

The Kickback Game

By Ada Louise Huxtable

It is as old as the pyramids and the Parthenon. The kickback system for public buildings has operated since the beginning of recorded time. It is a thoroughly rotten, eternal political verity that has surfaced lately because it tripped up a Vice President of the United States. Spiro T. Agnew added a little personal refinement to the hoary game. He kept 50 per cent of the take for himself. But even that wasn't original; Boss Tweed did better.

Dale Anderson, Mr. Agnew's successor as Baltimore County Executive, about to spend some time in jail, did not break with the tradition. In fact, both gentlemen gave the process a little class. They were on the take from architects and engineers as well as from builders, something that seems to have surprised a public that equates the cruder stuff with the construction industry. Architects have a fancy code of ethics.

At Mr. Anderson's trial, a Baltimore architect, Paul Gadreau, testified to \$31,000 in cash payments to the County Executive for a \$1-million contract for the first phase of the new \$10-million courts building in Towson, Md. It must have seemed like a pretty good bargain at the time. "We knew this thing was very wrong," his brother William said, "but we didn't want to lose the job," and he wept on the stand.

The refrain is familiar, along with "It's a way of life." Even clubhouse novices know this is the way to line the campaign coffers. It is part of the power base of every elected official and two-bit boss. The "contributing" architect gets the design work; the "contributing" engineer gets the structural contract; the "contributing" contractor puts the building up, and the local Congressman's "contributing" marble, concrete, lumber, air conditioning or curbstone company supplies the materials and services. There is almost always a little useful fat figured in.

This is the hallowed system of patronage and pork barrel from City Hall and State House to the halls of Congress. The nation runs on it. An official of the American Institute of Architects, which has been conducting a concerned study of the problem, states succinctly, "It stinks."

It is also a truly bipartisan procedure. The payola goes to Republicans and Democrats alike. The question is raised occasionally about the right to support the party of one's

choice. But the payoff pro always gives to both parties, or to those who conspicuously control contracts, at convenient times, hardly an indication of heartfelt backing of issues or individuals.

In 1970, after preliminary scandals in Massachusetts, *Newsday* ran a lengthy exposé of contributions and contracts in Long Island. If that sounds like localized small potatoes, it wasn't. This is a national game, and anyone can play.

According to *Newsday*, the prominent New York architectural firm of Max Urbahn was a "friend" to Nassau County Democrats to the tune of \$14,750, donations comfortably close in time to a \$6-million fee for Nassau County buildings. Mr. Urbahn, later president of the American Institute of Architects, called the practice "nauseating."

Another "friend" was the large and noted California firm of Welton Becket and Associates, with \$12,350 in contributions that paralleled \$1.5 million in contracts. The New Orleans firm of Curtis and Davis gave \$15,625 and ended with half a million in contracts. These are among the biggest names in the profession—prizewinners all. And they are not alone.

But not everyone plays along. The firm of Mitchell-Giurgola blew the lid off in Philadelphia recently when it was propositioned for city work in the customary way. Contributions were to be made first, followed by a 5 per cent kickback on any contract received. Five to 10 per cent is the standard national rule. A grand jury investigation that resulted when the firm aired the situation found a "corrupt, pervasive system of political extortion and bribery in exchange for architectural and engineering contracts."

It comes down to a slippery kind of semantics. Politicians call it soliciting or fund raising. Architects say it is extortion, pure and simple. In any event, it takes two to tango.

What the public gets is the kickback as buried tax deduction and some of the worst buildings in the world. With rare exceptions, they run the scale from incompetent to mediocre, with heavy emphasis on hack design, corner-cutting and quality-shaving as part of padding the take. They are monuments, all right, to cynicism and corruption and the survival of the unfittest, proper markers for the Watergate Age.

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