

Relerson, Richard C.  
Reinhardt, Nelson K.  
Retson, Nicholas P.  
Reynolds, George D.  
Reynolds, Richard W.  
Reynolds, Robert Y.  
Rindt, John W.  
Robbins, Calvin L., Jr.  
Robinson, Stanley L.  
Rodrigues, Alfred B.  
Rodriguez, Federico J.  
Rose, Robert G.  
Rowe, Stephen F.  
Rowton, Joe R.  
Roy, James W., Jr.  
Rusk, James E.  
Rystrom, Robert E.  
Sandoval, Saul  
Sandoz, Clark A.  
Schepker, Lawrence W.  
Scherer, William M.  
Scherrer, Richard B.  
Schmus, Donald J.  
Schmittker, Gerald L.  
Schroeder, Gerald A.  
Schroeder, Waldo, Jr.  
Schwan, Carlton F., II  
Schwankl, David N.  
Scott, Harry A.

Scott, James M.  
Scott, Robert W., Jr.  
Seymour, John F.  
Shaw, David L.  
Shea, Michael C.  
Shelton, Travis D.  
Shoemaker, Mark R.  
Short, Earl H., III  
Short, Noel S.  
Shrouds, Robert H.  
Slack, Rinner  
Slade, Randall E.  
Smith, Brian K.  
Smith, Charles T.  
Smith, David O.  
Smith, Dean E.  
Smith, Dean T.  
Smith, Frederic F.  
Smith, Rayburn L., III  
Smylie, Robert P.  
Snyder, Linden E.  
Snyder, Shelton G.  
Soff, Jeffery L.  
Soriano, Edward  
Southall, Valentine W.  
Spevak, James A.  
Sprout, James P.  
Starr, Kenneth J.  
Stavinoha, Raymond J.  
Stebbins, David N.

Stephens, Thomas M.  
Stephenson, George M.  
Stone, Michael P.  
Stroh, Timothy J.  
Stump, Joseph E.  
Suchke, Robert K.  
Sullivan, Daniel B.  
Sullivan, John K.  
Sykes, Fred L.  
Taff, George T., Jr.  
Taylor, Thomas W.  
Tharp, John R.  
Thede, Peter J.  
Thompson, Eugene E.  
Thompson, Larry D.  
Tibbetts, Carlos C. J.  
Timmons, David W.  
Torres, Ramul E.  
Trinidad, Antonio J.  
Trinidad, Wilfredo  
Trounson, James W.  
Tucker, Ray A.  
Underhill, Carl J.  
Uzzell, Rudyard S., III  
Vaxmonskey, Albert L., Jr.  
Verity, James E.  
Vogas, James L.  
Voss, Larry D.  
Walker, Lewis H., Jr.  
Walker, Marshall R.  
Wall, William J.

Warlow, John D.  
Warnke, Fred W.  
Warren, James C., II  
Washington, Darryl M.  
Weatherholtz, Ruben E. III.  
Webster, James M., Jr.  
Weinnig, Albert F.  
Weller, Michael P.  
Welles, Reginald T.  
Welsh, Frederick L.  
Wharton, Paul D.  
Wheeler, James A., Jr.  
Whitlow, William D.  
Wight, Michael G.  
Wilcox, Thomas M.  
Williams, Alfred E.  
Williams, Barry O.  
Williams, Michael L.  
Wilson, Raymond W.  
Wingeld, Maurice A., Jr.  
Woelfer, Carl W.  
Wolf, Curtis R.  
Wolz, James P.  
Wonnell, Donn T.  
Wood, Ernest E., Jr.  
Woodard, Robert R.  
Wyss, John A., Jr.  
Wozniak, Timothy A.  
Yonz, Leroy A.  
Young, Randolph S., III

Youngblood, Lloyd A.  
Zunka, John W.  
Zink, Francis E., Jr.

### CONFIRMATIONS

Executive nominations confirmed by the Senate April 25, 1969:

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Harold B. Finger, of Maryland, to be Assistant Secretary of Housing and Urban Development.

#### INDIAN CLAIMS COMMISSION

Brantley Blue, of Tennessee, to be Commissioner of the Indian Claims Commission.

#### DEPARTMENT OF THE TREASURY

Dorothy A. Elston, of Delaware, to be Treasurer of the United States.

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare.

#### DEPARTMENT OF TRANSPORTATION

Walter L. Mazan, of Vermont, to be an Assistant Secretary of Transportation.

## EXTENSIONS OF REMARKS

### SHADOWS OVER HOMECOMING

#### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. WYMAN. Mr. Speaker, I wonder what the boys—now men—who have been fighting for us in Vietnam would do with the youthful punks and yellowbellies back home if they were free to do so. It must be one heck of a note to lie in the jungle over 10,000 miles away from home facing enemy mortar fire, snakes, malaria, and what have you, only to learn about certain young people back home throwing Molotov cocktails and invading faculty offices to prevent Reserve officer training courses.

Physical beating would be as inadequate as temporarily satisfying. Perhaps conscription and assignment to Vietnam would help. Once there, the men might form a special division for these SDS-type draftees and give them the option of a gun or a flower. Facing the enemy, whether Vietcong or North Vietnamese, it would be interesting to see what those, who protest back home an unwillingness to stand up for their country, would do. Slavery in a Communist nation is not a pleasant prospect, yet this once again would be their option, just as on a broader basis it is world option at this time. Stand up and fight for freedom or lie down and lose everything else sacred among mankind since the beginning of civilized society. In this connection a recent column by James Kilpatrick appearing in the Washington Star speaks volumes:

### SAILOR'S RETURN HOME PUNCTUATED BY DISORDER

(By James J. Kilpatrick)

SAN FRANCISCO.—The aircraft carrier Coral Sea left Alameda, Calif., bound for Vietnam, on Sept. 7, 1968. She returned this past Friday, a great gray bulk of a ship, her fourth tour of combat duty behind her. Her aging hull was stained with rust, but her flags were flying as happily as so many tropical birds.

As combat cruises go, Coral Sea's last tour on Yankee Station offered no more than a footnote to the chronicles of war. She had been on the line only a few weeks before bombing was halted north of the 17th parallel. The rest of the time was spent in ground support, reconnaissance, and routine patrol.

To the 4,500 officers and men, the tour was a tour of duty—hard and exhausting duty, performed under constant tension. The steam catapults were forever pounding and the jet engines screaming for release. There was danger and there was death: Marvin Naschek, Tom Bitter, and Norman Ridley, dead; Quinlin Orell, James Hunt, and Larry Stevens, missing in action.

When a great ship comes into port, especially to its own home port, the crowds turn out. So it was on Friday morning. By 8 o'clock, they had begun to gather, wives and parents and children, bearing their hand-lettered signs: "Scott says 'Howdy'" . . . "Welcome Eddie Schofield from Dalles, Ore." . . . "Hi, Jerry Schur" . . . The 12th Navy District band gave forth; gulls figure-skated on the sky; balloons, like airborne tulips, flowered above the pier.

A little before 9 o'clock, the ship could be seen beyond Golden Gate Bridge, an unmistakable speck on the sea. It would be an hour before she docked. There was time for a visiting father to glance at the papers.

Student militants at Stanford University called off their nine-day occupation of the Applied Electronics Laboratory today, amid indications that the university administration would yield to demands that war-related research be halted . . .

On Pier 3, Lorette Harvey of Lisbon, Maine, pushed a stroller back and forth. Before long, her husband, Aviation Supplyman Raymond Harvey, would see his newborn baby Kevin. Phil Duncan's mother was there from San Jose to meet her sailor son, just as she used to meet her husband 20 years ago.

Meanwhile, at Merritt College in Oakland, thirty members of the faculty Senate were locked in a conference room by angry students demanding a "retraction." The students, aroused by conflicting reports on the development of a Mexican-American Studies Program, kept the professors imprisoned for three and a half hours . . .

By 9:20, Coral Sea was plainly coming in. You could see the sailors lined in dress blues on the flight deck. The whole Vinton family had come from Medway, Mass., to meet Petty Officer Donald Vinton—father, mother, brother, girl friend. Mrs. Charles Brinegar was there; her husband, a chief in aviation ordnance, has served his country for 22 years.

At Harvard, agreement was reached on a plan to reduce the university's Reserve Officer Training Corps program to an extra-curricular activity. The agreement represents a victory for student militants who last week seized a university building. In New York, 200 young men, demanding an end to the university's program for training Naval Reserve officers, held a seven-hour sit-in . . .

Now the ship was nudging her 63,000 tons against the pier, and the moment of reunion was close at hand—the moment when man and woman, mother and son, father and child, could cling to one another. We scanned the crowded decks, searching for a single face.

A radical student at Stanford University pleaded to have the group continue the sit-in until troops or police were ordered in. At that point, he said, the students could abandon the laboratory to wage some form of guerrilla warfare on campus. . . .

High in a crow's nest, 75 feet above the flight deck, a slim young sailor skimmed his white cap toward the pier. It landed with fine precision right at this reporter's feet. I

looked up, and he waved. Even from a distance, you could tell: He had lost weight, and grown a little older, but the old grin was there. Son Chris was home from Vietnam.

HON. ERIC I. WEILE, OF PRINCE GEORGES COUNTY, MD.

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. TYDINGS. Mr. President, Maryland and Prince Georges County are particularly honored to have among our delegates to the Maryland General Assembly Eric I. Weile, a man whose life has been an example of the opportunities that this Nation provides to those who come to its shores and not only enjoy the fruits of our way of life, but also become involved personally in public service.

Mr. Weile came to this country many years ago and has been a successful businessman in Washington, and now in Prince Georges County. He now serves as a representative of Prince Georges County in the Maryland General Assembly and is vice chairman of its Committee on Tourism. Mr. Weile has some outstanding ideas relating to the plans for celebrating the 200th anniversary of the Nation that have been reported in a recent editorial.

I ask unanimous consent that the editorial, entitled "Thinking Big on Tourism," published in the Prince Georges Sentinel, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Prince Georges Sentinel, July 3, 1968]

THINKING BIG ON TOURISM

Eric I. Weile, ebullient Prince George's County delegate to the Maryland General Assembly, is to be commended for thinking big on the subject of tourism here.

In a Page One story in the Sentinel, Delegate Weile outlined a tourism program that would take advantage of the county's existing unique attractions and create some new ones—for example, a mammoth convention hall near the proposed new airpark and a pageant similar to Williamsburg's "The Common Glory."

The whole program would reach a climax in 1976, when the United States celebrates its 200th birthday and when millions of visitors will be pouring into the nation's capital. The program would, as Weile said, "have staggering potential."

While the delegate's proposal certainly would be a big project, it does not seem out of reach. New York City, which rapidly was turning into neither a nice place to live or visit, managed to become "Fun City" through some foresighted planning and promotion. Norfolk, which has only a few more attractions than Upper Sandusky, Ohio, has made a big success out of the Norfolk Tour.

So why couldn't Prince George's become "Fun County"? It could be the site of scores of delightful happenings during the tourist season—a pageant with colorful Revolutionary War uniforms at Fort Washington, reenactment of famous duels at the Bladensburg Dueling Grounds, tours of the many

historical buildings, the tobacco auction, the races and the Beltsville Agricultural Center.

These events would not draw visitors from across the country, but they would surely be a welcome change of pace for Washington tourists who became glassy-eyed from looking at monuments and government buildings. The benefits to the county's economy would be large.

Delegate Weile, it should be mentioned, is no stranger either to tourism or to thinking big. His ice cream shop in Langley Park, with its many unusual and sometimes bizarre dishes, is a local tourist attraction of sorts. And the shop has one dish called "The Lincoln Memorial" that takes 24 hours to prepare and costs in the neighborhood of \$25.

The fact that he frequently has orders for it should give pause to anyone who thinks Weile's big tourism program won't work.

TOCKS ISLAND

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RODINO. Mr. Speaker, in my highly urbanized State of New Jersey there are some, but not many, areas of natural beauty that remain relatively untouched by human incursions. Sunfish Pond in the Tocks Island hydroelectric development proposal is one of those areas. I favor preserving Sunfish Pond as a recreation area and it has come to my attention that the northern New Jersey branch of the Sierra Club recently testified before a Senate subcommittee on this important matter. The following is the text of their statement:

STATEMENT OF THE NORTHERN NEW JERSEY GROUP, SIERRA CLUB, U.S. SENATE SUBCOMMITTEE ON FLOOD CONTROL—RIVERS AND HARBORS, TUESDAY, MARCH 18, 1969

Mr. Chairman, we submit that pumped storage generation of electrical power should not be authorized for the Tocks Island dam and reservoir in the Delaware Water Gap National Recreation Area, and we appreciate this chance to present our reasons.

The building of pumped storage facilities would involve the use of the Sunfish Pond property, and in the midst of the many conflicting arguments concerning this property, three major facts stand out clearly.

(1) The Sunfish Pond area is within a national park—the Delaware Water Gap National Recreation Area.

(2) The DWGNRA is on the very edge of the giant, rapidly developing northeastern megalopolis, and most of it is in New Jersey, the most densely populated state in the nation.

(3) The construction proposed by the power companies requires large earthwork dikes and a recreationally-useless reservoir over a large part of the Sunfish Pond area, which is now one of the most beautiful mountainous regions within the DWGNRA.

One would think that, in this day and age, and in this region, no one would dare to propose such a massive commercial intrusion into a national park. Yet that is precisely what the power companies' proposal—stripped of its "compromises," landscaping plans and other elements that tend only to confuse the main issues—amounts to.

There is but one conceivable reason for permitting the sacrifice of the area to pumped storage: an irresistibly large monetary advantage in the face of a pressing public need

for power that could not be met in any other way. And the power companies have not proved or even substantiated this point. They have offered no evidence that pumped storage in the Sunfish Pond area is less expensive than alternative methods of generating power. They have merely made claims to this effect, with no details. However, evidence presented in the nearby and similar Storm King case suggests that such economic savings from pumped storage are at best debatable, and that in any event the supposed savings are a small percentage of total costs. Attempts to provide convincing proof of the advantage of pumped storage, since they involve many economic variables and estimates, seem to be straining the limits of accuracy of economic analysis.

In such situations, we say, let's give nature the benefit of the doubt. This would be true in any natural park. It is especially true in the northeast, where every last bit of open space and greenery is becoming more and more precious to us as more and more of it passes under the blade of the bulldozer.

In northeast N.J. alone it is estimated that some 30,000 to 50,000 acres per year of open space succumbs to housing and commercial developments, industry and highways. There are only 4.8 million acres of land in all of New Jersey. And over 7 million people.

What, then, will the region be like ten, twenty years from now? At present rates of growth the population of N.J. will exceed 10 million, and that of the New York metropolitan area will reach 30 million, by the end of this century. Where will people from the pressure-cooker environment of this giant urban complex go to see trees and lakes in their natural settings? Will there be any places like the Sunfish Pond area left, or will there be only high-usage, playground type parks with bumper-to-bumper picnic tables? Is this the kind of environment we really want? Is it the kind industry wants?

In our headlong rush for more highways, more jetports, more tax ratables and more everything else of a material nature, the developing controversy over the Sunfish Pond area is symptomatic, we believe, of a growing concern with the quality of life in the crowded regions of this country. We are beginning to challenge the doctrine of the need for unlimited, exponential economic growth. We are becoming less concerned with the gross national product and more concerned with how good that product is, and how much natural resource we are sacrificing to get it. Saving the Sunfish Pond area for future generations will serve notice that the time has come to halt at least the most flagrant abuses of the land.

The thought has been phrased very effectively by Mr. Thomas Ritter in his August 17, 1967 testimony before the Delaware River Basin Commission:

"In the sense that we need history books and museums to measure the present and future against the past," said Mr. Ritter, "we need places like Sunfish Pond for yardsticks to compare man's folly against the wisdom and sanity of creation. There should be some places a father can take his children and say, 'This was the way it was in the day of the Indians.'"

In a March 27, 1968 letter, Mr. Samuel W. Laird, Public Information Director of the Jersey Central and New Jersey Power and Light Companies, referred to members of the Sierra Club as wishing "to persuade themselves—contrary to the actual facts—that Sunfish Pond is a wilderness area." Yet at the July 24, 1968 N.J. Senate hearings on Sunfish Pond, the attorney for the power companies Mr. James B. Liberman said, in answer to a question as to whether the reservoir dikes might be built close to the shore line of the Pond: "What is sacrosanct here is the wilderness setting of Sunfish Pond,

and we will preserve it." Thus, in four short months the power companies were led to change their minds and recognize that the area has wilderness value. May we hope that their education will continue and that eventually they will get out of the national park altogether?

The power companies can destroy the Sunfish Pond area in a few hours. They could never recreate it in a thousand years. We say, as Time magazine put it on May 10 of 1968, that mankind had better be careful, that he "is so aware of his strength that he is unaware of his weakness—the fact that his pressure on nature may provoke revenge."

We can pave, pollute and develop only to a limited extent. We may industrialize New Jersey beyond our fondest dreams, only to find that we have created a third-rate environment in which the resident's chief ambition will be to leave.

Attached for the record are two additional statements by the Sierra Club on this matter.

The first is a commentary on U.S. Public Law 89-158 establishing the Delaware Water Gap National Recreation Area. We believe that this Act prohibits the type of extensive commercial use proposed by the power companies.

The second is a copy of our testimony before the N.J. Senate committee investigating the Sunfish Pond situation, dated July 24, 1968. This testimony covers certain legislative, judicial and engineering matters that we believe bear on this question.

Thank you.

In addition, the Sierra Club has stated 10 reasons why Sunfish Pond should be preserved.

The 10 reasons follow:

(1) The Worthington family sold the land in question to the State of New Jersey to save it from commercial exploitation, only to have the State turn around and sell 715 acres to the power companies for a paltry \$300,000. Is this the way to get cheap electrical power, by selling priceless land for less than \$500 an acre?

(2) The Act establishes the Delaware Water Gap National Recreation Area (Public Law 89-158, 9/1/65) prohibits such usage. A fair reading of the DWGNRA Act shows an unquestionable intent to prevent just such massive commercial intrusion into the park.

(3) The federal authorization for the Tocks Island dam within the DWGNRA includes no provision for pumped storage electrical power. The power companies' plans call for this type of power generation to be closely tied in with conventional "over-the-dam" water power—a usage not authorized.

(4) The power companies have offered no evidence, not even to the Delaware River Basin Commission, which must pass judgment on their plans, that pumped storage power is less expensive than power generated by other available methods. However, testimony in the nearby, and similar, Storm King case in New York shows that there are other economical ways of generating power for peak electrical loads, and that the cost differential in favor of pumped storage, if any, is at best a very small, and very debatable, percentage of the total costs for the various alternatives.

(5) In the judgment of power experts, hydroelectric power is on its way out as a generating method in the northeast, to be superseded by other methods well before the end of the century. At best, therefore, the power companies' plan calls for destroying the natural scenic values of the Sunfish Pond area for all time, in return for a decade or two of electrical power.

(6) The National Park Service, in their analysis of the Sunfish Pond area, concluded in their Master Plan for the DWGNRA (p. 4) that a power reservoir would "deface the landscape and create a barrier across Kitta-

tinny Ridge between Catfish Pond and the Water Gap."

(7) The National Hiking Trails Act of 1968 provides protection for the Appalachian and other trails, whereas the power companies' plans will push the Appalachian Trail off the top of the Kittatinny ridge and thus destroy much of its scenic value in that area.

(8) In New Jersey, the most crowded state in the nation, approaching an average of 1,000 people, 500 motor vehicles and 5 miles of roadway for every square mile of land, the desecration of a beautiful mountaintop area, especially within a national park, is an action in callous disregard of the non-material human needs of future generations.

(9) As evidence of the irreplaceable natural values of the Sunfish Pond area, the New Jersey Audubon Society a few years ago designated it as one of the ten most scenic treasures of the State, among the last remaining in this rapidly developing region.

(10) The New Jersey State Assembly in 1968 passed, by a vote of 65 to 1, a bill calling for the re-acquisition of the 715 acres sold to the power companies. This is a clear indication of popular support for the preservation of the area. Other indications are the editorial support of the great majority of newspapers and of outdoor, recreation and nature groups.

(NOTE TO EDITOR.—The bill mentioned in point (10) is N.J. Assembly Bill A-268 sponsored by Assemblyman Thomas H. Kean and others. It is again currently before the State Assembly and further action may be expected.)

#### WHAT EVERY EMPLOYER SHOULD KNOW ABOUT THE HANDICAPPED

#### HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. BOGGS. Mr. President, on May 2, the national winner of the 21st annual "Ability Counts" essay contest will be chosen from 50 finalists, representing each State.

Each State contest is entered by high school students and the winners are chosen by the Governor's Committee on Employment of the Handicapped in their respective States. Each winner will spend 2 days, May 1 and 2, in Washington and the national winner will be selected by the President's Committee on Employment of the Handicapped.

Delaware will be represented by 16-year-old Miss Judi Roberts, daughter of Mr. and Mrs. R. M. Roberts, Wilmington. Miss Roberts is a junior at Mount Pleasant High School. Every year since the contest began in Delaware there has been a winner from that high school, and in 3 separate years students from the school have swept all five places in the competition.

In her well-written and thoughtful essay, Miss Roberts describes "What Every Employer Should Know About the Handicapped." I ask unanimous consent that the essay be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

#### WHAT EVERY EMPLOYER SHOULD KNOW ABOUT THE HANDICAPPED

Today, when people talk about equal rights and equal job opportunities, one as-

sumes they are discussing racial discrimination. There is, however, another group entitled to equal job opportunities—the handicapped. The general public and companies of this nation need to be educated on what being handicapped really means because they may then see that these persons have potential ability, real willingness, and great ambition to hold responsible positions and become useful, productive citizens.

There are very few people who are not handicapped in some way. Most people manage to do their work without too much thought to their disabilities. The handicapped can operate in the same way if they are given a chance. Today, almost every job can be performed by a handicapped person if a few conditions are taken into consideration.

When hiring a handicapped worker, the employer should know the worker's abilities. Matching a job and an applicant is hard work whether the employer is hiring either a disabled worker or an able-bodied one. Jobs, however, should not have to be created for the handicapped. These people should be interviewed just as other job applicants are, and the interviewer should look for the same qualities in the handicapped as he does in the non-handicapped person. Above all, the attitude of management is important. The worker should not feel he is being hired for charity's sake but for the realization that the handicapped wants to earn his own living—and can do so.

An effective safety program can and should be set up. Necessary alterations will be more than paid for by the service the companies will get from the handicapped. Such safety precautions as wider hallways, ramps adjacent to stairways, and railings should be installed so that the handicapped can keep their present record of fewer accidents than those of regular workers.

The mentally and physically handicapped are usually found to be people of much stronger will than people with no impairment. They are ambitious and very grateful for any small favor. Recently, I heard a story about a man with paralyzed legs. He applied for a job and was rejected. Determined to succeed, the man learned to handle a portable wheel chair, found a way to get it in and out of a car, and learned to drive the car, using hand controls. When he returned for another interview, the company realized that he would make a good employee and hired him. This case is just one of many in which a handicapped person learned to compensate for his disability.

In the area of mental retardation as a disability, progress may be slower but is definitely coming along. A seventeen-year-old resident of Wilmington, Robert John Patterson, went to work at W. T. Grant's in 1965 and, as a result, changed the company's policy with a breakthrough in the employment of the mentally retarded. Grant's practice of hiring the mentally retarded in the Wilmington store earned for it the first annual Employer of the Year award sponsored by NARC. Robert has an impressive record at Grant's, having earned three pay raises and a promotion from September to June of his first year. He, no doubt, will go on to bigger and better things.

The nation's handicapped truly desire to take part in the business and industry of today. They want to be more self-reliant and to contribute something to the society in which they live. The handicapped who have been given the opportunity have shown this desire by being dependable in attendance, by demonstrating loyalty to their companies, and by working safely in countless jobs. If more are given a chance, companies will profit in the end; and the handicapped will be given a feeling of importance and security which every person needs.

**CRIMINALS ON MAGAZINE SALES COMPANY PAYROLLS POSE HAZARD TO PUBLIC SAFETY IN DISTRICT OF COLUMBIA AREA AND ACROSS THE NATION**

**HON. FRED B. ROONEY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, several weeks ago I inserted in the CONGRESSIONAL RECORD a news article which appeared in the Globe newspapers of Fairfax County, Va., relative to police records of magazine subscription salesmen who engaged in sales activities in the county this past winter.

Because fraud and deception are commonplace in the sales practices of many magazine subscription sales companies, a subject about which I have commented on numerous past occasions, I was particularly concerned about the situation in Fairfax County. As a result, I wrote to Col. William L. Durrer, Fairfax County Chief of Police, to request additional details regarding the police records of magazine salesmen.

Colonel Durrer was extremely cooperative and has supplied me with a large sampling of police records, selected at random, from among the 567 persons who registered as magazine salesmen with Fairfax County police during a 12-month period ending March 1, 1969. The information is startling and should serve as a warning to every consumer—particularly housewives—who answers the magazine salesman's knock at the door.

The list will speak for itself—bank robbers, hold-up men, burglars, thieves, carriers of concealed weapons, sex criminals, fugitives—are touring the country, knocking at the doors of homes in thousands of communities, gaining entrance to the homes of unsuspecting citizens and selling magazines, often by deception, fraud, or intimidation. Many have committed lists of offenses which span two or three pages of police records.

These convicted criminals sell magazines to housewives in Fairfax County one week and may move on to Maryland or West Virginia or North Carolina or any other State in the Nation the following week. If they are employed by a sales company which maintains membership in the magazine publisher-sponsored central registry of magazine subscription solicitors, these convicted criminals probably will carry the credentials of central registry to convey the impression that they are respectable citizens engaged in an honest day's work as door-to-door salesmen. In reality, they may very well be fugitives from justice in some other community, keeping on the move, and casing new neighborhoods for their next burglary or auto theft or assault.

Mr. Speaker, what manner of business activity shows less regard for American customers than the magazine subscription sales companies—whether they be cash companies or long-term subscription companies—when they employ individuals of such poor character as their

public representatives and contacts? Can a business, which obviously does not question the character of an employee who has been convicted of 10, or 15, or 20 law violations, possibly be sincerely concerned about the manner in which its sales activities are conducted?

I am convinced, Mr. Speaker, that a magazine subscription sales company which will allow criminals to serve as their public representatives can be expected also to condone fraud and deception and intimidation to sell its wares.

Mr. Speaker, I should like to insert in the RECORD at this point, the letter I have received from Police Chief Durrer of Fairfax County and the random sampling of police records of 74 magazine salesmen who visited homes in Fairfax County from March 1, 1968, to March 1, 1969.

In addition, I should like to include in the RECORD several additional related articles published by the Globe newspapers of Fairfax County and by the Evening Capitol newspaper of Annapolis, Md. The Evening Capitol article makes reference to an escapee from a North Carolina prison who was selling magazines for Subscriptions Bureau Limited, 919 North Kansas Street, Arlington, Va., when arrested in Anne Arundel County. At the time of his arrest, police recovered a .38-caliber revolver and loot from two break-ins from the salesman.

All of this material, I believe, is further evidence that a congressional investigation is in order and that effective Federal legislation must be enacted to clean up the magazine subscription sales industry.

COUNTY OF FAIRFAX,  
Fairfax, Va., April 7, 1969.

HON. FRED B. ROONEY,  
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROONEY: This letter replies to your correspondence dated April 1, 1969, in which you request data concerning registered solicitors in Fairfax County.

The information you desire is currently being compiled and I will forward a report to you within the next seven days. You may be assured that we in Fairfax County are as concerned as you regarding character background of magazine solicitors.

Sincerely yours,

WILLIAM L. DURRER,  
Colonel, Chief of Police.

COUNTY OF FAIRFAX,  
Fairfax, Va., April 18, 1969.

HON. FRED B. ROONEY,  
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROONEY: In accordance with your request of April 1, 1969, the enclosed data is submitted for your information and guidance. The data reflects the more serious types of offenses committed by those persons who seek to register as magazine solicitors in Fairfax County.

The technique used by most magazine solicitors is to concentrate their activities with a ten (10) day period, moving on to another jurisdiction at the end of that time. More often than not, they have accomplished their mission and are out of the County before record checks are returned to the police department.

I trust the foregoing information will be of value in your study of the problem.

Sincerely yours,

WILLIAM L. DURRER,  
Colonel, Chief of Police.

Between March 1, 1968 and March 1, 1969, a total of five-hundred and sixty-seven (567) persons registered with the Fairfax County Police Department for the purpose of engaging in magazine solicitation in Fairfax County. The following is a review of criminal record transcripts selected at random, concerning the criminal records of magazine solicitors.

Male Subject No. 1: Unauthorized Use of an Automobile, Four (4) Counts of Robbery, Fugitive from Justice, Grand Larceny and Escape from Custody, Four (4) Counts of Possession of Narcotics, Four (4) Counts of Bank Robbery.

Male Subject No. 2: Vagrancy.

Male Subject No. 3: Trespassing, Soliciting without a License.

Male Subject No. 4: Vagrancy, Carrying a Concealed Weapon.

Male Subject No. 5: 3rd Degree Assault.

Male Subject No. 6: Four (4) Counts of Grand Larceny, Theft of an Automobile, Two (2) Counts of Petty Larceny, Possession of Heroin, Four (4) Counts of Possession of Heroin and Armed Robbery.

Male Subject No. 7: Three (3) Counts of Burglary, Felonious Assault, Manslaughter by Motor Vehicle, Two (2) Counts of Carrying a Concealed Weapon.

Male Subject No. 8: Three (3) Counts of Vagrancy, Soliciting Magazines without a License.

Male Subject No. 9: One (1) Count Grand Larceny, Forgery, Receiving Stolen Property, Concealed Weapon, Resisting Arrest, Investigation of Swindle.

Male Subject No. 10: Three (3) Counts of Burglary, Narcotics Prescription Forgery, Carrying Concealed Weapon.

Male Subject No. 11: Three (3) Counts of Breaking & Entering in Nighttime, Two (2) Counts of Assault to do Great Bodily Harm.

Male Subject No. 12: Investigation of Indecent Exposure, Two (2) Counts of Assault on a Female.

Male Subject No. 13: Burglary, Attempt Burglary, Unlawful Entry.

Male Subject No. 14: Two (2) Counts of Robbery, Two (2) Counts of Grand Theft, Automobile, Vagrancy, Four (4) Counts of Burglary, Four (4) Violations of the Dyer Act.

Male Subject No. 15: Forgery, Assault with Intent to Murder, Forced Entry into an Automobile.

Male Subject No. 16: Two (2) Counts of Soliciting for Lewd Conduct in Public, Two (2) Counts of Aggravated Assault with a Knife, Two (2) Counts of Forgery and Investigation of Burglary.

Male Subject No. 17: Two (2) Counts of Theft of Government Property, Petty Larceny on Government Reservation, Rape, Two (2) Charges of Grand Larceny, Postal Law Violation, Entering without Breaking.

Male Subject No. 18: Vagrancy, Fugitive Deserter from Military.

Male Subject No. 19: Two (2) Counts of Armed Robbery, Theft of a Gun, Assault with a Deadly Weapon, Two (2) Counts of Assault and Battery with Intent to Rob, Larceny from an Automobile, Four (4) Counts of Breaking & Entering with Intent to Steal.

Male Subject No. 20: Two (2) Counts of Robbery, Attempt Hold-up and Armed Robbery, Assault with Intent to Rob with Deadly Weapon.

Male Subject No. 21: Burglary of a Residence, Possession of a Stolen Vehicle, Contributing to the Delinquency of a Minor Child, Theft from an Automobile.

Male Subject No. 22: Five (5) Counts of Robbery, Assault with a Dangerous Weapon.

Male Subject No. 23: Larceny of an Automobile, Two (2) Counts of Vagrancy, Two (2) Counts of Attempt Breaking & Entering.

Male Subject No. 24: Possession of a Counterfeit License and Illegal Possession of Narcotics and Drugs.

Male Subject No. 25: Three (3) Counts of Robbery and Violation of Parole.

Male Subject No. 26: One (1) Count Criminal Knowledge, Two (2) Counts of Assault.

Male Subject No. 27: Statutory Burglary and Possession of Burglar's Tools.

Male Subject No. 28: Theft of an Automobile and Breaking & Entering.

Male Subject No. 29: Auto Larceny.

Male Subject No. 30: Felonious Assault and Assault with Intent to Rob.

Male Subject No. 31: Three (3) Counts of Breaking & Entering, Carrying a Deadly Weapon (gun) and Forgery of a Narcotics Prescription.

Male Subject No. 32: Assault & Robbery.

Male Subject No. 33: Assault on a Female.

Male Subject No. 34: Two (2) Counts Petty Larceny, one (1) County Grand Larceny.

Male Subject No. 35: Theft and Felonious Theft.

Male Subject No. 36: Assault & Battery.

Male Subject No. 37: Carrying a Deadly Weapon (gun).

Male Subject No. 38: The Dyer Act.

Male Subject No. 39: Night Prowling.

Male Subject No. 40: Tampering with an Automobile.

Male Subject No. 41: Breaking & Entering with Criminal Intent to Commit Larceny.

Male Subject No. 42: Concealing Stolen Property.

Male Subject No. 43: Three (3) Counts of Robbery, Purse Snatching.

Male Subject No. 44: House Breaking.

Male Subject No. 45: House Breaking and Unauthorized Use of a Vehicle.

Male Subject No. 46: Assault on a Federal Agent.

Male Subject No. 47: Interstate Transportation of a Motor Vehicle (stolen).

Male Subject No. 49: Burglary & Bad Checks.

Male Subject No. 49: Breaking & Entering.

Male Subject No. 50: Assault.

Male Subject No. 51: Carrying a Concealed Weapon (razor) and Illegal Possession of a Syringe.

Male Subject No. 52: Larceny of a Motor Vehicle.

Male Subject No. 53: Grand Larceny.

Male Subject No. 54: Two (2) Counts of Assault & Battery, Three (3) Counts of Assault and Resisting Arrest and Violation of Probation for Burglary.

Male Subject No. 55: Two (2) Counts of Larceny, One (1) 2nd Degree Forgery, One (1) Charge of Obtaining Magazine Subscriptions on Government Property.

Male Subject No. 56: Theft.

Male Subject No. 57: 3rd Degree Assault.

Male Subject No. 58: Petty Theft and Investigation of Grand Theft.

Male Subject No. 59: Vagrancy.

Male Subject No. 60: Larceny over \$100.00, Attempt Breaking & Entering, Bad Checks.

Male Subject No. 61: Vagrancy.

Male Subject No. 62: Assault & Battery, Threaten to do Bodily Harm (Two Counts), Soliciting without a License.

Male Subject No. 63: Petty Larceny.

Male Subject No. 64: Theft of an Automobile.

Male Subject No. 65: Two (2) Counts of Soliciting for Prostitution and One (1) Charge of Automobile Theft.

Male Subject No. 66: Possession of a Dangerous Drug, Felonious Assault with a Knife, Burglary and Grand Larceny.

Male Subject No. 67: Three (3) Counts of Breaking & Entering in the Nighttime, Two (2) Counts of Assault to do Bodily Harm.

Male Subject No. 68: Assault, Violation of License Requirements for Solicitors.

Male Subject No. 69: Carrying a Deadly Weapon (gun).

Female Subject No. 1: Larceny under \$100.00.

Female Subject No. 2: Theft.

Female Subject No. 3: Soliciting without a License, Fraud.

Female Subject No. 4: Theft, Two (2) Counts of Soliciting without a License and Fraud.

Female Subject No. 5: Felonious Assault with a Loaded Firearm.

[From the Springfield Globe, Mar. 6, 1969]

#### TRANSIENT SALESMEN PROBLEMS

(By Anthony J. Sterago)

Fairfax County is not the only place having trouble with transient magazine salesman, Frederick A. Babson told the County Board of Supervisors yesterday.

The situation is so bad in some parts of the country that Federal Trade Commissioner Philip Elman said "there is no question that something should be done about it."

Babson told the Board that Congressman Fred B. Rooney, of Pennsylvania in a speech before the House of Representatives on Tuesday, called for a Congressional investigation and also asked the FTC to reopen an investigation of magazine subscription sales practices it conducted several years ago.

The magazine salesman problem was brought to the attention of the Board of Supervisors after an investigation by a Globe Reporter revealed that many of the salesmen had criminal records.

Fairfax County police had been getting complaints from housewives about the door-to-door transient magazine solicitors. Two housewives in the Annandale area were intimidated to a point where they were forced to take a magazine subscription in order to get rid of the solicitor.

Police said they were not getting complaints involving the local people who sell newspaper subscriptions or the high school youngsters who also sell magazine subscriptions.

Most of the complaints result from the visits of the sales people who work a particular area and then leave the county.

For example, one Mt. Vernon housewife reported that she had allowed one of these out-of-town magazine solicitors to come in her house and after he had been in the house for a while he asked to use the bathroom. When he left the lady went to look for a five dollar bill that she had put on a dresser in the living room to give to her daughter but it was gone. She said she knew it was there because she had placed it there before the salesman came in so that she wouldn't forget to give it to her daughter. She said, "When he left, so did my five dollars. I'm sure of that."

Fairfax County Police Chief, Col. William Durrer said that his hands are tied and that there's "nothing I can do because the county ordinance doesn't give us enforcement powers."

Col. Durrer agreed that many of these magazine salesmen have criminal records and should be "kept out of the county."

He also said that he rarely has had any problems with the young people who sell newspaper subscriptions because we know that on many occasions portions of the subscription monies goes to a charitable group in the county.

He indicated that soon the Fairfax Police Youth Club will start its drive for funds and that the boys will sell subscriptions for a local newspaper.

"We are concerned, not with these kids, but with the ones who come into our county and have criminal records, and leave before we find out that they have records," he concluded.

The Colonel said that he would like to see the local ordinance strengthened to a point where the solicitors who come in to the county would file an application then have a waiting period so that they could be checked out. If they have any criminal record, then police would be aware of it and could refuse to give them a permit.

Fairfax County is the only Northern Virginia jurisdiction that has not strengthened its door-to-door salesman ordinance which was passed back in 1958.

All other jurisdictions require a waiting period after filing an application after which

when approved are given a permit to "work the area."

The Board of Supervisors indicated that they would look into the matter and see if the ordinance couldn't be strengthened.

[From the Globe Newspapers, Mar. 13, 1969]

#### COUNTY BOARD REQUESTS TIGHTER CONTROL ON TRANSIENT SOLICITORS

(By Anthony J. Sterago)

The Fairfax Board of County Supervisors requested County Attorney Donald Stevens to prepare an ordinance that would, in the words of Board Chairman Frederick A. Babson, "at least make it difficult for the phoney solicitor lawfully to go out and solicit" in the county.

Donald Stevens, the County Attorney, told the Board at last week's session that he could prepare the ordinance. But, he said, "whether it would be as effective as it's evidently required will be another question. Our powers to regulate door-to-door solicitation . . . are extremely limited."

He maintained that in spite of the criminal element allowed to solicit in the County under the present ordinance, the County can do nothing about it until the General Assembly approves enabling legislation.

Dranesville Supervisor, Harriet Bradley, asked whether under the new proposals for a county charter as outlined in the constitutional changes "might free us to do more in this kind of an area."

Stevens replied, "There's no question about it."

Chairman Babson replied, "That's two years away." He proposed that the Board take action.

He suggested that anyone wanting to solicit in the County be required to file an application with the police department. After the application is filed, the police should have sufficient time to "check the applicant out with the proper authorities."

If they're cleared, they can be issued a permit for a year or even two years. A fee could be charged in both instances.

Mt. Vernon Supervisor Herbert Harris said the Board had talked about this matter before, and added, "I have a notion that we had something in the mill on it. I do think it is absolutely essential . . . these people have clear identification."

Harris went on to say that he had requested some time ago that "all solicitors be required to have a badge, front and back, that was 60 inches by 40 inches or something modest like that." The Board roared with laughter and Harris asked Stevens if there wasn't something in the mill on this point. Stevens replied, "Not on this point."

Babson then remarked "Well let's get it in the mill."

At yesterday's meeting, Stevens told the Board he had not had time to prepare the ordinance; however, he said he would have it just as soon as possible.

The Chairman then concluded, "We have a real responsibility to do something if we can, especially with the good weather coming on."

Police figures show that the heaviest influx of magazine solicitors is during the spring and summer months.

Babson's remarks were directed primarily at the magazine transient solicitors who find it difficult to operate in surrounding jurisdictions, and therefore filter into Fairfax County because of its lack of a strong ordinance.

The County's present ordinance, which was passed in 1958, merely requires any door-to-door solicitor or peddler to register with the police department.

After they comply with the present local ordinance they can have the run of the County.

In some parts of the United States the magazine solicitors situation has gotten so bad that Congressman Fred B. Rooney of

Pennsylvania has called for a Congressional investigation.

Last week an Assistant Attorney General of Maryland was relieved of his duties because of his involvement with one of the magazine companies whose salesmen had been talking housewives into extremely high contracts.

Local police officials in the County say that after a solicitor registers, his application is forwarded to a Federal law enforcement authority for "check out." By the time the information is returned—which can be anywhere from two to three weeks—the person "is long gone," even if he does have a criminal record.

Neighboring jurisdictions fret out such information as to whether the persons have ever been convicted of a crime and if they have, the nature of the violation. Also, the applicants are required to wait a period of time before receiving a permit.

Both Arlington and Alexandria have strict ordinances. "I see no reason why we shouldn't," Babson said.

[From the Evening Capital, Mar. 7, 1969]

**POLICE BACK DOOR-TO-DOOR LICENSE BILL—  
FEE TO SOLICITORS WOULD PAY COST**

County police are backing a bill, now being drafted, that would require licensing of all door-to-door solicitors.

The need for legislation of this nature was pointed out yesterday by Deputy Police Chief Ashley Vick who said that the department receives numerous complaints about door-to-door solicitors.

Monday county police arrested an escapee from a North Carolina prison who was working as a magazine salesman for an Arlington, Va., based company.

When captured, police recovered a .38 caliber revolver from the man and loot taken from two breakins in the Edgewater area. The man, convicted of armed robbery, had only been employed for the company one day.

"You can see the value of such a law from what happened in that particular case," Vick said. "If he had gotten away, we would have never cleared the case up."

Anne Arundel County does not have a law requiring door-to-door salesmen to register with the police or even let them know they are operating in the area.

The bill, being drafted by the department of inspections and permits and the budget office, will probably be patterned on similar laws in neighboring jurisdictions.

Fees for the license will probably be set to cover the cost of the program, said Douglas T. Wendel, management analyst for the budget office.

**WE MUST STAND FIRM FOR  
ISRAEL**

**HON. HUGH SCOTT**

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. SCOTT. Mr. President, on April 23, I had the pleasure of addressing the American-Israel Public Affairs Committee in Washington on the occasion of Israel's 21st birthday.

I ask unanimous consent that those remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

I enlisted in the struggle for Israel's existence in the beginning—as far back as 1942, when I signed a statement celebrating the 25th anniversary of the Balfour Declaration—and I am a veteran in support of all of Israel's wars.

I have been doing most of my fighting over here in Washington. But our record over here is not as good as that of Israel's army. That army has always won its wars. Over here, on the political and diplomatic front, we have failed to win the peace for Israel.

In 1948, again in 1956, and again in 1967, Israel won decisive victories against Arab governments which have been in a state of war with her. Locally, when a country wins a war against aggressive neighbors, that country is entitled to insist on a peace settlement. Not so, Israel. Somehow great power diplomacy invariably intervenes to deny her that right.

In 1948, the Arab states, Egypt, Jordan, Lebanon, Syria and Iraq were the avowed aggressors against the UN 1947 partition resolution. The United States and the Soviet Union both called them that in the U.N. and the Arabs don't deny it. They invaded Palestine, they prevented the establishment of the independent Arab state envisaged in the U.N. Partition resolution. They tried to destroy Israel. They tried to seize as much of the territory for themselves as they could. That is how Transjordan came to acquire the West Bank. That is how Egypt grabbed Gaza. Both tried to enter and hold Jerusalem and Transjordan did manage to seize control of the Old City and East Jerusalem.

Now no one in the U.N. then offered a resolution ordering Transjordan to go back to the East bank of the Jordan River, where her forces came from. No one told Egypt to get out of Gaza. All that the U.N. could do was to tell the parties to stand still. The U.N. equated aggressor and defender. It was neutral.

The U.N. adopted a truce resolution freezing the Israelis, the Egyptians, the Syrians and the Transjordan Arab Legion in their positions. It did not last very long. The truce was broken, there was more fighting, and then finally armistice negotiation. But never real peace.

Now instead of pressures on the Arabs to make peace, there were pressures on Israel to go back and to yield some of the territory won in that fighting, in which Arabs were aggressors. That was so in 1948, and as long as I can remember, this has been a perennial admonition.

Thus in 1948 there was a new U.N. proposal that Israel give up the southern Negev and reduce herself to a handkerchief state. That would please the Arabs. Not that it would win their agreement to peace with Israel. It was believed that it might win their affection for Washington and London. But it didn't. The plan was killed because Israel did not want to become a mini-state and the Arabs were not even willing to let her be that.

The Arabs always claim that Israel is expansionist. Yet a recent State Department document tells us that there are now 18 Arab countries in an area of 4,600,000 square miles. Yet they still insist that tiny Israel must withdraw from Israel itself.

I do not want to go into a long recital of the diplomatic blundering of the last decades. No administration, no political party is immune from criticism. But throughout this period, our diplomats seemed to think that Israel should be willing to make some concessions to buy a peace; to agree to become smaller, to accept Arab threats, boycotts, blockades, and terrorism as normal and reasonable, and to refrain from any counter action. The Israelis were asked to endure it all in silence. And there are some diplomats who believe that Israel really started the 1967 war

because she frightened the Arabs by talking back to the terrorists.

Now if I were an Israeli I would find it difficult to understand the West. As long as the Arabs insisted on a state of war, as long as the Arab governments encouraged terrorists to attack, I would want to put as much space between the Arab states and myself as possible. I would see little logic and far less security in withdrawing my forces and permitting the Arab terrorists to occupy the suburbs of Tel Aviv, Jerusalem and Haifa.

It is frequently said that Arabs are irrational on the question of Israel, and that it is difficult to deal with them because of their unwillingness to face the facts and to accept reality. But I submit that our own diplomats have themselves acquired a vast mythology—and that our policies are often based on illusion.

Some Americans seem to operate on the dubious theory that American interests are strengthened if the one pro-Western state in the Middle East is made smaller and weaker, if we join the Soviet Union in a program to rehabilitate President Nasser and permit him to reconstitute a Soviet propaganda and power center in the Middle East. But we must avoid procedures and policies which aggrandize Soviet status and power in the Near East. Thus we must not weaken Israel.

One of the ancient myths in our Middle East policy is that Nasser and his fellow Arabs really don't mean their threats and that they would like to be peace loving, but don't dare because their people would not stand for it. From this arises the simplistic and incredible doctrine that Arab diplomats like to lie to their own people and that they confide the truth in the ears of foreign diplomats.

Perhaps the most glaring example of this was the 1956-57 Suez-Sinai disaster. You remember that the Administration pressured Israel to withdraw from Suez, from Sharm el-Sheikh and Sinai and from Gaza. There were assurances that Israel shipping would be free to transit the Straits of Tiran and the Suez Canal. There was the expectation that Nasser would not return his forces to Gaza. Perhaps the Administration was justified in offering such assurances to Israel because Nasser misled us. But if we had read the Arab press and listened to what Arab leaders were telling their own people, we would have known that Nasser had no intention of making any concessions at all.

Some of us learned a lot from the Suez affair. Very early in that debate, I took the initiative and organized a group of more than 40 Republican congressmen to try to alert the Administration to the danger of pressuring Israel to withdraw from Sinai and Sharm el-Sheikh and Gaza without adequate guarantees. Others joined us. One of them was Lyndon B. Johnson and if he took a strong and positive course in resisting Soviet-Arab pressures in 1967 it was because he was one of the leading critics of our 1957 policies.

Now I accepted this invitation here today because I believe that we may be facing a recurrence of the 1957 crisis. I hope that this is not the case. The Administration has embarked on four power talks in the hope of ending the stalemate and bringing about a settlement. In the light of the 1957 experience I can understand Israel's apprehension and anxieties. We are veterans of that collision and we have a right to be fearful.

The Israelis themselves fear that they will be under great pressure to yield back territory to the Arab states without a real peace settlement. They learned in 1967 that guarantees based on assumptions are ephemeral and melt away in a storm.

The Israelis now know that they can rely on no one to come to their defense. They

must stand on their own feet. Under such circumstances, they will not lightly surrender any territorial vantage points.

This time, there must be real peace, and the Arabs must freely and sincerely obligate themselves to keep it. Now I believe that the Administration understands that. The President has himself declared that we cannot expect Israel to give up territories without a genuine peace. The President has said that the United States will not attempt to impose a peace. I do have confidence in the Administration's good faith and I believe that this confidence will be vindicated.

But I would like to add my own promise. As a Republican congressman, I did not hesitate to criticize a Republican administration in 1956 and 1957, and I will not hesitate to do so today and tomorrow if I believe that it is embarking on a dangerous course, prejudicial to a peace in the Middle East and inimical to the best interests of our own country.

I see nothing to be gained by making Israel smaller, weaker, more vulnerable. I do not believe that any of the boundary lines in this area have any special sanctity.

Boundaries in this part of the world were determined by Great Power imposition.

If Egypt has the Sinai, she owes it in large measure to the British, who wanted to be on both sides of the Suez Canal.

If Jordan has the East Bank, she certainly owed it to the British. Indeed, there would have been no Transjordan if Winston Churchill had not decided to provide a throne for King Abdullah, Hussein's grandfather.

The boundaries between Syria, Lebanon and Palestine were fixed by the British and French.

If Israel is a state, she, too, owes it in part to Britain—to Lord Balfour's Britain. But if she holds more territory today, she owes it, not to the British, but to the courage of her gallant young soldiers. Indeed, Israel's territorial claims in this area go back many centuries, long before there was a British Empire.

But territory is not the real issue in the Middle East today. The issue is the Arab war against Israel. Boundary lines are not an insurmountable problem where there is friendship and cooperation between neighbors. The demarcation lines between Israel and her Arab neighbors should serve as a highway rather than a wall.

And I am convinced that these boundary lines can be swiftly determined—indeed that every issue can be resolved—if the parties meet in good faith and with honest intention.

Let us resolve to struggle for a real Arab-Israeli peace in 1969. Let us hope that we will meet next year, not to count casualties nor to assess new dangers, but to celebrate a new dispensation for Israel. It is time that this heroic and courageous people were granted the right of all member nations of the UN—the right to live in peace.

#### VIRGINIA'S EIGHTH DISTRICT RESPONDS TO QUESTIONNAIRE

### HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. SCOTT. Mr. Speaker, some weeks ago I sent a questionnaire to every home in the Eighth District of Virginia, 158,000 homes, and received responses from more than 30,000 homes. The views of my fellow Virginians are helpful to me

and I am hopeful will be of interest to my colleagues. The tabulation of the results on a percentage basis are as follows:

	Yes	No	No opinion
1. Should the method of electing the President and Vice President be changed to provide for—			
(a) Direct popular vote?	73	23	4
(b) Representation in the electoral college by congressional district rather than by State?	37	53	10
(c) Binding the States' electors to vote for the candidate who receives the most votes?	48	45	7
(d) Retain present system?	15	79	6
2. Should the Post Office be reorganized—			
(a) By placing all appointments and promotions under the merit system?	82	13	5
(b) By changing it to a nonprofit public corporation?	57	33	10
(c) By private industry taking over postal functions?	35	55	10
(d) Retain present system?	17	74	9
3. Should the Hatch Act be amended to permit Federal employees to participate in partisan politics?			
(a) Locally?	64	23	13
(b) At the State level?	45	43	12
(c) At the Federal level?	31	57	12
(d) Retain present law?	53	36	11
4. Should the 1970 census—			
(a) Be limited to approximately 10 basic questions?	70	18	12
(b) Be continued as in past years?	39	49	12
(c) Be expanded to provide additional information?	33	52	15
5. To reduce poverty in the country, do you favor—			
(a) A guaranteed minimum annual income?	16	78	6
(b) Government employment of relief recipients on public works projects?	87	9	4
(c) Tax incentives to businesses that hire and train unemployed?	73	22	5
(d) Federal welfare programs be retained as they are?	10	82	8
(e) Federal welfare programs be expanded?	11	81	8
(f) Federal welfare programs be abolished?	50	42	8
6. Should the Federal Constitution be amended to provide a uniform law throughout the country authorizing 18-year-olds to vote?	47	51	2
7. Should the temporary surtax be—			
(a) Continued at 10 percent?	37	52	11
(b) Reduced to 5 percent?	29	59	12
(c) Terminated at the end of the fiscal year?	75	17	8
8. Should the right to bail be restricted when a person accused of a felony is already on bail in connection with a prior crime?	93	5	2
9. Should military draft be—			
(a) Abolished?	25	65	10
(b) Restricted to wartime?	52	40	8
(c) Amended to determine military service by lot?	56	32	12
10. Should foreign aid—			
(a) Be restricted to friendly nations?	77	17	6
(b) Consist only of military assistance?	11	77	12
(c) Consist only of economic assistance?	45	46	9
(d) Be abolished?	33	59	8
11. Should the District of Columbia have—			
(a) Local self-government?	62	30	8
(b) A nonvoting delegate in the House of Representatives?	31	56	13
(c) Representatives in both the House and Senate similar to the States?	62	31	7
12. Should persons convicted of Federal crimes be given additional mandatory sentences if a firearm was used in the commission of the crime?	87	9	4

#### REASON FOR FAILURE OF ADOPTION OF NEW MARYLAND CONSTITUTION

### HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, April 25, 1969

Mr. TYDINGS. Mr. President, on May 14, 1968, almost a year ago, the people of Maryland rejected the proposed new constitution by a vote of 366,575 to 283,050. The new constitution, drafted by a specially elected, bipartisan constitutional convention, was considered a model for the Nation.

Its defeat left many both in Maryland and in other States surprised and disappointed.

The Baltimore Sun termed the rejection a "defeat for progress." The Washington Post saw it as a vote against "State leadership" and for "increasing Washington's control over the country."

Of the many analyses of the defeat of the new constitution, one of the best is an article entitled "Why the Proposed Maryland Constitution Was Not Approved," published in the winter 1968, edition of the William and Mary Law Review. Its author is Thomas G. Pullen, Jr., president of the University of Baltimore and a member of the constitutional convention from the First Legislative District of Baltimore County.

Mr. Pullen has had a distinguished record of service to Maryland and is one of the State's leading citizens.

His article is excellent.

He describes, as some of the explanations for the rejection of the constitution, the probable mistake of indicting an entire existing constitution, and the need to make clear to the voters the need for the new document. And toward the end of the article Mr. Pullen offers a very useful list of "do's and don'ts" for those proposing a new State constitution.

Since the modernizing of our State governments is an urgent priority, I think we could all profit from a close reading of Mr. Pullen's article: those of us in Maryland to see where we went wrong, those who live outside the State to benefit from our experience.

I ask unanimous consent that Mr. Pullen's article be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WHY THE PROPOSED MARYLAND CONSTITUTION WAS NOT APPROVED

(By Thomas G. Pullen, Jr.)\*

The people of Maryland simply did not want a new constitution so they went to the polls on May 14, 1968, and turned down

\*President, University of Baltimore (Md.), Delegate to the 1967-68 Constitutional Convention of Maryland, Superintendent of Schools of Maryland from 1942 to 1964.

the proposed constitution by a majority of more than 80,000. The apathy of the voters toward a new constitution was really expressed in the election held on September 13, 1966, when they approved the calling of a constitutional convention by a vote of 166,617 "for" and 31,692 "against," while in a concurrent primary election the vote was 609,747 of a total voter registration of 1,396,060. Obviously, interest in a new constitution was relatively slight.

One of the most serious mistakes made by the proponents of a new constitution was to hold the vote on calling a constitutional convention at the same time as a primary election. The proponents probably thought the people would vote in greater numbers for the constitutional convention if they were at the polls in a popular election; however, the converse was true. Through some legal device, it was ruled that actually these were two separate elections even though they were held simultaneously. But the people were suspicious of the arrangement and undoubtedly expressed their hostility, or lack of interest, by refusing to vote on the issue in any great numbers. In all probability, had there been a single election on the issue of calling a constitutional convention as there was supposed to be, the vote would have been about as adverse numerically as it was upon the final product of the constitutional convention.

Naturally, one asks why the people of Maryland did not want a new constitution. We find the answer, of course, in the thinking of the people. The climate today is not favorable to the entire revamping of state constitutions. The present unfavorable attitude among the people in respect to new constitutions is not peculiar to any part of the nation. Several states have turned down proposed constitutions.

The first reason for the attitude in Maryland was normal resistance to change, especially if the change involves something that has been of great importance for a long time. To argue obsolescence because a document is a hundred years old is not psychologically sound; the Bible is two thousand years old. The last Maryland constitution was written in 1867, but the Federal Constitution was written in 1787. Secondly, the people objected to wholesale change. Possibly, proposals for amendments that would have accomplished some proposed changes, including eliminations, would have been acceptable. However, the public feared that it would not have time to understand what had been done in a wholesale proposal until it was too late and then it would be left with the new document for another hundred years. Specious arguments have a way of haunting!

The average citizen did not find too much fault with the present constitution. He did recognize that certain parts needed changing, that there ought to be certain deletions, and that certain provisions, clearly statutory in nature, were in the province of the General Assembly to change; but he could not subscribe to the position that every phase of the document had to be overhauled. Here again, the proponents made another serious mistake; they indicted practically the entire present constitution, which is as untenable as indicting a whole people.

In a democratic society constitutions are considered sacred, and, psychologically, changing one is something like making new translations or interpretations of the Bible to a religious people. Many educated and far-seeing individuals do not understand that what the people think is far more powerful than facts. The place to begin making changes of any consequence, in any field or endeavor is in ideas; once there is acceptance, the practicalities then follow rather rapidly. Huxley wrote this statement in the preamble to the constitution of

UNESCO: "... since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."<sup>1</sup>

Frequently, legislative and governmental actions move ahead of or contrary to the thinking of the people, and the results are not always pleasant. A constitution for Virginia was written immediately after the Civil War and, as in Maryland and other southern states, under the unsheathed bayonets of federal troops. The Virginia constitution had some good features, yet it did not satisfy the citizenry. Since it was not actually a part of the conquered South, Maryland was more fortunate in its Constitution of 1867. In 1902, thirty-three years after its "decreed" constitution, Virginia held a constitutional convention of its own, whose purpose was to constitutionalize the controls the people of the commonwealth had regained since Reconstruction. Everyone knew why an entirely new document was to be written and agreed to its need; therefore, the new constitution was approved by the people.

In 1967 there was no such acceptance in Maryland; moreover, despite all the Madison Avenue publicity and pressure, the people did not understand why an entirely new constitution was so urgent and gave no real approval of a wholesale change. The average citizen today is better educated and, while he may not understand all the facts and the technical aspects of government, he is fairly certain that many of the political scientists do not either. He does know how changes affect him. Therefore, he is skeptical and suspicious more than ever of public officials, public institutions, business, and even religion; he has to be shown!

Let Joseph R. L. Sterne, one of the more able and astute of the reporters of *The Baltimore Sun*, explain what is happening in the thinking of people regarding public affairs:

"There is little doubt that from the vantage point of future history, the scholars will decide that the arch-antagonists of 1968 occupied a certain amount of common ground. Both are thoroughly disillusioned with the two major parties, which they feel are unresponsive to immediate needs and pressures. Both distrust the intellectual establishment, with the 'new left' loathing the educational administrators as fervently as the 'new right' distrusts the professors. Both remain suspicious of the news media of the business community, of the government bureaucracy."<sup>2</sup>

The people are not going to support "tampering" with the instrument of their freedoms, rights, and liberties, even by individuals for whom they have respect and in whom they have confidence and whom they believe to be sympathetic to the problems of all citizens. Sidney Smith spoke of the good judge as being "... well inclined to the popular institutions of his country..."<sup>3</sup> People want political leaders who are well disposed to the common and comprehensive good, not those who preach simple governmental efficiency which is often accomplished only by autocratic power and meticulous judicial interpretations.

Neither race nor religion played too large a part in the people's thoughts about the proposed Maryland constitution. People who had moved to the suburbs generally objected to annexation by a larger and financially needy unit and to the combining of units of unequal taxability; let the state, they sug-

gested, make the necessary financial adjustment where it is needed locally. Race may have played a part in the objection to easy annexation and to the combining of local governmental units for certain functions; actually, the people feared that political units combined for certain functions would become organic political units.

It is possible that the attributing of the defeat of the proposed New York Constitution to its very liberal provisions for financial aid to religious and other nonpublic schools had an effect upon the Maryland constitutional convention regarding the religious issue, but this is doubtful. Maryland is a "highly civilized" community and a more homogeneous unit than New York, and the relationship among the various religions and between the public and nonpublic school systems over the years helped to avoid a public issue on this point. There was general agreement among the public and nonpublic school officials as to the method of handling the situation. It is true, I believe, that block-busting and the possible pushing of minority groups out into the suburbs had a bearing on the thinking respecting the local government issue.

Let us look a bit more closely at this distrust of the people of government, business, industry, education, and religion. The Supreme Court decisions involving race; the right of the individual as related to due process; the involvement of government in business, not only with the consent but with the connivance of business; the marriage of higher education and government after the Kennedy administration; the generally liberal attitude of the Court respecting the accused as against the victim (the dissension among lawyers and even among judges as to judicial actions); violence and mayhem in the streets and a general breakdown of law and order attributed to the liberalism or weakness of the judiciary or charges of laxity or brutality of the police, whichever position you may wish to take; the methods of handling the news; and the building up of non-whites into figures of prominence by the news media, have all played a part in developing the distrust of which Mr. Sterne speaks.

Back in the mind of the average citizen everywhere there is a feeling that politicians, especially the ones in the higher brackets, are striving to gather power unto themselves by the simple expedient of controlling legislation and the budget and to establish a dynasty. Let Mr. Jefferson speak upon this point:

"It would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; . . . confidence is everywhere the parent of despotism—free government is founded in jealousy, not in confidence; it is jealousy and not confidence which prescribed limited Constitutions, to bind down those whom we are obliged to trust with power . . . our Constitution has accordingly fixed the limits to which, and no further, our confidence may go."<sup>4</sup>

Twice before, within the last two or three decades, Maryland citizens voted to hold a constitutional convention, but in each case their expression was thwarted by the legislature. In each case, however, the vote was comparable with the latest expression, that is, it apparently did not register the will of the great majority of the voters but only a majority of those voting in the election.

In brief, then, the desire for a new constitution in Maryland was not of the people; it had no wide support, and its sponsors represented special interests in the minds of the people. Who were its strongest proponents? The answer is: the newspapers generally; the chambers of commerce; certain governmental

<sup>1</sup> Huxley, Preamble to the Constitution of UNESCO (1945).

<sup>2</sup> Stan, *Wallace and the Other Candidates*, Baltimore Sun, Oct. 13, 1968 (Sunday supplement "Perspective"). Used by author with permission of the publishers of the Baltimore Sun.

<sup>3</sup> S. Smith, *The Judge Who Smites Against the Law*.

<sup>4</sup> Kennedy Resolution (1798).

organizations within and without the state, such as the National Municipal League; the League of Women Voters and other such groups which had no special or vested interest; and groups of so-called liberals. The politicians were not interested as a rule—actually antagonistic when expressing themselves privately—and the majority of the population was apathetic or hostile. The idea of any necessity did not take root, and so the proposed constitution failed in passage.

#### FEARS OF THE VOTERS

What were the specific aims of the proponents of a new constitution? In this discussion I shall refer not only to the pre-convention fears of the people, but shall refer to certain actions of the convention that proved the reasons for these fears.

There was a feeling that certain interests, specifically business, the press, and some socially-minded groups, wished speedy social, economic, and business changes in government and, therefore, sought to establish the office of an all-powerful chief executive, who would bring about the changes they desired almost by edict. Maryland, thanks to the powerful Governor Ritchie, established constitutionally an extreme executive budget, constitutionalized it, and made it the most effective instrument of control by a governor of any state in the nation. To illustrate, under the constitution of Maryland, the governor can personally control, in effect, the salary of every top state administrative official, except that of some elected ones; moreover, he can cut the budget of practically any agency, including all public higher education, to the minimum. Literally, the governor has the power to destroy certain governmental functions. The General Assembly can only cut the Governor's budget; if it wishes to increase it for any reason, it has to pass an act providing new taxes to pay the increase desired—an almost impossible task. The only agencies protected against such arbitrary action by the governor are the legislative, the judicial, and the public schools, thanks to an intelligent constitutional provision. The present Maryland constitution provides that the chief executive must accept the estimates of the State Board of Education for the support of public schools, in accordance with the laws of the state, and put these estimates into the budget without revision, furthermore, the budget, when passed by the General Assembly, shall become law without the signature of the governor. This provision irks most governors, especially the inept ones, and also some legislators who would like to cut the public school budget. But the governor can cut the budget of the State Department of Education as well as those of the University of Maryland and of the state colleges, the departments which render social services, and all others. Again, the governor of Maryland under a constitutional amendment can cut every departmental budget up to twenty-five per cent in a state of emergency, except those of the public schools, the legislature, and the judiciary.

In addition to his budgetary powers, the governor of Maryland generally appoints most judges and all sorts of other officials. In the thinking of the public, there was the fear that the governor would be given even greater power by the proposed constitution and would consolidate state departments, hire innumerable assistants, and take on the characteristics of a dictator. While the proponents did not emphasize this point, it was obvious from the beginning that the attempt to create a more powerful chief executive was one of their major aims, and the popular reaction was not favorable.

The philosophy of certain political scientists that we need strong executives is an absurdity to many who have had experience in the practicalities of government. If our governmental executives were selected by competent men for their executive ability,

the situation would be different; but to assume for one moment that an individual elected to high office immediately becomes a capable executive is quite another thing. The administrative ineptitude of too many elected officials at all levels is apparent even to the least educated layman.

The second great fear of the Maryland voters involved the judiciary. Unfortunately, several attempts had been made in the General Assembly in years past to bring about changes in the judiciary that were probably sound, but the efforts were unsuccessful. The major focal point in the constitutional convention concerned judiciary changes. Unfortunately, in the constitutional convention, to gain the point desired, serious attacks were made upon the competence of the judiciary, including the specific qualifications of some of the judges. A major part of the entire convention was consumed in this battle, with many hard feelings.

In the legal profession, as in most professions, there is a major battle going on over the control of the profession. Control is sought by indirection in some cases. The struggle in the legal profession is between the practicing lawyer (the American Bar Association and other groups) and a relatively small number of law schools for the control of teaching the law. The Association of American Law Schools is attempting to eliminate all but highly restricted law schools with limited enrollment, to abolish night law schools, and to make the law an intellectual discipline. There is a feeling, especially in Maryland in the legal profession, that a few prominent law firms, organized somewhat along corporation lines, wish to control the profession within the state and that, if the present system of selecting judges is changed as was proposed, the average practitioner would never have a chance to be a judge. This feeling was possibly not justified, but it unquestionably existed to a great degree and had a decided effect upon the vote in the constitutional convention and even more in the general election on the constitution.

An attempt was made to professionalize the entire judiciary by abolishing the magistrates court and setting up courts administered by lawyers, but the veil of suspicion was cast over the entire matter because of other provisions, including too much power for the chief judge of the court of appeals. I suspect that many lawyers, judging from my wide acquaintance among them, voted against the constitution because of the judiciary provisions.

One of the greatest fears of the public was the possible breakdown of the separation of powers of government, which obviously would happen if the powers of any one of the three branches of government were unduly strengthened or lessened. The constitutional convention conveniently accommodated this fear, as did the draft commission. They strengthened the power of the chief executive (the General Assembly which, in my judgment, should have received the most support for greater power had the least) and the powers and the authority of the judiciary. The Governor, for example, under the proposed constitution, upon assuming office, could have changed every appointed board controlling an agency of the state, except those dealing with public education, and the latter would have been included except for strong opposition. Every administrative state board would have become entirely political.

In any civilized state the intelligent people do not want the politicians to control the education of their children or, for that matter, any function of government that concerns their well-being. Political rapacity, however, knows no limits except the power and authority of an aroused public.

The convention's position on the separation of powers offered the greatest opportunity for attack from the strongest opponents

of the proposed constitution, the Save Our State Committee, headed by the wife of a judge of the court of appeals of the state.

Further, the people generally feared the elimination of certain local officials whose offices have long since become impotent, but for whom the people could vote locally. Here again the constitutional convention disregarded the thinking of the people. They eliminated the magistrates and certain other local and minor officials in the name of efficiency, and these officials and their friends rebelled strenuously against the action. The officials in themselves were not so important, but they represented a concept of government; that is, the doctrine of locally elected officials. There could have been a far more graceful and effective method of liquidation, but the constitutional convention did not find it.

In the elimination of offices, the great fight in the constitutional convention occurred over the offices of attorney general and state comptroller. It is useless to go into a discussion as to whether the attorney general of a state or commonwealth and the fiscal officer should be elected or appointed by the governor. The debate on this question was one of the most useless of all discussions in the entire convention. The question was simple: Is the attorney general the representative of the people's interests or is he the "governor's man" as certain proponents stated? The convention could not quite accept the idea that the attorney general should be the "governor's man," and his office was kept elective. The comptroller was not so fortunate; his office was retained but with reduced powers. A major change was the assigning of his auditing powers to the legislature.

The attorney general and the comptroller are popular men. Their offices are considered public offices accountable to the people rather than adjuncts of the governor's office; therefore, the attempt of the proponents to eliminate these offices must have had quite an adverse effect upon the vote on the constitution.

There were other fears—some important, some not so important. One fear, never answered satisfactorily, was whether or not new language and a new constitution would open up entirely new litigation on the whole constitution. If so, some opponents said, it would take another hundred years to know exactly what the new constitution means.

#### REASONS FOR DEFEAT OF THE PROPOSED CONSTITUTION

The constitutional convention as a whole was a well-organized, well-regulated, and well-directed enterprise. Committee chairmen were selected for their willingness to cooperate with the "establishment". The technical aspects of the convention were beautifully run. It was apparent that the convention was geared to pass the draft constitution in as near its original form as possible. The closely knit overall organization was so well developed and so rigidly run that some of the committees were not as effective as they should have been. My own committee was a good example of this procedure. The convention was managed as rigidly and efficiently, as far as approval of proposals was concerned, as a meeting of the chamber of commerce or a Bible class. It was a beautiful operation, but the patient died.

What were some of the mistakes of the constitutional convention as a body that led to defeat of the proposed constitution? First of all, it passed too many controversial matters by too small a majority. The work of the constitutional convention was divided among eight committees: Committee on Personal Rights and the Preamble; Committee on Suffrage and Elections; Committee on the Legislative Branch; Committee on the Executive Branch; Committee on the Judicial Branch; Committee on Local Govern-

ment; Committee on State Finance and Taxation; and Committee on General Provisions. Each section of each article was voted upon separately, and then the entire article was voted upon as a whole. In each of the major articles there were some very controversial points, such as the power of the governor to assume control of all administrative boards as soon as he came into office, the right of negotiation, the organization of the courts, the referendum, and many others.

Several very controversial issues were decided by a bare majority vote. When the entire article was voted upon, however, those in the minority on the controversial issues voted for the entire article. But every controversial section won by a narrow margin cost many votes in the general election!

Secondly, the leaders gave the impression to some of the members and to the public that the proposed document was a "holy vessel;" that it was being prepared by the elect and should not be defiled in any way; and that it was the result of a great crusade by valiant warriors inspired by very lofty ideals, a conquest of good over evil! Psychologically, it is quite likely that a sort of paternalistic attitude, which became almost patronizing on the part of the convention, had as much to do with the adverse vote on the constitution as any other factor. This was most unfortunate as the members of the constitutional convention were about as fine a group of citizens as I have ever known. However, for the most part they were inexperienced in the ways of politicians and legislators, and consequently they lived on a very high plane, so high at times they were not conscious of the realities of political sanction.

Thirdly, too much effort was expended in trying to preserve the draft constitution, not a particularly well-devised document. The authors of this document were a group appointed by the governor to draft a statement to expedite the work of the constitutional convention. It generated needless controversy in the convention. It was no coincidence that the chairman of the draft commission became head of the constitutional convention. A man of ability and integrity, high standing in his profession, the chairman was possibly too committed to passage of the draft constitution, which became apparent a brief time after the opening of the constitutional convention. It was unfortunate that the machinery of the convention was set up to accomplish this purpose. Committee chairmen obviously were selected for their loyalty to the convention authorities, and, although in the main they were competent individuals, they demonstrated too often their loyalty to a predetermined plan, frequently by voting alike.

My own committee was disorganized most of the time by the loyalty of our chairman who kept close to the establishment. Our committee was able to come out with a report only because one night several of the members got together, wrote on a blackboard every proposal that had been made by any member of the committee, voted upon each one, and finally came up with a majority report. It was not entirely satisfactory, but it was the best we could get. Of the fifteen members of the committee, only nine were left at the end of the meeting. When our report was made to the constitutional convention, it had to be presented by the vice-chairman of the committee, as the chairman would not go against what he thought was the position of the leaders of the constitutional convention in respect to our report.

In the discussion of the proposals of our committee, largely dealing with education, the chairman requested that we limit our discussion to two hours and limit every speaker to two questions (the lawyers had debated for weeks on the judiciary). Our minority report was presented by the committee member who reported regularly to the chairman. I objected on the floor to the

unseemly haste and unfair decision to limit debate on this important matter, and the late night session was closed with a date set for full consideration. In the interim, a compromise was worked out. The important point here is that leaders had preconceived ideas as to what should come out of the constitutional convention and endeavored to accomplish their purpose; a constitutional convention must be unlimited and deliberate in its discussions. No constitutional convention should go into deliberations with preconceived ends in view. There should be free, unlimited, and uninhibited debate as well as a clear-cut resolution on every point.

Fourthly, another mistake of the constitutional convention, which was reflected in the adverse vote at the polls, was the unwillingness to place a clear-cut, definitive line between what is constitutional and what is statutory. This was especially obvious in the deliberations of the committee on the judiciary, which was the chief offender in this respect until it rescinded several of its acts with the consent of the constitutional convention at the last moment. The first judiciary proposals which were approved spelled out salaries, pensions of judges and even the pensions of widows, and many details that anyone could see were not constitutional in nature. The reason, of course, was that the judiciary feels, improperly in my opinion, that it cannot get justice in the General Assembly. The proponents overlooked the fact that most of the members of the General Assembly are lawyers, most of whom hope to be judges, and they are anxious to make their future as attractive as possible. Of course, there are always some frustrated legislators who have been passed over for the judgeships, and they inveigh and work against fair pay and retirement.

I am no lawyer, but I am confident that a large percent of the proposals of our constitutional convention could have been provided by statute; possibly fifty to sixty percent of the total.

To give an idea of the attention paid to the various articles of the constitution, I am citing the number of pages devoted to each:

- Article 1 Rights, 3;
- Article 2 Suffrage and elections, 3;
- Article 3 Legislative, 7;
- Article 4 Executive, 10;
- Article 5 Judiciary, 9;
- Article 6 Finance, 5;
- Article 7 Local Government, 3;
- Article 8 Education, ½;
- Article 9 General Provisions, 3; and
- Article 10 Effect and Amendment of Constitution, 2½.

In spite of the final large majority of the members voting for the proposed constitution in the constitutional convention, I suspect that at least one-third of them did not vote for it in the election. The odor of sanctity was so pervading in the convention hall that few dared to defile the temple of obstructionism!

#### CONCLUSION

In closing I should like to make a few gratuitous comments about constitutional changes, based upon my limited experience as a member of the Constitutional Convention of Maryland from the First Legislative District of Baltimore County:

1. It is a waste of time, effort, and money to hold a convention to draft a new constitution unless the great majority of the people want it and have had a chance to express this approval by voting on the issue by itself.

2. The people will not accept the idea of a new constitution unless it has proper sponsorship, which must be representative of all segments of the population. Sponsorship by certain vested interests may get temporary approval of a convention but not of a constitution. The opponents of any new constitution in Maryland did not become vocal until after the proposed constitution was

published, although there were considerable rumblings after the draft constitution was made public.

3. In trying to "sell" the idea of a new constitution do not:

a. argue that a constitution is obsolete merely because it is a hundred years old;

b. plead for an entirely new constitution because there is some reference to dueling and similar trivialities in the old one;

c. employ young "experts" from out of the state to present such arguments—use local public leaders whose opinions the people respect;

d. bring in too many outside professional organization workers with ready-made reports on every phase of government, model constitutions, model statutes, and advice as to methods that have been successful in some states, especially in those states whose level of civilization or sophistication does not rate "triple A" in the local state (at times, from the arguments, I felt as though I was voting on an issue in Missouri, Texas, or some other state);

e. confine leadership in the campaign to a few segments of the population or only a few businesses and professions (after all, a constitution is the one aspect of government that is supposed to be the common element for every citizen, and everyone should share in its preparation);

f. have a draft constitution prepared by an appointed group and then submit it to an elected group for consideration; if you should make this mistake, do not permit the drafters to be of the elected group (obviously, if there is a carry-over of personnel, you have a ready-made controversy to begin with!);

g. fail to make entirely clear to the voters the basic reasons why a new constitution is needed—be specific as to what changes you proposed.

4. Some positive suggestions:

a. It is probable that an entirely new constitution is not needed, only some important amendments. Make all changes by amendments rather than by complete constitutional change if possible. If the desired amendments are sound, the people will accept them. People can understand needed changes even if they cannot comprehend the technical details, but they become suspicious when a whole document is toyed with.

b. In talking about a new constitution, make clear and definite the changes desired. Uncertainty as to what was intended helped to turn the people of Maryland against a new constitution even before the convention met.

c. Have supporters broadly representative of all segments and facets of the population and enterprises.

d. Have the draft proposals prepared by a committee of the elected constitutional convention—not by others. Recess the convention for months if necessary to await a draft proposal. The psychology of drafting by others than elective members is bad.

e. Allow the constitutional convention plenty of time to deliberate.

f. By all means, allow each committee of the constitutional convention equal time to debate if equal time is necessary.

g. Define clearly and unequivocally what is constitutional and what is statutory and allow no exceptions. The proposed Maryland constitution was possibly fifty per cent statutory in nature.

h. By all means avoid giving the public the idea that the constitutional convention considers its documents a holy thing—a sine qua non. State that what is proposed is an improvement, a better working document, not earth-shaking but sound. And this is what the proposed Maryland constitution was!

i. The constitutional commission, appointed to advise as to the advisability of a constitutional convention, should clearly define the points to be covered, the constitutional changes that are desirable, and then

clearly indicate what is statutory or constitutional. If the constitutional changes recommended can be achieved by amendments, they can be recommended to the legislature for referral to the people in the form of constitutional amendments. If they are statutory, they can be referred to the legislature for action. It is quite possible that a constitutional convention is not necessary to accomplish all the desirable constitutional changes.

One hopeful observation: I am confident that many of the constitutional changes proposed in our convention will be put into effect as statutes enacted by the General Assembly of Maryland. The serious need for some of these changes was clearly demonstrated by the discussions in the constitutional convention, and in time the people will want them. When the people really want them, the General Assembly will act and as expeditiously as the people desire.

Out of my very pleasant experience as a member, I feel confident that the Constitutional Convention of Maryland of 1967-68 justified itself by throwing into bold relief, for the people of Maryland, problems and suggested solutions in respect to state and local government. The issues were clear cut. Within a reasonable time, I am confident that these problems will be settled by the General Assembly either through statutes or by referral of constitutional amendments to the people.

#### THE VOICE OF IRISH LIBERTY WILL NOT BE STILLED

### HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. PODELL. Mr. Speaker, I have been shocked at the sight of religious extremists, whipped into a frenzy of hate, violently disputing the right of Catholics of Northern Ireland to enjoy the most elementary human freedoms. To me, it seems these citizens have been deprived of many basic rights as part of a deliberate policy on the part of some of the authorities of Northern Ireland.

Certainly there is no reason in the world to violently prevent peaceful protests on the part of Ulster's Catholic population. Certainly there is no excuse for some of the sights we have seen and words uttered against these Catholic Irish. Further, I am more than a little surprised that modern Great Britain would allow such behavior and outright discrimination in this day and age.

Wherever England's banner has flown in battle, the Irish have helped hold it high, advancing it in many a common battle against Nazism and other evils. The blood of many fine Irish boys has flowed freely in defense of democracy. Are they then to be denied elementary privileges in their own land in the name of religious extremism? Are they to be penalized because they happen to be Roman Catholics by religious faith? Such policies do no honor to Great Britain.

I could not help but be much moved by recent actions and words of Miss Bernadette Devlin, the 21-year-old young lady who moved the British Parliament so deeply in her maiden speech. Few finer or more eloquent words have been uttered in modern times on behalf of the cause of human liberty and dignity of the individual. I believe she high-

lighted an intolerable situation that harms non-Catholics in Northern Ireland as much as their Catholic fellow citizens.

It is degrading to see political figures encourage religious bigotry in order to perpetuate political control. All the Ulster Catholic population seems to be asking for is the principle of one-man, one-vote in local elections. Such a principle seems to me to be worthy of the support of the British Government.

Ireland has given the Western World much. Her sons and daughters have enriched our land. Her genius has a special place in millions of hearts. Her torment is not to be suffered in silence.

#### HOW ABOUT US?

### HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. FLOWERS. Mr. Speaker, many Members of Congress, including myself, have introduced legislation to raise the personal tax exemption from its current unrealistic level of \$600. We are much encouraged by the statements made in the last few days by the chairman of the Ways and Means Committee that his committee will not be limited by the "partial package" proposed by President Nixon, but will press toward an overall tax reform measure this year.

The Greene County Democrat is a weekly newspaper published at Eutaw in Greene County, Ala. For over three quarters of a century it has served its readers well, and Mr. Richard K. Martin, the present editor and publisher, has contributed greatly in this tradition of service with his news and editorials.

I would like to share one of his editorials with my colleagues and others by inclusion in the RECORD at this time. It seems to me that this editorial clearly places before us one of these much-needed areas for tax reform:

#### How About Us?

It was thirty years ago this year that Uncle Sam very confidently set a price tag on our kids. Uncle said \$600, and since 1939 that has been the figure established by the Internal Revenue Code. That is what the government allows us for each dependent child, as a deduction on our income tax.

Now there appears in the press a report that welfare recipients are campaigning for a minimum annual handout of at least \$4,400. That, the dole-takers say, is the rock bottom income which would insure their dignity and relief from harassment.

Might that be a proper new deduction for a man and wife filing a joint federal income tax return?

There are across this land several million man and wife taxpayers who were not yet born in 1939. Yet they are feeding, clothing and educating children under that ridiculous and antiquated \$600 deduction per dependent. When Uncle Sam looked at the problem of establishing dependency "allowances" within programs more modern than the income tax he chose to be infinitely more generous.

We are allowed \$50 a month deduction for each of our kids. But the Aid to Dependent Children program subscribes upwards of \$800 a year for the upkeep of an illegitimate child.

Refugees from Cuba are allowed a minimum of \$1,200 a year, and generous Uncle budgets an additional \$1,000 a year for each Cuban refugee child enrolled in school.

Job Corps personnel have been costing the government upwards of \$7,000 a year. The most recent figures we find for the Vista program (Volunteers in Service of America) indicates that more than \$15,000 a year per trainee was provided. Surely there are a few million parents who would like to have that sum available to finance college expenses for their offspring.

Still, come April 15, the man from Uncle will insist that the \$600 deduction is the law of the land. And if you suggest that the cost of food, shoes, doctor bills, church and school activities have risen somewhat since 1939, you'll prompt a condescending smile.

Congressmen gratefully accepted an 88 percent increase in salary over the last five years. We poor taxpayers haven't had an increase in the standard deduction in 30 years. How about us?

#### AMERICAN UNIVERSITY STUDENTS OUST SDS

### HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. WATSON. Mr. Speaker, this week a group of hale and hardy students at American University showed the best method of freeing a campus building taken over by the so-called Students for a Democratic Society. Instead of trying to negotiate and then turning around and weakly accepting ridiculous SDS proposals as too many school officials are doing, these dedicated, conscientious, and brave students physically ousted SDS creeps who illegally took over one of their campus buildings.

Mr. Speaker, in one fell swoop, a group of students showed college administrators how it is done. You do not negotiate with SDS or do a series of backflips and knee jerks when they attempt to take over the campus; you crack the whip and get tough.

In a way, it is really a shame that students who are struggling to get an education have to take matters in their own hands just to be able to attend classes without fear of harassment and intimidation. Over 90 percent of our students realize the value of higher educational training, and they are working long and hard to realize worthy goals. They are justifiably sick and tired of these leftist militants who are seeking to disrupt the educational processes, and I predict that more and more students in future weeks are going to follow the lead of their contemporaries at American University and eject the rascals from their schools. After all, exam time is rapidly approaching for most students, and this is a serious and traumatic period for them.

I applaud the students at American University for their forthright action. They are to be commended. I only hope that other schools will follow their lead. Only then will our campuses be safe for the purpose in which they were established in the first place—centers of learning in which students prepare themselves for tomorrow's challenges—instead of meccas of anarchy.

VOID IF DETACHED

[From the Montclair Times, Apr. 10, 1969]

VOID IF DETACHED

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 24, 1969

Mr. RODINO. Mr. Speaker, the town of Montclair, a progressive suburban city in my district, is currently blessed by the great leadership of its mayor, Matthew Carter. Mayor Carter was recently honored by the Bankers National Life Insurance Co. of Montclair with its 1969 distinguished service award. The following editorial from the Montclair Times states very clearly and eloquently the ideals that have made Mayor Carter such a deserving recipient of this award:

Mayor Matthew G. Carter, in accepting the 1969 Distinguished Service Award last week from Bankers National Life Insurance Company of Montclair, delivered a brief but forceful address on the topic, "Void If Detached." The Mayor noted that he, as an individual, would be void if he were detached from his family and friends in the same manner that most things in life are void if they are detached from sockets or connections. He also related the word "appliances" to characterize many of these things to the fact that we as individuals are void if we do not apply ourselves.

An extension of Mayor Carter's theme might include the fact that Montclair as a community would become a void if it were to be detached from the individuals and groups working for the betterment of the town.

Bringing this thesis to the level of the individual, it might be said that the selfish individual who sees happenings only within the sphere of his own restricted area is likely to become void since he has detached himself from others in the community whose differing viewpoints may well contain the solution to problems encountered by this iconoclastic person seemingly so secure in the ivory tower of self-love with which he has walled himself.

Nor would a discussion of a talk by an ordained minister and a dedicated YMCA worker be complete without the statement that all of us live in nothing but a void if we remain detached from the all-knowing and all-loving presence of God.

The Times extends its congratulations to Mayor Carter on this latest in a long list of honors he has received in a past which antedates both his selection in 1968 as Mayor of Montclair and his choice as a member of the Board of Commissioners in 1964.

**HOUSE OF REPRESENTATIVES—Monday, April 28, 1969**

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*Fear God and keep his commandments; for this is the whole duty of man.—Ecclesiastes 12: 13.*

O God of love and Father of mercy, we rejoice and our hearts take courage when we realize that Thou art always with us, available for every need and ready to help when we turn to Thee.

Each day at this noontide moment of prayer we seek Thy sustaining presence because we are meeting problems beyond our wisdom to solve and managing responsibilities beyond our strength to carry.

Give to our President, our Speaker, every Member of this body, and those who work with them a clear sense of Thy guiding spirit as they endeavor to master the difficulties that beset our country.

In all our efforts to do what is right and good for all may we maintain a faith that never falters, a courage that never fails, and a good will that never fades.

Bless our Nation with Thy favor and make us ever eager to participate in the adventure of leading man and nations into the glorious light and life of liberty.

In the Master's name we pray. Amen.

**THE JOURNAL**

The Journal of the proceedings of Thursday, April 24, 1969, was read and approved.

**MESSAGE FROM THE SENATE**

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 216. Concurrent resolution extending to the Honorable Harry S. Truman, 33d President of the United States, the best wishes of Congress on the occasion of his 85th birthday.

CXV—661—Part 8

**PRESIDENT RENÉ BARRIENTOS ORTUÑO, OF BOLIVIA**

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, all of us, I am certain, were shocked by the untimely death this past weekend of President René Barrientos Ortuño, of Bolivia.

According to news reports reaching Washington, President Barrientos perished in the crash of a helicopter which he was piloting himself.

Forty-nine years of age, the President was a pilot and headed the Bolivian Air Force before becoming President in 1964.

Elected to a 4-year term as constitutional President by an impressive majority in 1966, President Barrientos had shown himself to be an able, energetic chief executive, committed to the implementation of fundamental economic and social reforms resulting from the 1952 revolution in his country.

During his tenure, President Barrientos overcame a number of serious and disparate crises, including the difficulties which arose from Communist guerrilla insurgency led by Ché Guevara, of Cuba.

In the death of President Barrientos his country has lost an able and dedicated leader and the world indeed has lost a man of vision.

As chairman of the Subcommittee on Latin America, I join with other Members of Congress and executive branch officials in extending our condolences to the Government and people of Bolivia.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join with the distinguished gentleman from Florida in this note of sadness over the loss not only of a great Bolivian but a great American and a great man. I extend to his family, his country, and to both continents in the Western Hemisphere and to all liberty-loving people my own condolences over his tragic death.

Mr. FASCELL. I thank the gentleman.

**GENERAL DE GAULLE**

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I thought it might be worthy of comment to note that Mr. Nixon's recent trip to Europe to genuflect at the altar of General de Gaulle was a wasted motion because the French people finally caught up with De Gaulle and he is not there any more.

**NEW LEFT NOTES**

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute.)

Mr. CEDERBERG. Mr. Speaker, I placed two documents by the misnamed SDS—"Students for a Democratic Society"—in the April 24 Record. These two documents are blueprints for the creation of disorder on the college campuses of our Nation as well as within the business and labor areas.

Today I am placing in the body of the Record an SDS document entitled "New Left Notes," which was distributed at a basketball game at East High School in Denver, Colo., the last week of February 1969.

The main titles of this document are: "Minimum Definition of Revolutionary Organization"; "Sex Relationship Inventory," which is an obvious attempt to pollute the minds of these young people; and "A Series of Formulas and Techniques for Explosive, Incendiary Devices."

I was pleased to note that our colleague, the gentlewoman from Oregon (Mrs. GREEN) plans to call some of these revolutionary leaders before her subcommittee. This organization and its aims must be exposed.

I have written the Attorney General requesting that he use whatever legal power he has available to curb this group's activities.

Also, I have suggested to the gentleman from Missouri (Mr. ICHORN), the chairman of the House Internal Security