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LEGAL SERVICES CORPORATION

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BOARD OF DIRECTORS MEETING ON
PROVISIONS OF LEGAL SERVICES

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Room 405
Marvin Center
George Washington University
800 - 21st Street, N.W.
Washington, D.C.

Saturday
February 17, 1979

The meeting was convened, pursuant to recess, at
9:42 a.m., Mr. Richard Trudell, Chairperson, presiding.

MEMBERS PRESENT:

MR. RICHARD TRUPELL, Chairperson

MS. CECILIA D. ESQUER

MS. HILLARY RODMAN

MS. JOSEPHINE WORTHY

ALSO PRESENT:

MR. THOMAS EHRLICH
Ex officio

MR. ALAN HOUSEMAN

MR. JOHN DOOLEY

MS. HARRIET ELLIS

MR. BERNIE VENNEY

MR. GARY SINGSEN

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P R O C E E D I N G S

1
2 MR. TRUDELL: The Chairman of the Committee will
3 not be here today, and has asked me to chair the balance
4 of the meeting. So why don't we just have the record
5 reflect that Committee members, Ms. Esquer, Ms. Worthy, and
6 Richard Trudell are present, as well as the Chairman of the
7 Board, Hillary Rodham and the President, Tom Ehrlich, as
8 well as the senior staff members, Allan Houseman and, I
9 guess, Harriett Ellis and John Dooley.

10 I guess we might as well pick where we left off
11 yesterday; I'll have you begin to make your comments and
12 presentations about the access reports.

13 MS. RODHAM: Before we start, Cecilia should
14 show Allan the briefcase you are now carrying.

15 (Laughter)

16 MS. ESQUER: Oh, I did; we have especially
17 commissioned a briefcase for the Houseman report. And
18 Bernie has already put in a requisition for more file
19 drawers.

20 MR. HOUSEMAN: Let me, if I might, briefly outline
21 the approach a little bit, about the study, turn to John for
22 a sort of a more substantive overview than I'm going to give.

23 I think most of this is fairly well known to
24 everybody, but we are focussing on five groups in terms of
25 the actual report to Congress, but we are also developing

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1 for each of the groups, where it was relevant, we sent
2 questionnaires to organizations that were advocacy organi-
3 zations or Government organizations that were working with
4 those groups.

5 For example, in migrants, we sent approximately --
6 I can't remember the exact number -- it was 350-some ques-
7 tionnaires, to migrant advocacy organizations, Government
8 agencies working with migrants, State and local agencies,
9 and national organizations; with respect to native Americans
10 there were much more organizations to which questionnaires
11 were sent.

12 And the same was true with all the groups. In
13 addition to the questionnaire responses and the analysis
14 of those responses, both from the programs and organizations,
15 we reviewed other data, census data, other studies; for
16 example, the Survey of Income and Education.

17 Some of the data had never been used in studies
18 before. We obtained it from Federal agencies after a great
19 deal of plodding and effort. Some of the data had never
20 been sent to field programs before, and this is, in some
21 sense, the first use of some of the data that is in this
22 report, by anyone.

23 Finally, of course, we had staff discussion within
24 the senior staff on both the issues raised and the issue
25 paper, the issues as we saw them evolving in the studies,

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1 -- we have also collected data and will be doing an
2 analysis of the axis difficulties and special legal problems
3 of the elderly and handicapped, that will not be contained
4 in the report to Congress.

5 An issues paper on the elderly and handicapped is
6 in final form; but has been delayed while we got the other
7 materials out and will be out shortly, as soon as we can
8 get it typed and run off.

9 With regard to each group of the five, our process,
10 I think, is clear to you, but let me make it -- just go over
11 it briefly.

12 We set up a working group of four each of the five
13 groups, as well as for the elderly and handicapped. The
14 working group consisted of Legal Services staff, some
15 representatives from the client community or the clients'
16 council, and some outsiders who had interests in the
17 particular area.

18 For each area, we developed an issues paper or
19 part of an issues paper, we reviewed the literature that
20 existed, including all the Congressional studies and other
21 studies, previously.

22 We also met with interested people, interested
23 organization representatives, Congressional staff, et
24 cetera. Questionnaires were sent to every Legal Services
25 Program, of which 192 responded, as of the cut-off date, and

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1 and discussions of the actual draft. And we have sent the
2 draft to all the members of the Working Groups and will widely
3 circulate it to others, in addition to the working group
4 members, for comment from the community.

5 We hope today, of course, to have some discussion
6 with you and some more discussion with the Board later, around
7 the draft.

8 That's our process. The input comes back to us.
9 Let me make clear our role. It's that we, John and I, at
10 least, and Andy Lewis, who is not here -- he's trying to
11 recover from the computer -- the three of us have worked
12 together as more or less as a team.

13 Our role was first to do the actual study, to
14 frame the issues for the staff discussion, let the senior
15 staff determine policies and recommendations and, at that
16 point, we become essentially scribes.

17 And so our role has been the studier role, the
18 issue-framing role, but not the policy-making role. The
19 study itself looked at the access -- the difficulties of
20 access to Legal Services, of each group.

21 For example, in -- with regard to migrants, we
22 looked at the access difficulties of migrants in stream
23 states -- this is just a small example.

24 We found that, because in stream states, migrants
25 resided in labor camps, which were in many senses company

1 towns, that were private property, where often camp owners
2 precluded Legal Services people from even coming into those
3 camps, that access difficulties were created by the very
4 nature of the housing in which migrants resided.

5 They were created by the language of many migrants,
6 which is Spanish-speaking. They were created by the fact
7 that in stream states, migrants were in program locales for
8 only short periods of time, travelling over a wide area from
9 camp to camp.

10 The camps were located at great distances from
11 Legal Services office. The migrants were in the camps for
12 only a short period of time and there were, thus, language
13 difficulties, cultural barriers, housing difficulties,
14 travel barriers, and time barriers that made access -- the
15 difficulties of access to Legal Services to migrants
16 particularly difficult.

17 We looked at, for those kinds of special difficul-
18 ties -- or to take a different example, veterans, we found
19 that veterans were tracked by policies of VA and others, to
20 service organizations for assistance, and tracked, essen-
21 tially, maybe deliberately, maybe not, but at least tracked
22 awy from Legal Services, eligible veterans to service
23 organizations.

24 And that was a particular difficulty that they
25 face -- or an number we have explored in the paper; I am

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1 just using two examples. What the study did not do,
2 obviously, I think -- but let me make it very clear --
3 it did not focus on the actual counting of the population
4 groups, although we made reference to counts that had been
5 in existence.

6 We did not try do our own new count of any people.
7 We looked at census data, we looked at studies that had been
8 done, either for the Corporation in the past, or elsewhere.

9 But we did not try to second-guess counts or to
10 spend time focussing on the count question. We also did
11 not interview to any extensive degree actual clients and
12 their problems, either with regard to access or with regard
13 to their special legal problems.

14 We did, however, meet with a number of organizations
15 that represent clients and are advocates for clients and
16 clients were involved in all of our working groups. We
17 also did not focus on the funding allocation issues.

18 That was not our role. It's our view that funding
19 follows policy, but we did not focus on the funding alloca-
20 tion questions as such, except to the degree you had to raise
21 them to deal with some policy re-framed issues, but we did
22 not do extensive analysis, as you can see, of the funding
23 allocation issues.

24 Finally, interms of just the axis difficulties,
25 we did not do a study of the comparative access difficulties

1 of the various groups. We didn't compare migrants versus
2 veterans or veterans versus welfare recipients or urban
3 versus rural -- or any of those things.

4 We looked at the special difficulties of that
5 group, as we saw them. To make a serious comparative study
6 would have required the serious study of every group and
7 every constituency, in a much more in-depth effort than we
8 made. In terms of special legal problems, that are unmet --
9 the statutory language, special legal problems that are
10 unmet, the same methodology applies.

11 Let me give you some simple examples of what we
12 found and that's in the report, obviously.

13 For example, with regard to migrant and seasonal
14 farm workers, one of the major problems -- legal problems --
15 that are unmet that are faced by this group, relates to
16 immigration issues.

17 We analyzed and discussed the immigration question
18 and we thought about methods and means by which the Corporation
19 should address this particular unmet legal problem, and
20 suggested such to the staff.

21 In addition, we focussed on employment-related
22 problems, with regard to migrants, which is one of the more
23 serious problems that they face.

24 In terms of veterans, for example, it's clear that
25 there is a serious issue now, present today, with regard to

1 upgrade discharge and we analyzed that question and thought
2 about methods that that special legal problem could be
3 addressed.

4 We talked about native Americans. It's clear that
5 you are dealing with serious land problems, fishing and
6 water rights problems, other treaty right issues. There is
7 serious jurisdictional questions, and there are serious
8 questions areound some of the new statutory provisions --
9 Indian Child Welfare Act, the statute of limitations limita-
10 tion, 2415. The were all analyzed and discussed.

11 Those are just some examples. Again, let me
12 emphasize that this is not a study of the extent of the
13 legal difficulties of the client group. We did not do a
14 mini-ABF legal study.

15 We looked at the issues, we analyzed the legal
16 questions, in an analytical sense. We responded to your --
17 the questionnaires from Legal Services and the organizations,
18 to make sure that we were analyzing the issues and we looked
19 at what our programs were doing, to see the extent to which
20 they were meeting the issues as the groups defined them.

21 But we did not attempt to, in any way, compare
22 the extent of difficulties of one client group to the other.
23 That was essentially the approach we used and some illustra-
24 tions of the kinds of findings that we found.

25 John, do you want to - a few brief overview

1 introductory remarks and then, our intial presentation will
2 be done.

3 MR. DOOLEY: All right. I think Allan has
4 covered most of the background points. I think a few things
5 deserve emphasis at this point, before we get into the
6 specifics of any given group.

7 First, not surprisingly, our conclusion is that
8 there are special difficulties of access connected with each
9 one of these status descriptions that Congress has put in
10 Section 1007(h).

11 In fact, I venture, having played with the words
12 "special difficulties of access" that any status that one
13 could think of and, obviously, there are many more possibil-
14 ities than the five in this study, there would follow, from
15 that, some kind of special difficulty of access if the term
16 "access" is used very broadly.

17 And we used it relatively broadly; that is, for
18 example, there is no evidence that veterans have any special
19 kind of difficulty of finding a Legal Services office; there
20 are offices placed in their neighborhood.

21 On the other hand, we do know that veterans on
22 veteran status-related cases, in general, are not served by
23 Legal Services programs. We define that as a special
24 difficulty of access, and that is a relatively broad term.
25 If you use "access" in that broad sense, every possible

1 status that you can do, I would suggest, is very likely
2 to result in a special difficulty to some extent.

3 The same is very much true on special legal prob-
4 lems. It is the nature of the beast in Legal Services that,
5 given the various types and degrees of demand, that in any
6 local area, one does individual kinds of problems, more or
7 less well, in relation to others. But when you try to look
8 at how well are you doing at, for example, veterans'
9 problems or a particular migrant or seasonal farm worker
10 question or a particular native American issue, the answer
11 is, "You could do more."

12 The same would be true, I would suggest, if you
13 cut it by women, by age, by handicap, which we are going to
14 get into, et cetera.

15 And you will see that. That is, our answer to
16 Congress is, we are suggesting, yes, there are special
17 difficulties of access, yes, there are unmet special legal
18 problems, but simply saying that doesn't suggest that we
19 should run around and view all sorts of things; you have to
20 get into them in detail; you have to form sound judgments
21 about how severe that need is. And you have to tailor what-
22 ever action, if any, should be taken to the extent of the
23 need that you find.

24 And, essentially, that is what this report is all
25 about. And I'm bristling with computer printouts and facts

1 and figures; that is, the essential thesis on which the
2 whole thing developed.

3 I guess, rather than getting into the specifics
4 of individual groups, I would suggest just asking you
5 whether you have any questions, or whether you want to talk
6 about any particular group, or -- we're open.

7 MR, TRUDELL: Let's hear from Tom, if he has
8 additional comments.

9 MR. EHRLICH: It is clear to me, when Allan and
10 John and their associates did this, what I think is an
11 extraordinary effort -- I really do, in terms of the quality
12 as well as, obviously, the quantity of the enterprise, the
13 one overarching conclusion that keeps pouring out is that
14 there are some special problems of access and some special
15 legal problems for these groups.

16 I hope it is equally clear that there are, for
17 five other groups, times five times five times five, that
18 we could come up with.

19 We will need an introductory piece for this study
20 which makes that very basic point. Because the point does
21 have some substantial implications, as we look at the
22 conclusions and particularly as the Corporation thinks on
23 them.

24 The one key so far that Client's Council, PAG
25 and the Corporation has worked very hard to do, in the face

1 of a lot of opposition, is to avoid the fractionation of
2 our enterprise.

3 Elderly, particularly, but other groups as well,
4 have pressed to say, "We've got real problems", and they're
5 right. "And you ought to deal with them" and they're right.
6 "And you ought to deal with them ahead of everybody else" --
7 and we said, "You're wrong, we think".

8 The temptation is going to be, and we must be
9 very careful, I think, to take bits and parts of this study
10 and say, "See? There are special problems." And, God, there
11 are. And I worry that this very fragile enterprise that we
12 have, with very little political muscle, is going to get
13 weakened even more.

14 As we go through the recommendation, I hope we
15 will realize that we are not -- I hope we are not making --
16 let's put it that way, comparative judgements, by saying
17 there are special problems of rural areas.

18 I hope we are not saying -- certainly the study
19 is not saying -- that they deserve preference over urban
20 areas. They are simply making the non-comparative declarative
21 judgment about the needs.

22 Viewed that way, this is a very important effort.
23 Viewed the other way, it could be quite serious. What will
24 happen, procedurally, in my own view, at least, this study
25 as altered by the Committee, in any way that you choose, will

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1 go to the whole Board; indeed, the copies in this form have
2 gone already to the Board members.

3 Any revisions you make will go; the Board will
4 discuss it, as well, of course, as many -- and Al and I
5 know, and they used over 100 people in an active kind of
6 way, in the Legal Services community, as consultants, will
7 then go to the Congress.

8 No one this Corporation ought to think that
9 anybody is waiting breathlessly in Congress to read it and
10 act on it. Of course they aren't. But what it does do is
11 set a framework, in general terms, I hope, for the policies
12 that we would follow until and unless the Board wants to
13 change some of them.

14 This, in other words, would be a set of mandates
15 for the Corporation to act in ways until the Board decides
16 otherwise. It may be, on some of them -- particularly the
17 ones with funding implications -- that you can't do that
18 except through a budgetary process, but you ought to hold
19 us to come back to you and say, "Here's how we are trying
20 to implement those, in budgetary terms, to the extent
21 that we can."

22 That was all. If you want to go through, our
23 suggestion would be to go through with emphasis on the ones
24 that are more difficult and try to get the easier ones out
25 of the way, focussing on the recommendations, but realizing

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1 that they are backed up by a great deal of effort.

2 MR. TRUDELL: But before we get into any individual
3 reports, maybe it's best that the Committee members in
4 general, as well, just make some general comments or reactions
5 to -- as to where we're at, and then we can take up some of
6 the individual reports and make sure there's any discussion.

7 Josephine, do you have any?

8 MS. WORTHY: I think I'd like --

9 MS. RODHAM: I think I'd like to know from Allan
10 and Tom, what is the procedure of the next thing that happens
11 with the report, until it finally gets to Congress -- what
12 do you envision the reaction and procedures to be?

13 MR. TRUDELL: Well, let me interject this, Hillary.
14 I think we've talked about it a little bit, in terms of
15 at least the Committee, since it's the Committee responsi-
16 bility to take a look at these things, and we don't feel
17 we've had any time to really take a look at the report and
18 there was some discussion yesterday about the possibility
19 of another Committee meeting even before the March meeting,
20 March Board meeting.

21 I don't know if that's going to be possible or
22 not; we'll decide today. But I guess I just want to interject
23 the possibility that the Committee would like to take the
24 time to, you know, go through the report and assist elements
25 to make sure that we are in agreement, so that if there is

1 a need for debate or discussion, that we have time to do
2 that.

3 MR. HOUSEMAN: Well, I don't know how to -- that's
4 -- I have no -- we are here to discuss and we want to discuss
5 and we are prepared to go anyplace, anywhere to discuss.

6 In terms of Hillary and -- I mean, let me just
7 feed off both of your questions, for a second. What we're
8 hoping for is to receive reactions from the working groups
9 and from other members of the community, from you, and to
10 essentially fine-tune the documents that we have, to work
11 through a couple of areas that are a little weak, but most
12 of it is -- most of the actual study and to the policy recom-
13 mendations and conclusions, all of the policy recommendations
14 conclusions, and virtually all the study, except for some
15 areas, minor areas that just need some fine-tuning, is done.

16 We would hope for reactions and comments to
17 improve the document and to make sure that what we've said
18 is accurate.

19 Obviously, there will be reactions to conclusions
20 and recommendations, to policy issues, and those would
21 ultimately go to the -- to you and to senior staff.

22 I don't know how to pin it down any further. I
23 mean, our process now is, we will probably meet with some
24 of the working groups, but not all, again, to go over some
25 of the draft, and we will receive comments from the

1 community, and we will continue to work between now and
2 the March Board meeting to improve the document itself and
3 deal with any issues that come up. That's what we see as our
4 role. I'm not trying to duck it, but I don't know what else
5 to say.

6 Maybe i'm overwhelmed by finishing it.

7 MS. RODHAM: Well, do have any goals or purposes
8 for the use of the document, other than, you know, obtaining
9 comments about it and giving it to Congress?

10 MR. HOUSEMAN: Well, there's several. I mean,
11 clearly, when you see the recommendations, they are making
12 some fairly firm decisions about policy, and for the future,
13 in some of the areas. And they are -- the study is a little
14 unique in that the study itself was by Congressional mandate,
15 said, "You have to study, you have to make recommendations,
16 and you have to tell us how you are going to implement
17 those recommendations."

18 MS. RODHAM: For instance, how?

19 MR. HOUSEMAN: And that's all there.

20 MS. RODHAM: I just -- right. You know, and I have
21 waded through a number of the pages of the recommendations,
22 but my point is, are we going to be able to -- do we need to
23 come up with a plan for changes in the statute, do -- how
24 are we going to include all of this information in the
25 Oversight Hearings, and -- there's a tremendous amount of,

1 I think, good arguments and good policy positions that
2 certainly support our continuing need to expand our
3 services and to try to reach out and provide access.

4 Have you all got some sort of a plan for using
5 it in that way, or do you feel like it sort of speaks for
6 itself, and that the Board must respond and come up with
7 decisions on policy?

8 MR. HOUSEMAN: Well, it seems to me two things
9 are going on. Obviously, the latter is the case. But other
10 things are going on. In the course of the study, we have
11 identified a number of areas that require Corporation
12 attention and those, we are working on.

13 We are suggesting to others in the Corporation,
14 other divisions of the Corporation are working on them.
15 We don't -- at that point, we are suggesting -- let me give
16 you a simple example and then -- and I'm not sure I'm
17 responding, but let me give you a simple example.

18 One of the things that came up, clearly, was a
19 lack of work by the support centers around veterans' benefits
20 and one of the things that's happened, as a result of the
21 study, is that a number of the support centers are now getting
22 more into and analyzing veterans' benefits, and they are
23 directly responding.

24 They have got copies of it, they have been asked
25 by me to respond to it, "How can you deal with some of these

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1 issues that we've found and what do you think should be
2 done?"

3 And they are beginning to work on it, and it's
4 just a simple example. The same is true in some of the
5 other groups, that some of the findings of the study are
6 now being used internally to affect how we're operating and
7 also, going outside the programs to encourage them and to
8 essentially get reactions from them as to how to react to
9 some of the things we are finding.

10 I don't know how to answer it any more specifically.
11 I may not be responding to your question.

12 MR. EHRLICH: We should be in a position, next
13 September, to say, "Here are the 118 recommendations made,
14 and here is what is happening. A third or more of them,
15 implementation already is started by March or whatever,
16 because so many of them are already under way. Another
17 third have been started since then; the last third depend
18 on funding, and here's the plan, assuming there's adequate
19 funding."

20 With one exception, I don't think there is any
21 that requires statutory change.

22 MS. RODHAM: What's that?

23 MR. EHRLICH: The exception is the access to
24 migrant farm camps.

25 MR. DOOLEY: I think this -- let me interject one

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1 other point. I think it's very important that everybody
2 is decided that they are comfortable with the study and
3 the recommendations before too much emphasis gets put on
4 where it's going to go.

5 In other words, at least my feeling is that what
6 we need to do is spend that time necessary in the next month
7 and a half, and months, to be sure these are the studies
8 people want, these are the recommendations people want.

9 MS. RODHAM: Well, it seems to me --

10 MR. DOOLEY: Because I have a fear that things
11 will just start slipping into -- some of them already have,
12 because I think they were relatively obvious.

13 MR. TRUDELL: But you've done an enormous amount
14 of consultation already and --

15 MR. DOOLEY: I think that we've had enough
16 consultation on it; it's just a matter of, as Allan pointed
17 at the outset, we need some fine tuning, I guess, and you
18 know, just to try to, I guess, arrive at some kind of time
19 schedule of frame in terms of, okay, what are the next steps?

20 When are we going to get these to Congress? But as
21 John pointed out also, to make sure that we have taken the
22 time, at least the Board members, in particular, I guess, to
23 get the recommendations and make sure that we have done --
24 have fulfilled our responsibility, because we are the ones
25 who are going to have to bear the brunt of any real flak.

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1 If there is any.

2 MR. HOUSEMAN: We try not to look at it negatively.

3 (Laughter)

4 MR. EHRLICH: In the response, we said we would
5 have the report to Congress the first of April. That means
6 that, frankly, that the discussion at the March Board meeting,
7 obviously, things are going to be cut out.

8 My urging is that the Board members who have
9 qualms or questions about a recommendation, cut it out,
10 delete it.

11 But it won't be possible to do substantial rewriting
12 of the task itself between then and, obviously, the first of
13 April. Secondary changes certainly will be possible, and
14 and deletions.

15 MR. TRUDELL: Since we are talking about, you know,
16 in the sense of time schedules, do any of the Board members
17 have any questions regarding that? I mean, does April 1
18 sound like a reasonable deadline to be shooting at? I
19 don't know.

20 MS. ESQUER: I really don't know, either. I have
21 had a chance to kind of look through it, and I'm really
22 impressed with the document itself; I think it's very well
23 put together, the format is comprehensible and I really think
24 you've done a great job.

25 But until I really have a chance to sit down and

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1 see what's behind the recommendations and the conclusions,
2 I personally can't tell whether April 1 is really a realistic
3 date and then when the full Board has a chance to look at
4 this, I am not sure that we will be able to meet that
5 deadline.

6 And I don't know how -- whether that's super-
7 critical, you know --

8 MR. HOUSEMAN: I can't answer that.

9 MS. ESQUER: You know --

10 MR. HOUSEMAN: We have done as best we can to
11 meet the deadlines you imposed, and --

12 MS. ESQUER: Well, Congress --

13 MR. HOUSEMAN: Well, Congress, too, and we are,
14 you know, at this point, that's where we are.

15 MS. ESQUER: I guess what I -- you know -- the
16 way that I see it, it's because this was something that was
17 mandated by Congress, I really would like allow sufficient
18 time for people to react to the report.

19 And if that hasn't -- if it is not enough time
20 for the March Board meeting, then I think that we should,
21 you know, just give it enough time.

22 MR. EHRLICH: They can certainly -- as I said,
23 when you send the report up to Congress, they aren't all
24 there waiting. We certainly can send it up with a note
25 saying, "As the Board keeps developing policy, the Board

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1 will stay in touch through the staff with Congress, in
2 terms of additions, modifications, developments."

3 That, I think, would be a very important thing to
4 say, no matter what. I will strongly urge that, unless you
5 feel it's essential, in which case obviously do it, you not
6 try to delay April 1, but rather put a huge caveat when it
7 goes up.

8 I think you could spend between now and April 1
9 carefully. I still urge that caveat.

10 MS. ESQUER: Yes, it is really complete. I mean,
11 it really has a lot of --

12 MR. EHRLICH: On these issues --

13 MS. ESQUER: On these issues. Yes, it does.

14 MR. TRUDELL: I would like to see us really avoid
15 any effort to redo the report at a Board meeting, because
16 there are some Board members, at least in the past, who
17 have been very adamant about trying stick with deadlines
18 and Congress wanted this; let's get it in, I mean,
19 Bot Kutak, for instance; I think Bob was very concerned
20 that what kind of excuse we are going to give now.

21 I guess what I'm saying is, how do we avoid that
22 and make sure that we have it almost in final form, I guess.
23 And if April 1 is the deadline that we are really going to
24 shoot for, I think it's almost mandatory that we have another
25 Committee meeting, which I am not really for, but at the

1 same time, there are things that should be taken up before
2 that March meeting, then we should respond to it.

3 One possibility is, I guess, that I know people
4 frown on having Committee meetings right before a Board
5 meeting, but in light of other things that are taking place
6 in the Corporation, that I think it might be an exception or
7 make an exception to have some kind of meeting right before
8 the Board meeting to go over these and to maybe -- it would
9 put us in a position as Committee members to really assist
10 Allan and John to discuss these at the March Board meeting.

11 MS. ESQUER: I guess -- I don't know whether I
12 agree with having it right before the Board meeting; I
13 think that if we are going to go with a final draft at the
14 March -- approving the final draft at the March Board meeting,
15 that it would be beneficial to have a Committee meeting before
16 then; I'm not sure that, you know, the night before, a
17 couple of nights before, would be appropriate, but what I
18 would like to see is to afford an opportunity to any of the
19 people from the working groups or the different, you know,
20 people in the Legal Services community who would like to
21 comment on these, to have an opportunity to comment on it
22 at a Committee meeting rather than before the full Board
23 meeting, where it would maybe take up an awful lot of time.

24 I don't know, maybe there isn't a lot of
25 interest in it.

1 MR. TRUDELL: I guess --

2 MS. ESQUER: Maybe it would be a five-minute
3 meeting; I don't know.

4 MR. EHRLICH: We were all notified of this
5 happening, and we all --

6 MS. ESQUER: Yes, but the reports didn't get out;
7 we haven't had a chance to read.

8 MR. EHRLICH: All but rural was there before --
9 I mean, I'm not saying --

10 MS. ESQUER: No, but I mean, it got to them on
11 Monday.

12 MR. TRUDELL: Let me say this, now. I left
13 California a day early, but before I left, I had received
14 one report; I had received the veteran's report, so when
15 I got here, I got the remainder of the report that I had.

16 MS. ESQUER: I mean, from Monday to Friday --

17 MR. TRUDELL: Now -- so, it just wasn't a matter
18 of someone being spanked, but I guess what I'm saying, in
19 terms of not knowing when the nominees are going to go
20 through their confirmation or anything, not knowing what
21 the structure of the committees are going to be, you know.
22 there's always the possibility to see that they are still
23 going to be on the Provisions Committee and if you want
24 to come back and explain even before that Board meeting, just
25 trying to juggle all those things, that's the only reason I

1 suggested, but I do agree with you, in terms of having the
2 opportunity to hear from people other than just staff
3 people and that people that have worked on reports and not
4 necessarily in a, you know, hearing format or the Committee
5 meeting or whatever, but through our own networks or whatever,
6 I'm sure that we'll hear from people about, you know, their
7 reactions to the report.

8 If there are no reactions, then I'll just assume
9 that the report I have some interest in or other members
10 have an interest in, everything must be all right.

11 MS. RODHAM: Let me ask you a methodological
12 question, just to liven things up. Allan, take, for example,
13 the limited English-speaking ability. You drew certain
14 conclusions and then you made recommendations.

15 Now, the conclusions, also, as I read them,
16 included recommendations.

17 MR. DOOLEY: Well, the way it was written -- I
18 guess I can better speak to that one -- the way it was
19 written is that the conclusions were dotted as they came
20 up through the next; they were summarized in a point called
21 "Conclusion" and that conclusion point being mixed between
22 what ought to be done and here's the way things are, and
23 then a section called "Recommendations", are, here's
24 specifically the things that ought to be done.

25 Now, that format can easily be changed; I mean,

1 it's only a question of display.

2 MS. RODHAM: Well, do you think it would be fair
3 to say that -- what, I guess -- the question really is,
4 you know, where did you draw the line on recommendations?

5 I mean, how did -- you know -- did you decide what
6 it was you were going to recommend as compared to what you
7 concluded, or was there really not significant differences?

8 MR. HOUSEMAN: As I said before, and I don't know
9 if we are answering, I'm not sure there is a difference, but
10 the conclusions that we drew from the study were conclusions
11 from the study.

12 MS. RODHAM: Right.

13 MR. HOUSEMAN: The recommendations, essentially,
14 were the recommendations of the senior staff to carry out
15 our conclusions. Obviously, we participated in those
16 recommendations, don't misunderstand me, and framed them
17 so that people had, you know, an opportunity, but that's
18 half an answer.

19 The other half an answer is that, was, you know,
20 the recommendations were developed with each relevant
21 divisions, particularly field service, very carefully, as
22 we went up.

23 That is, we were working with and closely to
24 and, where relevant, program support and others, the
25 research institutes, on this other work.

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1 But we were working carefully with them, as to
2 what they thought was the most effective way of implementing
3 the conclusions we were drawing.

4 Now I don't -- in terms of just methodology --

5 MS. RODHAM: Well, I understand that --

6 MR. HOUSEMAN: The recommendations were part of
7 the study report to Congress, which says, "You've got to
8 report on what you are going to do."

9 MS. RODHAM: Right.

10 MR. HOUSEMAN: And how you are going to do it,
11 and that's what the recommendations are; it's a little
12 different than some reports, where a study comes in with
13 some recommendations, and then, you know, the recommendations
14 are the operative part of the piece, that Congress has, and
15 so they are not recommendations that are sort of -- they
16 are the recommendations on the policy of the Corporation.

17 MS. RODHAM: Mr. Chairman.

18 MR. HOUSEMAN: Is that what you're --

19 MS. RODHAM: I understand that. Now, what I'd like
20 to do, if nobody objects, and I know that we haven't had the
21 chance, maybe to study all this as we'd like to, but just
22 as a beginning, if we could focus on just the recommendations
23 on the ones we've got, and spend some time talking about
24 them, because I'd really like to -- some of them are so
25 obvious and straightforward, I don't think they are going

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1 to give us very much trouble and I don't think that any
2 further consultation is going to be needed.

3 Some of them are, and I'd like to try to be able
4 to focus a little better, if we could; I'd just suggest
5 we start with limited English-speaking ability and you know,
6 then go on to the migrants and native Americans and --
7 what are the two that we didn't have to do?

8 MR. DOOLEY: No, no. You have to do all these
9 five. The other two have --

10 MR. HOUSEMAN: The other two aren't in here yet.

11 MR. DOOLEY: We are on a dual track.

12 MS. RODHAM: Okay. And then go on to, you know,
13 veterans and then sparsely and rural or something.

14 The -- is that all right, Mr. Chairman?

15 MR. TRUDELL: That's fine. So you want to --

16 MS. RODHAM: Let's start with the limited English-
17 speaking ability. There are five recommendations on page 67.

18 MR. DOOLEY: What role do you want us to take?

19 MS. RODHAM: Well, I want you to help us comprehend
20 these.

21 MR. DOOLEY: Okay.

22 I can do this --

23 MR. VENEY: Can I just offer a couple of obser-
24 vations and comments. I want to complete, you know, what
25 Hillary has said, but I am also very much aware of the

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1 what Tom has said, in terms of fragmentation, and that is
2 acceptance of the recommendations as they are written here
3 may cause just the kind of fragmentation that Tom talked
4 of.

5 For example, they --

6 MS. RODHAM: I'm not interested in accepting them;
7 I'm not interested in any votes; I'm interested in under-
8 standing what the recommendations are.

9 MR. VENEY: I -- let me just continue for a second.
10 The recommendation on the sparsely populated areas, "The
11 Corporation should make a substantial investment in staff,
12 resources" -- what does that substantial mean or how would
13 that be interpreted by those interested in this particular
14 constituent population?

15 I guess what I'm asking is whether or not the
16 Committee and the staff might not begin to think of taking
17 the recommendations and translating the recommendations into
18 some statement of goals. Goals for the Corporation with an
19 eye toward marketing, if you will, this, with the interest
20 groups within the Congress, for example, the House and
21 Senate Veterans' Committee, for example, the Rural Caucus,
22 for example, the Spanish caucus.

23 Now, it may be crazy and it may not be possible,
24 but in writing the goals, I think it would make you focus
25 on what would the cost of implementing the particular aspect

1 be, as well as, "Yes, this is nice. It's apple pie and
2 American flag and all that kinds of stuff, with which we
3 could not disagree."

4 That may be crazy, and I haven't thought it all
5 the way through, obviously, but I offer that for your con-
6 sideration.

7 MR. HOUSEMAN: I would urge, not that I -- maybe
8 I disagree with Bernie, but I would urge that we focus on
9 something so we can at least clarify what we mean, and see
10 if after that focus that helps or doesn't help resolve some
11 of the questions that Bernie raised.

12 MR. TRUDELL: Well, first, let me ask. Is there
13 agreement on which report we should look at first? I know
14 Tom raised the point or suggestion that we maybe start with
15 the least controversial one we know a little more about or
16 whatever, I guess in terms of veterans, since John is --

17 MS. RODHAM: It doesn't matter; whichever --

18 MR. TRUDELL: Want to start with veterans?

19 All right. We'll do that.

20 MR. DOOLEY: There are a number of page numbering
21 systems, because of all the appendices. It's 50 and 51 in
22 the references.

23 Let me try to -- let me wait until everybody's
24 found it.

25 (Pause)

1 MR. DOOLEY: To a certain degree, the recommendations
2 are separated between those that go to access questions
3 and those that go to special legal problems, but neat
4 separations aren't always possible, and Veterans probably
5 has the most mixed sort of thing coming out of it.

6 Going back, just briefly, to the conclusions, what
7 we found in the Veterans area is that there were specific
8 kinds of problems related to veterans status, legal problems,
9 primarily those dealing with rights and entitlements in
10 programs administered by the Veterans Administration, and
11 for those that have -- and there are a lot of people in this
12 category -- less than fully honorable discharges, those
13 connected with attempting to get that discharge upgraded or
14 attempting to deal with problems connected by having a less
15 than honorable discharge.

16 Those aren't all of them, and the report does
17 detail a lot of other questions, so a lot of them are really
18 unexplored at this point, except some locally.

19 The access question primarily identified is that
20 this among all groups has a tremendous amount of advocacy
21 resources devoted to it. There are advocacy resources that
22 are coming from what we labeled, and are typically labeled,
23 traditional veterans service organization, like the American
24 Legion, the Veterans of Foreign Wars, the Disable American
25 Veterans, et cetera.

1 We can't give you an exact, accurate amount of
2 how much money goes into such advocacy; I would speculate
3 with that, with the State Veterans Councils, with the local
4 veterans counseling groups, all combined, there may be more
5 money going to advocacy for veterans than there is going
6 into Legal Services for the poor in total. It is a huge
7 network.

8 The first obvious question you have about all of
9 that is, well, is there any real need? Is the fact that
10 programs are not doing a lot the veterans work simply
11 reflective of the fact that all of these other groups are
12 doing this work and there really is no substantial need for
13 Legal Services involvement?

14 We come out, and the recommendations reflect some
15 pros and cons on that question. One is that what advocacy
16 is going in is not legal advocacy, that when it's, for
17 example, directed at local Veterans Administration decision-
18 making, it's probably better than anything Legal Services
19 can do in general, with some gaps, and when it's directed
20 at a more formal hearing process like a Discharge Review
21 Board or the Board of Veterans Appeals, there is clearly, from
22 the information, we've got a need for legal advocacy that
23 isn't being fulfilled.

24 Second of all, there is, of course, that gap is
25 made to continue, because of a tracking system that, given

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1 all those resources, tracks the veterans into these resources.
2 That brings me to Recommendation Three, which I'd like to
3 start with, which is our suggestion that we attempt first
4 to deal with the tracking question.

5 And we suggested, the recommendation suggests, a
6 task force to negotiate directly with the Veterans Administra-
7 tion and the Department of Defense, aimed at attempting to
8 alleviate some of what we consider these tracking barriers.

9 Now, the Appendix presents, for example, copies of
10 the kinds of forms that people get. Those forms say, almost
11 straight out, "You should go to these kinds of traditional
12 service organizations", in a number of ways.

13 They are cluing negative on going to a lawyer;
14 they talk about money, et cetera. They never mention Legal
15 Services. It's this kind of thing we are suggesting the
16 task force might deal with.

17 The second recommendation aimed at this is Number
18 Five, which is that there should be some attempt to contact
19 traditional veterans service organizations for the purposes
20 of seeing if there is some way to work together in a cooper-
21 ative venture.

22 Obviously, in this area, whatever you think about
23 the kind of representation being given by traditional
24 veterans service organizations, there is no chance that we
25 would want to supplant that. It is simply too large, unless

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1 you intend to turn over all the Legal Services preparation
2 resources to doing veterans work.

3 We need to find, we suggest, a way to deal with
4 the gaps, aid a little more involvement in the places where
5 it's needed, without supplanting what's already there. Five
6 is a suggestion that we contact the national level veterans
7 service organization, the larger veterans counseling groups,
8 to see if we can provide and establish some cooperative
9 mechanisms.

10 I might say, this recommendation was almost directly
11 requested by the Veterans Committee in the Senate. I might
12 also say that neither they nor I are particularly optimistic
13 that you could do a lot this way, but it's worth exploring.

14 There is a huge gap between the inclinations and
15 the way people see themselves between the veterans service
16 organizations and Legal Services and there's no way to
17 obscure that.

18 They may just well say, "We don't want anything
19 to do with you", but it certainly is worth the effort.

20 The other three recommendations start getting into
21 the special legal problems aspect of this; that is, problems
22 that are unmet because of the lack of lawyer representation,
23 primarily, in the network that already exists.

24 One of them, Four, is really kind of mixed. At
25 this point, one of the access special legal problems, the

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1 kind of boundary is that the place for lawyer representation
2 is most necessary is here in Washington and that is the
3 place that there is the least capacity to give it.

4 That is, given that there isn't a lot of work
5 going on at the local level, that need is not so apparent. If
6 there is more work in the local level, however, that need
7 will become more and more apparent, so we suggested that a
8 capacity for a limited number of cases before the Washington
9 boards, Department of Defense and the Board of Veterans
10 Appeals, be established in the short run.

11 In the long run, the need for this kind of thing
12 is truly dependent on more local work being done. And One
13 and Two are directly on the special legal problems aspect
14 of it, the level of expertise, which we find not to be high,
15 and they are relevantly small investments.

16 That is, that the research institute should do
17 some research and writing on this question, stimulate some
18 interests. And Two is that we should do some training, which
19 we have never done, on handling veterans' cases, particularly
20 those connected with discharge review and Veterans Adminis-
21 tration benefits.

22 That's a very quick summary of what's behind our
23 recommendation.

24 MS. ESQUER: Let's see, I guess that's the diffi-
25 culty I have with that, when you say that these recommendations

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1 are relatively small investment. I don't see, you know,
2 any corresponding budget type or funding figure, so it's
3 really very difficult for me, at this particular point,
4 to know whether I should go with this one recommendation
5 without seeing what impact it's going to have on the budget.

6 MR. DOOLEY: Well, let me say this, at least.
7 I'm not --

8 MS. ESQUER: I know, in your presentation, you
9 said that you kind of stayed away from that, but --

10 MR. HOUSEMAN: No, no, no.

11 MR. DOOLEY: But I don't think we have to tell
12 Congress that, but I --

13 MR. DOOLEY: No, let me make it clear, at least
14 on these; I mean, you can flag some words more controversial.
15 But at least on these, One, Two -- I think virtually all
16 of these are contemplated within our current budget. I don't
17 think there is anything contemplated that is going to
18 require additional money.

19 It is certainly true, with OPS and the research
20 institute, One and Two, that is contemplated within our
21 current budget and, in fact, One and Two are going -- that is,
22 we have started, both of us, down the track, to do that.

23 That is not an additional bit of money.

24 MR. VENEY: Four.

25 MR. DOOLEY: Four might be. There is already a

1 quick project that will focus on some of this and
2 we're going to try to upgrade that and -- I mean, it may or
3 may not. I don't --

4 MS. ESQUER: Yes, but the quick thing is what --
5 one time --

6 MR. DOOLEY: Yes, but this is a short-term need,
7 right now.

8 MR. EHRLICH: Your answer's right about the budget
9 point. On the other hand:--

10 MS. ESQUER: I mean if it's a real --

11 MR. EHRLICH: Sorry.

12 MR. HOUSEMAN: I mean, I will track -- I will say
13 where there is a problem.

14 MS. ESQUER: All right.

15 MR. EHRLICH: As I was saying in the beginning,
16 that to the extent resources are involved, decisions in terms
17 of priorities have to be made, because we really couldn't
18 make a decision to allocate \$50,000 to X without knowing
19 what the other priorities were going to be, without knowing
20 what the other appropriations to Congress would be.

21 We all know that when he have to make these
22 recommendations. That was another reasons we stayed away
23 from any kind of figures.

24 Some of them, when they sound like there might be
25 large amounts we do specifically say "depending on adequate

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1 funding", or something like that. But that really applies
2 to everything, because --

3 MS. ESQUER: I guess, then, the fact that we
4 recommend this does not necessarily mean that there will be
5 implementations.

6 MR. EHRLICH: No, it means that you ought to be
7 in a position in the field to ask us, assuming you have
8 approved it, next September, "What happened with this one?
9 Why didn't you do anything, if you didn't?"

10 And if the issue was, money, you should have had
11 a chance to at least consider that.

12 MS. ESQUER: I see.

13 MR. SINGSEN: I like to ask for just a clarification
14 about what you said about Points One and Two, that we are
15 already going forward.

16 Your paper on unmet support needs identified a lot
17 groups and a lot of issues, special legal problems where we
18 are not now doing training or developing materials.

19 If we were to go with all of them, with recom-
20 mendations given the same force as these, I assume the
21 overall pattern looked at resource implications that would
22 have to be taken into account.

23 MR. HOUSEMAN: Yes. Many of those -- I mean,
24 we're obviously on different tracks, but many of those "unmet
25 support needs" are being addressed through the national

1 support funding and through the OPS moneys that we have
2 for training and manuals. Not every single one of them,
3 but virtually all of them -- I mean, a lot of them, at
4 least three-fourths.

5 MR. DOOLEY: Can I add something on that point,
6 particularly to what Cecilia said, and what was said earlier.
7 Veterans is probably an example where the study gave an
8 opportunity to look at something that people wanted to look
9 at anyway, and that the examination produced action, not
10 because Congress said, "Produce a recommendation", but because
11 it seemed to be warranted by what we are finding out.

12 OPS has, for a period of time, has requests to do
13 training on veterans work, and did not have the ability fully
14 to evaluate what that need was.

15 So in the course of this, we sat down with them
16 and said, "Here's what we are finding out" and they said,
17 "Yes, we ought to try to do something in this area".

18 Now, that was because somebody was looking at the
19 area, at trying to get some evaluation of the need, was in
20 contact with the field people doing the work, as we were,
21 and was feeding it back, not because Congress mandated a
22 particular kind of study.

23 So, in fact, Two is already occurring, and by the,
24 just the speaking of people within the Corporation with each
25 other.

1 MS. ESQUER: I understand that, but I guess my
2 main concern is that we are making these recommendations to
3 Congress and I think, to me, there would be an implication
4 that we are going to try to implememnt these things --

5 MS. RODHAM: Well, that's why I asked -- I think
6 that we have to -- and it depends upon what our preface says,
7 our introduction, as Tom and Allan sort of said at the
8 beginning.

9 I think it's important to realize that these do,
10 and I think the Congress will realize it; obviously, that
11 these do require hard choice among allocation of resources,
12 and that, for many of them, if Congress were to turn around
13 and say, "Well, do all of this", it would require more
14 funding.

15 And we can't all of a sudden start serving veterans
16 and just add that onto everything else we are trying to do
17 and at the same time expand into sparsely rural, and all
18 the rest of those places, and not -- and pretend that it's
19 not going to cost money. You just can't do that.

20 MS. ESQUER: Gary would need a lot more balloons --
21 two walls for balloons.

22 (Laughter)

23 MS. RODHAM: That's right. so I think that the
24 preface and the introduction are something that we really
25 have to be very careful about, as I am sure that everybody

1 will be.

2 MS. ESQUER: And I wonder if it wouldn't be
3 helpful, maybe, to -- you know, maybe not as part of the
4 report, but maybe to the Board on what efforts have been
5 undertaken, maybe a part of your report could include that,
6 because then that really kind of clarifies things.

7 MS. RODHAM: Some of that is in here; in the
8 analysis you talk about some of the areas, what you've done.

9 MR. DOOLEY: And the sands are changing. We write
10 something up and all of a sudden, something else is occurring,
11 and I think what you probably need is a separate document,
12 not intended to be part of this study so much, saying, well,
13 some of these things have been -- while the study is going
14 on, some of these things have been addressed in this way.

15 MS. RODHAM: I think it is also important,
16 particularly in the introduction, but also in our considera-
17 tion, to explain to Congress and our constituents and
18 everyone else, the important we place on priority setting.

19 I mean, if a local program sets its priorities
20 so that veterans is not a priority, which is perfectly
21 within its right, if we really believe seriously that this
22 should be a decentralized, locally controlled delivery system,
23 then I think that we have to make that point to Congress
24 as well, that there are always tensions in these situations,
25 but, you know, I think if we are serious about priority

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1 setting, then we have to be serious about living with the
2 priorities.

3 And even though the Corporation may provide
4 materials and may do what it can from Washington and the
5 regional level to make this information available.

6 We are not going to mandate, unless we are really
7 going to change our attitude about things, we are not going
8 to mandate that every program everywhere in this country
9 serve veterans, if their priorities are other than that.

10 So -- and veterans do have other systems to work
11 with that a whole lot of other people don't have.

12 MR. DOOLEY: Let me add one other point about this.
13 I -- everybody finds veterans to be the easiest. I will tell
14 you, this is a very controversial document and will be
15 viewed so.

16 MS. RODHAM: Well, because there are strongly
17 established constituent groups.

18 MR. DOOLEY: That is correct, yes. We were
19 asked to appear before the Senate Veterans Affairs Committee
20 and Mary Burdette and I went up and told them what we were
21 finding out, essentially; it was really informational and
22 it didn't include the recommendations or anything like that,
23 but -- and from the working groups, this is the one part of
24 the study that people want to see occur for its own sake.

25 It has nothing to do with what the Corporation does

1 or does not. It has to do with trying to get more
2 information and judgments on the actors and what they are
3 doing. It is connected with judicial review legislation
4 that is before the Senate, the Veterans Affairs Committee;
5 it is connected with a lot of things.

6 You can expect that, not on the recommendations in
7 this one, which makes it different from the others, but on
8 the substance of the study, that there may, in fact, be
9 some significant criticism and comment that will start
10 emerging.

11 MS. RODHAM: Basically, because you are saying that
12 the existing system, not the Legal Services Corporation, but
13 the existing system of Government and private organizational
14 assistance to veterans is inadequate. If we are seriously
15 talking about assisting veterans with the kinds of problems
16 they have.

17 MR. DOOLEY: Yes, that is the bottom line. It's
18 also how you reach that point.

19 MS. RODHAM: You see, I -- you know, it's a
20 serious question whether we have the responsibility or that
21 we'll ever have the resources to fill the breach.

22 MR. DOOLEY: No, I understand that. I want to --
23 that's why I say that will be the least significant part
24 of this particular section of the report, whether the
25 Corporation does anything about it. It will be however the

1 Corporation had characterized all of that. And that will
2 be the part that people will look at.

3 MR. EHRLICH: Let me make one comment or suggestion.
4 I think we just briefly talked about it yesterday. And that
5 is, I guess for the Board meeting, it would be helpful if
6 some kind of summary document was put together, even
7 incorporating some of the things that have been said so far,
8 regarding the preface, the letter of transmittal, or
9 whatever, in terms of where we're at.

10 And to extract from the various reports the
11 relevant sections that Board members should have before them,
12 rather than to have a stack of individual reports --

13 MR. TRUDELL: Recommendations.

14 MS. RODHAM: Yes, conclusions and recommendations.

15 MR. EHRLICH: Yes, conclusions and recommendations.
16 I mean, some kind of small summary document that touches
17 on all these reports.

18 I think it would expedite or facilitate us going
19 through these things, in an orderly way, at the Board meeting.

20 MR. HOUSEMAN: I mean, I'd hoped to have something
21 like that for this Committee, and time just precluded that.

22 MR. EHRLICH: Yes, but I'm more concerned about
23 the Board meeting.

24 MR. HOUSEMAN: Yes, we will. Like I did in
25 Support, or something like that. We tried to outline it,

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1 the issues.

2 MR. DOOLEY: Are there any more questions? If not,
3 the Veterans report, what are we going to do?

4 MR. HOUSEMAN: Let's get this tucked away.
5 What would you like to do next?

6 (Pause)

7 MR. DOOLEY: There are five recommendations, here
8 and there, more clearly, I think, divided between access and
9 special legal problems. Let me take special legal problems
10 first; that is the most obvious one.

11 It is Recommendation Five. We got some question-
12 naires from field programs, from the working group, that
13 the major special legal problem connected with this status
14 that is limited English-speaking ability, deals with the
15 rights of non-citizens, including but only including immi-
16 gration questions and the recommendation on that is that,
17 because nothing in the way of support or training -- well,
18 I can't say nothing; there has been, in migrant training, some
19 work on this, but essentially very little has been done,
20 that there ought to be national support training and research
21 in this area.

22 And Allan may want to speak to that, because that's
23 already one that is being worked on and implemented. The
24 first four, go more to special access. The present situation
25 in -- is -- well, let me start at this point.

1 Everybody appears to agree that for some
2 languages, and I emphasize "some languages", that the way
3 to deal with the problems of limited English-speaking ability
4 is through bilingual staff. That is the goal and the best
5 way to do that.

6 I say "some languages", because some of the
7 language of minorities to whom we survey, and we surveyed
8 the seven -- what are considered to be the 17 majors ones,
9 through questionnaires, weren't particularly concerned with
10 bilingual staff; they were happy with interpreters or any-
11 thing else that dealt with the language barrier in one sort
12 venture.

13 These start becoming mixed questions of cultural
14 and language and for some, the cultural aspects of it; that
15 is, the service provided for a person of the same cultural
16 background is much more important than for others.

17 Generally, the split is that the European languages,
18 except for Spanish and probably Portugese, do not heavily
19 emphasize the cultural question.

20 And anything a local program does to ensure that
21 there is a way to communicate in the language is sufficient.
22 Now, this is an overview, obviously. It doesn't apply
23 everywhere and like all overviews, has to be cautionary, it is
24 considered that they are happy with it.

25 They are not seeking -- they don't think it is

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1 always necessary to have bilingual staff. As it also turns
2 out, that for those language minorities, they are relatively
3 small, almost everywhere. In tables we did, we cut at one
4 percent of the eligibile population having limited English-
5 speaking ability and outside of Spanish, the only time that
6 occurs for any of the European languages, is with French
7 and German; French in two places in the country, Louisiana
8 and Maine, and German in two places in the country, I think
9 Montana and South Dakota, I don't recall.

10 On the other languages, the Asian languages -- and
11 we had to lump those together, and they shouldn't be, but
12 the data forced us to do so -- and on Spanish, and to a
13 certain degree, we found from the responses, Portugese, there
14 is a clear desire to have bilingual staff, particularly
15 bilingual attorneys.

16 That's what everybody's request is. That's not
17 to minimize the need for, for example, bilingual clerical
18 staff or at least the persons who are having the first
19 contact with the clients or to minimize the need for bilingual
20 paralegals to the extent that services being provided --
21 but -- and it may be in many cases more symbolic than real.

22 That is, if it's primarily a paralegal kind of
23 question, it is somewhat symbolic that you have a bilingual
24 attorneys, but that is clearly where the emphasis was.

25 We particularly looked at the question of bilingual

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1 attorneys in the Asian languages and in the Spanish
2 languages. What we are finding is that, for Spanish,
3 by -- and this is a relative judgment, now -- by whatever
4 measures one can come up with, that is relating to the number
5 of eligible persons, in most places in the country, the
6 programs are doing pretty well.

7 They have improved steadily; they have -- well,
8 they have improved over the last year. They -- the incidence
9 is fairly related to what appears to be the limited English-
10 speaking ability population.

11 But more important, and probably the most signifi-
12 cant part of this is, we have gotten ourselves to the
13 situation where, at least at the end of expansion, we are
14 going to have to recruit and hire something like 25 percent
15 of the output of the law schools of persons who are bilingual
16 in Spanish.

17 The first three recommendations -- the first two,
18 really, go to that point. And that is, that we have currently
19 a loan repayment plan, that it hasn't particularly been
20 targeted on bilingual staff; it has been targeted and is
21 examining recruitment from law schools as well as retention
22 and that we ought to look at it in terms of bilingual staff,
23 because it is clear that there is going to be a great need
24 there.

25 The second is that we have a recruitment unit

1 within the Corporation. It also hasn't particularly aimed
2 at bilingual staff and given the challenge of trying to
3 recruit at that level, we think it should, and that's what
4 the recommendation is.

5 The third is one that comes from a couple of
6 experiments that are going on around the country; New York
7 is the most recent, and maybe the most expansionary one,
8 which is to do some language training as a way of dealing
9 with the need for bilingual staff.

10 I don't think you can get from the background
11 of -- from the study that this is -- that major emphasis
12 should be placed in that area, but when you are talking about
13 relatively small populations, maybe below the one percent
14 level or whatever, that maybe the only kind of effective
15 solution that you can get, given the law school output, for
16 example, in Spanish.

17 I should go over all three of those for the Asian
18 languages. If there is any group that we are not doing
19 well on by the numbers, it is in the Asian languages. I'm --
20 it is also the one we know the least about, because one can
21 make characterization, as all the data does, of Asians, but
22 we then -- it is no help that you have a Korean-speaking
23 attorney, as against a Japanese client, or Philipino or the
24 various Chines languages or tag-a-logue, et cetera. That
25 is a very mixed group, and one that, unfortunately, we don't

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1 have enough data on.

2 The last is, on the publicity and outreach, which
3 was also emphasized by, particularly, the local groups and
4 organizations.

5 The programs have really done a lot in that area
6 from what our data shows, but don't, in general, have the
7 capacity for the more minor languages. And what we suggested
8 is that we did find in the course of this, a lot of organi-
9 zations that have the capacity and the ability to develop
10 some of the outreach publicity materials, and that probably
11 investment there would really be helpful in giving those
12 smaller groups a feeling that they can and should be served
13 by the Legal Services program.

14 That's what's behind the five recommendations,
15 sort of. I should, because I did it in the other one, flag
16 just one thing. This report will also be controversial. It
17 will be controversial because it is the first place that
18 the survey of income and education data on language minorities
19 is published.

20 That data does not support what people believe or
21 or have believed to be the fact, in terms of the numbers -- in
22 some respects, and in other respects it greatly does.

23 What I mean by that is, essentially, it shows huge
24 percentages -- relatively huge percentages -- of limited
25 English-speaking ability persons, of the Spanish language in

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1 the Southwest, a trend that everybody knew was occurring,
2 although it had never been really out clearly in data before.

3 It does not, however, show those kinds of
4 percentages in other areas of the country, where people had,
5 for a long period of time, say, that was present.

6 Our answer will be, all we did was get the data
7 from HEW, and we are not the defenders nor creators of it,
8 but since it's the first place it will actually come out,
9 you can expect some comment on that -- and there already
10 has been.

11 MS. RODHAM: In other words, there is not the
12 large numbers that one might guess by anecdote or experience
13 in the Northeast or in the Southeast. Is that it?

14 MR. DOOLEY: Yes. It's really -- there has been
15 a confusion of terminology that is, really, in this date
16 broken down, that -- and you will see in a little code --
17 some of them are just abbreviated, that there were three
18 terms that are used in survey of income and education data.

19 Non-English language background -- this country is
20 made up of an amalgamation of minorities and when you use
21 non-English language background for any language, you find
22 in any given State, maybe 50 percent of the poor people meet
23 that description.

24 When you come down to the next step, though,
25 non-English usual individual language, which is the

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1 terminology, and the amount that disappear in the process
2 is immense.

3 Now that is something that people have not --
4 have argued is not true. The survey of income and education
5 says it is.

6 The next step is the work that HEW is currently
7 doing, and we had to use a census survey of -- current popu-
8 lation survey, that it's about 60 percent between non-English
9 usual individual language and limited English-speaking ability.
10 That -- I don't think that is particularly controversial.

11 I think people generally will accept that. But
12 when you see the bottom lines, you have less people than
13 have been commonly described.

14 We have been careful and, I guess because we just
15 simply couldn't take on more than that, we have been careful
16 to keep this at language.

17 Congress told us, "Tell us about persons with
18 limited English-speaking ability." They didn't ask us about
19 persons of a specific language or cultural background and
20 I think it is very important in presenting this that we do
21 not suggest that we have gone beyond that, because it is
22 clear in some parts of the country, for example, in the
23 Asian languages and Spanish, person want to be served by
24 Hispanic staff, for example, even if they can get along
25 comfortably in English.

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1 That is, the language is not the issue there,
2 and we have not taken that question fully on; we just didn't
3 have the capacity to do it.

4 Do you want to add anything on immigration?

5 MR. HOUSEMAN: Yes, I'll say two things. First,
6 on immigration first, is this, that the -- one of the issues
7 around Spanish people, sure, is that none of the studies
8 really take into account so-called undocumented workers,
9 and we haven't here, for all kinds of obvious reasons.

10 There is no data available on it, it's very hard,
11 and this just does not reflect that. Secondly, we are
12 making some efforts, insofar as training and research, on
13 immigration, and when we are done with the process, and it's
14 about to be finished, I will lay those out in great detail
15 to you, so that you see.

16 But Five is being implemented, let me put it that
17 way. And I will present, you know, to you, a separate thing,
18 on exactly what it is, but Five is being acted upon. And it
19 was started before this study happened. It's coming to
20 fruition. That's it.

21 MR. TRUDELL: Anybody have any questions?

22 (No response)

23 MR. TRUDELL: Hillary?

24 MS. RODHAM: No.

25 MR. TRUDELL: If not, why don't we move to the

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1 next one. But first of all, Tom, did you want to say anything
2 about this -- or did you want to say something about lunch?
3 Well, we're quite a ways away from it.

4 MS. RODHAM: Mr. Chairman, I have to leave at
5 quarter to twelve.

6 MR. TRUDELL: The meeting is going to break for
7 lunch at 12:30, and we do have enough, if a lot more people
8 don't come, for everybody.

9 MS. ESQUER: Yes.

10 MR. TRUDELL: So we hope you will all stay.

11 Native Americans next?

12 MR. DOOLEY: All right, those are on page 92 and 93.
13 And the fact that these are on 92 and 93 and the others are
14 in the 40's and 60's is -- does say something about the
15 complexity of this area, compared to some of the other ones.
16 that we covered.

17 (Pause)

18 MR. DOOLEY: We divided the recommendations into
19 three categories here, and if you recall the original issues
20 paper, that was one of the first parts of the issues paper,
21 which was the division among native Americans on a couple
22 of points, reservation and non-reservation residency and
23 whether, to the extent it was a tribe, and that word has to
24 be used somewhat broadly, you are talking about one that has
25 been Federally recognized or one that has not been Federally

1 recognized. In the end, it became three categories; that is,
2 native Americans residing on or near a Federally recognized
3 reservation, those who are residing on and/or near an
4 unrecognized -- members of an unrecognized or terminated
5 tribe residing on or near a reservation, and then non-
6 reservation native Americans of any of either of the foregoing
7 status.

8 And there are a series of recommendations or
9 conclusion under these headings. First, members of recog-
10 nized tribes residing on or near a reservation. The current
11 policy of the Corporation has been to extend special service
12 with earmarked funding to this group, at least to the extent
13 that it is currently studied -- currently covered, and I
14 think it's something 70 percent coverage, in terms of the
15 number counts, there being two major uncovered populations
16 in there.

17 That is Oklahoma and Montana, and a number of
18 smaller uncovered populations and reservations in, primarily
19 the Midwest and the South and East, and some, I mean, even
20 where there's heavy coverage, like in Arizona and New Mexico.

21 First, we gathered a lot of data on this, and the
22 data, if you've read it all, is particularly inconclusive
23 and particularly difficult to evaluate.

24 There is a strong difference in the response of
25 tribes to whom we sent questionnaires, between those that

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1 are recognized and those that are not. There is not a strong
2 difference in responses between those that are served by
3 general programs and those that are served by special
4 Indian programs, frankly.

5 That has been the cause of some eyebrow-raising.
6 We have explained in part why we think that may have occurred.
7 There isn't a good explanation for it, frankly.

8 We have also gone into some detail what the
9 general programs have done, in terms of service to Indians.
10 We end up with these recommendations: one is that expansion
11 be continued, that special Indian programs be continued to
12 cover the reservations, the major reservations, that there
13 should be a flexible approach continued, and that flexible
14 approach has meant that, for example, in Utah, with a
15 relatively small reservation based population, the Corporation
16 has essentially contract through a local program with a private
17 firm, which is an Indian firm, to represent the reservation
18 Indians of Utah.

19 And in others is used different approaches. Some
20 of them are new grantees; some of them are existing grantees;
21 there are some of them are special Indian programs; some
22 of them are general programs with Indian components.

23 In general, our judgment is that this flexible
24 approach seems to make sense, and that as it has been
25 administered and that it be continued.

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1 The third one is the one that we are open on,
2 which is the question of cost. Frankly, we just don't think
3 at this point, given what we've gathered, what has been --
4 what is available to the Corporation, that there is
5 sufficient known -- sufficient amount of information known
6 on the cost questions.

7 There are an awful lot of variables. There are
8 variables connected with where, how spread out, whether you
9 are talking about a population that has, for example, a tribal
10 court system, and local tribal government, or one that's not.

11 And, given all that variation, it is very difficult,
12 from what's currently known, to get into this question.

13 We did, however, include an analysis and did discuss it, and
14 that was done for the Corporation by the law firm of Getches
15 and Green and that's one of the appendices in the report.

16 What we are saying, is, which may look as a punt --
17 it is a punt -- that there ought to be future study of the
18 question.

19 And second is the unrecognized and terminated
20 tribes; they were, by their questionnaires, the most negative
21 to what service they are currently getting; they often
22 reside in relatively sparsely populated areas, which, as
23 you've seen from the other report, they are more like to
24 have no service at all.

25 They do have special legal problems, we find,

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1 particularly connected with the recognition question, with
2 land kinds of questions, and to the extent that they are
3 served by general programs, we found they are a relatively
4 small part of that population, one for which the programs have
5 -- do no seem to have very much expertise and addressing
6 those two points, we have two recommendations.

7 First is that the existing support in training be
8 directed in part to the general programs who are serving
9 members of unrecognized or terminated tribes, as we have
10 found it has not, in general, been in the past.

11 And second of all, that there be some kind of
12 discretionary funding system, task-oriented, be created for
13 the status or service on the status question for unrecognized
14 and terminated tribes, residing on or near a reservation.

15 We have an example of the kind of requirements that
16 might be imposed; they are only example, as it turns out.
17 And Dick can probably speak to this better than I, that there
18 is, in fact, for the first time, a system established on
19 recognition, established by regulation within the DIA last
20 year, that there are some 40 or so unrecognized tribes that
21 are attempting to get recognition and some standards are
22 actually evolving in what has otherwise been a political
23 process to distinguish between the group of persons, and I
24 don't want to use the word "Indian-ness", but some standards
25 to distinguish between persons are starting to evolve.

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1 The third category is non-reservation native
2 Americans. There are two points in the findings that I want
3 to emphasize about this, because they have not, I think, in
4 general, been the ones, at least we found, that people have
5 said in the past.

6 First of all, that on the available data we have,
7 in almost no area except for the areas in the Southwest and
8 in Oklahoma, is the population of non-reservation, eligible
9 Indians very large, in comparison to the poverty populations
10 that a program is required to serve.

11 For example, you will find that, although the census
12 report that there were a tremendous amount of Indians in
13 Los Angeles, it equally reported that the poverty percentage
14 was fairly low for that group, so that the Los Angeles poor
15 Indian count, out of the census, is a pretty small group,
16 in comparison to the number of poor people in the Los
17 Angeles area in general.

18 Second is that we were able to -- and there's a
19 table presenting a go-through what existing programs have
20 done to serve this group, and there is a significant amount
21 of service represented in a lot of programs, those with
22 a substantial amount of poor Indians in their service areas.

23 In a couple of programs, it means placement of
24 attorneys in urban Indian centers. That's true in Phoenix,
25 for example. In Minneapolis, it means the establishment

1 of an office specifically in the area where Indians are
2 primarily residing, which is serving almost 60 percent of
3 its caseload in Indians.

4 It means outreach publicity, et cetera, right
5 down through the line. It is, we think, difficult to
6 conclude with all that that there is a need for special
7 programming from the Corporation for urban Indian populations.

8 There is a need, as we said in the unrecognized
9 and terminated tribes, to be sure there is adequate support
10 in training and manuals for the lawyers who are required to
11 do this work.

12 Beyond that, we think the present situation does
13 reflect programs being aware of the population, attempting
14 to serve this population, and, without giving an overview,
15 but from the table, various individual activity.

16 One other point about it is, this -- with adminis-
17 tration of native Americans, which is part of HEW funding
18 for urban Indian centers, what you clearly see occurring is
19 that the urban Indian centers are pressing local programs
20 to do something for the urban Indian population.

21 That is, this constituency, in non-reservation
22 areas, has an advocate vis-a-vis the local program. That is
23 something that is generally not true for groups of poor
24 people in most circumstances.

25 And slowly but surely, you are seeing that felt.

1 Urban Indian centers, of course, are coming to the
2 Corporation and saying the programs aren't doing enough and,
3 well, if I were in their position I should, but you see
4 the effect of that pressure on local programs in these
5 activities that are coming out.

6 I guess that covers native Americans. Do you
7 anything to add?

8 MR. HOUSEMAN: No.

9 MR. DOOLEY: One other point. It wasn't -- let
10 me add one other point.

11 The Economic Opportunity Act has a definition of
12 native Americans. Interestingly, it is only a few sections
13 before the Legal Services Corporation Act, and so we have,
14 as you will see in the study, adopted it.

15 It is the only one in the statute. Their defi-
16 nition of native Americans is: "Indians, Eskimos, and the
17 Alaskan native people and Hawaiians". It is not persons who
18 are from Micronesia or Puerto Ricans or whoever has gone
19 onto this various list that has floated about.

20 We have used that definition. We are talking --
21 it is juxtaposed very closely with 1007(h). This report is
22 only about those defined as native Americans.

23 We have not made a look at the other people,
24 because, essentially, we are saying they are not within the
25 mandate, so that is -- on that question, which has come up

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1 before, how that is resolved.

2 MR. HOUSEMAN: I guess the only think I would add,
3 which is somewhat obvious from this, and that is, the fact
4 of recognition clearly is, in many cases, a political
5 decision, as John said.

6 We have tried to, in our study, make sure that
7 the recognition fact itself did not prevent us from looking at
8 the native American clients that are eligible and attempting
9 to tailor, to suggest recommendations that would address
10 the needs of unrecognized and terminated tribes.

11 That's just a small comment on it. The fact of
12 recognition is a political decision, and it is our essential
13 judgment we shouldn't totally be bound by a political
14 decision made by somebody else.

15 That's what led to some of the conclusions and,
16 obviously, that led to them and that came out of it, some
17 of the recommendations.

18 MR. TRUDELL: I don't know if I'm the logical
19 person to start asking questions or if maybe Tom is.

20 MR. DOOLEY: You are the logical person.

21 (Laughter)

22 MR. TRUDELL: Let me -- naturally, the recom-
23 mendations are framed very broadly, and I know that -- I
24 guess one thing the report bears is an extremely complex area,
25 overlapping into a lot of areas. But that's not an excuse

1 for not doing anything, in terms of, I guess, articulating
2 the Corporation's goals regarding providing service to
3 native Americans.

4 To be very honest with you, I need to go through
5 this thing with a fine-tooth comb, to really say that I
6 can support it or can't.

7 There are -- I'm glad that, you know, the -- in
8 the process of doing this, you have reduced the size of the
9 universe. You just include Indians and where you've got
10 them set down in terms of Federally recognized, non-Federally
11 recognized, and then the urban Indian, and then native
12 Hawaiians.

13 The -- I guess before I can really feel one way
14 or the other about this, I need to know something about
15 what is currently taking place in the Corporation.

16 For instance, the expansion area. I haven't made
17 any inquiries regarding where does that stand, because I
18 know, back at the October Board meeting, we went on record
19 as saying that a certain percentage of the available
20 expansion moneys would be released and a certain amount would
21 be held in limbo until the population question was resolved.

22 Now, I have not heard, and I have not inquired,
23 has that question been resolved? I know there were a number
24 of figures that were pulled together and I don't know what
25 the process is, and who makes the decision in terms of which

1 population figure is selected.

2 So what I'm saying, in terms of, I guess, really
3 giving, arriving at some kind of conclusion or position for
4 myself, I need to expand my background on what is currently
5 happening:

6 The -- and I guess once I go through it and to
7 really see some of the barriers articulated, you know, as
8 clear as possible, without requiring more study, I guess,
9 there are some real questions I have.

10 For instance, when you talk about the urban
11 Indians, and you hear, you know, the talk about double
12 counts, if Indians are counted by any program, that program
13 is in the same position or posture as the other eligible
14 recipients of Legal Services.

15 And if it requires that a program, say, like in
16 L.A. or Minneapolis or whatever, I'd have a condition attached
17 to its grant, that they'd better at least articulate how
18 they are going to try to reach that particular, you know,
19 group. Because I think the Phoenix situation or, I guess,
20 the community legal services or whatever they call it, has
21 made an effort to do that.

22 I don't know if they built into the Board
23 structure a decision-making body access for the client
24 community, in this particular instance, the native Americans,
25 to articulate their concerns. They may not articulate

1 anything; I don't know. At least, it hasn't been discussed.

2 MR. DOOLEY: What you'll see in this -- this is
3 the place -- let me go back -- in which there is the most
4 interaction, obviously, between the study and current policy
5 questions lying out on the table, whether or not there was
6 a study.

7 And we can only -- we are going this far, which is,
8 as with all of the groups, as people have pointed out, there
9 is certain data, there are certain conclusions based on that,
10 there are certain recommendations that are relatively broadly
11 put.

12 This is not the decisions from within the staff
13 of the Corporation on these questions. It does, however,
14 present, for example, each of the urban programs of significant
15 urban Indian populations, and what they're doing, from which
16 you can draw the conclusions as to good, bad or indifferent,
17 and what ought to be done about it, but we have laid that out.

18 We have also laid out, as you will find, the Board
19 structures of the programs. We have attempted to create, in
20 other words, the factual basis as well as the broad conclusions
21 and, hopefully, recommendations from which those specific
22 decisions that you want made are made.

23 Maybe all I'm saying is that we did our piece and
24 shuffled it downstairs, but that's where this one is, I
25 think, and Tom may want to speak more on what's coming.

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1 MR. TRUDELL: Let me make just a few more comments,
2 I guess, you're not -- I don't know how many programs at
3 present, in terms of currently funded programs that are
4 receiving, and not just native American programs, are
5 receiving money or funding to service Indians, and I think
6 Fabia had mentioned one time there may be as many as 40
7 programs or 41 programs, I guess meaning money going into
8 where there's an Indian population or community.

9 And I know there are something like nine programs
10 who receive direct funding and, including the support center,
11 and then providing legal services, it's money going through
12 California legal services.

13 I guess what I'm saying is that, you know, the
14 intent or part of the intent for these reports is to spell
15 out the barriers, but also to, I guess, point out to the
16 Congress how complex -- these five areas are and then, too,
17 that we have added.

18 I could probably just go on, you know, kind of
19 colloquaying the problem areas, because even when I look
20 at support center, the unfortunate thing for native Americans
21 their problems that affect every one of those support centers
22 -- the support centers cannot develop the expertise to,
23 in some instances, provide services to native American
24 communities. And that's a real problem, you know, a point
25 in fact. If there's a community that has really severe

1 housing problems and they go to the housing support
2 center and the housing support center says, "Well, jeez,
3 what do I do? Do I throw it back to NARF, because NARF
4 is the support center?"

5 I think that, I guess, you know, I don't how
6 specific or how narrow we should be in terms of extending
7 this list of recommendations so that there is a little more
8 specificity rather than, you know, just broad statements
9 that the Corporation should continue to do this, the
10 Corporation should do that.

11 I don't know.

12 MS. RODHAM: Well, Dick, I think it's the same
13 problem with everything, though. You know, that's -- those
14 are implementation questions, just as with veterans or
15 limited English-speaking or anything else.

16 I think that, you know, what we have to do, then,
17 is to submit this to Congress and then go ahead and make
18 the decisions as to what we are going to do and how much
19 we can spend in fulfilling the goals specifically that we
20 meet these recommendations.

21 MR. TRUDELL: That's the reason why, at the
22 outset, I agreed and I said that I'm the logical person to
23 say anything, because I naturally will go much deeper --

24 MS. RODHAM: You are a veteran, too --

25 (Laughter)

1 MR. TRUDELL: But anyway, I'm satisfied, you know,
2 in terms of the effort that has really been put into this
3 here, but one of my concerns is that it's been a real
4 educational effort for the Corporation and for the senior
5 staff, and when the senior staff, all of them, at some point
6 in time, are going to be leaving, at one time or another,
7 and I hope that there is not a kind of a gap left that we
8 have to re-educate everybody that comes along.

9 Naturally, these reports will do that, but I guess
10 that's one concern I have, too, in terms of the details that
11 go into this particular report, because they are --

12 And I guess in terms of even looking at -- you
13 know, trying to prioritize, if you can, and it's very tough
14 for me to, I guess, go into different areas and all of a
15 sudden, they're all on my back, you know, because I can't
16 help it; I can't do anything.

17 I'm not saying the Corporation should change its
18 priorities or identity to help Indians or help the unrecog-
19 nized Indians and I know that once you start articulating
20 a priority, say, with the unrecognized Indians, it takes a
21 hell of a lot of money and it, unfortunately a hell of a
22 lot of politics, because of the climate in the country
23 regarding native Americans.

24 So I hope to -- I hope that it's hard to -- it
25 remains to be seen what the Congress will even do with this

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1 report, in light of what's taking place in the Senate and
2 the House in terms of American Indians.

3 MR. DOOLEY: That is another area where there's
4 been interest. The Senate Select Committee did contact
5 us, we did go talk to them, and briefed them as to what we
6 are finding out and we had a -- I think -- a very good
7 interview.

8 MR. TRUDELL: That's good, because I think, with
9 new composition of that committee, with Inoaee being on it
10 adds something to the native Hawaiians' interests.

11 MR. DOOLEY; Of course, they are the first to say,
12 "We are interested", but over there in the House it may be a
13 vastly different thing.

14 MS. RODHAM: I think Dick's discourse just points
15 out why it was easier to make exceptions to our local
16 priority-setting process. It's really a difficult area.

17 Dick and I are, in some discussion we've had on
18 the urban Indian situation, are still lobbying each other
19 on what the appropriate policy should be.

20 I think the one thing that I really agree with
21 him strongly, and it's when a local program is funded and
22 native Americans are included, in that count, that I hope
23 that the enforcement of our regulations are such that those
24 needs are being considered in the priority-setting process,
25 but it doesn't have anything to do with the study; it's just

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1 that is very important.

2 What's next?

3 MR. DOOLEY: I guess the next one is migrants,
4 which Allan gets to do.

5 MR. EHRLICH: Excuse me, Allan, before you get
6 started.

7 MR. HOUSEMAN: Sure.

8 MR. EHRLICH: What we received for migrants, this
9 is it? I mean, there's no appendices?

10 (Laughter)

11 MR. EHRLICH: I'm not saying I want any more, with
12 everything you've given me.

13 MR. HOUSEMAN: Well, I -- yes.

14 MR. EHRLICH: All right.

15 MR. HOUSEMAN: That is it.

16 There was several more appendices I could have
17 added, but --

18 MR. EHRLICH: No, I'm not asking for more.

19 MR. HOUSEMAN: There was, that I did not add,
20 references made in the migrant study to so-called Lillesand
21 Study that was done for the Corporation.

22 I can get copies of that available for you, if
23 you like, which was the study of the count of migrants,
24 and on the basis of that study, the Corporation implemented
25 a policy through expansion to reach all the migrants and

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1 put them on a track that, by the end of next year, all
2 the migrants would be provided some kind of effort, at
3 least where there was a significant portion of them.

4 A couple of points about migrants, and then the
5 recommendations. First, the mandate of the study is
6 migrants and seasonal farm workers. That gives, that mandate
7 required us to look at the efforts that were being made to
8 serve seasonal farm workers and that also, I think, affects
9 how some of the issues that arose in the issue paper, and
10 some of the conclusions that we have drawn, in terms of
11 our exploration of it.

12 The Corporation now funds programs, components of
13 programs, and one special program, to serve migrants.
14 It doesn't prohibit that program, obviously, from serving
15 seasonals, all of the migrant programs which get money from
16 the Corporation, based on the count of migrants, the assump-
17 tion being migrants were not counted in the census, and
18 seasonals were, all of those programs and program components
19 that do a significant amount of migrant work, also serve
20 seasonals..

21 That led to some concern that there be an effort
22 to make sure that seasonal farm workers do receive sufficient
23 service from general programs and the migrant components
24 don't become, essentially, the Hispanic program or the
25 seasonal program, and that efforts be made to assure that the

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1 migrant programs focus on farm worker, seasonal and
2 migrant issues, and the general programs make sure that
3 they provide service to seasonals and other Hispanics, on
4 general legal problems.

5 And I think, I mean I -- I think that the
6 recommendations that are tailored to that address that issue.
7 The essential recommendations are: first, that the approach
8 that we have utilized on providing service and delivery to
9 migrants continue, that the access totally of migrants,
10 that I alluded to earlier, the -- and there's a difference
11 between stream states and base states, although those
12 differences aren't, in some places as neat to draw.

13 There are differences in that special migrant
14 programming is essential in order to assure the expertise
15 and the ability of programs to address the problems of
16 of migrants, particularly in the stream states; it's also
17 true in some of the base states, at points in time.

18 In the current funding formula, the current funding
19 approach that, based on a weighted number of migrants in a
20 service area should be continued, as it's currently being
21 implemented, and I think there's not really any disagreement
22 on that.

23 The second recommendation relates to the problem
24 I raised a second ago, and that is that the regional offices
25 should make sure that seasonals and the Hispanic community

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1 do get service from the regular program, that they are not --
2 there is not a gap that's left.

3 And the gap that, at least in theory, could be left
4 and it may or may not be -- there's no hard data on it;
5 there's only information from the migrant programs and
6 certainly the general programs, is this: the migrant programs
7 because they focus their attention on farm worker issues and
8 yet they begin to be perceived by a number of -- where they
9 exist, they begin to be perceived as sort of the program
10 that serves the Hispanic communities.

11 There's obviously an interrelationship between
12 seasonals, which in many areas are settled-out migrants,
13 and a growing Hispanic community, and the migrant component,
14 which is funded to serve migrants, gets perceived as the
15 Hispanic component.

16 The danger is, that since the migrant program has
17 to focus its resources on the farm worker issues, status-
18 related issues, and that's where the major legal problems
19 of migrants are, that the general program will not focus
20 resources on the non-status-related farm worker issues, the
21 seasonal issues and the Hispanic community.

22 And the recommendation is a mild one. It's just
23 that the regional offices should be aware of this and
24 efforts should be made to assure that there doesn't exist
25 a gap.

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1 Obviously, you have to take into account local
2 priorities, but the answer to local priorities in a number
3 of the areas is not just to say, "We have a migrant program;
4 that solves our problem with seasonals and Hispanics on
5 legal representation".

6 That can't be the answer, and the recommendation
7 is just to make sure that the regional offices are aware
8 of this and through the study and other publicity try to
9 address that.

10 There is, within migrant service, a number of
11 problems that we tried to address with recommendations.
12 One is, of course, the need to have an effective communication
13 coordination network linking the stream and base states.

14 A recommendation addresses that problem, the
15 Corporation assist migrant programs and IMLAP migrant legal
16 action program, to develop a more effective network, and to
17 assure that communications go on.

18 A second area, which was really addressed to the
19 limited English-speaking section, had to do with bilingual
20 staff and language instruction, and we have adopted for the
21 purposes of the migrant report the recommendations made
22 there.

23 Obviously, given the large number of Spanish-
24 speaking migrants, both from Puerto Rico and from Texas,
25 there needs to be a bilingual staff, in order to effectively

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1 assist them and everybody agrees with that, a serious issue.

2 That's the recommendation for, also, limited
3 English-speaking section, follows from that section.

4 Finally, I have addressed the support issue.
5 Immigration is a big problem; all of the migrant programs
6 do a substantial amount of immigration work. There needs
7 to be some additional support and training, et cetera, on
8 immigration. That is on its way.

9 MS. ESQUER: Excuse me. On that issue, are you
10 discussing the feasibility of a national support center --

11 MR. HOUSEMAN: Yes.

12 MS. ESQUER: -- on immigration?

13 MR. HOUSEMAN: We are about to have a recommenda-
14 tion; I have not yet had a chance to talk to Tom in depth
15 about it, on that issue. We have explored it at some
16 length with a number of programs.

17 But we are -- we have committed ourselves to
18 training and manuals and we are about to commit ourselves
19 to something around that; it's not finalized yet.

20 The sixth recommendation is just to -- is to
21 assure, particularly with the expansion of migrant programs,
22 that OPS continues to provide, as it has in the past,
23 training on farm worker representation in employment-related
24 issues, to the increased number, because of expansion, of
25 migrant attorneys and paralegals.

1 This is obviously an area where expertise is
2 critical and it's just a simple recommendation on that.
3 Seven is, if we do -- if we continue any law student
4 programs at all, that emphasis be given to targeting some
5 of those students to work in stream-state migrant offices,
6 during the migrant peak seasons, if that's possible.

7 And I -- and we've discussed this with the recruit-
8 ment office. To the extent there is any law student activity
9 that they are to be involved with, they will attempt to do
10 that.

11 And, finally, Eight relates to -- oh, there are
12 two more, I'm sorry. Eight relates to the expansion of
13 migrant programs; in the section of the funding history
14 of migrant programs, it's point out that the Corporation
15 has set aside some money for covering those States that have
16 some migrants during the peak season, stream states,
17 but don't have a sufficient number of migrants where you
18 could effectively set up a delivery system.

19 What we are suggesting here, in this recommendation,
20 is that a special fund be created, to be held in trust for
21 those States, and that that money be available to help on
22 technical assistance, training, consultation, litigation
23 expenses, directly attributable to the service of migrants
24 in those States, and that that fund would be administered by
25 the Migrant Legal Action Program, and established out of

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1 Fiscal '79 expansion funds.

2 This is a recommendation of which the migrant
3 programs and the offices of field services were in agreement,
4 and we included it in the report.

5 And, finally, the last recommendation is, rose
6 initially out of the migrant working group, and it is that
7 because of the difficulties which are developed and docu-
8 mented in the study itself, with access to labor camps, that
9 in this study, the Corporation recommend that Congress enact
10 legislation to assure Legal Service staff have access to
11 the camps in which eligible clients reside.

12 We do not propose drafting a specific statute or
13 going into this in any depth; all we propose is that the
14 recommendations to Congress make mention of this, much along
15 the lines that we have played out.

16 It is clear that it's a problem. The recent
17 litigation has not -- has sort of gone in different directions
18 than the original trend that started, and I discussed this
19 in the text on access to labor camps. There have been some
20 negative decisions by the Seventh Circuit Court of Appeals
21 and some other courts that have interrupted a trend of cases
22 that had expanded access to camps.

23 The concern is that, if legislative efforts go
24 on, that this report would at least give some support to
25 those efforts, but we should not lead the way or ourselves

1 get into trying to do that, but provide a little bit of
2 support to efforts that farm worker organizations may be
3 making in Congress.

4 Those are the recommendations in terms of the
5 migrant group.

6 MR. TRUDELL: Questions?

7 MS. RODHAM: I thought it was very interesting

8 MS. ESQUER: There's been so much discussion on
9 that topic that --

10 MR. HOUSEMAN: What, migrants?

11 MS. ESQUER: Yes, it's been pretty well put
12 together.

13 MR. DOOLEY: This -- the farm workers' section
14 and, of course, the native American section, this is against
15 the background of Corporation studies, and in native
16 Americans, there's two others and farm worker's, there's
17 one, and that particularly aids -- I mean, you are doing
18 more gap filling than in Veterans, for which there was
19 nothing and we started from scratch.

20 MR. HOUSEMAN: Right.

21 MR. DOOLEY: It is easier to, maybe, focus the
22 issue --

23 MS. ESQUER: Could you review again and explain
24 to us what the weighted number formula is?

25 MR. HOUSEMAN: I don't know if I can explain it in

1 great detail --

2 MS. ESQUER: No, just a -- in general.

3 MR. EHRLICH: In a sentence.

4 (Laughter)

5 MR. HOUSEMAN: What it is -- migrants, when they --
6 what with the Lilliland study and other Corporation work did
7 was, it looked at the period of time migrants were in a
8 stream state..

9 Let's take Michigan, where they're in Michigan
10 roughly six months out of the year, but -- although they
11 are in various areas less time than six months. And it took
12 the total number of migrants that come to Michigan, which
13 is up in the 80,000's, and -- 90,000.

14 During the stream period, it didn't give the
15 migrant programs \$7.00 per migrant, based on 80,000 migrants;
16 it gave them based on some weighted count of how long they
17 were actually in the service area, and I don't have the
18 exact formula, but let's say, in this case, it was -- I don't
19 -- it didn't come out this neat, but something like, we
20 would only give them money for, say, 50,000, because it's
21 a weighted count, as opposed to 80,000, and that was a
22 formula that was worked out through the Lillesand study and
23 through the Corporation, as a way of evenly measuring the
24 amount of funding necessary to effectively serve the migrant
25 community.

1 It's one in which the migrant programs were all
2 in agreement and something was worked out in a harmonious
3 fashion. That's what the formula is; that's what it's
4 designed to do.

5 MS. ESQUER: Yes, I don't recall that now,
6 specifically, as far as seasonal workers are concerned,
7 whether that formula makes any provision at all for seasonals
8 and my feeling is that there isn't and therefore that -- I
9 think I probably am going to have some problems with One
10 and Two on these recommendations, because there -- the
11 weighted formula, to me, I think, kind of presents a
12 problem when you do have seasonals with farm worker type
13 legal needs and then having a program funded which is based
14 on this weighted formula, I think, really creates some
15 problems.

16 If we are going to continue, you know, the
17 special funding of migrants, I probably would want a closer
18 look at that -- at One and Two.

19 MR. HOUSEMAN: In the report we discussed this
20 issue --

21 MS. ESQUER: Yes.

22 MR. HOUSEMAN: -- I think at some length, and
23 some possible conclusions that could be drawn. It was
24 one of the issues we raised in the issues paper.

25 MS. ESQUER: Right.

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1 MR. HOUSEMAN: And it isn't an easy issue --

2 MS. ESQUER: No.

3 MR. HOUSEMAN: -- at all. We decided to come up
4 with an approach that continues our current policy but forces
5 some effort to assure that the gaps get filled --

6 MS. ESQUER: See, the problem is not only the
7 gaps. You have set a very -- you have a double problem,
8 you know. The gap thing is something that I think you
9 correctly pointed out can be corrected as much as possible
10 through having the regional office monitor that and insuring
11 that there is access.

12 But the other thing is whether the funding formula
13 is actually fair, when you look at the numbers or the types
14 of legal problems presented. So I think there are two
15 separate questions on that.

16 MR. EHRLICH: It was one that more time, energy
17 and effort than most other issues, went into. Everybody
18 agrees it is somewhat arbitrary. The question is whether
19 there's a better way to do it, and there well may be.

20 MS. ESQUER: And then when you add the fact that
21 undocumented workers are not covered but yet are served,
22 I mean, that throws everything out of whack, and I guess
23 I am interested in maybe studying that a little bit more in
24 detail, and that's all I am really saying.

25 MR. EHRLICH: My comment on the undocumented workers

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1 is that we did attempt to get some counts in that area, and
2 of course, it's a controversial subject to start out with.

3 MS. ESQUER: I'd like to see it as a priority that
4 we serve undocumented worker, written in this report.

5 MR. HOUSEMAN: At the level of trying to get
6 information that you get, there are two to 40 million
7 undocumented persons in the United States -- chose anywhere
8 in between, and it would be extraordinarily difficult to
9 come up with any kind of precise funding, but even some
10 impact notion of what that means and -- I have all the
11 literature and, boy, it's -- everybody's roaming around with
12 document questions now, and unless the immigration policies
13 change, I think we always will, although --

14 MS. ESQUER: Probably, for local programs, I
15 guess that case loads and people coming and requesting
16 service might tell us a lot, but I don't think that every
17 program inquires into the status of someone unless it's
18 related --

19 MR. HOUSEMAN: And if they do, and it's known they
20 do, then people aren't going to come to us; that's part
21 of the problem.

22 MS. ESQUER: It's difficult.

23 MR. TRUDELL: What you might do, Allan--it's only
24 a suggestion, too--that when you do this summary and pull
25 together all the recommendations of the various reports, it

1 might be helpful, too, if you'd just, at the end of each
2 report, do like you did this one, the participants or
3 members of the working groups, the various working groups,
4 because that's helpful in terms of knowing who did you go
5 to and --

6 MR. DOOLEY: That will be in all of them. In
7 getting it out, there was some --

8 MR. TRUDELL: Well, the last of the five is the
9 residential sparsely populated areas.

10 MR. DOOLEY: That -- the recommendations, that part,
11 are on page 84, 85 and 86. Let me go through them in order
12 of the data that's behind them.

13 First of all, One, on the question of expansion,
14 but the facts are, at this point, that using as we did a
15 definition of sparsely populated that is based on population
16 density of 15 or less, and the text describes how we chose
17 that, which was really a judgment -- there isn't one that
18 one can simply grab -- you get that about 60 percent of the
19 poor people in such areas are currently covered, that 80,
20 almost 90 percent of the persons in higher population
21 densities areas are currently covered.

22 So the first conclusion you have to come to is
23 the 40 percent of the persons, poor persons, residing in
24 sparsely populated areas, there is no program, and, obviously,
25 that is, the ultimate, if you want to say, access barrier

1 that is, there is nothing there, and so the first part and
2 the first recommendation is that, for this group, highly
3 correlated to the expansion policy and that elimination
4 of the access barrier, first and foremost, means the expansion
5 throughout the country.

6 The second and third go again to the access area
7 question. This is a difficult one to use data to clearly
8 establish, as you will see, from the way it is done.

9 We looked at office locations, circuit riding,
10 we've looked at six other income maintenance and service
11 systems and the same terms, found that in general, in the
12 sparsely populated areas, that we have more offices per
13 number of poor people served, but what we really are doing
14 is, we have substantial investment in dependence on circuit
15 riding, that every office on an average is circuit riding
16 to two different other places for delivery of service.

17 There are something like 200 offices and 400
18 circuit riding locations in sparsely populated areas. That
19 makes us different from other delivery systems in the sense
20 that in the aggregate, we have presence but much of that
21 presence is circuit riding and not office locations.

22 Two recommendations, really, flow from that. The
23 first one is the questions of delivery and the circuit riding,
24 I think, is one of the things that particularly raises it,
25 because, although circuit riding has been in common usage

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1 in Legal Services, since OEO first got into it, there hasn't
2 been any real serious analysis of the pros and cons of that
3 kind of delivery system, what the problems are, how well it
4 works or doesn't work.

5 And there seems to be, in this particular area,
6 that kind of problem. The first real recommendation is that
7 there be more research and particularly analysis and
8 categorizing what is known on rural, sparsely populated
9 delivery methods, circuit riding being one of them.

10 And you will notice that it emphasizes that that
11 is supplementary, that research is in fact going on within
12 the Corporation, through the delivery systems study, through
13 the quality improvement projects, and that we are talking
14 about more than what's occurring.

15 But it's not as if we are starting from scratch
16 on that. I should, in recognition of delivery systems,
17 emphasize on this point, that this is an area of specific
18 emphasis in delivery systems study; that is, the effect of
19 alternative models and supplementary models of delivery, in
20 sparsely populated areas.

21 We did not attempt, in this report, to duplicate
22 or start dribbling out delivery systems study findings and
23 the report says that specifically.

24 We did, however, have to point out, on numerous
25 occasions, that some of this reasearch is going on through

1 that vehicle, and give examples of some of the programs
2 that are being funded.

3 The next one is the more difficult question intro-
4 duced. The question related to what implications this may
5 have for funding. What the recommendation suggests is
6 that what the Corporation should attempt to do is look
7 at norms, standards, of what it expects in terms of delivery
8 out there.

9 This is not a unique rural or sparsely populated
10 question; it's a question that transcends every group in
11 the study, as well as all those not studied.

12 And then look and try to work back to what
13 implications that may have on the funding. The problem
14 in the rural areas is this, that one can say there is a
15 certain level of access, and we have data that says that,
16 for example, in Alaska, you have clients 300 miles from an
17 office or circuit riding location and we have no norms
18 for what is or how it should or should not be.

19 And until we get such norms, it's impossible to
20 deal with the costing and funding questions that come out
21 of that, and it isn't necessarily true that, once you do
22 get some norms, that you can deal with it or should deal
23 with it in that fashion.

24 So this is really leading to another inquiry.

25 One other point on the delivery question. We wanted

1 to and will, by the Board meeting, have a sort of
2 symposium on rural delivery, to try to flush out, in a
3 lot more detail, where more work should go, where there
4 should be more technical assistance -- we expect to get
5 that done in the beginning of March.

6 We really wanted to have it for this time; we
7 are not suggesting changing the recommendations, but we
8 are hoping that there will be a lot more specificity on
9 where, exactly, the problems are, where the critical needs
10 are, by the time of the March Board meeting.

11 Next, on special legal problems, we went through,
12 and there has been prior work, the research institute funded
13 a study and report, which is in Appendix C, by Reno, Royson
14 and Shapiro, on special legal problems connected with rural
15 residency.

16 We went through those, we went through with the
17 programs, who were saying what they were doing about it.
18 We found some gaps, as we had in all groups. And there
19 are some that have more currency than others; for example,
20 a big one, very likely, is the question of low income farmers.

21 I say it's a big one; it has currency given the
22 tractors that are roaming the streets here.

23 The census data shows that something like 30
24 percent of farmers -- not farm workers, but farmers -- have
25 incomes below the poverty level. We do know, from what the

1 program said in the questionnaires, that otherwise, that
2 in general, programs have not addressed this constituency,
3 as to the agricultural-related problems.

4 And, of course, it occurs against a background
5 of vast decline in the family farm, some suggestions from
6 others that Legal Services involvement might help to
7 stop that trend, that there are things to be done -- this
8 is all uncharted waters.

9 We really know very little about what we could
10 do if we did that constituency, we don't generally serve it.
11 We went through a number of other such problems, the
12 recommendations are Four, Five and Six.

13 One is that in the discretionary money going,
14 there should be some issue targeting of these kinds of
15 problems, obviously, locally identified, but problems
16 connected with the rural status of the clients.

17 Second of all, in support and in manuals and that
18 sort of thing, we should in fact focus more on these issues
19 and try to pull them out.

20 You will note from the study that a number of the
21 support centers have particularly direct resources to rural
22 problems. That's been most true in housing, and in health,
23 and that trend is starting; it's obviously responding to
24 the fact that as more expansion goes on, it's going into
25 the rural areas and there's more demand from that.

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1 And the recommendations are supportive to that
2 trend. Also, that there be some support created on some
3 of these issues that do not reside anywhere, like the
4 family farm kind of issue.

5 That's what the recommendations are on this one.

6 MR. HOUSEMAN: One comment; the paper that I did
7 on unmet support needs identified rural issues and we asked,
8 through the latest funding cycle, that all support centers
9 address in particular what they were going to do for rural.

10 And in our refunding, just about to be finished,
11 we have not only assured that the efforts that are going
12 on now in housing and health continue, but in working with
13 the support centers to increase their rural support.

14 MR. DOOLEY: Questions?

15 (Pause)

16 MR. TRUDELL: Do you have any questions?

17 MS. ESQUER: Not really; I am really pleased with
18 the reports and summaries that we received and I hope I
19 have time to read them before Monday.

20 MR. HOUSEMAN: You'll have plenty of time over
21 in Spain.

22 MS. ESQUER: You should see how the point of view
23 changes when you cross the ocean.

24 MR. DOOLEY: We are working on a Spanish language
25 version of at least the one on English-speaking ability report

1. MR. TRUDELL: No, I'm glad to see we are this
2 far along, and I hope that we are able, I guess, to get
3 everything in final form.

4 I don't have any other questions, and I don't
5 know if Cecilia or Josephine do, about any of the reports.
6 And if not, then I think maybe we ought to just talk a
7 little bit about, at least hear Tom, in terms of the time
8 frame for all this, getting things in final form and what
9 else needs to be done or should be done.

10 MR. EHRLICH: Well, you recall that we are also
11 doing as part of this study, although not part of the
12 report by April 1, elderly, handicapped, and it's essential
13 that we do those and we will go through the same process
14 with you, as soon as those are done.

15 These papers nows are being distributed among all
16 the groups that are interested, and the various people who
17 have been involved or expressed interest and concern, since
18 it has been, I think, the most widely involving process that
19 we went through, except for the Next Steps process, I will
20 be surprised if we are surprised by comments.

21 Obviously, each group has its advocates who say
22 more ought to be done than you are talking about here, but
23 we recognize that.

24 The -- if there are mistakes in facts, they will
25 obviously be corrected; if there are differences of view

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1 Both of those groups have received that or they
2 are in the mail now -- the mechanics of it are done; it's
3 out. I don't know if they have actually, physically, received
4 it all.

5 That's -- we have gone that far. We have not
6 concluded whether to go any further. That covers about 150
7 to 200 Legal Services people and projects, by the time that's
8 all done.

9 MS. WORTHY: I don't know if we are saying if
10 we want comments back, what date we are going to set up for
11 the meeting. Would you have time to get the message to
12 people that we want to receive comments and then have time
13 to go through them, based on the date of the meeting?

14 MS. ESQUER: I would be particularly interested in
15 hearing comments from client groups, you know, because of
16 the fact that there wasn't direct surveying of individual
17 clients. I don't think it was necessary, you know, abso-
18 lutely necessary to do it, but because it didn't occur, I
19 would specifically request that they be invited to come, you
20 know, to our Committee meeting.

21 MR. HOUSEMAN: As I said, we did have clients in
22 all the working groups, or most of them. But we will make --
23 I have no problem with making an effort to make sure that
24 client groups get copies of the report.

25 MR. DOOLEY: We had something like 1,000 people

1 answered one or more questions -- Ann says more, that were
2 sent out in the course of the study.

3 Some of them specifically requested to have a
4 copy of things, and I think, given the time they took to
5 do it, we should honor that.

6 As far as sending out to all 1,000 of them a
7 copy, I mean, we will break the budget of the Corporation;
8 it's just kind of difficult -- now that we have got all of
9 this thing, what -- how do we manage to --

10 MR. TRUDELL: Not only that; just to run the risk
11 of sending something out, soliciting comments or whatever,
12 and with such a short time frame involved, and we'd be
13 accused of, you know, "You're letting us know at the last
14 minute, and there's no way we can react".

15 But I guess, maybe just shifting to and then to
16 get back to this, the date, place and topics for this
17 meeting, so what kind of time frame is involved, because
18 today is what, the 17th, and the Board meeting is a month
19 away.

20 (Discussion off the record)

21 MR. TRUDELL: I guess, in terms of topics for
22 the agenda, one is, you know, continued or further discussion
23 of the 1007(h) reports and how do you want to phrase the
24 client portion of the meeting -- client training status?

25 MS. ESQUER: Yes.

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1 MR. TRUDELL: So in terms of needing things
2 prepared, I guess Catherine will map the overview and then
3 in terms of soliciting feedback or comments, what should
4 John and Allan try to do, regarding gathering that informa-
5 tion for us? Because there may be certain groups that
6 we would appreciate feedback from, over and above the working
7 groups, such as Maldo, regarding two or three of the reports.

8 MS. ESQUER: Well, I think we should just let
9 Allan know and John know if there are any particular groups
10 we want information sent to.

11 MR. TRUDELL: Why don't we leave it at that? If
12 we have suggestions, in terms of the Committee members, we
13 will let you know right away.

14 MR. HOUSEMAN: Sure. I will catalog -- whatever
15 the comments that come in, I will either summarize or send
16 you or catalog or something, and do something with them so
17 that you have them in front of you, as we did with the
18 support studies,

19 I have -- let me make it -- I have also sent this,
20 in terms of the interest groups, to all the relevant project
21 directors, who are like native American project directors and
22 migrant project directors and special -- just those kinds of
23 people, in addition to the working groups. I should make
24 that clear.

25 There's others, too; I'm not trying to eliminate

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1 those.

2 MR. TRUDELL: Jerry.

3 MR. SINGSEN: Just a comment on the scheduling
4 of the meeting. I recognize the concerns that Tom is talking
5 about, in terms of time, and that may be the most compelling.

6 The only thing I wanted to mention to the members
7 here is, given the discussion of client training yesterday
8 and the feelings about that, if a lot of discussion is in
9 fact going to be brought forward from client groups and
10 field groups, there may be a problem in terms of starting
11 that at 9:00 at night.

12 MS. ESQUER: No, we're starting at 7:00 or 7:30.

13 MR. SINGSEN: I thought you were going to do the
14 1007 comments then.

15 MR. TRUDELL: Only if there are more.

16 MR. SINGSEN: I was just saying that you are
17 making a very short time for that; which may be all that's
18 necessary. But if there is a lot of feeling about that.--

19 MS. ESQUER: Well, I think there's another thing,
20 that if there's a lot of feeling on them, the evening before
21 will probably allow for more people to attend, too, and you
22 know, people might not be able to get in for an afternoon
23 meeting who have strong feelings about it.

24 MR. TRUDELL: I assume that it will be -- whatever
25 we discuss at that Committee meeting, will again be discussed

1 the next day.

2 MR. EHRLICH: Do you want -- I'm sure Hillary
3 will ask -- do you want the Committee's material to be
4 first on the agenda for the Board, next time?

5 MR. TRUDELL: Yes, that's fine with me --

6 MS. ESQUER: That's fine.

7 MR. TRUDELL: Because, with the discussion or
8 the recommendation regarding the Reggie Program, I guess --

9 MR. EHRLICH: Do you care about the order, should
10 it be client training; that is, there will be client training,
11 there will be the Reggie Program --

12 MR. TRUDELL: I think that -- let me express my
13 concern and position; I think this is going to take less
14 time and get out of the way, and rather than to, I guess,
15 the things that we can dispense right away, we should.

16 So I think this should be first on the agenda for
17 the Committee presentation and then the second item, I
18 guess, is a toss-up between the Reggie Program and --

19 MS. ESQUER: Client training should be second and
20 then Reggie.

21 MS. WORTHY: Client training should be second.

22 MR. EHRLICH: 1007H, client training, the Reggie
23 Program.

24 MR. TRUDELL: I assume that -- I don't know if
25 there is anything else, but we'll be in touch.

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1 MS. ESQUER: Or else in alphabetical order.

2 MR. TRUDELL: Allan, thanks a lot. I think that
3 -- actually, I think we got more done than we anticipated
4 with the report, but I think -- we've said it before, and
5 we'll say it again, I guess we know you people are really
6 under the gun; we appreciate all the effort that goes into
7 these reports and the work that the research institute does.

8 MS. ESQUER: And I hope I don't have to bring my
9 large briefcase next time we come,

10 (Laughter)

11 MR. HOUSEMAN: Okay, thank you very much.

12 MR. TRUDELL: Is there anything else?

13 MS. ESQUER: We are adjourned.

14 (Whereupon, at 12:15 p.m. o'clock, the meeting
15 was adjourned.)

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C E R T I F I C A T E

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3 This is to certify that the foregoing proceedings
4 before the Federal Home Loan Bank Board, Surety Savings
5 Association, 76-152, February 21, 1979, were had as herein
6 appears and that this is the original transcript thereof.
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WILLIAM MOFFITT

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22 all the working groups, or most of them. But we will make --
23 I have no problem with making an effort to make sure that
24 client groups get copies of the report.

25 MR. DOOLEY: We had something like 1,000 people

1 feedback on the report; I don't think it would be necessary
2 to repeat the information today, because it's been very
3 complete and I don't think we would need to go through
4 that, except as far as just receiving comments and suggestions
5 and that wouldn't, I don't imagine, be very time-consuming.

6 We are going to have a special meeting for the
7 client training, is that right?

8 MR. TRUDELL: That was -- we discussed that
9 yesterday, and hopefully will arrive at a decision today,
10 in terms of when that will take place.

11 I guess, when we have that meeting, we should
12 set aside some time to discuss comments or, hopefully, some
13 constructive criticisms or suggestions.

14 What are the plans to distribute this report beyond
15 the Board? I mean, is it going to -- well, I'm sure all
16 the working groups --

17 MR. HOUSEMAN: Every working group that exists
18 has been sent right now, at least their copy of the area,
19 some were overlapped, and told that if they want the whole
20 thing, they can get it.

21 There is a sort of -- the interest organizations,
22 put it that way, have received copies, and told that if they
23 want more, we will distribute them -- the NLAD Civil Com-
24 mittee and PAG, the back-up centers, the National Clients'
25 Council, et cetera.

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1 in the next six weeks or so, and maybe, in fact, be in
2 terms of leadership form, the Corporation as the Corporation,
3 one of the most important things that the Corporation does.

4 I didn't make that point earlier, so I tuck it
5 in at the end.

6 MR. TRUDELL: I guess, going back to the outset
7 of the meeting today, we raised some concerns about the
8 need or the possibility of the need for another meeting, I
9 guess, of the Committee, regarding the access reports.

10 I don't know if there are any comments that
11 Cecilia or Josephine would like to make to that, about that,
12 or if we just, you know, get everything in the best form we
13 can before the Board meeting and leave it at that.

14 MS. ESQUER: I guess I would just repeat
15 what I said at the beginning, that I think that it would
16 be more appropriate to received comments, if we are going
17 to get comments, you know, through the Committee, rather
18 than directly to the entire Board.

19 It may be helpful to request, you know, that
20 comments be sent in writing and maybe that would do away
21 with the need for a Committee meeting.

22 But I thought that yesterday, we had agreed to
23 have an official Committee meeting, anyway, to discuss the
24 client training issue and therefore, we could go ahead and
25 put this on the agenda, only in the sense of receiving

1 get it out. -- it is, essentially, the production in
2 readable form of a mass of computer printouts.

3 When we get it, we will send it. Meanwhile, if
4 in reading this, you want to see any of the particular
5 underlying data, what did somebody say about this or that,
6 we will -- let us know, and we will do it.

7 Obviously, we feel a little reluctant to get into
8 individualized kinds of things -- "What did my local urban
9 Indian center say about me?"

10 And we have, in fact, refused to give that out,
11 because we think it's essentially a breach of trust with
12 the people we surveyed, that we asked for it for study,
13 not for individual stuff, but the aggregate data we will --
14 we can -- I mean, we have it; it's just a matter of actually
15 getting it typed, which is long process, and putting it out.

16 Second of all, another point I hope comes from
17 this, is that a lot of the information that's in here was
18 not otherwise available. And that when you look at local
19 program performance on things, you realize that a lot of
20 times, they didn't know about one thing or another, and of
21 of the salutary purposes about this, I think, will be that
22 a lot of this stuff gets out to people.

23 People did not know how many limited English-
24 speaking ability people there were in their service area,
25 or Indians, or whatever. And that filtering process will

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1 or discontinue some or increase it, and I guess the Board
2 and staff -- we really need to talk about that.

3 MR. EHRLICH: That's a -- because it's not just
4 these five groups, plus elderly plus migrant -- and plus
5 the handicapped; there are many other groups and one could
6 have taken special problems of the urban poor and gone on
7 at some length about those problems, with access problems
8 and special legal problems.

9 But, yes, we do, both as to the migrant and native
10 Americans, which we have, and the other groups that you
11 don't have.

12 Our current approach has been in terms of talking
13 to Congress to say that, to the extent we can move, it would
14 be through special needs funds in the 1980 budget, which is
15 what the Board had thought when we discussed it, but without
16 allocating specific categories for specific needs.

17 MR. DOOLEY: Just a couple of points. You'll see
18 constant reference to the thing finally known as the data
19 book, which, actually, the production of which started before
20 the writing of the reports, and is still going on; it should
21 be done in a couple of weeks, and it's as equally as thick
22 a book, has underlying data.

23 When we -- I know you want more paper -- when we
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1 that come in light of those facts, we will try to keep the
2 Committee informed, over the next weeks, as that happens.

3 These materials will go out in essentially this
4 form to the Board, all the Board members --

5 MR. DOOLEY: It's already gone out.

6 MR. EHRLICH: It's already gone out, with the
7 hope that they will have more time to read it. We will
8 have an introduction prepared which will make points, we
9 may do the summary of the recommendations that you asked
10 for, and put that all together and have copies that will
11 go up to the Congress with a transmittal letter, dated
12 the first of April, with a great big set of caveats which
13 would be repeated in more detail in the introduction, that
14 these are judgments as of the time, funding is an issue,
15 further study is an issue, and not try to lock us in.

16 We said that is also true, we will naturally use
17 the recommendations as basic sets of mandates to go forward
18 with, some of them are already going forward, unless the
19 Board later decides to shift, and we'll come back and look
20 at something again.

21 MS. ESQUER: I guess the one thing we ultimately
22 will have to look at is the one thing that Allan and John
23 said they didn't cover. It's comparing the groups with
24 each other, and then deciding whether we, in fact, are
25 going to continue the special funding for some of the groups,