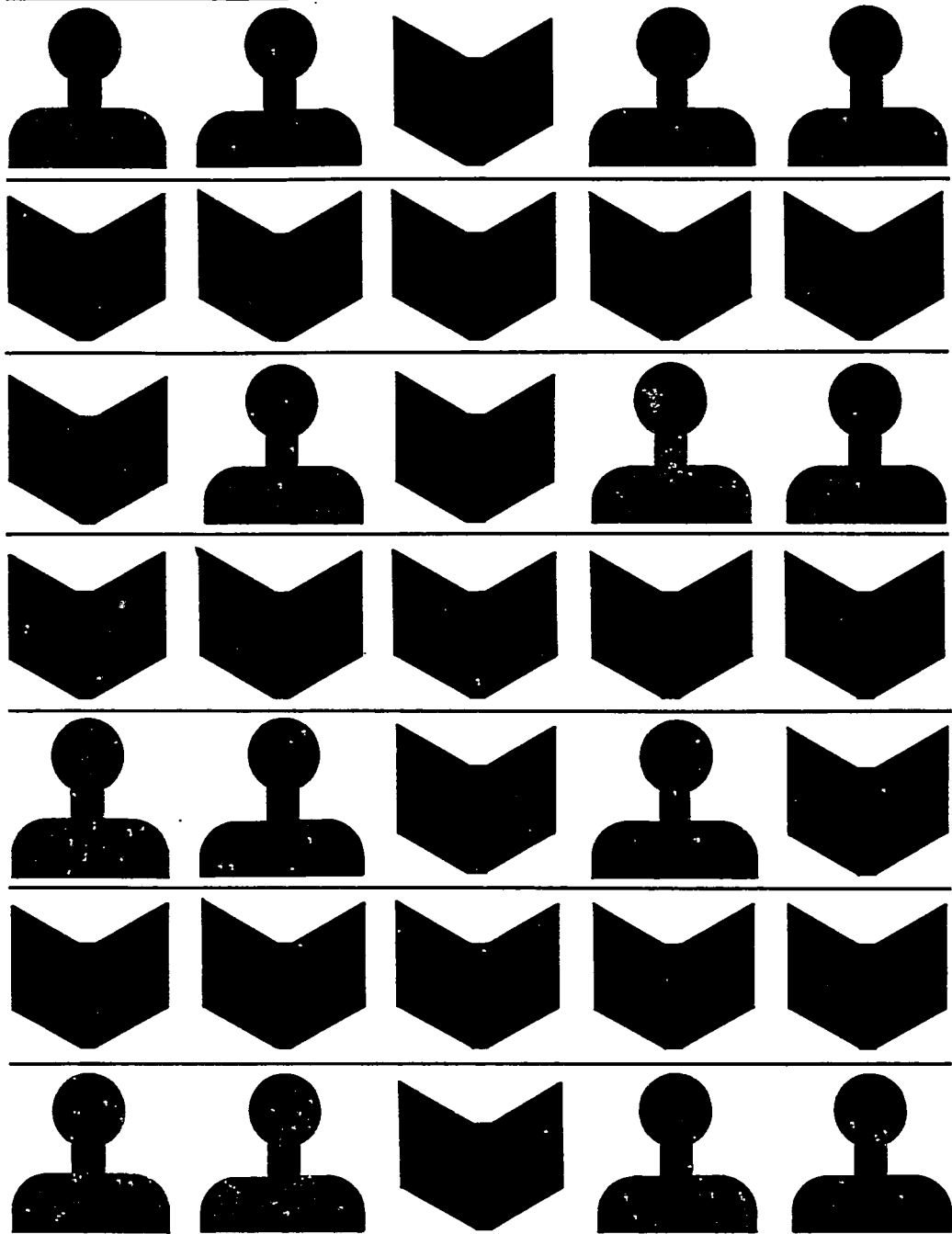


# BLOCK GRANTS AND YOU: A CITIZEN'S HANDBOOK

June 1983



This handbook was prepared by the Arkansas, Louisiana, New Mexico, Oklahoma, and Texas Advisory Committees to the U.S. Commission on Civil Rights. The contents of this handbook should not be attributed to the U.S. Commission on Civil Rights but only to the five Southwestern Regional Advisory Committees.

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# **BLOCK GRANTS AND YOU: A CITIZEN'S HANDBOOK**

A handbook prepared by the Arkansas, Louisiana, New Mexico, Oklahoma, and Texas Advisory Committees to the United States Commission on Civil Rights.

## **ATTRIBUTION:**

The contents of this handbook should not be attributed to the United States Commission on Civil Rights but only to the five Southwestern Regional Advisory Committees.

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## **PREFACE**

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This handbook is designed to provide basic information to private citizens on block grants. It attempts to familiarize the reader with the block grant procedures and to offer ideas as to which government officials are accountable for the administration of individual block grants. The reader is also advised about sources of information on block grants that are available. Additionally, for those individuals who want to organize into groups or who as individuals want to evaluate or study specific block grants or programs, some suggestions are also included for them on how to proceed.

The handbook is structured in such a way that it can be read all at one sitting or can be read a section at a time as the information is needed or simply to find individual facts at a quick glance. It is the hope of the five Southwest Regional Advisory Committees to the U.S. Commission on Civil Rights that this will bring the block grant system closer to the communities being affected.

The handbook is divided into seven chapters. The first chapter contains an introduction to block grants. This chapter is followed by chapters focusing on how to monitor block grant issues, developing minimum standards for block grant programs, a discussion on civil rights guarantees, an explanation of the effective use of organizations to evaluate block grant implementation, a listing of useful information and Federal and State directories of helpful organizations in each State. Also included is a glossary of terms and an appendix which has specific information on each block grant.

## ACKNOWLEDGMENTS

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This handbook was prepared by Gloria Cabrera, regional attorney, under the supervision of J. Richard Avena, director of the Southwestern Regional Office. Chapter 5, "How to Influence Decisions Through Organization" is a reprint of a chapter in the Southwest Regional Office publication, *Working With Your Schools*.

The following staff members also participated in the development of this handbook: John Dulles, Deputy; Ernest Gerlach, Research Writer/Civil Rights Analyst; Dr. Mary Minter, Civil Rights Analyst; Margaret Guzman Robbins, Civil Rights Analyst; Norma Valle and Diana Monreal, Support Staff. Legal sufficiency review was conducted by Laurie Campbell, Regional Attorney, Western Regional Office, U.S. Commission on Civil Rights.

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## Chapter 1

# Introduction to Block Grants

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The activities of the Federal Government affect our lives everyday. In recent years there have been some basic changes in the government's philosophy of spending money. We often read about the "New Federalism" in the newspapers. A major part of New Federalism has to do with how the Federal Government funds certain programs. In the past, almost all of the Federal monies came to the State programs directly in the form of categorical grants. Now there has been a major change. Some monies come from the Federal Government to the State and then the State decides which programs it will fund, so that now the States have the primary responsibility for some domestic social programs. This new approach is called block grant funding. What is a block grant?

A block grant has been defined as a consolidation of narrowly-focused, tightly controlled categorical programs into large, virtually unrestricted grants that give wide discretion to States on how to use Federal monies. Block grants are not new but their use has increased a great deal in the 1980's. Block grants are essentially monies allocated to States by formula and designated for use in broad program areas such as health, community services, and home energy assistance with few Federal strings, i.e., requirements, attached.

The block grant approach was adopted by the Congress in 1981 when it passed the Omnibus Budget Reconciliation Act.<sup>1</sup> This law created nine (9) block grants. That doesn't sound like a lot, but remember that each block grant combined many individual programs, so that in just nine block grants we are talking about billions of dollars in Federal funds. (See Appendix for the programs combined in each block grant.) Also, it appears that even more programs will be block granted in the future.

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<sup>1</sup> Omnibus Budget Reconciliation Act of 1981, Pub. L. No. 97-35, 95 Stat. 357.

Figure 1.1 describes the many levels involved in administering block grants. As you can see, many people, at different governmental levels are involved.

Under block granting the States have a great deal of control as to what is done with Federal monies.<sup>2</sup> The States no longer compete with each other for Federal funds. Each State receives a share of the funds as determined by a formula used by the Federal Government taking into consideration such things as population and poverty. Federal regulations and guidelines on spending those monies have been significantly reduced. The roles of the State legislators and the governors have also changed.

The Omnibus Budget Reconciliation Act also recognized the uniqueness of the trust relationship that exists between the Federal Government and the Indian tribes as sovereign nations by providing for direct funding.<sup>3</sup> The Act provides for direct funding of Indian tribes in five of the block grants: Preventive Health and Health Services; Alcohol and Drug Abuse and Mental Health Services; Primary Care; Community Services; and Low-Income Home Energy Assistance.<sup>4</sup> However, of the block grants available for direct funding to Indians, all except community services and energy are limited to those tribes that previously received funding under the categorical programs.<sup>5</sup> This requirement effectively excludes the vast majority of all tribes from participation.<sup>6</sup> (For a more detailed discussion of this issue, see Chapter 6 for information on the publication, *The New Wave of Federalism*.)

Chart 1.1 designates the various State and Federal agencies responsible for administering each of the block grants. While the Federal agencies listed in Chart 1.1 oversee the Federal funds being given to the States for broad areas such as health, education, etc., the States now are able to exercise greater control over the monies they receive. As indicated earlier, block grants are intended to confer wide discretion on the States as to how they will operate the grants. The basic philosophy underlying the block grants is that the ultimate check on a State's handling of allocated Federal dollars is that State's accountability to its citizens. If citizens are unhappy with the manner in which their State officials are administering block grants, they can make their feelings known at the ballot box.

Under the categorical grants, funds are provided for specific programs, and the Federal Government maintains close administrative control on these funds. States sign assurances, that is, they must sign a contract that

<sup>2</sup> 47 Fed. Reg. 29472, 29474 (1982).

<sup>3</sup> See for example, Pub. L. No. 97-35, 95 Stat. 536, Sec. 1902(d) and (e).

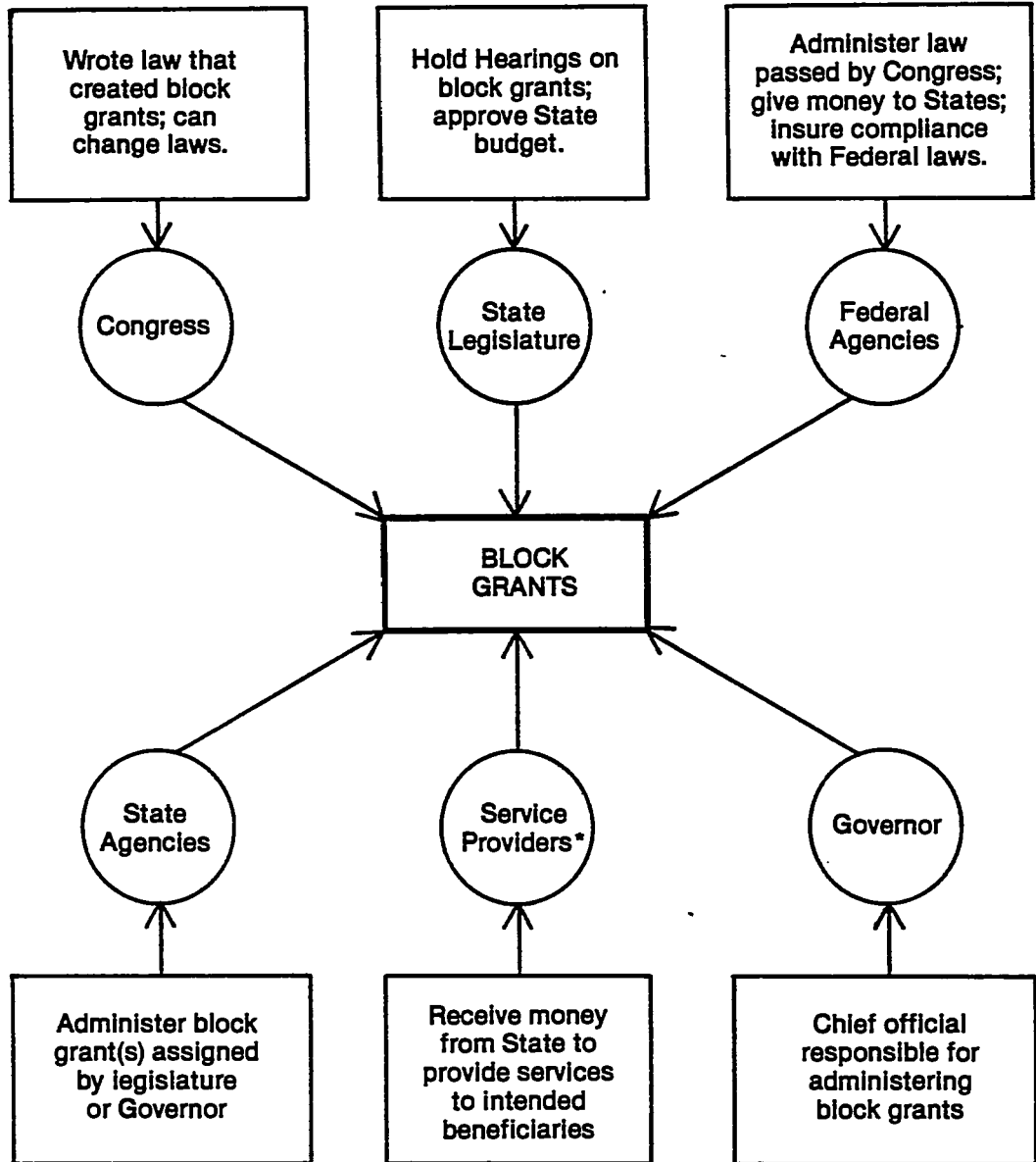
<sup>4</sup> 47 Fed. Reg. 29472, 29480 (1982).

<sup>5</sup> *Ibid.*, at 29489; See also Testimony before the New Mexico Advisory Committee to the U.S. Commission on Civil Rights, in Santa Fe, New Mexico, July 22, 1982 (hereafter cited as N.M. Transcript) at p. 235.

<sup>6</sup> N.M. Transcript, p. 95.

**Figure 1.1**

**Many People, at Different Government Levels, are Involved in Block Grants**



SOURCE: Southwest Region State Advisory Committees to the U.S. Commission on Civil Rights, *The New Wave of Federalism: Block Granting and Civil Rights in the Southwest Region* (GPO 1963).

\*Service providers are the organizations that receive the funds to provide the services designated in the grant to the intended beneficiaries.

## Chart 1.1 State and Federal Agencies Administering Block Grants

Block Grant	Federal Agency	Arkansas State Agency	Louisiana State Agency	New Mexico State Agency	Oklahoma State Agency	Texas State Agency
Community Serv.	U.S. Dept. of Health and Human Services	Department of Human Services	Department of Labor	Department of Human Services	Dept. of Economic and Community Affairs Division of Human Development (DECA)	Department of Community Affairs
Community Development	U.S. Department of Housing & Urban Development	Arkansas Industrial Develop. Commission	Dept. of Urban and Community Affairs	Department of Finance and Administration	For overall info. and coordination contact DECA.	Department of Community Affairs
Social Services & Low-Income Home Energy Assistance	U.S. Dept. of Health and Human Services	Department of Human Services	Dept. of Health & Human Resources	Department of Human Services	Department of Human Services	Department of Human Resources
Preventive Health & Health Services Maternal & Child Health Services	U.S. Dept. of Health and Human Services	Department of Health	Dept. of Health & Human Resources	Department of Health and Environment (Health Serv. Div.)	Health Department	Health Department
Alcohol, Drug Abuse & Mental Health Services	U.S. Dept. of Health and Human Services	Department of Health and the Department of Human Services	Dept. of Health & Human Resources	Department of Health and Environment (Health Serv. Div.)	Department of Mental Health	Alcohol, Texas Comm. on Alcoholism Drug Abuse, Dept. of Community Affairs Mental Health, Mental Health Department and Mental Retardation
Primary Care <sup>1</sup>	N/A	N/A	N/A	N/A	N/A	N/A
Elementary and Secondary Education	U.S. Department of Education	Department of Education	Department of Education	Department of Education	Department of Education	Texas Education Agency

1. No State in the Southwest Region has accepted to administer this block grant as of the date this booklet was published.

SOURCE: Testimony before the Arkansas Advisory Committee to the U.S. Commission on Civil Rights in Little Rock, Arkansas, March 24, 1982; Testimony before the Louisiana Advisory Committee to the U.S. Commission on Civil Rights in Baton Rouge, Louisiana, April 15, 1982; Testimony before the New Mexico Advisory Committee to the U.S. Commission on Civil Rights in Santa Fe, New Mexico, July 22, 1982; Testimony before the Oklahoma Advisory Committee to the U.S. Commission on Civil Rights in Oklahoma City, Oklahoma, June 21-22, 1982; and Testimony before the Texas Advisory Committee to the U.S. Commission on Civil Rights in Austin, Texas, May 27, 1982.



they will do certain things before they receive Federal funds. The Federal Government then monitors to make sure that they are in compliance and doing what they contracted to do.<sup>7</sup> Under block grants, States still sign assurances, however, *States are now to interpret what these assurances mean and whether or not they are in compliance* (doing what they said they would).<sup>8</sup> This gives a great deal of power to the States. Moreover, because of the vagueness of the regulations, it could result in each State having a different, yet legal, interpretation of what the assurances they signed mean. The regulations clearly spell out this new philosophy. They state in part:

. . .to the extent possible, we will not burden the States' administration of the programs with definitions of permissible and prohibited activities, procedural rules, paperwork and recordkeeping requirements, or other regulatory provisions.<sup>9</sup>

Thus, the regulations are clear that the Federal Government will adhere to the new approach of having the States operate their block grants without burdensome red tape and excessive rules, regulations and paperwork. It is abundantly clear that the States are in control of the block grants they have received from the Federal Government. Involvement by other governments is minimal, although as Figure 1.1 shows, many people at different government levels are involved in the block grant process in different ways.

## YOU CAN HAVE AN IMPACT!

### Limitations on State Power

The States, however, do not have limitless power. There are certain Federal laws that apply to all block grants and the States must comply with these laws. For example, all block grants must be operated in a manner that does not discriminate against persons on the basis of race, ethnicity, sex, age or handicap.<sup>10</sup> Some block grants also include religion as a protected classification.<sup>11</sup> In the area of citizen input or participation, there is a requirement that the submissions (applications) to the Federal Government must be made available to the public before they are submitted to the Federal Government.<sup>12</sup> Also, at least one hearing is required for each block grant that a State is administering.<sup>13</sup> State officials

<sup>7</sup> 47 Fed. Reg. 29472, 29478 (1982).

<sup>8</sup> *Id.*

<sup>9</sup> 47 Fed. Reg. 29472 (1982).

<sup>10</sup> Pub. L. No. 97-35, 95 Stat. 359, 385, 498, 516, 542, 551, 558, 825, and 900. See also, U.S. Department of Justice, Theodore B. Olson, Assistant Attorney General, Office of Legal Counsel, Memorandum for Michael Horowitz, Counsel to the Director, Office of Management and Budget, Re: Applicability of Certain Cross-Cutting Statutes to Block Grants Under the Omnibus Budget Reconciliation Act of 1981 (March 12, 1982).

<sup>11</sup> *Id.*, 95 Stat. 357.

<sup>12</sup> 47 Fed. Reg. 29472, 29474 (1982).

<sup>13</sup> *Id.*

are not obligated to adopt the recommendations made by citizens at the hearings or in the written comments sent to the agencies.<sup>14</sup> However, it is an opportunity for citizens to be heard and possibly influence the submission sent to the Federal Government.

Involvement by private citizens and community organizations *can* make a difference and they *can* have an impact on what a State does with the Federal funds, even if the formal procedures have changed and there has been a shift from Federal to State dominance. Remember, State officials are susceptible to public opinion and involvement of the community in the work they are performing on behalf of the State's citizens. Officials are public employees; they need to be sensitive to what the public wants. Many of these officials sincerely want to have input and ideas from private citizens and organizations on how block grants can be operated in a more effective way. Some will welcome your involvement.

Before you become involved, it might be helpful to know how the procedures for block grants work. These are generally found in the *Federal Register* which is published daily by the Federal Government. Copies are available at any public library. See Chapter 6 for more ideas on how to get the copy of the *Federal Register* that you need.

If you are interested in working on some issues or have a problem in the area of block grants, you may want to read the next chapter, "Monitoring Block Grants."

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<sup>14</sup> 47 Fed. Reg. 29472, 29474 and 29475 (1982).

# Monitoring Block Grants

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## Introduction

There may be some issues in block grants that you want to look at more closely. The five Southwestern Advisory Committees to the Commission on Civil Rights held consultations in their respective States, and studied the block grant issues listed below. There may be many more issues. These are included here only to give you an idea of some issues other groups have identified. If you would like more information on these issues, see Chapter 6 for details on how to obtain a copy of *The New Wave of Federalism: Block Granting and Civil Rights in the Southwest Region*. The issues identified include:

1. *Discretion*

The single most important change brought about by block grants is the discretion that the Federal Government has deliberately placed in the hands of State governments.

2. *Civil Rights Enforcement*

All block grants are to be implemented in a nondiscriminatory manner. However, adequate provisions were not made to ensure that the grants will be implemented in a nondiscriminatory manner.

3. *Community Participation*

Federal requirements on obtaining and utilizing community participation have been changed with unknown consequences under the block grants process.

4. *Issues Affecting Indian Tribes*

One of the most important issues for Indians in the Southwest Region is the perception among many Indian tribes that block grants represent a threat to their sovereignty as separate governments. Also, the formula

used to provide monies to tribes, in many cases, has resulted in very small grants to tribes.<sup>1</sup>

If you are interested in monitoring block grants, but are not sure how to go about it, perhaps this chapter<sup>2</sup> will give you some ideas about how to begin. The first step is understanding exactly what monitoring is.

Monitoring is simply following an issue or procedure and studying it to enable you to formulate an evaluation as to its merits.

Monitoring in the area of block grants really revolves around obtaining information. You can hardly monitor if you don't have the information necessary to evaluate whether the procedures or the results of a program are beneficial or detrimental to the intended beneficiaries. Monitoring cannot take place without access to pertinent information on this issue, and yet, you may encounter obstacles, and even resistance, from some public officials in obtaining even the most basic public information. You may find it helpful to realize that for some officials, the less the public knows and the less public involvement there is, the less interference they believe they will have in the operation of their office. However, since lawmakers also have realized that there often is this tendency, laws have been passed to assure that government and its branches function in the open, in full view of the public. This type of legislation is sometimes called "Government in the Sunshine Laws." These laws were adopted to assure that the general public has access to public meetings and public records.

### **Setting up the Process**

Before beginning your monitoring activities, you need to make an assessment of the tools that are available to assist you in getting the desired data.

First, it is important to note that there are different laws applicable to different types of governments. Let's begin with the Federal Government. The basic law that gives you access to information in possession of the U.S. Government or any of its agencies or offices is a law called *The Freedom of Information Act* (FOIA).<sup>3</sup>

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<sup>1</sup> Southwest Region State Advisory Committees to the U.S. Commission on Civil Rights, *The New Wave of Federalism: Block Granting and Civil Rights in the Southwest Region* (GPO: 1983).

<sup>2</sup> Some ideas for this chapter were taken from "Evaluating the School," *Working With Your Schools*, Southwest Regional Advisory Committees, U.S. Commission on Civil Rights (1975).

<sup>3</sup> 5 U.S.C. Sec. 552 (1976 and Supp. IV 1980).

## **Federal Agencies**

The Freedom of Information Act<sup>4</sup> applies to all Federal agencies. It basically says that the records of the different Federal agencies should be available to the public, with some exceptions that are necessary.<sup>5</sup> You have to comply with the regulations the different agencies have set up as regards time, place, and fee schedules that must be followed in making a Freedom of Information request.<sup>6</sup> You can find out from the Federal agency in your State what the procedure is to file a Freedom of Information request. In case the agency has designated an official in their Washington office to handle these requests, the local office should be able to inform you of this fact.

Any Federal agency that gets a request for information has 10 days, not counting Saturdays, Sundays or holidays, to determine whether the information will be made available to the person requesting it.<sup>7</sup> If it decides to give out the information, that is the end of the process. However, if the Federal agency decides *not* to give you the information, then you must be notified of your right to appeal to the director of the agency, who will be in Washington, D.C.<sup>8</sup> This appeal to the director of the agency must be decided within 20 days after the appeal is received. If the decision at the Washington level is against giving out the information, then the agency must notify you that you can seek a review of the matter by the proper court.<sup>9</sup>

The only records that are *not* available to the public are those that deal with the following matters:

1. Required by Executive Order to be kept secret in the interest of the national defense or foreign policy;
2. related solely to the internal personnel rules and practices of an agency;
3. specifically exempted from disclosure by statute;
4. trade secrets and commercial or financial information obtained from a person and privileged or confidential;
5. interagency or intra-agency memorandums or letters that would not be available by law to a party not in litigation with the agency;
6. files (such as personnel and medical), the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
7. investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*, Sec. 552(a) and (b).

<sup>6</sup> *Id.*, Sec. 552(a)(4)(A).

<sup>7</sup> *Id.*, Sec. 552(a)(6)(A)(i).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*, Sec. 552(a)(6)(A)(ii).

8. those contained in reports for the use of an agency responsible for the regulation or supervision of financial institutions; or
9. geological and geophysical information and data.<sup>10</sup>

Thus, any records other than those exceptions mentioned above are available to the general public and can be obtained by following the agency guidelines as to time and place to request them. Additionally, a fee may be assessed for finding and copying the records. If you need further information, see Chapter 6 for publications which might be helpful to you. One of these is "A Citizen's Guide on How to Use the Freedom of Information Act and the Privacy Act."

### **State Government and State Laws**

The following section is designed to acquaint you with what State laws, if any, are available in your State to assist you in obtaining information.

#### *Arkansas*

The Arkansas Freedom of Information Act<sup>11</sup> begins by declaring the policy of the State with regard to public records and public meetings. According to the Act:

It is vital in a democratic society that public business be performed in an open and public manner so that the electors shall be advised of the performance of public officials and of the decisions that are reached in public activity and in making public policy. Toward this end, this act is adopted, making it possible for them, or their representatives, to learn and to report fully the activities of their public officials.<sup>12</sup>

It is clear that the State of Arkansas intends that its records and activities be open to the general public. The law is also clear about what constitutes a public record. In Arkansas,

"Public records" are writings, recorded sounds, films, tapes, or data compilations in any form (a) required by law to be kept, or (b) otherwise kept and which constitute a record of the performance or lack of performance of official functions which are or should be carried out by a public official or employee, a governmental agency, or any other agency wholly or partially supported by public funds or expending public funds.

All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.<sup>13</sup>

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<sup>10</sup> *Id.*, Sec. 552(b).

<sup>11</sup> ARK. STAT. ANN. Sec. 12-2801 to Sec. 12-2807 (1967 and Cum. Supp. 1981).

<sup>12</sup> ARK. STAT. ANN. Sec. 12-2802 (1967).

<sup>13</sup> *Id.*, Sec. 12-2803 (Cum. Supp. 1981).

The State has a very liberal interpretation as to the records that are available to the public. However, as with most State and Federal laws, some exceptions are included. In Arkansas, the legislature wrote:

It is the specific intent of this Section that State income tax returns; medical, scholastic, and adoption records; the site files and records maintained by the Arkansas Historic Preservation Program and the Arkansas Archeological Survey; grand jury minutes; unpublished drafts of judicial or quasi-judicial opinions and decisions; undisclosed investigations by law enforcement agencies of suspected criminal activity; unpublished memoranda, working papers, and correspondence of the Governor, Legislators, Supreme Court Justices, and the Attorney General; documents which are protected from disclosure by order or rule of court; files which, if disclosed, would give advantage to competitors or bidders; and other similar records which by law are required to be closed to the public shall not be deemed to be made open to the public under the provisions of this Act. . .<sup>14</sup>

Fortunately, most of the information you would need on block grants would be available. But what happens if on the day that you go to a particular State office, the records are not available. This may be because they are being used by someone else, they are in storage, or simply because they can't be located. If this happens, then the law provides that:

. . .the custodian shall certify this fact [why records are not available] in writing to the applicant and set a date and hour within three (3) days, at which time the record will be available for the exercise of the right given by this Act.<sup>15</sup>

What is your recourse if you are simply denied a record that you believe is not an exempted document? The law provides a section on enforcing your rights. This section reads in part:

Any citizen denied the rights granted to him by this Act. . .may appeal immediately from such denial to the Pulaski Circuit Court, or to the Circuit Court of the residence of the aggrieved party, if an agency of the State is involved, or to any of the Circuit Courts of the appropriate judicial districts when an agency of a county, municipality, township or school district, or a private organization supported by or expending public funds is involved.<sup>16</sup>

The penalty that may be assessed against a person denying access is a fine not to exceed \$200 and/or 30 days in jail.<sup>17</sup> The law appears to provide some significant remedies for failure to open public records to public scrutiny. (See Chapter 6 for an excellent publication on how to use the Arkansas Freedom of Information Act.)

<sup>14</sup> *Id.*, Sec. 12-2804.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*, Sec. 12-2806.

<sup>17</sup> *Id.*, Sec. 12-2807.

### *Louisiana*

In Louisiana, you have a State law at your disposal if you are seeking information that the State of Louisiana or any of its agencies have in their files. The Louisiana law clearly states that:

. . .any person of the age of majority may inspect, copy or reproduce or obtain a reproduction of any public record.<sup>18</sup>

This is limited by language added in 1978 which excludes certain types of information. This amendment states:

The provisions of this Act shall not apply to any writings, records or other accounts that reflect the mental impressions, conclusions, opinions, or theories of an attorney or an expert, obtained or prepared in anticipation of litigation or in preparation for trial.<sup>19</sup>

Case law interpreting the public records law has generally held that this statute must be liberally construed so as to *extend* rather than restrict access to public records by the public.<sup>20</sup>

Another section of this law provides that,

The custodian [or keeper of the records] shall make no inquiry of any person who applies for a public record, except an inquiry as to the age and identification of the person and may require the persons to sign a register and shall not review, examine or scrutinize any copy, photograph, or memoranda in the possession of any such person. . .provided that nothing. . .shall prevent the custodian from maintaining such vigilance as is required to prevent alteration of any record while it is being examined. . .Of course, if a record contains some non-public material, this may be deleted.<sup>21</sup>

Fees for copies made are set by State law.<sup>22</sup>

Basically, what this means is that any adult can have access to public information with a few exceptions. It might be a good idea to have a copy of this handbook with you in case you are subjected to excessive questioning or harassment, as it will help you remember what is allowed and what is not allowed by this State law.

If you request a record and the agency is not sure whether it is a public record or not, here is what the law says they must do:

In any case in which a record is requested and a question is raised by the custodian of the record as to whether it is a public record, such custodian shall within three days, exclusive of Saturdays, Sundays, and legal public holidays, of the receipt of

<sup>18</sup> LA. REV. STAT. ANN. Sec. 44:31 (West Supp. 1982).

<sup>19</sup> *Id.*

<sup>20</sup> *Webb. v. City of Shreveport*, 371 So. 2d 316, writ denied 374 So. 2d 657 (1979).

<sup>21</sup> LA. REV. STAT. ANN. Sec. 44:32 (West Supp. 1982).

<sup>22</sup> *Id.*, Sec. 44:32(C)(2) (West Supp. 1982).



the request. . .notify in writing the person making such request of his determination and the reasons therefor.<sup>23</sup>

Thus, the law is clear that in this type of case, within three days, you must be informed in writing whether or not you will receive the information requested and the reasons for that decision.

What happens if they don't give you access to the information? The law says:

Any person who has been denied the right to inspect or copy a record. . .either by a final determination of the custodian or by the passage of five days, exclusive of Saturdays, Sundays, and legal public holidays, from the date of his/her request without receiving a final determination in writing by the custodian, may institute proceedings. . .in the district court for the parish in which the office of the custodian is located.<sup>24</sup>

Additional information about State agency procedures is available by the law which provides what State agencies who make rules must do to inform the public about those rules. This State law might be helpful to you. It says that State agencies which make rules must:

- (1) File with the Department of the State Register, a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information or make submissions or requests.
- (2) Adopt rules of practice setting forth the nature and requirements of all formal and informal procedures available.
- (3) Make available for public inspection all rules and all other written statements of policy or interpretations formulated, adopted, or used by the agency in the discharge of its functions.
- (4) Make available for public inspection all final orders, decisions, and options.<sup>25</sup>

### *New Mexico*

New Mexico has a State law providing for the inspection of public records. Generally, "the elements essential to constitute a public record are that it be made by a public officer and that the officer be authorized by law to make it."<sup>26</sup>

Public records means all books, papers, maps, photographs or other documentary material, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor, as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein . . .<sup>27</sup>

<sup>23</sup> *Id.*, Sec. 44:32(D).

<sup>24</sup> *Id.*, Sec. 44:35.

<sup>25</sup> *Id.*, Sec. 49:952.

<sup>26</sup> 63 Op. N.M. Att'y. Gen. 55 (1963).

The State law does specifically exclude items that the New Mexico Legislature judged not to be public records. These are:

1. Records pertaining to physical or mental examinations and medical treatment of persons confined to any institutions;
2. letters of reference concerning employment, licensing or permits;
3. letters or memorandums which are matters of opinion in personnel files or students' cumulative files;
4. as provided by the Confidential Materials Act (14-3A-1, 14-3A-2 NMSA 1978); and
5. as otherwise provided by law.<sup>28</sup>

The law goes on to instruct State officers to make records available for inspection, examination and copying during business hours.<sup>29</sup> The law also provides a penalty for any State officer who wrongfully refuses to allow access to public records. The penalty is a fine (\$250-\$500) and/or a jail sentence (60 days-six months).<sup>30</sup>

### *Oklahoma*

Oklahoma has no State open records act per se, however, the State's public policy is clearly stated in the Open Meetings Law.<sup>31</sup> This law states:

It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problem.<sup>32</sup>

The same law also states that,

. . .the minutes of each public-meeting shall be open to public inspection. . .<sup>33</sup>

Since Oklahoma has no open records act, there is no general law that applies to all State agencies. The consensus, however, appears to be that the official records are open to the public.

<sup>27</sup> N.M. STAT. ANN. Sec. 14-3-2(c)(1978 Supp.).

<sup>28</sup> *Id.*, Sec. 14-2-1 (1982 Cum. Supp.).

<sup>29</sup> *Id.*, Sec. 14-2-2 (1978 Supp.).

<sup>30</sup> *Id.*, Sec. 14-2-3.

<sup>31</sup> OKLA. STAT. ANN. tit. 25, Sec. 301 to 314 (West Supp. 982-1983).

<sup>32</sup> *Id.*, Sec. 302.

<sup>33</sup> *Id.*, Sec. 312

## *Texas*

Sometimes information that you have a legal right to see or copy is not made available to you because an official isn't clear on what the law says. In such instances, it may be helpful to you to know what rights the State law gives you. In Texas, the State law generally provides:

All information collected, assembled, or maintained by governmental bodies pursuant to law or ordinance or in connection with the transaction of official business is public information and available to the public during normal business hours of any governmental body, with [some] exceptions.<sup>34</sup>

So that the law clearly expresses the intent of the Texas Legislature to make public records open to the public. However, some records are excluded by the legislature and you may want to check the exceptions listed in the footnote to be sure that the information you are seeking is not specifically excluded from public access.

If you are denied access to some records that you know are available, you may find it helpful to cite this law to the official denying you access. If he/she still refuses, ask him/her to show you which of the 18 exceptions he/she is basing the denial on. If this doesn't work refer to the following section.

The law in Texas is also very clear about items that are specifically made public.<sup>35</sup> It does not attempt to say that this is a complete list, but it did

<sup>34</sup> TEX. STAT. ANN. art. 6252-17a Sec. (3)(a)(Vernon Supp. 1982)

<sup>35</sup> *Id.*, Sec. 6. These exceptions are:

- 1) information deemed confidential by law, either Constitutional, statutory, or by judicial decision;
- 2) information in personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; provided, however, that all information in personnel files of an individual employee with a governmental body is to be made available to that individual employee or his designated representative as is public information under this Act;
- 3) information relating to litigation of a criminal or civil nature and settlement negotiations, to which the State or political subdivision is, or may be a party, or to which an officer or employee of the State or political subdivision, as a consequence of his office or employment, is or may be a party, that the attorney general or the respective attorneys of the various political subdivisions has determined should be withheld from public inspection;
- 4) Information which, if released, would give advantage to competitors or bidders;
- 5) information pertaining to the location of personal property for public purposes prior to public announcement of the project, and information pertaining to appraisals or purchase price of real or personal property for public purposes prior to the formal award of contracts therefore;
- 6) drafts and working papers involved in the preparation of proposed legislation;
- 7) matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure or which by order of a court are prohibited

want to avoid difficulties in cases where the documents were obviously accessible to the general public.<sup>36</sup> Once again, because there are so many, we have included them in a footnote.<sup>37</sup>

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from disclosure;

8) records of law enforcement agencies that deal with the detection and investigation of crime and the internal records and notations of such law enforcement agencies which are maintained for internal use in matters relating to law enforcement;

9) private correspondence and communications of an elected office holder relating to matters the disclosure of which would constitute an invasion of privacy;

10) trade secrets and commercial or financial information obtained from a person and privileged or confidential by statute or judicial decision;

11) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than one in litigation with the agency;

12) information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions, and/or securities, as that term is defined in the Texas Securities Act;

13) geological and geophysical information and data including maps concerning wells, except information filed in connection with an application or proceeding before any agency;

14) student records at educational institutions funded wholly, or in part, by State revenue; but such records shall be made available upon request of educational institution personnel, the student involved, or that student's parent, legal guardian, or spouse;

15) birth or death records maintained by the Bureau of Vital Statistics in the State of Texas;

16) the audit working papers of the State Auditor;

17) the home addresses and home telephone numbers of peace officers as defined by Article 2.12, Code of Criminal Procedure, 1965, as amended, or by Section 51.212, Texas Education Code; and

18) information contained on or derived from triplicate prescription forms filed with the Department of Public Safety pursuant to Section 3.09 of the Texas Controlled Substances Act, as amended (Article 4476-15, Vernon's Texas Civil Statutes).

<sup>36</sup> *Id.* Note: These exceptions are in effect until January 1, 1986 when they will be amended.

<sup>37</sup> *Id.*, Sec. 7. Specific information includes:

(1) reports, audits, evaluations, and investigations made of, for, or by, governmental bodies upon completion;

(2) the names, sex, ethnicity, salaries, title, and dates of employment of all employees and officers of governmental bodies;

(3) information in any account, voucher, or contract dealing with the receipt or expenditure of public or other funds by governmental bodies, not otherwise made confidential by law;

(4) the names of every official and the final record of voting on all proceedings in governmental bodies;

(5) all working papers, research material, and information used to make estimates of the need for, or expenditure of, public funds or taxes by any governmental body, upon completion of such estimates;

(6) the name, place of business, and the name of the city to which local sales and use taxes are credited, if any, for the named person, of persons reporting or paying sales and use taxes under the Limited Sales, Excise, and Use Tax Act;

What do you do if, in spite of citing this law, you are still unable to get the information you need? If no determination on accessibility has been made, the next step would be to ask the agency to request a State attorney general's opinion on whether the information should be released.<sup>38</sup> If they refuse to do this, then the person requesting the information *or the attorney general* may seek a writ of mandamus (an order) compelling the governmental body to make the information available for public inspection.<sup>39</sup> (Emphasis added.)

### **What Do You Do If They Won't Give You The Information?**

You may find it beneficial to be thoroughly familiar with the laws discussed previously before you attempt to go to any agency seeking information. In many instances, problems can be avoided if you already know that the information you are seeking is available to the public and what law gives you the authority to receive that data. Sometimes a simple statement of these facts will overcome hesitancy to release information. It may also be helpful to contact the director of the office where you will be asking for the information, to explain the project you are working on and to ask who you should contact and the best time for an appointment. For cases where more persuasion is needed, you may wish to informally write to the next highest official requesting the information you have been

(7) description of an agency's central and field organization and the established places at which, the employees (and in the case of a uniformed service, the members) from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;

(8) statements of the general course and method by which an agency's functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

(9) rules of procedure, descriptions of forms available or the places at which forms may be obtained, the instructions as to the scope and contents of all papers, reports or examinations;

(10) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency;

(11) each amendment, revisions, or repeal of 7, 8, 9 and 10 above;

(12) final opinions, including concurring and dissenting opinions, as well as order, made in the adjudication of cases;

(13) statements of policy and interpretations which have been adopted by the agency;

(14) administrative staff manuals and instructions to staff that affect a member of the public;

(15) information currently regarded by agency policy as open to the public.

<sup>38</sup> *Id.*, Sec. 6.

<sup>39</sup> *Id.*, Sec. 8.

denied with a copy to the person who denied you the data. If this doesn't work, then the Federal and State law both provide you remedies. These may be more time consuming, but they may at times be necessary. You may also want to contact some of the organizations listed in the State directories in Chapter 7 of this booklet under "Legal Assistance" for further guidance.

Now that you know about some basic tools that are available to you to obtain information, you can proceed to the next step in the monitoring process.

### **Deciding What to Monitor (What is important to you.)**

Before selecting an issue to study, it is a good idea to familiarize yourself with block grants and the procedures required under this system of funding. The first chapter of this handbook is designed to help you in doing this. If you would like more detailed information, you may want to read a companion publication, a regional report developed by the Southwestern Regional Advisory Committees, *The New Wave of Federalism: Block Granting and Civil Rights in the Southwest Region*. (See Chapter 6 of this handbook for the address of where to obtain a copy.) This publication may give you some ideas about basic issues that you may want to consider. The following chapter contains a *Minimum Standards Checklist*. This may also give you some leads as to issues that might relate to you and your interests. The checklist is designed to provide you with some suggestions for evaluating the effectiveness of the block grant procedures utilized by a State or State agency. However, it should be emphasized that this checklist is only a suggested format and you may want to modify the checklist and/or expand upon it to make it more relevant to your needs.

You may also find it advisable to solicit the ideas of other private citizens, State and Federal officials, technicians, legislators, service providers and intended beneficiaries of the Federal funds funneled to the States through block grants. This input will provide valuable assistance. It will help you to determine:

1. What issue is the most important to you?
2. Who has authority to change procedures or to bring about the changes needed?
3. What information is needed?
4. Is this an issue that one individual can deal with or is a group needed?
5. What is the time frame necessary?
6. What benefit could be derived?
7. Is the issue feasible for monitoring?

Once you have considered these areas, you are ready to begin the process of monitoring. You have two basic options. The first approach is to monitor an issue and just basically stay on top of the issue by observing what is happening. Keeping up with and providing information to people who share your concerns is one way to help the process become more responsive to community needs. The checklist in Chapter 3 may be helpful. However, if you want go beyond just observing and do an evaluation of what you are observing, the following model may assist you. Usually this approach requires a committee because of the amount of work that it requires.

### **The Monitoring Process: An Evaluation Model**

The first step in a more detailed monitoring of block grants is the development of a plan of action. The plan provides the framework through which monitoring can be conducted on a step-by-step basis, ending in a series of conclusions or a statement of findings. Put in another way, a plan can be compared to a road map that guides you, the evaluator, to a particular destination by the best route possible with the least amount of effort.

Before we can develop a plan of action, however, we must be sure what we are talking about. When we talk about monitoring, we simply mean that we are going to observe what is going on and how things are done and then make an evaluation. An evaluation attempts to answer certain types of questions about procedures and policies operating within the system of block grants. The kinds of questions that are usually asked about procedures and policies in an evaluation are:

- How well does this program perform with respect to such-and-such standards? (For example, does a program serve the number of persons it proposes to serve?)
- Does it perform better than other programs of a similar kind? (For example, do persons receive more comprehensive services under this program than other programs or have services been cut back?)
- Is it responsive to the needs of the intended beneficiaries? (For example, are the programs the most needed for the intended beneficiaries?)

An evaluation is basically a procedure or process for obtaining information in an orderly way. In general, the activity consists mainly of gathering and combining the right kind of data to form conclusions. The evaluation is an effort to gain information that will lead you to identify problem areas and needs for the purpose of bringing them before the decisionmakers so that appropriate and necessary action can be taken.

In the course of clarifying the concept of evaluation, it is important not to oversimplify it. Although the typical goals of evaluation require judgments of merit and worth, when somebody is asked to evaluate a program, a situation, or a process, then what is being called for is a clear description of what is happening, usually with respect to what has been proposed, other programs, situations, or processes.

Essentially, there are six steps involved in preparing and carrying through an evaluation. These are:

1. Forming an evaluation committee.
2. Determining the purposes of the evaluation.  
You need to focus in on specific issues by studying key areas of concern on block grant implementation.
3. Determining the objectives of the evaluation. (What do you hope to accomplish?)  
Objectives serve as a guide that keeps the group on the right track. You may need to modify objectives as you discover what you proposed is not possible. For example, some information you need is not available. You may also need to narrow your objectives as the area you had proposed to study may turn out to be too broad once you actually begin to monitor. A clear understanding of your objectives keeps you on course.
4. Determining the issues or procedures to be evaluated. (Here you refine and perhaps narrow your issues again.)
5. Carrying through the evaluation. The three steps in this area are:
  - (a) Collecting the data.  
You need to figure out exactly what information you need, where you can get it, how you will get it, and alternate approaches for getting the information.
  - (b) Processing the data.  
This involves checking (verifying) data for accuracy, assuring that it is complete, and putting it into a format that will be useful for those who will analyze the data.
  - (c) Analyzing the data.  
This means studying the data gathered to see if it is meeting the needs of the intended beneficiaries. This may require the expertise of some technicians or outside assistance.
  - (d) Making suggested changes or recommendations.
6. Developing and distributing the evaluation report.

The culmination of monitoring comes with the development of a report. You've studied an issue extensively and you want to share with the public the benefit of your study. Once you have evaluated what is happening, then the report should stimulate improvement in the areas which you have identified as needing change.



## **Developing a Report**

This may seem foreign to you and a little frightening. It really doesn't have to be. A report can be brief and yet very effective. What is most important is that it be persuasive and clear, i.e., convince people that the position that you are taking is an accurate one. The best way to do this is to explain to the reader the methodology you used, i.e., explain exactly what steps you followed in conducting your study. For example, what information have you gathered, and how and by whom it was analyzed. Then explain your findings and how you reached these conclusions and the facts that support your findings. Also, include recommendations that you believe will improve conditions and explain why you believe these recommendations are feasible and why you think they will be effective. Generally, a report will have three basic components:

1. **Introduction**

Includes the background of the committee's investigation, its makeup, purpose, objectives and procedures followed (methodology).

2. **Body or text of report**

Presents the results of the information gained through investigation.

3. **Findings and recommendations**

A clear statement of the things you discovered. Recommendations are necessary because if you are saying that the procedures being utilized are not effective then you must propose a solution or an alternative method that will improve the results.

Now that you have a good report that you are satisfied with, how do you make other people aware of your study?

## **Dissemination of the Report**

You are now ready to release the report to the general public or provide it to a legislative committee. In releasing the report, however, it is necessary for you and the committee to have a clear idea of how you want to use it. An evaluation should be a stimulating force leading to definite improvements in block grant administration. The worst thing that could happen is for nothing to happen. That is, the report would be ignored. The logical thing to do in most instances is for the committee to work closely with the affected officials to develop a plan for improving the procedures used over a period of time in line with the findings of the evaluation report. You can begin this process by giving a copy of your report to the director or person(s) having the authority to bring about the changes you recommend. Then schedule a meeting, when it is convenient for the official(s) to discuss the findings and recommendations with some members of the committee.

Remember that you can also utilize the local media: newspapers, television, and radio to bring out (expose) the issues and to publicize your

report. You may also want to select key elected officials or agencies at both the State and Federal levels of government that you should inform about the report. One very effective use of the report you prepare might be to appear and present a statement at one of the public hearings held by the State on the block grant you have studied. You may also want to make copies of the report available to the person(s) holding the hearing.

Monitoring is hard work, but the benefits can be very rewarding.

# Minimum Standards Checklist

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## Using the Checklist

The checklist is designed to serve as a guide for private citizens to evaluate how the State is carrying out its responsibilities with regard to block grants. It includes legal requirements, policy considerations, critical activities, and responsibilities that should be taken into consideration in administering programs funded under the block grants. In this sense it is designed to suggest ideas of what to look for in evaluating the procedures being used to implement block grants. It can also be used as a means for holding State and local officials accountable. However, it must be stressed that the checklist is not all inclusive. Rather, the recommendations included in this checklist are designed to focus in on some important specific needs and requirements.

## Administrative Procedures

### State Responsibilities

#### 1. Legal Requirements

- State must make an annual submission for each block grant prior to receiving funds.
- The chief executive officer of each State shall prepare a plan which contains provisions describing how the State will carry out the assurances agreed to.
- Chief executive officer of each State must certify that State agrees to comply with Federally required assurances.
- Audits must be conducted every two years by an independent entity.
- Grants must be operated in a nondiscriminatory manner.

#### 2. Policy Considerations

- Clear statement of the requirements State had to fulfill to get funds from Federal government for each block grant.
- Clear articulation of the funding formula developed and used by the State to make grants to its recipients; some indication also should be

provided by the State as to measures it has taken or will take to insure equitable distribution of funds (i.e., prevent discrimination).

Clearly identify eligibility requirements that must be met by service providers to be eligible for grants.

Clearly identify eligibility requirements that must be met by beneficiaries of services.

Clear articulation of policymaking and decisionmaking processes with respect to the implementation of the block grant programs.

Provide information to public on who is responsible for administering each block grant.

Provide information to public on who is to make decisions for the State in the implementation of block grants.

Publicize what agency or individual is responsible for the development of the plans/submissions for each block grant.

State should articulate a needs assessment process so that service providers and organizations can use the same format.

### **3. Other Possible State Activities**

State should provide technical assistance to service providers in meeting statutory and administrative requirements. These may include:

—Needs assessment information on population;

—An evaluation of language/cultural/racial differences in service delivery;

—Information on programming approaches utilized effectively previously.

State should issue policy declarations on what service providers are required to do. These should include:

—Contracts include nondiscrimination clause:

—State able to terminate funds for noncompliance;

—Publicize who is to coordinate on the State level the accountability of the service providers.

State should articulate monitoring policies and procedures that will be used, and identify agency(ies) that will be responsible.

Develop mailing list of interested minority/handicap/women's/senior citizens' organizations to receive information on block grant programs.

### **4. Responsibility of Service Providers**

Develop and publicize requirements for those receiving services.

Clearly state a policy of nondiscrimination in providing services.

Have a procedure to receive and handle complaints.

Routinely report to State on nature of complaints received and their resolution or status.

Have a system of data collection of racial/ethnic/sex/age/handicap/religion statistics.

## **5. Citizen Participation**

### **a. Federal Legal Requirements**

- State must prepare proposed spending plans and make them available for public comment well in advance of submission deadline.
- Legislature must conduct hearings on the proposed use and distribution of funds.

### **b. Recommended State Policy**

#### **1. Plans**

- Publicize how, where, and when plans prepared by State will be available.
- How and when will comments to plans be received?
- How will comments be acknowledged?
- How will comments be used to revise and/or modify plans?
- Prior consultation of citizens before development of plans.
- Develop effective mechanisms for plan dissemination at State and local level.
- Provide for the availability of copies of plans and/or reading areas for citizens.
- Address and phone number of contact person should be listed and made available.

#### **2. Hearings**

- Publicize policy of State as to type (legislative, State agencies, or governor) and number of public hearings to be held on each block grant.
- Publicize the format that hearings will follow.
- Publicize how citizen input will be received.
- Articulate how input will be used.
- Assure adequate notice. Notices should include:
  - purpose of hearing;
  - time and location of hearing;
  - media publicity that reaches affected citizens (e.g., minority media).
- Assure accessibility of location (handicapped and minorities).
- Assure geographic decentralization of hearing sites.
- Make allowances for fact that users of services are not always effective in making their needs known.

## **Evaluation/Monitoring**

### **Federal Requirements**

- Audits must be conducted every two years by an independent entity.
- Grants are to be implemented in a nondiscriminatory manner.

### **Recommended State Activities**

- Develop criteria to use to evaluate the effectiveness of service providers and State agencies in servicing clients.

- Conduct independent evaluation of State programs (audit).
- Publicize program evaluation criteria to be used in assessing effectiveness of program.
- Conduct independent audit and make results public.
- Develop and utilize sanctions for noncompliance.
- Assess accountability of State agencies or officials for each block grant (roles and areas of responsibility).
- Development and clear articulation of data collection/reporting requirements applicable to fund recipients; clear articulation of how State will use data in evaluating effectiveness.
- Involve public in evaluation/monitoring process.

## **Civil Rights Compliance/Enforcement**

### **Federal Requirements**

- All block grants are to be implemented in nondiscriminatory manner.
- State must sign assurances of nondiscrimination.

### **Recommended State Activities**

- Enactment of nondiscrimination and affirmative action statutes and executive orders.
- Clear articulation of policy of nondiscrimination in implementation of block grants.
- Develop State enforcement mechanism for nondiscrimination. These should include at least the following components or elements:
  - separate enforcement entity;
  - adequate funding/staff;
  - sanctions;
  - data collection and reporting system;
  - independence;
  - reports directly to Governor.
- Clear identification of rights of individuals to complain if they believe they have been discriminated against.
- Clear identification of procedures for filing complaints [complainants should know how to go about filing]. These procedures should include:
  - clearly spelled out deadlines;
  - format required (written/oral);
  - what complaint must include.
- Development and identification of clear procedures for investigating and remedying complaints [including specifying time frames for complaint processing].
- Development and clear articulation of sanctions to be employed in correcting violations of statutory requirements.
- Set of procedures/criteria for State (independent) compliance reviews.

## Chapter 4

# Civil Rights Guarantees

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Many persons have expressed fear that the civil rights guarantees that have been so agonizingly achieved are now endangered as a result of the adoption of the block grant system. This may be due in part to the philosophy of block grants which is shifting the power back to the States for most aspects of block grant administration. In the eyes of some individuals, this is tantamount to turning the clock back to the era of "States Rights;" and since minorities did not fare well under that system, there is apprehension. There is interest in the civil rights implications of block grant programs because many believe that such programs may have a disproportionate impact and burden on minorities, women, the elderly, and the handicapped; if adequate protections for ensuring nondiscrimination are not safeguarded. There is also confusion about the extent to which civil rights enforcement responsibility will remain with the Federal Government or shift to the States and this results in a lot of uncertainty for the average citizen.

### Legal Protections

There is no question but that block grant litigation has brought about many changes. They have *not*, however, repealed existing civil rights legislation. For example, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 are still in place. (See Glossary for an explanation of the Federal laws contained in this chapter.) Chart 4.1 which follows, demonstrates the types of discrimination specifically prohibited by the Omnibus Budget Reconciliation Act of 1981. The majority (seven of nine) block grants have nondiscrimination clauses in the legislation that created them. The law does not contain language specifically prohibiting discrimination in the remaining two block grants—Education and Social Services. In these two

grants, however, the U.S. Department of Justice has declared that they also must adhere to existing civil rights legislation.<sup>1</sup>

Moreover, the Office for Civil Rights (OCR), U.S. Department of Education, has not lost any of its powers or any of its duties. Under the new block grant system, OCR still has the power to investigate complaints, to request specific records, and to do on-site investigations. They have the power to withhold Federal funds from a school district which is not in compliance and refuses to remedy the discrimination that has been uncovered.<sup>2</sup> The Office for Civil Rights is still under a court order in *Adams v. Bell*<sup>3</sup> which requires it to investigate compliance and resolve complaints within a specified period of time. The consensus is clear that, with some variance in the prohibited bases of discrimination as indicated on Chart 4.1 *block grants must be implemented in a nondiscriminatory manner!*

If there is general agreement that block grants must be operated in compliance with Federal civil rights laws, then why are so many people concerned about this? The problem lies in that assuring nondiscrimination requires more than just accepting the legal requirements. It is necessary to do something positive to assure that there is no unlawful discrimination. Basic to this action is an acknowledgment of and an acceptance of the obligation to comply with civil rights laws. In administering block grants, States have a contractual obligation to obey civil rights laws. However, there appears to be some confusion as to what the Federal and the State roles in civil rights enforcement are supposed to be. This confusion may be due in part to the lack of specific guidelines and regulations developed by the Federal administering agencies on the issue of civil rights enforcement now that the administrative focus has shifted.

Along with the shift in administrative focus is the relaxation of reporting requirements. The information that the Federal Government requires be kept is less now. This may have a significant impact because statistics on minority participation in programs funded with block grant dollars may not be available because this is not required to be kept under implementing regulations.<sup>4</sup> This could have a detrimental effect on minorities and other protected classes, such as women, the elderly, and the handicapped, if no one is really able to analyze civil rights ramifications of certain procedures and study possible civil rights violations because of insufficient record keeping.

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<sup>1</sup> U.S. Department of Justice, Theodore B. Olson, Assistant Attorney General, Office of Legal Counsel, Memorandum for Michael Horowitz, Counsel to the Director, Office of Management and Budget, Re: Applicability of Certain Cross-Cutting Statutes to Block Grants Under the Omnibus Budget Reconciliation Act of 1981 (March 12, 1982).

<sup>2</sup> Pub. L. No. 97-35, 95 Stat. 359, 480 Sec. 592(a).

<sup>3</sup> 480 F.2d 1159 (D.C. Cir. 1973).

<sup>4</sup> See for example, 47 Fed. Reg. 29472, 29478 (1982).



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## Chart 4.1

### Prohibited Bases of Discrimination for Each Block Grant In the Omnibus Budget Reconciliation Act of 1981

	Race/ Color	National Origin	Sex	Age	Handicap	Religion
1. Community Development	X	X	X	X	X	X
2. Elementary and Secondary Education*	—	—	—	—	—	—
3. Community Services	X	X	X	X	X	•
4. Preventive Health and Health Services	X	X	X	X	X	X
5. Alcohol and Drug Abuse and Mental Health	X	X	X	X	X	X
6. Primary Care	X	X	X	X	X	X
7. Maternal and Child Health Services	X	X	X	X	X	X
8. Social Services*	—	—	—	—	—	—
9. Low-Income Home Energy Assistance	X	X	X	X	X	•

SOURCE: Omnibus Budget Reconciliation Act of 1981.

\*Prevailing law makes prohibitions against discrimination.

•Not specifically prohibited.

You're probably wondering, if all you really need to know is that your civil rights are still protected by Federal law, then why did we go into these other issues? This was done to demonstrate the fact that, at least initially, individuals may have to assume the major burden for assuring that violations of civil rights do not occur.

### **Remedies—State and Federal**

Many have expressed the belief that under the new block grant system, each State should have a central office or an agency to deal with civil rights enforcement. Ideally this entity should be independent of other State agencies and/or officials. Information presented at the consultations sponsored by the five Southwestern Advisory Committees to the Commission on Civil Rights indicated that all of the States in the Southwest Region (Arkansas, Louisiana, New Mexico, Oklahoma and Texas) have depended primarily on individuals assigned to the various State agencies to perform equal opportunity duties rather than having a separate office, staff and resources to perform civil rights monitoring and enforcement functions.<sup>5</sup>

In no State within the region was there an independent office working exclusively on block grant civil rights enforcement. This may be due in part to the fact that under categorical grants this responsibility for enforcement was vested in the individual State agencies, and the States felt comfortable continuing this practice. Thus, complaints can be submitted to the affected State agency or the appropriate Federal agency handling the block grant you are interested in.

On the Federal level there is some variance in the grants administered by the three Federal agencies: U.S. Department of Health and Human Services (HHS), U.S. Department of Housing and Urban Development (HUD), and the U.S. Department of Education. In the block grants administered by HHS<sup>6</sup> the Omnibus Budget Reconciliation Act of 1981

<sup>5</sup> Testimony before the Arkansas Advisory Committee to the U.S. Commission on Civil Rights in Little Rock, Arkansas, March 24, 1982 (hereafter cited as AR. Transcript), pp. 257-258.

Testimony before the Louisiana Advisory Committee to the U.S. Commission on Civil Rights in Baton Rouge, Louisiana, April 15, 1982 (hereafter cited as LA. Transcript), p. 123.

Testimony before the New Mexico Advisory Committee to the U.S. Commission on Civil Rights in Santa Fe, New Mexico, July 22, 1982 (hereafter cited as NM. Transcript), p. 216.

Testimony before the Oklahoma Advisory Committee to the U.S. Commission on Civil Rights in Oklahoma City, Oklahoma, June 21-22, 1982 (hereafter cited as OK. Transcript), pp. 34-36.

Testimony before the Texas Advisory Committee to the U.S. Commission on Civil Rights in Austin, Texas, May 27, 1982 (hereafter cited as TX. Transcript), p. 390.

<sup>6</sup> HHS administers the following block grants: Community Services, Preventive Health and Health Services, Alcohol and Drug Abuse and Mental Health, Primary Care, Maternal and Child Health Services, Social Services, and Low-Income Home Energy Assistance.

spells out exactly what the remedies will be for noncompliance with civil rights guarantees. The Act sets out the procedure to be used when the Secretary of HHS determines that a State has failed to comply with the provision that:

No persons shall on the ground of race, color, ethnic origin, handicap, sex or religion be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this part [block grants].<sup>7</sup>

In such a case, the Secretary of HHS shall notify the Governor of the State and request that he/she secure compliance. If within a reasonable period of time, not to exceed 60 days, the Governor fails or refuses to secure compliance, the Secretary may:

- (1) Refer the matter to the U.S. Attorney General with a recommendation that an appropriate civil action be instituted; or
- (2) Exercise the powers and functions provided by Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, or Section 504 of the Rehabilitation Act of 1973.<sup>8</sup>

The U.S. Department of Health and Human Services has a department called Office for Civil Rights (OCR) which handles civil rights enforcement. Complaints of alleged discrimination may be sent to:

Branch Chief  
Regional Office for Civil Rights  
U.S. Department of Health and Human Services  
1200 Main Tower Building  
Dallas, Texas 75202

For the Community Development Block grant, the complaints are to be directed to:

Director  
Office of Regional Fair Housing and Equal Opportunity  
Department of Housing and Urban Development  
221 W. Lancaster  
P.O. Box 2905  
Fort Worth, Texas 76113

According to the director of the Office of Regional Fair Housing and Equal Opportunity/HUD, this office handles discrimination complaints whether it be Title VIII Fair Housing complaints, or Title VI complaints,

<sup>7</sup> Pub. L. No. 97-35, 95 Stat. 359, 542, Sec. 1908(a).

<sup>8</sup> *Id.*, Sec. 1908(b).

and it is their job to assure that everyone has equal access to the programs operated by HUD.<sup>9</sup>

For the Education Block Grant, the appropriate office to file with is:  
Director  
Office of Civil Rights  
U.S. Department of Education  
Region VI  
1200 Main Tower Building  
Dallas, Texas 75202

The Office for Civil Rights (OCR), U.S. Department of Education, specifically administers several civil rights laws. These include: the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color or national origin and any program activity receiving Federal funding assistance), Title IX of the Educational Amendment of 1972 (prohibiting discrimination on the basis of sex in any educational program receiving Federal funding assistance), Section 504 of the Rehabilitation Act of 1973 (prohibiting discrimination on the basis of handicap in any program or activities receiving Federal funding assistance), and The Age Discrimination Act of 1975 (prohibiting discrimination on the basis of age in any program or activity receiving Federal financial assistance).

### **Audits**

Another civil rights enforcement mechanism that may prove to be helpful with regard to block grants is the audit required by the 1981 Omnibus Budget Reconciliation Act. It states in part:

Each State shall annually audit its expenditures from payments received. . . .Such State audits shall be conducted by an entity independent of any agency administering a program funded under this part [block grants], and to the extent practicable, in accordance with the [U.S.] Comptroller's General standards for auditing. . .<sup>10</sup>

What this means is that each State must audit or account as to how it spent the funds received from the Federal Government in the form of block grants.

There is some variance in that such audits must be conducted every two years for some block grants and annually for others. However, all block grants must be audited. Federal officials have noted that "the major reliance will be placed on the audit to insure that the statutory requirements are met."<sup>11</sup> The audit then can be a very important

<sup>9</sup> Telephone interview with Leonard Chaires, Director, Office of Regional Fair Housing and Equal Opportunity/HUD, Region VI, February 18, 1983.

<sup>10</sup> Pub. L. No. 97-35, 95 Stat. 359, 540, Sec. 1906(b)(2).

<sup>11</sup> Testimony before the Louisiana Advisory Committee to the U.S. Commission on Civil Rights in Baton Rouge, Louisiana, April 15, 1982 (hereafter cited as L.A. Transcript), p. 43.

instrument in monitoring the implementation of the civil rights provisions. The U.S. Comptroller's Office has also set out the standards that should be included in these audits to examine civil rights compliance. This may be useful in assuring that the change to block grants does not result in illegal discrimination and a disparate impact on minorities, women, the elderly, and the handicapped.

# **How to Influence Block Grant Decisions by Organizing**

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Block grant legislation has brought about many changes, and there are several resources that will explain the new procedures to you. You may find Chapter 1 of this handbook useful in this regard. Once you decide that you have an interest in studying block grants further, you may utilize the minimum standards checklist, Chapter 3, to select issues to investigate. These are worthwhile activities that an individual acting alone can do very well. However, some issues that you may want to study may require more work than you can do by yourself. You may need to have other individuals with similar interests join you in your project. A group or committee can do more research and possibly think of more alternative courses of action than one person acting alone. This chapter is designed to help you join forces with others to have a greater impact on the block grant issues you select to study. Especially if you live in a small community where there are no resource organizations with expertise in block grants or if you've never formed a committee, this chapter should be helpful.

Two things must be kept in mind as you start out:

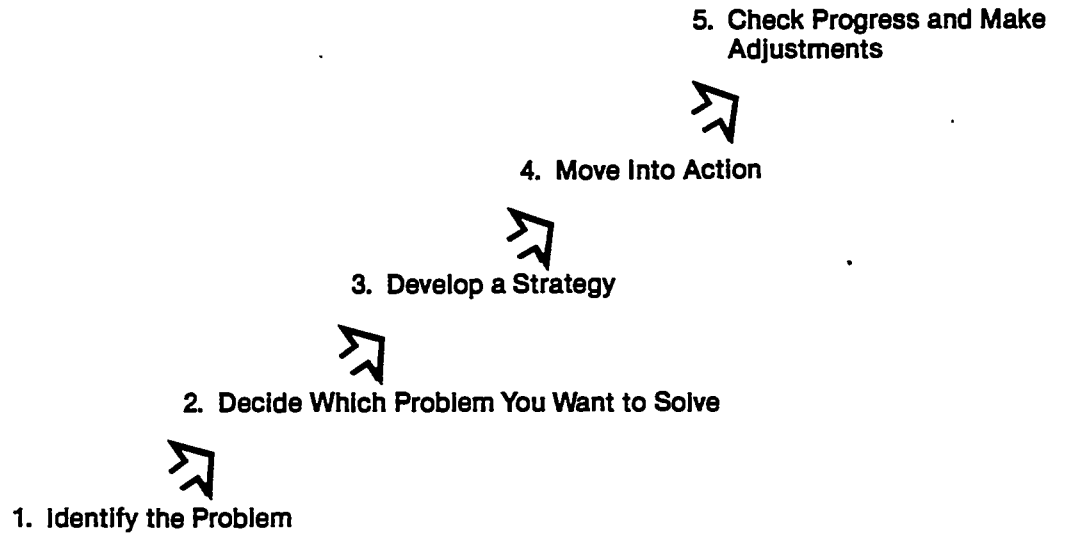
The first thing to remember is that at every level the people responsible have the authority to act within certain limitations and duties and obligations to carry out.

Secondly, you can disagree with what is being done or not being done on grounds that they exceeded their authority or that the duties and obligations were not carried out properly. Or, it may be that they are not doing the job as well as they could, even if they are meeting the minimum requirements.

The officials you challenge can do one of four things:

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**Figure 5.1**  
**Five Steps for Results**



- 
1. Agree with you, thank you for your interest, and tell you they are going to change.
  2. Agree with you and ask you to work with them to change the policy or action.
  3. They can disagree and refuse even to consider your concerns.
  4. They can refuse to take a position:
    - a. They may request more information.
    - b. They may refer you to someone else; or
    - c. They may force you to take a different approach in dealing with them.

The best response is number 2 and, if they ask you to work with them, you have to be prepared to help.

But what if they don't ask for your help, or if they totally ignore you, or disagree with you? What do you do? Do you give up? Or, do you have a plan ready to put into action to make sure your concerns are properly considered and improvements are made? If you want to have a plan ready for action, this chapter should help you.

### **Influencing Decisions**

There are five steps you can take to influence decisions made by officials. The five steps as shown in Figure 5.1 are:

1. *Identify the problem or problems.*

This means focusing in on the issues. Be as specific as you can.

2. *Decide which problem you want to solve.*

Decide what you want to accomplish (objectives) and the order you want to follow (priorities).

3. *Developing a Strategy*

Developing a strategy means preparing a plan of what you intend to do. You should do the following:

- (1) Know what you want accomplished.
- (2) Know who is responsible for making things happen.
- (3) Know what the responsible people think about the problem. If they disagree with you, what is it going to take to get them to change their minds (more facts, public opinion, a large group of people, expert opinions, request from an influential person)?
- (4) Know who your friends are and who your opponents are.
- (5) Figure out how you can get more friends and keep your opponents from stopping you.
- (6) Know the amount of time it is going to take.
- (7) When you work with other people, make sure everyone knows what he or she is supposed to do. (Keep everyone informed.)
- (8) Prepare a couple of choices. In other words, if one approach doesn't work, figure out other ways you can use to get things done.
- (9) Don't forget what you want to accomplish (your objectives).
- (10) Plan to do things that are possible; do not try to do the impossible.

Once you have developed your strategy, you are ready for the next step—action.

4. *Move Into Action*

It is much easier to start taking action when you have planned a strategy. You know what you're going to do, you know with whom you are going to talk, you know to whom you are going to write letters, you know who to go to, you know what information you will need. In other words, you're prepared, since you know what you want to accomplish (your objectives) and you know how to get it done (strategy). You should have much more confidence and be much more successful than you would have been by going into something blind, without developing your strategy.

Now go through the various steps you have planned: going to meetings, writing letters, making phone calls, asking for records and files, reading reports, talking to people, and gaining public support.

5. *Check Your Progress and Adjust Your Strategy*

After a few days of action take a look at what you're doing and what's happening. Is it what you expected? Is everything going according to the plan? If not, try to figure out why. There is no need to get upset; maybe you just didn't know about some important points when you made your original plans. That's all right; plans are flexible—they help you get



organized in what you are doing. However, you can and should make changes in your plan (strategy) when you see the need.

In fact, you should always be checking to see how things are going and making needed adjustments.

## **Approaches to Take**

### **1. *Individual***

As indicated earlier, in block grant issues, it is possible to have successful individual action. At times you can solve a problem by talking with or writing to a State official or Federal employee. If you don't believe you can solve the problem by yourself, then you have two other possibilities: legal action, or organized action as we have been discussing in this chapter.

### **2. *Legal***

At times, as a last recourse, it may be necessary to take legal action. This is the most complicated approach and it requires the services of attorneys. These lawyers can be representatives of government agencies; they can be representatives of private, nonprofit organizations; or they can be in private practice. (See the State Directories in Chapter 7 for legal organizations that may be able to advise you on this approach.)

Two major requirements for legal action are money and time. Although the courts can resolve problems, the process can be long, cumbersome, tedious, and expensive.

### **3. *Organized Effort***

If you believe that the problem that concerns you affects others as well, you should consider organizing to resolve it. To do this, you can either participate in an existing organization or a community group or you can organize a special group to deal with the problem.

What is a good organization? In looking for an organization to join forces with or in forming an organization, remember, a good and effective organization has several ingredients:

- (1) It has a representative group of active people.
- (2) It knows how to get the facts.
- (3) It knows what it wants or expects to accomplish.
- (4) It follows up on its actions.
- (5) It has alternative courses of action, in case one approach doesn't work.
- (6) It has discipline as a group.
- (7) It knows who to approach and what to tell them.
- (8) It doesn't give up easily.
- (9) It is not dominated by one person or group.
- (10) It has good communication among its members—the leaders can get the word out quickly, and the members can get their ideas and wishes to the leaders effectively.
- (11) It knows how to negotiate (give and take in good faith).

- (12) Its members are willing to devote time and energy to the effort.
- (13) It gets results. This means that it sets out to do things that are possible, and it builds success upon success.

### **Working With Organizations**

If you want to work with an existing organization, it is best to be a member of it. In some cases, the organization may already be interested in the issue. If so, and you are not a member, go to its meetings anyway, if you want assistance. Explain the problem and ask for its active support.

Remember that an existing organization has its own rules, policies, and ways of doing things. Do not be surprised if everything doesn't go your way when you're new to the group. Someone else may be more influential and may not fully agree with you. It is important, therefore, that you be willing to work with the leadership, know how to win majority support on your own, or be satisfied with bringing the matter to their attention only. If you're new to the group, try to get someone from within the group to sponsor you, or to lead the support for your issue. Finally, as in all cases, don't give up if all doesn't go well. If the problem hasn't been solved, remember the reason you got involved in the first place was the problem, and it still is a problem. It will not go away, even if you do.

### **New Organizations**

Starting a new or special organization to deal with the problem is not easy but often may be the best approach. There are some points you should consider, however, to make the job a little easier.

- (1) The problem or issue should be visible to the people; they should be able to see it as a concern too. It is hard to get people working to solve a problem they don't see.
- (2) There should be common bonds among the people you are trying to organize. The people should have the same complaint or problem, or believe that they will have it if something is not done to correct the situation.
- (3) There should be a sense of urgency, a feeling that something must be done now, that it cannot be put off or left for someone else to do.
- (4) There should be a sense of concern among the group.
- (5) The organizers should have access to facts that can be presented to the group in clear, concise, and uncomplicated terms with which they can identify.
- (6) There must be good and quick communications from the leadership to the group and back. A telephone network or personal visits are best. Writing letters and notices often takes too much time and does not have the same effect as personal contacts.
- (7) The leaders should be articulate, aggressive, and able to identify the problems the group is concerned about. They should inspire confidence

among the group and not cause disunity. They should have a basic interest in solving the problems, not in advancing themselves at the expense of the organization's objectives.

(8) There should be self-discipline among the group, knowing when to act, when to sit back, and how to respect the views and beliefs of others.

(9) The group should know whom to contact to solve problems, what their authority is, what they have or haven't done in the past, who their superiors are, and what it's going to take to correct the problem.

(10) Always try to get someone knowledgeable with the State system and/or block grants to provide you with needed information and ideas.

(11) Meetings are the lifeblood of citizen organizations. They should be well-organized, involve a broad cross-section of those attending, be interesting and exciting, have limited agendas, and begin and end on time. At the end of the meeting, the members should feel: that they accomplished something worthwhile, that they have work to do to get ready for the next meeting, and that all views of the members were considered fairly. Meetings with small groups are better for organizing and informing. Large meetings are better for building morale and drawing publicity by showing support of many people.

(12) Unless meetings are interesting, the members will stop attending even though they still support the organization's work. Leaders should not blame apathy, foot dragging, or lack of concern on the members. As leaders, one of their jobs is to keep things interesting. They need to know their members' interests, concerns, and needs, and to suggest activities that address them. Leaders are also responsible for ensuring that as many members as possible participate in discussions, work, and other activities. They should not let a few members dominate at the expense of others.

(13) Successful organizations follow up on their work. They do not just make public statements and expect results to happen automatically. They make phone calls, attend meetings, visit offices, write letters, do research, visit neighbors, and get others involved.

### **Public Opinion**

Public opinion is a powerful weapon to have on your side. On the other hand, it can make your work very difficult if it is against you.

The first rule to remember is to make sure that you believe in what you are doing. When you feel sure that you are right, it becomes easier to influence public opinion in your favor or, if necessary, work against it. Public opinion means that most people believe something to be good, bad, or neutral. It does not mean that this belief is correct. Public opinion can be wrong.

The second rule is that public opinion often changes with time, new facts, and changing circumstances.

How do you influence public opinion? There are some techniques that can be used to help get your message across:

- (1) Find out who the reporters are who cover the State government. Get to know them and their supervisors, the news directors, and the editors.
- (2) Get newspaper, radio, and TV reporters to visit your meetings and give them information when they do.
- (3) Give reporters background briefings on the issues and problems you are concerned about.
- (4) Schedule special events that will attract the media.
- (5) Visit the media officials if they don't cover your efforts. Find out why they don't think these are newsworthy; try to change their minds.
- (6) Write letters to the editor, stating your case. Have several people write letters.
- (7) Ask to appear on talk shows or public service shows on radio and TV.
- (8) Get well-known and respected people to endorse your efforts publicly.
- (9) Get other organizations to endorse your efforts and agree to help.
- (10) Use facts and figures to state your case. If possible, show how the problem costs taxpayers extra money or how tax money is being wasted.
- (11) When appropriate, dramatize how the problem violates laws, common sense, or public opinion. Point out how the problem produces ridiculous, stupid, or tragic results.
- (12) Get experts to issue statements and reports which support your position.
- (13) Show that many people are supporting your effort.
- (14) Give up-to-date progress reports on your efforts.
- (15) Stand on constitutional and statutory guarantees when other efforts are not satisfactory. For example, you can utilize equal time rules for television, the right to peaceful assembly, etc.

### **Elections**

One way to participate fully in the block grant system is to get involved in elections. There are three basic levels of participation:

1. voting;
2. working on registering people to vote;
3. being actively involved for, or against, candidates or public issues; and,
4. being a candidate.

The level you choose depends on you.

According to the philosophy of the New Federalism, the ultimate check on whether a State is administering block grants fairly is the reaction of the

State's citizens. They are the ones who will make their displeasure or pleasure known at the ballot box.

### **Influencing Decisions by Letter Writing**

Letter writing is an important part of organized action. When you write letters, there are some items they should contain and they differ sometimes depending on the people you are sending them to.

1. All letters should:
  - Be legible (readable).
  - Be clear and to the point without unnecessary words.
  - Include your name, address, and phone number.
  - Give the name of the block grant or program that you are writing about.
  - Request specific answers within a reasonable time.
2. For State agencies:
  - Give the name of the program, if that is your concern.
  - Indicate what your concern is.
  - Indicate that satisfaction has not been obtained locally.
  - Cite the policy, regulation, or law, you believe has been violated.
  - Ask for specific relief.
  - Indicate your willingness and availability to meet.
  - Indicate your willingness to go to court to seek relief, if necessary.
  - Send a copy of the letter to State legislators.
  - Follow up, if you don't get a response.
3. For Federal agencies:
  - Give the name of the program or block grant. Indicate what your concern is.
  - Cite the policy, regulation, or law you believe has been violated.
  - Ask for an investigation and report of findings.
  - Indicate your willingness to cooperate.
  - Indicate efforts made locally for relief. Follow up, if there is no response.
  - Send copy to Members of Congress.
4. For elected officials (legislators, Senators, Governor, Attorney General, Member of Congress, etc.)
  - Give the name of the program or the block grant you are writing about.
  - Give the names of those persons with whom you dealt locally.
  - Give your reasons for concern.
  - Cite the policy, regulation, or law, you believe has been violated.
  - Ask that they check with the appropriate agency or official to review facts and give you relief.
  - Or, ask that they sponsor or endorse legislation that will give you relief.

- Follow up, if there is no response.
- Don't threaten the elected official with defeat at the next election.
- Indicate if you represent a larger group.
- Do appeal to the officials' sense of justice, fairness, and intelligence.

In summary, organizing is a time consuming task and to be effective requires much dedication. The impact that a single individual can make can be significant. An organization can do even more.

## Valuable Information and Where to Get It

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This chapter provides you with some information on reports and catalogs that may be useful to you in monitoring block grants in your State. Most of these are readily available in your public library or can be obtained from the appropriate Federal or State government office.

1. *Catalog of Federal Domestic Assistance*, Executive Office of the President, Office of Management and Budget, Government Printing Office, 1982.

- *Definition:* This catalog contains information on Federal programs and services which are available. For example in listing the block grants, it includes the following items:

1. The Federal Agency
2. Legal Authorization
3. Objectives
4. Uses and Restrictions
5. Eligibility Requirements
6. Application and Award Process
7. Financial Information
8. Regulations, Guidelines, and Literature
9. Information Contacts

- *Significance:* This is probably the easiest method to get updated information on block grants. Even if more detailed information is required, this is a good beginning point.

- *Availability*

*Location:* This document should be available in the Federal Government section of your public library.

*Date:* The catalog is published yearly in May and an update is done generally in December.

2. *U.S. Bureau of The Census, Population Census Reports*

- **Definition:** The U.S. Bureau of the Census publishes estimates and projections of the population, educational attainment by race and sex, labor force characteristics, income, poverty status of families and persons by race, and health characteristics.

- **Significance:** Census information can be used to show need in certain areas by looking at the population and their characteristics in specific geographic areas. The formulas used to distribute block grant funds to the States are based partially on census information.

- **Availability**

**Location:** All public libraries have this information. There are several reports and booklets on different geographic populations (State), subject areas (health) and racial characteristics.

**Date:** Once the census is taken (every 10 years), reports are done from that point. To check on the latest that is available contact your local library or write to the Census Bureau at:

U.S. Department of Commerce  
Bureau of Census  
Washington, D.C. 20233

There is also an office in your State that has all the census materials for their State. These are the addresses for the States in this region:

***Arkansas***

Industrial Research and Extension Center  
College of Business Administration  
University of Arkansas at Little Rock  
33rd and University  
Little Rock, Arkansas 72204

***Louisiana***

Louisiana State Planning Office  
State Data Center  
P.O. Box 44426  
Baton Rouge, Louisiana 70804

***New Mexico***

Department of Finance and Administration  
421 State Capitol Building  
Santa Fe, New Mexico 87503

***Oklahoma***

Oklahoma State Data Center  
Department of Economic and Community Affairs  
4545 North Lincoln Blvd., Suite 285  
Oklahoma City, Oklahoma 73105



*Texas*  
Texas State Data Center  
Governor's Budget and Planning Office  
P.O. Box 13561  
Austin, Texas 78711

**3. *Federal Register*, U.S. Government, GPO**

- **Definition:** The *Federal Register* is published daily and includes all documents required by law or authorized to be printed by the Federal Government. The daily *Federal Register* also includes an index. Among the documents that can be found in the *Federal Register* are:

1. Presidential Proclamations and Executive Orders
2. Proposed guidelines and regulations for Federal agencies or programs
3. Dates and times of meetings to be held by Federal agencies and the nature of the meetings.

- **Significance:** This document contains valuable information about the activities of the Federal government. In the area of block grants, it is especially helpful because it will have the latest rules and regulations for each of the block grants.

- **Availability**

**Location:** Available at any public library.

**Date:** Published daily.

**4. *A Summary and Comparison of the Legislative Provisions of the Block Grants Created by the 1981 Omnibus Budget Reconciliation Act*, U.S. General Accounting Office (GAO): December 30, 1982.**

- **Definition:** Contains valuable information on the legislation which created block grants.

- **Significance:** Explains the various requirements and procedures in detail for each block grant as provided in the law.

- **Availability**

**Location:** U.S. General Accounting Office, Document Handling and Information Services Facility, P.O. Box 6015, Gaithersburg, Md. 20760

NOTE: It is likely that a public library will have a copy, probably in the government documents section.

**Date:** December 30, 1982

**5. *The New Wave of Federalism: Block Granting and Civil Rights in the Southwest Region*, U.S. Government: January 1983.**

- **Definition:** A publication explaining block grants and the civil rights implications in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

- **Significance:** Provides good basic information on block grants and how this new system functions. A minimum standards checklist is

included which can serve as a guide to both states and individuals in evaluating the effectiveness of the procedures being utilized to implement block grants.

- *Availability*

*Location:* Southwest Regional Office, U.S. Commission on Civil Rights, 418 S. Main, San Antonio, TX 78204

*Date:* January 1983

#### **6. *A Citizen's Guide on How to Use the Freedom of Information Act and the Privacy Act in Requesting Government Documents.***

- *Definition:* This document includes the following information on both the Freedom of Information Act and The Privacy Act:

1. Legislative background.
2. How to request public documents and personal records.
3. Information available under the Acts.
4. Requirements for agency response.
5. Reasons why access may be denied.
6. Taking your case to court.
7. Appeal procedures.

- *Significance:* This document is designed to help you gain access to public records and documents. It also includes the full text of each Act and provides addresses of selected government agencies to get additional information.

- *Availability:* This document can be obtained either from the Federal Documents Section of the public library or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

*Date:* This document is dated November 2, 1977.

#### **7. *Intended Use Report for Block Grants***

- *Definition:* These reports are required by the Federal agencies administering block grants on an annual basis. They are designed to provide information on how block grant funds are to be used during the coming fiscal year by the State agency. Although the contents of the reports will vary on a State-by-State basis, they will usually include the following items:

1. Description of Intended Expenditures
2. Background
3. Needs Assessment
4. Goals and Objectives/Program
5. Program Administration
6. Statement of Assurances

- *Significance:* These reports are designed to provide information on how the administering agency intends to use block grant funds during the next Federal Fiscal Year.

- **Availability:** This report can be obtained either from the Governor's Office or those State agencies administering block grants.

**Date:** This report must be submitted by September of each year.

**8. *The Arkansas Freedom of Information Act: A Handbook.*** A joint publication of the Office of the Attorney General and the Arkansas Press Association, in cooperation with the Division of Continuing Education, University of Arkansas.

- **Definition:** This handbook contains an easy-to-read description of the State and Federal laws on public access to information and meetings. It includes:

1. Arkansas Freedom of Information Act
2. Major Arkansas Court Decisions on the Act
3. The Federal Freedom of Information Act
4. The Federal Education and Privacy Act
5. The Federal Privacy Act

- **Significance:** This is an excellent publication on the topic of public access in Arkansas, both State and Federal laws.

- **Availability:**

**Location:** Arkansas State Attorney General, State Capitol, Little Rock, Arkansas 72201

## **Chapter 7**

# **Federal and State Directories**

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### **Introduction**

To assist you in obtaining the needed information on block grants, this chapter includes information on both Federal and State organizations and agencies that you may find helpful. The Federal section includes the regional offices of Federal agencies administering block grants and some selective national organizations that have done work on block grants. In the State section, we have included State agencies, organizations that can provide technical and/or legal assistance, and some organizations that may be supportive.

You can select the category of assistance that you require depending on the type of information that you need. The specific organization that you contact may also be influenced by geographic considerations or personal preference.

### **Federal Directory**

#### **Federal Regional Agencies**

**Regional Administrator**

**U.S. Department of Housing and Urban Development**

**Fort Worth Service Office**

**221 W. Lancaster Ave.**

**P.O. Box 2905**

**Fort Worth, TX 76113**

**U.S. Department of Education**

**Region VI**

**1200 Main Tower Building**

**Dallas, TX 75202**

**Regional Director**  
U.S. Department of Health & Human Services, Region VI  
1200 Main Tower Bldg.  
Dallas, TX 75202

**Regional Administrator/ETA**  
U.S. Department of Labor  
555 Griffin Square, Room 317  
Dallas, TX 75202

**National Organizations**  
Coalition on Block Grants and Human Needs  
1000 Wisconsin Ave., N.W.  
Washington, D.C. 20007

**Institute for the Study of Educational Policy**  
Howard University  
2900 Van Ness St., N.W.  
Washington, D.C. 20008

**Human Services Information Center**  
1602 17th Street, N.W.  
Washington, D.C. 20009

## **State Directories**

**Arkansas Directory**  
Governor  
State of Arkansas  
State Capitol  
Little Rock, AR 72201

*State Agencies*  
Department of Human Services  
Donaghey Building, Suite 1300  
7th and Main Street  
Little Rock, AR 72201

State Dept. of Education\*  
State Education Bldg.  
Little Rock, AR 72201

Arkansas Department of Health  
4815 W. Markham

Little Rock, AR 72201

Arkansas Industrial Development Commission\*\*  
One State Capitol Mall  
Little Rock, AR 72201

*Federal Agencies Located in Arkansas*  
U.S. Dept. of Housing & Urban Development\*\*  
Little Rock Area Office  
Savers Bldg., Suite 700  
320 West Capitol  
Little Rock, AR 72201

\*Information on Chapter 2. Education Block Grant

\*\*Information on Small Cities Community Development Block Grant  
Program

*Legislative Bodies*  
Arkansas Legislative Council  
State Capitol Bldg., Rm. 315  
Little Rock, AR 72201

*Legal Assistance Providers*  
Arkansas Legal Services Support Center  
P.O. Box 2038  
Little Rock, AR 72203

*Technical Organizations*  
Arkansas Advocates for Children & Families  
931 Donaghey Bldg.  
Little Rock, AR 72201

Non-profit Resources, Inc.,  
5312 W. Markham  
Little Rock, AR. 72205

West Central Arkansas Planning Development Dist.  
P.O. Box 1558  
Hot Springs, AR 71901

Arkansas Coalition for the Handicapped  
1700 W. 13th St., Rm. 349  
Little Rock, AR 72202

Western Arkansas Planning and Development District  
P.O. Box 2067  
Fort Smith, AR 72901

Central Arkansas Planning and Development District  
112 N.E. Front St.  
P.O. Box 187  
Lonoke, AR 72086

*Support Organizations*

Central Arkansas Area Agency on Aging, Inc.  
P.O. Box 5988  
North Little Rock, AR 72119

Pulaski County Council on Aging  
Central Baptist Prof. Bldg.  
Suit 100  
1700 W. 13th St.  
Little Rock, AR 72202

Black River Area Development Corporation  
114 East Everett St.  
Pocahontas, AR 72455

Crowley's Ridge Development Council  
249 S. Main st.  
Jonesboro, AR 72401

Crawford Sebastian Community Development Council, Inc.,  
431 Armour Ave.  
P.O. Box 4069  
Fort Smith, AR 72914

Washington County Economic Opportunity Agency  
2325 North Gregg  
Fayetteville, AR 72701

Southeast Arkansas Community Action Corporation  
P.O. Box 312  
Warren, AR 71671

Central Arkansas Development Council  
425 Walnut/P.O. Box 646  
Benton, AR 72015

Pine Bluff Jefferson County, Economic Opportunity Commission,  
Inc.,  
P.O. Box 7228  
Pine Bluff, AR 71611

Madison Self-Help Development Corporation  
P.O. Box 24  
Madison, AR 72359

Lee County Self-Help Assn.  
P.O. Box 57  
Moro, AR 72386

Community Services Office  
P.O. Box 1175  
Hot Springs, AR 71901

North Central Arkansas Development Council  
P.O. Box 3349  
Batesville, AR 72501

ACORN  
523 West 15th St.  
Little Rock, AR 72202

Louisiana Directory  
Governor  
Executive Department  
State Capitol Bldg.  
Baton Rouge, LA 70804

*State Agencies*  
Louisiana Dept. of Education  
Educational Support Programs  
Suite 401  
P.O. Box 44064  
Baton Rouge, LA 70804

Louisiana Dept. of Labor  
P.O. Box 44094  
Baton Rouge, LA 70804



Louisiana Dept. of Urban & Community Affairs  
P.O. Box 44455  
Baton Rouge, LA 70804

*Federal Agencies Located in Louisiana*  
U.S. Dept. of Housing and Urban Development  
New Orleans Area Office  
1661 Canal St.  
New Orleans, LA 70112

*Organizations and Coalitions Working With Block Grants*  
Louisiana Survival Coalition  
2020 Jackson Ave.  
New Orleans, LA 70113

Louisiana Hunger Coalition  
2020 Jackson Ave.  
New Orleans, LA 70113

League of Women Voters of Louisiana  
850 N. 5th St., No. 103  
Baton Rouge, LA 70802

Louisiana State Welfare Rights Organization  
275 Jefferson Davis St.  
Baton Rouge, LA 70802

Louisiana State Clients Council  
275 Jefferson Davis St.  
Baton Rouge, LA 70802

Louisiana State AFL-CIO  
P.O. Box 3477  
Baton Rouge, LA 70821

A. Phillip Randolph Institute  
1419 St. Bernard Ave.  
New Orleans, LA 70116

Bread for the World  
Loyola University—Box 12  
New Orleans, LA 70118

Title I Parents Advisory Committee  
1237 Napoleon St.  
Baton Rouge, LA 70804

*Legal Assistance Providers*  
Louisiana Legal Consortium, Inc.  
Suite 305  
1636 Toledano St.  
New Orleans, LA 70116

Northwest Louisiana Legal Services, Inc.  
619 Spring St.  
Shreveport, LA 71101

Southeast Louisiana Legal Services Corp.  
P.O. Box Drawer 2867  
Hammond, LA 70404

New Orleans Legal Assistance Corporation  
226 Carondelet st., Suite 605  
New Orleans, LA 70130

Capital Area Legal Services, Inc.,  
P.O. Box 3273  
Baton Rouge, LA 70821

*Supportive Organizations and Agencies*  
Intertribal Council of Louisiana, Inc.  
9141 Interline, Suite 41D2  
Baton Rouge, LA 70809

Common Cause  
535 North Sixth St.  
Baton Rouge, LA 70802

Louisiana ACORN  
4111 Choctaw Dr.  
Baton Rouge, LA 70805

Louisiana Assn. of Community Action Agencies, Inc.\*  
7360 Tom Dr., Suite D  
Baton Rouge, LA 70806

Louisiana NAACP  
2828 Jubon Ave.  
Baton Rouge, LA 70805

Urban League of Greater New Orleans  
1929 Bienville St.  
New Orleans, LA 70112

**\*You should also identify and contact the local Community Action Agency located nearest you.**

**New Mexico Directory**  
Governor  
State Capitol Bldg.  
Santa Fe, NM 87503

*State Agencies*  
State Planning Office  
505 Don Gasper Ave.  
Santa Fe, NM 87503

Superintendent of Public Instruction  
New Mexico State Dept. of Education  
Education Bldg.  
Santa Fe, NM 87503

Human Services Department  
PERA Bldg., Rm. 301  
P.O. Box 2348  
Santa Fe, NM 87503

State Agency on Aging  
Chamisa Hills Bldg.  
440 St. Michaels Dr.  
Santa Fe, NM 87503

Governor's Committee on Concerns of the Handicapped  
Bataan Memorial Bldg.,  
Room 309  
Santa Fe, NM 87503

Albuquerque Human Rights Office  
Plaza del Sol Bldg., Suite 112  
600 Second, N.W.

Albuquerque, NM 87102

Health & Environment Department  
P.O. Box 968  
Santa Fe, NM 87503

New Mexico Commission on the Status of Women  
Suite 809, Plaza Del Sol  
600 2nd St., N.W.  
Albuquerque, NM 87102

New Mexico Human Rights Commission  
Bataan Memorial Bldg., Rm. 303  
Santa Fe, NM 87503

Office of Indian Affairs  
Bataan Memorial Bldg., Rm. 130  
Santa Fe, NM 87503

City of Albuquerque Department of Human Services  
P.O. Box 1293  
Albuquerque, NM 87103

*Legislative Bodies*  
Legislative Council Service  
State Capitol Bldg., Rm. 334  
Santa Fe, NM 87503

*Legal Assistance Providers*  
Northern New Mexico Legal Services, Inc.  
915 Hickox St.  
Santa Fe, NM 75001

Legal Aid Society of Albuquerque, Inc.  
Suite L  
1020 Tijeras Ave., N.E.  
Albuquerque, NM 87106

Southern New Mexico Legal Services, Inc.  
300 North Downtown Mall  
Las Cruces, NM 88001

DNA-People's Legal Services, Inc.  
P.O. Box 306

Window Rock, AZ 86515

*Technical Assistance Providers*

Eastern Plains Council

Curry Courthouse

Clovis, NM 88101

Middle Rio Grande Council of Governments

924 Park Ave., S.W.

Albuquerque, NM 87102

South Rio Grande Council of Governments

575 S. Alameda Blvd.

Las Cruces, NM 88001

Southeast New Mexico Economic Development Dist.

R.I.A.C.

P.O. Box 5639

Roswell, NM 88201

San Juan Regional Committee

112 South Mesa Verde

Aztec, NM 87410

McKinley Area Council of Governments

307 W. Aztec, Suite 302

Gallup, NM 87301

Southwest New Mexico Council of Governments

P.O. Box 2157/211 1/2 N. Bullard

Silver City, NM 88061

North Central New Mexico Economic Development Dist.

P.O. Box 5115

Santa Fe, NM 87502

*Support Organizations*

Home Education Livelihood Program (H.E.L.P.)

3423 Central Ave., N.E.

Albuquerque, NM 87102

LULAC (State President)

4705 Glenwood Hills Dr., N.E.

Albuquerque, NM 87111

New Mexico State Conference NAACP  
1415 N. Paxton St.  
Las Cruces, NM 88001

New Mexico Human Services Coalition  
2509 Avenida de Isidro  
Santa Fe, NM 87501

League of Women Voters of New Mexico  
510 2nd St., N.W.  
Suite 219  
Albuquerque, NM 87102

American Assn. of Retired Persons  
412 Amherst, S.E.  
Albuquerque, NM 87106

IMAGE de Nuevo Mexico  
2510 Alamosa P.  
Santa Fe, NM 87502

National Indian Youth Council  
201 Hermosa, N.E.  
Albuquerque, NM 87108

National Institute for Multi-cultural Education  
3010 Monte Vista, Suite 203  
Albuquerque, NM 87106

American G.I. Forum  
621 Gabaldon Rd., N.W.  
Albuquerque, NM 87104

New Mexico Assn. of Community Organizations for Reform Now  
(ACORN)  
1609 Fourth St., N.W.  
Albuquerque, NM 87102

*Tribes and Tribal Organizations*  
All Indian Pueblo Council, Inc.  
1015 Indian School Rd., N.W.  
P.O. Box 6507  
Albuquerque, NM 87197

Navajo Tribe  
P.O. Box 308  
Window Rock, AZ 86515

Eight Northern Indian Pueblos Council  
P.O. Box 969  
San Juan Pueblo, NM 87566

**Oklahoma Directory**  
Governor  
212 State Capitol Bldg.  
Oklahoma City, OK 73105

*State Agencies*  
Commissioner  
State Health Department  
P.O. Box 53551  
Oklahoma City, OK 73152

Director, Dept. of Economic & Community Affairs (DECA)  
4545 N. Lincoln  
Oklahoma City, OK 73105

Oklahoma Human Rights Commission  
Jim Thorpe Bldg., Rm. G-11  
Oklahoma City, OK 73105

Director  
Department of Human Services  
Sequoyah Bldg., State Capitol Complex  
P.O. Box 25352  
Oklahoma City, OK 73125

Oklahoma Indian Affairs Commission  
4010 N. Lincoln Blvd.  
Oklahoma City, OK 73105

*Oklahoma Coalitions Working With Block Grants*  
Oklahoma Coalition for Fair Block Grants  
1613 N. Broadway  
Oklahoma City, OK 73103

Oklahoma Coalition for Fair Block Grants  
P.O. Box 486

Harrah, OK 73045

*Technical Assistance Providers*

Joint Committee on Federal Funds  
Oklahoma State Capitol Bldg., Rm. 115  
Oklahoma City, OK 73105

*Legal Assistance Providers*

Legal Aid of Western Oklahoma  
Court Plaza  
228 Robert S. Kerr  
Oklahoma City, OK 73102

Legal Services of Eastern Oklahoma  
324 Main Mall, Suite 815  
Tulsa, OK 74103

*Supportive Organizations and Agencies*

Oklahoma Coalition for Children, Youth & Families  
P.O. Box 22078  
Oklahoma City, OK 73123

Urban League  
240 E. Apache  
Tulsa, OK 74106

National Assn. for the Advancement of Colored People (NAACP)  
1115 E. Pierce  
McAlester, OK 74501

League of Women Voters of Oklahoma  
400 N.W. 23rd  
Oklahoma City, OK 73103

Areawide Aging Agency  
P.O. Box 1474/125 N.W. 5th  
Oklahoma City, OK 73101

Executive Director  
Oklahoma Conference of Churches  
P.O. 22078  
Oklahoma City, OK 73123



Urban League  
3017 N. Eastern  
Oklahoma City, OK 73111

Oklahoma Community Action Director's Association  
1900 N.W. 10th  
Oklahoma City, OK 73106

Oklahoma Nutrition Council  
3033 N. Walnut, No. 210D  
Oklahoma City, OK 73105

Oklahoma Hispanic Cultural Center  
228 W. Commerce  
Oklahoma City, OK 73109

*Councils of Governments*  
Executive Director  
Assn. of Central Oklahoma Governments  
4801 Classen Blvd., Suite 200  
Oklahoma City, OK 73118

Executive Director  
Indian Nations Council of Governments  
707 S. Houston  
Tulsa, OK 74127

Eastern Oklahoma Development District  
800 W. Okmulgee  
Muskogee, OK 74401

Southern Oklahoma Development Association  
16 "E" St., S.W./P.O. Box 848  
Ardmore, OK 73401

Northern Oklahoma Development Association  
3201 Sante Fe Trail  
Enid, OK 73701

Oklahoma Economic Development Association  
P.O. Box 668  
Beaver, OK 73801

Executive Director  
Assn. of South Central Oklahoma Governments  
802 Main St./P.O. Box 1647  
Duncan, OK 73533

Northeastern Counties of Oklahoma  
Economic Development Assn.  
Drawer E  
Vinita, OK 73701

Kiamachi Economic Development District of Oklahoma  
P.O. Box 638  
Wilburton, OK 74578

Central Oklahoma Economic Development District  
400 N. Bell St.  
Shawnee, OK 74801

South Western Oklahoma Development Authority  
P.O. Box 569  
Burns Flat, OK 73624

**Texas Directory**  
Governor Mark White  
State of Texas  
P.O. Box 12428  
Capitol Station  
Austin, TX 78711

*State Agencies*  
Commissioner of Health  
Texas Department of Health  
1100 W. 49th St.  
Austin, TX 78756  
Attention: Ms. Terry Bleier

Executive Director  
Texas Dept. of Community Affairs  
P.O. Box 13166  
Austin, TX 78711

Texas Education Agency  
Deputy Commissioner for Finance & Program Admin.  
201 E. Eleventh St.

Austin, TX 78701

Executive Director  
Texas Commission on Alcoholism  
809 Sam Houston Bldg.  
Austin, TX 78701

Texas Dept. of Human Resources  
P.O. Box 2960  
Austin, TX 78769

Commissioner  
Texas Dept. of Mental Health & Mental Retardation  
P.O. Box 12668  
Austin, TX 78711

*Organizations and Coalitions Working With Block Grants*  
The Texas Alliance  
C/O Poverty Education & Research Center  
500 W. 13th St.  
Austin, TX 78701

Advocacy, Inc.  
5555 N. Lamar, Suite K-109  
Houston, TX 78751  
Assists only handicapped individuals or their families.

Anti-hunger Coalition of Texas  
3128 Manor Rd.  
Austin, TX 78723

ACORN  
4600 S. Main St., Suite 201  
Austin, TX 77002

*Legal Assistance Providers*  
Mexican American Legal Defense & Educational Fund (MALDEF)  
201 N. St. Mary's St., Suite 501  
San Antonio, TX 78205

Texas Legal Services Center  
500 W. 13th St.  
Austin, TX 78701

East Texas Legal Services, Inc.  
Central Office  
125 N. Fredonia St.  
P.O. Box 1069  
Nacogdoches, TX 75961

North Central Texas Legal Services Foundation  
3108 Live Oak  
Dallas, TX 75204

Costal Bend Legal Services  
3825 Agnes  
Corpus Christi, TX 78405

Bexar County Legal Aid  
434 S. Main, Suite 300  
San Antonio, TX 78204

Legal Aid Society of Central Texas  
500 Perry Brooks Bldg.  
8th and Brazos  
Austin, TX 78701

West Texas Legal Services  
The Lawyers Bldg.  
100 Main St.  
Fort Worth, TX 76102

*Supportive Organizations*  
League of United Latin American Citizens (LULAC)  
2590 Morgan Ave.  
Corpus Christi, TX 78408

Texas Impact  
2704 Rio Grande #9  
Austin, TX 78703

Texas State Conference on NAACP  
P.O. Box 10338  
San Antonio, TX 78210-0338

United Way of Texas  
P.O. Box 1487  
Austin, TX 78767

# Glossary of Terms

- 1. Audit** —An audit is usually a checking of financial records to assure that they are correct at regular intervals. Under block grants the States are responsible for conducting audits of the use of block grants every year *except* that community services allows audits every two years. Specific requirements for each block grant are noted in the sections of the Budget Reconciliation Act dealing with the specific block grants.
- 2. Block Grants** —A method used by the Federal Government to give money to the State for specific program areas such as education, health, etc., with the State having more control as to how money is spent. Block grant funding has also been defined as a consolidation of narrowly-focused, tightly controlled categorical programs into large, virtually unrestricted grants that give wide discretion to States on how to use the monies.
- 3. Direct Funding of Indian Tribes**  
Five of the block grant programs permit the Secretary to provide grant funds directly to Indian tribes and tribal organizations that request such funds. The block grants involved are community services, preventive health and health services, alcohol and drug abuse and mental health services, primary care, and low-income home energy assistance. With respect to each of these block grants, the Act provides that direct funding is available if (1) the Indian tribe or tribal organization requests funds, and (2) the Secretary determines that the tribal members would be better served by direct Federal funding than by funding through the States.  
The Act's provisions on direct funding were intended to continue the longstanding government-to-government relationship between the United States and the tribes.
- 4. Intended Use Plan** —The law creating block grants requires the State to submit the various plans and descriptions of intended uses of block grant funds to the Federal agency administering the block grant.

- 5. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of handicap in any program or activities receiving Federal funding assistance. (29 U.S.C. Sec. 794 (Supp. IV, 1974))**
  
- 6. Submission —The submission is the paperwork that a State submits to the Federal agency. It is basically an application and is usually referred to as the Intended Use Plan or Report. A submission must be made every year, before the State receives any funds. No particular format for the submission is required.**
  
- 7. The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance. (42 U.S.C. Sec. 6102 (Supp. VI, 1976))**
  
- 8. Title VI of the Civil Rights Act of 1964 requires that there be *no* discrimination in Federal programs by providing that no person on the basis of race, color, or national origin may be denied an equal opportunity to participate in and benefit from programs receiving Federal financial assistance. (42 U.S.C. Sec. 2000d(1964)).**
  
- 9. Title IX of the Education Amendments of 1972 prohibit sex discrimination against any persons in any education program or activity receiving Federal financial assistance. (20 U.S.C. Sec. 1681 *et seq* (Supp. IV, 1974))**

## Appendix

There are at present nine block grants created by Congress.<sup>1</sup> These are:

### A. Community Services Block Grant

This block grant provides funds to States for community-based programs that offer health, nutrition, housing and employment-related services to improve the standard of living of low-income persons. Major purposes of the block grant include:

- addressing the causes of poverty in communities within each State;
- providing activities to assist low-income citizens in employment, education, housing, and emergency assistance;
- encouraging self-sufficiency, community involvement, effective use of related poverty programs and the involvement of the private sector in these efforts.

#### Consolidated Programs

- Community Action
- Senior Opportunities and Services
- Community Food and Nutrition
- Energy Conservation
- Training, Evaluation and Technical Assistance

### B. Preventive Health and Health Services Block Grant

This block grant will provide States with funds for preventive health services for individuals and families, especially those of limited means, and for a variety of public health services to reduce preventable morbidity and mortality and improve quality of life. The legislative goals for the block grant include:

- supporting comprehensive public health services;
- providing for community-based programs to help people reduce health risks;
- supporting programs to deter smoking and use of alcoholic beverages among children and adolescents;

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<sup>1</sup> The information contained in this appendix unless otherwise noted, is based on information obtained from "Health and Human Services Department Block Grants," *HHS Fact Sheet*, U.S. Department of Health and Human Services (1982).

- establishing and maintaining preventive health programs to detect and prevent hypertension (high blood pressure);
- planning, establishing or improving emergency medical services systems (excluding costs of operation and purchase of equipment);
- supporting rodent control programs;
- supporting community and school based fluoridation programs;
- providing for services to rape victims and for rape prevention programs;
- providing for home health services.

**Consolidated Programs:**

- Emergency Medical Services
- Health Incentive Grants (comprehensive public health services)
- Hypertension Control
- Rodent Control
- Fluoridation
- Health Education/Risk Reduction
- Home Health Services
- Rape Prevention and Crisis Services

**C. Alcohol and Drug Abuse and Mental Health Block Grant**

This block grant provides funds to States to establish and maintain programs to combat alcohol and drug abuse, to care for the mentally ill and to promote mental health. Major purposes of this block grant include:

- supporting programs to control and prevent alcoholism and drug abuse;
- supporting community treatment services for mental and emotional illness through community mental health centers;
- providing for rehabilitation of alcohol and drug abusers and the mentally ill;
- emphasizing outpatient care for the chronically mentally ill.

**Consolidated Programs**

- Mental Health Services
- Drug Abuse Project Grants
- Drug Abuse State Formula Grants
- Alcoholism Project Grants
- Alcoholism State Formula Grants

**D. Primary Care Block Grant**

Beginning in FY 1983, this block grant would provide funds to States (at their request) to assist in providing primary health services to medically underserved populations through primary care centers. Major purposes for the block grant include:

- providing grants to public and to private non-profit entities for planning, development and operation of community health centers;
- supporting the delivery of family-oriented health services in medically underserved areas, both rural and urban, through the centers;



- emphasizing service to low-income persons, especially children and the elderly;
- providing for ties between primary care centers and secondary (specialty and inpatient) and tertiary (medical center) providers.

**Consolidated Programs**

- Community Health Centers
- Primary Care Research and Demonstrations

**E. Maternal and Child Health Services Block Grant**

This block grant provides funds to States for health services for mothers and children to reduce infant mortality and the incidence of preventable diseases and handicapping conditions among children; rehabilitative services for blind and disabled individuals under the age of 16; and treatment and care for crippled children. The legislative purposes include:

- ensuring maternal and child health services in particular for low-income persons;
- emphasizing preventive measures to reduce infant mortality and to prevent childhood disease through immunization and diagnostic services;
- providing rehabilitation services for blind and disabled children qualified to receive benefits under Title XVI of the Social Security Act (SSI);
- providing medical, surgical and corrective services for diagnosis, hospitalization and care of children who are crippled or who have conditions leading to crippling;
- funding hemophilia treatment centers and genetic disease counseling and screening projects;
- providing research and training grants to advance maternal and child health.

**Consolidated Programs**

- Maternal and Child Health Services/Crippled Children's Services
- SSI Disabled Children's Services
- Hemophilia
- Sudden Infant Death Syndrome
- Lead-based Paint Poisoning Prevention
- Genetic Diseases
- Adolescent Health Services

**F. Social Services Block Grant**

This block grant will provide funds to States to help those with special needs to achieve and maintain a greater degree of economic self-sufficiency, and to prevent neglect, abuse or exploitation of children and adults who are unable to protect their own interests. Its services may be particularly directed to the special needs of children, the aged, the mentally retarded, the blind, the emotionally disturbed, the handicapped, alcoholics and drug addicts.

Funds may also be used to prevent unnecessary institutionalization when possible by providing community-based and home-based care, and to provide services to persons in institutions. This block grant also seeks to preserve, rehabilitate or reunite families.

Included in the legislation as suggested services are:

- Child care services, protective services for children and adults, services for children and adults in foster care, services related to the management and maintenance of the home, day care services for adults, transportation services, family planning services, information/referral and counseling services, preparation and delivery of meals and health support services.

**Consolidated Programs**

- Title XX Social Services
- Title XX Day Care
- Title XX State and Local Training

**G. Low-Income Home Energy Assistance Block Grant**

This block grant provides funds to States to help eligible low-income people meet the costs of home energy and, at a State's option, to provide low-cost residential weatherization or other energy-related home repairs for low-income households.

Eligibility is limited to households with income levels that do not exceed 150 percent of the poverty level or 60 percent of State median income, and recipients of AFDC, SSI, Food Stamps and certain Veterans' benefits. At State option, the Secretary can make direct payments to supplemental security income recipients.

**Consolidated Programs**

- Low-Income Energy Assistance

**H. Education Block Grant<sup>2</sup>**

This block grant provides funds to States to be used in accordance with the educational needs and priorities of State and local educational agencies as determined by such agencies. These funds are meant to financially assist State and local educational agencies to improve elementary and secondary education for children attending both public and private schools.

**Consolidated Programs**

- Basic Skills Improvement
- Instructional Materials & School Library Resources
- Improvement in Local Education Practice
- Guidance, Counseling, and Testing
- Strengthening State Educational Agency Management
- Emergency School Aid Act
- Pre-College Teacher Development in Science
- Teacher Corps

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<sup>2</sup> Omnibus Budget Reconciliation Act of 1981, Pub. L. No. 97-35, 95 Stat. 469.

- Teacher Centers
- Metric Education
- Arts in Education
- Preschool Partnership Programs
- Consumer Education
- Youth Employment
- Law-related Education
- Environmental Education
- Health Education
- Correction Education
- Dissemination of Information
- Biomedical Sciences
- Population Education
- International Understanding
- Community Schools
- Gifted and Talented Children
- Educational Proficiency Standards
- Safe Schools
- Ethnic Heritage Studies
- Career Education
- Desegregation Training and Advisory Services

#### **I. Community Development Block Grant<sup>3</sup>**

Department of Housing and Urban Development is presently authorized to award grants to units of general local government for funding housing and community development activities. The Community and Economic Development Block Grant allows State assumption of the Small Cities (cities and/or counties under 50,000 population not opting to go with a metropolitan area) portions of the program. Although the block is not a consolidation of categorical programs, several HUD programs were eliminated as a result of its establishment. HUD is required to distribute funds in a State if the State does not accept administration of the block grant.

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<sup>3</sup> Ibid., 95 Stat. 384; Telephone interview with Leonard Chaires, Director, Office of Regional Fair Housing and Equal Opportunity, HUD, February 4, 1983.

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