



BPI

Business and Professional People For the Public Interest

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October 3, 1974

Honorable Richard B. Austin
United States Judge
219 South Dearborn Street
Chicago, Illinois 60604

Re: Gautreaux v. CHA and HUD - Pending Motion
for Appointment of Commissioner

Dear Judge Austin:

As indicated in our reply filed September 30, 1974, we intend to move on the motion call next Tuesday, October 8, for the entry of an order appointing a Commissioner as an officer of the Court to recommend a specific plan to implement the Court's previous judgment orders.

We are diligently seeking names of well-qualified persons to suggest to the Court. The Reverend Theodore J. Hesburgh and Richard Babcock are two such persons.

Father Hesburgh is the immediate past Chairman of the United States Commission on Civil Rights. By reason of the Commission's extensive hearings and investigations over the years on housing matters Father Hesburgh is of course knowledgeable about housing problems and programs. He is I believe currently President of Notre Dame University.

Mr. Babcock is a senior partner in the Chicago law firm of Ross Hardies O'Keefe Babcock and Parsons, and has also had considerable experience in housing and related matters. He was an appointee of the Governor to the Northeastern Illinois Planning Commission from 1965-72, President of the American Society of Planning Officials from 1971-72, and is presently Chairman of the Advisory Committee to the American Law Institute

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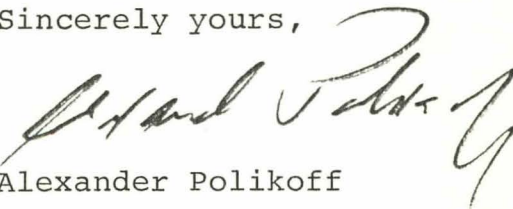
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project on a model land development code. He is the author of The Zoning Game (University of Wisconsin Press 1966), articles on land use regulation and planning and, pursuant to a research grant from HUD, Exclusionary Zoning, Land Use Regulation and Housing in the 1970's (Praeger 1970). With members of his firm he participated in the preparation of a report for HUD in connection with Operation Breakthrough and has served as a consultant on zoning, housing and land use matters to several states and numerous cities.

Father Hesburgh is out of the country until the latter part of next week and we have therefore not been able to ascertain whether he would be in a position to accept appointment by the Court. Mr. Babcock has authorized the submission of his name to the Court for consideration but has not yet indicated whether he could serve if requested to do so.

We recognize that the suggestion of names of persons to serve as Commissioner may be viewed as premature at this point because the Court may deny the motion for such an appointment. However, the new public housing program is scheduled to go into effect on January 1, 1975 and HUD is already issuing regulations to implement it. If the Court does decide to appoint a Commissioner, prompt action will obviously be desirable. Moreover, we believe that the person appointed as Commissioner should have background and experience in housing matters and recognized stature in the community. The identification of such persons is not an easy task. It is for these reasons that we are sending the Court this letter in advance of next Tuesday. We are continuing our search for appropriate names and may have additional persons to suggest on or before October 8.

Sincerely yours,



Alexander Polikoff

ALP:eo

cc: Robert B. Schaefer
Patrick W. O'Brien