

## *Chapter 7*

# CONTAINING CRLA

The effort to contain CRLA came from the highest levels of state and national government. Ronald Reagan and Richard Nixon represented the interests of farm employers and their allies in a running battle with CRLA in the late 1960s and early 1970s. Knowing that Reagan was no friend of the farm workers, CRLA had challenged his administration and purposely provoked as public a confrontation with him as soon as possible, hoping to maintain public support as a counterweight to the governor's power over the program. CEO regulations gave Reagan, as governor of California, thirty days to veto grants made by the OEO for California. The Governor's veto could only be overridden by the director of the OEO.<sup>1</sup> CRLA's primary defense against a gubernatorial veto was influential non-partisan support for exemplary performance of its prescribed tasks in accordance with nationally recognized legal principles.

For 1967 refunding, the veto issue was sidestepped because the director of the OEO continued to fund CRLA as a research and demonstration project, and research and demonstration grants were not subject to

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<sup>1</sup> OEO regulations, 42 U.S.C., para. 2834 (1964).

gubernatorial veto.<sup>2</sup> When it came to refunding CRLA for 1968, however, the governor had a chance to veto the program and his executive secretary, William P. Clark, indicated he would. Clark said that CRLA had encouraged litigation and had “perhaps opened the door too wide to indigent clients” and that CRLA had “imposed burdens on rural courts by [its] incursions into social legislation” that “could be carried to all sorts of extremes.”<sup>3</sup> CRLA countered that the Reagan Administration, “apparently looks with favor on helping poor people with legal services only if they are suing other poor people such as in divorce cases. . . . Any type of litigation by poor people to vindicate their rights against employers or government agencies [is] looked on with disfavor.”<sup>4</sup>

As the public point and counterpoint continued, Clark sent a letter to OEO Western Regional Director Lawrence Horan, suggesting changes that would have put an end to CRLA’s effectiveness in exchange for not vetoing the program. The conditions Clark sought to impose included local bar association approval in advance for providing legal services. Reagan, in other words, sought to instate local control over the federally funded agency realizing full well what it meant: control by conservative, pro-grower policies and anti-legal services attitudes. Reagan also sought to limit CRLA’s power to sue public agencies.<sup>5</sup> Horan spoke immediately to Earl Johnson of the National Office of Legal Services, who in turn spoke to OEO Director Shriver about the Reagan proposals. Shriver’s response was unequivocal: “If I don’t override that veto, we might as well turn the country over to the John Birch Society.”<sup>6</sup>

Johnson felt that “CRLA had become a symbol, clearly a symbol to all the legal services programs of the policies that we were attempting to advocate and to have other programs follow, and I was thoroughly convinced

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<sup>2</sup> Bennett interview.

<sup>3</sup> “Veto of CRLA Warned,” *Appeal-Democrat* (Marysville–Yuba City), December 21, 1967, 1.

<sup>4</sup> Harry Bernstein, “Reagan Hit for Stand on Legal Aid to Poor,” *Los Angeles Times*, December 22, 1967, I-16.

<sup>5</sup> Letter from Larry Horan to Governor Reagan, January 13, 1968, *CEB Legal Services Gazette* 2, no. 4 (January 1968): 98–100.

<sup>6</sup> Office of Economic Opportunity Commission on California Rural Legal Assistance, Inc., *Hearings*, Reporter’s Transcript (April 26, 1971) [hereinafter cited as *Commission Hearings*], 265.

that if that symbol were destroyed there was no hope that the policy would be followed by other programs.”<sup>7</sup>

On Monday, January 15, 1968, Horan held a press conference in Los Angeles, praising CRLA and indicating that Shriver would override a Reagan veto.<sup>8</sup> Between January 15th and Reagan’s veto deadline, January 21st, the governor’s staff met with staff members of OEO’s Regional Office. Reagan let it be known that he would consider not vetoing the funding proposal if the OEO would agree to make some non-substantive changes in the program. Horan had a letter hand-delivered to the governor on the last working day before the veto deadline in which he put forth a set of changes — none of which were harmful to the program.<sup>9</sup> In a clever public relations move Reagan’s staff kept the OEO at bay until the evening while it went to the press with the following statement: “OEO has exhibited a recognition of the deficiencies in the CRLA program . . . [and] on the basis of agreements reached for modification and careful monitoring, . . . it is felt CRLA will now meet sufficient standards of professional conduct and management.”<sup>10</sup>

CRLA caught on to what Reagan was trying to do, however, and managed to get to the press with a rebuttal in time to make the late evening and early morning editions of the paper.<sup>11</sup> Despite his press statement, Reagan went ahead and vetoed CRLA’s funding for 1968.

CRLA, denied support by the rural bar associations in the state, sought, cultivated, and received the backing of urban bar associations, the California State Bar, and ultimately the American Bar Association. When Governor Reagan, acting under the provisions of the amended Economic Opportunity Act, “vetoed” funding for CRLA in 1968, CRLA was vigorously defended by the National Advisory Committee for Legal Services, the presidents of the American Bar Association, the American Trial Lawyers Association, the National Bar Association, and the National Legal Aid

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<sup>7</sup> *Commission Hearings*, 268.

<sup>8</sup> *CEB Legal Services Gazette* 2, no. 4, 98–99.

<sup>9</sup> Letter from Laurence P. Horan to the Honorable Ronald Reagan, January 19, 1968, *CEB Legal Services Gazette* 2, no. 5 (February 1968): 132–34.

<sup>10</sup> Office of the Governor, Press Release No. 38, January 19, 1968.

<sup>11</sup> Tom Goff, “Reagan to Accept U.S. Rural Legal Aid Grant: Says Objections Were Complied With; No Changes Made, OEO Director Claims,” *Los Angeles Times*, January 20, 1968, I-3.

and Defender Association, in addition to the director of the OEO and the president of the United States. The deans of all of California's major law schools also expressed strong support.<sup>12</sup>

Reagan did not attempt to veto CRLA's funding for 1969. The OEO approved CRLA's 1969 grant in mid-November 1968, so that Reagan, who had to veto it within thirty days if he was going to, would have to exercise this right before Republican President Richard Nixon took office in January 1969.<sup>13</sup>

The second Murphy Amendment, introduced in 1969, passed the Senate. It would have effectively transferred policy and fiscal control of OEO legal services to the governors of the states in which the programs were operating, giving them blanket or "line item" veto powers not subject to reversal by the OEO director. At that time, Murphy's amendment was, of course, being considered by Congress under a Republican president. Murphy's strategy was the same as Reagan's: impose local authority and local control over the program. And his charges against the program were similar as well: CRLA was helping Cesar Chavez and the UFW in the strike and boycott the UFW was conducting in the San Joaquin and Coachella Valleys against table grape growers.<sup>14</sup>

Somewhat to the surprise of CRLA's staff, support again flowed. The Board of Governors of the ABA passed a resolution unanimously opposing the Murphy Amendment. John D. Robb, chairman of the ABA's Committee on Indigent Defendants said, "You don't often get unanimous resolutions by Bar Associations, but I have never seen such unanimity as I have seen directed against the Murphy Amendment."<sup>15</sup> Also, CRLA's coalition of supporters — minority groups, church groups, labor groups, civil rights groups — bombarded Congress with protest letters and telegrams, and numerous articles appeared in the country's major newspapers defending

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<sup>12</sup> Leo Rennert, "Investigators Give Rural Legal Aid Group a Clean Bill of Health," *The Fresno Bee*, June 23, 1968, A12.

<sup>13</sup> Bennett interview.

<sup>14</sup> "Murphy Move to Give Governors Poor Legal Aid Veto Clears Senator," *The Sacramento Bee*, October 14, 1969, A3.

<sup>15</sup> Quoted in John P. MacKenzie, "Murphy Loses Fight on Poverty Lawyer Veto," *Los Angeles Times*, December 17, 1969, III-1.

and supporting CRLA, legal services, and the War on Poverty.<sup>16</sup> The second Murphy amendment was deleted in the Senate–House Conference Committee.<sup>17</sup>

CRLA submitted its 1970 refunding proposal to the OEO in late September of 1969. President Nixon’s new OEO director, Donald Rumsfeld, put a hold on it. Rumsfeld’s excuse at the time was that an OEO ruling on the program’s refunding would prejudice the House vote on the Murphy Amendment. By the end of November, before the House had quashed the amendment, CRLA threatened to deploy its supporters once again to publicize the fact that CRLA’s existence was in jeopardy because Rumsfeld was “sitting on” CRLA’s application for funds. Rumsfeld approved the grant and sent it to Governor Reagan’s office.

Reagan was reportedly surprised and angry.<sup>18</sup> He had not expected a Republican appointee, and by implication the Nixon White House, to approve CRLA’s refunding. He called Rumsfeld and said as much, but Rumsfeld responded that without valid reasons not to, he would override a Reagan veto.<sup>19</sup> The veto did not come. In 1970, Reagan failed to mention CRLA in his campaign for re-election against Jesse Unruh, but times were changing. Richard Nixon was in the White House, and California might be a pivotal state in a close 1972 election. Christmas week 1970, CRLA received its second veto notice from the governor, who announced he had massive documentation of flagrant violations of law and legal ethics by CRLA attorneys. This was clearly to be the most severe and protracted challenge CRLA had faced.

The charges against CRLA had been prepared by the state OEO office, a small agency designed by Congress for each state to ensure liaison and communication and minimize competition and duplication between OEO programs and any parallel state programs which might exist. Governor Reagan

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<sup>16</sup> “Legal Aid — For the Lawyers,” editorial, *New York Times*, October 29, 1969, 46; “Lawyers for the Poor,” *The Washington Post*, October 22, 1969, A22; “The Poor Get It Again,” *St. Louis Post Dispatch*, October 21, 1969, B2; “Legal Aid Restriction Bad Bill” (editorial), *Los Angeles Times*, November 10, 1969, II-6; “War on Poverty in Jeopardy” (editorial), *Los Angeles Times*, December 14, 1969, G6.

<sup>17</sup> As a consequence, *The Fresno Bee* carried the following headline: “Governor’s CRLA Veto Power Fails,” December 19, 1969, 1.

<sup>18</sup> Bennett interview.

<sup>19</sup> “Reagan Backs Bill Overhauling OEO,” *The Fresno Bee*, December 8, 1969, A4.

appointed, in July of 1970, Lewis Uhler to head the California State Office of Economic Opportunity. Uhler brought interesting credentials to his new post: he had served under the national director of Public Relations for the John Birch Society, John Rousselot. When Rousselot was elected to Congress in 1960, Uhler went to Washington. He had just finished serving, in June of 1970, as Rousselot's campaign manager, in the latter's unsuccessful bid to recapture his seat. Rousselot later publicly stated that Uhler's appointment to head the State OEO was directly aimed at the destruction of CRLA.<sup>20</sup>

Uhler's views on OEO legal services were clear. "What we've created in CRLA is an economic leverage equal to that of large corporations. Clearly that should not be."<sup>21</sup> Or: "The problem with the War on Poverty is that poor people are on the boards of directors."<sup>22</sup> One of Uhler's first acts as head of the State Office of Economic Opportunity was to abolish the poor people's Advisory Committees to the State OEO because, according to *The Sacramento Bee*, he did not believe poor people should be involved in making decisions at the state level.<sup>23</sup>

Uhler's staffing of the state OEO office was even more intriguing. In his first two months, he dismissed most of the agency's professional staff of accountants, attorneys, and administrators, replacing them with former agents from police departments, the FBI, the CIA, and the campaign staffs of Governor Ronald Reagan, Mayor Sam Yorty of Los Angeles, and Senator James Buckley of New York. The new staff was given a "cram course" in administrative investigation by the California Bureau of Criminal Investigation and was unleashed on CRLA.<sup>24</sup>

In August, 1970, the federal OEO conducted its annual evaluation of CRLA. Unknown to CRLA, Uhler's group was planning its own investigation. The federally sponsored evaluation was conducted by prestigious members of the legal profession, the most prominent being former associate justice of the United States Supreme Court, Tom C. Clark. After five days of inquiries

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<sup>20</sup> George Williams, "Lew Uhler, Epitome of the Reagan Aide, Directs the Fight Against CRLA," *The Sacramento Bee*, May 9, 1971, A4.

<sup>21</sup> George Williams, "Reagan Picked Uhler to Build State's Case Against CRLA," *The Sacramento Bee*, May 10, 1971, A4.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

in California, the evaluators concluded that “while not perfect, CRLA is an exemplary legal services program, providing a balanced approach between orthodox legal services and highly successful impact litigation.”<sup>25</sup>

Just two days after Reagan was re-elected governor, Uhler sent a questionnaire to 3,400 California attorneys and judges. The questionnaire contained such questions as:

- Are CRLA members in your community involved, on behalf of CRLA, in community activities of an activist or political nature? (a) yes; (b) no. If yes, please explain or give details.
- Do you feel the main thrust of CRLA’s efforts has been toward “causes” or class actions, or toward litigating or otherwise solving specific individual problems? Emphasis on: (a) individuals; (b) causes. Comments:<sup>26</sup>

Not only did the Uhler questionnaire ask respondents to give an opinion on the legal ethics of CRLA attorneys, it permitted them to answer anonymously. CRLA learned of the questionnaire within the week, sent letters of protest to OEO Director Rumsfeld, and State OEO Director Uhler, and had copies of the questionnaire made and distributed to attorneys attending an NLADA convention in Texas. Neither Uhler nor Rumsfeld answered CRLA’s letter, but the NLADA issued a strong statement concerning the questionnaire and called on the State Bar Association “to institute proceedings against the State of California OEO and Lewis K. Uhler.”<sup>27</sup> The NLADA’s statement got widespread press coverage.<sup>28</sup> Uhler

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<sup>25</sup> Jerome J. Shestack, “Evaluation of the Salinas Office of the California Rural Legal Assistance Program,” submitted to H. Tim Hoffman, Regional Legal Services Deputy Director (August 26, 1970), 20.

<sup>26</sup> National Legal Aid and Defender Association, “Resolution Urging Censure of the State of California Office of Economic Opportunity & Lewis K. Uhler, Director,” in U.S. Congress, Senate, Subcommittee of the Committee on Labor and Public Welfare, *Hearings on Legal Services Program of the Office of Economic Opportunity Before the Subcommittee on Employment, Manpower and Poverty*, 91st Congress, 1st Session (Washington, D.C.: Government Printing Office, 1969), 483–84.

<sup>27</sup> *Ibid.*; “National Legal Aid and Defender Association Censures California Governor’s Office of Economic Opportunity Misleading Questionnaire,” NLADA press release, November 17, 1970.

<sup>28</sup> “State’s Poverty Agency Assailed,” *San Francisco Chronicle*, November 19, 1970, 8.

took the defensive, asserting that CRLA was attempting to intimidate the State OEO's investigation.<sup>29</sup>

Meanwhile, on November 20th, Rumsfeld, proceeding cautiously with regard to Reagan, but making rapid strides to put his mark on legal services at the national level, fired Terry Lenzner and Frank Jones, the director and deputy director of the National Office of Legal Services. Lenzner and Jones were fired because they supported an activist legal services program.<sup>30</sup> Both were very close to CRLA. Despite the firings, Rumsfeld released a press statement December 1st asserting that CRLA was "commonly recognized as one of the best Legal Services programs" and announcing a \$205,539 increase in appropriations for CRLA in 1971.<sup>31</sup> CRLA's reading of the situation was that Rumsfeld was sending a signal to Reagan not to veto CRLA's 1971 grant as well as trying to reestablish his credibility with groups and individuals concerned about legal services, while getting rid of two people he did not want working under him.

In broader perspective, the attacks on legal services appeared to be part of a pattern wherein the Reagan Administration was publicly criticizing programs — such as the Family Assistance Plan — backed by the Nixon Administration. If, as some political writers speculated, the Governor was positioning himself nationally to challenge the President in 1972, and if legal services was one of the issues Reagan was planning to use, there was no way we could head off a veto. We had no choice, however, but to show the Governor that such action would not be popular with all of his constituency.<sup>32</sup>

Again, CRLA got its friends and allies to pressure the governor to veto CRLA's 1971 grant. By late December the governor had received letters and telegrams endorsing CRLA from at least one judge in four of its service regions, as well as two associate justices of the California Supreme Court, a former chief justice of California, and numerous other trial and appellate

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<sup>29</sup> "Lawyers Hit Probe of CRLA," *San Jose Mercury*, November 19, 1970, 1.

<sup>30</sup> Bennett interview.

<sup>31</sup> "California Rural Legal Agency Receives \$1.8 Million Grant," OEO Press Release No. 71-43, December 1, 1970.

<sup>32</sup> Bennett interview.



judges.<sup>33</sup> Also writing the governor on behalf of CRLA were the county bar associations of Los Angeles, San Francisco, Santa Clara (San Jose), Sacramento, Monterey, and Tulare, as well as the City of Beverly Hills and the Mexican Bar Association of California.<sup>34</sup> Supporting communications also went to the governor from hundreds of individual attorneys, including thirty- and forty-name petitions from attorneys with O'Melveny and Myers,<sup>35</sup> Gibson, Dunn, and Crutcher, and other of the state's most prestigious law firms.<sup>36</sup> And in an unprecedented action by the American Bar Association, John Robb, chairman of the ABA's Standing Committee of Legal Assistance and Indigent Defense, sent a telegram to Reagan urging CRLA's refunding.<sup>37</sup>

Endorsements also went to the governor from twelve Democratic state senators, twenty-five assemblymen (one Republican), numerous city councilmen, county supervisors and other local officials, as well as the coalition of Chicano, Black, labor, church, senior-citizen, and OEO-funded groups that had long supported CRLA.<sup>38</sup> Twenty-seven newspapers, including the *Los Angeles Times*, the *Santa Barbara News Press*,<sup>39</sup> and the McClatchy Bee papers,<sup>40</sup> published supportive editorials.

At CRLA's request, Uhler met with CRLA on December 10th. Uhler claimed it was too early to discuss specific allegations with CRLA, but promised to allow CRLA to review and comment on all allegations of misconduct before they were sent to the governor or released to the press. CRLA made an appointment with Uhler for December 21st to discuss the allegations. Uhler cancelled the appointment. On December 23rd Uhler told CRLA by phone that he was still not prepared to discuss the allegations

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<sup>33</sup> Copies of letters and telegrams in CRLA files.

<sup>34</sup> CRLA files.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> "Equal Justice for the Needy" (editorial), *Los Angeles Times*, December 21, 1970, II-8; "Improve Legal Aid, Don't Ban It" (editorial), *Santa Barbara News Press*, December 15, 1970, D10.

<sup>40</sup> "Equal Justice for the Needy" (editorial), *The Fresno Bee*, December 22, 1970, A14; "1970 Grand Jury's Reckless Action Against CRLA Program is Unbecoming" (editorial), *The Modesto Bee*, December 24, 1970, A10.

against CRLA. On Saturday, December 26th, Reagan announced that he had vetoed CRLA's grant "because of gross and deliberate violations of OEO regulations and (CRLA's) failure to represent the true legal needs of the poor."<sup>41</sup> Information supplied by Uhler in support of Reagan's charges accompanied his press release as did a copy of the governor's letter to Frank Carlucci, the new head of the OEO. Carlucci had been nominated to replace Rumsfeld, who left the OEO to join the White House staff.

CRLA still did not know the substance of the charges against it. Uhler had not kept his word. CRLA decided therefore to attack Reagan's motives in vetoing the program.<sup>42</sup> CRLA went to the press with the following three statements: (a) that the governor had attacked CRLA because he was opposed to having poor people fairly represented in the courts; (b) that Governor Reagan was angry because CRLA had won every major piece of litigation it had brought against him; and (c) that in attacking CRLA Reagan was supporting the growers who helped finance his political campaign. In assessing the situation, CRLA considered the following things.

The governor had not emerged from the 1970 campaign "lifted higher and higher."<sup>43</sup> Jesse Unruh, with woefully limited campaign funds, had cut the governor's 1966 electoral victory margin in half.<sup>44</sup> And Houston Flournoy, a "moderate Republican" college professor serving as state comptroller, had run 750,000 votes ahead of the governor.<sup>45</sup> John Tunney, who had repeatedly raised CRLA as an issue, had defeated George Murphy in the Senate race. And several centrist Republican legislators traveled to Washington to urge their old friend Robert Finch — all too ready to listen — that the president would have to distance himself from the governor and his policies to carry California (and perhaps to carry the nation) in 1972.

CRLA officials concluded,

Our overall assessment, therefore, was that even if our refunding was decided on purely political considerations, we had a good chance. We believed the White House staff was looking for

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<sup>41</sup> Office of the Governor, Press Release No. 585, December 26, 1970.

<sup>42</sup> Bennett interview and a long telegram sent by CRLA to Frank Carlucci, December 27, 1970.

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

opportunities to move the President's image from the right toward the political center. If the CRLA decision received sufficient public attention, it presented just such an opportunity.<sup>46</sup>

CRLA's strategy, then, was to try to generate pressure on the president and members of his staff who would be overseeing the situation for him.

Frank Carlucci's confirmation hearing came before the Senate Committee on Labor and Public Welfare on December 30th. CRLA contacted Senator Alan Cranston of California who was on the committee, asking him to hold up Carlucci's confirmation unless Carlucci immediately overrode Reagan's veto of CRLA.<sup>47</sup> Cranston did just that, adding that an investigation of both CRLA and the California State OEO should be conducted as well.<sup>48</sup> Another important member of the confirmation committee, Senator Walter Mondale, exhorted Carlucci to override Governor Reagan's veto, as did the ABA in a telegram signed by the cream of the legal community.<sup>49</sup>

At the Senate confirmation hearing, Carlucci refused to override Reagan's veto, but said that Reagan had agreed to a thirty-day extension for CRLA to give the OEO time to study the evidence in the case.<sup>50</sup> Reagan and Uhler had not released the Uhler report, but promised to do so on January 6th. Cranston refused this compromise solution, arguing that other legal services programs had been allowed to die after thirty-day extensions.

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<sup>46</sup> Ibid.

<sup>47</sup> Bennett interview.

<sup>48</sup> Leo Rennert, "Cranston Calls for Nixon Probe of Process Leading to Reagan CRLA Veto," *The Sacramento Bee*, December 29, 1970, A1.

<sup>49</sup> Telegram from Edward F. Bell, John W. Douglas, Jacob D. Fuchsberg, John D. Robb, to Frank Carlucci, December 29, 1970; Letter from Louis Pollack, Chairman, and Cecil Poole, chairman-elect of the-ABA's Section of Individual Rights and Responsibilities, to Frank Carlucci, December 31, 1970; Telegram to Frank Carlucci from Abraham Goldstein, dean, Yale Law School; Derek Bok, dean, Harvard Law School; Bayless Manning, dean, Stanford Law School; Michael Sovern, dean, Columbia Law School; Bernard Wolfman, dean, University of Pennsylvania Law School (December 30, 1970); all in CRLA files.

<sup>50</sup> U.S. Congress, Senate, Subcommittee of the Committee on Labor and Public Welfare, *Hearings on Nominations to the Office of Economic Opportunity Before the Subcommittee on Employment, Manpower and Poverty*, 91st Congress, 2nd Session (Washington, D.C.: Government Printing Office, 1970), 158–59.

Carlucci would not agree to the override, and Cranston blocked his nomination. At that point, CRLA was truly an issue of national importance.

Finally, on January 6th, Uhler presented his report to the federal OEO. The report was, according to Uhler, backed up by 9,000 pages of documentation — which Uhler did not bring with him to Washington.<sup>51</sup> The OEO demanded a copy of it. The document was replete with affidavits “making the case” against CRLA.<sup>52</sup> Although the governor’s office refused to release a copy to CRLA, he did release 127 of the report’s specific allegations to the press. CRLA attorneys, the report charged, had performed inefficiently and incompetently.<sup>53</sup> They had accepted fees.<sup>54</sup> They had appeared in court barefooted. They had used obscenities. They had engaged in homosexual liaisons with federal judges in order to obtain favorable rulings. CRLA was “ideological,” “radical,” and “revolutionary.” They had arranged a visit for Angela Davis with George Jackson at Soledad Prison prior to the slaying of a judge in Marin County, in which Miss Davis’s weapon was used by Jackson’s brother. Indeed, the Uhler report was tailor-made for the media, as the following passage reveals: “Prior to the courthouse incident, . . . CRLA attorneys interceded at Soledad in an attempt to arrange a visit for Angela Davis to meet with the older Jackson brother.”<sup>55</sup>

The governor expressed confidence that President Nixon would sustain the governor’s “veto” of this malignant program.<sup>56</sup>

The Uhler report also charged that CRLA’s “grand strategy is to organize and unionize farm workers in California into a labor monolith — a monopoly union — under the control and direction of UFWOC.”<sup>57</sup>

For the most part, the Uhler report charges were false, and Uhler and his investigative staff guilty of either negligence or fraud. One of the conclusions reached in the Uhler report, for example, was that “CRLA attorneys ignored the proscription as to representation of those accused of

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<sup>51</sup> State Office of Economic Opportunity, Lewis K. Uhler, Director, *Study and Evaluation of California Rural Legal Assistance, Inc.* (1971) (hereinafter referred to as the Uhler Report).

<sup>52</sup> *Ibid.*

<sup>53</sup> Office of the Governor, Press Release No. 3, January 6, 1971.

<sup>54</sup> Uhler Report, 237–39.

<sup>55</sup> *Ibid.*, 73.

<sup>56</sup> Office of the Governor, Press Release No. 3, January 6, 1971.

<sup>57</sup> Uhler Report, 156.

crimes.” The prohibitive regulation in question, which was issued on January 15, 1968, stated: “Legal services programs may not henceforth undertake defense of any new criminal case at any stage following indictment or information . . .” The regulation then listed seven exceptions:

- (a) a waiver is granted by OEO;
- (b) representation of arrested persons before indictment or information (and criminal cases where no indictment or information occurs);
- (c) parole revocation;
- (d) juvenile court matters;
- (e) civil contempt;
- (f) alleged mistreatment of prisoners after sentence and incarceration;
- (g) criminal cases which were undertaken prior to receipt of this memo.<sup>58</sup>

Of the twenty-four cases cited by Uhler, twenty-three were clearly not prohibited by federal regulation or conditions of CRLA’s grant. Only one of the twenty-four alleged violations might reasonably be so construed, and it was not handled by CRLA staff. It was handled by a VISTA attorney working with CRLA’s Marysville office.<sup>59</sup>

The falsity of the allegations against CRLA was most directly supported in a letter written by William J. Bradford, a former deputy attorney general of the State of California and someone who had defended the Reagan Administration in major suits brought by CRLA. Bradford wrote to Carlucci to reveal the “illegal” and fraudulent acts perpetuated by Reagan’s staff to support his accusations against CRLA.<sup>60</sup>

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<sup>58</sup> Community Action Memo 79, Amendment to the Economic Opportunity Act (January 15, 1968), Sec. 222 (a) (3).

<sup>59</sup> California Rural Legal Assistance, by William F. McCabe, Jerome B. Falk, Jr., and Stuart R. Pollak, “CRLA’s Memorandum on Procedures,” Hearings Regarding the Veto by the Governor of the State of California of the 1971 Funding of California Rural Legal Assistance Before the Office of Economic Opportunity Commission on California Rural Legal Assistance,” 4.

<sup>60</sup> Letter from William J. Bradford to Frank Carlucci, Jr., January 11, 1971, copy in CRLA files.

CRLA publicly responded that the allegations were “fallacious, fraudulent, and libelous,” smacked of “McCarthyism,” and had been arrived at in a way that denied CRLA due process.<sup>61</sup>

CRLA met with OEO officials on January 8th to refute Reagan’s December 26th charges and to find out when the OEO would begin an independent investigation of Reagan’s charges. CRLA spoke to Don Lowitz and Bill Walker. Walker had managed Rumsfeld’s congressional campaigns in Illinois, and both men were close to him. CRLA therefore took what they had to say as coming from the highest levels of White House policymaking with regard to the CRLA issue.

We were informed that OEO had no current plans to investigate the charges, that it was “too simplistic” to talk about a refunding decision being made “on the merits,” that “political realities” were the important thing, and that we should be considering new grant conditions, the imposition of which would save face for Reagan without entirely destroying CRLA.<sup>62</sup>

Through a newspaper columnist, CRLA learned the White House scenario: a three-to-six-month extension for CRLA, during which an independent investigation would be carried out and at the end of which a report would be issued, changes — advertised as stringent new conditions under which CRLA would have to operate — which would save face for the governor, and CRLA would be refunded.<sup>63</sup>

One thing that became very clear to CRLA was that with regard to Ronald Reagan, the president wished to move with extreme caution. Nixon was far more afraid of Reagan’s political power and influence, and his backers, than CRLA had imagined. Lowitz and Walker had made it clear to CRLA that the OEO under Nixon was much more concerned with “political realities” than with the merits of the case against CRLA. Reagan was governor of California and Nixon would be running again for president in 1972. As Lowitz and Walker told CRLA, “the practical considerations of

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<sup>61</sup> CRLA Press Release (January 7, 1972).

<sup>62</sup> Bennett interview.

<sup>63</sup> *Ibid.*

White House–Sacramento” politics had to be considered.<sup>64</sup> Since the decision to refund or not was an executive and a political one, CRLA sought to put on a brave front in the media to refute the charges which had been made public, and to hold its coalition intact. CRLA again won public support from a wide range of citizens, public officials, organization leaders, and members of the legal community.<sup>65</sup> But CRLA lobbied Congress very little and selectively. Most Republicans who supported CRLA, like Senator Jacob Javits, had little influence with the White House. CRLA concentrated its attention on Democrats of particular importance to the president: Abraham Ribicoff, valuable for the then-still-alive Family Assistance Plan, and Henry Jackson for military spending.

The governor met with the vice president, the attorney general, and the president in sessions where CRLA was discussed. The Nixon–Reagan meeting took place just one week before Reagan was to meet with the Republican State Central Committee to begin planning for the 1972 election. After the meeting, Reagan announced that he would lead a pro-Nixon delegation to the Republican National Convention in 1972. Rowland Evans and Robert Novack, in an editorial on Nixon’s posture toward Reagan, said: “Don’t attack Reagan in any ideological dispute with the President; what we need from the governor is control of the big California delegation at the 1972 convention; don’t jeopardize that by fencing with Reagan over issues.”<sup>66</sup>

Just what happened in the White House during discussions of the Reagan veto are not clear, but the players and the sides they chose are. On January 29th, John Ehrlichman was instructed by Nixon to effect a compromise on the issue so that both sides could claim victory and in such a way that Reagan would not be deeply offended. Attorney General John

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<sup>64</sup> Bennett interview, “We were shown a publicized telegram from Uhler to Carlucci complaining that the State’s witnesses were ‘being harassed, intimidated and pressured’ by CRLA ‘to get them to change their stories.’ Lowitz and Walker’s point, apparently, was not that OEO believe Uhler’s accusations but that because they came from the Governor’s Office, they assumed a political significance with which we had to deal.”

<sup>65</sup> CRLA received copies of letters, telegrams, petitions, and resolutions from boards of supervisors, city councils, mayors, city managers, and school administrators, Chicano, Black, labor, and church organizations, and thousands of individual citizens.

<sup>66</sup> Rowland Evans and Robert Novak, “The Nixon-Reagan Staredown,” *The Washington Post*, February 3, 1971, A17.

Mitchell and Vice President Agnew were strongly opposed to an override of Reagan's veto. Carlucci and Lowitz and Walker were for the override. Ehrlichman did come up with a compromise proposal: to let the governor's veto stand "at this time" and give CRLA a six-month grant, while the Uhler Report and CRLA were investigated by an "impartial" commission.<sup>67</sup>

Reagan claimed victory. In his press statement after the compromise plan had been announced, the governor said that he had

agreed with Federal OEO to permit a short-term extension of the grant for CRLA . . . [to] enable us to begin the transition from the present program to one which better meets the needs of the poor . . . . I have directed the State Office of Economic Opportunity to immediately move ahead with plans to develop a program of legal assistance . . . through local bar associations. In many cases, I am sure, it will be possible for this program to take over legal assistance for the poor even prior to the end of the temporary CRLA funding, and that will provide a smooth transition *when the CRLA is phased out next July* [emphasis added].<sup>68</sup>

Carlucci responded: "This is not a phase out or transition grant . . . . If the Commission finds that CRLA is conducting its activities in compliance with the OEO statutes and guidelines, I will, of course, refund it in full."<sup>69</sup>

CRLA hired outside counsel to negotiate with the OEO over the composition of the commission and its ground rules. The governor wanted the hearings held in Washington, in executive session, closed to press and public, with no set ground rules. CRLA wanted open hearings in California, held in an adversary format. CRLA won. The governor wanted a "mixed" commission, one member appointed by him, one by CRLA, and one by the president. CRLA wanted a prestigious commission, all of whose members would be considered men of stature and fairness by the legal profession. CRLA won, with the support of numerous newspapers (sixty-nine editorials favorable in California alone, members of Congress, and the ABA's Section on Individual

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<sup>67</sup> David S. Broder, "CRLA — The Story Behind the Story," *Los Angeles Times*, February 21, 1971, F3.

<sup>68</sup> Office of the Governor, Press Release No. 46, January 30, 1971.

<sup>69</sup> "Addendum to Press Release on Funding of CRLA," OEO Press Release No. 71-62a," January 30, 1971.



Rights and Responsibilities).<sup>70</sup> The pressure on the White House and on Carlucci to accede to CRLA's requests came from the usual sources.<sup>71</sup>

The commission that was appointed on March 23rd, one day before Carlucci's second confirmation hearing, consisted of Robert B. Williamson, recently retired chief justice of the Maine Supreme Court, Thomas Tongue, associate justice of the Oregon Supreme Court, and Robert B. Lee, associate justice of the Colorado Supreme Court. Each of the three appointees was highly respected by the bar in his home state and each was a Republican. Cranston did not question Carlucci on the composition of the commission, but did ask Carlucci for a public commitment that the commission would hold public hearings in California.<sup>72</sup>

Reagan's representative did not even show up for the first scheduled meeting of the commission and the parties involved, and so the meeting was rescheduled. Uhler did show up for the rescheduled meeting. Commission members later recorded:

Mr. Uhler strongly urged that the Commission function as an administrative investigative body which should adopt a fact-finding methodology, suggesting that the Commission staff should seek out evidence and present its own witnesses, holding hearings in private, executive sessions, including secret *ex parte* interviews throughout the State of California in all areas where CRLA has rendered services, and make general and comprehensive findings concerning all phases of the CRLA program, not limited to the matters contained in the Uhler Report.<sup>73</sup>

Uhler also asserted that the State would not participate in public and adversary proceedings and that Reagan's veto of CRLA had been sustained and thus the State was not a party to the proceedings. That afternoon, during a recess taken by the commission, Carlucci, who was in Seattle, received

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<sup>70</sup> Editorials on file with CRLA.

<sup>71</sup> E.g., a telegram to President Nixon from Charles C. Diggs, Jr., Michigan; Robert M. C. Nix, Pennsylvania; John Convers, Jr., Michigan; Augustus F. Hawkins, California; William Clay, Missouri; Louis Stokes, Ohio; Shirley Chisholm, New York; Ronald V. Dellums, California; Parren J. Mitchell, Maryland; Charles B. Rangel, New York; and Ralph H. Metcalfe, Illinois (February 12, 1971).

<sup>72</sup> *Commission Report*, 5-7.

<sup>73</sup> *Ibid.*, 11.

a phone call from Vice President Agnew's office requesting him to recall the commission and get Reagan's cooperation.<sup>74</sup> In a conversation with commission Chairman Williamson, however, Carlucci reaffirmed that the commission was to decide its own procedures and that public, adversary proceedings were acceptable to the federal OEO.<sup>75</sup> Uhler continued to refuse to participate in the hearings as a party and so the commission arranged to have anyone with complaints against CRLA come before it with his own counsel.

The commission held one day of executive hearings at Soledad Prison, fifteen days of open hearings, and took the testimony of 165 witnesses in ten cities.<sup>76</sup> The governor continued to attack the commission and refused to participate in the adversary format. Attorneys antagonistic to CRLA — fifteen in all — played the prosecutorial role, coordinated by the assistant general counsel of the California Farm Bureau, William L. Knecht, who worked in close cooperation with Uhler's staff.<sup>77</sup>

Reagan took his side of the issue directly to the media. On the first day of commission hearings, Uhler held a press conference, produced a letter from the director of the State Department of Corrections, and charged CRLA with involvement in prison disruptions.<sup>78</sup> At a news conference the next day Reagan said,

I'm afraid [the commission] came here with the idea that they could sit at a bench while everyone else did the work and brought a case before them and they could sit back and make judgment. . . . This was not what they were supposed to do. They were to go into the field and investigate California Rural Legal Assistance. If they're unwilling to do that, they ought to resign.<sup>79</sup>

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<sup>74</sup> *Ibid.*, 15.

<sup>75</sup> *Ibid.*, 22.

<sup>76</sup> The commission did not conduct hearings at McFarland, the CRLA base closest to Delano. McFarland witnesses presented testimony in Madera, 100 miles from McFarland.

<sup>77</sup> California Farm Bureau Federation, William L. Knecht, "Concurrent Brief," Before the Office of Economic Opportunity Commission on California Rural Legal Assistance, Inc. (June 11, 1971).

<sup>78</sup> George Murphy, "The CRLA Controversy is Argued at Two Levels," *San Francisco Chronicle*, April 27, 1971, 8.

<sup>79</sup> "Reagan Asks Resignation of Unit Investigating Poverty Lawyers," *New York Times*, April 28, 1971, 28.

And at a press conference on May 5th, Reagan charged Carlucci with attempting “to curry favor with the ‘poverty law establishment’ and to appease certain ultra-liberal members of Congress.”<sup>80</sup> On May 14th, Reagan charged CRLA with a “brazen” and “dishonorable” scheme to present false and misleading testimony to the commission.<sup>81</sup>

The same day that the commission, after concluding its hearings in Salinas, announced that three of Uhler’s charges against CRLA were without merit,<sup>82</sup> Reagan held a news conference in Sacramento, calling the commission’s proceedings “fun and games” and asserted that Nixon would not be influenced by the commission’s findings.<sup>83</sup> The next day, Reagan complained that the commission “had imposed a virtual gag rule on CRLA witnesses.”<sup>84</sup>

When the commission announced that the charges made against CRLA in connection with Angela Davis, the Jackson brothers, and the Soledad prison incident were “totally unfounded and without merit,”<sup>85</sup> Uhler responded that it was “abundantly evident” that the commissioners had been “primed” by federal OEO officials into a biased view of the charges against CRLA.<sup>86</sup> On May 24th, Reagan tried to link CRLA with the fire bombing of the office of someone who had testified against CRLA.<sup>87</sup> Meanwhile, a team of OEO officials was investigating the California State OEO. By early April, their investigation was finished and the report written. The report confirmed that the California State OEO was not performing its assigned function of providing technical assistance to poverty groups and other

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<sup>80</sup> “Reagan Takes His OEO Fight to Nixon,” *The Washington Post*, May 6, 1971, A21.

<sup>81</sup> Tom Goff, “Reagan Calls on U.S. to Join State Probe of CRLA Memos,” *Los Angeles Times*, May 15, 1971, I-1.

<sup>82</sup> “Judge Finds No Merit, Three Anti-CRLA Charges Fold,” *The Sacramento Bee*, May 18, 1971, A4.

<sup>83</sup> Tom Goff, “Reagan Hurls New Attack at CRLA Probe,” *Los Angeles Times*, May 19, 1971, I-28.

<sup>84</sup> “Reagan Claims Gagged CRLA Probe Witness,” *The Sacramento Bee*, May 20, 1971, A5.

<sup>85</sup> Philip Hager, “Probers Absolve CRLA of Link to Angela Davis, Call Charges of Prison Misconduct ‘Totally Unfounded,’” *Los Angeles Times*, May 21, 1971, 3.

<sup>86</sup> Paul Houston, “OEO Leader Hits Federal Panel on CRLA Decisions,” *Los Angeles Times*, May 23, 1971, II-1.

<sup>87</sup> “New Reagan Move in CRLA Case,” *San Francisco Chronicle*, May 25, 1971, 18.

OEO funded programs, but rather “performing investigative functions.”<sup>88</sup> The credentials of Uhler’s staff proved that. When the substance of the report on Uhler’s office reached the press, Democratic state legislators seized the opportunity to try to cut the State OEO Office out of the budget.<sup>89</sup> Uhler was called before the California State Assembly Ways and Means Committee. After a heated discussion before 300 spectators, the assemblymen voted 4–1 to cancel all but \$100 of the \$69,899 Reagan had requested for the State OEO, making it impossible for the Uhler operation to receive nearly \$1 million in matching funds from the federal OEO.<sup>90</sup>

Evans and Novack wrote on May 12, 1971, that the White House was “frantic” about the way things were shaping up in relation to the commission hearings and said that before a decision was made whether to refund CRLA or not, “the oval office will be steeped in the agony of decision making that contemplates the immense risks of 1972.”<sup>91</sup> All that CRLA had to offset Reagan’s influence with the Nixon White House was its grassroots support, its reputation in the legal community, the support of people who knew and respected that reputation, and a public disclosure of the facts.

To get the facts before the public, we wanted the Commission’s Report publicized *prior* to White House decision making. It would be very hard for the White House to allow our destruction if a body as eminent as the Commission was publicly on record endorsing us. But if the Commission’s findings were treated like the January findings of OEO’s Office of Inspection, the Administration could use any public excuse to uphold Reagan’s veto. Some way, therefore, we had to get the Commission’s Report before the public.<sup>92</sup>

CRLA went to CRLA supporters in Congress and those in the media who had followed the situation, to leaders in various local, state, and national bar associations, to the coalition of Chicano and other organizations

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<sup>88</sup> Office of Economic Opportunity, *California State OEO Evaluation Report*, March 26, 1971, 60.

<sup>89</sup> Carl Ingram, “OEO Fund Axed: Uhler Castigated,” *Los Angeles Daily Journal*, May 4, 1971, B2.

<sup>90</sup> “OEO Revision Ordered by Assembly Unit,” *Oxnard Press Courier*, May 4, 1971, 1.

<sup>91</sup> Rowland Evans and Robert Novak, “Nixon, Reagan: Collision Seen,” *The Washington Post*, May 12, 1971, A7.

<sup>92</sup> Bennett interview.

that had long supported CRLA, and to the national official organizations of the League of United Latin American Citizens, the Mexican-American Political Association, the Community Service Organization, the American GI Forum, the NAACP, Common Cause, the National Council of Churches, and the National Council of Senior Citizens, informing them of the commission hearings and the June refunding schedule. Most were also asked for support in the form of letter writing campaigns and positive stories and editorials in their publications.

CRLA planned twelve events that could garner significant press coverage, including a public demand for an unprecedented seventeen-month grant and the release of a letter CRLA had received from the U.S. Civil Service Commission clearing CRLA of all charges referred to the Justice Department for investigation. CRLA never even knew what charges were referred to the Justice Department.<sup>93</sup> Unfortunately, the “Pentagon Papers” story blocked off a good deal of potential national news coverage.<sup>94</sup>

On June 28th, a federal audit of Uhler’s operation published by Democratic Congressman Jerome Waldie indicated that Uhler had misspent \$99,996 of federal funds — \$2,102 of which was used to send telegrams “for the purpose of enlisting support for Senator George Murphy in the November 3, 1970 election.”<sup>95</sup>

Carlucci received the commission report on June 25, 1971, and took the position that he would not release it until he announced his decision on the Reagan veto. CRLA filed suit to have the report released immediately. This, as well as the fact that a number of political officials were clamoring for copies, made the report newsworthy. As to what the report contained, OEO General Counsel Don Lowitz was quoted as saying, “It sure doesn’t leave much room for equivocation, does it?”<sup>96</sup>

On June 29th, CRLA was called by Fred Speaker, the new director of the Office of Legal Services, and asked to come to an emergency meeting in connection with the commission report. Speaker told CRLA that

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<sup>93</sup> Audit Division, OEO, Report No. 9-71-154, “Audit Report; State OEO, State of California, Sacramento County, Grant No. CG-0364, CG 9093 (March 17, 1971).

<sup>94</sup> CRLA v. OEO, USDC for D.C., No. 184, filed June 25, 1971.

<sup>95</sup> Bennett interview.

<sup>96</sup> “U.S. Announces It Will Fund CRLA, Overrules Reagan,” *Los Angeles Times*, June 30, 1971, 1.

the *New York Times* had a copy of the commission report and intended to start publishing it in the next edition, that Carlucci was working with the Reagan staff on a political deal that would allow CRLA to be refunded, and that Uhler had prepared a second report condemning CRLA and had forwarded it to the federal OEO. Speaker told CRLA further that Carlucci needed more time to negotiate CRLA's refunding before the commission report became public. If he did not get the time, Carlucci was sure the whole matter would fall to John Mitchell to settle. Mitchell would not allow CRLA to survive, no matter what. In a phone conversation with Carlucci who was in San Francisco, CRLA was asked to hold back the *Times* story. CRLA said it was not possible, nor was it in CRLA's interest, to call off the story. Carlucci had only a few hours to effect a deal with Reagan's people. Carlucci's planned press release was to announce a \$2.5 million grant that would go to Governor Reagan to allow him to test a *judicare* alternative to legal services.<sup>97</sup>

The "*judicare*" alternative, favored by Governor Reagan and other conservatives in politics and the legal profession, would have provided statewide or national "coverage" of the poor, allowing them to obtain the services of an attorney *gratis* or at reduced rates, with the entire sum or the balance of the fee to be paid by the government. This approach had two clear advantages from a conservative perspective. First, it would have substantially increased the revenue of the legal profession. (There is an obvious parallel with the medical profession, in which, according to a study by John Colombotos, physicians' acceptance of Medicare rose from 38 percent to 81 percent in the three years following its enactment and implementation.) Secondly, it would have largely or entirely precluded "impact cases," or "class actions," which require the intensive and extended preparation that only a program (like a law firm) can provide. Stated conversely, the *judicare* program, as Governor Reagan and others envisioned it, would have hindered or obstructed the goal stated by Attorney General Kennedy in an address at the University of Chicago Law School May 1, 1964: the practice of "preventive law" on behalf of the poor, which could be likened to "preventive medicine."<sup>98</sup>

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<sup>97</sup> Statement by Frank Carlucci, Director, OEO on The Commission Report on the CRLA (June 30, 1971), 23.

<sup>98</sup> Bennett interview.

Carlucci had proposed twenty-three conditions for the refunding of CRLA. The conditions would have stripped the program of its effectiveness. In addition, Carlucci's proposed restructuring of CRLA would have permitted refunding only through 1971 and would have required an end-of-year evaluation conducted by the governor's office and the federal OEO. CRLA, of course, rejected the proposal, but in the last forty-five minutes before the *New York Times* was to go to press, Carlucci shifted his position, agreed to a seventeen-month grant, and provided CRLA with a copy of the report. Fifteen minutes later the OEO officials learned that the *New York Times* did not have a copy of the report.

The report left only one option open to Carlucci if Reagan were to save face. He would quite simply have to misrepresent the report to the press, and this is just what he did.

The commission report said:

The commission finds that CRLA has been discharging its duty to provide legal assistance to the poor under the mandate and policies of the Economic Opportunity Act of 1964 in a highly competent, efficient, and exemplary manner.

It should be emphasized that the complaints contained in the Uhler Report and the evidence adduced thereon do not, either taken separately or as a whole, furnish any justification whatsoever for any finding of improper activities by CRLA . . . .

[Furthermore] the Commission expressly finds that in many instances the California Evaluation has taken evidence out of context and misrepresented the facts to support the charges against CRLA. In so doing, the Uhler Report has unfairly and irresponsibly subjected many able, energetic, idealistic and dedicated CRLA attorneys to totally unjustified attacks upon their professional integrity and competence. From the testimony of the witnesses, the exhibits received in evidence, and the Commission's examination of the documents submitted in support of the charges in the California Evaluation, the Commission finds that these charges were totally irresponsible and without foundation.<sup>99</sup>

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<sup>99</sup> *Commission Report*, 84.

The Carlucci press release, however, implied that CRLA was guilty of numerous wrongdoings necessitating “the imposition of stringent controls on future operations” and portrayed Reagan as the hero of the legal services movement, committed “to improve the legal services program and expand its impact.”<sup>100</sup>

The waters were indeed muddy by the time CRLA got copies of the report to the press. CRLA recommenced negotiations with Carlucci demanding that no restrictions of substance be attached to CRLA’s refunding grant or CRLA would attack Reagan, Uhler, and Carlucci’s fraudulent press release from one end of the country to the other. That same day, CRLA’s demands were met. Thus, the situation was “resolved.”

CRLA was refunded for an eighteen-month period, the longest ever for an OEO legal services program, and the Nixon Administration funneled to the Reagan Administration \$2.5 million for a “judicare” program. The “liberal” Republican Ripon Society’s *Forum* commented, “The latest joke going around the Office of Economic Opportunity asks, ‘What can you buy for \$2.5 million?’ The answer, of course, is, ‘The California Republican delegation.’”<sup>101</sup>

CRLA’s success was quickly cast into the shadows, however, when the president won an overwhelming re-election, and appointed Howard Phillips acting director of OEO. On April 12, 1973, a Federal District Court found that Phillips and Office of Management and Budget director had acted illegally in denying continuing operating funds to legal services and other OEO programs. Instead of an advocate, the OEO had an executioner as its chief. Indeed, *The Washington Star-News* reported that about half of the top administrators brought in to dismantle OEO were former top officers in Young Americans for Freedom. Congress was at that point unwilling seriously to challenge any of the president’s actions on OEO and allowed many of the legal services programs to expire July 1, 1973, although CRLA was refunded.

A recently concluded chapter in CRLA’s history, but one not recorded in depth here, has been the effort by a coalition of OEO legal services programs and their weary supporters, headed by CRLA’s former chief

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<sup>100</sup> Statement by Frank Carlucci, 23.

<sup>101</sup> *Ripon Forum* VII, no. 8 (July 15, 1971): 1.



administrator, to have Congress create a Legal Services Corporation, which would provide an administrative umbrella for federally funded legal services programs for the poor, a pooling of their resources in regional “back-up” centers, and some measure of autonomy and continuity for these programs. The sticking issues have been the composition of the board of directors and restrictions imposed on the kinds of litigation permitted to be carried on by the participant programs.<sup>102</sup>

Just as the UFW’s political struggle continued after passage of the Agricultural Labor Relations Act, with the UFW attacking the ALRB and pushing for its interpretation of agency regulations and election results, CRLA’s battles with Washington continued.

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<sup>102</sup> Letter from Frank N. Jones, Deputy Director, Office of Legal Services, Washington, D.C., to Daniel Luevano, Chairman, CRLA Board of Trustees, October 12, 1970.