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is warranted by the critical situation that has now developed.

Sincerely,

Kennedy, McGee, Ribicoff, Symington, Talmadge, Young of Ohio, Allen, Bayh, Bible, Burdick, Byrd of Virginia, Cannon, Church, Cranston, Dodd.

Eagleton, Gravel, Harris, Hart, Hartke, Holland, Hollings, Hughes, Inouye, Jackson, Magnuson, McGovern, McIntyre, Metcalf, Mondale.

Montoya, Moss, Muskie, Nelson, Pastore, Pell, Proxmire, Randolph, Spong, Tydings, Williams of New Jersey, Sparkman, Jordan of North Carolina, Yarborough, Stennis, Democrats.

Scott, Javits, Brooke, Dole, Gurney, Prouty, Schweiker, Packwood, Murphy, Goodell, Percy, Smith of Illinois, Boggs, Thurmond, Saxbe.

Tower, Goldwater, Mathias, Cooke, Bennett, Case, Hruska, Baker, Fannin, Stevens, Miller, Curtis, Fong, Republicans.

SENATOR SAM J. ERVIN, OF NORTH CAROLINA

Mr. MATHIAS. Mr. President, as a Nation and as individuals we cannot afford to lose sight of the fundamental principles on which America has been built. Often, in the course of our daily business, we encounter proposals or policies which seem to raise issues of basic rights or challenge the letter or spirit of our freedoms. When the matter at hand is small or attractively expedient, it can be tempting to brush such questions aside, or to give them little attention or emphasis.

One Senator who does not yield to such temptations is the distinguished senior Senator from North Carolina, Hon. SAM J. ERVIN. Throughout his long service, Senator ERVIN has been a consistent defender of the Constitution and a stern watchdog for the Bill of Rights. He is justly renowned as a brilliant lawyer, an articulate, persuasive advocate, and a formidable adversary.

As chairman of the Subcommittee on Constitutional Rights, Senator ERVIN has been the author of many intelligent, progressive bills, including the Bail Reform Act of 1966 and S. 782, the bill which I was proud to cosponsor to protect Federal employees' right to privacy.

In a column published in the Washington Sunday Star of May 31, Mr. James J. Kilpatrick applauded Senator ERVIN for his efforts in analyzing the question of preventive detention, one of the important criminal-law problems now before the Senate. Mr. Kilpatrick summarizes one of Senator ERVIN's recent speeches on the subject, a speech which is called "as brilliant as any senatorial statement to come along in months." Reviewing the Senator's arguments against preventive detention, Mr. Kilpatrick concludes:

The answer to the dangerous criminal, he is convinced, lies in speedy trials, and he argues persuasively that preventive detention hearings could only add to the delays that now occur.

Mr. President, Mr. Kilpatrick's column deserves wide attention and close reading, both for its review of this particular issue and for its timely accolade to

the senior Senator from North Carolina. I ask unanimous consent that the column be printed in the RECORD.

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

SENATOR SAM ERVIN, FOUNDING FATHER

(By James J. Kilpatrick)

Another statement turned up in the mail the other day from Sen. Sam J. Ervin Jr., of North Carolina. For some time now, the Senator has been out in front of those who oppose the concept of "preventive detention" as an anti-crime weapon. Here he marshalled his arguments in a single speech as brilliant as any senatorial statement to come along in months. He has earned a band of laurels.

Senator Sam, I am minded to say, is perhaps the best we have on the Hill just now. There are Senators with greater expertise in particular fields—Stennis on defense, Pell on railroads, Russell on parliamentary law—and there are some walking encyclopedias in the House: Mills on taxation, Patman on foundations. But in his keen understanding of the meaning of a free society, Ervin of North Carolina stands alone.

The Senator's philosophy is cast in that fine 18th century mold that produced a Burke in England, a Jefferson here. If he had lived in their time, he would have ranked without question among the Founding Fathers. Ervin understands, just as they did, that the essence of wise civil government is constantly to keep in balance the powers of the state and the rights of free men. In any doubtful issue, the balance must be tipped toward freedom.

That is what Ervin is saying here. He is as concerned as any man in public life with the crime that plagues society today. Ervin knows crime at first hand: He was for 14 years a judge, serving on both trial and appellate courts. There is nothing soft in his view of the criminal who kills or rapes or burns.

But Ervin is above all else a man of the Constitution. The scheme of preventive detention, embodied in Senate Bill 2600, would permit trial judges to refuse bail to certain arrested defendants on a judge's finding that such defendants, if released, would be a danger to the community. At a preliminary detention hearing, the judge would have to find a "substantial probability" of the defendant's guilt. In this event, the defendant could be imprisoned for at least 60 days pending trial.

To the Justice Department, which has sponsored the bill, the measure seems a prudent device for protecting the law-abiding citizen from violent criminals. Preventive detention would be sought in a limited number of cases only. Defendants so held would be separated "to the extent practical" from convicted prisoners. The streets would be somewhat safer by night.

Ervin's statement of May 20 demolishes these arguments one by one. By the Department's own statistics, he notes, only five percent of those arrested for dangerous crimes commit new dangerous crimes while out on bail. The effect of preventive detention would be "to authorize the imprisonment and punishment of persons for crimes which they have not yet committed and may never commit."

"If America is to remain a free society," says Ervin, "it will have to take certain risks. One is the risk that a person admitted to bail may flee before trial. Another is the risk that a person admitted to bail may commit crime while free on bail."

It is better in Ervin's view to take such risks than to compromise great principles of our law: The principle that a defendant is presumed innocent until proved guilty, the principle that a man shall not be put twice

in jeopardy for the same offense, the principle that reasonable bail must be permitted except for capital crimes. The answer to the dangerous criminal, he is convinced, lies in speedy trials, and he argues persuasively that preventive detention hearings could only add to the delays that now occur.

Senator Sam's powerful cannonade is bound to have effect.

In the long history of man's struggle for due process of law, Ervin's effort may be no more than a skirmish, the merest footnote. But this is how that war is fought, in small engagements on the outer borders of freedom. At 73, the senator is fighting as boldly as he fought in France as a youth of 21; and he will yet earn from us all a palm for his Silver Star.

WATTS MANUFACTURING CO.

Mr. MONDALE. Mr. President, the decade just ended, one of the most turbulent in American history, was one in which national self-criticism became a dominant life-style. All of us recognize and are perplexed by the difficulties and divisions which have issued from the often strident criticism of the 1960's.

Yet I think it is interesting to note that even out of one of the earliest and most shocking of the urban explosions of the last few years—that which occurred in the Watts ghetto of Los Angeles in 1965—forward strides are still being made.

The Watts Manufacturing Co., created in the aftermath of the Watts riots, has become in recent years an outstanding example of ghetto enterprise. The purchase of the company by the Chase Manhattan Capital Corp., the small-business subsidiary of the Chase Manhattan Bank, further distinguishes the record of the Watts Manufacturing Co. The Chase Manhattan Capital Corp. has assured that 80 percent of the company's stock will be sold to the minority group employees of the company within the next 7 years. Thus, the Watts Manufacturing Co. will soon become the Nation's largest enterprise owned, managed and staffed by minority group members.

I commend the Chase Manhattan Bank for its foresight and for its continuing private sector leadership in the social action field. I ask unanimous consent that an article describing this program, written by Mr. Robert Wright, and published in the New York Times of May 8, be printed in the RECORD.

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

EMPLOYMENT AND MINORITIES: STAFF TO OWN WATTS COMPANY UNDER PLAN

(By Robert A. Wright)

LOS ANGELES, May 7.—The ownership of the Watts Manufacturing Company, which is managed and manned by minority-group employees, will be transferred to them under a plan announced today.

The first step will be the purchase of the company by the Chase Manhattan Capital Corporation, a subsidiary of the bank, from the Aerojet General Corporation. Chase will place 80 per cent of the stock into a trust fund for purchase by the employees of Watts over the next seven years.

The plan would make the company, which was founded by Aerojet in the wake of the Watts riots of 1965, the largest manufacturing enterprise in the nation owned and managed by minority-group employees.

DESTRUCTIVE RIOT

Contracts for the sale were signed today in ceremonies at the Watts Manufacturing plant, situated on the edge of this city's Negro ghetto, the scene of one of the most destructive racial riots in recent years.

Signing the contracts were Leon O. Woods, president of Watts; James M. Woods, chairman of the company's executive committee; Louis L. Allen, president of Chase Manhattan Capital, and Jack H. Vollbrecht, president of Aerojet, a subsidiary of the General Tire and Rubber Company. Also participating in the ceremonies, which were witnessed by employes, were J. David Warfield, director of the Office of Business Development of the Economic Development Administration, and Robert J. Brown, special assistant to President Nixon.

Since its founding in August, 1966, Watts Manufacturing has received \$1.8-million in capital and many hours of management assistance from Aerojet. Watts, which makes postal equipment, canvas and metal products, packaging materials and housewares, employs more than 200 persons, about 85 per cent of them black and 10 per cent Mexican-American.

Sales last year reached \$3.9-million, with 70 per cent Government volume and 30 per cent commercial orders.

A LEVEL OF MATURITY

In a joint statement, Mr. Allen and Mr. Vollbrecht noted that Watts Manufacturing was established after the riots demonstrated the despair of the community to provide jobs with the sole requirement of willingness to work. "We feel now," he said, "that the company has reached a level of maturity through which . . . it can become a productive institution in the community, turning out useful products, providing jobs and job training and serving as the significant portion of the economic base of the Watts community."

Under the financial arrangements signed today, Chase Manhattan capital will provide \$1.1-million, two-thirds as a 10-year loan and one-third as equity to be liquidated as the shares are sold to employes. A group of Watts Manufacturing managers will make an initial equity purchase totalling \$100,000. The Equitable Life Assurance Society of the United States will provide a 15-year mortgage of \$250,000.

Mr. Allen said the transaction was made possible by the cooperation of the Small Business Administration, which approved several exceptions to its guidelines.

Last month, the company received contracts totalling \$1.6-million from the Post Office Department and the General Services Administration, the largest contract awarded under the Government's minority business procurement program. Mr. Woods said today, however, that the company planned to emphasize diversification into commercial products, including proprietary items.

The ceremonies ended with the presentation by Watts Manufacturing employes of a sculpture dedicated to Aerojet employes.

THE DISTRICT OF COLUMBIA ANATOMICAL GIFT ACT BECOMES LAW

Mr. GOODELL. Mr. President, on Tuesday, May 26, President Nixon signed into law, S. 2999, the District of Columbia Anatomical Gift Act. As the sponsor of this legislation, I am delighted by its swift passage by Congress.

The purpose of S. 2999 is to provide in the District of Columbia a comprehensive and uniform legal environment for organ donation and transplantation. The bill is based upon a model statute, known as the Uniform Anatomical Gift

Act, which was approved by the National Conference of Commissioners on Uniform State Laws in July 1968. This model statute has been approved by every major legal and medical association in the United States.

When I introduced the District of Columbia Anatomical Gift Act on October 7, 1969, 38 States had already passed legislation based directly on the model act. Since that time, nine other States have also passed such legislation, including my own State of New York. With the signing of S. 2999 by the President, the District of Columbia becomes the 48th jurisdiction to have passed such a law.

Nationwide uniformity of the laws governing organ donation and transplantation is vitally needed in order to further medical advances in this field. The passage of the Uniform Act in almost all of our States, in less than 2 years after its adoption by the National Conference of Commissioners on Uniform State Laws, is compelling evidence of its need and importance.

Mr. President, it is important to note that S. 2999 contains a model donor card which can be considered a valid form of organ donation under the bill. This card can be carried by an individual, and, therefore, has tremendous potentialities for facilitating donations.

Consider, for example, the situation of a person who is killed or rendered unconscious in an automobile accident and whose next of kin does not know whether the accident victim has made a will. If that person is carrying a duly witnessed donor card and there is an appropriate donee able to receive a donation in the vicinity of the accident, a transplant could be effected with a minimum amount of lost time.

A number of medical organizations—Eye Bank Association of America, Falconer Foundation, Inc., Living Bank, Medic Alert, National Kidney Foundation, National Pituitary Agency, U.S. Naval Tissue Bank, and United Health Foundations, Inc.—have now launched a nationwide campaign to distribute this card.

Mr. President, I am confident that the residents of the District of Columbia will benefit from the comprehensive legal framework provided by the act. At the same time, we have made a contribution toward the nationwide legal uniformity so needed in this field.

A PRETENSE TO OMNISCIENCE

Mr. GRIFFIN. Mr. President, I was intrigued by a headline in the Washington Post this morning which said: "Post-war Budget To Free \$17 Billion."

This is a considerable sum of money, Mr. President, and naturally I was curious to see who in the White House had announced that the postwar budget would free \$17 billion.

I was surprised upon reading further down in the column to discover that the statement was made by the former Budget Director, Charles L. Schultze, while offering his valuable opinions to a congressional committee.

It will be remembered that Mr. Schultze was Director of the Bureau of

the Budget from June 1, 1965, to January 29, 1968.

The budget deficit for 1966 was \$3.796 billion.

The budget deficit for 1967 was \$8.702 billion.

The budget deficit for 1968 was \$25.161 billion.

Mr. President, I have no objection to the fact that former officials of the former administration come forth rather frequently to give us the benefit of their wisdom.

In this case, however, I am reminded of the ancient saying that no more pious man exists on earth than a reformed sinner.

I hope it will be possible to free a very large sum—perhaps as much as \$17 billion—when President Nixon's Vietnamization program is complete.

But I suggest that ex-officials of the very administrations which involved U.S. forces in the war, and which were responsible for those deficits, have very little claim to omniscience.

CAMPUS LAWBREAKERS MUST BE TREATED AS SUCH

Mr. GURNEY. Mr. President, we were all saddened by the death of four young persons at Kent State University in Ohio earlier this month. I think it is fair to say that to a certain extent these deaths were avoidable and unnecessary. I fervently hope and pray that no such tragedy as this will occur in the future.

I confess that I am shocked by the statements of Dr. Benjamin Spock, recently reported in the press. At the funeral of one of the people who died at Kent, Dr. Spock is reported to have said that that young man's death was "the best thing" that ever happened for the antiwar movement in America. That statement is a new low even for Dr. Spock, who in the last few years has made a practice of coming out with outlandish and incredible statements.

While I very much sympathize with the families of the students who lost their lives in this tragedy, I am constrained to observe that it is not sufficient simply to brand the National Guardsmen as reckless and mark the file closed.

Kent State, in the days preceding the tragedy, was in a riotous condition. The building which housed the Reserve Officers' Training Unit had been burned. The hoses of the firemen who tried to put out the blaze were cut, and the firemen themselves were stoned. This is hardly the work of a band of youthful idealists. Bands of roving students had descended on the town of Kent, breaking windows and committing mayhem.

All the facts are not yet in: We do not know whether the troops were fired on, or if they were, by whom. It is not, as I say, an open-and-shut case of brutality and irresponsibility on the part of the National Guard. Ohio is not a police state. The view that these students are martyrs whose deaths are attributable to President Nixon or Vice President AGNEW, is a simplistic view and a wholly false view.

I suggest that were Mr. AGNEW to give