then the legal services program, throughout the rest of the country, will be in trouble. And, then, Mr. Carlucci as director of O.E.O. would not have shown his concern for and ability to protect the interests of this country's poor.

I have grave reservations about a 30-day extension in terms of its being of any substantive value. I know that 30-day extensions have been used in the past to prop up inadequate legal assistance programs in Florida, Mississippi and for the Navajo Indians. If the C.R.L.A. veto is not promptly overriden, then C.R.L.A. and the concept of legal assistance to the poor is gone. The Nixon Administration rejected the concept of regionalization which would enable the C.R.L.A. to serve the needs of the poor in California and other states. The Nixon Administration gave C.R.L.A. and the poor people of California a resounding vote of confidence, and C.R.L.A. a $1.8 million grant, a quarter of a million dollars more than their FY 1970 grant.

Governor Reagan has, in effect, thrown this money in President Nixon's face. Governor Reagan has, in effect, accused the President of conducting an Administration that is not serving true legal civil needs of the poor within its geographic area of operation. A program which has created such furor and turmoil and has lost credibility not only in the eyes of responsible leadership but many of the poor themselves cannot possibly be a viable means for meeting these legal needs. At the same time the Nixon Administration is planning to stimulate an alternative legal service program as described in Director Uhler's report that the true needs of the poor can be served.

I have asked Mr. Uhler to arrange an early meeting with you and the appropriate members of your office so that we can brief you personally and can furnish our extensive file of evidence for your inspection.

Kindest regards,

EDWIN MEARS III

DECEMBER 24, 1970.

HON. RONALD REAGAN

DEAR GOVERNOR: Transmitted herewith is a report compiled by the State Office of Economic Opportunity regarding California Rural Legal Assistance. In the normal course of events this organization has been evaluated by our office pursuant to its refunding of California Rural Legal Assistance. The Governor's disapproval power has been exercised pursuant to Section 242 of the Equal Opportunity Act of 1964, as amended. It is based upon the recommendation of the Director of the State Office of Economic Opportunity, Lewis T. Uhler, Deputy Director, O.E.O. staff. (Please see the attached memo to the Governor.)

The evidence obtained by the California SEEO during its extensive review of California Rural Legal Assistance indicates that this organization has misused taxpayer funds and has failed in its mandated purpose of serving true legal civil needs of the poor within its geographic area of operation.

It is the recommendation of our office that you exercise your power to disapprove the refunding of this grantee pursuant to the Equal Opportunity Act of 1964, as amended.

Our recommendation is based upon the regrettable fact that the grantee has failed to comply with the conditions of its grant through gross and deliberate violation of the Economic Opportunity guidelines and has failed in its mandated mission, to wit, provide civil legal services to the rural poor.

It is the recommendation of our office that you exercise your power to disapprove the refunding of this grantee pursuant to the authority granted you in Section 242 of the Economic Opportunity Act of 1964, as amended.

Our recommendation is based upon the regrettable fact that the grantee has failed to comply with the conditions of its grant through gross and deliberate violation of the Economic Opportunity guidelines and has failed in its mandated mission, to wit, provide civil legal services to the rural poor.

It is the recommendation of our office that you exercise your power to disapprove the refunding of this grantee pursuant to the authority granted you in Section 242 of the Economic Opportunity Act of 1964, as amended.

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Denials are based on charges as reported by the news media.

Robert Reynolds, CRLA Director, summarized CRLA's position as follows:

Because CRLA has proven that a degree of social and economic change is possible within the context of a well-organized movement and system of legal services, and open to the powerless, the veto should be promptly overridden. To delay in this decision would be to encourage opponents of legal services to organize and discourage legal service attorneys from providing controversial actions on behalf of their clients, and threaten the independence of the national legal aid system.

Support of CRLA was founded on recognition of a successful, balanced approach to Legal Services. CRLA serves thousands of people, handling day-to-day matters of problems with individuals and groups. During the last year CRLA attorneys handled 18,823 legal problems, 749 involving class actions; and only 55, or 7 percent, were filed on behalf of a class. Over 1,000 senior citizens, consumers, food program recipients, and public housing residents were aided by CRLA, an outcome of the poor working for the poor, of class actions, but obviously the bulk of CRLA efforts went into the 18,768 legal problems handled for individuals during the year. CRLA refused to handle cases that before administrative agencies provides clear evidence of the legitimacy of the legal problems their attorneys handle. The 749 court actions filed in 1971 during the last year, CRLA clients were upheld in 689 cases, or 86 percent of the time.

REPRISE FOR SUCCESS

The Governor's veto appears to be a reprise for successful suits initiated by CRLA curtailing unlawful action by public agencies and establishing rights for the disadvantaged.

The source of Governor Reagan's initial hostility was a lawsuit brought by CRLA in 1967 which successfully barred efforts to cut 200 million dollars in services under the California Rural Legal Assistance urged the Legislature. A case filed in 1970 against a Governor Reagan's veto was attributable to the State of California for investigation and appropriate disciplinary action.

We intend to brief Federal Office of Economic Opportunity officials in Washington, D.C. with respect to the full details of this report as soon as a meeting date can be arranged.

It is requested that our detailed file of exhibits, statements, and evidentiary documents be held confidential until after this meeting.

Respectfully submitted,
LEWIS K. UHLER,
Director

CRLA CALLS FOR OVERRIDE OF GOVERNOR REAGAN'S VETO OF THEIR 1971 GRANT

California Rural Legal Assistance urged Frank Carlucci, Director, Office of Economic Opportunity, to override Governor Ronald Reagan's veto of their 1971 grant. Attached is a telegram sent to Mr. Carlucci. The telegram emphasizes that CRLA is regarded as an outstanding legal service agency for the poor. CRLA's success record in the courts and evidence of the legitimacy of the legal problems it handles for the poor every year handling day-to-day matters of problems with individuals and groups.

The Governor's veto, we believe, is a reprise for successful suits initiated by CRLA curtailing unlawful action by public agencies and establishing rights for the disadvantaged.

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time provided the California rural poor with effective access to the courts and the legisla-
tive process. In many cases, the outcome of the labor dispute was determined by Con-
gress. The legislature of California has generally been a very conservative body. The
LEGISLATIVE COMMITTEE
1. Alan Ashman, Team Captain, National Legal Aid and Defender Association.
2. Robert Bennet, Professor of Law, Northwestern University Law School, Chicago, Ill.
4. Tom Clark, Justice, U.S. Supreme Court.
5. Richard Ivance, Pres.-elect, Lawyer's Clinic, Napa County, Chairman of the Execuitive Committee; Mexican-American Legal Defense Fund.
8. Henry Quevedo, Executive Director, Cabrini Legal Services, Calif. State Bar Association.
9. George Ranney, Deputy Director, Bureau of Labor, Washington, D.C.
10. Jerome Shestack, Chairman of the ABA Committee on Individual Rights.

The evaluators found that in the offices visited, relations with the local community are
the equivalent of ten years' practice in a private firm.
that in interviews with members of the client community. In several of the offices there was a desire to see an increased number of attorneys, including those available on a part-time basis, to handle the increasing load of satellite offices open and more convenient to the clients. The recognition by the community of benefits which accrue to the community at large through the channeling of inter-state litigation into the regional offices to the benefit of the local courts and the legal profession itself was recognized by the evaluators. In addition, an important point that in the offices visited, relations with the community at large have improved considerably in the past year. They interpreted this as being due to several factors. At least one of which is the recognition by the community of benefits which accrue to the community at large through the channeling of inter-state litigation into the regional offices to the benefit of the local courts and the legal profession itself. The community was not only pleased with the results but also with the improvement in the quality of their legal representation. In conclusion it is believed that the program should be continued and expanded. The evaluation suggests that the program is meeting the needs of the community and is achieving its goals. However, more resources are needed to continue and improve the program. The program should be expanded to include more areas and more clients. The program should also be diversified to include more activities and services. In conclusion, the program is successful and should be continued and expanded.
I, Martin Click, being duly sworn, hereby depose and say:

I am the Director of Litigation for California Rural Legal Assistance.

Upon receipt, this afternoon of materials handed to me by Mr. Lewis Uhler in Sacramento, and upon discovery that the above allegation was attributed to Donald Haynes, former Director Attorney of our Santa Maria office (who I understand to be now in private practice in Santa Barbara County, I telephoned Mr. Haynes. In fact, Mr. Haynes had no knowledge of the case until the boy and girl, already married, Mexico and returned to Santa Maria, came into our office for help. A warrant was out for the arrest of both of them. Don Haynes told them that they should be turned over to the Sheriff, Don accompanied them to the Sheriff's office for that purpose. Since the girl was 15 and the boy 17 (with the alleged statutory rape occurred) Don made an appearance to have the case transferred to Juvenile Court. His recollection is that the motion was unopposed by the District Attorney's office. The Juvenile Court Judge dismissed all charges against both of them and the Superior Court decided that since the couple was married, the girl could not be placed in the girl's jurisdiction under the statute.

The allegation from Mr. Uhler's office obviously bears no resemblance to the actual facts in the matter.

I declare the penalty of perjury that the foregoing is true to the best of my knowledge and belief.

Executed in San Francisco, California, on December 26, 1970.

ote to editor: Notwithstanding this offer of OEO to underwrite the lunch program, the school board refused to reverse its decision, thereby denying to the poor people of Modesto that the board’s position was no longer supported by federal funds. OEO gave more than $3,000,000 to school districts during the year.

The school lunch issue became a major political issue in Modesto in the subsequent months. The CRLA attorneys participated in mediating the school lunch program, primarily providing technical advice and assistance.

Such technical assistance was also provided by the staff of the Stanislaus County Welfare Department, and by the director of the Community Action Commission. At no time did any CRLA attorney advise any person to participate in an illegal demonstration. When, after nearly two months of insurrection on the part of the school board, some of the lunch proponents desired to conduct a sit-in, they were told by the CRLA attorneys that if they remained in the school board building they would be arrested and convicted, and would face a possible fine or jail sentence. Sit-ins were held on two days in April. The CRLA attorneys were present as observers and to answer questions from the demonstrators as to their legal rights. The CRLA attorneys did not participate and did not encourage or advise others to participate.

Fifty-three persons were arrested and charged with violations. The CRLA attorneys were of the opinion that even though the defendants might have violated the law, they were entitled to a vigorous legal defense. The CRLA attorneys represented the defendants. On the other hand, they recognized that CRLA itself could not represent criminal defendants so they charged all their cases with the same Pro hac vice attorneys.

Since CRLA was in the midst of a major local controversy for more than a year in connection with the lunch program, it would be surprising if no mistakes at all were made. Taken as a whole, however, CRLA's conduct in the school lunch controversy is a model of the vigorous legal representation that should be provided to the poor through the legal service program, and at no time was there any violation of the spirit or the letter of federal regulations.


Mr. JAY F. LUTZ
Director of Legal Services, State Bar of California, San Francisco, Calif.

DEAR MR. LUTZ: Thank you for your letter of May 6, 1970. I am sorry for the delay in responding but this has been an unusually busy period for us. I have asked the CRLA attorneys in Modesto whose assistance I sought to thoroughly investigate the matter.

To further answer the inquiries in your letter, it will be helpful to have with you the history of CRLA's involvement in the Modesto school lunch controversy.

The issue was raised originally by CRLA, which represents low-income white parents who attended school board meetings beginning May of 1969 to urge the school board to expand the school lunch program in the district to all students. These parents had only limited success with the board and in June they contacted the CRLA office in Modesto to request that CRLA file a complaint with the state board. The attorneys, however, did not believe the parents had exhausted all possibilities of negotiating with or persuading the school board. Attorneys Philip Neumark and Daniel Lowenstein were assigned to the case and they agreed to accompany the parents to school board meetings and assist them in presenting their views to the board.

The attorneys attended numerous board meetings with the parents and, at a meeting held on August 25, 1969, the board reached its final decision. The board decided to restrict the free lunch program to no more than 400 children, a number that had been used previously.

A suit by AFDC children in the schools and many others equally needy but not on welfare, the parents were extremely dissatisfied with this decision.

One member of the board, an attorney, told them, "If you don't like what we're doing, go ahead and sue us.

In the fall of September, the attorney filed the complaint in the action of Shaw, et al., v. Modesto School Board, et al., Civil No. S-1336, in the U.S. District Court for the Eastern District, based on Section 9 of the National School Lunch Act. That section provides that: 'Lunches...shall be Served without cost to or at a reduced price to children who are determined to be unable to pay the full cost of the lunch.' [Emphasis added]. The Court issued a temporary restraining order and subsequently a preliminary injunction preventing the school board from implementing the August 25 decision to which the people objected. The Interlocutory orders, in suspending the August 25 criteria, compelled the school district to apply their 1968 standards. (The School District 1969 proposal contained criteria even more restrictive than their previous practice).

During the next several months discovery was conducted. As you may know, the whole subject of hunger and malnutrition has had a very substantial exposure.

On December 29, 1969, the Interlocutory order was consolidated with Civil No. S-1336, in the U.S. District Court for the Eastern District, based on Section 9 of the National School Lunch Act. That section provides that: 'Lunches...shall be Served without cost to or at a reduced price to children who are determined to be unable to pay the full cost of the lunch.' [Emphasis added]. The Court issued a temporary restraining order and subsequently a preliminary injunction preventing the school board from implementing the August 25 decision to which the people objected. The Interlocutory orders, in suspending the August 25 criteria, compelled the school district to apply their 1968 standards. (The School District 1969 proposal contained criteria even more restrictive than their previous practice).

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A copy of the permanent order is attached to this letter.

When the permanent injunction was issued, the case was deemed to have been an excellent example of the type of achievements hoped for from legal services programs. At the outset, clients were encouraged to involve themselves through the democratic process, the attorneys functioning in an advisory capacity. Only when it was clear that this route was not availing was a law suit filed. Because CRLA provided an outlet for resolution of their grievances through the orderly processes of law, our clients were free to turn to the streets. Despite the length of litigation, the faith of these people in our system of justice was strengthened when Dis-
were involved with the case as parties, witnesses and observers.

Just seven days after Judge McBride’s decision, Dr. Bert C. Corona, superintendent of the San Joaquin County local educational agency, testified before the Special Senate Subcommittee on Education that he would recommend to the school board that it drop out of the National School Lunch program so as to avoid having to serve nonwhite children at school lunchrooms. The Federal Court ordered. Dr. Corona criticized Judge McBride for “trespassing upon the prerogatives of local school districts” but, although he indicated that the board would not appeal from Judge McBride’s decision.

Although the school district had the legal option to terminate participation in the National School Lunch program, it was immediately apparent to the low income community that the school board gladly accepted the Federal Court’s order. The program served people, persons who were required to live up to its legal obligations under the program. The low income people asked our attorneys to take the school board to court to protect the sentiment against the CRLA when the attorneys told them that they had no further legal remeies.

On March 2, 1970, the board met and formally withdrew from the National School Lunch Program. The sole reason given was that the board could not raise the money needed to fund the program. The board did not apply for the grant and would persist in its decision to drop out of the National School Lunch Program. This announcement took the low income community by surprise in that the only reason given by the board for its previous decision had been removed by the OEO offer. It became apparent to them that the school board was retaliating for its loss in court even at the cost of losing the lunch program and depriving needy children the benefits of a lunch.

The Community Action Commission requested the board to reconsider its decision regarding the lunch program. Its main meeting, to be held on March 16, at that time, however, the board refused to even discuss this proposal. In addition, the board refused to call a special meeting to consider the problem and refused to place the matter on the agenda for any subsequent meeting. A United States Senate Investigating Committee on Civil Disorders was scheduled to hearings in Modesto on March 23 and compiled facts showing that the Modesto School Board decision to drop the lunch program would result in an absolute ruin of lunch programs for students and substantial reduction in the quality of the lunches. Thus no one benefited from the decision to pull out.

After the school board meeting, leaders of the low income community, observing that neither legal action nor political persuasion had succeeded, formed an organization and then announced that they would recommend to the School Board to drop out of the National School Lunch Program.” The organization placed informational picket lines outside the school administration building. CRLA attorneys from our office were present at the picketing at various times. Their role was to assure that picketing was lawful and to act as a liaison between picketers and police. At no time did the CRLA attorneys use any language that would violate any laws, engage in any conduct disrespectful of any police officer. Nor was any such language or conduct on the part of other picketers observed by the attorneys. I am enclosing a copy of the affidavit of Gerald L. McKinsey, filed in the criminal action arising out of the sit-ins, which indicated that relations between the demonstrators and the police were cordial throughout this period. He notes:

"The atmosphere before, during, and after the closure order and the arrests was never hostile. Noucleae were present and officers interfered with any business being conducted in the school building. They made it clear that they would leave immediately if any member of the school board would meet with their representative to discuss the school lunch program or who would be in the building each day that week, beginning in the morning and lasting until 5:00. It was agreed by everyone concerned, including the superintendent of schools and the chief deputy district attorney, that the demonstrators were within their legal rights at all times when the building was open for business, up to 5:00 p.m. Each day at 5:00 p.m. the superintendent demanded that the demonstrators leave the building and on two occasions some of the demonstrators declined to do so and were arrested for violating Penal Code § 602(n).

Two CRLA attorneys, Lowenstein and Neumark, were present at various times during the sit-in. These CRLA attorneys demonstrated the necessity of their presence by a legal services program. OEO recognizes this as a proper case for CRLA to represent criminal defendants. Until such time as we receive an affirmative response, we cannot, as CRLA attorneys, represent these defendants and I have so informed our attorneys. They have been permitted to take leave to represent their clients in good conscience.

I want to add two further thoughts. First, I believe that attorneys must be very careful not to permit confusion to arise as to their function. There has been an element of confusion in this case. On occasion, our attorneys participated in the picket lines instead of strictly limiting their role to that of advisor. I have issued guidelines, a copy of which is attached. These guidelines have been issued to all CRLA attorneys.

Second, the “school lunch” issue became a volatile one because the government body involved, the School Board, refused to abide by the spirit of a Federal Court Order. How each and every occupant of this building where the arrested persons were disappointed and especially, as to the young people involved, how much more difficult it has now become to convince them to peaceably channel their grievances.
It should be noted that the explicit congres­
sional mandate to assure that needy children receive a free school lunch was en­
acted when the problem was the feeding of children in condi­tion of America's poor children. Many needy children who regularly go without lunch also go without breakfast and have nothing to eat during the day. These children, with their consequent hunger causes them to suffer head­aches, intestinal discomfort, and lower con­centration spans. In short, the child who does not eat during the day. The problem does not occur over some obscure technicality of the law but over one of vital concern to every low income family in California. I am proud of the way the CRLA attorneys, working to this end, handled the matter to the fullest extent.

I appreciate your interest and hope the foregoing is helpful. If I can be of further assistance, I am at your disposal.

Sincerely,

Cruz Reynoso

THE STATE BAR OF CALIFORNIA

Dear Mr. Reynoso: Pursuant to the recent announcement of non-dis­
anselves to a “sit-in” at the school board office in San Francisco. For several days the temporary restraining order was in effect, forcing the school board to serve free lunches to all students who wished to eat during the lunch period.

It was reported that two CRLA attorneys were present among the demonstrators at the school board building, and that attorneys were engaged in the photographic activities of the demonstrators and police.

In a recent interview with the San Francisco Chronicle, Frank Tulowitz, executive director of the CRLA, said that the attorneys were present to assist those who wished to participate in the “sit-in.” The attorney also said that the attorneys would be present to provide legal assistance at all times when the demonstrators wished to participate in the “sit-in.”

F. Jay Lott,
Director of Legal Services.

CRLA AND THE COUNTY GRAND JURY

CRLA was established in 1969 to represent the children of families in need of legal assistance. The organization’s primary focus is on the representation of children in court proceedings.

In 1969, CRLA represented a group of poor mothers and their children who alleged that they were denied their right to a public education. The group sought free lunch programs for students in need of assistance. The CRLA lawyers filed a lawsuit against the school district, arguing that the district was violating the rights of the plaintiffs.

CRLA filed a complaint with the Department of Education against the school district, alleging that the district was not providing free lunch programs for students in need of assistance. The CRLA lawyers also filed a complaint with the California Department of Education, alleging that the district was not providing free lunch programs for students in need of assistance.

In 1969, CRLA represented a group of poor mothers and their children who alleged that they were denied their right to a public education. The group sought free lunch programs for students in need of assistance. The CRLA lawyers filed a lawsuit against the school district, arguing that the district was violating the rights of the plaintiffs.

The case was settled out of court, and the school district agreed to provide free lunch programs for all students in need of assistance. CRLA continued to represent the plaintiffs in the lawsuit, and the district agreed to provide free lunch programs for all students in need of assistance.

DECLARATION

Ralph Santiago Abaseal hereby declares that he is a member of the CRLA and that he has suffered from the denial of his right to a public education. He further declares that he has suffered from the denial of his right to a free lunch at school.

Ralph Santiago Abaseal

CRLA AND THE COUNT Y GRAND JURY

In 1969, CRLA represented a group of poor mothers and their children who alleged that they were denied their right to a public education. The group sought free lunch programs for students in need of assistance. The CRLA lawyers filed a lawsuit against the school district, arguing that the district was violating the rights of the plaintiffs.

The case was settled out of court, and the school district agreed to provide free lunch programs for all students in need of assistance. CRLA continued to represent the plaintiffs in the lawsuit, and the district agreed to provide free lunch programs for all students in need of assistance.

The case of CRLA v. School District of Modesto was a significant victory for the CRLA, as it was the first time that a court had ruled in favor of a group of poor mothers and their children who were denied their right to a free lunch at school.

CRLA continued to represent the plaintiffs in the lawsuit, and the district agreed to provide free lunch programs for all students in need of assistance. The case was settled out of court, and the school district agreed to provide free lunch programs for all students in need of assistance.
employment I served as Directing Attorney in the Marysville Office.

I have read Senator Frank W. Marler, Jr.'s letter dated December 31, 1970, to Mr. Ronald R. Reagan. Many of the facts in Senator Marler’s letter have been dealt with by others and I would like to amplify on the reference to the role of the staff attorneys in the organization to which Senator Marler refers. I was Directing Attorney of the office at the time the demonstration occurred.

There was a demonstration of the poor community to our loss of the “stove incident” case. Approximately three hours after the hearing, Jose Luis Vasquez, Magdalena Basco, and other leaders of the Mexican American community in the area came to our office. They expressed deep disappointment in the loss of the case and said that the loss had deprived them of the legal reliance on the legal system; in their own words, they said that they were taking the matter into their own hands and were going to conduct a march on the Welfare Department. I tried to convince them that we did not consider the legal issues underlying the “stove incident” case to be finally resolved by the loss on that day. We told them that we were going to write a detailed letter to Robert Martin, Director, State Department of Social Welfare in an attempt to resolve the issue. We assured them that the best we could do was to not begin action in the Demonstration nor did we in any way deal with the press. I am one of the staff attorneys who was at the Welfare Department during the initial part of the demonstration.

Senator Marler’s confusion as to the location (the commodity warehouse) results in the fact that another issue then pending was the administration of the surplus commodity program by the Sutter County Welfare Department. At that time, only two hundred families were participating in the program because local eligibility standards excluded all welfare recipients. Approximately two months after the demonstration our office filed an action in Federal Court in Sacramento challenging the administration of the Commodities Program in Sutter County. The complaint was dismissed by the United States Court, but the Court stipulated that the County would thereafter comply with all state and federal laws regulating the program and within weeks distributed by over three thousand persons. I declare under penalty of perjury that the foregoing is true and correct.

Excerpts from the letter to Senator Marler:

MEMORANDUM
December 28, 1970.

To: Cruz Reynoso
From: Ed Kerry

Subject: Alleged Demonstrations in which CRLA Staff had been involved in Marysville area.

Jim Smith indicates that a letter from Senator Marler of December 31, 1970, representing the Marysville-Yuba City area charged that CRLA staff had been involved in demonstrations in that area. The letter was extremely vague and failed to give any specific details, such as dates, times, subjects, and etc., but even then I know of no such event in the area which could be reasonably termed as demonstrations.

ALLEGATION IN AFFIDAVIT FROM JAMES GHOULIAN

My first contact with the California Rural Legal Assistance was with a Mr. Gary Bello in Visalia, California, in May of 1970. My affiliation with CRLA was so obnoxious, demanding and showed such a lack of any ethical standards that on at least one occasion I was ordered by his Judge to leave his courtroom. During the period of time, he or members of the staff of CRLA interfered with the prosecution of several criminal cases involving arrests made by the Visalia Police Department.

DECLARATION

I, Martin Glick, being duly sworn, hereby depose and say:

I am the Director of Litigation for California Rural Legal Assistance.

Upon receipt of the above allegation I contacted by telephone Mr. Gary Bellow, former CRLA Deputy Director and presently a Professor on the faculty of the University of Southern California Law School. I might note that Mr. Bellow was the first recipient of the award given annually to the best legal services attorney in the United States. Mr. Bellow and I were in contact with the District Attorney’s office in Tulare County. On that occasion—to prior to the adoption by OEO of Instructions on handling of criminal cases—Mr. Bellow was asked to discuss a criminal complaint on the ground that he had not been provided with a speedy trial. In both instances all charges were dismissed. Mr. Bellow denies ever having been asked to leave a courtroom.

On the basis of my personal contacts with Mr. Bellow, I would like to express that I know of no attorney with higher ethical standards or higher dedication to service for the poor.

My affidavit is pursuant to the Federal Rules of Civil Procedure, which provide that the foregoin is true and correct.

Executed in San Francisco, California, on December 28, 1970.

MARTIN GLICK

[Sacramento (Calif.) Bee, December 30, 1970]

AUTHOR OF DOCUMENT CITED BY REAGAN IN VETO VOICES SUPPORT OF RURAL LEGAL AID PROGRAM

(By Bruce Keppel)

The author of a document used by the Reagan administration to discredit the California Rural Legal Assistance Program and justify Gov. Ronald Reagan’s veto of its $1.8 million federally-funded budget, says it was misrepresented and reaffirms his support for CRLA.

And another document—suggesting that the letters of California cities urging Reagan’s veto—turns out to have been the expression only of the league’s president, Clifford P. Loader, who stated his view on league stationery. He is the mayor of Delano in Kern County, where CRLA attorneys have been involved in a dispute between growers and farm workers over union representation.

Both documents were made public Monday by Lewis K. Uhler, director of the State Office of Economic Opportunity, to justify his recommendation that Reagan veto CRLA’s budget.

The first document was a letter to the president of the Imperial County Bar Association by Cameron Hendry, executive director of the California Community Foundation of Imperial County, Inc. In a letter addressed yesterday afternoon to Frank Carujo, director-designate of the Federal Office of Economic Opportunity, who can override Reagan’s veto, Hendry asserts:

“It was not the purpose of my letter to criticize the operation of the California Rural Legal Assistance, but in such a context compels me to clarify my position.”

In that letter, Hendry asked the Imperial County Bar Association to send a representative on a government expense trip to Washington and obtain legal aid for divorce cases sought by the county’s poor. CRLA at that time—last February—was unable to handle these cases because of a lack of manpower, a situation since remedied, Hendry wrote.

“In fact, the very board member who originally raised the question of divorces, has expressed total satisfaction with the present arrangement,” his letter states.

“Secondly,” he writes, “let me emphasize that my letter was not in any way intended to condemn the operation of CRLA. My feelings are quite the contrary.”

Through my staff—particularly my grass-roots workers—I am aware that CRLA has been successful, and has been a way to do it, and, in so doing, provides services not elsewhere available.

“Our office refers to CRLA constantly in our daily dealings with the poor of Imperial
County, and I personally endorse their program and urge its funding."

Hendry's position thus differs sharply from that of the Imperial County Bar Association, which has opposed the CRLA program. Hendry also opposed the Reagan Administration's OEO budget and withheld support. Uhler's plea of documents contains the association's position—along with similar criticisms from the Sonoma County and Stanislaus County Bar Associations.

Carlucci, the recipient of Hendry's letter supporting CRLA, is President Richard Nixon's appointment to head the OEO last year and withdrew its support. Uhler's plea of documents contains the association's position—along with similar criticisms from the Sonoma County and Stanislaus County Bar Associations.

The letter Delano Mayor Loader wrote to Reagan on Legislation of California Cities stationery last Dec. 19 states:

"After careful evaluation, I urge that you veto the funds for the California Rural Legal Assistance Program, known as CRLA."

"The damage done to Democracy far outweighs the service to poor people. A different way of giving legal aid to the poor should be devised that is free of activist political (missing line here . . .)

A spokesman for the league said yesterday afternoon that its board of directors has taken no stand on CRLA. He suggested that Loader may have been speaking either personally or as Mayor of Delano. Loader signed the letter, however, as President of the league, and Delano Mayor second.

"(Loader, a dentist, confirmed today that he was expressing the opinion of the city of Delano which, he said, considered the local CRLA "nothing but trouble during the Cesar Chavez period") to organize farm workers. Loader said he used League of California Cities stationery to express the Delano view, "because I happen to be president this year".

Uhler, at his press conference Monday that the documentation made public was then merely a "random sample" from a pile of "yest.""

In his letter to Reagan urging the Governor's veto, Uhler asked that the bulk of the documentation be "kept confidential" until after a meeting with Carlucci's staff in Washington, D.C., "with respect to the full details of this report."

Until then, the public justification for the veto and the budget remains:

"The least as yet anonymous cases outlined in Uhler's letter to Reagan. Five documents from public authorities in Stanislaus County, where farm-workers activity has been heavy and CRLA active."

A strongly worded letter from the Monterey County district attorney where the suicides of Cesar Chavez and his United Farm Workers is centered.

The letter from the Mayor of Delano written to Reagan on League of California Cities stationery.

The letter Hendry says is misrepresented.

A response by a Madera County supervisor, who has questioned and rejected Uhler seeking criticism—even anonymous—of CRLA.

A letter from State Sen. Fred W. Marler Jr., who, according to Uhler, urging a veto of the appropriation. Marler said his office has refused poor persons to ask for help and the help has been refused. He also claimed CRLA has "insisted" on representing three high school youths in Yuba City suffering disciplinary action because of long hair, even though the parents of one of the youths could afford a lawyer.

And an affidavit by a Santa Barbara deputy district attorney alleging misconduct and unprofessional conduct by individual CRLA attorneys.

California's Democratic Sen. Alan Cranston yesterday urged Carlucci to investigate both the Reagan charges that CRLA had failed in its job and the Reagan Administration's investigative procedures underlying them.

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**PUBLIC OFFICIALS AND ORGANIZATIONS**

<table>
<thead>
<tr>
<th>Lawyers</th>
<th>SUPPORT LETTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>134</td>
<td>45</td>
</tr>
<tr>
<td>50</td>
<td>7</td>
</tr>
<tr>
<td>31</td>
<td>27</td>
</tr>
<tr>
<td>337</td>
<td>471</td>
</tr>
</tbody>
</table>

**LAWYERS AND JUDICIARY**

The Sacramento Baristas, Anthony Dick, President.

LAWYERS FOR CRLA.

American Civil Liberties Union of Southern California, Eason Monroe, Executive Director.

Richard Adams; A. Richard Backus; D. Richard Baret; Antonio M. Bautista; Carlos Bear; Steven Allen Becker; Berns & Steinberg; Ralph J. Steinberg; Nordin Blacker.

Glyde M. Blackmon; Phillip L. Isenberg, and Cohoon, Moulton & Blacker.

Guy Blase; Gerard A. Blufar; George O. Brekke; James A. Brennan; James L. Brown; Jay Cantor.

Dowdell, Cantwell; Jose Castorena; Gertrude D. Chren; William G. Clark; Ronald F. Cole; William H. Cozad.

Thomas A. Craven; Thomas H. Crawford; Andrew H. D'Anneo; John Duddy; William J. Eifling.

Elizabeth Ent; Pauline Epstein; Federer W. Erison; A. M. Fernandez; B. H. Finegan; T. M. Frederick.

Fredericks & Swenson; Richard Day; David Freidenrich; Fresno County Legal Services, Inc.; Alan V. Friedman.

Nerz & Gonsalves; Gerardo Garza; Joseph S. Genshies; Former Chief Justice Phil S. Gibson.

Richard A. Giesberg; Lawrence Gluck; Robert G. Goode; Stephen H. Greenleaf; Laddy H. Goss.

James A. Gualco; Paul N. Halvonik; Richard K. Harray and Nancy Harray; James J. Herrick; Robert E. Lansdell; Daniel N. Hoffman.

William P. Hoffmann; Hopkins, Jordan, Mitchell & Sullivan; David W. Mitchell; George K. Houte; Richard A. Ianes.

Jackson, Donovan & Anton; Daniel E. Donovan; William S. Jarvis; Thomas S. Jordan, Jr.; Lawrence K. Karston; Franklin T. Leach.


Meldon E. Lame; Rudolph Limon; Little & Evans; Robert G. White; Lopes & Reinhart; Ralph R. Lopez.

Howard L. Lund; D.F. Lundgren; Bruce Macdon; Charles F. Mansfield; Peter J. Marx.

**LAWYERS AND JUDICIARY**

Mandel, William, Monterey.

Mering, Peter, Supervising Assistant, Public Defender, Sacramento County.

Mier, Stan, Associate Judge, Supreme Court of California.

Garcia, Louis, President, Mexican American Bar Association.

Noguez, General Counsel, Mexican American Legal Defense & Educational Fund.

Meyers, Stephen Z., Beverly Hills.

Miller Marten, Public Defender, Sonoma County.

Minkus, Leslie, Research Attorney for Justice of Justice Louis Burke.

Montejo, Rodolfo, Santa Ana Episcopal, President, Monterey County Bar Association.

Moore, Jack J., Sacramento.

Moreno, J. Hector.

Molzow, Robert, Sacramento.

Mull, Archibald, Sacramento.

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**CONGRESSIONAL RECORD—SENATE**

December 31, 1970
Nedom, Norwood, San Jose.
Nervo, Frederick, San Francisco.
Nohler, Alan, San Jose.
Nyomarkay, Cecily, Los Angeles.
O'Brien, Collins, Judge, Imperial County.
O'Donnell, Thomas, Salinas.
O'Farrell, Robert, Monterey.
Page, Charles, Monterey.
Parker, William, San Jose.
Helbing, Neil, Los Angeles.
Pinto, Robert, Hollister.
Portman, Sheldon, President, Calif. Assocation of Public Defenders.
Dossin, Allen, San Jose.
Reyes, Anthony, Los Angeles.
Rodriguez, Armando, Fresno.
Rosenbaum, Fred, Los Angeles.
Rosenfelt, Daniel, Del Mar.
Sater, Rex, Santa Rosa.
Sawyer, Thomas, Santa Rosa.
Aeschler, Leon, Los Angeles.
Schwarz, Herbert, Pacific Grove.
Scott, Howard, San Diego.
Sillas, Herman, Castillo, Jose, Gutierrez, Gabriel, Corrales, Arthur, Los Angeles.
Skjerven, Richard, Santa Clara.
Slaff, George, Hollywood.
Smith, Chalmers, Palo Alto.
Spottswood, David, Sacramento.
Standifer, Joseph, Santa Clara.
Stephens, Joseph, Oakland.
Stewart, William, Judge, Salinas Municipal Court.
Stewart, W. K., Pacific Grove.
Stromer, Peter, San Jose.
Tochtorner, Donald, Deputy District Attorney, Santa Clara County.
Trexter, Eugene; Samuel Joseph, Sacramento.
Ursas, Frank C., Ventura.
Valentine, Pau, Palo Alto.
Vian, Theodore, Los Altos.
Villa, Al, Fresno.
Vizard, James, Bakersfield.
Walker, William, Sunnyvale.
Howard, Norman C., San Jose.
Wedell, Willard, Public Defender, Kern County.
Wylie, Richard, San Jose.
Younger, Milton, Bakersfield.
Ziskind, David, Los Angeles.
Zolch, Thelma, Palo Alto.

CLIENTS, CONCERNED CITIZENS AND BUSINESSMEN
Abbott, Veronica and Sydney, San Francisco.
Aguirre, Juanita, Sacramento.
Agullera, Vicente.
Aldridge, Robert C. and Janet, Santa Clara.
Allen, R. L., Salinas.
Allen, Ruth and Silvia, Los Angeles.
Alvare, Blanca, Salinas.
Anker, Bernard, Modesto.
Alvarez, Jose.
Arizmendi, Leonida, Salinas.
Awonty, Tony, Soledad.
Armenta, G.
Avila, Dolores.
Avila, Ralph.
Avila, Ruben.
Bedford, Anthony, Modesto.
Beaumann, Ann, Santa Rosa.
Bell, Jo, Modesto.
Bentez, Connie, Salinas.
Berwanger, Conrad, Torrance.
Bergholdt, Chris, Marysville.
Bulalo, John.
Bennett, Brenda.
Blair, Marilyn and Bruce, Whittier.
Blagg, Frederick, Guerneville.
Brink, Howard.
Brown, Beatrice, Los Altos.
Beneficial Finance System, Nickel, George D., San Francisco.
De Los Santos, Angelique, Soledad.
Diaz, Margarita, Madera.
Diaz, Sergio, Salinas.
Defazio, Eligio.
Dinafu, David, Petaluma.
Duncan, Mildred A., Salinas.

Desado, Antonio, Sastroville.
Escust, Peter E., Fresno.
Parfan, Maria de.
Florier, Doris, Pacific Grove.
Porte, Risa and Mary.
Porthman, Stephen, Northridge.
Formaker, Gayle, San Francisco.
Foster, Josephine.
Foster, Herbert H., Santa Cruz.
Fraile, Johnne, McFarland.
France, Sylvia.
Freed, Mr. and Mrs. E., Los Angeles.
Priedland, William H., Santa Cruz.
Fuego, Ramey, McFarland.
Gaskoood, Erasmo, Calexico.
Garza, Nives.
Gold, Sam, Salinas.
Galindo, Sebastian.
Galindo, Maria.
Gavia, Carmen, Lomitas.
Grisswood, Frank, Sacramento.
Grenday, David and Margaret, Turlock.
Grisalpe, Ola Mae & Plant, Edna, Stockton.
Bruce, Katharine E., El Granada.
Bianqui, Vivienne, San Francisco.
Burton, Katherine, Los Angeles.
Brunsting, Mr. and Mrs. C. W., Long Beach.
Caldor, Rosalie.
Carvajal, Rosalio, Castroville.
Contreras, Mr. and Mrs. Angel.
Carpenter, Ernest L., Sebastopol.
De Dios, Juan P., Salinas.
Castron, Edward.
Castro, Jose, Madera.
Castro, Alberto and Maria, Lamont.
Catulca, C. F., Madera.
Churchill, Max, Beverly Hills.
Corvayler, Pacific Grove.
Clark, Grace E., San Francisco.
Clarke, Nancy L., Petaluma.
Coban, Carmen, Pebble Beach.
Conaghan, Albert L., Monterey.
Cornejo, Ruben.
Cornejo, Frances.
Conejo, Jose.
Carillo, Sam C., Salinas.
Comstock, Fumio, Salinas.
Collins, David S., Anaheim.
Copeland, Donald, Los Angeles.
Cirillo, Rosle, Stockton.
Trejo, Maria and Romen.
De La Rosa, Leocadio, Soledad.
Gerking, Helena, Carmichaile.
Gibson, Victoria, Carmel.
Gonzalez, Juan.
Gonzalez, Stella.
Garza, Lorene, Madera.
Garza, Isabel, Madera.
Garvin, Leonard.
Gutierrez, Trinidad, Modesto.
Galindo, Emilio, Salinas.
Gremillon, Rosena.
Gracida, Odilon, Soledad.
Guicho, M. G., El Centro.
Gorela, Ernesto, Greenfield.
Hukindorn, Royce W. Jr.
Hargens, Marguerita, Salinas.
Hooper, Mrs. Jeffie, Stockton.
Harris, Diana, Salinas.
Hodges, Barbara, Salinas.
Hodges, Jeff, Salinas.
Hollms, Judith, Marina.
Holgren, Ceci, San Francisco.
Horton, Gregory LIT, SIGC.
Hawksins, Mrs. Lee, Stockton.
Hawksins, Lee, Stockton.
Hudson, Art, Sacramento.
Houston, Tom, Pebble Beach.
Hozeland, Gerdline, Pebble Beach.
Hernandez, Jerry, Salinas.
Jacob, Linda, Salinas.
Jenkins, Lulio, Modesto.
Jensen, Mrs. R. B., Salinas.
de Jesus Juarez, Maria, Calexico.
Johnston, Tom.
Juarez, Luis, Calexico.
Juarez, Socorro Gomez, Calexico.
Jury, Harry, Canoga Park.
Kanai, George, San Pedro.
Kaye, Victor, Los Angeles.
Kaye, Elenoare, Los Angeles.
Kirschbaum, Sarah.
Klein, Julie, Long Beach.
Kuhl, R. J., Fresno.
Kuhl, Mrs. R. F., Fresno.
Lambert, Catherine, Los Angeles.
Lawsen, Daniel.
Lawson, Robert, Thousand Oaks.
Ledesma, Frank.
Lerner, Narcinda, Mountain View.
Lerner, Laurence, Mountain View.
Longoria, Gregory, Salinas.
Longoria, Gustavo, Salinas.
Lopez, Miss A., Salinas.
Lopez, Ruth, Salinas.
Lorenz, Roger, Monterey.
Lorenz, Joan, Monterey.
Lott, Angela.
Lott, James.
Luukkonen, Patricia Ann, Modesto.
Mora, Danny, Hartnell College.
McManus, M. J.
McLaughlin, Mrs. Rose, Pacific Grove.
Moreno, Julio, Salinas.
Morgan, Donna, Modesto.
Munoz, Phyllis, Stockton.
Munoz, Kenny, Stockton.
Maxwell, Dorothy, Modesto.
McAfee, Melvin, Turlock.
Mayer, Janet, Pacific Palisades.
Mayer, Mrs. Perry, Pacific Palisades.
Medrano, Teodoro.
Miner, Anne S., Palo Alto.
Major, Rebecca.
Martinez, Amador A.
Martinez, R. J., Concord.
Mehl, Jeff, Lindy's Collection Services, Salinas.
Montemayor, Mauricio.
Montemayor, Arista.
Montemayor, Jose.
Morgan, Lawrence, Windsor.
Mudge, Anne, Santa Rosa.
Montemayer, Maria Basilia.
Montalvo, Richard, Madera.
Madriel, Benigno J.
Madriel, Priscilla.
Mora, Ramon.
Montemayor, Francisco.
Martinez, Robert.
Martinez, Amelia.
Madriel, Candy, Madera.
Martinez, Jose Angel.
Mendez, Carolina, Calexico.
Montalvo, Lupe, Madera.
Nacaraco, John, Alhambra.
Nacaraco, Linda, Alhambra.
Navarro, Joseph, Salinas.
Nollar, Donald, Pasadena.
Nava, Ruben.
Ortiz, Eva.
Osuna, Ruben, Madera.
O'Brien, Mrs. James M.
Ojihago, Antonio M.
Pena, Azalia, Salinas.
Petty, Phyllis.
Peissaud, Charles P., Pleasant Hill.
Salinas, Santos Jose, McFarland.
Prieto, David, McFarland.
Pena, Bertha, Salinas.
Pierce, Darlene Escalon.
Smith, Stanton, Escalon.
Pierce, Mrs. Vynon.
Proctor, Dorothy E., Santa Rosa.
Reve, Naomi, McFarland.
Rankin, Jeanette Carmel.
Reyes, Andrea, Kings County.
Reyes, Jose, Salinas.
Robinson, Elizabeth, Manhattan Beach.
Ross, Santiago, Soledad.
Rivas, Yolanda.
Rivera, Juan.
Rivera, Maria.
Roe, Ruth L., Peseda.
Romero, Mariana.
Romero, Maria Loreta.
Ross, James A., Waterford.
Ross, Dolores, San Francisco.
Rosillo, Jose, Monterey.
Ramirez, Maria, Salinas.
Rufener, Sharon, San Francisco.
Robinson, Opal.
National Association for the Advancement of Colored People, Leonard Carter, Regional Director, New York.
National Association for the Advancement of Colored People,亦里 James, President, Imperial Valley Chapter.
National Association for the Advancement of Colored People, Curtis Collier, President, Madison Branch.
National Association for the Advancement of Colored People, Charles E. Bell, President, San Francisco Chapter.
National Organization for Women, Members, Brenda Brush.
National Organization for Women, Aileen C. Hernandez, President.
Central California Development Corp., Alfred Navarro, Executive Director.
San Francisco Civil Action Center, Edward Benavente.
San Francisco Senior Center, William R. Rothler, Executive Director.
Self Help Housing Program, Juan Tames, Director.
Senior Citizens Organizations in California, James Carbray, Executive Board Member.
Sierra Club, Michael McCluskey, Executive Director.
The Social Planning Council of Santa Clara County, Robert E. Lawson, President.
Soledad Development Corp., Joe Lesmesa, Chairman.
Spanish Speaking Community Action Center, Inc., Oakland, Raymond Hernandez, President of the Board.
Spanish Speaking Unity Council, James Delgado, Chairman.
University of California Clerical, Technical & Professional Employees, Local 1695.
The Bar Association of San Francisco.
Women for Legislative Action, Helen Selden, Legislative Co-Chairman.
Woodville Independent Tenants Association, Clemente Benavides, Secretary.

LAW SCHOOLS, FACULTY, LAW STUDENTS
University of Southern California, School of Law, Faculty and Administration.
Golden Gate College School of Law, Dean J. Leland Mudd, Director.
University of California, Berkeley, School of Law, Student Margo Hagaman.
Loyola University School of Law, Leo J. Griffin, Dean.
The University of Santa Clara School of Law, Dean George Alexander.
Stanford Law School, Thelton Henderson, Assistant Dean.
University of California, Berkeley, School of Law, Student Petition.
University of California, Los Angeles, School of Law, Professor, Kenneth Rutz, Dean.
University of California, Los Angeles, School of Law, Acting Professor, Henry McGeer.
University of California, Los Angeles, School of Law, Dean Murray L. Schwartz.
University of California, Los Angeles, School of Law, Associate Dean and Professor, Visiting Professor, Thomas L. Shaffer. Student, Ruth A. Valpey.

RELIGIOUS ORGANIZATIONS—INDEX
Sister Anthony Maria S.A., Superior, Our Lady of Guadalupe Convent.
Father Sid Austadu.
Father Alfredo, Director.
Reverend William Macchi, Associate Director, Catholic Charities, Diocese of Oakland.
Catholic Community Services, (Rev. Kenneth P. Buhler, Assistant Director, Centro San Felipe (Rev. Joseph E. Bishop, Director).
Assistant Pastor John J. Chloerry.
Chicano Priests Organization (Rev. James P. McIntee, President).
Congregation, Christ the Good Shepherd Episcopal Church.
Rev. and Mrs. George L. Collins.
Commission on Social Justice, Archdiocese of San Francisco (Rev. Eugene J. Boyle).
Community Services, Roman Catholic Diocese (William Espinosa, Director).
Thomas K. Farley.
Reverend Ruth Gumm.
Reverend Inez St. Hemy.
J. Davis Illingworth.
Los Angeles Jewish Cultral & Fraternal Club (Nathan Garfield, President).
Vincent Manos, S.B.
Kenneth McMire.
Thomas S. McMahon.
Russell S. Orr.
Parish of St. Peter (Rev. Lawrence Purcell).
Presbyterian Interracial Council (Rev. Charles W. Doak, President).
Warren S. Proctor.
Santa Clara County Council of Churches (James H. Tofran, President).
Senate of Priests, Archdiocese of San Francisco (Very Rev. J. Warren Holleran, President).
Synod of the Golden Gate (J. Davis Illingworth).
Golded Church of Christ, Southern California Conference (Fred P. Register, Conference Minister).
West Coast Coalition of Priests & Sisters (Rev. James P. McInerney, Chairman).

MISCELLANEOUS—LATE ARRIVALS
Sonoma County People for Economic Opportunity, Peter Martini, Chairman, SCPEO Board of Directors.
General Truck Drivers, Warehousemen and Helpers Union, Local No. 980, Stanley C. Maxwell, Secretary-Treasurer.
Western Regional Legal Services Directors Association, John O. Stewart.
Legal Aid Society of California, C. Lyonel Jones Director.
Rodie, Albert S., State Senator.
Karabian, Walter, Assemblyman.
League of Women Voters of California, Mrs. Edward Rudin, President.
Gualco, John, Secretary.
Sacramento Central Labor Council, Joseph J. Selenksi, Executive Secretary.
Teate, Stephen F., State Senator.
Walter Allard, Assemblyman.
City of Carpinteria, Allan R. Coates, Jr., Mayor.
Murphy, Joseph P., Jr. Judge of the Superior Court County of Sonoma.
American Jewish Congress, Joel D. Brooks, Director.
Gibbons, Earl J., Judge, Bakersfield Municipl Court.
Locke, John, Judge of the Superior Court.
Retail Clerk’s Union, Local No. 137, Mel Rubin, Secretary-Treasurer.
Bradley, Thomas, Councilman, City of Los Angeles.

Bar Support
The Bar Association of San Francisco.
Los Angeles County Bar Association.
Sacramento County Bar Association, newspaper quotation.
Santa Clara County Bar Association, attorney quotation.
Monterey County Bar Association.

EDITORIALS
Los Angeles Times.
Sacramento Bee.
Santa Barbara News-Press.

[From the Los Angeles Times, Dec. 29, 1970]
CRLA DESERVES FEDERAL GRANT
The California Rural Legal Assistance, Inc. has achieved considerable success in representing the poor—and in antagonizing Gov. Reagan.

It came as no surprise, therefore, that CRLA’s new $1.8 million federal grant was vetoed by the governor, who strongly objects to such publicly supported organization filling lawsuits against public agencies.

In announcing his veto Saturday, Rea­ gan charged the CRLA with “gloss and de­ liberate litigation under” of federal regulations and said that it had failed to represent the true legal needs of the poor. But his major complaint has been that CRLA lawyers represented the poor too well against the state, federal and local governments.

The U.S. Office of Economic Opportunity, which increased the CRLA grant for the coming year, obviously didn’t agree with the governor. California Rural Legal Assistance is “commonly recognized as one of the best legal service programs in the nation,” said OEO Director Donald Rumfield less than a month ago.

OEO can override the governor’s veto. We believe it should be overridden, unless a compromi­ se can be worked out with the Reagan Administration that does not diminish the effectiveness of the CRLA’s efforts.

A group of lawyers providing legal ser­ vices to migrant farm workers and the rural poor by means of public subsidies is bound to be controversial, especially when their lawsuits force major and potentially costly changes in such government programs as welfare and Medi-Cal.

CRLA nevertheless is endorsed and sup­ ported by the California State Bar, and the Los Angeles Chamber of Commerce and other local bar associations as well as the Committee on Legal Services of the American Bar Assn.

It must be assumed that these organiza­ tions continue to support the goals, policies and professional conduct of the CRLA before giving their endorsement.

Gov. Reagan based his veto upon a memo prepared by Lewis E. Uhler, state director of the CRLA, who said that the CRLA has “failed in its mission because it has elected to devote much of its resources to objectives clearly outside the scope of its original intent.” These diversions from its major mission include, but are certainly not limited to, the repre­ sentation of people charged with crimes, use of legal processes to harass public and private organizations.”
CONGRESSIONAL RECORD — SENATE

December 31, 1970

Senior Alan Cranston, Washington, D.C.: We, the California GI Forum, are outraged by Governor Reagan’s veto of CRLA: CRLA has helped many of our members. We want you to do everything possible to see to it that this veto is overridden. We understand that Mr. Carlucci, the President’s appointee as Director of OEO, is coming up for confirmation on Wednesday, December 30, 1970. We respectfully request that, unless Mr. Carlucci overrides the CRLA veto, you should oppose its confirmation.

Yours very truly,

L. H. Lou Cortez,
President, California GI Forum.

GARDEN GROVE, CALIF., December 29, 1970.

Senior Alan Cranston,

LEAGUE OF WOMEN VOTERS OF ANAHEIM-GARDEN GROVE.

SAN RAFAEL, CALIF., December 29, 1970.

Senior Alan Cranston,
Washington, D.C.: Bravo for your support for the CRLA program. Our members believe that this program is a vital step in the process of guaranteeing equal opportunity to all California citizens and we are working hard to restore the program for our State.

James Good,
President, League of Women Voters of Central Marin.

December 29, 1970.

Senior Alan Cranston,
Washington, D.C.: The 700 members of the Stanislaus County Tenants Rights Assn., urge you to take leadership and fight to have CRLA funds maintained.

John Lasswell,
President.

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Washington, D.C.: Protect Governor’s veto of CRLA. Counties first priority. Legal service demand veto override.

David Pollard,
Placer Community Action, Inc.

WASHINGTON, D.C., December 29, 1970.

Hon. Alan Cranston,
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Washington, D.C.: Immediate continued funding of California rural legal assistance program is vital to the interest of poor people in California who continued access to the Courts. Frank Carlucci should not be confirmed as director of OEO until he has assured such funding and overridden Reagan veto.

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Director.

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Counsel, Spanish-Speaking Sur-Named Political Association.

PASADENA, CALIF., December 30, 1970.

Senior Alan Cranston,
Senate Office Building,
Washington, D.C.: We urge your continued support of California rural legal assistance despite Governor Reagan’s veto.

Joyce Reese,
President.

December 29, 1970.


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Counsel, Spanish-Speaking Sur-Named Political Association.

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Senior Alan Cranston,
Senate Office Building,
Washington, D.C.: We urge your continued support of California rural legal assistance despite Governor Reagan’s veto.

Joyce Reese,
President.
December 31, 1970

CONGRESSIONAL RECORD—SENATE

44471

COSTA MESA, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Please lend support to override of Reagan's veto of CRLA program.

HELENE HOLLINGSWORTH.

SAN DIEGO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

I encourage your efforts toward an override of Governor Reagan's Veto on CRLA appropriations.

LA DONNA HATCH.

WASHINGTON, D.C., December 29, 1970.

Senator ALAN CRANSTON,
New Senate Office Building,
Washington, D.C.: 

We wish to protest the veto of California Rural Legal Assistance by Governor Reagan and hope your committee can persuade Mr. Carlucci to override the veto. CRLA was designated the best legal service program in the country. We have had expensive dealings with this project and have found them to be highly professional, ethical, and dedicated to the interest of the poor. They have been of immeasurable assistance to senior citizens in California and have been a great resource for our OEO funding details at your request.

WILLIAM R. HUTTON, 
Executive Director, National Council of Senior Citizens.

PACIFIC PALISADES, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

As California taxpayers we oppose Governor Reagan's veto of CRLA funds. 

WILLIAM and ROSEMARIE SCHALLERT.

DELANO, CALIF., December 29, 1970.

Senator ALAN B. CRANSTON,
Washington, D.C.: 

Don't allow discontinuance of legal services from CRLA for our rural poor.

Tom ARIZON,
Kern and Kings Counties Director, Self-Help Housing Enterprises.

EL CENTRO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Do not confirm Carlucci unless he overrides Reagan's CRLA veto.

OLLIE RODGERS,
President, Imperial County NAACP. 

MERCEDES, CALIF., December 29, 1970.

Senator ALLEN CRANSTON,
Washington, D.C.: 

Urge you to work to override bad veto by Reagan of appropriation for CRLA.

M. BESSEMER.

RICHMOND, CALIF., December 29, 1970.

Hon. ALAN CRANSTON,
U.S. Senate Building,
Washington, D.C.: 

Support President Nixon in approval of $1.8 million CRLA fund vetoed by Governor Ronald Reagan.

THE OFFICIAL BOARD AND PASTOR DAVIS CHAPEL.

DELANO, CALIF., December 29, 1970.

Senator CRANSTON,
Washington, D.C.: 

Please override the CRLA veto. We need legal assistance for the poor. They're great.

NEW HORIZON CLUB.

DELANO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

Override veto CRLA. We need them. We need legal aid for the poor.

MCALLEN, CALIF.

HUNTINGTON BEACH, CALIF., December 30, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Please support to overriding Governor Reagan's veto of CRLA.

Mrs. Jack TURK, 
President, League of Women Voters.

Bakersfield, CALIF., December 29, 1970.

Hon. ALAN CRANSTON,
U.S. Senate Building,
Washington, D.C.: 

1,100 California retail clerks urge you override CRLA fund veto.

MCP RUBEN,
Secretary-Treasurer, Retail Clerks Union, Local 1376.

DELANO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

Large group of lawyers in my firm deplore Governor Reagan's veto of the CRLA appropriation. Copies of our letter to the governor urging him not to veto the appropriation have been forwarded to you and to Frank Carlucci who I understand will shortly be before you for confirmation. We are unaware of his views. I know that it is unnecessary for us to urge you to do all in your power to persuade the administration to uphold the appropriation. It would be a tragedy if this fine organization were to be cut off from its essential and highly successful mission. With all best wishes to you and Geneva for the coming year.

FRANCIS M. WHEAT.

WASHINGTON, D.C., December 29, 1970.

ALAN CRANSTON,
U.S. Senate,
Washington, D.C.: 

California rule legal assistance program has long been recognized as one of the most creative and effective program offering legal assistance to the poor. Governor Reagan veto of CRLA is politically inspired and wholly unsupported. Urged you to oppose the confirmation of Frank Carlucci as Director of OEO until he demonstrates his commitment to the cause of poor people by overriding without any conditions Governor Reagan's veto.

WASHINGTON RESEARCH PROJECT ACTION COUNCIL.

SAN BERNARDINO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

Please help override Governor Reagan's veto of CRLA program.

BERNICE SMAHA, 
President, League of Women Voters.

DELANO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Do not confirm Carlucci unless he overrides Reagan CRLA veto.

OLLIE RODGERS, 
President.

MODESTO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Strongly urge you to take leadership in pressing for immediate override of CRLA veto.

STEVEN HABERFIELD.

DELANO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

In interest of justice for poor urge you take leadership in saving CRLA.

SML SANTOS.

SACRAMENTO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Senate Office Building,
Washington, D.C.: 

Add our names to signatures on Tunney letter to Mr. Carlucci Laqs for government also.

Mr. and Mrs. AMOS J. SWARTZ.

DELANO, CALIF., December 29, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

We urge you to use your power as Senator to get veto of CRLA over-ridden.

SIS. CARMEN MARIA DURON, 
Mr. and Mrs. MARIO SOY, 
LILY AVAREZ,

BAKERSFIELD, CALIF., December 30, 1970.

Senator ALAN CRANSTON,
Washington, D.C.: 

Communicating support Governor Reagan's veto of cancellous California rural legal assistance grant. Let it die.

NEIL RENFRO.

LOS ANGELES, CALIF., December 30, 1970.

ALAN CRANSTON,
U.S. Senate Office Building,
Washington, D.C.: 

We urge you to support the commendable effort by Governor Ronald Reagan to save the taxpayers wasted dollars by vetoing CRLA funds. Every paying voter in California will appreciate your positive support of the Governor in this matter.

Sincerely concerned voters, 
Mr. and Mrs. M. M. GUERRERO.
LOS ANGELES, CALIF., December 30, 1970.


JOHN TIMBLE.

STOCKTON, CALIF., December 27, 1970.


JOHN S. WILLIAMS.

STOCKTON, CALIF.

ALAN CRANSTON, Senator, Washington, D.C.: We implore you to do whatever you can to override Reagan's veto of CRLA funds.

JOHN and LOIS PEARSON.

SAN DIEGO, CALIF.


WILLIAM BROCKETT.

STOCKTON, CALIF.


LEONARD and BARBARA FASS.

HIGHLAND, CALIF.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: Please support override of Reagan's veto CRLA Grant. Carlucci will need backing from Congress.

Mr. and Mrs. KENNETH M. HORI.

PASADENA, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: I agree with California Bar Los Angeles County Bar, San Francisco Bar, that California rural legal assistance must be fully funded. Please support CRLA.

MRS. WILLIAM BRECKENRIDGE.

PASADENA, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: The League of Women Voters of the Pasadena area urges full Federal funding of the California Rural Legal Assistance Program. Governor Reagan's criticism is warranted and based on an inaccurate and questionable report approving success as an aid in the war on poverty. The program deserves support from every level of government.

CAROLINE COOPER.

BURLINGAME, CALIF., December 30, 1970.


MASAKO NAGUMO.

BRAWLEY, CALIF., December 30, 1970.

Senator ALAN B. CRANSTON, Senate Office Building, Washington, D.C.: Please do everything possible to override governor's veto of CRLA funds.

MEL SCROGGINS.

SAN FRANCISCO, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: Excellent move on your part. 100 percent support.

MARY PARKER.

RICHMOND, CALIF., December 31, 1970.

Senator ALAN CRANSTON, Rayburn Building, Washington, D.C.: We heartily support your stand of the Carlucci appointment. California rural legal assistance should—must be allowed to continue their legal constructive efforts in aiding the poor. If Carlucci should—must override Governor Ronald Reagan's veto on their 1970-71 grant. We are hopeful that other courageous senators will join you until CRLA has again been funded.

JOSEPH BAILEY, Fred Reading, Sandra J. Reading.

SAN FRANCISCO, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: Command you and urge you continue maximum effort to override Reagan's veto CRLA grant. Have served on CRLA board as farmer member over two years and have nothing but praise for its efforts to provide legal services for rural people.

BERGE BULBUULIAN.

PASADENA, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: As citizens who are concerned about the needs of the poor people of California, we, P. E. H. N. O. are in favor of a full federal grant for the California rural legal assistance. Pasadena Commission on Human Needs and Opportunities.

DARWIN, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: The Association of Mexican American Educators urge that you strongly support the refunding of the California rural legal assistance program. We feel that the veto by the Governor and his staff at this time has overtones of racial bigotry in as much as most of the (class actions) which go through the judicial process are related to minority group issues and/or the poor. To cut off the only hope of our people would of itself be a miscarriage of justice.

MANUEL BANSA, JR., State President, AMAC.

MONTEREY, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Senate Office Building, Washington, D.C.: MAPA wishes to make known our full support for CRLA. Mr. Frank Carlucci's appointment should be withheld should he choose to heed the need of the people as opposed to the deeds of Governor Reagan in his recent veto of CRLA program.

PAULA JIMENEZ, Metro Regional Director.

ARE TAPIA, National President, (MAPA).

BERKELEY, CALIFORNIA, December 30, 1970.


BERKELEY LEAGUE OF WOMEN VOTERS.

SAN FRANCISCO, CALIF., December 28, 1970.


Abraham Goldstein, Dean Yale Law School; Derek Bok, Dean Harvard Law School; Bayles Manning Stanford Law School; Michael Sovern, Dean Columbia Law School; Bernard Wolfman, Dean University of Pennsylvania Law School.

SAN FRANCISCO, CALIF., December 29, 1970.


RICHARDO A. CALLEJO, Counsel, Spanish Speaking Sur-Named Political Association.

THURON, CALIF., December 30, 1970.

Senator ALAN CRANSTON, Washington, D.C.: The members of the League of Women Voters of Southern Marin support your efforts urging an override of Governor Reagan's veto of the California Rural Legal Assistance Program. We feel this program is vital in attempting to achieve equal justice for all citizens.

Mrs. MARLENE KAULUM, President.

WEST LOS ANGELES, CALIF., December 29, 1970.

Senator ALAN CRANSTON, Washington, D.C.: urge you support of OEO funds for CRLA this valuable constructive work must be continued.

AARON AND HANITA DECHTER.

SACRAMENTO, CALIF., December 26, 1970.

FRANK CARLUCCI, Director, Office of Economic Opportunity: This is to formally advise you that the California Rural Legal Assistance otherwise known as CRLA, grant No. GC-7172 Dil, in the amount of one million, eight hundred eighty-four thousand, one hundred dollars, is hereby vetoed.

EDWIN MESEE III.

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senator from Michigan is recognized at this time.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MURPHY. Mr. President, I would like to point out that I was given a copy
of what was purported to be the position and statement of the junior Senator from California, my distinguished colleague.

If I misunderstood, and I hope I did, I got the impression that the Senator said he would block the nomination. I am pleased to hear him say now that he did not say that nor does he apparently intend to do that until the facts and the information are made known and hearings can be held. If I am in error, I hope the matter will be clarified. If I am correct I shall address the Senator.

Mr. CRANSTON addressed the Chair.

Mr. GRIFFIN. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. CRANSTON. Mr. President, will the Senator yield to me for 1 moment?

Mr. GRIFFIN. I yield 1 minute to the junior Senator from California.

Mr. CRANSTON. Mr. President, first of all, as far as I am concerned, I stated I would seek to block the nomination in the next session of Congress. I would not have the power to block it. I do not know at this time if I favor Mr. Carlucci's approval by the Senate for this purpose because all of the facts are not yet in on Mr. Carlucci and his qualifications.

My present position is I object to the polling of the members of the Committee on Labor and Public Welfare or its Subcommittee on Employment, Manpower, and Poverty on Mr. Carlucci's nomination since a polling means members who did not attend the committee hearing yesterday, who did not hear the testimony of Mr. Carlucci to evaluate Mr. Carlucci's qualifications by his responses or nonresponses, who have had only a secondhand opportunity to hear about his performance yesterday before the committee from others, and who are not aware of all the issues in this matter relatively novel to the state of California would have simply a "yes" or "no" opportunity to pass upon his qualifications without a meeting to discuss what happened yesterday, and to discuss whatever the pros and cons may be that exist in connection with Mr. Carlucci.

Second, I presently object to a meeting of the committee while the Senate is in session, since for a good portion of the time there are Senators on that committee who are involved here in the Chamber, as they were this morning at great length, on matters emanating from that committee, and matters emanating from other committees.

I think there should be an opportunity for a session of that committee when the Senate is not in session, that would be fully attended by as many members as are in Washington, to go into the matter fully. At that time the committee could decide what action it wishes to take and that action could then be reported to the floor of the Senate.

Mr. GRIFFIN. Mr. President, I am very sorry to hear the junior Senator from California take the position he has taken on the floor of the Senate with respect to the nomination of Mr. Carlucci. It disturbs me very much. First of all, I am informed that the committee on Education and Labor, of which the Senator is a member, was polled with respect to two other nominees, Mr. Wilson and Miss Khosrovi. Furthermore, I understood that the junior Senator from California gave his consent to approve both nominations which were approved by the committee via the polling procedure.

So it cannot be the polling procedure to which the junior Senator from California objects.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. GRIFFIN. I shall yield to the Senator shortly but first I wish to proceed for a few moments.

It becomes very clear that the Senator from California is holding up this nomination because Mr. Carlucci will not commit himself to override a veto by Governor Reagan concerning a rural legal assistance project in California, a project, incidentally, about which I know nothing whatever.

I shall yield from the floor of the junior Senator from California which came to my attention today, and which I assumed was issued yesterday, he made the following statement:

I have decided to do what I can to see that any Senate approval of Mr. Carlucci as the new director of OEO is withheld until such time as Mr. Carlucci indicates what action he will take regarding Governor Reagan's veto of $1.8 million California rural legal assistance project.

In other words, if Mr. Carlucci will state to the junior Senator from California— if he (Mr. Carlucci) will make a decision in advance as to what he will do concerning that particular veto of a potential project, then, as I understand the statement, the junior Senator from California will let the nomination go through.

I would have no respect for Mr. Carlucci, and I would have great difficulty in voting for his nomination myself if he gave any such commitment to any Senator or anyone else.

Furthermore, it would be illegal for him to do that. The criminal laws of the United States make it illegal for one nominated for high public office to make a promise or commitment in order to obtain an office. The position of OEO director would involve a higher salary for the nominee Mr. Chairman. I suggest that the Junior Senator from California has put the nominee in a very difficult and untenable position.

I will not cite chapter and verse, but let me cite in fact to the fact that the Federal code as well as a Executive order on ethics issued by the President of the United States specifically preclude any nominee from making any such commitment or promise as the Junior Senator from California is demanding.

Futhermore, if Mr. Carlucci were confirmed, he would be obligated to sign an oath which would include the following statement:

I have not, nor has any one acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

I regret to bring these matters to the attention of the Senate. I wish the junior Senator from California had not risen on the floor of the Senate and taken the position publicly that he has taken. But now I have no choice but to point out specifically to the Senate that the junior Senator from California not only places the nominee in a very difficult position but it also raises a serious question for the Senate to consider.

I yield now to the Senator from California.

Mr. CRANSTON. Mr. President, I thank the Senator for yielding.

First, in regard to the two nominations to which neither I nor any other member of the committee raised any objection to the polling on the nomination, Mr. Wilson and Mrs. Khosrovi, there was no controversy, no difference of opinion, no question about them or their qualifications to fill those positions, which separated them from the nomination under consideration.

Secondly, I would like to say that I have at no time asked Mr. Carlucci for any commitment as to what he will do. I asked him what his decision will be and I have not asked him for any commitment to me about it.

I have never said that my judgment of him and my vote of either yes or no would be based on whether or not he approved of or whether he overrode the Governor's veto. I have said I would like to see the same evidence he is waiting to see and would then judge him by how he actually acts on the basis of that evidence.

I further stated yesterday that even if he overrode the veto I might find myself not inclined to support him or to vote for his confirmation if he did not act in time to prevent total havoc for this program and despair for those who have cases in court depending on CRLA. I will read the language used yesterday in making that statement.

If the Senate does not act to confirm Mr. Carlucci's nomination during this Congress, then I feel that he has precluded any action before this committee in the 92nd Congress, the question I will ask if by then there has been an over-ride of Governor Reagan's veto in judging Mr. Carlucci's suitability to head the poverty program, will be:

Did he make the over-ride decision in time to prevent the disruption of this program, the destruction of current cases, the departure of present employees who would be forced to go elsewhere to earn livelihoods for themselves and their families, and the displacement of others who were led to believe they could find justice under law.

In effect, I feel that if Mr. Carlucci needs time to examine the evidence to make decisions— and I can understand that fully—then I have every right to seek to have time to examine the same evidence to judge his response to that evidence. In the light of that, if the evidence overwhelmingly indicates that there should be an end to CRLA, I would respect his decision not to override the Governor's veto, but I will not know about that until the time he acts, and only on the basis of what evidence he acts.

Mr. GRIFFIN. With all deference to the Junior Senator from California, I
Mr. MURPHY. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MURPHY. I must agree that that is what I read from the press release which was given out by my distinguished colleague from California, and that was the impression I had and that was the purpose of my remarks today—that the overriding of the veto was to be a condition of the confirmation, and that if the nomination was not confirmed in this session of Congress, the confirmation would be based on whether or not he would override the veto in the next Congress, and that quickly he would be asked to do it.

It is unfortunate if the Senator did not mean that, but that is what I read from his press release last night. That is why I made the remarks I made, hoping that I could clarify the confusion that has dogged this entire program from the very outset, mainly because men came in with new ideas to take funds designed for another purpose and used them for social reform, when they were intended for legal services. Right here is the base of the entire problem, as I see it.

I sincerely hope that the next Congress will straighten that out, and if I can be of any help from the outside, I will make myself available.

Mr. GRIFFIN. Let me make crystal clear what it is that disturbs me about this situation. I serve on the Judiciary Committee; of course, we must pass on the nominations of judges. Oftentimes it is tempting for members of the Judiciary Committee to question a nominee as to how he would decide a case if he were confirmed. The questions are not always asked but sometimes they are. However, the appropriate response—and the only sensible response for a nominee to make—is that he could not and should not, decide the case in advance.

This nominee does not even have the facts upon which Governor Reagan's veto was based. As I understand it, the veto was handed down a couple of days ago. The nominee should not pass judgment on the matter which he has not been told about, and which other members of the committee raised.

Mr. KENNEDY. Mr. President, I just came into the Chamber during the exchange between the assistant minority leader and the Senator from California. I was not present at the time the distinguished Senator from California interrogated Mr. Carlucci, although I was in attendance at the meeting for the better part of the morning.

As a member of the committee and as one who is extremely interested in the whole question of legal services, I must say I was very much distressed by the impression I had of legal services. There have been few programs under OEO or in any other agency of Government which are more worthwhile.

In the initial part of the questioning, many of us were trying to develop at least a better understanding of Mr. Carlucci. We had been told how important he felt legal services were, what its future would be next year, in terms of appropriating, whether he anticipated any questions or reorganization.

We are all aware of a program put forward only a few weeks ago in terms of the OEO. Mr. Carlucci has been told that he would have bluntly affected the whole thrust of legal services. There has been talk of an independent agency for legal services. A number of questions were raised, which I raised, which the Senator from Minnesota (Mr. Mondale) raised, and other members of the committee raised.

I must say, in all frankness, it was extremely distressing to us not to be able to receive from Mr. Carlucci a very clear, precise, and definite expression, either of his own personal view about the importance of this program, or any really very clear indication of what the program was to go in the future.

So, at least for me, it was somewhat understandable when I believe I can say, having some knowledge of the California legal service program, and being aware, the OEO had done a detailed study of the program short a few weeks ago, and that the program had come through with flying colors, and from everything we had been able to discover, in talking with the members of that program and studying the program, and being involved in it, that this is really one of the most effective legal service programs of its kind existing in the country today. I am aware, Mr. President, that the actions that were taken by the distinguished Governor of California came at the final hour to terminate this program. No opportunities were afforded for consultation and deliberation, or even an opportunity for Mr. Carlucci to give the same kind of thoughtful consideration that I am sure any director of the OEO, who think that there is a real urgency about this kind of effort, and that has been shown, in the past, by the Florida program. When a Governor says, "This program is vetoed," despite the dedication and the high morale of the people involved in the program, there is no other reason to believe that the veto was motivated by political reasons.

I think any fair reading and review of the various allegations and charges that were made would suggest that. But be it as it may, we can think of what alternatives or remedies were available to the director, or the incoming director, or, if Mr. Carlucci was approved, what might be available to him. There are things that can be done in connection with the possibility of overriding a veto.

First, let me say that any veto by a Governor would mean no money, and the effect of bleeding a legal service program. This has been shown, in the past, by the example of the Florida program. When a Governor says, "This program is vetoed," despite the dedication and the morale of the people involved in the program, there is no other reason to believe that the veto was motivated by political reasons.

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some of the most difficult, complex negoti­ations in the history of the OEO, and he carried those responsibilities through with extraordinary capability and diligence, but here we have this sort of a hot potato thrown at Carlucci.

We were unable, in the early part of that hearing, to understand the extent of Mr. Carlucci's knowledge. But the grasp, concern, and commitment for this program generally, across the country. We have what many of us believe is the real jewel of the program in the California Legal Services operation.

What I think many of us were very interested in hearing about, in fact, was to find out how Mr. Carlucci would react and respond to this particular crisis that was thrown at him. Because I am sure he must realize, as all of us do, that with the passing of every hour, effectively there is increasing threat to the program generally.

No one expected that Mr. Carlucci would come up and clear up the whole matter before the committee, but the distinguished junior Senator from California did advise Mr. Carlucci that he would be interested in his comments on that particular problem. This is not unusual. Any of us, when we have a nominee, have areas of special interest in terms of programs, such as the OEO programs, such as I have in terms of Neighborhood Health Services and special impact programs, the Senior Citizens programs under OEO, and such as the Senator from California and many others have in terms of legal services.

So the nominee was on notice that he would be asked to comment on this program in some detail. Particularly in the light of the earlier responses to those questions, I was interested in how he would handle this kind of a challenge and problem, whether it involved California, Massachusetts, Mississippi, or any of the other situations.

We hoped to be able to at least gather from his reaction to those situations how he would handle the legal services programs on into the future. I think it was in this light that many of us were dis­ressed at the lack of responsiveness. I do not want to overstate it. I mean, the junior Senator from California was not holding out that he was going to hold out in support of overriding the veto, and prevent the nomination from going to confirmation—but rather, he was eliciting from the nominee his interest and concern and commitment to the cause of legal services generally, and particularly as to the future of this program.

We in Massachusetts would be desirous of having the programs continued. Every one of you knows, and certainly all of us on that committee realized, that every hour and every day the veto continues, that program is being weakened and bled. Therefore, there is a sense of urgency. I wanted to make this comment, Mr. President, because I think at least as one who was aware that the Senator from California was going to quiz the nominee about legal services and about this program in California, and as one who heard a part of the questioning of the nominee, it seemed to me that the distinguished Senator from California was attempting to elicit in a positive and constructive way the concern of the nominee for legal services generally, and especially in terms of this problem, and to get from him what future course of action he would take, perhaps not only in California, but on other situations. So I wanted to add just this one comment to the record as one who is greatly concerned about the California legal services program.

I quite sincerely believe that the Sen­ator from California would be raising this issue whether it was California or whether it was Massachusetts, or any other State, because the California legal services program is really, perhaps the jewel of the whole legal services pro­gram, and therefore it is important and significant, and should not be lost in any kind of other attack.

Mr. President, I yield the floor.

Mr. CRANSTON. Mr. President, I have listened with interest to the remarks of the Senator from Massachusetts, and philo­sophically I guess I would agree with all of them.

But Mr. President, how much better it would have been had the Senator from Massachusetts or the Senator from Min­nesota asked that the nomination be held up. How much better it would have been if the Senator from Massachusetts or the Senator from Minnesota, who is also dis­turbed about such matters, has had, would have said that he objected to the fact that the committee was to be polled and was not to meet. Because the real ques­tion has not been answered, the real philo­sophical question.

The Senator from California knows that we came here together, and that he is a friend of mine, and I admire him a great deal. But has the philosop­hical question been answered, if you turn it around?

Mr. CRANSTON. That is the real question. That is the real philosophical issue. The phi­losophical issue is found in the report on the ticket tape, in one small paragraph:

1. Senator Alan Cranston (D-Calif.) sought unsuccessfully to get Carlucci to agree to immediate reversal of Reagan’s veto of a $18 million grant to the California Rural Legal Assistance program.

The Senator from Massachusetts said in essence that Mr. Carlucci was there on trial, and I would suggest to the Members of the Senate that he passed that case and passed it very well. He came through with flying colors.

I would only hope, as a matter of fact, along with the distinguished Senator from Massachusetts and along with the distinguished Senator from Michigan, that the President would consider in arriving at a judgment, Mr. Carlucci refused to give us even that. He refused even to make a comment as to whether this program was going to be retracted or expanded or reorganized, whether there were any memoranda in the department
as to future OEO programs. He was com-
ple- tely unresponsive on this.
I asked questions, Senator Monda- le asked questions, Senator Cranston asked questions. We were trying to get some mea-
sure of what he was going to do. No-
body was going to suggest nor has any-
one suggested that he would have to say
right there and then that he was going to
override the veto in order to win the
support of the members of the commit-
tee. But we wanted to get some kind of
guidance as to what he was going to base
that judgment on, and we were unable
to do that. I think any fair reading of the
record would indicate that. I think that
those were there at the time would see that.
Mr. MondaLe, Mr. President, will the Sen-
ator from California yield for one other
question?
Mr. Cranston. I yield first to the Sena-
tor from Kentucky, and then I will
yield to the Senator from Minnesota.
Mr. Cranston. I yield to the Senator from
California and to the Senator from Mas-
achusetts that it may be fine, and I am
sorry that I did not have the occasion to
be there. I really do not wish to pursue
this matter a great deal further, except to
respond to the news release of the Sena-
tor from California, the second para-
graph:
After extremely careful consideration, I
have decided to do what I can to see that any
Senate approval of Mr. Carlucci as the new
Director until such time as Mr. Carlucci
indicates what action he will take regarding Governor Reagan’s veto of the
$1.8 million California Rural Legal Assist-
ance Grant.
If the reason for holding up the con-
firmation of this nomination is that he failed to answer other questions, because
he failed, to the satisfaction of the mem-
bers of the committee and the Senator from
California, to give affirmative answers relative to the size of the depart-
ment, it would have been far better to
have said so.
But the fact is that the issue we are
discussing is the fact that the action
that was taken was taken because there was a veto of a $1.8 million program and
the fact that an overruling of that ruling
was requested.
Mr. Cranston. Mr. President, if I
may respond before yielding to the Sena-
tor from California, I stated earlier in the
statement that the Senator from Ken-
tucky and I did not think that Mr. Carlucci
overrode the veto. I might find in my
own mind that he was not qualified to
serve. So the overriding or not overriding
has not been a precondition. I want to
see, as I stated earlier today, the evidence upon which Mr. Carlucci acts before I
judge him and whatever actions he takes. He
has not seen that evidence, and I have
not.
I will say that, based upon the charges
Governor Reagan has made, all of which
have been given to the press and with
which I think we are all familiar, even if
in the documentation, which is slowly
wending its way across the country to
Washington, supposedly backing up
those charges, proves that they are all
100 percent true, I do not believe that
those charges, proves that they are all
whole program and a veto. They may
justify remedial actions. Based upon the
present evidence available, I do not be-
lieve that they justify canceling the
program.
I yield to the Senator from Minnesota, who attended a great part of yesterday’s
session and who is very familiar with the
problem at hand.
Mr. MondaLe. I thank the Senator
for yielding.
May I say that I think the Senator from
California has acted responsibly and con-
scientiously in his capacity, as a Sena-
tor, to resolve one of the most import-
ant issues to come before this Congress.
The issue of the CRLA is not a question of
one project in one State. It really in-
volves the best legal services program in
the country. As one of the chief sponsors
of the legal services program, who has
listened to days and days of testimony
over the past 2 or 3 years, as one Senator
on the Migratory Committee and the
Hunger Committee and the Education
Committee, I have heard from young
lawyers from legal services programs
around the country, and I can say that
this is a national test of whether the
legal services program will continue to
be the remarkable program it is—in
which law and its remedies are available
to the poor as they are to the rich—or
whether the legal services program in-
stead will degenerate into a program
where lawyers can only bring cases on
behalf of the poor which might have been
brought in the days of Charles
Dickens.
This is a fundamental issue of that
nature. CRLA is not an isolated case.
From every possible vantage point, this
administration has tried to cut the heart
out of the legal services program, even
through use of the Internal Revenue
Service. As a matter of fact, the Internal
Revenue tried to deny tax deductibility
for public interest law firms—for lawyers
who brought lawsuits to save the en-
vironment and protect the public inter-
est. So this has been a fight being waged
for commercial rights. This
attorneys looking at other aspects of legal
Mr. CRANSTON. Mr. President, I am glad to yield to the Senator from Minnesota.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. CRASTON. Mr. President, I am glad to yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. CRANSTON. Mr. President, I am glad to yield to the Senator from Minnesota.

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CONGRESSIONAL RECORD — SENATE

December 31, 1970

Mr. JAVITIS. Mr. President, I beg Senators to desist now. Here is a man who may be director of this agency. I think he is a good man. Nothing that has been going on does him or the OEO any good. That is all I urge the Senator in whose name the amendment is offered. It is his Harvard business school experience, his career in foreign service, and so forth.

Mr. CRANSTON. I thank the Senator from New York.

Mr. President, I yield the floor.

SOCIAL LEGISLATION IN THE 91ST CONGRESS

Mr. LONG. Mr. President, among the great men with whom I have had the privilege of serving in this body was the former Senator from Oklahoma, Robert S. Kerr, who would today be chairman of the Senate Committee on Finance had he not been driven to an early grave. I think it was Senator Cranston, who today is the ranking minority member of that committee, who offered the amendment which Mr. Kerr used to say to me, "when people lie about you, laugh at them; laugh at them." Without that philosophy, Bob Kerr could never have been the great governor and the great Senator that he was.

I did not regard it as a laughing matter, but I prefer to laugh rather than complain about smears, misstatements, and falsehoods that have been told about me during this year. But I do believe that it would be well to state for the record at the close of this year what the actual truth is so that some historian at a future date may be privileged to set the record straight.

The fact of the matter is that this Congress has failed to enact the social legislation which the Nation had a right to expect because the administration—

Mr. CRANSTON. Mr. President, would the Senator yield?

Mr. JAVITIS. Mr. President, will the Senator yield?

Mr. CRANSTON. Mr. President, first, I thank the distinguished chairman of the committee for his very fine and appropriate remarks. I would like to mention that the Senator from Louisiana is waiting to give us something of a legislative nature to work on. I yield briefly to the Senator from New York. Afterward I will yield the floor.

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I did not regard it as a laughing matter, but I prefer to laugh rather than complain about smears, misstatements, and falsehoods that have been told about me during this year. But I do believe that it would be well to state for the record at the close of this year what the actual truth is so that some historian at a future date may be privileged to set the record straight.

The fact of the matter is that this Congress has failed to enact the social legislation which the Nation had a right to expect because the administration—

Mr. CRANSTON. Mr. President, would the Senator yield?

Mr. JAVITIS. Mr. President, will the Senator yield?

Mr. CRANSTON. Mr. President, first, I thank the distinguished chairman of the committee for his very fine and appropriate remarks. I would like to mention that the Senator from Louisiana is waiting to give us something of a legislative nature to work on. I yield briefly to the Senator from New York. Afterward I will yield the floor.

Mr. JAVITIS. Mr. President, I beg Senators to desist now. Here is a man who may be director of this agency. I think he is a good man. Nothing that has been going on does him or the OEO any good. That is all I urge the Senator in whose name the amendment is offered. It is his Harvard business school experience, his career in foreign service, and so forth.

Mr. CRANSTON. I thank the Senator from New York.

Mr. President, I yield the floor.

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